

November 15, 2022

Via Electronic Filing

Pennsylvania Public Utility Commission
Attention: Secretary Rosemary Chiavetta
400 North Street
Harrisburg, PA 17102

Follow Up Questions Related to the Commission's Investigation into Conservation Service Provider (CSP) and Other Third-Party Access to Electric Distribution Company Customer Data at Docket No. M-2021-3029018

Dear Secretary Chiavetta:

My name is Sebnem Tugce Pala. I am the Director of Policy and Market Development at UtilityAPI. UtilityAPI hereby provides these comments in response to the Pennsylvania Public Utility Commission's ("Commission") February 19, 2022 Notice in the *Pennsylvania Bulletin* (the "Notice") regarding Conservation Service Provider ("CSP") and other third party access to customer data held by Electric Distribution Companies ("EDCs"). UtilityAPI submits these comments in accordance with 52 Pa. Code §1.12.

UtilityAPI is a software company based in Oakland, California. Our SaaS platform provides simple, secure, standardized, authorized access to utility data. In addition to our technical and market work, staff members participate frequently in standards groups and other forums, often taking a leadership role. UtilityAPI has also led workshops for strengthening policies and standards around the secure exchange of energy data across the U.S.

In the comments below, our aim is to make the Commission aware of the lessons learned from other jurisdictions and help Pennsylvania get maximum value from its investment in advanced metering infrastructure ("AMI"). UtilityAPI aims to address all the relevant questions put forth in the Notice.

UtilityAPI's solution

UtilityAPI has built six Green Button Connect My Data (GBCMD) implementations for utilities across the U.S. and two for utilities in Canada. Our GBCMD implementations have hundreds of registered third party users.

UtilityAPI has over eight years of extensive, technical experience developing, hosting, and administering Green Button-based platforms for hundreds of thousands of users. We helped write the Green Button Standard, which is supported by the Department of Energy. Our founder and Chief Technology Officer, Daniel Roesler, is the Vice-Chair of the Green Button Alliance, and serves on their Open Automated Data Exchange Task Force.

UtilityAPI's platform is the only data exchange platform in the U.S. tested by UL and certified by the Green Button Alliance as compliant with the Green Button Standard. Our platform has been adopted by utilities and is used by thousands of cleantech companies. Hundreds of thousands of meters have been shared, representing hundreds of millions of kWh of usage.

UtilityAPI's solution is a certified implementation of the Green Button Connect standard, which uses the widely adopted OAuth 2.0 (Open Authorization) standard for obtaining customer consent and issuing access tokens.

Access tokens issued from this process can only be used to access the specifically authorized data (e.g. billing and usage data). The customer can revoke their authorizations at any time, which will instantly disable any access tokens associated with the authorization, cutting off data access to the previously authorized third party.

Additionally, for third parties, access tokens may only be obtained with the use of a randomly generated "client secret" issued during initial registration, which prevents man-in-the-middle attacks during the OAuth authorization redirect process. Client secrets can also be rotated by third parties on-demand, so that administrators and third parties can quickly disable secrets if there is any evidence of a breach.

Finally, all customer and third party OAuth and Green Button API requests are logged with both the person who made the request and what data was requested, so that audits may be performed if there is suspicion of unauthorized data access.

UtilityAPI provides the following responses to the specific questions posed in the September Secretarial Letter:

Question 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?

UtilityAPI supports a general approach that uses a Commission-approved tariff to outline the obligations of EDCs and customer-authorized third parties with regard to data transmission.

a. Implement a standard form of authorization to be used for all new requests from third parties seeking customer data.

We know from experience that it is possible to develop a path and implement a standard form of authorization for third parties to be able to access customer smart meter data electronically and securely. We strongly believe, and that of every court in the United States that has taken up the issue, that the utility customer whose usage generated smart meter energy usage data owns that data, even though it is collected by EDCs.

However, it is important for the Commission to implement some form of authorization. This authorization should be used for all new requests from third parties seeking customer data. The Commission should ensure the development of a secure yet reliable electronic access pathway for the timely sharing of customer data. To succeed, the Commission should establish a standard authorization process that is private, secure, safe, simple and auditable.

Authorization is one of UtilityAPI's six key principles for good data sharing. Here is the full set:

1. full data set
2. synchronous data
3. instant and digital authorization
4. instant, consumer-centric authorization
5. seamless click through
6. strong security protocols

These six principles would be key for the Commission to consider.

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.

Yes, it is very important to conduct periodic, randomized internal audits of participants to ensure that consent is being properly obtained by third parties. We support the need for a balance between customers' privacy and the need for data access for all participants in the energy marketplace. One method of achieving balance is to conduct randomized internal audits of the entities with access to customer data.

There are three main reasons EDCs should streamline the customer and third party authorization process to release data:

1. **To ensure robust participation** in any data exchange to enable further innovation and energy-related products and services;
2. **To build confidence** in the data sharing system, and to implement appropriate security protocols;
3. **To protect and secure customer and electric system data** from unauthorized disclosure or system breaches by bad actors.

The existing barriers to conducting periodic, internal consent audits is less a technical one and more of a limitation caused by current EDC operating policies and procedures. Enabling entities other than EDCs and their contracted vendors to access this wealth of customer data, with customer consent, can increase the quality and quantity of offerings.

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

N/A. We believe this question is aimed at EDCs. We are not in a position to respond to this question.

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

The Commission should adopt regulations that enable a data-rich environment that encourages and empowers EDCs, customers, and third parties to share system and hourly consumption data. Third party data access efforts can create a competitive marketplace, stimulate job-creating innovation, promote equity in energy transition, lead to the development of new products and services, animate the distributed energy resources (DER) market, benefit the electricity system, enhance customer options to control energy usage and costs, and support the transition to more advanced energy technologies. Hourly greenhouse gas emissions data can also be considered as a component of customer energy usage data.

UtilityAPI believes in the importance of data infrastructure. In order for the clean energy transition to happen, individual customer data needs to be moved securely. In broad terms, anything that the meter collects and/or processes should be made available to 3rd parties.

Conclusion

Thank you for the opportunity to provide comments. UtilityAPI appreciates the work of the Commission and Staff and looks forward to further participation in this proceeding.

Respectfully submitted,

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