

HOUSE No. 3309

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas A. Golden, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to advanced metering infrastructure in the Commonwealth.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|-----------------------|------------------|
| <i>Thomas A. Golden, Jr.</i> | <i>16th Middlesex</i> | <i>2/12/2021</i> |

HOUSE No. 3309

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 3309) of Thomas A. Golden, Jr. relative to advanced metering infrastructure. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to advanced metering infrastructure in the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 164 of the General Laws, as so appearing in the 2018 Official
2 Edition, is hereby amended by inserting before the definition of “Aggregator” the following
3 definition:

4 “Advanced Metering Infrastructure,” means a meter and network communications
5 technology that measures, records, and transmits electricity usage by the end user at a minimum
6 of hourly intervals and is capable of providing data to the end user and authorized third parties in
7 real time or near real time.

8 SECTION 2. Chapter 164 of the General Laws, as so appearing, is hereby amended by
9 inserting after section 116B the following section:

10 SECTION 116C: Advanced Metering Infrastructure

11 (a) A distribution company shall implement advanced metering infrastructure in their
12 territories for all customer classes in a timely and cost-effective manner approved by the
13 department.

14 (b) Electric customers may opt out of inclusion in the implementation of advanced
15 metering infrastructure with notice to the distribution company. Upon receiving such notice, the
16 distribution company shall remove the customer from the implementation plan, notify the
17 department of the customer's decision to not be a part of such implementation plan in a manner
18 determined by the department, and charge such a customer any reasonable and necessary fees for
19 delivering non-advanced metering service.

20 (c) A non-utility competitive supplier of energy, pursuant to section 1D of chapter 164,
21 may provide consolidated billing services to electric customers utilizing advanced metering
22 infrastructure. For a competitive supplier of energy who implements supplier consolidated billing
23 services for their customers, said competitive supplier of energy shall be subject to the same
24 customer protection rules and requirements as distribution companies for suspension,
25 disconnection, and reconnection of electric services.

26 (d) Distribution companies shall implement accelerated switching permitting a
27 residential or small commercial electric customer to change electric suppliers within three
28 business days. Customers moving within a distribution company's territory shall be permitted to
29 transfer their competitive supplier of energy directly to their new service location without being
30 required to switch to an interim rate provided by the distribution company or other supplier.

31 (e) A non-utility competitive supplier of energy, pursuant to section 1D of chapter 164
32 or other third party is entitled to access to detailed advanced metering infrastructure customer

33 data, subject to appropriate customer approval and protections. A customer's intent to enroll on a
34 non-utility competitive supplier of energy or third party's product is considered approval for the
35 purposes of this section.

36 (f) Within 180 days of enactment of this legislation, all distribution companies
37 operating within the state shall submit a plan for implementation of advanced metering
38 infrastructure to the department for approval. The department shall approve or reject such a plan
39 within 90-days of receipt. The department shall provide rules and protocols for ensuring the
40 timely rehearing of a rejected plan and means to make such plans acceptable to the department.
41 All electric companies are expected to have approved plans at the department within 1 year of
42 enactment unless good cause shown. Approved plans should implement advanced metering
43 infrastructure to all customer classes within 5 years of approval, unless the department
44 determines that such a timeline would create undue costs to consumers, compromise reliability of
45 electric service, or compromise safe operation of the electric grid. Distribution companies shall
46 make regular updates to the department on the progress towards implementing advanced
47 metering infrastructure in their territory, no less than quarterly.

48 (g) Distribution companies shall be entitled to recovery of prudent and necessary
49 expenses for the implementation of advanced metering infrastructure. The department may also
50 implement penalties for failure of distribution companies to meet implementation goals.

51 (h) The department shall promulgate rules and regulations necessary for the
52 implementation of this section within one year of the implementation of this act.