

1 S.62

2 Introduced by Senator Hartwell

3 Referred to Committee on

4 Date:

5 Subject: Utilities; electric; smart meters; reports

6 Statement of purpose of bill as introduced: This bill proposes to create
7 additional notice and reporting requirements under Vermont's smart meter law.

8 An act relating to smart meters

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 30 V.S.A. § 2811 is amended to read:

11 § 2811. SMART METERS; CUSTOMER RIGHTS; REPORTS

12 (a) Definitions. As used in this section, the following terms shall have the
13 following meanings:

14 (1) "Smart meter" means a wired smart meter or a wireless smart meter.

15 (2) "Wired smart meter" means an advanced metering infrastructure
16 device using a fixed wire for two-way communication between the device and
17 an electric company.

18 (3) "Wireless smart meter" means an advanced metering infrastructure
19 device using radio or other wireless means for two-way communication
20 between the device and an electric company.

1 (b) Customer rights. Notwithstanding any law, order, or agreement to the
2 contrary, an electric company may install a wireless smart meter on a
3 customer's premises, provided the company:

4 (1) provides prior written notice to the customer indicating that the
5 meter will use radio or other wireless means for two-way communication
6 between the meter and the company and informing the customer of his or her
7 rights under subdivisions (2) and (3) of this subsection;

8 (2) allows a customer to choose not to have a wireless smart meter
9 installed, at no additional monthly or other charge; ~~and~~

10 (3) allows a customer to require removal of a previously installed
11 wireless smart meter for any reason and at an agreed-upon time, without
12 incurring any charge for such removal; and

13 (4) allows a customer to choose to instead have a wired smart meter
14 installed, at no additional monthly or other charge.

15 (c) Reports.

16 (1) On January 1, 2014 and again on January 1, 2016, the ~~commissioner~~
17 ~~of public service~~ Commissioner of Public Service shall publish a report on:

18 (A) the savings realized through the use of smart meters, ~~as well as~~
19 ~~on;~~

20 (B) the occurrence of any breaches to a company's cyber-security
21 infrastructure;

1 (C) the number of customers who have chosen not to have a wireless
2 smart meter installed on their premises or who have had one removed; and

3 (D) the number of complaints received by the Department related to
4 smart meters beginning in calendar year 2012, including a brief description of
5 each complaint, its status, and action taken by the Department in response, if
6 any.

7 (2) The reports shall be based on electric company data requested by
8 and provided to the ~~commissioner of public service~~ Commissioner of Public
9 ~~Service~~ and shall be in a form and in a manner the ~~commissioner~~
10 ~~Commissioner~~ deems necessary to accomplish the purposes of this subsection.
11 The reports shall be submitted to the ~~senate committees on finance~~ Senate
12 ~~Committees on Finance~~ and on ~~natural resources and energy~~ Natural Resources
13 ~~and Energy~~ and the ~~house committees on commerce and economic~~
14 ~~development~~ House Committees on Commerce and Economic Development
15 and on ~~natural resources and energy~~ Natural Resources and Energy.

16 (d) Health report.

17 (1) On or before January 15, 2013, the ~~commissioner of health~~
18 ~~Commissioner of Health~~ and the ~~commissioner of public service~~
19 ~~Commissioner of Public Service~~ shall jointly submit a report to the ~~senate~~
20 ~~committee on finance~~ Senate Committee on Finance and the ~~house committee~~
21 ~~on commerce and economic development~~ House Committee on Commerce and

1 Economic Development. The report shall include: an update of the
2 ~~department of health's~~ Department of Health's 2012 report entitled "Radio
3 Frequency Radiation and Health: Smart Meters"; a summary of the
4 ~~department's~~ Department's activities monitoring the deployment of wireless
5 smart meters in Vermont, including a representative sample of postdeployment
6 radio frequency level testing; and recommendations relating to evidence-based
7 surveillance on the potential health effects of wireless smart meters.

8 (2) The ~~commissioner of public service~~ Commissioner of Public
9 Service, in consultation with the ~~commissioner of health~~ Commissioner of
10 Health, shall select and retain an independent expert, not an employee of the
11 state, to perform the research and writing of the report identified in subdivision
12 (1) of this subsection. The ~~commissioner of public service~~ Commissioner of
13 Public Service may allocate the costs of retaining the independent expert to
14 electric utilities in accordance with sections 20 and 21 of this title (particular
15 proceedings; personnel; assessment of costs).

16 (e) Department notices. The Commissioner of Public Service shall send to
17 each customer or intended customer of a wireless smart meter a letter
18 informing him or her of the customer rights under subdivisions (b)(2) and (3)
19 of this section. The notices shall be sent based on electric company data
20 requested by and provided to the Commissioner and shall be in a form and in a

1 manner the Commissioner deems necessary to accomplish the purposes of this
2 subsection.

3 Sec. 2. INSTALLED WIRELESS SMART METERS

4 If an electric company has installed a wireless smart meter as defined in
5 30 V.S.A. § 2811(a)(3) prior to the effective date of this act, the company shall
6 provide notice of the installation to the applicable customers, and such notice
7 shall include a statement of customer rights as described under 30 V.S.A.
8 § 2811(b), including the right to have a wired smart meter installed instead of a
9 wireless smart meter.

10 Sec. 3. EFFECTIVE DATE

11 This act shall take effect on passage.