**From:** Villarreal, Christopher
**Sent:** Tuesday, July 29, 2014 6:29 PM
**To:** naesbmail
**Cc:** Elizabeth Mallett; Jonathan Booe
**Subject:** Comments on Recommendation Annual Plan Item 3 and 4.a

Please find below comments on the Recommendation for 2014 Retail Annual Plan Item No. 3 and No. 4.a.

1. Up front, it was very difficult to determine which part of this Recommendation applied to Item No. 3 and which section applied to Item No. 4.a.  For example, in order to facilitate the sharing of customer usage information under Item No. 3, it is inconceivable to include a section on providing a Mass Customer List to any and all third parties because that would be a likely violation of state privacy laws, and render the rest of the document moot since everyone would have all the customer information.  For future recommendations addressing multiple Annual Plan items, it may be useful to clearly identify which sections of the Recommendation apply to which Item number.

Comments in response to Retail Annual Plan Item No. 3

1. It is not entirely clear to me how REQ 8 applies to developing “Model Business Practices and Process Flows to enable a Retail Customer, or a third party acting on behalf of the Retail Customer, to obtain the Retail Customer’s energy usage information on an on-going basis outside of a Smart Grid environment.”  For example, it is unclear to me what is the relevance of a “Registration Agent,” as identified in RXQ.8.3.1.1, to support the sharing of customer usage information with an authorized third party.
2. In RXQ.8.3.1.5.xx1, there is a reference to RXQ.8.6 as it relates to requirements for requesting customer usage information; RXQ.8.6 should be updated to reflect that there may be non-retail market possibilities for providing customer usage information.  For example, RXQ.8.6 refers only to “Suppliers,” when a number of other entities could also be seeking customer usage information.
3. More generally, this Recommendation relies too heavily on a terminology, process flows, and the EDI standard itself, and appears to assume a competitive retail market implementation when the Annual Plan Item No. 3 makes no specific statement regarding market development.  For example, the MBPs specifically apply to a “Market Participant” or a “Retail Customer,” whereas, for example, REQ 21 (and 22) uses other definitions that are more market-neutral, such as “Third Party.”  Additionally, a non-retail supplier may simply want usage information and may not be able to provide the required information captured in 8.6 or in 8.3.1.5.xx1, after all, a third party doing data analytics is not scheduling electricity, they just want the data.
4. In conjunction with comment 1 below on Item No. 4.a, this recommendation should consider the use of definitions found in other books, such as REQ 21.  For example, RXQ.8.3.1.6 uses the phrase “Distribution Company or Entity releasing the Retail Customer Information”; in REQ 21, that phrase is generally captured in the term “Data Custodian.”
5. For the most part, I am concerned that this Recommendation will not facilitate the ability of a retail customer or a third party to obtain customer usage information in a timely manner.  Item No. 3 directs the facilitation of “energy usage information,” yet this Recommendation does not refer to “energy usage information,” it refers to Retail Customer Information and is couched in the term “Historical Usage,” which itself is not defined.  Furthermore, the process outlined here appears to be highly contingent upon the use of REQ 8; REQ 21 is equally capable of providing customer energy usage to a customer or authorized third party outside of a Smart Grid environment.

Comments in response to Retail Annual Plan Item No. 4.a

1. This recommendation should be held pending the completion of Retail Annual Plan Item 9.a.  Due to the overlap between REQ 8 and REQ 21, Retail Annual Plan Item 9.a is to review the two standards for harmonization.
2. In regards to the entirety of this Recommendation, sections should be modified, where appropriate, to recognize that entities other than “Suppliers” may be seeking information via REQ 8, and entities other than the Distribution Utility and “Suppliers” may hold customer information.  Expanding the applicability of REQ 8 and its terminology to be market neutral will allow for greater participation by parties not contemplated in a competitive retail supplier market (i.e., a customer can choose their own electricity provider).  For example, REQ 22 puts privacy requirements on third parties limiting who that entity may share customer usage information with beyond their own contractors (see REQ.22.3.3.2.1).
3. To reflect the changing nature of entities seeking customer usage information, via whatever means, REQ 8 should be reviewed more thoroughly to better understand its role in supporting a retail choice environment versus providing data to any other entity regardless of the retail market environment.  It may be that a separate REQ or addendum to REQ 8 may be necessary to reflect EDI implementations where entities are only seeking data for the data, and not to provide electricity.

Thank you.

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