HOUSE DOCKET, NO. 4006 FILED ON: 1/17/2025

# HOUSE . . . . . No. 3551

## The Commonwealth of Massachusetts

PRESENTED BY:

***Estela A. Reyes***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to smart meters.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---|---|---|
| *Estela A. Reyes* | *4th Essex* | *1/17/2025* |
| *James C. Arena-DeRosa* | *8th Middlesex* | *4/30/2025* |
| *Dennis C. Gallagher* | *8th Plymouth* | *9/11/2025* |
| *John R. Gaskey* | *2nd Plymouth* | *9/11/2025* |
| *John J. Marsi* | *6th Worcester* | *11/26/2025* |
| *Natalie M. Blais* | *1st Franklin* | *12/9/2025* |
| *Steven S. Howitt* | *4th Bristol* | *1/14/2026* |

HOUSE DOCKET, NO. 4006 FILED ON: 1/17/2025

# HOUSE . . . . . No. 3551

By Representative Reyes of Lawrence, a petition (accompanied by bill, House, No. 3551) of Estela A. Reyes relative to the use of smart meters by utility companies. Telecommunications, Utilities and Energy.

## The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court**
**(2025-2026)**

An Act relative to smart meters.

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to maintain public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Chapter 164 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after section 116B the following section:-

SECTION 116C: Smart/wireless utility meter information

a) As used in this section, the following terms shall have the following meanings:

(1) “Electromechanical analog meter”, means a purely electric and mechanical device, using no electronic components, no switch mode power supply, no transmitter, no antenna, and no radio frequency emissions.

(2) “Utility company”, shall mean an electric, gas, or water company, or town or city owned utility or other utility provider.

(3) “Wireless meter” shall mean: Any transmitting metering device with electronic components and/or any electric or battery operated meter that is capable of measuring, recording, and sending data by means of a wireless signal from a utility consumer or member to a utility company, municipality, or cooperative association in a manner utilizing one-way communication, two-way communication, or a combination of one-way and two-way communication either through the meter itself or through a device ancillary to the meter. Common names include, but are not limited to, AMR, ERT, smart, AMI, and Comprehensive Advanced Metering Plan CAMP.

(4) “Equivalent technology” shall mean utility infrastructure that communicates data using wireless frequencies, but which may be undisclosed due to proprietary rights.

b) The department of public utilities shall direct utility companies to provide ratepayers the following:

(1) a choice of the type of utility meters to be installed and operated on their places of residence, property or business; among the choices offered shall be the installation and ongoing operation of an "electromechanical analog meter"; and

(2) the ability to retain and operate an “electromechanical analog meter” on an ongoing basis at no cost; and

(3) the right to replacement of a wireless meter with a non-transmitting electromechanical meter at no cost.

c) The utility companies shall be required to obtain the ratepayer’s written consent:

(1) before installing wireless meters or "equivalent technology" on the ratepayer's property and

(2) before altering the functionality of said meters

d) The utility companies shall provide written notice to ratepayers within 90 days of the effective date of this act for the purpose of informing said ratepayers if wireless meters have been installed on their properties. Ratepayers shall have the right to request that the utility companies remove said wireless meters and install in their place electromechanical analog meters that emit no radiofrequency electromagnetic radiation. There shall be no cost or other periodic usage charges to the ratepayer for such removal, replacement installation, and use of a non-wireless utility meter. The utility company shall promptly comply with such removal and replacement installation request made by the ratepayer to said company.

e) Utility companies are:

(1) prohibited from shutting off service to a ratepayer based on the ratepayer's utility usage or on the ratepayer having electromechanical analog meters;

(2) prohibited from imposing any disincentive on a ratepayer for not consenting to the installation or use of wireless meters;

(3) required to notify ratepayers in writing that the installation and use of wireless meters are not mandated by state or federal law and are not permitted without the ratepayer's consent;

(4) prohibited from discriminating against ratepayers who may have medical conditions that are exacerbated by exposures to pulsed microwave radio frequencies; and

(5) prohibited from installing "equivalent technology", such as direct wireless connection to devices in the home or business, on poles or in any other manner near the home or business of an individual requesting a non-transmitting meter.

f) The department of public utilities shall establish terms and conditions to comply with the requirements of this section.

g) This section shall take effect upon its passage.