

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 601

By: Dahm

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6 AS INTRODUCED

7 An Act relating to public utilities; creating the
8 Advanced Metering Infrastructure Act; authorizing
9 customers of public utilities to opt-out of using
10 advanced metering infrastructure (AMI); requiring
11 public utilities to establish opt-out procedures;
12 authorizing fee for opting out; prohibiting public
13 utilities from installing AMI after certain date
14 unless customer signs certain documentation;
15 establishing requirement elements of certain
16 documentation; establishing terms of removing
17 previously installed AMI; prohibiting public
18 utilities from certain acts; providing for
19 codification; and providing an effective date.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 720.1 of Title 17, unless there
23 is created a duplication in numbering, reads as follows:

24 This law shall be known and may be cited as the "Advanced
Metering Infrastructure Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 720.2 of Title 17, unless there
is created a duplication in numbering, reads as follows:

1 Upon the effective date of this act, a residential or commercial
2 customer of a public utility operating in this state and regulated
3 under the authority of the Corporation Commission may opt-out of the
4 use of an advanced metering infrastructure (AMI) or any similar
5 device.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 720.3 of Title 17, unless there
8 is created a duplication in numbering, reads as follows:

9 A. By July 1, 2018, each public utility shall establish
10 procedures and rules for opting out of the use of an AMI;

11 B. A public utility shall provide written notice to existing
12 and future customers of the procedures and rules for opting-out of
13 the use of an AMI, with a clear deadline listed on the notice:

14 1. After receiving notification from the public utility that a
15 customer may opt-out of using an AMI, he or she shall have at least
16 forty-five (45) days to elect to opt-out; and

17 2. Initiating and pursuing opt-out procedures shall be free of
18 cost other than the cost of regular mailing.

19 C. The public utility may charge a one-time fee of Five Dollars
20 (\$5.00) to opt-out of the use of an AMI.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 720.4 of Title 17, unless there
23 is created a duplication in numbering, reads as follows:

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1 A. Upon the effective date of this act, a public utility shall
2 not install an AMI or any similar device without a signed AMI
3 product disclosure, requiring a signature of acceptance by the
4 customer authorized as required by the Corporation Commission. The
5 AMI product disclosure shall be sent by first-class mail and shall
6 be separate from any billing mailing. The public utility shall keep
7 a copy of each mailed AMI product disclosure on file for review by
8 the customer or the Corporation Commission.

9 B. The required disclosure shall contain the following:

10 1. A list of possible benefits to the customer requesting an
11 AMI meter;

12 2. A privacy disclosure listing the amount and type of data
13 collected by an AMI meter and specific parties with whom the data
14 may be shared;

15 3. A list of the known biological effects that occur with low-
16 frequency radiation and electromagnetic fields as documented in the
17 "BioInitiative 2012 Report, A Rationale for Biologically-based
18 Exposure Standards for Low-intensity Electromagnetic Radiation";

19 4. A statement as follows: "In some instances AMI meters have
20 overheated and ignited"; and

21 5. Clearly explain the customer's ability to opt-out of the use
22 of an AMI, with an explanation of the opt-out procedures and rules.

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1 C. The public utility, upon written request, shall provide any
2 existing customer with a previously installed AMI a copy of an AMI
3 product disclosure.

4 SECTION 5. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 720.5 of Title 17, unless there
6 is created a duplication in numbering, reads as follows:

7 A. If an existing customer with a previously installed AMI
8 wishes to remove the AMI, a public utility shall remove the AMI
9 within thirty (30) days of the customer's written or verbal request.

10 B. Limited to actual costs, a public utility may charge a one-
11 time fee of no more than One Hundred Fifty Dollars (\$150.00) for
12 removal of an AMI.

13 C. The public utility shall not charge any fee for the removal
14 of an AMI if the AMI was installed in violation of any notification
15 requirement pursuant to this act.

16 SECTION 6. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 720.6 of Title 17, unless there
18 is created a duplication in numbering, reads as follows:

19 A. Upon the effective date of this act, a public utility
20 company shall not:

21 1. Require the use of an AMI or any other similar device other
22 than an analog meter;

23 2. Require the use of an AMI or any other similar device as a
24 provision of any portion of utility service to a residential or

1 commercial customer, with the exception of participating in certain
2 time-of-day tariff discounts;

3 3. Except as otherwise provided for in this section, impose any
4 fee, charge, or disincentive for opting out of the use of an AMI;

5 4. Sell, rent or otherwise share a residential or commercial
6 customer's data and internet user information except in the case of
7 an order from a federal or state court;

8 5. Post a residential or commercial customer's energy use data
9 or bill on the internet, except over a secure connection that uses
10 one (1) or more additional security measures, including but not
11 limited to a customer-selected password; or

12 6. Upgrade the functionality of an existing AMI unless the
13 customer has submitted a signed AMI product disclosure.

14 SECTION 7. This act shall become effective November 1, 2017.

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