



**Testimony for the House Economic Matters Committee
March 15, 2018**

HB 1274 - Gas and Electricity - Smart Meters - Customer Rights

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SUPPORT

The American Civil Liberties Union of Maryland (ACLU) urges a favorable report on HB 1274, which requires an electric, gas, or gas and electric company (“utility company”) to give prior written notice of the deployment of “smart meters” to each customer in the affected portion of its service territory. A utility company is prohibited from imposing any additional fee or charge on a utility customer who refuses installation of a smart meter or requests removal of a smart meter under the bill.

It is clear that “smart” home technologies, ranging from smart meters and smart TVs, to smart refrigerators and home assistants, like the Amazon Echo, are becoming increasingly commonplace in American homes. While these technologies may, to some consumers, have benefits, they also subject users to intense monitoring.

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Smart meters, a modern energy measurement device installed on homes, can collect significant amounts of data. A recent report from the ACLU of Northern California revealed that smart meters can collect up to 3,000 data points a month¹ about energy usage, potentially exposing details about your private life including whether you are home or away, your sleep and work habits, and whether someone in your house uses specialized medical equipment.²

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The inside of the home has for centuries been sacred when it comes to privacy. In a home with a “smart meter,” that data can be so minutely detailed that it can reveal all kinds of details about what people are doing inside their homes—which appliances they use, and when they use them—and even what television shows they watch³ (based on the patterns of light and dark in a show, which changes a television set’s electricity draw).

California can serve as an example. In 2012, a single California utility company, San Diego Gas & Electric, disclosed the smart meter energy records of over 4,000 of its customers.⁴ The detailed and sensitive nature of these energy records prompted California lawmakers to call for privacy safeguards in 2010, and in 2011 the California Public Utilities Commission adopted privacy rules,⁵ including

¹ See <https://www.eff.org/press/archives/2010/03/09>.

² See <https://www.eff.org/press/archives/2010/03/09>.

³ See <https://www.bloomberg.com/news/articles/2014-06-10/your-outlet-knows-how-smart-meters-can-reveal-behavior-at-home-what-we-watch-on-tv>.

⁴ See <https://www.aclunc.org/blog/call-logs-try-kilowatts-reports-reveal-demands-california-energy-data> and the citations therein.

⁵ http://docs.epuc.ca.gov/WORD_PDF/FINAL_DECISION/140369.pdf.

prohibiting the utility company from disclosing smart meter energy usage information to third parties unless pursuant to a warrant.

Detailed energy usage information includes intimate details about our private lives and Marylanders have a right to be notified if smart meter technology is deployed in their service area.

For the foregoing reasons, we strongly urge a favorable report on HB 1274.

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