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Energy Division
Attention: Tariff Unit
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: Reply to Protest of SoCalGas Advice No. (AL) 4433 – Establishment of Rule No. 42, Privacy and Security Protections for Energy Usage Data in Compliance with Decision (D.) 12-08-045

Dear Tariff Unit:

Pursuant to General Order (GO) 96-B, Southern California Gas Company (SoCalGas) hereby replies to the protest of the Alliance for Retail Energy Markets (AReM), Direct Access Customer Coalition (DACC), and School Project for Utility Rate Reduction (SPURR), collectively, (the Protesting Parties), dated December 26, 2012, to SoCalGas AL 4433.

Background

On December 5, 2012, SoCalGas filed Advice No. (AL) 4433 requesting Commission approval for a new tariff, Rule No. 42, Privacy and Security Protections for Energy Usage Data, in compliance with D.12-08-045. D.12-08-045, dated August 23, 2012, extended the privacy rules approved in D.11-07-056 to protect the privacy and security of electrical consumption data of the customers of the electric utilities to customers of gas corporations and community choice aggregators, and to residential and small commercial customers of electric service providers. On December 26, 2012 SoCalGas received timely protests, filed jointly, from AReM, DACC and SPURR.

The Protest

In their protest, the Protesting Parties claim that the advice letter filing is non-compliant with (a) Commission D.11-07-056 and D.12-08-045 – both issued in Rulemaking (R.) 08-12-009 – which established Smart Grid Data Privacy and Security rules and requirements for the investor-owned utilities (IOUs) and electric service providers (ESPs) and (b) Resolution E-4535, which provided specific direction to the IOUs in re-filing their original advice letters, which were rejected by the Commission. Accordingly, the Protesting Parties request the Commission to reject the 2012 Smart Grid Advice Letters and to direct the IOUs to once

again file new advice letters to address the inconsistencies and ensure IOU compliance per their recommendations.

In their protest, the Protesting Parties request that the Commission require the following modifications pertaining to SoCalGas AL 4433:

1. Require SoCalGas to accept the universal Customer Information Service Request (CISR) form for its customers' use.¹
2. Require that the IOUs add a footnote to the Smart Grid privacy rules clarifying that they do not apply to ESPs or Community Choice Aggregators (CCAs) pursuant to D.12-08-045.²
3. Require the IOUs to add a revised provision to their ESP rules that apply Appendix B of D.12-08-045 only to ESPs serving residential and small commercial customers that are unaffiliated with larger customer accounts and to define "small commercial customers" in accordance with R.07-05-025.³

SoCalGas' Reply to the Joint Protest

1. While SoCalGas currently does have a CISR form which provides access to billing data, SoCalGas did not include modifications to the form with AL 4433. This is because SoCalGas believes that it is premature to modify its CISR form as its Advanced Metering Infrastructure (AMI) is yet to be fully deployed. Additionally, SoCalGas was not required by the Commission to file the CISR forms at this time. Notwithstanding these facts, SoCalGas agrees that a standardized CISR form will ease implementation and minimize customer confusion. Therefore, SoCalGas will work to make any necessary modifications to its CISR form once interval data from AMI becomes widely available.
2. SoCalGas does not accept the following modification proposed by the Protesting Parties to its Rule No. 42.

FOOTNOTE TO BE ADDED TO DEFINITION OF "COVERED ENTITY" IN EACH IOU'S PRIVACY RULES:

Electric Service Providers and Community Choice Aggregators are exempt from this rule pursuant to Decision 12-08-045.⁴

Rule No. 42 applies to SoCalGas, exclusively. To avoid confusion and additional modifications of multiple SoCalGas tariffs, SoCalGas believes that this footnote is neither required nor applicable to SoCalGas' Rule No. 42. ESPs are currently defined in SoCalGas' Rule No. 1 as "Energy Service Providers" or "Aggregators", i.e., individuals, companies or consortiums that arrange for **natural gas** procurement related activities. The Protesting Parties' proposed text is related to an electric utility's tariffs and not applicable to SoCalGas' Rule No. 42.

¹ See Request 4 of Protesting Parties' Protest, p. 5.

² See Request 5 of Protesting Parties' Protest, p. 5.

³ See Request 6 of Protesting Parties' Protest, p. 5.

⁴ See Appendix p. 2 of Protesting Parties' Protest.

3. The Protesting Parties' proposed modification is neither related nor applicable to SoCalGas' Rule No. 42.

PROVISION TO BE ADDED TO SECTION ON "ACCESS TO CUSTOMER USAGE DATA" IN EACH IOU'S ESP RULE (version shown with recommended changes from SDG&E Advice Letter 2434-E):

e. The ESP servicing residential and small commercial customers that are unaffiliated with larger customer accounts and who obtain advance metering infrastructure data shall comply with the rules regarding privacy and security protections concerning energy usage data that are set forth in Attachment B to CPUC Decision D.12-08-045. "Small commercial customer" is defined as customers with loads less than 20 kW.⁵

The Protesting Parties' proposed text is related to an electric utility's tariffs and not applicable to SoCalGas and its Rule No. 42.

Conclusion

Based on the information provided above, SoCalGas believes that the concerns of the Protesting Parties have been addressed and, therefore, respectfully requests that the Commission approve AL 4433.

Sincerely,



Ms. Rasha Prince
Director – Regulatory Affairs

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⁵ See Appendix p. 2 of Protesting Parties' Protest.