

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 whose standard meter is an advanced meter to choose to receive electric service through a non-standard meter and authorizes a transmission and distribution utility (TDU) to assess fees to recover the costs associated with this section from a customer who elects such a meter.
- (b) **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.
- (c) **Initiation and termination of non-standard metering service.**
- (1) **Initiation of non-standard metering service.**
 - (A) This subparagraph applies to a TDU that, on the date that the TDU begins offering non-standard metering service pursuant to subsection (g) of this section, has completed deployment of advanced meters except for customers for whom the TDU did not install advanced meters because of the requests of the customers. The TDU shall serve on such a customer by certified mail return receipt requested notice consistent with subparagraph (D) of this paragraph within 30 days of the date that the TDU begins offering non-standard metering service pursuant to subsection (g) of this section.
 - (B) This subparagraph applies to a TDU that has not completed deployment of advanced meters.
 - (i) This clause applies to a customer for whom the TDU has not, on the date that the TDU begins offering non-standard metering service pursuant to subsection (g) of this section, installed an advanced meter because of the request of the customer. The TDU shall serve on such a customer by certified mail return receipt requested notice consistent with subparagraph (D) of this paragraph within 30 days of the date that the TDU begins offering non-standard metering service pursuant to subsection (g) of this section.
 - (ii) This clause applies to a customer for whom, after the date that the TDU begins offering non-standard metering service pursuant to subsection (g) of this section, the TDU attempts to install an advanced meter as part of its advanced meter deployment plan but the customer requests non-standard metering service. The TDU shall promptly serve on such a customer by certified mail return receipt requested notice consistent with subparagraph (D) of this paragraph.
 - (C) For circumstances not addressed by subparagraph (A) or (B) of this paragraph in which a customer requests from the TDU non-standard metering service, the TDU shall provide notice consistent with subparagraph (D) of this paragraph within seven days of the customer's request, using an appropriate means of service.
 - (D) Pursuant to subparagraphs (A)-(C) of this paragraph, a TDU shall notify a customer 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 TDU that are associated with the non-standard metering service;
 - (ii) The current one-time fees and monthly fee for non-standard metering service;

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- (iii) The customer may be required to wait up to 45 days to switch the customer's retail electric provider (REP), and may experience longer restoration times in case of a service interruption or outage;
 - (iv) The customer may be required by the customer's REP to choose a different product or service before initiation of the non-standard metering 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
 - (v) 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 TDU prescribed by subsection (e)(3) of this section. If the signed, written acknowledgement and payment are not received within 60 days, the TDU will install an advanced meter on the customer's premises.
 - (E) The TDU shall 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.
 - (F) A TDU shall 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 TDU 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.
 - (G) The TDU shall not initiate the process to provide non-standard metering service before it has received the customer's payment and signed, written acknowledgement. The TDU shall initiate the approved standard market process to notify the customer's REP within three days of the TDU'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 TDU, using the approved standard market process, shall notify the customer's REP 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 TDU. The customer shall remain responsible for all costs related to non-standard metering service.
- (d) **Other TDU obligations.**
- (1) When a TDU completes a move-out transaction for a customer who was receiving non-standard metering service, the TDU shall install and/or activate an advanced meter at the premises.
 - (2) A TDU shall read a non-standard meter monthly. In order for the TDU to maintain a non-standard meter at the customer's premises, the customer must provide the TDU with sufficient access to properly operate and maintain the meter, including reading and testing the meter.
- (e) **Cost recovery and compliance tariffs.** All costs incurred by a TDU to implement this section shall be borne only by customers who choose non-standard metering service. A customer receiving non-standard metering service shall be charged a one-time fee and a recurring monthly fee.
- (1) Not later than 25 days after the effective date of this section, each TDU shall file a compliance tariff that is fully supported with testimony and documentation. The compliance tariff shall include one-time fees and a monthly fee for non-standard metering service and

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shall also include the fees for other discretionary services performed by the TDU that are affected by the customer's selection of non-standard metering service. Each TDU shall be allowed to recover the reasonable rate case expenses that it incurs under this subsection as part of the one-time fee, the monthly fee, or both. The compliance tariff filing shall 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 TDU shall serve notice of the approved rates and the effective date of the approved rates within five working days of the presiding officer's final decision, to REPs that are authorized by the registration agent to provide service in the TDU's distribution service area. Notice under this paragraph may be served by email and, consistent with subsection (g) of this section, shall be served at least 45 days before the TDU begins offering non-standard metering service.

- (2) A TDU may apply to change the fees approved pursuant to paragraph (1) of this subsection. The application must be fully supported with testimony and documentation. Each TDU shall be allowed to recover the reasonable rate case expenses that it incurs under this subsection as part of the one-time fee, the monthly fee, or both. Unless otherwise ordered, the TDU shall serve notice of the approved rates and the effective date of the approved rates within five working days of the presiding officer's final decision, to REPs that are authorized by the registration agent to provide service in the TDU's distribution service area. Notice under this paragraph may be served by email and, if possible, shall be served at least 45 days before the effective date of the rates.
 - (3) A TDU shall have a single recurring monthly fee for non-standard metering service and several one-time fees, one of which shall apply to the customer depending on the customer's circumstances. A one-time fee shall 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 shall vary depending on the type of meter that is installed to provide non-standard metering service, and the fee shall 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 shall recover costs to initiate non-standard metering service. The monthly fee shall 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.
- (f) **Retail electric product compatibility.** After receipt of the notice prescribed by subsection (c)(1)(D) of this section, if the customer's current product is not compatible with non-standard metering service, the customer's REP shall 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 REP 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 REP may transfer the customer to another REP pursuant to §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 REP shall promptly provide the customer notice that the customer has been transferred to a new product and, if applicable, to a new REP, and shall also promptly provide the new Terms of Service and Electricity Facts Label.

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- (g) **Implementation.** A TDU shall begin offering non-standard metering service pursuant to this section the later of 160 days from the effective date of this section or 45 days after the notice to REPs prescribed by subsection (e)(1) of this section.