

By: Bonnen of Brazoria

H.B. No. 3590

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a customer to choose not to have an advanced meter on the customer's property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.107, Utilities Code, is amended by adding Subsections (k) and (l) to read as follows:

(k) An electric utility or transmission and distribution utility that receives from the commission approval of the utility's plan for deploying advanced meters shall send by mail to each customer scheduled to receive an advanced meter under the plan a notice to inform the customer that the customer may decline to have the meter installed and of the manner in which the customer may decline installation. If the utility includes the notice with the customer's bill, the utility must print the notice on a separate page. If, not later than the 30th day after the date the customer receives the notice, the customer declines to have the advanced meter installed, the utility:

(1) may not install the meter; and

(2) may not charge the customer the nonbypassable surcharge otherwise authorized by Subsection (h).

(l) An electric utility or transmission and distribution utility that has deployed advanced meters under a plan approved by the commission shall send by mail to each customer that is using an installed advanced meter a notice to inform the customer that the

1 customer may choose to have the meter removed and replaced with a
2 conventional meter and of the manner in which the customer may
3 choose removal and replacement. If the utility includes the notice
4 with the customer's bill, the utility must print the notice on a
5 separate page. If the customer chooses to remove the advanced
6 meter, the utility:

7 (1) must remove the advanced meter; and

8 (2) may not charge the customer the nonbypassable
9 surcharge described by Subsection (h).

10 SECTION 2. (a) This section applies only to an electric
11 utility or transmission and distribution utility that, before the
12 effective date of this Act, received approval from the Public
13 Utility Commission of Texas of the utility's plan for deploying
14 advanced meters but that has not completed that deployment on the
15 effective date of this Act.

16 (b) An electric utility or transmission and distribution
17 utility shall suspend the deployment of advanced meters for not
18 less than 45 days beginning on the effective date of this Act.

19 (c) Not later than the 15th day after the effective date of
20 this Act, an electric utility or transmission and distribution
21 utility shall send the notice required by Section 39.107(k),
22 Utilities Code, as added by this Act, to each customer who is
23 scheduled to receive an advanced meter under the deployment plan
24 but has not received the meter. If a customer declines installation
25 of the meter in the manner provided by the notice, the utility shall
26 refund to the customer the amount of any nonbypassable surcharge
27 imposed under Section 39.107(h), Utilities Code, that the utility

1 previously collected from the customer.

2 (d) Not later than the 15th day after the effective date of
3 this Act, the electric utility or transmission and distribution
4 utility shall send the notice required by Section 39.107(1),
5 Utilities Code, as added by this Act, to each customer who has
6 received an advanced meter under the deployment plan.

7 SECTION 3. This Act takes effect September 1, 2013.