



ADMINISTRATIVE RULES OF MONTANA



38.5.2603 ADVANCED METERING OPT-OUT PROVISIONS

- (1) Electric and natural gas utilities shall provide customers with the option to remove an installed advanced metering device and replace it with an alternative meter approved by the commission, or to decline installation of an advanced metering device and retain the existing meter, as guided by a cost-based opt-out service tariff. An advanced metering device or advanced meter shall be defined as set forth in Montana Code Annotated. As used in this rule, "alternative meter" means all other meters that do not satisfy the definition of advanced metering device or advanced meter.
- (2) Prior to installation of an advanced metering device, the utility shall give written notice to the customer at least 60 days in advance. Such notice shall clearly describe the opt-out process available to the customer and must include the following language: "Montana law allows customers to opt-out of the use of advanced metering devices according to terms and conditions set by the Montana Public Service Commission. No utility company can require the use of an advanced metering device. If you have questions about your opt-out rights, please contact the Montana Public Service Commission at 1-800-646-6150."
- (3) The utility shall notify the customer of the following if a customer expresses interest in using an alternative meter:
 - (a) The customer will be required to pay the amount of the approved tariff charge determined by the commission, if applicable.
 - (b) The utility shall explain the facts concerning advanced meters and attempt to address any customer concerns prior to signing up a customer for opt-out service. To the extent that the utility offers multiple options for the customer to obtain or retain either an advanced meter or an alternative meter, the utility shall explain each option and the allowable charges, if any, and allow the customer to choose from the options available.
- (4) Any utility whose deployment of advanced metering devices commenced prior to the effective date of this rule must submit a schedule and a proposed tariff within 180 days of the effective date of this rule. No utility may begin deploying advanced metering devices after the effective date of this rule without a commission-approved schedule and tariff for opt-out service.
- (5) When applying for approval of an opt-out service tariff, the utility shall address circumstances unique to the utility in its tariff application, including what fees, if any, should be charged to recover costs, such as the cost of removing an existing advanced meter and the subsequent installation of an alternative meter, or costs associated with providing meter reading and billing services associated with the use of an alternative meter. Every initial or revised tariff submitted pursuant to this rule must describe all alternative meters available to customers and provide a reasonable estimate of costs associated with each alternative meter.

- (6) To promote customer choice, every utility must identify at least one alternative to an advanced meter in every tariff submitted pursuant to this rule, for commission approval. Utilities should include at least one alternative type of meter that does not use radio waves or internet technology to measure, record, or send a customer's utility usage information. If a utility cannot provide such an alternative, the utility must state the reasons why, and the commission will examine all viable alternative meter reading options available.

Authorizing statute(s): 69-2-101, 69-2-102, 69-3-103, 69-3-203, 69-3-321, 69-4-1001, 69-4-1002, 69-4-1003, 69-4-1004, MCA

Implementing statute(s): 69-4-1004, MCA

History: NEW, 2021 MAR p. 1792, Eff. 12/11/21.