

**EXPLANATION – Matter in *bolded italics* is new language in the original bill. This amendment proposes ~~matter highlighted purple is to be deleted~~ and *matter in green is to be added.***

## \*AB289\*

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~~ all electric utilities.

(BDR 58-437)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: No.

AN ACT relating to electric utilities; 1.)prohibiting an electric utility from requiring the installation of a smart meter on the residential property of a customer of the electric utility;

2.) requiring an electric utility to provide a 60 day written notice to a customer of the electric utility before installing a smart meter on the residential property of the customer;

3.) authorizing a customer of an electric utility to decline the installation or request the removal of a smart meter by the electric utility; 4.) authorizing an electric utility to install

certain meters an analog meter in lieu of a smart meter under certain circumstances; at the request of any residential customer; 5.) requiring an electric utility to keep confidential certain all information obtained from the installation and use of a smart meter; 6.) prohibiting an electric utility from increasing the cost of electric service to certain residential customers under certain circumstances; who have opted for the analog meter; 7.) and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 **Section 2** of this bill prohibits certain all 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 a 60 day 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 30 day 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 within a 30 day period; and (3) authorizes the

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electric 9 utility to install certain meters an analog meter 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 all 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.

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 an ~~any other type of upgraded~~*  
30 *analog meter ~~or other advanced,~~ (including those for gas service) ~~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~~ all information obtained from the*

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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 charge additional fees, ~~without the approval~~*  
15 *of nor shall the Commission approve, 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.