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LMS-2023-01 Third parties authorized and selected by the customer

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Perhaps the Single Statewide Tool Joint LMS LSEs Terms and Conditions for 3rd Party Access (TN259402 attached) has overlooked 20 CCR 1623(c)(1)(A) and 1623(c)(1)(B) defines who authorizes third parties?

The rule in section II of TN259402 would require formal adoption pursuant to GOV CHAPTER 3.5. Administrative Regulations and Rulemaking 11340-11361.

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Additional submitted attachment is included below.

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Section 1623. Load Management Tariff Standard. (c)(1)(A)

Provide the RIN(s) applicable to the customer's premise(s) to third parties authorized and selected by the customer;

Section 1623. Load Management Tariff Standard. (c)(1)(B)

Provide any RINs, to which the customer is eligible to be switched, to third parties authorized and selected by the customer;

It would be a procedural innovation not supported in law to allow TN259402 to contain the following:

"II. REQUIRED APPROVALS FOR THIRD PARTIES TO UTILIZE TOOL

Any Third Party that seeks to access and utilize the Tool on behalf of a given customer must obtain approval from all of the following: (A) the CEC, (B) the LSE and/or UDC that serve(s) the customer, and (C) the customer, as specified below. As part of the approval process, Third Parties are required to acknowledge their responsibilities with accessing customers' personal data and information needed to perform electric rate changes on their behalf and follow state and federal laws to protect consumer privacy and cyber security laws to protect personal account information.

A. Approval From CEC

The CEC is the sponsor of the Tool pursuant to its authority under the LMS regulations. Accordingly, any Third Party that seeks to access and utilize the Tool must meet the requirements set by the CEC and must apply to and register with the CEC (or any designee selected by the CEC)."

Pursuant to Section 1623. Load Management Tariff Standard. (c)(2) The Large IOUs, Large POU's and Large CCAs shall submit the single statewide standard tool developed pursuant to Section 1623(c)(1) to the Commission for approval at a Business Meeting. The rule in section II of TN259402 would require formal adoption pursuant to GOV CHAPTER 3.5. Administrative Regulations and Rulemaking 11340-11361.

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