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:

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

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 Subdivision 7 of section 3-101 of the energy law is REPEALED and a new subdivision 7 is added to read as follows:

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

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

ARTICLE 22

ENERGY USAGE DATA

Section 22-101. Consumer usage information.
22-102. Right to energy usage information.
22-103. Informed consent.
22-104. Use of consumer energy data.

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

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

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

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

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

§ 4. This act shall take effect immediately.