

# HOUSE BILL NO. 2751

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DOGAN.

6827H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 386, RSMo, by adding thereto one new section relating to the rights of utility customers.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be known as section 386.822, to read as follows:

**386.822. 1. For purposes of this section, the following terms mean:**

**(1) "Advanced meter", a meter or metering device system that is owned or leased by a utility or its agent and that meets one or more of the following requirements:**

**(a) Measures, records, or sends a customer's utility usage or other data by use of radio waves or broadband over power lines;**

**(b) Allows for two-way communication between the meter and the utility or its agent; or**

**(c) Allows for a utility or its agent to control a customer's thermostat, appliance, or service;**

**(2) "Traditional meter", an analog or similar meter that is unable to transmit usage information and is only intended to be read by an individual through a visual display. A traditional meter is not designed to be and is not capable of transmitting usage data by using radio waves or broadband over power lines, allowing two-way communication between the meter and the utility or its agents, or allowing a utility or its agents to control a customer's thermostat, appliance, or service. A traditional meter does not include an advanced meter that has certain functionality turned off or deactivated;**

**(3) "Utility", any entity regulated by the commission under chapter 386 or 393.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18           **2. A utility shall not install an advanced meter, upgrade the functionality of a**  
19 **previously installed advanced meter, or replace a customer's meter with an advanced**  
20 **meter, a traditional meter, or any other type of meter unless:**

21           **(1) Thirty days prior to such installation, upgrade, or replacement, the utility**  
22 **notifies the customer of the intended installation, upgrade, or replacement. Such notice**  
23 **shall be sent by first-class mail, by electronic means, or both. Such notice shall be separate**  
24 **from any billing mailing or notification; and**

25           **(2) Immediately before performing the installation, upgrade, or replacement, the**  
26 **on-site utility worker or his or her agent attempts to orally inform the customer of the**  
27 **installation, upgrade, or replacement.**

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