STATE OF NEW YORK

8515

2025-2026 Regular Sessions

IN SENATE

September 26, 2025

Introduced by Sen. C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public service law, in relation to advanced metering infrastructure

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

Section 1. Short title. This act shall be known and may be cited as the "consumer utility meter choice protection act".

§ 2. The public service law is amended by adding a new section 67-b to read as follows:

§ 67-b. Advanced metering infrastructure devices for electric and gas services. 1. For purposes of this section advanced metering infrastructure shall include:

(a) a one-way smart meter, which shall mean a device designed to utilize one-way communications systems, including but not limited to: (i) power line carrier; (ii) radio frequency; (iii) wireless fidelity network; (iv) telephony; and (v) the internet to transmit customer usage data to a utility for the purposes of billing; and be designed to be capable of measuring and storing customer electric and/or gas usage data, including time of use in real time; or

(b) a two-way smart meter, which shall mean a device that is designed to utilize two-way communications systems, including but not limited to: (i) radio frequency; (ii) wireless fidelity network; or (iii) the internet to transmit electric usage and pricing data between an electric and/or gas corporation and its customers, where such device is capable of (A) measuring usage data and transmitting such data in intervals of at least once per day; (B) receiving in real-time, per-kilowatt hour (kWh) and/or per (therm) gas and electric supply and delivery rates; (C) detecting customer service disruptions and transmitting such information to an electric and/or gas corporation; and (D) storing customer usage data.

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

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2. It shall be the right of every customer of an electric and/or gas corporation, at no penalty, fee or service charge to decline the permission of such customer's electric and/or gas corporation (a) to replace an existing meter at such customer's premises that is assigned to such customer's account with a two-way smart meter, or (b) to install any two-way smart meter device at such customer's property without such customer's consent.

3. An electric and/or gas corporation may not install a two-way smart meter on a customer's premises that is assigned to such customer's account unless it shall provide written notice to the customer no less than ninety days prior to the scheduled installation of such meter. Such notice shall provide that:

(a) the customer shall have the right to decline such customer's electric and/or gas corporation from installing a two-way smart meter with no fee, penalty or service charge;

(b) the customer may, at any point during a period of three hundred sixty-five days following the installation of a two-way smart meter, require the removal of such device with no fee, penalty or service charge;

(c) the customer may be liable for a fee to be determined by the commission for the removal of a two-way smart meter device if the customer requests the removal more than three hundred sixty-five days following the installation of such meter at such customer's premises.

§ 3. The public service law is amended by adding a new section 89-q to read as follows:

§ 89-q. Advanced metering infrastructure devices for water-works services. 1. For purposes of this section advanced metering infrastructure shall include:

(a) a one-way smart meter, which shall mean a device designed to utilize one-way communications systems, including but not limited to: (i) power line carrier; (ii) radio frequency; (iii) wireless fidelity network; (iv) telephony; and (v) the internet to transmit customer usage data to a water-works for the purposes of billing; and be designed to be capable of measuring and storing customer water usage data, including time of use in real time; or

(b) a two-way smart meter, which shall mean a device that is designed to utilize two-way communications systems, including but not limited to: (i) radio frequency; (ii) wireless fidelity network; or (iii) the internet to transmit electric usage and pricing data between a water-works corporation and its customers, where such device is capable of (A) measuring usage data and transmitting such data in intervals of at least once per day; (B) receiving in real-time, water supply and delivery rates; (C) detecting customer service disruptions and transmitting such information to a water-works corporation; and (D) storing customer usage data.

2. It shall be the right of every customer of a water-works corporation, at no penalty, fee or service charge (a) to decline the permission of such customer's water-works corporation to replace an existing meter at such customer's premises that is assigned to such customer's account with a two-way smart meter, or (b) to install any two-way smart meter device at such customer's property without such customer's consent.

3. A water-works corporation may not install a two-way smart meter on a customer's premises that is assigned to such customer's account unless it shall provide written notice to the customer no less than ninety days

prior to the scheduled installation of such meter. Such notice shall provide that:

(a) the customer shall have the right to decline such customer's water-works corporation from installing a two-way smart meter with no fee, penalty or service charge;

(b) the customer may, at any point during a period of three hundred sixty-five days following the installation of a two-way smart meter, require the removal of such device with no fee, penalty or service charge;

(c) the customer may be liable for a fee to be determined by the commission for the removal of a two-way smart meter device if the customer requests the removal more than three hundred sixty-five days following the installation of such meter at such customer's premises.

§ 4. This act shall take effect immediately.