

STATE OF NEW YORK PUBLIC SERVICE COMMISSION

CASE 14-M-0101: Proceeding on Motion of the Commission in Regard to 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

COMMENTS OF THE MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA) ON THE TECHNICAL CONFERENCE REGARDING CONSUMER AND AGGREGATED ENERGY DATA PROVISION AND RELATED ISSUES

On December 16th, 2015 the Public Service Commission held a technical conference to discuss access to customer and aggregated energy data and related issues. Representatives of the Municipal Electric and Gas Alliance (MEGA) attended this conference and wish to submit the following comments for the public record.

EnergyNext, Inc. represents MEGA in the submission of these comments. MEGA is a not-for-profit Local Development Corporation that manages aggregated procurement of energy products and value-added services for 36 county governments among more than 275 municipal entities in the state. MEGA also serves some residential and commercial customers. MEGA was created by local governments to serve local governments, and it makes decisions solely for the benefit of its participants. It is the opinion of MEGA that free access to aggregate energy data is in the public interest and is already feasible using an existing database, the Utility Energy Registry. Access to this database will enable municipalities to engage in the REV process and accomplish energy planning goals, as well as provide the basis for planning and implementation of Community Choice Aggregation (CCA) programs.

Q. How can utilities prepare and provide electronic access to customer data aggregated by municipality in a standard format, in an efficient manner?

It is fortuitous that through the efforts of Climate Action Associates in the role of NYSERDA contractor for the Climate Smart Communities Program, a database, the Utility Energy Registry (UER), has already been developed. All major utilities voluntarily provided the aggregate energy data for 1,300 cities, towns and villages across the state. These data are in a standardized format by consumption rate class and accessible in aggregate by community, zip code or county.

Upon additional review of the UER, and based on experience from other CCA markets, including Illinois, MEGA believes that the UER aggregated energy database is sufficient to inform qualified ESCOs of the available load in a CCA Program as part of a Request for Bids.

Q. Should utilities be permitted to charge municipalities or other third parties for providing this aggregate data?

MEGA's view is that utilities should not charge municipalities, or third parties acting on their behalf for aggregate energy data. Free access to centralized and standardized data will be efficient for both utilities and municipalities. In the specific case of the development of the UER, Climate Action Associates was supported by Regional Greenhouse Gas Initiative (RGGI) monies. As the funding was in public interest, we believe that municipalities should not have to pay a second time to access their aggregated energy data. MEGA is grateful that through the initial development of the UER, utilities were willing to provide these aggregate energy data voluntarily and without charge and we encourage them to continue to do so. Providing these aggregate data in monthly intervals, on an annual basis is likely to be more efficient for both utilities and municipalities than generating and responding to data requests from municipalities, consultants and/or ESCOs. MEGA looks forward to the ongoing development of the UER in 2016.

At the technical conference it was reaffirmed for MEGA that many stakeholders, including NYSERDA, Mission::Data, Department of Energy and Climate Action Associates agree with our position that aggregated energy data are in the public interest and should be made available at no charge.

Q. Should the Commission consider a privacy standard to ensure customer anonymity when aggregate energy data is released to third parties without customer consent?

Many of the questions and concerns surrounding customer protections and privacy can be easily addressed through the use of the UER for sharing aggregate energy data. If one of the rate classes within a given city, town or village does not meet the '15/15,' '4/80'¹ or other privacy rule, the data will simply not be made available through the database. In this case, the need for customer consent would not be required as the aggregate data provide the desired anonymity.

Another value of the data existing in the UER, is that it is possible for an analysis to be undertaken to determine how many discrete groups of data would not pass a given set of privacy rules, such as the '15/15' or '4/80' rules. Undertaking such an analysis may properly frame the scale of the issue related to anonymity with aggregate energy data.

¹ Elevate Energy. (2016, January 5). *Aggregated Data Access: The 15/15 Rule in Illinois and Beyond*. Retrieved from www.elevateenergy.org: <http://www.elevateenergy.org/prod/httpdocs/wp/wp-content/uploads/1515-Rule-Factsheet-FINAL.pdf>