

HOUSE No. 2963

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Michlewitz

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to installation of electrical sub-meters.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Aaron Michlewitz</i>	<i>3rd Suffolk</i>
<i>Thomas M. Menino</i>	<i>Mayor, City of Boston</i>
<i>Carlo Basile</i>	<i>1st Suffolk</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>

HOUSE No. 2963

By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 2963) of Aaron Michlewitz and others relative to the installation of electrical sub-meters. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to installation of electrical sub-meters.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Section 3 of Chapter 25A of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by inserting after the definition for “Commissioner”, the
3 following definition:-

4 “Covered Building, (a) a building that exceeds 50,000 gross square feet, (b) two or more
5 buildings on the same tax lot that together exceed 100,000 gross square feet, or (c) two or more
6 buildings held in the condominium form of ownership that are governed by the same board of
7 managers and that together exceed 100,000 gross square feet”.

8 SECTION 2: Section 3 of Chapter 25A of the General Laws, as so appearing, is hereby
9 amended by inserting after the definition for “Commissioner” the following definition:-

10 “Covered tenant space, (a) a tenant space larger than 10,000 gross square feet on one or
11 more floors of a covered building let or sublet to the same person, or (b) a floor of a covered
12 building larger than 10,000 gross square feet consisting of tenant spaces let or sublet to two or
13 more different persons”.

14 SECTION 3: Section 3 of Chapter 25A of the General Laws, as so appearing, is hereby
15 amended by inserting after the definition for “Marine or hydrokinetic energy”, the following
16 definition:-

17 “Meter, a device installed by an electrical utility company or corporation that measures
18 the flow of electricity supplied to a building or to a defined space within a building and used by
19 the utility to bill consumers for electrical service”.

20 SECTION 4: Section 3 of Chapter 25A of the General Laws, as so appearing, is hereby
21 amended by inserting after the definition for “State agency”, the following definition:-

22 “Sub-meter, a device meeting the standards of the department installed within a
23 building’s electrical distribution system that measures the flow of electricity within a defined
24 space within the building and that may, but need not be used for apportioning the cost of
25 electricity among the building’s tenants or subtenants”.

26 SECTION 5: Section 3 of Chapter 25A of the General Laws, as so appearing, is hereby
27 amended by inserting after the definition for “State agency” the following definition:-

28 “Tenant Space”, a space within a covered building that is let or sublet to another person
29 by the owner or a lessee of such space.

30 SECTION 6: Section 11A of said Chapter 25A, as so appearing, is hereby amended by
31 inserting after subsection (b) the following subsection:-

32 (c) The commissioner of energy resources is hereby authorized to prepare a state plan and
33 to promulgate such regulations as may be necessary to require electrical sub-meters to be
34 installed in covered buildings. On and after January 1, 2025, the electrical consumption of each
35 covered tenant space shall be measured by one or more sub-meters. Sub-meters shall be installed
36 in existing covered tenant spaces by the owner or the lessor of such space on or prior to January
37 1, 2025 and thereafter as new covered tenant spaces are created within the building. If the
38 covered tenant space is a floor with multiple tenancies, each tenancy that is 10,000 gross square
39 feet or less shall (i) have a separate sub-meter, (ii) share a sub-meter with other tenant spaces on
40 the floor, or (iii) share a sub-meter covering the entire floor; except any covered tenant space for
41 which the electrical consumption within such space is measured by a meter dedicated exclusively
42 to that space.

43 Each tenant or subtenant within a covered tenant space that has a sub-meter or sub-meters
44 to measure electrical consumption shall be provided with a monthly statement showing the
45 amount of electricity measured by the sub-meter for such tenant or subtenant during the month,
46 and any amount charged to the tenant or subtenant for electricity. If the covered tenant space is a
47 floor with multiple tenancies and the tenant’s sub-meter covers other tenant spaces, the statement
48 for such tenant shall show the electrical consumption for the area covered by the sub-meter and
49 the percentage of that area that is leased by the tenant.

50 The owner of each covered building shall file a report with the department on or prior to
51 January 1, 2025 prepared by a registered design professional or a licensed master or special
52 electrician certifying that sub-meters have been installed in all covered tenant spaces in such
53 building as required by this Section. The department may impose a fee for filing and processing
54 such reports.

55 On and after January 1, 2025, the electrical consumption of each covered tenant space
56 shall be measured by one or more sub-meters. Sub-meters shall be installed in existing covered
57 tenant spaces by the owner or the lessor of such space on or prior to January 1, 2025 and
58 thereafter as new covered tenant spaces are created within the building. If the covered tenant
59 space is a floor with multiple tenancies, each tenancy that is 10,000 gross square feet (929 m²)
60 or less shall (i) have a separate sub-meter, (ii) share a sub-meter with other tenant spaces on the
61 floor, or (iii) share a sub-meter covering the entire floor; except any covered tenant space for
62 which the electrical consumption within such space is measured by a meter dedicated exclusively
63 to that space.

64 Each tenant or subtenant within a covered tenant space that has a sub-meter or sub-meters
65 to measure electrical consumption shall be provided with a monthly statement showing the
66 amount of electricity measured by the sub-meter for such tenant or subtenant during the month,
67 and any amount charged to the tenant or subtenant for electricity. If the covered tenant space is a
68 floor with multiple tenancies and the tenant's sub-meter covers other tenant spaces, the statement
69 for such tenant shall show the electrical consumption for the area covered by the sub-meter and
70 the percentage of that area that is leased by the tenant.

71 The owner of each covered building shall file a report with the department on or prior to
72 January 1, 2025 prepared by a registered design professional or a licensed master or special
73 electrician certifying that sub-meters have been installed in all covered tenant spaces in such
74 building as required by this Section.

75 The department as it may impose a fee for filing and processing such reports.