



2013 BILL

1 **AN ACT** *to create* 196.165 of the statutes; **relating to:** installation of smart
2 meters at premises of public utility customers.

Analysis by the Legislative Reference Bureau

This bill prohibits public utilities, other than telecommunications utilities, from installing certain meters at the premises of customers who object to the meters. The bill applies to “smart meters,” which the bill defines as a meter that is capable of transmitting any data that is in addition to data measuring a customer’s usage of public utility service. Also under the bill, if a public utility installed a smart meter at the premises of a customer who objects to the installation, the public utility must remove the smart meter.

The bill also requires public utilities to submit tariffs for PSC approval that specify the procedures for customers to object to smart meters. In addition, the tariffs must specify the charges imposed on customers who object to smart meters. The bill requires the charges to be based on the costs reasonably incurred by public utilities to measure service used by such customers, including the cost of manually collecting usage readings no more frequently than quarterly. The bill requires public utilities to submit the tariffs to the PSC no later than approximately three months after the bill goes into effect. If a public utility demonstrates to the PSC’s satisfaction that the public utility does not intend to install smart meters, the public utility is not required to submit a tariff. However, if such a public utility subsequently determines to install

BILL

smart meters, the bill prohibits their installation until the public utility files, and the PSC approves, a tariff that complies with the foregoing requirements.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 196.165 of the statutes is created to read:

2 **196.165 Smart meters. (1) DEFINITIONS.** In this section:

3 (a) “Public utility” does not include a telecommunications utility.

4 (b) “Smart meter” means a meter that is capable of transmitting any data to
5 a public utility that is in addition to data measuring a customer’s usage of public
6 utility service.

7 **(2) INSTALLATIONS.** (a) No public utility may install a smart meter at the
8 premises of a customer who objects to the installation.

9 (b) If a public utility has installed a smart meter before the effective date of this
10 paragraph [LRB inserts date], at the premises of a customer who objects to the
11 installation, the public utility shall remove the smart meter from the customer’s
12 premises.

13 **(3) TARIFFS.** (a) No later than the first day of the 4th month beginning after the
14 effective date of this paragraph [LRB inserts date], each public utility shall file
15 a tariff for commission approval that specifies each of the following:

16 1. The procedures for customers to make objections under sub. (2).

17 2. The charges imposed on customers who make objections under sub. (2). The
18 charges shall be based on the costs reasonably incurred by the public utility to
19 measure public utility service used by such customers, including the cost of manually
20 collecting usage readings no more frequently than quarterly.

