

HOUSE No. 1734

The Commonwealth of Massachusetts

PRESENTED BY:

Edward F. Coppinger

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:

Edward F. Coppinger

DISTRICT/ADDRESS:

10th Suffolk

HOUSE No. 1734

By Mr. Coppinger of Boston, a petition (accompanied by bill, House, No. 1734) of Edward F. Coppinger relative to installation of electrical sub-meters. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2859 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 An Act relative to installation of electrical sub-meters

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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