

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5149

03/25/2024 Authored by Engen, Dotseth, Novotny and Robbins
The bill was read for the first time and referred to the Committee on Climate and Energy Finance and Policy

1.1 A bill for an act
1.2 relating to energy; allowing customers to decline the installation of an advanced
1.3 energy meter; proposing coding for new law in Minnesota Statutes, chapter 216B.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [216B.076] ADVANCED ENERGY METERS; OPT-OUT OPTION.

1.6 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
1.7 the meanings given.

1.8 (b) "Advanced energy meter" means a meter that records a customer's natural gas or
1.9 electricity use in real time and uses wireless communications technology to transmit energy
1.10 use data to a central server to be analyzed and used for billing or other purposes.

1.11 (c) "Utility" means a public utility, a municipal utility, or a cooperative electric
1.12 association.

1.13 Subd. 2. Advanced energy meter installation; notice. A utility that proposes to install
1.14 an advanced energy meter at a customer's site must provide written notice to the customer
1.15 that:

1.16 (1) describes how an advanced energy meter operates;

1.17 (2) explains: (i) how the data read by an advanced energy meter is (A) collected, stored,
1.18 managed, and used by the utility, and (B) shared with or sold to others; and (ii) the
1.19 precautions the utility takes in order to keep an individual customer's energy use data
1.20 confidential;

2.1 (3) explains that the failure to install an advanced energy meter may make the customer
2.2 ineligible to participate in any advanced rate design programs offered by the utility; and

2.3 (4) advises the customer of the customer's right not to have an advanced energy meter
2.4 installed and describes how the right can be exercised in order to inform the utility of the
2.5 customer's decision. A customer must be given at least 60 days from the date the notice
2.6 under this subdivision is sent to inform the utility of the customer's decision to elect not to
2.7 have an advanced energy meter installed.

2.8 Subd. 3. **Advanced energy meter installation; prohibitions.** (a) A utility is prohibited
2.9 from installing an advanced energy meter at a customer's site until 60 days after the date
2.10 the utility sent notice to the customer under subdivision 2.

2.11 (b) A utility is prohibited from installing an advanced energy meter at the site of a
2.12 customer who has informed the utility that the customer has made the election under
2.13 subdivision 2, clause (4), to not have an advanced energy meter installed.

2.14 Subd. 4. **Higher charge prohibited.** Notwithstanding any order of the Public Utilities
2.15 Commission to the contrary, a utility is prohibited from imposing a higher charge to read
2.16 the meter of a customer that declines to have an advanced energy meter installed than is
2.17 charged to read the meter of a customer who elects to install an advanced energy meter.

2.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.