

HOUSE No. 3581

The Commonwealth of Massachusetts

PRESENTED BY:

Tommy Vitolo

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 supporting electrical load aggregation programs in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>1/17/2025</i>

HOUSE No. 3581

By Representative Vitolo of Brookline, a petition (accompanied by bill, House, No. 3581) of Tommy Vitolo relative to electrical load aggregation programs. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act supporting electrical load aggregation programs in the Commonwealth.

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. It is hereby found and declared that electrical load aggregation programs
2 empower municipalities to create new electricity supply offerings that provide customized
3 solutions addressing their consumers’ needs and reflecting the municipality’s capabilities. Such
4 solutions may provide benefits including, but not limited to, electricity cost control, reduction of
5 greenhouse gas emissions, support for renewable energy development and facilitation of
6 beneficial electrification. Further, electrical load aggregation programs may provide residential
7 and small business consumers access to solutions that they could not find otherwise. For
8 municipalities to effectively offer such solutions, they must be empowered both to create and
9 adapt their electrical load aggregation programs in a timely manner and to communicate with the
10 electricity consumers within their community using methods that reflect local needs and
11 preferences. Therefore, it is found that it is in the public interest to promote electrical load
12 aggregation programs through enactment of the following statutory changes.

13 SECTION 2. Section 7, clause twenty-six of chapter 4 of the General Laws, as appearing
14 in the 2022 official edition, is hereby amended by inserting the following:

15 (w) All data associated with an individual electricity consumer obtained by a public
16 aggregator, as defined in section 1 of Chapter 164.

17 SECTION 3. Section 134 of chapter 164 of the General Laws, as appearing in the 2022
18 official edition, is hereby amended by striking out subsection (a) paragraph 6 and inserting in
19 place thereof the following:

20 It shall be the duty of the aggregated entity to fully inform participating ratepayers in
21 advance of automatic enrollment that they are to be automatically enrolled and that they have the
22 right to opt-out of the aggregated entity without penalty. In addition, such disclosure shall
23 prominently state all charges to be made and shall include full disclosure of the basic service
24 rate, how to access it, and the fact that it is available to them without penalty. The department of
25 energy resources shall furnish, without charge, to any citizen a list of all other supply options
26 available to them in a meaningful format that shall enable comparison of price and product. After
27 obtaining approval of its plan, the aggregated entity may deliver information and educational
28 materials regarding its program to each consumer within the municipality or municipalities. To
29 enable such delivery, the electric distribution company shall provide to such aggregated entity a
30 current list of the names, mailing addresses, email addresses, service addresses and rate classes
31 of all electric consumers taking distribution service within the municipality or municipalities. To
32 facilitate the automatic enrollment and ratepayer notification, the electric distribution company
33 shall identify in such data all electric accounts within the municipality that are not otherwise
34 receiving generation service from a competitive supplier and provide such additional consumer

35 information necessary for such automatic enrollment; provided, however, that any customer may
36 request that their name, mailing address and account number not be shared with the municipality.
37 To monitor program participation, the electric distribution company shall identify in such data
38 those consumers that are participating in the electrical load aggregation program. To enable
39 development of and bidding for electric energy and energy-related services, the electric
40 distribution company shall provide all historical usage and demand information, including
41 advanced metering data if collected by the consumer's meter, for the preceding 24 months for
42 consumers eligible for automatic enrollment as well as for participating consumers. The
43 aggregated entity may use such data only in connection with the aggregation program and for no
44 other purpose. Further, the aggregated entity may only use email addresses provided in such data
45 for communications on behalf of the electrical load aggregation program. All data associated
46 with an individual electricity consumer obtained by the aggregated entity shall be exempt from
47 the definition of a "public record" under M.G.L. c.4 §7 and the aggregated entity shall protect
48 such data as confidential. The aggregated entity shall not share, disclose, or otherwise make
49 accessible to any third party, including any municipal government, such data except where
50 directly necessary in its implementation of the electrical load aggregation program and where
51 subject to non-disclosure requirements.

52 SECTION 4. Section 116C of chapter 164 of the General Laws, as appearing in the 2024
53 official edition, is hereby amended by striking out subsection (b) and inserting in place thereof
54 the following:

55 (b) A supplier or other third party shall be entitled to access detailed advanced metering
56 infrastructure customer data from the centralized data repository, subject to appropriate customer
57 approval and protections. For the avoidance of doubt, municipal aggregators may access detailed

58 advanced metering data about individual accounts enrolled with the municipal aggregation and
59 eligible for automatic enrollment. Advanced metering infrastructure data may include, but shall
60 not be limited to, customer billing period usage data, peak demand, supplier information and
61 relevant account information.

62 SECTION 5. Section 1D of chapter 164 of the General Laws, as appearing in the 2022
63 official edition, is hereby amended by inserting in line 22 after the word “parties.” the following:

64 The single bill option from electric utilities shall be available to all non-utility suppliers
65 as rate-ready, in which the utility calculates the energy-related charges based on supplier-
66 provided inputs for agreed upon parameters. At such time that rate-ready billing for advanced
67 metering infrastructure is available, the single bill option from electric utilities shall also be
68 available as bill-ready, in which the utility provides the supplier with metered usage and the
69 supplier calculates the energy-related charges and provides such charges to the utility. The bill-
70 ready single bill shall be available only to supply contracts for municipal aggregators and for
71 large commercial and industrial customers.