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ASSEMBLY BILL NO. 289—ASSEMBLYMEN STEWART; HAMBRICK,  
HARDY, HOGAN AND LIVERMORE (BY REQUEST)

MARCH 15, 2013

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Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing the installation and use of smart meters by certain electric utilities. (BDR 58-437)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to electric utilities; prohibiting an electric utility from requiring the installation of a smart meter on the residential property of a customer of the electric utility; requiring an electric utility to provide written notice to a customer of the electric utility before installing a smart meter on the residential property of the customer; authorizing a customer of an electric utility to decline the installation or request the removal of a smart meter by the electric utility; authorizing an electric utility to install certain meters in lieu of a smart meter under certain circumstances; requiring an electric utility to keep confidential certain information obtained from the installation and use of a smart meter; prohibiting an electric utility from increasing the cost of electric service to certain customers under certain circumstances; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1     **Section 2** of this bill prohibits certain electric utilities from requiring the  
2 installation of a smart meter on the residential property of a customer of the electric  
3 utility. **Section 2** requires an electric utility to provide written notice to a customer  
4 of the electric utility before installing a smart meter on the residential property of  
5 the customer. **Section 2** further: (1) authorizes the customer, upon receiving the  
6 notice, to decline the installation of the smart meter within a certain period; (2)  
7 requires the electric utility, upon request, to remove a smart meter from the  
8 residential property of a customer at no cost to the customer; and (3) authorizes the



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9 electric utility to install certain meters in lieu of a smart meter at no cost to the  
10 customer and without any unreasonable disruption in service to the customer.  
11 **Section 2** requires an electric utility to keep confidential the information obtained  
12 from the installation and use of smart meters, with limited exceptions. **Section 3** of  
13 this bill prohibits an electric utility from increasing, without the approval of the  
14 Public Utilities Commission of Nevada, the cost of electric service to a customer if  
15 the increase in cost is based solely on the absence of an installed smart meter on the  
16 residential property of the customer.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 704 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *An electric utility shall not require the*  
4 *installation of a smart meter on the residential property of a*  
5 *customer of the electric utility.*

6 *2. An electric utility shall, not later than 60 days before*  
7 *installing a smart meter on the residential property of a customer*  
8 *of the electric utility, provide written notice of the installation to*  
9 *the customer at the physical address of the residential property.*  
10 *The notice must set forth the manner in which the customer may*  
11 *decline the installation of the smart meter and provide notice to*  
12 *the electric utility at the mailing address or electronic mail address*  
13 *of the electric utility.*

14 *3. A customer of an electric utility may, not later than 30 days*  
15 *after receiving a written notice pursuant to subsection 2, decline to*  
16 *have a smart meter installed on the residential property of the*  
17 *customer by providing notice to the electric utility in the manner*  
18 *set forth in the written notice received by the customer pursuant to*  
19 *subsection 2.*

20 *4. A customer of an electric utility may request the removal of*  
21 *any smart meter installed by an electric utility on the residential*  
22 *property of the customer by providing written notice of the request*  
23 *to the electric utility. An electric utility shall remove the smart*  
24 *meter not later than 30 days after receiving written notice*  
25 *pursuant to this subsection and at no cost to the customer.*

26 *5. If a customer declines the installation of a smart meter*  
27 *pursuant to subsection 3 or if an electric utility removes a smart*  
28 *meter pursuant to subsection 4, the electric utility may install on*  
29 *the residential property of the customer any other type of upgraded*  
30 *analog or other advanced meter, other than a smart meter, at no*  
31 *cost to the customer and without any unreasonable disruption in*  
32 *service to the customer.*

33 *6. Except as otherwise provided in this subsection, an electric*  
34 *utility shall keep confidential any information obtained from the*



1 *installation and use of a smart meter on the residential property of*  
2 *a customer of the electric utility. Such information may be*  
3 *released only to the customer to the extent that the information*  
4 *applies to the consumption of electricity by the customer or as*  
5 *otherwise provided by any applicable provision of law.*

6 7. *As used in this section:*

7 (a) *“Electric utility” has the meaning ascribed to it in*  
8 *NRS 704.187.*

9 (b) *“Smart meter” means a meter that uses a fixed wire or a*  
10 *radio or other wireless signal to provide two-way communication*  
11 *between the meter and an electric utility for the purposes of*  
12 *monitoring or measuring, in real time, the consumption of*  
13 *electricity by a customer of the electric utility.*

14 **Sec. 3. 1.** *An electric utility shall not, without the approval*  
15 *of the Commission, change any schedule or impose any rate, fee*  
16 *or other charge which would increase the cost of electric service to*  
17 *a residential customer of the electric utility if the change in*  
18 *schedule or imposition of the rate, fee or charge is based solely on*  
19 *the absence of an installed smart meter on the residential property*  
20 *of the customer.*

21 2. *As used in this section:*

22 (a) *“Electric utility” has the meaning ascribed to it in*  
23 *NRS 704.187.*

24 (b) *“Smart meter” has the meaning ascribed to it in paragraph*  
25 *(b) of subsection 7 of section 2 of this act.*

26 **Sec. 4.** NRS 704.061 is hereby amended to read as follows:

27 704.061 As used in NRS 704.061 to 704.110, inclusive, *and*  
28 *section 3 of this act*, unless the context otherwise requires, the  
29 words and terms defined in NRS 704.062, 704.065 and 704.066  
30 have the meanings ascribed to them in those sections.



