

# STATE OF NEW YORK

6951

2021-2022 Regular Sessions

## IN ASSEMBLY

April 14, 2021

Introduced by M. of A. CUSICK -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the energy law, in relation to providing a customer the right to energy usage information; and to repeal subdivision 7 of section 3-101 of the energy law relating to energy planning

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. A customer's right to their personal  
2 energy data is increasingly important in today's technological world.  
3 This legislation reaffirms a consumer's right to their own energy usage  
4 information through data. By empowering the consumer with this know-  
5 ledge, they can make their own choice on energy conservation, renewable  
6 resources, innovative energy products and services that suit their  
7 specific needs.

8 § 2. Subdivision 7 of section 3-101 of the energy law is REPEALED and  
9 a new subdivision 7 is added to read as follows:

10 7. to afford energy consumers with the right to their energy usage  
11 information to encourage informed choices for energy consumption,  
12 including, but not limited to conservation, sustainability and energy  
13 service solutions.

14 § 3. The energy law is amended by adding a new article 22 to read as  
15 follows:

### ARTICLE 22

#### ENERGY USAGE DATA

18 Section 22-101. Consumer usage information.

19 22-102. Right to energy usage information.

20 22-103. Informed consent.

21 22-104. Use of consumer energy data.

22 § 22-101. Consumer usage information. A consumer's energy usage infor-  
23 mation shall include individual consumer usage data and corresponding  
24 system conditions.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD10662-01-1

1     § 22-102. Right to energy usage information. Residential, commercial,  
2 industrial and institutional energy consumers, and their designated  
3 agents, shall have the right to their energy usage information in a  
4 standardized and machine readable, electronic format.

5     § 22-103. Informed consent. Prior to receipt of a residential, commer-  
6 cial, industrial or institutional energy consumer's usage information,  
7 the consumer shall authorize the types of information to be obtained, to  
8 whom such information shall be given, how such information will be used,  
9 and how long such authorization shall be valid, provided, however, that  
10 the authorization shall be valid for no longer than twelve months unless  
11 the consumer's authorization sets forth a longer period.

12     § 22-104. Use of consumer energy data. Any user of a consumer's energy  
13 usage information shall take appropriate measures to safeguard the  
14 consumer's identity and personal information.

15     § 4. This act shall take effect immediately.