

HOUSE No. 3581

The Commonwealth of Massachusetts

PRESENTED BY:

Tommy Vitolo

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 supporting electrical load aggregation programs in the Commonwealth.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------|---------------------|------------------|
| <i>Tommy Vitolo</i> | <i>15th Norfolk</i> | <i>1/17/2025</i> |

HOUSE No. 3581

By Representative Vitolo of Brookline, a petition (accompanied by bill, House, No. 3581) of Tommy Vitolo relative to electrical load aggregation programs. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act supporting electrical load aggregation programs 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. It is hereby found and declared that electrical load aggregation programs
2 empower municipalities to create new electricity supply offerings that provide customized
3 solutions addressing their consumers' needs and reflecting the municipality's capabilities. Such
4 solutions may provide benefits including, but not limited to, electricity cost control, reduction of
5 greenhouse gas emissions, support for renewable energy development and facilitation of
6 beneficial electrification. Further, electrical load aggregation programs may provide residential
7 and small business consumers access to solutions that they could not find otherwise. For
8 municipalities to effectively offer such solutions, they must be empowered both to create and
9 adapt their electrical load aggregation programs in a timely manner and to communicate with the
10 electricity consumers within their community using methods that reflect local needs and
11 preferences. Therefore, it is found that it is in the public interest to promote electrical load
12 aggregation programs through enactment of the following statutory changes.

SECTION 2. Section 7, clause twenty-six of chapter 4 of the General Laws, as appearing in the 2022 official edition, is hereby amended by inserting the following:

(w) All data associated with an individual electricity consumer obtained by a public aggregator, as defined in section 1 of Chapter 164.

SECTION 3. Section 134 of chapter 164 of the General Laws, as appearing in the 2022 official edition, is hereby amended by striking out subsection (a) paragraph 6 and inserting in place thereof the following:

It shall be the duty of the aggregated entity to fully inform participating ratepayers in advance of automatic enrollment that they are to be automatically enrolled and that they have the right to opt-out of the aggregated entity without penalty. In addition, such disclosure shall prominently state all charges to be made and shall include full disclosure of the basic service rate, how to access it, and the fact that it is available to them without penalty. The department of energy resources shall furnish, without charge, to any citizen a list of all other supply options available to them in a meaningful format that shall enable comparison of price and product. After obtaining approval of its plan, the aggregated entity may deliver information and educational materials regarding its program to each consumer within the municipality or municipalities. To enable such delivery, the electric distribution company shall provide to such aggregated entity a current list of the names, mailing addresses, email addresses, service addresses and rate classes of all electric consumers taking distribution service within the municipality or municipalities. To facilitate the automatic enrollment and ratepayer notification, the electric distribution company shall identify in such data all electric accounts within the municipality that are not otherwise receiving generation service from a competitive supplier and provide such additional consumer

information necessary for such automatic enrollment; provided, however, that any customer may request that their name, mailing address and account number not be shared with the municipality. To monitor program participation, the electric distribution company shall identify in such data those consumers that are participating in the electrical load aggregation program. To enable development of and bidding for electric energy and energy-related services, the electric distribution company shall provide all historical usage and demand information, including advanced metering data if collected by the consumer's meter, for the preceding 24 months for consumers eligible for automatic enrollment as well as for participating consumers. The aggregated entity may use such data only in connection with the aggregation program and for no other purpose. Further, the aggregated entity may only use email addresses provided in such data for communications on behalf of the electrical load aggregation program. All data associated with an individual electricity consumer obtained by the aggregated entity shall be exempt from the definition of a "public record" under M.G.L. c.4 §7 and the aggregated entity shall protect such data as confidential. The aggregated entity shall not share, disclose, or otherwise make accessible to any third party, including any municipal government, such data except where directly necessary in its implementation of the electrical load aggregation program and where subject to non-disclosure requirements.

SECTION 4. Section 116C of chapter 164 of the General Laws, as appearing in the 2024 official edition, is hereby amended by striking out subsection (b) and inserting in place thereof the following:

(b) A supplier or other third party shall be entitled to access detailed advanced metering infrastructure customer data from the centralized data repository, subject to appropriate customer approval and protections. For the avoidance of doubt, municipal aggregators may access detailed

advanced metering data about individual accounts enrolled with the municipal aggregation and eligible for automatic enrollment. Advanced metering infrastructure data may include, but shall not be limited to, customer billing period usage data, peak demand, supplier information and relevant account information.

SECTION 5. Section 1D of chapter 164 of the General Laws, as appearing in the 2022 official edition, is hereby amended by inserting in line 22 after the word “parties.” the following:

The single bill option from electric utilities shall be available to all non-utility suppliers as rate-ready, in which the utility calculates the energy-related charges based on supplier-provided inputs for agreed upon parameters. At such time that rate-ready billing for advanced metering infrastructure is available, the single bill option from electric utilities shall also be available as bill-ready, in which the utility provides the supplier with metered usage and the supplier calculates the energy-related charges and provides such charges to the utility. The bill-ready single bill shall be available only to supply contracts for municipal aggregators and for large commercial and industrial customers.