

HOUSE BILL 1419

C5
HB 1355/16 – ECM

7lr3155

By: **Delegates Glass, Barron, Buckel, Carr, Conaway, Fennell, Fisher, Hornberger, C. Howard, Kittleman, Malone, McConkey, McDonough, McKay, McMillan, Metzgar, Moon, Parrott, Proctor, Robinson, Rose, Rosenberg, Saab, Sanchez, Simonaire, Vallario, and Vogt**

Introduced and read first time: February 10, 2017

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Gas and Electricity – Analog Meters – Purchase and Installation**

3 FOR the purpose of requiring the Public Service Commission to authorize a certain
4 customer of a gas company or an electric company to purchase and install a certain
5 analog meter; requiring the meter to comply with certain standards; requiring a gas
6 company or an electric company to install the meter or allow certain persons to
7 install the meter at the customer's request; providing that an analog meter may
8 replace a different type of meter; prohibiting a gas company or an electric company
9 from requiring a certain customer to install additional controls or perform or pay for
10 certain additional tests; requiring a gas company or an electric company to replace
11 only certain tested meters under certain circumstances; requiring the Commission
12 to refund certain testing fees under certain circumstances; and generally relating to
13 gas service, electric service, and meters.

14 BY repealing and reenacting, with amendments,
15 Article – Public Utilities
16 Section 7–301 and 7–302
17 Annotated Code of Maryland
18 (2010 Replacement Volume and 2016 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Public Utilities**

22 7–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) A person may not furnish or put in use for revenue billing purposes a gas meter or electric meter unless the Commission has authorized the meter's use.

(B) (1) THE COMMISSION SHALL AUTHORIZE A CUSTOMER OF A GAS COMPANY OR AN ELECTRIC COMPANY TO PURCHASE AN ANALOG METER THAT MEETS ALL APPLICABLE SAFETY AND PERFORMANCE STANDARDS ESTABLISHED BY THE NATIONAL ELECTRICAL CODE, THE INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS, THE NATIONAL FIRE PROTECTION ASSOCIATION, UNDERWRITERS LABORATORIES, AND ANY OTHER RELEVANT STANDARDS THAT THE COMMISSION ADOPTS OR RECOGNIZES.

(2) THE GAS COMPANY OR ELECTRIC COMPANY SHALL:

(I) INSTALL THE METER AT THE CUSTOMER'S REQUEST; OR

(II) ALLOW A LICENSED PLUMBER OR ELECTRICIAN, AS APPROPRIATE, OF THE CUSTOMER'S CHOICE TO INSTALL THE METER.

(3) THE ANALOG METER MAY REPLACE A DIFFERENT TYPE OF METER THAT THE GAS COMPANY OR ELECTRIC COMPANY PROVIDES TO ITS CUSTOMERS.

(4) THE GAS COMPANY OR ELECTRIC COMPANY MAY NOT REQUIRE A CUSTOMER THAT INSTALLS AN ANALOG METER UNDER THIS SUBSECTION THAT COMPLIES WITH THE APPLICABLE STANDARDS UNDER PARAGRAPH (1) OF THIS SUBSECTION TO:

(I) INSTALL ADDITIONAL CONTROLS; OR

(II) PERFORM OR PAY FOR ADDITIONAL TESTS.

(5) THE COMMISSION SHALL ADOPT, BY REGULATION, STANDARDS FOR CUSTOMER-OWNED GAS, ELECTRIC, AND COMBINED METERS INSTALLED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

[(b)] (C) (1) Each gas company and electric company shall maintain suitable equipment, approved by the Commission, for testing the accuracy of a gas meter or electric meter furnished by the company for use by its customers.

(2) The gas company or electric company shall test a customer's meter with the equipment in accordance with § 7-302 of this subtitle.

(3) A small rural electric cooperative described in § 7-502(a) of this title may satisfy this section by demonstrating that the electric meters which it furnishes to

customers comply with the standards of the utility regulatory body of the state in which the cooperative has its principal place of business.

[(c)] (D) (1) This subsection applies to:

(i) a new residential multiple occupancy building;

(ii) a new shopping center; or

(iii) a new housing unit that is constructed, managed, operated, developed, or subsidized by a local housing authority established under Division II of the Housing and Community Development Article.

(2) The service restrictions imposed under this subsection do not apply to central hot water.

(3) Except as provided in § 7–304.1 of this subtitle, the Commission may not authorize a gas company or electric company to service an occupancy unit or shopping center unit subject to this subsection unless the building or shopping center has individual metered service or submetering as provided under § 7–303 or § 7–304 of this subtitle for each individually leased or owned occupancy unit or shopping center unit.

(4) In accordance with its regulations, the Commission may authorize a gas company or electric company to provide service for central heating or cooling systems, or a combination of those systems, to an occupancy unit or shopping center unit subject to this subsection if the Commission is satisfied that the service will result in a substantial net saving of energy over the energy saving that would result from individual metering or submetering as provided under § 7–303 or § 7–304 of this subtitle.

[(d)] (E) The owner, operator, or manager of a residential multiple occupancy building or shopping center subject to this section may not impose a utility cost on an occupancy unit or shopping center unit, except for charges that:

(1) the Commission authorizes the gas company or electric company to impose; and

(2) the gas company or electric company actually imposes on the owner, operator, or manager.

7–302.

(a) (1) By written request, a consumer may compel the Commission to inspect and test the consumer's electric meter or gas meter.

(2) The consumer is entitled to be present for the test.

(b) (1) The Commission shall set a percentage tolerance limit for the accuracy of an electric meter or gas meter.

(2) The Commission shall order a gas company or electric company to replace [a meter], at the company's expense, **A METER PROVIDED BY THE COMPANY** if the meter is incorrect to the prejudice of the consumer by more than the percentage tolerance limit set by the Commission.

(c) (1) The Commission shall set a uniform reasonable fee for meter test services under this section.

(2) (i) If the test indicates that [the] **A meter PROVIDED BY THE COMPANY** is within the percentage tolerance limit set by the Commission under subsection (b)(1) of this section, the consumer shall pay the test fee.

(ii) [If the test indicates that the meter is not within the percentage tolerance limit set by the Commission] **IN ALL OTHER CASES**, the Commission shall refund the fee.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.