

By: Carona

S.B. No. 241

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Section 39.107, Utilities Code, is amended by adding Subsections (k), (l), and (m) 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 advanced meter installed and of the manner in which and date by which the customer must decline installation. If a customer timely declines to have the advanced meter installed, the utility:

(1) may charge the customer a reasonable fee for costs associated with the refusal of installation and with providing traditional metering services; and

(2) may not:

(A) install the meter; or

(B) 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

1 installed advanced meter a notice to inform the customer that the
2 customer may choose to have the meter removed and of the manner in
3 which the customer must choose removal. If the customer chooses to
4 remove the advanced meter, the utility:

5 (1) shall remove the advanced meter; and

6 (2) may charge the customer a reasonable fee for costs
7 associated with:

8 (A) removing the advanced meter;

9 (B) installing a conventional meter; and

10 (C) providing traditional metering services.

11 (m) The commission by rule shall establish a mechanism for
12 charging the fees authorized by Subsections (k) and (l). The amount
13 of the fee for a customer who declines to have an advanced meter
14 installed must be the same as that for a customer who chooses to
15 remove an advanced meter. The commission by rule shall provide for
16 a minimum period between the time a notice under Subsection (k) is
17 mailed and the date by which a customer must decline installation.

18 SECTION 2. The Public Utility Commission of Texas shall
19 adopt rules under Section 39.107(m), Utilities Code, as added by
20 this Act, as soon as practicable following the effective date of
21 this Act, but not later than January 1, 2014.

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