

DOCKETED

Docket Number:	21-OIR-03
Project Title:	2022 Load Management Rulemaking
TN #:	244165
Document Title:	UtilityAPI's Comments of Load Management Rulemaking
Description:	N/A
Filer:	System
Organization:	UtilityAPI
Submitter Role:	Public
Submission Date:	7/21/2022 3:46:53 PM
Docketed Date:	7/21/2022

*Comment Received From: UtilityAPI
Submitted On: 7/21/2022
Docket Number: 21-OIR-03*

UtilityAPI's Comments of Load Management Rulemaking

Additional submitted attachment is included below.

July 21, 2022

Via Website Submittal

California Energy Commission
1516 Ninth Street, MS-29
Sacramento, CA 95814-5512

Docket No. 21-OIR-03, "2022 Load Management Rulemaking"

RE: **Comments from UtilityAPI on Proposed Regulatory Language**

My name is Sebnem Tugce Pala. I am the Director of Policy and Market Development at UtilityAPI and I am overseeing policy and regulatory issues at UtilityAPI.

UtilityAPI is a software company based in Oakland, California. Our SaaS platform provides simple, secure, standardized, authorized access to utility data. In addition to our technical and market work, staff members participate frequently in standards groups and other forums, often taking a leadership role. UtilityAPI has also led workshops for strengthening policies and standards around the secure exchange of energy data across the U.S.

UtilityAPI is a member of the Green Button Alliance, a non-profit that fosters the development, compliance, and adoption of the Green Button standard. Additionally, CTO and Founder Daniel Roesler is the Vice-Chair of the Green Button Alliance Board of Directors. As part of our work with the Green Button Alliance, UtilityAPI is an active participant in the OpenADE Working Group, which writes and maintains the Green Button standards.

UtilityAPI has built four Green Button Connect My Data (GBCMD) implementations for utilities across the U.S. Our GBCMD implementations have hundreds of registered third party users. In one utility alone, our platform has securely enabled customers to share data for thousands of customers representing hundreds of gigawatt-hours of energy usage.

UtilityAPI respectfully submits these responses in regards to Docket No. 21-OIR-03, "2022 Load Management Rulemaking" on proposed regulatory language. The proposed regulations take an important step in this direction. However, we believe certain modifications to the regulatory language are appropriate, as explained below. The proposed modifications would remove ambiguities, so that the Commission's intentions will be more likely to be enacted in good faith during implementation. Additions are indicated in **bold** and deletions in ~~strikethrough~~.

1. Proposed modifications to § 1623 (c)

§ 1623

(c) Support Customer Ability to Link Devices to Electricity Rates.

(1) Third-party Access. The utilities shall develop a single, statewide, **internet-based** standard tool for authorized rate data access by third parties that is compatible with each utility's system. The tool shall:

(A) **Electronically and automatically** provide the RIN(s) applicable to the customer's premise(s) to third parties authorized and selected by the customer

(B) **Electronically and automatically** provide any RINs, to which the customer is eligible to be switched, to third parties authorized and selected by the customer;

(C) **Electronically and automatically** provide estimated average or annual bill amount(s) based on the customer's **current and ongoing** rate and any other eligible rate(s) if the utility has an existing rate calculation tool and the customer is eligible for multiple rate structures;

(D) **Electronically and automatically** enable the authorized third party to, upon the direction and consent of the customer, modify the customer's applicable rate to be reflected in the next billing cycle according to the utility's standard procedures;

...

(2) The utilities shall submit the single, statewide, **internet-based** standard tool developed pursuant to Section 1623(c)(1) to the Commission for approval at a Business Meeting.

(A) The tool must be submitted within a year of the effective date of these regulations.

(B) The Executive Director may extend this deadline upon a showing of good cause.

(C) The utilities shall describe any terms and conditions they intend to require of third parties using the tool and whether or not such terms and conditions have been approved by their governing body.

2. Comments

The modifications to § 1623(c)(1) that would add “internet-based” and “electronically and automatically” are necessary clarifications because utilities could conceivably implement a cumbersome, non-electronic or manually fulfilled method that is difficult for consumers to use but that technically complies with the Load Management Standard. Furthermore, an internet-based tool can easily be extended to support future data access needs without having to build separate systems for each program implementation. UtilityAPI’s changes are intended to reduce this potential ambiguity.

The addition to § 1623(c)(2) is motivated by a desire to avoid the imposition of challenging terms and conditions onto third parties as a condition of receiving RINs and other services provided by the tool. UtilityAPI believes that establishing reasonable, well-known standards for terms and conditions will ease potential friction between utilities, third parties and regulatory commissions, and lessen the need for future oversight. Furthermore, we believe that the Commission is the right body to establish those standards. We therefore request that utilities be required, as part of their submission to the Commission, to provide their terms and conditions applicable to third parties, as well as a statement as to whether such terms have been approved by their governing board.

3. Conclusion

UtilityAPI recommends that the above modifications be made to the Load Management Standards. Please let us know if you have any questions. Thank you for the opportunity to provide comments.

Respectfully submitted,

July 21, 2022

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