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SMUD Comments on Staff Proposal for Draft Data Regulations

Attached are SMUD's comments.

Additional submitted attachment is included below.

**STATE OF CALIFORNIA
BEFORE THE CALIFORNIA ENERGY COMMISSION**

In the matter of:)	Docket No. 16-OIR-03
)	
Developing Regulations, Guidelines, and Policies for Implementing SB 350 and AB 802)	SMUD Comments On Staff Proposal For Draft Regulations
)	
)	October 17, 2016

**Comments of the Sacramento Municipal Utility District
on Staff Proposal for Draft Data Regulations For Implementing
SB 350 and AB 802**

Thank you for the opportunity to provide comments on the Proposed Language for Discussion (Proposed Language), intended to update the California Energy Commission’s (CEC) Title 20 data collection regulations to support the implementation of Senate Bill 350, Assembly Bill 802, and improved energy analytics at the CEC. SMUD appreciates the potential need for some updating of data to enable the CEC to implement new legislation, and the general need for increased data analytics as the utility world becomes more distributed and interconnected. However, SMUD believes that the vast increase in required data that is signaled in the Proposed Language is not necessary and thus **does not** support several proposed changes.

Although AB 802 gave the CEC authority to require submittal of very detailed data, at the customer and hourly level, it is simply unreasonable to exercise that authority as envisioned in the Proposed Language in the absence of a rational basis to require such data to support the policies and programs entrusted the CEC. In addition, there are significant customer privacy concerns with this proposal that are not present in the “aggregate” level of data currently provided. SMUD can see no energy forecast, integrated planning, or electricity policy level purpose for such detailed data. Utilities do not forecast future load nor plan the need for future resources on a customer-by-customer basis, as this would be administratively prohibitive and would clearly not yield robust projections that are useful for integrated resource planning or other common utility-wide purposes. SMUD believes that it is unlikely that the CEC will be able to use this detailed data for any energy policy or integrated planning purpose, and hence should not require that the data be provided.

Specific comments on sections of the Draft Regulation are:

Section 1302: In Section 1302, the added definition number 67 for “EVSE” is overly broad. The equipment commonly known as an EVSE, or “electric vehicle service equipment,” typically does not include all of the “... conductors, plugs, fittings, and other hardware purposed to deliver energy from the electric grid to the vehicle.” The EVSE is

most often installed on consumer premises on the consumer side of the meter, and the connections from the meter to the vehicle are typically not defined as part of the “electric grid.” Quite often, an electric vehicle purchaser will simply plug into an already existing outlet in their home, and this outlet is not normally considered part of the EVSE.

Section 1304: Section 1304(b), of the Proposed Language removes the 100 kW limit on the reporting required from utility distribution companies (UDCs) about power plants located in the UDC service area, and adds energy storage devices. This would be a vast increase in reporting on these systems, including even residential sized systems down at the level of 1 kW or less. During the workshop on September 26th, CEC staff mentioned that the 100 kW limit misses about 99% of all systems installed, and that other limits such as 10 kW or 5 kW would still miss the majority of installed systems. SMUD suggests that the number of systems is not the relevant factor for consideration of this limit. Smaller residential systems may be more numerous, but their small size means that they are less impactful on the system, and hence do not need to be individually included in the type of system analysis that the CEC may have in mind. The 100 kW limit likely captures more than 50% of the behind the meter PV capacity installed on the system, as well as all of the larger utility grid level systems, so it captures the vast majority of all capacity installed. Moving to a lower limit, particularly down to the residential system level, merely adds data without adding any real usefulness. This group of resources can continue to be usefully captured in aggregate form as in the current Senate Bill 1 reports provided to the CEC every July 1st.

Section 1306: In Section 1306, the Proposed Language includes again a vast expansion of data required to be reported for UDC’s with greater than 1000 MW peak demand. Rather than the current requirement for quarterly load data, aggregated by customer type, the Proposed Language would require *monthly* sales for *each* customer, and include information for each of these customers about whether or not the customer has an on-site PV system, a registered plug-in electric vehicle, an EVSE installed at the premises, the date of that installation, and whether and when an energy storage system is installed on-site. This is simply not a reasonable expansion of data reporting requirements. It would increase costs tremendously and enable the CEC to potentially review the revenues and rates of all UDCs, including POUs, with PV and PEV customers.

First, providing monthly sales and bill data for each customer is not necessary for any kind of forecasting or long term policy determination. Utilities do not forecast individual customer loads or base long term policies or programs on such information. Doing such on an individual customer basis would be enormously expensive and would provide little to no forecasting value. There is so much random variation at an individual customer premise level that forecasting at that level makes no sense. Any customer can have loads that increase or decrease based on individual economic or demographic data at the site – who is living there, if anyone, what their changing economic circumstances are, and what changes randomly occur in the equipment they have installed and their pattern of usage of that equipment. The CEC should not undertake any kind of forecasting or energy policy development based on individual customer data – aggregate data is perfectly sufficient, and in fact more useful, for these purposes.

Second, this represents a vast expansion of the amount of confidential data the CEC would be handling on an annual basis. SMUD and other EDUs take very seriously the confidentiality of our customers' data, and only provide that data in limited circumstances when it is required and we are reasonably assured that the data will remain confidential. Since there is no legitimate forecasting purpose for the data, SMUD is troubled by what other purposes the CEC may have for use of the data, and whether those potential uses will amount to a violation of data confidentiality.

Third, the requested data -- detailed customer level data requested about customers' on-site generation, electric vehicle ownership by type (leased/owned), presence or not of an EVSE and when that was installed, and presence or not of an energy storage system and similar information -- is information that is not necessarily available to the EDU. Particularly for electric vehicles, EDUs will not have complete information about whether any individual customers have these cars, or whether they own or lease them. EVs are purchased or leased by customers at auto dealers or from other owners, and notification of the customer's utility is not normally part of the transaction. Utilities typically do not get informed if a customer installs an EVSE, either using an electrician or on their own. In many cases, the customer with an EV may simply plug the car into an outlet in their garage or carport. Getting this data for each customer is not necessary for any purpose, as aggregate and survey data is sufficient to develop forecasts and policies related to these distributed energy resources.

Sections 1307-1308: In Sections 1307 and 1308, there are new proposed provisions for natural gas utilities and pipelines that deliver more than 200 million therms of natural gas annually. Technically, SMUD appears to meet the definition of "gas utility" because it delivers more than 200 million therms annually to our four power plants that are owned and operated by joint powers authorities (JPAs). SMUD sells gas to no other customers. Thus, SMUD is in a unique situation, unlike the common understanding of a retailer. Moreover, SMUD already reports to the CEC the annual natural gas delivered to our power plants. Since the CEC already has this information, and because much of the detailed data is only relevant to typical retail customers, SMUD suggests that an exemption or changed definition be included to reflect SMUD's unique natural gas utility circumstances.

Section 1343: SMUD's main concern with Section 1343 of the Proposed Language involves the timing and costs of the first residential survey, due by July 1, 2019. A survey plan would be due to the CEC 18 months earlier, and it is unclear if this provides sufficient time for an EDU to develop and submit a survey plan for approval after the adoption of the proposed regulations and any subsequent CEC notification that a survey implementation project has begun. One problem here is that an EDU will not necessarily know the cost of participation in the CEC survey implementation plan prior to having to develop and submit an alternative plan.

Section 1344: SMUD has several concerns in Section 1344.

First, Section 1344 again represents a vast increase in the scope of required data, moving from an overall composite of hourly customer loads to the required submittal of the actual hourly customer loads for each customer. The composite hourly loads as

currently submitted provide the information necessary for load research purposes. Individual customer hourly loads are not useful for this purpose because individual customer hourly loads are not predictive of any meaningful system level information. Individual customer hourly loads are not likely predictive of even each customer's future hourly loads, as customer behavior and usage patterns are not necessarily consistent from year to year. A composite, or aggregated, hourly load shape can be used to predict peaks and load shapes in future years, but individual customer data is not useful for this purpose.

Second, Section 1344(e) in the Proposed Language increases uncertainty and creates reporting requirements that differ from how data is used by transmission and distribution operators in the industry, by changing from subareas determined by the transmission and distribution system owners and used in LSE planning efforts to subareas "... specified by the Commission" There is no guarantee that the CEC will determine subareas that work well with transmission and distribution planning efforts.

Third, Section 1344(f) of the Proposed Language includes new reporting requirements for hourly load estimates by "load modifier" and subarea on pages 50-51. The requirement to separate these estimates by subarea has the same problem as in Section 1344(e) – the CEC designation of subareas may be inconsistent with the typical disaggregation, if any, used by transmission and distribution planners to actually plan reliable operation of and development of the electric grid. The term "load modifier" is not defined, but appears to refer to a variety of distributed energy resources, such as behind the meter generation, storage systems, and electric vehicles, with expected disaggregation of the hourly load estimates by various types of these resources. UDC's are unlikely to have detailed actual data about these behind the meter resources. Modeling and reporting estimated hourly values at this level of detail is a significant and costly increase in effort for this new reporting purpose.

Fourth, Section 1344(g) of the Proposed Language contains a new requirement that owners, managers, or operators of electric vehicle service equipment provide the CEC with detailed information about the EVSE. It is not clear exactly who is expected to do this reporting, as there is no distinction in the Proposed Language between EVSEs installed by homeowners at their residences and large, networked, multi-EVSE installations at various workplaces and public spaces. Clearly, residential customers should not be expected to provide this information, so some clarity to narrow the scope is needed in the Proposed Language. Even for larger, networked charging locations, the expected annual data is a burden that may act as a barrier to new installations. The CEC should carefully consider whether risking a new barrier to PEV deployment is worth at the value of this level of detail. SMUD suggests that survey efforts to understand how this sector is changing as well as private market efforts to identify and catalogue these systems for the benefit of electric vehicle drivers would satisfy the CEC's policy needs.

Fifth, Section 1344(h) of the Proposed Language imposes a new requirement that larger UDCs provide all of the interval meter data for each customer, along with explanatory information about data quality, missing data, etc. This is a vast expansion of data reporting, appears to duplicate some of the earlier vast increases in the Proposed

Language, and is again seemingly, at this level of detail, not necessary or useful for any system planning, forecasting, or energy policy tasks. In addition, March 15 is way too soon for this kind of data to be available with all missing data, misread data, etc. fixed and explanations of those efforts included in the submittal.

Sections 1382, 1385: SMUD's main concerns with the wind reporting changes in Sections 1382 and 1385 of the Proposed Language is that the changes proposed are not in all cases easily available, relevant on a going forward basis, or important for any policy purpose. SMUD suggests that a working group of wind project developers, managers, owners, and contractors be convened to examine the proposed regulatory language and recommend changes that achieve the CEC's needs with minimum cost and burden.

Thanks again for the opportunity to comment on the Draft Regulations.

/s/

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cc: Corporate Files (LEG 2016-0672)