

From: Dietz, Sidney  
Sent: 2/5/2013 4:09:14 PM  
To: Colvin, Michael (michael.colvin@cpuc.ca.gov) (michael.colvin@cpuc.ca.gov)  
Cc:  
Bcc:  
Subject: FW: Opower, time-sensitive request for support

Michael –

Hi there! This is related the phone message I just left you. Opower will be reaching out to you for support in its effort to maintain its 'standard postage' status for the Energy Reports that it mails out. I just wanted to share with you that this issue has implications for us, as a doubling of postage fees for this excellent little program would make life tough for it. If you'd like more info, let me know. I've attached letters of support they've gotten from others, they will be asking for a similar letter from the Cmmr.

Thanks!

yours,

sid

**From:** Olsen, Jenna  
**Sent:** Tuesday, February 05, 2013 2:38 PM  
**To:** Dietz, Sidney; Berman, Janice S  
**Subject:** RE: Opower, time-sensitive request for support

Sid –

There are some issues around the definition of advertising and whether personalized information is contained in the materials. We are probably not going to weigh in on the legal issues, but rather talk about the importance of the energy reports to achieving energy savings in our programs. Let us know if

you think Ferron will want more details. Opower has told us that it is a low level bureaucrat who made the decision, and they are hoping for letters to be sent this week.

Also just thinking to myself and wondering if we should be doing the outreach to Ferron or suggesting Opower reach out on their own?

Attached are two letters that have already been sent- one from National Grid and the other from Senator Warner of Virginia.

Thanks,

Jenna

**From:** Dietz, Sidney  
**Sent:** Tuesday, February 05, 2013 2:29 PM  
**To:** Berman, Janice S  
**Cc:** Olsen, Jenna  
**Subject:** RE: Opower, time-sensitive request for support

Jan –

Can you send me something that has the substance of the argument about standard vs 1<sup>st</sup> class?  
Thanks!

yours,

sid

**From:** Berman, Janice S  
**Sent:** Tuesday, February 05, 2013 12:40 PM  
**To:** Cherry, Brian K; Malnight, Steven; Dietz, Sidney; Allen, Meredith  
**Cc:** Olsen, Jenna  
**Subject:** FW: Opower, time-sensitive request for support

Brian,

We discussed OPower's request for us to sign a letter supporting OPower's challenge to the US Postal Service. We're looking at writing our own letter, but we think it would also be helpful if the CPUC would write a letter. Perhaps Commissioner Ferron would be willing?

If the US Postal Service confirms their interpretation that OPower's Home Energy Reports are not "advertising", it would double the postage costs, significantly impacting the cost and feasibility of the offering.

--Jan

**From:** Malnight, Steven  
**Sent:** Friday, February 01, 2013 4:35 PM  
**To:** Berman, Janice S; Corey, Jana; Olsen, Jenna  
**Cc:** Pitcock, Maril; Kiyota, Travis  
**Subject:** FW: Opower, time-sensitive request for support

Jan and Jenna,

I need the two of you to review this and ensure that we are comfortable with Tony signing this letter. I would like to support Alex's request below since if OPower loses this fight it would lead to higher costs to the program (in the short or longer term) and more costs for our customers. However, I want to ensure that we are completely consistent with the way we talk about these programs and their purpose.

If needed, I'd ask that we get a phone call together rather than an email discussion for

efficiency and timeliness.

Steve

**From:** Kiyota, Travis  
**Sent:** Friday, February 01, 2013 12:28 PM  
**To:** Malnight, Steven  
**Subject:** Fwd: Opower, time-sensitive request for support

Steve: Before I do anything, what is your guidance?

Thanks

Travis

----- Original message -----

From: Alex Laskey <[alex@opower.com](mailto:alex@opower.com)>

Date:

To: "Kiyota, Travis" <[TTK3@pge.com](mailto:TTK3@pge.com)>

Cc: "michael.glassman@opower.com Glassman" <[michael.glassman@opower.com](mailto:michael.glassman@opower.com)>, Redacted

Redacted

Subject: Opower, time-sensitive request for support

Travis,

I hope this finds you doing well and getting ready for the big game on Sunday. I'll be rooting for the Niners too. All going well here, and now that the contract is signed, I'm looking forward to finally getting out to visit with you and Tony.

I'm emailing to ask for your help with an issue we're having with the U.S. Postal Service that could effect us and PG&E (and all our other utility partners).

On December 31st a regional Postal Service office bureaucrat ordered our mail house to switch the postage rates for our energy reports (we sent 50 million last year) from Standard Mail to First Class. This was done without any prior notice and despite five years of affirmations by USPS that we qualify for Standard rates. As you may know, Standard rates are about 1/2 that of First Class. This is obviously a big deal for Opower and our clients.

Fortunately, we have hired fantastic postal lawyers (yes such a thing exists) and a great policy team and we have received strong indications that we can reverse this decision through a combination of legal action and political pressure. As we've dug in the evidence is clear that we're right on the substance of the issue, which has to do with how the postal service defines "advertising".

We are getting letters signed by some of our most strategic clients to send to the Postmaster General. I'm attaching a draft of a letter that my staff has put together. The main point for Tony and other CEOs to make is that we are providing you with an advertising service that helps you achieve your commercial objectives (namely that energy efficiency is a core objective of the utility). Senator Mark Warner of Virginia has already sent a letter to the Postmaster General and we have other Senators and Congressmen reaching out as well. So you would be in good company.

The deadline for our appeal is February 14th so we are in a hurry. Would Tony be willing to sign onto the attached letter?

If you like I'm also happy to discuss this in more detail by phone.

Thanks,

Alex

--

Alex Laskey

President & Founder

Opower

O: +1 571 384 1246

M: + 415 830 2485

Scheduling and Assistance

Michael Glassman

[michael.glassman@opower.com](mailto:michael.glassman@opower.com)

M: +1 202 709 6741

**We're hiring!** See jobs [here](#).