

The Electricity Consumers' Right to Know Act

The e-KNOW Act amends Title II of the Public Utility Regulatory Policies Act of 1978 by adding Section 215, Electric Consumer Right to Access Electric Energy Information.

Under this legislation, U.S. electricity consumers, and any third parties they designate, would have the right to access their electricity usage and pricing information from their retail electricity provider in a free, timely, and convenient manner that ensures privacy and data security.

To help implement this consumer right of access, the Federal Energy Regulatory Commission (FERC), in consultation with State regulatory authorities, the Secretary of Energy, and other appropriate Federal agencies, would – within six months of the date of enactment – establish guidelines identifying minimum national standards that States and utilities could adopt to ensure customers this right. These standards would incorporate and build upon the pioneering work done in this area by innovative States, including California, Pennsylvania, and Texas, which have already adopted standards to ensure consumer access to electricity data.

If, one year after the promulgation of the FERC guidelines, a retail electric utility fails to uphold the minimum national standards for ensuring consumer access to electricity data, the State may bring a civil action against the utility on behalf of its electric consumers to ensure compliance with the Act. If no civil action is brought by a state authority, any electric consumer may bring a civil action against their retail electric provider to require compliance with the Act.

Enforcement authorities would not apply against utilities that FERC has, within the most recent two years, determined have adopted and implemented a policy that complies with the minimum standards set forth by FERC.