

ASSEMBLY BILL

No. 1274

Introduced by Assembly Member Bradford

February 22, 2013

An act to add Sections 8382 and 8383 to the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1274, as introduced, Bradford. Public utilities: consumer privacy.

Existing law prohibits, except as specified, an electric corporation or gas corporation, and a local publicly owned utility, from sharing, disclosing, or otherwise making accessible to a third party a consumer's electric or gas usage that is made available as a part of an advanced metering infrastructure, including the name, account number, and residence of the customer (data). Existing law requires the electrical corporation or gas corporation, and a locally publicly owned utility, to use reasonable security procedures and practices to provide a consumer's unencrypted data from unauthorized access, destruction, use, modification, or disclosure.

This bill would require the commission, by order or rule, to require an electrical corporation or gas corporation to establish, on or before December 31, 2014, communication standards and protocols for a home area network device that communicates electrical or gas consumption data, as defined, of that device to the electric corporation or gas corporation through an advanced metering infrastructure to ensure against the unauthorized access, destruction, use, modification, or disclosure of the data (cyber-security) and compatibility of the home area network devices. The bill would require a local publicly owned utility, on or before December 31, 2014, to establish communication

standards and protocols for a home area network device that communicates electrical consumption data of that device to the utility to ensure cyber-security. The bill would require the electric corporation or gas corporation and a local publicly owned utility to provide to the consumer educational materials regarding cyber-security after the development of the communication standards and protocols.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8382 is added to the Public Utilities Code,
2 to read:

3 8382. (a) The commission shall, by order or rule, require an
4 electric corporation or gas corporation to establish, on or before
5 December 31, 2014, communication standards and protocols for
6 a home area network device that communicates electrical or gas
7 consumption data of that device to the electric corporation or gas
8 corporation through an advanced metering infrastructure to ensure
9 against the unauthorized access, destruction, use, modification, or
10 disclosure of the data and compatibility of the home area network
11 devices.

12 (b) An electric corporation or gas corporation shall ensure the
13 consumer’s electrical or gas consumption data are not compromised
14 by a third-party consultant of the corporation.

15 (c) After the development of the communication standards and
16 protocols, the electric corporation or gas corporation shall provide
17 to consumers educational materials regarding measures to ensure
18 against the unauthorized access, destruction, use, modification, or
19 disclosure of the electrical or gas consumption data.

20 (d) As used in this section, “electrical or gas consumption data”
21 means a consumer’s electrical or gas usage, and includes the name,
22 account number, or residence of the consumer.

23 SEC. 2. Section 8383 is added to the Public Utilities Code, to
24 read:

25 8383. (a) On or before December 31, 2014, a local publicly
26 owned electric utility shall establish communication standards and
27 protocols for a home area network device that communicates
28 electrical consumption data of that device to the utility through an
29 advanced metering infrastructure to ensure against the unauthorized

1 access, destruction, use, modification, or disclosure of the data
2 and compatibility of the home area network devices.

3 (b) A local publicly owned electric utility shall ensure that the
4 consumer's electrical consumption data are not compromised by
5 a third-party consultant of the utility.

6 (c) After the development of the communication standards and
7 protocols, the local publicly owned electric utility shall provide to
8 consumers educational materials regarding measures to ensure
9 against the unauthorized access, destruction, use, modification, or
10 disclosure of the electrical or gas consumption data.

11 (d) As used in this section, "electrical consumption data" means
12 a consumer's electrical usage, and includes the name, account
13 number, or residence of the consumer.

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