

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

CASE 14-M-0101 - In the Matter of Reforming the Energy Vision.

CASE 15-M-0180 - Regulation and Oversight of Distributed Energy Resource Providers and Products.

CASE 14-M-0224 - Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs.

NOTICE OF SECOND TECHNICAL CONFERENCE REGARDING CUSTOMER AND AGGREGATED ENERGY DATA PROVISION AND RELATED ISSUES

(Issued December 23, 2015)

PLEASE TAKE NOTICE that Staff will convene an on-the-record technical conference on Wednesday, January 20, 2016, at 10:30 A.M to discuss best practices regarding providing customers access to their own energy data and related issues, discuss the appropriateness of the adoption of the US Department of Energy's DataGuard Program guidance regarding customer data privacy issues, identify other issues relating to customer and aggregated energy data provision, and explore actions the Commission may take on these issues in furtherance of REV objectives. Commission action may be taken in any or all of the above captioned cases.

The *DataGuard Energy Data Privacy Program, Voluntary Code of Conduct, Final Concepts and Principles* may be downloaded by using the button "Download the DataGuard Concepts and Principles" at the bottom of the page accessed from this link. [https://www.smartgrid.gov/data\\_guard.html](https://www.smartgrid.gov/data_guard.html)

The on-the-record technical conference will take place at the New York State Department of Public Service's Albany Offices, 19th Floor Boardroom, Three Empire State Plaza. Video

conferencing will be available from the New York City, Long Island and Buffalo Offices.<sup>1</sup>

Comments may be submitted by February 5, 2016 and should be made by e-filing through DMM,<sup>2</sup> or by e-mail to the Secretary at [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov). If unable to file electronically, parties may make submissions by post or hand delivery to the Hon. Kathleen H. Burgess, Secretary, Three Empire Plaza, Albany, New York 12223-1350. All comments received will be posted to the Commission's website and become an official part of the record in the above captioned proceedings.

Parties may express interest in making a brief presentation at the technical conference on one of the topics identified by contacting Ms. Amanda Mulhern at 518-473-5267, or [Amanda.Mulhern@dps.ny.gov](mailto:Amanda.Mulhern@dps.ny.gov), by January 5, 2016. A detailed agenda for the technical conference will be issued thereafter.

(SIGNED)

KATHLEEN H. BURGESS  
Secretary

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<sup>1</sup> If you plan to attend the Buffalo, New York City or Long Island location, please e-mail Sandra Bruce at [Sandra.Bruce@dps.ny.gov](mailto:Sandra.Bruce@dps.ny.gov) by no later than January 15, 2016 to comply with security arrangements. Locations of offices: New York City, 90 Church St. New York, NY 10007; Buffalo office, Ellicott Square Bldg., 295 Main St., Buffalo, NY 14203; Long Island Office, 125 E. Bethpage Road, Plainview, NY 11803.

<sup>2</sup> To register with DMM, go to <http://www.dps.ny.gov/efile/registration.html>.

## Second Technical Conference on Access to Customer and Aggregated Energy Data

### TOPICS

The issues to be addressed at the second Technical Conference are identified below. Each section outlines a specific topic relating to access to energy data, explains why the Commission should consider action to advance the goals of REV, and identifies preliminary questions for discussion at the technical conference.

### OVERVIEW

Information about energy consumption can enable consumers to improve energy management in their homes and businesses. It can also help vendors including energy services companies (ESCOs) and distributed energy resource suppliers (DERS) develop tailored energy and energy-related products and services for consumers.

The Technical Conference will explore actions the Commission may take to facilitate access to customer energy data while preserving customer privacy and security, to advance the goals of REV.

#### **1) Providing consumers access to their own energy data, and vendors access to customer-specific data with customer authorization**

Ready access to their own energy usage data can enable consumers to better understand their energy consumption and make informed decisions about energy use and purchases. Similarly, customer-specific information provided to ESCOs or other DER providers with authorization of the customer, enables the vendor to develop a tailored offer to the customer. Information should be accurate and provided in a timely manner. Information provided to consumers should be in a format that facilitates consumer understanding and action.<sup>3</sup>

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<sup>3</sup> Billing content and format issues, including how to increase the informational value of bills to customers, are being addressed in a Staff-led consultative process in Case 14-M-0101. In contrast, this technical conference will address information provided and available to customers through means other than utility bills.

- Q. What are utility best practices in the U.S. regarding providing customers with access to their own energy data in a manner that customers understand and which facilitates informed purchase decisions? What information, tools, and assessments are available for large business customers? What information, tools and assessments are available for residential customers? Under what conditions should utilities charge for providing this information, including raw data, analysis, and assessments?
- Q. What are utility best practices in the U.S. regarding providing municipalities with their aggregated data load, including data transfer process and cost associated with transfer? Under what conditions should utilities charge for providing aggregated data information, including raw data, analysis, and assessments?
- Q. Do existing practices and tools regarding customer-specific usage information provide customers, as well as vendors receiving usage information with customer authorization, accurate information in a timely manner, and if not, what improvements can and should be made?

## **2) Privacy and Security Issues Concerning Customer Data**

The Commission has considered how technological advances affect its requirements that utilities protect privacy of customer data.<sup>4</sup> Similarly, the Commission has established requirements that utilities maintain the security of customer data, and revised them to reflect technological and other changes.<sup>5</sup> The Commission has also established rules governing protection of customer-specific information by ESCOs<sup>6</sup> and is

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<sup>4</sup> E.g., Case 10-E-0285, Regulatory Policies Regarding Smart Grid Systems and the Modernization of the Electric Grid, Smart Grid Policy Statement, August 19, 2011.

<sup>5</sup> E.g., Case 13-M-0178, Comprehensive Review of Security for the Protection of Personally Identifiable Customer Information, Order Directing the Creation of an Implementation Plan (issued August 19, 2013).

<sup>6</sup> E.g., Case 98-M-1343, In the Matter of Retail Access Business Rules, Uniform Business Practices, Section 4.

considering similar requirements to be applicable to DER suppliers subject to the Commission's jurisdiction.<sup>7</sup>

The United States Department of Energy has issued a Privacy Voluntary Code of Conduct describing high level principles of conduct regarding data privacy, which may be applicable to utilities and third parties.

Q. As the Commission considers how its privacy requirements should be revised to reflect technology and market changes, should the Commission adopt the US DOE's DataGuard program as high level guidance regarding data privacy?

**3) Additional Access to Customer and Aggregated Energy Data**

Q. What other issues regarding access to customer and aggregated energy data by ESCOs, other vendors of DER products and services, and other third parties for the purpose of furthering REV objectives, should be considered by the Commission at this time?

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<sup>7</sup> Case 15-M-0180, In the Matter of Regulation and Oversight of Distributed Energy Resource Providers and Products.