

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

Subchapter F. METERING.

§25.133. Non-Standard Metering Service.

- (a) **Purpose.** This section allows a customer to choose to receive electric service through a non-standard meter from an electric utility that has deployed or is requesting to deploy advanced meters under a commission-approved deployment plan or notice of deployment and authorizes the electric utility to assess fees to recover the costs associated with this section from a customer who elects to receive electric service through a non-standard meter.
- (b) **Applicability.** This section is applicable to an electric utility, including a transmission and distribution utility, that has deployed or is requesting to deploy advanced meters under a commission-approved deployment plan or notice of deployment. Any requirement in this section that relates to retail electric providers (REPs) is applicable only to REPs and electric utilities that operate in areas open to customer choice.
- (c) **Definitions.** As used in this section, the following terms have the following meanings, unless the context indicates otherwise:
- (1) Advanced meter -- As defined in §25.130 of this title (relating to Advanced Metering).
 - (2) Non-standard meter -- A meter that does not function as an advanced meter.
 - (3) Non-standard metering service -- Provision of electric service through a non-standard meter from an electric utility that has deployed or is requesting to deploy advanced meters under a commission-approved deployment plan or notice of deployment.
- (d) **Initiation and termination of non-standard metering service.**
- (1) **Initiation of non-standard metering service.** An electric utility that has deployed or is requesting to deploy advanced meters under a commission-approved deployment plan or notice of deployment must offer non-standard metering service to customers.
 - (A) An electric utility filing a deployment plan or notice of deployment under §25.130 of this title after the effective date of this section must include non-standard metering service as a part of the plan or notice.
 - (i) Within 30 days of the date of commission approval of an electric utility's deployment plan or the filing of a notice of deployment, the electric utility must provide information on its website that describes its non-standard metering service, the process under this section to request non-standard metering service, and all the costs associated with the service.
 - (ii) An electric utility must provide a statement that non-standard metering service is available and provide a hyperlink to the information required under clause (i) of this subparagraph in all notices and messages delivered to a customer relating to the deployment date of advanced meters in the customer's geographic area.
 - (B) An electric utility must provide notice to a customer consistent with subparagraph (C) of this paragraph within seven days of the customer's request for non-standard metering service, using an appropriate means of service.
 - (C) An electric utility must notify a customer that requests non-standard metering service of the following through a written acknowledgement.
 - (i) The customer will be required to pay the costs associated with the initiation of non-standard metering service and the ongoing costs associated with the manual reading of the meter, and other fees and charges that may be assessed by the electric utility that are associated with the non-standard metering service;
 - (ii) The current one-time fees and monthly fee for non-standard metering service;
 - (iii) The customer may be required to wait up to 45 days to switch the customer's REP of record;
 - (iv) The customer may experience longer restoration times in case of a service interruption or outage;
 - (v) The customer may be required by the customer's REP of record to choose a different product or service before initiation of the non-standard metering

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- service, subject to any applicable charges or fees required under the customer's existing contract, if the customer is currently enrolled in a product or service that relies on an advanced meter; and
- (vi) For a customer that does not currently have an advanced meter, the date (60 days after service of the notice) by which the customer must provide a signed, written acknowledgement and payment of the one-time fee to the electric utility prescribed by subsection (f)(3) of this section. If the signed, written acknowledgement and payment are not received within 60 days, the electric utility will install an advanced meter on the customer's premises.
- (D) The electric utility must retain the signed, written acknowledgement for at least two years after the non-standard meter is removed from the premises. The commission may adopt a form for the written acknowledgement.
 - (E) An electric utility must offer non-standard metering through the following means:
 - (i) disabling communications technology in an advanced meter if feasible;
 - (ii) if applicable, allowing the customer to continue to receive metering service using the existing meter if the electric utility determines that it meets applicable accuracy standards;
 - (iii) if commercially available, an analog meter that meets applicable meter accuracy standards; and
 - (iv) a digital, non-communicating meter.
 - (F) The electric utility must not initiate the process to provide non-standard metering service before it has received the customer's payment and signed, written acknowledgement. The electric utility must initiate the approved standard market process to notify the customer's REP of record within three days of the electric utility's receipt of the customer's payment and signed, written acknowledgement. Within 30 days of receipt of the payment of the one-time fee and the signed written acknowledgement from the customer, the electric utility, using the approved standard market process, must notify the customer's REP of record of the date the non-standard metering service was initiated.
- (2) **Termination of non-standard metering service.** A customer receiving non-standard metering service may terminate that service by notifying the customer's electric utility. The customer will remain responsible for all costs related to non-standard metering service.
- (e) **Other electric utility obligations.**
 - (1) When an electric utility completes a move-out transaction for a customer who was receiving non-standard metering service, the electric utility must install or activate an advanced meter at the premises.
 - (2) An electric utility must read a non-standard meter monthly. In order for the electric utility to maintain a non-standard meter at the customer's premises, the customer must provide the electric utility with sufficient access to properly operate and maintain the meter, including reading and testing the meter.
 - (f) **Cost recovery and compliance tariffs.** All costs incurred by an electric utility to implement this section must be borne only by customers who choose non-standard metering service. A customer receiving non-standard metering service must be charged a one-time fee and a recurring monthly fee.
 - (1) An electric utility's application for approval of its non-standard metering service tariff or amended tariff must be fully supported with testimony and documentation. The application must include one-time fees and a monthly fee for non-standard metering service and must also include the fees for other discretionary services performed by the electric utility that are affected by the customer's selection of non-standard metering service. The commission will allow the electric utility to recover the reasonable rate case expenses that it incurs under this paragraph as part of the one-time fee, the monthly fee, or both. The application must describe the extent to which the back-office costs that are new and fixed vary depending on the number of customers receiving non-standard metering service. Unless otherwise ordered, the electric utility must serve notice of the approved rates and the effective date of the approved rates within five working days of the filing of the

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commission's final order to REPs that are authorized by the registration agent to provide service in the electric utility's service area. Notice to REPs under this paragraph may be served by email and must be served at least 45 days before the effective date of the rates.

- (2) An electric utility must have a single recurring monthly fee for non-standard metering service and several one-time fees, one of which must apply to the customer depending on the customer's circumstances. A one-time fee must be charged to a customer that does not have an advanced meter at the customer's premises and will continue receiving metering service through the meter currently at the premises. For a customer that currently has an advanced meter at the premises, the fee will vary depending on the type of meter that is installed to provide non-standard metering service, and the fee must include the cost to remove the advanced meter and subsequently re-install an advanced meter once non-standard metering service is terminated. The one-time fee must recover costs to initiate non-standard metering service. The monthly fee must recover ongoing costs to provide non-standard metering service, including costs for meter reading and billing. Fixed costs not related to the initiation of non-standard metering service may be allocated between the one-time and monthly fees and recovered through the monthly fee over a shortened period of time.
- (g) **Retail electric product compatibility.** After receipt of the notice prescribed by subsection (d)(1)(C) of this section, if the customer's current product is not compatible with non-standard metering service, the customer's REP of record must work with the customer to either promptly transition the customer to a product that is compatible with non-standard metering service or transfer the customer to another REP, subject to any applicable charges or fees required under the customer's existing contract. If the customer is unresponsive, the customer's REP of record may transition the customer without the customer's affirmative consent to a market-based, month-to-month product that is compatible with non-standard metering service. Alternatively, if the customer is unresponsive, the customer's REP of record may transfer the customer to another REP under §25.493 (relating to Acquisition and Transfer of Customers from One Retail Electric Provider or Another) so long as the new REP serves the customer using a market-based, month-to-month product with a rate (excluding charges for non-standard metering service or other discretionary services) no higher than one of the tests prescribed by §25.498(c)(15)(A)-(C) of this title (relating to Prepaid Service). The customer's REP of record must promptly provide the customer notice that the customer has been transferred to a new product and, if applicable, to a new REP, and must also promptly provide the new Terms of Service and Electricity Facts Label.