



Lindsay Baxter
Manager, Regulatory and Clean Energy Strategy
lbaxter@duqlight.com
412-393-6224

May 5, 2022

VIA ELECTRONIC FILING

Ms. Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
2nd Floor, Room-N201
400 North Street
Harrisburg, PA 17120

Re: Investigation into Conservation Service Provider and Other Third Party Access to Electric Distribution Company Customer Data (M-2021-3029018)

Dear Secretary Chiavetta:

Enclosed for filing please find Duquesne Light Company's Comments in the above referenced proceeding.

If you have any questions regarding the information contained in this filing, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'LB Baxter', with a long horizontal flourish extending to the right.

Lindsay A. Baxter
Manager, Regulatory and Clean Energy Strategy

Enclosure

cc: Jeff McCracken (jmccracken@pa.gov)
Scott Thomas (sjthomas@pa.gov)
Christian McDewell (cmcdewell@pa.gov)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Investigation into Conservation Service :
Provider and Other Third Party Access to :
Electric Distribution Company Customer : Docket No. M-2021-3029018
Data

**COMMENTS OF
DUQUESNE LIGHT COMPANY**

I. INTRODUCTION

On February 8, 2022, the Pennsylvania Public Utility Commission (“Commission” or “PUC”) issued a Secretarial Letter initiating a policy proceeding “to determine if a safe, acceptable path exists for registered CSPs and other third parties to potentially gain access to customer data electronically from the electric distribution company’s (“EDC’s”) data systems, with customer consent, as permitted under Section 2807(f) of the Code, 66 Pa.C.S. § 2807(f).” This proceeding is initiated as directed in the Final Order entered October 7, 2021 regarding the application of Enerwise Global Technologies, LLC, d/b/a CPower (“Enerwise”), which sought to be licensed as an electric generation supplier (“EGS”) in order to access utility data systems on behalf of its customers (Docket No. A-2019-3009271).

The Secretarial Letter invites interested parties to file written comments within forty-five (45) days of publication in the *Pennsylvania Bulletin*. The policy proceeding was published February 19, 2022, 52 Pa.B. 1209. On March 14, 2022, a Petition for an Expedited Order Granting an Extension of Time to File Comments was filed by the Energy Association of Pennsylvania. A Secretarial Letter dated March 23, 2022 granted this petition and established a

deadline of May 5, 2022 for comments to be filed. Accordingly, Duquesne Light Company (“Duquesne Light” or “Company”) hereby submits these comments for consideration.

II. BACKGROUND

The Commission adopted a Tentative Order May 24, 2021 that tentatively approved the application of Enerwise to become an EGS and invited stakeholder comment. The Secretarial Letter initiating the instant proceeding summarizes the input received with the following key themes:

- “The Commission lacks the requisite factual record upon which to determine the proper means through which non-EGSs should be granted web portal or electronic data interchange (EDI) access.
- The outcome of this proceeding will directly impact similar requests from non-EGSs in the future.
- There should be safeguards in place to ensure the integrity of data systems and the privacy of customer data before any CSP or other third party is authorized to access usage data through the EDC data systems.”

In its comments¹ in the Enerwise proceeding, Duquesne Light expressed its concern about setting a precedent of licensing entities other than traditional retail electric generation suppliers as EGSs in order to provide access to customer data. The Company recommended that a generic proceeding to more fully explore the issue would be a more appropriate path forward. Additionally, Duquesne Light expressed concern that EDCs “should not be asked to play the role of police, and yet because they are the interface between the customer and the third-party providers accessing the customer data, they are often in the unique position to observe issues.” Finally, the Company had noted that the Commission has previously considered expanding access to EDI and the online portal to energy efficiency providers through the EDEWG Web Portal Working Group but declined to do so, stating, “third parties currently may access customer data through

¹ DLC Comments at Docket No. A-2019-3009271, filed July 6, 2021.

customer portals and/or through their own equipment, so long as they have obtained customer consent.”² As expressed further in its comments below, Duquesne Light believes options continue to exist for CSPs and other third-party entities to access data for their specific customers.

Duquesne Light is a public utility as the term is defined under Section 102 of the Public Utility Code, 66 Pa.C.S. § 102, and is certificated by the Commission to provide electric distribution service in portions of Allegheny County and Beaver County in Pennsylvania. Duquesne Light provides electric service to approximately 605,000 customers in and around the City of Pittsburgh.³ As an EDC, Duquesne Light is subject to this policy proceeding.

III. Company Response to Questions in Secretarial Letter

As a preliminary matter, Duquesne Light is committed to enabling its customers to save energy, improve affordability, and reduce environmental impact. Access to data can be a powerful tool to enable implementation of energy efficiency and clean energy technologies. The Company seeks to be a partner to its customers in achieving their goals in this space. However, the use of data toward these outcomes must be balanced with robust consumer protections.

In its EGS application, Enerwise states, “The reason CPower is applying for the license is to obtain utility data on behalf of our customer’s (*sic*). This will allow us to verify customer performance in Demand Response programs and assist the customer in analyzing their usage and capabilities.” (*See* Section 4. Operations.) As described in greater detail in the Company’s responses to the individual questions below, there are multiple options today for a CSP to access utility data for *its* customer, with

² EDEWG’s *Web Portal Working Group’s Solution Framework for Historical Interval Usage and Billing Quality Interval Use* Final Order, issued June 30, 2016. Docket No. M-2009-2092655

³ Duquesne Light is a member of the Energy Association of Pennsylvania, which is also submitting comments at this docket. In addition to the positions stated herein, Duquesne Light generally supports the positions articulated in EAP’s comments to the extent they are consistent with the comments submitted by the Company.

that customer's consent. However, licensing CSPs and other third-party entities as EGSs would allow them access to customer data for *all* EDC customers who have not opted out of the Eligible Customer List⁴ ("ECL"). While providing this data access to EGSs is required under the Energy Choice Act,⁵ it is not required for CSPs or any other entity. In fact, usage data is accorded special privacy protections under 52 Pa. Code § 54.8, as discussed in greater detail below.

Duquesne Light recommends that the Commission maintain the existing practice of protecting customer usage data. However, the Company recognizes that there may be opportunity for process improvements, including increasing automation, with the result of improving efficiency both for the requesting entity and the EDC. Rather than exploring the potential to expand the types of entities that have access to the existing EGS portal, it is recommended that the Commission instead focus this proceeding on facilitating access to data for CSPs and other third-parties who have customer consent. A format including informal workshops, similar to other PUC Collaboratives, may provide an opportunity to share best practices across EDCs.

Duquesne Light offers responses to the Commission's questions from the February 8, 2022 Secretarial Letter to advance this conversation.

1. Electric Distribution Company (EDC) Smart Meter Customer Data Access by CSPs and Other Third Parties Technical Concerns:

- a. Is it possible to develop a path in which certain CSPs or other third parties are granted authorization to access EDC smart meter customer data electronically in a secure manner?

CSPs can access customer data directly from the EDC today with customer consent. If a customer is working directly with a third-party, presumably the customer has already signed a contract which could include consent for the EDC to provide this access.

Duquesne Light does not perceive this to be an unreasonable barrier for a CSP.

⁴ The ECL is developed by EDCs and provides suppliers with customer information, such as customer name, account number, service address and telephone number; historical usage data; and rate class. Customers may choose to limit the inclusion of their information on the ECL. *Interim Guidelines for Eligible Customer Lists* Final Order on Reconsideration, issued Nov. 15, 2011. Docket Nos. M-2010-2183412, et. al.

⁵ 66 Pa. C.S. § 2807(f)(3).

- b. Can the web portals available to electric generation suppliers be utilized for this access, or is an alternate pathway necessary?

To the extent that the Commission determines EDCs should expand access to customer data to entities other than electric generation suppliers, the adaptation of existing systems should be prioritized to optimize efficiency and reduce costs.

- c. Do individual EDCs already maintain an alternative method of data access for CSPs and other third parties? If yes, please explain your system for this access.

Duquesne Light does not maintain an alternative method.

- d. How are CSPs provided customer data when performing services under ACT 129?

CSPs who are service providers under Duquesne Light's Act 129 programming receive customer usage data directly from the Company. These CSPs enter into a contract with Duquesne Light that includes terms and conditions governing data access and usage and undergo a cybersecurity vetting. This process is described in greater detail in the response to question two b.

CSPs who are performing Act 129 related services directly for a customer, not under contract with the EDC, can access customer data with customer consent, or by using their own installed equipment, as described in greater detail in the responses to questions three and four.

Duquesne Light encourages the Commission to make a clear distinction between Act 129 CSPs under contract with the EDC and other CSPs. The Company understands the intent of the instant proceeding to be exploring potential changes to data access policies for CSPs other than EDC contractors. Duquesne Light's Act 129 CSPs access data directly from Duquesne Light and are prohibited from using it for any purpose other than the utility's energy efficiency programs that they are contracted to perform. Any broad restrictions that impact EDC contractor access could have the unintended consequence of adding additional burden to EDC Act 129 implementation.

- e. What technical limitations currently prevent EDCs from providing smart meter data electronically to CSPs or other third parties?

There are no technical limitations to prevent Duquesne Light from providing smart meter data to CSPs and other third parties via the existing web portal, but rather legal considerations as described in more detail in response to the questions in section two. However, it is important to note that opening the portal to more entities and a greater volume of usage not only increases the potential for cybersecurity threats but could also necessitate technical upgrades and more support resources, increasing costs.

- f. Aside from CSPs, what other third party entities should be considered for potential access?

The types of entities that may desire access to this type of data are many and varied and expected to grow as energy related technologies evolve. Initially, it is expected that Distributed Energy Resource (DER) Aggregators under implementation of FERC Order

2222 will desire access to customer usage data. However, other entities could include companies offering solar and other renewable generation systems, behind the meter energy storage businesses, and micro-grid developers. Additionally, the Company regularly receives requests from university researchers, government entities, and non-profit organizations that are interested in energy usage data. This is not an exhaustive list. The Company believes additional entities will continue to emerge, so whatever system and rules are put in place must anticipate additional future use cases.

- g. What criteria should the EDCs utilize to determine eligibility for CSPs and other third parties? Should there be different standards and/or different levels of access to data for different types of CSPs and other third parties?

Duquesne Light has concern about the prospective obligation to vet a potentially endless pool of third-parties seeking access to this data. Today, the Commission licenses EGSs. The EDC only has to verify that the EGS is licensed in good standing by the PUC. It would be an unreasonable burden to require EDCs to administer a pseudo-licensing program for non-PUC-licensed entities.

While it is unclear that the PUC has jurisdiction to implement such a program today, the ideal path forward would be for the Commission to establish a licensing program for CSPs and other third-party entities, with those entities supporting the costs of the program via a licensing fee and/or annual assessment.

Absent licensure from the Commission, the Company again emphasizes that any third-party with a customer's consent can access that customer's data today. Expanding access to the EGS portal, which provides access to data for all eligible customers, may not be necessary or prudent.

Should the Commission move forward with expanding access to third-parties other than EGSs, it is recommended that a single set of standards and access to data be established, rather than different tiers with different requirements for each. The latter would be burdensome and costly for EDCs to implement.

- h. Should the EDCs require financial security instruments, such as bonds, to help protect data confidentiality? If yes, are rules required to implement these financial security requirements? Also, if yes, should there be different security thresholds required for different types of CSPs and other third parties? If no financial security should be required, please explain why not.

The PUC should make it clear that EDCs bear no liability for sharing of customer data consistent with its applicable tariffs and/or the outcome of this proceeding. The PUC should explain that any liability associated with the disclosure and use of such data would be a matter exclusively between the customer and the third-party, in which the EDC need not be involved. Provided this is accomplished, the EDC need not hold a bond or other financial collateral.

However, it may be reasonable to require other forms of customer protections. E.g., it may be reasonable to require third-parties to carry cybersecurity and/or other forms of

insurance. There is precedent of distribution utilities requiring financial security to entities accessing customer data via an online portal, to protect against cybersecurity breaches.⁶

- i. What types of tools should be required to ensure that CSPs and other third parties accessing utility systems have access to help features, such as online trouble ticket systems or technical documentation, to enhance their customer experience? What other features may be necessary?

In general, the Company supports the use of existing systems, such as the existing portal used by EGSs, for any expansion of access to data. Thus, the existing support features should be utilized. However, the Company predicts that an increased volume of users and associated trouble tickets and help requests will increase the cost to maintain and operate these systems. Further, additional costs would be incurred if the Commission established different standards for data access for different types of entities, requiring changes to the existing EGS portal.

- j. How should costs incurred for this purpose be recovered?
A mechanism, such as an access fee, should be developed to recoup these costs from the users of the system, rather than from all customers.

2. EDC Smart Meter Data Access by CSPs and Other Third Parties Legal Concerns:

- a. What legal limitations currently prevent EDCs from providing smart meter customer data electronically to CSPs or other third parties?

Customer usage is protected under 52 Pa. Code §54.8. This section of the code states “An EDC or EGS may not release private customer information to a third party unless the customer has been notified of the intent and has been given a convenient method of notifying the entity of the customer’s desire to restrict the release of the private information.” The regulations specifically note that the customer’s historical billing data is protected customer data.

Duquesne Light does not currently perceive that it has authority to make customer data available to entities other than EGSs absent customer consent. Furthermore, the Company believes it is problematic to expand access to customer data to entities that are not subject to 52 Pa. Code §54.8, unless those entities have received customer consent, as the third-party is not necessarily subject to the regulatory restrictions on use of customer data.

- b. How do EDCs protect their data when it is provided to CSPs performing services under Act 129 to ensure it is not abused? Can this method be extended to other CSPs or other third parties not under contract to perform Act 129 services for the EDC?

⁶ See EnergyMark LLC, Vineyard Oil and Gas Company, Mid American Natural Resources LLC, and Total Energy Resources LLC v. National Fuel Gas Distribution Corporation (Docket No. C-2020-3019621), in which the Commission dismissed a complaint regarding National Fuel Gas Distribution Corporation’s tariff provision which requires insurance coverage in the amount of \$5,000,000 per cybersecurity breach from any natural gas supplier that accesses customer data.

A CSP providing work on behalf of the Company's Act 129 program is selected through a competitive bid process and must be registered with the PA PUC's CSP registry. All prospective bidders must sign a DLC non-disclosure, mutual confidentiality agreement, and complete a cybersecurity questionnaire. The selected bidder undergoes an in-depth cybersecurity review and executes a CSP Agreement that includes data privacy requirements prior to receiving access to data.

Duquesne Light's CSP Agreements provide that the CSPs are not permitted to utilize customer information for marketing outside program implementation purposes. All selected CSPs must execute the CSP agreement as approved by the PUC, which includes language related to confidential and proprietary information. Upon approval by the PUC, each CSP contract is administered by a DLC Customer Program Associate to ensure compliance.

It is not feasible to expand this process to other CSPs and/or other third-party entities seeking access to customer data because of the administrative burden. It would be much more efficient to restrict CSP access to only the usage data for their customers who have provided consent. Further, Duquesne Light has visibility into the use of customer data for Act 129 CSPs, whereas it would have no insight into how other CSPs utilize data.

- c. Could the EDCs utilize contracts to protect the confidentiality of the data? If yes, what limitations currently exist that prevent the utilities from implementing these contracts? *DLC does not believe entering into bilateral contracts with every third-party entity seeking to access customer data is a feasible option for the reasons described above.*
- d. Would the EDCs need to include any provisions created in these proceedings in a tariff in order to apply them to CSPs and other third parties? What other terms of use should be included? *As stated elsewhere in this response, Duquesne Light does not believe the EDC should bear responsibility for policing third-party use of data. By including provisions within the tariff, the EDC will necessarily be responsible for enforcement. However, should the Commission wish to expand access to customer data to third-parties other than EGSs, there may be an opportunity to insert certain provisions into the tariff regarding reasonable EDC enforcement mechanisms. For example, the tariff could require that third-parties accessing customer data must produce evidence of customer consent upon EDC request.*
- e. How should a CSP or other third party obtain customer consent for access to data from EDC systems? Would the EDC determine if a CSP or other third party has obtained the proper customer authorization before customer data is provided? If yes, how? If no, please explain why not. *Today a CSP can access its customer's usage data with customer permission. The CSP contacts the Company with a letter of authorization from the customer. These letters are manually processed today. A potential future process improvement could be moving to an automated system, whereby a third-party provides affirmation that it has received*

customer consent. While such a change may create efficiencies in the future, both for the CSP and for the EDC, the upgrade will require additional resources to implement.

- f. How would the EDC be notified when a customer grants consent for a CSP or other third party to access its' EDC-maintained customer data?

Today, the CSP presents a letter of authorization from the customer. It is possible that an automated system could be created whereby the customer, by logging in to their online account, can grant or rescind access. There may also be an opportunity to provide a self-serve option to CSPs to affirm customer consent.

- g. How should a customer withdraw previously granted consent for CSP or other third party access to the EDC's data? How would the EDC be notified of this withdrawal of consent?

It is envisioned that a customer could rescind access to a third-party by contacting the third-party directly, who in-turn would notify the EDC of the customer's withdrawal of consent. Additionally, a customer could rescind consent by calling the Duquesne Light Contact Center or as a self-serve feature available by logging into their customer account. However, Duquesne Light would not have the resources to proactively police this activity. The customer would have to actively rescind authorization. The Commission could consider implementing an expiration period on customer granted access, by which a customer would have to re-authorize the CSP after a certain time period.

- h. How would the EDCs monitor data access to determine if a CSP or other third party becomes a "bad actor" by violating its agreements (failing to maintain data confidentiality, pulling data for a customer without proper authorization, etc.)? What processes could be used to remove access and prevent misuse?

Duquesne Light does not believe it is the role of the EDC actively monitor data access, but rather to be prepared to react to a customer complaint, at which point it could act swiftly to terminate the CSPs access. This is similar to how the Company responds to slamming today. It does not actively monitor customer accounts, but acts quickly when a customer reports alleged slamming.

It is unclear what consequences or penalties may apply to a CSP or other third-party if it is found to be a "bad actor." In the case of EGSs, the Commission has clear jurisdiction. Because CSPs and other third-parties are not currently licensed by the Commission, it is less clear.

To the extent the Commission regulates third parties, the Commission should be responsible for determining eligibility, as well as enforcing compliance with all applicable rules. Absent licensing by the Commission, the EDC should not be asked to govern in its stead. Instead, any issues regarding the third party's access to customer data are matters exclusively between the third party and the customer.

This lack of clear consequences provides further support for limiting access to only those customers who have provided consent.

- i. For third parties that serve as both a Distributed Energy Resource Aggregator under FERC Order 2222⁷ and a CSP, what limitations on the use of data should be placed on them to prevent unauthorized use between roles?

The Company maintains its position that CSPs and other third-parties should only be authorized to access data for their individual customers, with customer consent. In this case, the extent of the customer's consent would be established through the customer's agreement with the third party, and additional limitations may not be needed. For example, if a customer has engaged a CSP to provide energy efficiency services, and the terms of such engagement allow the CSP to recruit the customer into a DER aggregation as an additional service, the Company would not oppose that marketing activity. This is not dissimilar to, for example, a customer's internet provider marketing additional telephone or cable services to them. The CSP would only have access to customers' data who have already chosen to have a business relationship with it, and thus additional limitations are likely not necessary.

- j. Should a utility be held accountable for the improper or illegal acts of a customer-authorized CSP or other third party?

No.

- k. What action, if any, can the Commission take against CSPs and other third parties that misuse their access to customer data or the data itself? Please cite to any statutes or regulations that support your answer.

Duquesne Light does not believe the Commission has jurisdiction over CSPs and other third-parties, and thus it is unclear that the PUC could take action against those that misuse data access. This belief contributes to the Company's assertion that access to customer data should be restricted to those CSPs and other third-parties that have customer consent. This restriction may not entirely prevent a CSP or third-party from misusing data; however, it ensures that the customer is aware and has voluntarily provided that access, rather than having the Commission or EDC provide it on their behalf.

3. Utility Usage Data and Meter Access:

- a. What customer data should the utility share with CSPs and other third parties? Should different types of CSPs and other third parties have different access to customer data? *CSPs and other third-parties can access customer data with consent today. The type of data available and the format in which this data is to be provided have been developed through prior Commission proceedings, with significant stakeholder input.*

If the Commission moves to expand the eligibility to access this data to other entities, it should expand access to the existing portal, rather than requiring different types or formats for data.

- b. What types of data should the EDCs withhold from CSPs and other third parties? Do the EDCs' current systems allow for this data to be restricted?

⁷ Available at https://ferc.gov/sites/default/files/2020-09/E-1_0.pdf.

Similar to above, the Company recommends the existing EGS portal be utilized.

- c. In what format should the data be given? Should the data from each EDC be in an identical format (similar to the Electronic Data Exchange Working Group web portal data)? What other technical standards should be applied to the data?

See response to question three a. above.

- d. Should aggregated data (i.e. – benchmarking or geographic data) be made available? Should aggregated data be available to a wider array of CSPs and other third parties? *The Company has fewer concerns about the provision of aggregated data from a customer privacy standpoint. As an example, Duquesne Light regularly provides aggregated usage data to local municipalities for the purposes of creating greenhouse gas inventories. In all cases, the data must be sufficiently anonymized, which requires enough customers included in the data set, as well as the removal of any anomalies, such as one large industrial customer paired with several smaller residential customers, whereby someone could easily estimate the larger customer's usage.*

While this aggregated data is useful to municipalities, non-profits, and university researchers, for example, the Company does not believe this would satisfy what CSPs and other third-parties are seeking, which is customer-specific data to help them target outreach and marketing efforts, and to implement and measure energy efficiency and demand response programming for their specific customers.

Additionally, today this aggregated data is processed through individual requests to one point of contact within the Company's regulatory department. If the intent is to allow for CSPs and other third-parties to access aggregated data automatically through an online portal, system upgrades would be required, along with additional support resources.

- e. Should the Commission establish standard protocols and communication mediums for providing direct access to usage information from the meter to the Home Area Network? If so, what should those be?

Today the Company can provide direct access to usage information via the Home Area Network, utilizing the Zigbee communications protocol specified under its Smart Meter Plan.⁸ These in-home displays can allow a residential customer to monitor near real-time electricity usage (kWh) and identify high energy usage devices and activities to better inform energy-saving habits and make informed decisions about energy use.

Under the Zigbee protocol, a secondary radio device within the smart meter sends data to the in-home device, which the customer and/or the CSP or other third-party entity can access. Under the existing standards, the device can pull a kilowatt-hour meter reading at customer defined intervals.

The Company does not recommend that the Commission require additional standards and protocols beyond what EDCs have already implemented under their Act 129 Smart Meter Plans. Not all smart meters are designed to provide information beyond what is

⁸ See Docket No. P-2015-2497267

specified under those plans, without additional investment. Further, CSPs can and do install their own devices within customer premises that can provide additional data, often using wi-fi to enable communications. That said, the Company has and will continue to explore solutions that provide customers greater insight into their usage data while maintaining cyber and privacy protections.

- f. Should CSPs and other third parties be provided direct access to the meter? What policies or regulations should this Commission promulgate to ensure that these CSPs and other third parties are provided timely access under reasonable terms and conditions to the EDC's customer metering facilities?

The Company does not support expanding direct access to the meter to CSPs and other third-parties. As described above, these entities today have access to meter data via the Zigbee communication protocol. To provide additional direct access would require further investment, and it is the understanding of Duquesne Light that these CSPs have other options to install their own equipment at the customer premise to access the desired data. These CSPs do not require EDC authorization or assistance to enable this option today.

- g. What communications, software or hardware can facilitate this direct access to the meter for customers and their approved CSPs and other third parties, and should the Commission establish requirements and or standards to facilitate this access?

Duquesne Light believes this question is best answered by CSPs and other third-parties who are seeking this access.

- h. What electronic access to customer meter data do CSPs, other third parties, and EGSs need from EDCs, that they currently do not have? Provide specific examples where these entities do not have such access currently, and provide examples, if available, of electronic transactions that can be adopted to facilitate access.

Duquesne Light believes this question is best answered by CSPs and other third-parties who are seeking this access.

4. Home Area Network (HAN) Protocols:

- a. Should there be interconnectivity between the smart meter and other equipment in the home? If so, how much? [read capability vs. two-way communication]

Today, if a device within the home is compatible with the Zigbee communications protocol and is located in close enough proximity to the meter, it can be interconnected. Duquesne Light enables the communication from the meter; the customer, or its contractor, installs and sets up the device.

Very few customers avail themselves of this functionality today. For context, only 31 customers currently have an in-home device interconnected to the smart meter in the Duquesne Light service territory, potentially indicating that customers have found other preferred methods for using energy data.

- b. Can CSP or other third party equipment installed in a customer's home interact with the HAN or the smart meters?

Yes, this functionality exists today. This is a viable option currently available for CSPs to access real time data for their individual customers. Today, a Duquesne Light customer initiates this process by signing up through the Company. A process improvement that may be worth consideration through this proceeding is establishing a pathway for the CSP to initiate the process with customer permission.

- c. Do CSPs or other third parties that have installed equipment in a customer's home still need access to customer data from the EDC?
No.

5. Automatic Control:

- a. How can smart meters “effectively support” automatic control of a customer's electricity consumption by customers, utilities, and the customer's CSPs or other third parties?
Duquesne Light's smart meters are already equipped with the ability to send a signal via the Zigbee communications protocol to operate a device within the home, like a hot water tank, for example.

- b. How is the smart metering system engaged in the initiation, maintenance, relinquishment, and verification of the automatic control of customer consumption?
The CSP can send a signal to the smart meter, which in turn can send a signal to a piece of equipment within the customer premise, for instance signaling it to turn off or on or reduce consumption. The CSP could then use the HAN device to pull usage data to verify the reduction in usage.

A limitation is that the data provided by the HAN device shows overall usage for the meter but cannot provide data on energy usage by the specific appliance being controlled. With the rise of wi-fi enabled appliances, it is envisioned that a CSP would be more likely to utilize third-party installed equipment, likely with a wi-fi signal, to adjust and monitor customer consumption, rather than the smart meter.

- c. What smart metering protocols and communication mediums are needed to implement these automated controls? Should the Commission establish standard protocols and standards for this purpose?
Duquesne Light's existing smart meters are already equipped with the secondary radio, which can provide access to data using the existing Zigbee communications protocol. Additional access would need to comply with this existing protocol.
- d. What energy consuming customer assets can be controlled by these smart meter systems for each of the customer segments, and how is control of these assets impacted by the choice of communication medium and protocol?
Duquesne Light believes this question is best answered by CSPs.

IV. CONCLUSION

In closing, Duquesne Light reiterates its desire to be a partner to its customers in pursuing their clean energy, energy efficiency, and affordability goals, and understands that access to data can be critical to achieving these targets. However, access to data must be balanced with safeguards that ensure customers have control over their private information. For these reasons, Duquesne Light believes expanding EGS licensing to CSPs and other third-party entities, as proposed in the Enerwise proceeding, is not appropriate. The Commission should maintain the existing restriction of access of data for only those customers who have provided consent. Accordingly, this proceeding should focus on process improvements, if any, needed to facilitate this sharing of data for customers who have provided authorization. The Company looks forward to continued dialogue towards this end.

Respectfully submitted,



Lindsay A. Baxter
Manager, Regulatory and Clean Energy Strategy
Duquesne Light Company
411 Seventh Avenue, Mail Drop 15-7
Pittsburgh, PA 15219
lbaxter@duqlight.com
Tel. (412) 393-6224

DATE: May 5, 2022