

SENATE BILL 280

C5

4r2026
CF 4r1086

By: **Senator Jones–Rodwell**

Introduced and read first time: January 17, 2014

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Electricity – Smart Meters – Disclosure of Usage Data**

3 FOR the purpose of prohibiting an electric company from penalizing or charging a
4 customer for taking certain actions; prohibiting an electric company from
5 disclosing certain data to a third party, subject to certain exceptions;
6 authorizing a customer to submit a certain complaint to the Public Service
7 Commission under certain circumstances; requiring the Commission to conduct
8 a certain investigation after receiving a complaint; authorizing the Commission
9 to take certain actions; making an electric company liable for unauthorized
10 disclosures of certain data; specifying that a customer may take certain other
11 actions in addition to filing a complaint with the Commission; defining certain
12 terms; and generally relating to smart meters.

13 BY adding to

14 Article – Public Utilities
15 Section 7–302.1
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2013 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Public Utilities
20 Section 7–501(a) and (f)
21 Annotated Code of Maryland
22 (2010 Replacement Volume and 2013 Supplement)

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

25 **Article – Public Utilities**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **7-302.1.**

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
3 MEANINGS INDICATED.

4 (2) "CUSTOMER CHOICE" HAS THE MEANING STATED IN § 7-501
5 OF THIS TITLE.

6 (3) "SMART METER" MEANS A DIGITAL METER THAT ALLOWS
7 TWO-WAY COMMUNICATION BETWEEN AN ELECTRIC CUSTOMER'S PREMISES
8 AND AN ELECTRIC COMPANY THROUGH A WIRELESS NETWORK.

9 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
10 SUBSECTION, AN ELECTRIC COMPANY MAY NOT DISCLOSE USAGE DATA
11 OBTAINED FROM A SMART METER TO A THIRD PARTY WITHOUT THE
12 CUSTOMER'S WRITTEN CONSENT.

13 (2) AN ELECTRIC COMPANY MAY DISCLOSE USAGE DATA
14 OBTAINED FROM A SMART METER TO A THIRD PARTY FOR THE PURPOSE OF:

15 (I) PREPARING A CUSTOMER'S BILL; OR

16 (II) SUPPORTING CUSTOMER CHOICE.

17 (C) (1) A CUSTOMER THAT IS AGGRIEVED BY AN UNAUTHORIZED
18 DISCLOSURE OF USAGE DATA OBTAINED FROM A SMART METER MAY FILE A
19 WRITTEN COMPLAINT WITH THE COMMISSION THAT STATES:

20 (I) THE NAME AND ADDRESS OF THE ELECTRIC COMPANY
21 ALLEGED TO HAVE COMMITTED THE VIOLATION;

22 (II) THE PARTICULARS OF THE VIOLATION; AND

23 (III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ANY
24 OTHER INFORMATION REQUIRED BY THE COMMISSION.

25 (2) THE COMMISSION MAY NOT REQUIRE A CUSTOMER TO PROVE
26 DAMAGE.

27 (D) AFTER THE FILING OF A COMPLAINT, THE COMMISSION SHALL
28 INVESTIGATE THE ALLEGATIONS TO ASCERTAIN ISSUES AND FACTS.

1 **(E) IF THE COMMISSION DETERMINES THAT THE COMPLAINT LACKS**
2 **REASONABLE GROUNDS ON WHICH TO BASE A VIOLATION OF THIS SECTION, THE**
3 **COMMISSION MAY:**

4 **(1) DISMISS THE COMPLAINT; OR**

5 **(2) CONDUCT ANY FURTHER INVESTIGATION THE COMMISSION**
6 **CONSIDERS NECESSARY.**

7 **(F) AN ELECTRIC COMPANY THAT VIOLATES SUBSECTION (B) OF THIS**
8 **SECTION SHALL BE LIABLE TO EACH AFFECTED CUSTOMER FOR A PENALTY OF**
9 **\$1,000 FOR EACH UNAUTHORIZED DISCLOSURE OF USAGE DATA.**

10 **(G) THIS SECTION DOES NOT PREVENT A CUSTOMER FROM:**

11 **(1) EXERCISING ANY RIGHT OR SEEKING ANY OTHER REMEDY; OR**

12 **(2) FILING A COMPLAINT WITH ANY OTHER AGENCY OR COURT.**

13 7-501.

14 (a) In this subtitle the following words have the meanings indicated.

15 (f) “Customer choice” means the right of electricity suppliers and customers
16 to utilize and interconnect with the electric distribution system on a
17 nondiscriminatory basis at rates, terms, and conditions of service comparable to the
18 electric company’s own use of the system to distribute electricity from an electricity
19 supplier to a customer, under which a customer has the opportunity to purchase
20 electricity from the customer’s choice of licensed electricity suppliers.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 June 1, 2014.