



May 2, 2016

Via Electronic Filing

Pennsylvania Public Utility Commission
Attention: Secretary Rosemary Chiavetta
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Docket No. M-2009-2092655

Dear Secretary Chiavetta:

The Mission:data Coalition (“Mission:data”), a national coalition of technology companies delivering customer-focused, data-enabled energy management services and solutions. With more than 35 companies representing over \$1.0 billion in sales, our member companies provide the most advanced software solutions for energy efficiency and demand response in the residential, commercial and industrial sectors. For more information about Mission:data, please see www.missiondata.org.

Mission:data is pleased to provide these comments in connection with the Electronic Data Exchange Working Group’s (“EDEWG”) Technical Implementation Standard, System to System – Historical Interval Usage, filed with the Pennsylvania Public Utilities Commission on April 7th, 2016. Comments are due twenty days thereafter, or May 2nd, 2016. Mission:data submits these comments in accordance with 52 Pa. Code §1.12.

Because the most promising and powerful energy efficiency and energy management services depend increasingly upon consumers having access to their own electricity data via electronic means, Mission:data engages before regulatory commissions

across the country to support convenient, functional access to electricity usage and pricing data in an electronic form, based on widely adopted national standards, and the ability to share it with third parties of their choice. In recent years and months, four states (accounting for nearly half of the advanced meters deployed, or scheduled to be deployed) – California, Texas, Illinois and New York – have embraced this position.¹ A vibrant national market for energy management technologies will maximize opportunities for innovation and consumer choice, in the same way that smart phones and applications have transformed communications.

1. EDEWG’s April 7 Proposal Excludes Mission: data Companies Who Are Not Licensed Electronic Generation Suppliers, Contrary to Pennsylvania Laws and Rules

Third party access to smart meter usage data, with customer consent, is a central component of Pennsylvania’s smart grid policies. Act 129 requires electric distribution companies (“EDCs”) , with customer consent, to “make available direct meter access and electronic access to customer meter data to third parties, including electric generation suppliers and providers of conservation and load management services.”²

To comply with this law, the Commission ruled that EDCs must provide access to meter data to customers and authorized third party representatives, and that such access must be “electronic” and “standardized.”³ The Commission directed EDCs to provide data

¹ See, *e.g.*, California Public Utilities Commission Decision D.13-09-025 dated Sept 19, 2013; Texas Public Utilities Commission Substantive Rule 25.130(j); Illinois Commerce Commission Docket No. 15-0073 Order dated Mar 23, 2016; and New York Public Service Commission’s Cases 15-E-0050, 13-E-0030 and 13-G-0031, Order Approving Advanced Metering Infrastructure Business Plan Subject to Conditions dated Mar 17, 2016.

² 66 Pa. C.S. § 2807(f) (3).

³ Final Order, “Smart meter procurement and installation” dated Dec 5, 2012, Docket No. M-2009-2092655, Pennsylvania Public Utilities Commission, p. 3.

not just licensed electric generation suppliers (“EGSs”) and curtailment or conservation service providers (“CSPs”) but also “other entities who have obtained customer consent regarding the release of the data.”⁴

Mission:data is concerned that the EDEWG April 7 proposal describes a technological data-sharing system which many of our companies are ineligible to utilize, despite having obtained customer consent for the release of customer energy data. The EDEWG proposal says:

“The web portal is intended for the following customer-authorized third parties: Licensed Electric Generation Suppliers (EGSs), Act 129 Conservation Service Providers (CSPs) contracted with EDCs, and their contracted agents. CSPs (either Curtailment or Conservation) desiring to access the web portals addressed by this framework either be provided access as agents of an existing EGS OR be licensed as EGSs themselves as a prerequisite to receiving access.”⁵

Unfortunately, many Mission:data companies appear to be ineligible because they do not provide electricity and do not fit the category of an EGS that can seek a license from the Commission, or are not under contract with EDCs as a CSP.

Mission:data therefore requests that the Commission (1) conclude in a finding that, while the EDEWG proposal may serve the needs of licensed EGSs and CSPs, it does not fully satisfy the Act 129 requirements and other Commission requirements for the electronic provision of data to customer-authorized third parties; and (2) consider fully, in the present docket or a new one, the process by which a non-EGS/non-CSP third party may become eligible to receive customer energy data in standardized, electronic formats when authorized by the customer.

⁴ Tentative Order adopted April 23, 2015, p. 9

⁵ Electronic Data Exchange Working Group, Technical Implementation Standard – System to System – Historical Interval Usage proposal to the Pennsylvania Public Utilities Commission, dated April 7, 2016, p. 5.

As a practical matter, the provision of the most effective and powerful energy saving products – typically those customized to the needs of each consumers – require ongoing access to such energy data in an electronic format, once authorized by the consumer. Mission:data members who provide energy management, efficiency and demand response services to consumers obtain customer consent to use that customer’s energy data in connection with data-driven energy management tools, software and services. The Commission has recognized the importance of customer data access to providing customers choice of the products and services that best serve their individual needs and fostering innovative offerings from the competitive market, as well as the economic development opportunity obtained by positioning the state as a leader in an emerging industry.

Mission:data respectfully requests that the Commission provide the opportunity for all parties to remedy the shortfalls we have identified in the EDEWG proposal. Given the proper forum – either this docket or a new docket – Mission:data stands ready to contribute our technical expertise and experience in other states that have addressed the issue of data access (and related issues such as privacy and security) for a broad range of third parties.

2. Conclusion

Mission:data appreciates the work of the Commission to position Pennsylvania as a leader in empowering consumers with access to their own energy data so that they can benefit from investments in grid modernization and advanced metering.

We urge the Commission to begin the process of determining non-EGS/non-CSP third party eligibility criteria, and the process by which those third parties, such

as Mission:data companies, should access customer energy data with customer consent. We appreciate the opportunity to comment and would be pleased to work with the Commission and all stakeholders to address the points we have raised.

May 2, 2016

Respectfully submitted,



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