

By: King of Hemphill

H.B. No. 3656

A BILL TO BE ENTITLED

AN ACT

relating to authority of an electric utility customer to choose not to have an advanced meter.

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

SECTION 1. Chapter 38, Utilities Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. CONSUMER PROTECTIONS

Sec. 38.151. DEFINITIONS. In this subchapter:

(1) "Advanced meter" means a digital, radio frequency emitting electric utility meter.

(2) "Traditional meter" means a non-standard, non-transmitting electromechanical analog meter.

Sec. 38.152. RIGHT TO DECLINE INSTALLATION OF ADVANCED METER. (a) An electric utility shall send to each retail electric service customer for whom installation of an advanced meter is scheduled a notice to inform the customer that the property owner, or the customer with the consent of the property owner, may decline to have the advanced meter installed and of the manner in which the property owner or the customer may decline the installation. The notice must be included in a customer's monthly bill.

(b) If a property owner, or a customer with the consent of the property owner, notifies the electric utility that the property owner or the customer declines to have the advanced meter installed, the electric utility:

1           (1) may not install the advanced meter;

2           (2) may not charge the customer or property owner for  
3 declining installation; and

4           (3) may not charge the customer or property owner for  
5 costs associated with traditional metering services.

6           (c) In addition to any other manner for declining the  
7 installation of an advanced meter as provided by the notice mailed  
8 under Subsection (a), the property owner, or the customer with the  
9 consent of the owner, may decline the installation by:

10           (1) posting a sign on the current traditional meter  
11 forbidding installation of an advanced meter; or

12           (2) verbally informing a utility worker at the time of  
13 installation of the intent to decline the installation of the  
14 advanced meter.

15           Sec. 38.153. RIGHT TO REQUEST REMOVAL OF ADVANCED METER.

16           (a) An electric utility that has deployed advanced meters shall  
17 include in the monthly bill for each retail electric service  
18 customer that is using an installed advanced meter a notice to  
19 inform the customer that the property owner, or the customer with  
20 the consent of the property owner, may request to have the advanced  
21 meter removed and replaced with a traditional meter and of the  
22 manner in which the property owner, or the customer with the consent  
23 of the property owner, may request the removal and replacement.

24           (b) If a property owner, or a customer with the consent of  
25 the property owner, requests to have the advanced meter removed and  
26 replaced with a traditional meter, the electric utility:

27           (1) may charge the property owner or customer a

1 one-time fee for the installation of the traditional meter;

2 (2) may assess the nonbypassable surcharge authorized  
3 by Section 39.107(h) to offset the costs incurred for meter  
4 replacement and reading;

5 (3) may estimate customer bills for three consecutive  
6 months with a meter reading conducted by the customer or utility  
7 every four months;

8 (4) may allow the customer to read the meter and report  
9 monthly utility usage;

10 (5) shall consider the customer's reported meter  
11 reading as valid for billing purposes;

12 (6) may not charge monthly meter reading fees to the  
13 customer;

14 (7) shall read the customer's meter not less  
15 frequently than annually;

16 (8) shall bill the customer after each reading for any  
17 underbilling or credit the customer for any overbilling that  
18 results from estimated billing; and

19 (9) may not deny the customer access to the  
20 traditional meter.

21 (c) The fee described by Subsection (b)(1) must be payable  
22 by the customer in equal monthly installments billed together with  
23 the customer's bill for utility service over a period of not less  
24 than one year. The total fee may not exceed \$120 and the  
25 installments may not exceed \$10 except that the fee for a low-income  
26 customer may not exceed \$60 and the installments may not exceed \$5.

27 SECTION 2. This Act takes effect September 1, 2017.