

# HOUSE BILL No. 4728

May 14, 2013, Introduced by Reps. Price, Irwin and Lauwers and referred to the Committee on Energy and Technology.

A bill to amend 1939 PA 3, entitled

"An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,"

(MCL 460.1 to 460.11) by adding section 10ff.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 10FF. (1) A RESIDENTIAL CUSTOMER'S ENERGY USE DATA ARE  
2   CONFIDENTIAL AND SHALL NOT BE SOLD, RENTED, SHARED, OR OTHERWISE  
3   DISCLOSED BY A UTILITY EXCEPT TO OR WITH THE EXPRESS CONSENT OF THE  
4   RESIDENTIAL CUSTOMER.

5           (2) A UTILITY SHALL ENSURE THAT ANY DATA FROM AN ADVANCED  
6   METER COMMUNICATED BY WIRELESS NETWORKING TECHNOLOGY ARE ENCRYPTED  
7   SO THAT THE DATA CANNOT BE INTERCEPTED BY A WIRELESS DEVICE OTHER  
8   THAN A WIRELESS DEVICE USED BY THE UTILITY. A UTILITY SHALL NOT  
9   COMMUNICATE BY WIRELESS NETWORKING TECHNOLOGY METER USE DATA THAT  
10  INCLUDE A RESIDENTIAL CUSTOMER'S NAME, SOCIAL SECURITY NUMBER,  
11  ADDRESS, OR OTHER IDENTIFYING INFORMATION EXCEPT FOR A CUSTOMER  
12  IDENTIFICATION NUMBER THAT IS ASSIGNED BY THE UTILITY. THE CUSTOMER  
13  IDENTIFICATION NUMBER SHALL BE ASSIGNED IN A MANNER THAT INCLUDES  
14  SAFEGUARDS TO PREVENT A WIRELESS DEVICE NOT OWNED BY THE UTILITY  
15  FROM LINKING THE NUMBER WITH A PARTICULAR CUSTOMER.

16          (3) AS USED IN THIS SECTION, "ADVANCED METER" MEANS A METER  
17  THAT IS CAPABLE OF MEASURING, RECORDING, STORING, AND REPORTING  
18  USAGE ACCORDING TO PREDETERMINED TIME CRITERIA AND THAT ALLOWS 2-  
19  WAY COMMUNICATIONS SUITED FOR DEMAND-RESPONSE PROGRAMS.