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November 1, 2022

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

VIA E-FILING

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

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission ("PUC" or "Commission") are the Comments of Citizens' Electric Company of Lewisburg, PA and Wellsboro Electric Company regarding the September 6, 2022 Secretarial Letter in the above-referenced proceeding.

This filing has been served via email on the parties listed on the attached Certificate of Service. If you have any questions regarding this filing, please feel free to contact the undersigned. Thank you.

Very truly yours,

Pamela C. Polacek

By

Pamela C. Polacek

Counsel to Citizens' Electric Company of Lewisburg, PA and
Wellsboro Electric Company

Enclosure

c: Certificate of Service
Jeff McCracken, Bureau of Technical Utility Services (via email)
Scott Thomas, Law Bureau (via email)
Christian McDewell, Law Bureau (via email)

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

VIA E-MAIL

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Pamela C. Polacek

Pamela C. Polacek (PA ID No. 78276)

Dated this 1st day of November, 2022, in Venetia, Pennsylvania.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

**COMMENTS OF
CITIZENS' ELECTRIC COMPANY OF LEWISBURG, PA, AND
WELLSBORO ELECTRIC COMPANY
IN RESPONSE TO SEPTEMBER 6, 2022 SECRETARIAL LETTER**

On September 6, 2022, the Pennsylvania Public Utility Commission ("PUC" or "Commission") issued a Secretarial Letter setting forth additional questions regarding Pennsylvania Conservation Service Provider ("PA-CSP")¹ and third-party access to customer data. Citizens' Electric Company of Lewisburg, PA ("Citizens") and Wellsboro Electric Company ("Wellsboro") (collectively, the "C&T Utilities" or "Companies") hereby submit these Comments.

The current proceeding emanates from a request by a PJM Curtailment Service Provider ("PJM-CSP") to use the existing data exchange methods that are available to Electric Generation Suppliers ("EGS"), with appropriate data security and privacy safeguards. As set forth in the prior Comments submitted on May 5, 2022, at this docket, Citizens' and Wellsboro support creating a pathway for those entities to use Electronic Data Interchange ("EDI") because it will

¹ "Conservation Service Provider" is defined as "an entity that provides information and technical assistance on measures to enable a person to increase energy efficiency or reduce energy consumption and that has no direct ownership, partnership or other affiliated interest with an electric distribution company." 66 Pa.C.S. §2806.1(m).

make use of an existing ratepayer and Electric Distribution Company ("EDC") investment in the EDI system. Citizens' and Wellsboro urge the Commission to develop a process for PA-CSPs and PJM-CSPs to be qualified to access data through the EDI systems. Exchanging information with PA-CSPs and PJM-CSPs via EDI could be a more efficient and accurate process than the manual exchange that occurs today. As part of this process, the C&T Utilities also urge the Commission to consider authorizing a manual data exchange charge for PA-CSPs and PJM-CSPs that do not take advantage of the new process to compensate the EDC for the time spent on responding to data requests.

The September Secretarial Letter references a data exchange proposal that was adopted via a settlement in the Default Service Proceedings of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company (collectively "FirstEnergy Companies") at Docket No. P-2021-3030012, *et al.* The C&T Companies have reviewed the FirstEnergy settlement. Although some aspects of the FirstEnergy process may be appropriate for statewide application, other aspects are not consistent with the principles that the C&T Companies outlined in the prior comments. As such, the C&T Utilities do not view the FirstEnergy settlement as an appropriate model for statewide application, especially for smaller utilities.

First, the FirstEnergy settlement allows PA CSPs and PJM CSPs to access customer data through the FirstEnergy Companies' supplier portals. The C&T Companies use the EDI system for exchange of information with Electric Generation Suppliers ("EGSs") and do not have supplier portals. The C&T Utilities support using existing data exchange options that ratepayer and company resources have been used to implement. The C&T Companies do not support a methodology that will require additional system investments.

Second, the FirstEnergy settlement includes randomized audits by the FirstEnergy companies of the third parties that are using the system. As explained in the previous comments, the C&T Companies respectfully question the extent to which EDCs should be involved in monitoring or policing the actions of third parties. EDCs have little recourse against third parties that are found to mis-use the EDI system or the customer data. More importantly, it is not apparent how this audit and compliance function furthers the EDC's obligation to provide safe, adequate and reliable services to customers.

The C&T Companies provide the following responses to the specific questions posed in the September Secretarial Letter:

- 7. What barriers, if any, prevent EDCs from implementing the components of the third-party data access tariff supplement contained in the FirstEnergy settlement at Docket No. P-2021-3030012, including but not limited to the following policies? (a) Implement a standard form of authorization to be used for all new requests from third parties seeking customer data; and (b) Conduct periodic, randomized internal audits of participants to ensure that letters of authorization are being properly obtained by third parties. Such audits will occur at least semi-annually and will include at least 10% of active third parties.**

To exactly replicate the FirstEnergy settlement, Citizens' and Wellsboro would need to develop supplier portals at a yet to be determined cost. Before Citizens' and Wellsboro would undertake this action, the Companies would seek an assurance of cost recovery from the Commission. Any costs to install a new system, or to modify the existing EDI system, should be recovered through a non-bypassable surcharge applicable to all customers. In addition, the third parties should be charged costs for testing and validation to use the EDI system and any annual/monthly/transaction costs that apply to EGSs.

Citizens' and Wellsboro do not object to the development by the Commission of a standard authorization form for all EGSs and third parties seeking access to customer data.

Citizens' and Wellsboro object to requiring EDCs to conduct audits of third parties using the customer information system. The Companies do not believe this is an appropriate role for EDCs.

8. What specific customer electric usage information do the EDCs believe can reasonably released to 3rd parties?

Citizens' and Wellsboro support making the customer's basic consumption information available to third parties, once the data has gone through the validation, estimation and editing ("VEE") process. Depending on the rate class, this would include interval usage and demand data, peak load contribution and network service peak load contribution.

9. What specific customer usage data do other parties believe EDCs should have available to reasonably be released to 3rd parties?

Not applicable.

Respectfully submitted,

Pamela C. Polacek

By _____

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Date: November 1, 2022