

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**

PROCEEDING NO. 14R-0394EG

IN THE MATTER OF THE PROPOSED RULES RELATING TO DATA ACCESS AND PRIVACY FOR ELECTRIC UTILITIES, 4 CODE OF COLORADO REGULATIONS 723-3 AND DATA ACCESS AND PRIVACY RULES FOR GAS UTILITIES, 4 CODE OF COLORADO REGULATIONS 723-4.

REPLY COMMENTS OF MISSION:DATA

September 16, 2014

On August 20th, 2014, the Administrative Law Judge Adams of the Public Utility Commission (“Commission”) issued Interim Decision R14-1001-I proposing changes to the Rules Regulating Electric Utilities, 4 Code of Colorado Regulations 723-3 (“Electric Rules”) and requesting reply comments. Mission:data respectfully submits the following comments in response to the proposed Electric Rules.

I. INTRODUCTION

As stated in Mission:data’s June 16th, 2014 comments on the Notice of Proposed Rulemaking (“NOPR”) dated May 6th, 2014, our members are delivering energy efficiency and demand response in innovative ways using energy usage data (with customer consent). Overall, we are pleased with the proposed Electric Rules, particularly section 3026(d), in which electronic access to customer usage data is made available without charge as part of “basic utility service.”

Our reply comments will not address aggregated data for research purposes, such as the changes proposed in sections 3031 and 3032.

2. REPLY COMMENTS

We applaud and strongly support the Commission’s proposed changes to the Electric Rules, particularly section 3026(d), which requires a regulated utility to provide access to the customer’s standard data in electronic, machine-readable form. In particular, Mission:data supports the provision of standard data at no charge to customers or to their designees. It is important that barriers to participation in energy-saving products or services be eliminated to the greatest extent possible, and the proposed changes go a long way in achieving this objective.

The proposed Electric Rules state that “[data] access shall conform to nationally recognized open standards and best practices.”¹ While we appreciate the Commission’s desire for data access systems to use open standards, the language is not specific and could lead to a wide range of different interpretations. After all, if Colorado utilities adopt a technical standard that differs from other states, Colorado ratepayers will lose out on the opportunity to have innovative third parties from out of state offer cost-effective energy savings, simply because the added costs of conforming to Colorado-specific standards could be prohibitive to many of our members. We request that the Commission be clear in subsequent direction to the utilities that Green Button “Connect My Data,” also known as the Energy Services Provider Interface (ESPI), is the standard the utilities must use. Today, over 48 electric utilities nationwide have committed to implement ESPI, and ESPI is clearly the standard which meets the Commission’s requirement of being “nationally recognized.”

Next, we recommend that the Commission set a timeframe for implementation of the “basic utility service” that gives customers control over their own usage data. Our experience from other states such as California and Texas is that ESPI could take several years to implement. We strongly encourage the Commission to order the utilities to make ESPI available as quickly as possible; setting an aggressive timeframe for completion helps ensure that ESPI’s energy-saving benefits will be available rapidly to Colorado ratepayers.

Finally, Mission:data supports the changes to the consent form in section 3028. We see the simplifications made as substantial improvements. When it comes to electronic forms, we have a suggestion that could improve the efficiency and usability of the utilities’ customer authorization forms. This measure would help the utilities follow the emerging “best practices” of ESPI. Several California utilities have implemented a simple “authorization link” so that a customer can begin the authorization process from the third party’s website instead of from the utilities’. Take for example a homeowner who is exploring ways to reduce his or her monthly

¹ Section 3028(d).

