

**HOUSE . . . . . No. 2926**

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The Commonwealth of Massachusetts

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PRESENTED BY:

***Thomas P. Conroy***

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*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 passage of the accompanying bill:

**An Act relative to utilities, smart meters, and ratepayers' rights.**

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Thomas P. Conroy*

*13th Middlesex*

*James B. Eldridge*

*Middlesex and Worcester*

**HOUSE . . . . . No. 2926**

By Mr. Conroy of Wayland, a petition (accompanied by bill, House, No. 2926) of Thomas P. Conroy and James B. Eldridge relative to utility meters and the rights of utility ratepayers. Telecommunications, Utilities and Energy.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to utilities, smart meters, and ratepayers’ rights.

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

1 Chapter 164 of The General Laws is hereby amended by inserting after section 116B the  
2 following section:

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4 SECTION 116C: SMART METER INFORMATION

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6 a) As used in this section, the following terms shall have the following meanings:

7  (1) “Electromechanical analog meter”, shall mean a meter with no wireless components and  
8 which does not emit radiofrequency electromagnetic radiation.

9  (2) “Utilities”, shall mean an electric, gas, or water company, or town or city-owned utility or  
10 other utility provider.

11  (3) “Wireless smart meter”, shall mean an advanced metering infrastructure (AMI) device  
12 using radio or other wireless means for two-way communication between the device and an  
13 electric, gas, or water company, an advanced meter reading device using radio or other wireless  
14 means for one-way communication between the device and a utility company, or any utility  
15 meter that emits wireless radiofrequency electromagnetic radiation; or requires a direct current  
16 with which to operate.

17  b) The department of public utilities shall direct utilities to provide to ratepayers the  
18 following:

19  (1) a choice of the type of utility meters to be installed and operated on their places of  
20 residence, property or business; and

21  (2) an ability to retain or restore by replacement meters that emit no radiofrequency  
22 electromagnetic radiation.

23 c) The utilities shall be required to obtain the ratepayer's written consent before installing  
24 wireless smart meters on the ratepayer's property. Ratepayers shall be allowed to retain their  
25 electromechanical analog meters.

26 d) The utilities shall provide written notice to ratepayers within 90 days of the effective  
27 date of this act for the purpose of informing said ratepayers if wireless smart meters have been  
28 installed on their properties. Ratepayers shall have the right to request that the utility companies  
29 remove said wireless smart meters and the replacement installation of electromechanical analog  
30 meters that emit no radiofrequency electromagnetic radiation at no cost or other periodic usage  
31 charges to the ratepayer for such removal and replacement installation. The utility company  
32 shall promptly comply with such removal and replacement installation request made by the  
33 ratepayer to said company.

34 e) Utility Companies are:

35  (1) prohibited from shutting off service to a ratepayer based on the amount of utility usage  
36 the ratepayer uses or the ratepayer having wireless smart meters;

37  (2) prohibited from imposing any disincentive on a ratepayer for not consenting to the  
38 installation or use of wireless smart meters; and

39  (3) required to notify ratepayers in writing that the installation and use of wireless smart  
40 meters are not mandated by state or federal law and are not permitted without the ratepayer's  
41 consent.

42 f) The DPU shall establish terms and conditions to comply with the requirements of this  
43 section.

44 g) This section shall take effect upon its passage.

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