

LOCAL GOVERNMENT ACCESS TO ENERGY USAGE DATA—STATEWIDE POLICY (January 2010)

On October 1, 2009, the California Public Utilities Commission (CPUC) issued Decision 09-09-047 (“Decision”), approving energy efficiency programs for Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, and Southern California Gas Company (the investor-owned utilities (IOUs)). This Decision states:

We therefore require the utilities to work cooperatively with their local government partners to provide usage information on local government facilities and on building sectors in a jurisdiction or neighborhood, which the local governments are entitled to, and to facilitate the transfer of usage data for private buildings authorized by written paper or electronic customer consent. We also direct the utilities to jointly devise a cost-effective means to accomplish this in a format that meets local government needs, and is compatible with AB 32 and related efforts. This methodology should be aligned statewide, and the system shall be operating by January, 2010. PG&E’s efforts could serve as a model starting point. We direct the utilities to consider if there is a cost-effective means —perhaps through peer-to-peer training, or use of statewide associations of local governments—to build the capacity of these local governments to use this data.

Each IOU on a case-by-case basis began providing certain energy usage data to local governments prior to January 2010. As customers of the IOUs, local governments have access to historical usage data on their own municipal facilities upon request in writing. Upon request from a local government, the IOU provides twelve months of municipal facility-specific historical usage data in electronic format.

Aggregated, community-wide historical energy usage data may be provided to the extent it does not compromise the confidentiality of customer data or IOU ownership of proprietary business data. Generally, the IOUs may provide a local government aggregated annual usage data by sector (i.e., Residential and Commercial) on a yearly basis which local governments can use to complete a community-wide greenhouse gas inventory. Both aggregated annual usage data and detailed community-wide data (e.g., zip code, rate class or industrial classification) are subject to customer confidentiality constraints (i.e., the 15/15 Rule as described below), and may also be subject to business proprietary constraints. Recognizing that many local governments may ask for data at the same time, cities and counties are asked to schedule detailed data requests several weeks before they are needed to allow the IOUs sufficient time to process these non-standard requests.

Local governments can request their municipal facility usage data or other aggregate community-wide data for greenhouse gas management purposes through the following IOU contacts who will determine whether their data requests can be provided in accordance with the customer confidentiality and/or business proprietary constraints:

Pacific Gas and Electric Company: Send email requests to GHGDataRequests@pge.com

San Diego Gas & Electric Company: Contact your Local Government Partnership Program Manager or Account Representative or Local Public Affairs Region Manager

Southern California Edison: Contact your Account Representative or Local Public Affairs Region Manager

Southern California Gas Company: Contact your Local Government Partnership Program Manager or Account Representative or Local Public Affairs Region Manager

Customer Confidentiality: The IOUs are authorized to provide aggregated usage data to the extent customer confidentiality is not compromised. The “15/15 Rule” was adopted by the CPUC in the Direct Access Proceeding (CPUC Decision 97-10-031) to protect customer confidentiality. The 15/15 Rule requires that any aggregated information provided by the IOUs without customer written authorization must be made up of at least 15 customers and a single customer’s load must be less than 15 percent of an aggregated category. If the number of customers in any one group falls below 15, or if a single customer’s load accounts for more than 15 percent of the total group data, data must be further aggregated before the information is released. If the 15/15 Rule is triggered for a second time after the data has been screened once already using the 15/15 Rule, the Rule further requires that the customer be dropped from the aggregated data. The 15/15 Rule ensures that the identity of larger customers are protected from disclosure.

If data from a particular customer is required, the local government must receive “written authorization” from that customer. The IOU contacts listed above can advise local governments on the various options for providing written customer authorization for the release of customer specific usage data.

Business Proprietary Data: In addition to being subject to customer confidentiality requirements, aggregated usage data may include proprietary business data that is owned by a specific IOU. Depending on the type of business data requested, such data may be provided to local governments subject to an appropriate non-disclosure agreement. The IOU contacts listed above can advise local governments on the various options for accessing such proprietary business data consistent with the IOU’s obligation to protect the confidentiality and proprietary nature of the data.