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*Comment Received From: Carmen Best  
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**Recurve comments in support of EDAP**

*Additional submitted attachment is included below.*

We appreciate the opportunity to comment on the proposed Energy Data Analysis Program (EDAP) outlined in the materials provided in [Docket 25-EDAP-01](#).

The California Energy Commission's proposal represents the culmination of significant staff effort over the past several years. This program will allow data firms to act as agents on behalf of the CEC to analyze confidential and other data housed by the CEC. Non-state agency entities, including local governments, would then be able to contract these data firms to have them analyze energy data within their respective jurisdiction or other parameters. This data would be analyzed by the data firm, anonymized, and provided to the participating entity.

Data access is critical to addressing affordability in California, and local governments play a key role in enabling a responsible and equitable clean energy transition. With better access to insights from granular analysis, they can improve their planning and optimize the use of limited public resources, attract external investment, and enable collaboration so funding from multiple sources can deliver maximum impact.

Recurve Analytics Inc. provides these comments in support for the overall proposal, highlighting essential components to enable its success, and a recommendation to enable Government Entities that are authorized to have granular data under other regulations to be able to share granular data via EDAP for a tightly defined use case.

Recurve provides software that enables and empowers utilities, demand-side implementers, and state and local governments to analyze, visualize, and securely share data to enhance demand-side energy solutions. Recurve's FLEX platform suite ingests granular energy consumption data alongside other essential data to deliver value-added analytics and reveal essential insights for planning, implementing, and monitoring demand-side interventions. Operating within client privacy and security requirements, we provide secure access to properly protected (anonymized, aggregated, or differentially privatized) to approved users. This enables utilities, implementers, and states to provide crucial information needed to drive market changes while managing and protecting the privacy of customer data. Recurve's solutions reduce friction and minimize barriers to scaling demand-side resources by enhancing transparency and secure access for informed decision-making and accountability.

**Recurve supports the thorough review of capabilities and credentials proposed in the guidance.** It is critical that approved "Agents" have demonstrated extensive experience handling energy data at scale, including sensitive, personally identifiable information. Approved Agents must demonstrate a legitimate focus and investment in security infrastructure, competence in security practices, the provision of similar services in the state, and that they can meet standard CEC contractual requirements for handling personally identifiable information. As noted in the recent webinar on this matter, a SOC 2 audit report is an appropriate level of validation that is stronger than self-attestation but not overly burdensome relative to the risk and sensitivity of the data.

**Recurve supports the proposed structure for project approval in the proposed flow diagram and the "Agreement Template."** We find that the California Energy Commission has struck an appropriate balance of providing compliant customer privacy protections as required by law and still offers a clear path for local government entities to unlock the potential of the centralized data set curated by the CEC on behalf of the public. We note in particular that assigning the Agent responsibility of proposing and implementing appropriate privacy protections is a proper expectation. It is appropriate that specific privatization techniques or thresholds are not defined because multiple approaches will be viable to properly protect data outputs depending on the specific use case.

**Government entities authorized to have granular data under other policies or regulations could be cited as a third exemption for confidential data release.** In the webinar, CEC pointed out two exceptions to the privatization requirements on slide 13:

Currently, CEC is proposing two exemptions for confidential data release:

1. The data belongs to the GE. E.g. the results include data the entity has submitted to the CEC, or data they have given to the Agent.
2. The Agent and GE obtain consent for data release.

We agree with these exemptions. An additional exemption to enable Government Entities that are authorized to have access to granular data under other regulations to utilize the EDAP to fulfill those needs where appropriate could read as follows:

- *Sharing the data is or has been authorized by a state agency for the proposed use case for a shared interest (e.g. implementing or measuring meter-based demand-side programs)*

When a Government Entity is in the role of implementing or administering an authorized program, they may have authorization to receive confidential data from the utility via a qualified provider and under explicit security agreements, and getting the standardized cleaned data from the CEC's centralized system would be more efficient for all parties.

For example, the California Public Utilities Commission allows utilities to share granular data with Regional Energy Networks (typically managed by county governments) (see [D.23-02-002 Data Sharing Requirements and Ordering Paragraph 19](#)) and with local governments in the implementation and assessment of demand-side programs. It cites the CEC "data warehouse" as a source of this data when a process is available and the data fulfills the need more cost-efficiently. Implementation and evaluation of demand-side programs was also recognized as a "Primary Purpose" of granular data in the CPUC's smart grid decision (see [D.11-07-056](#) and [D.12-08-045](#)). This precedent could also be applied to government entities running programs with common goals that may not fall within the same jurisdictional boundaries.

The CPUC established a requirement that all energy efficiency programs must be measured (NMEC) where feasible and cost-effective. Municipal electric utilities have also recognized the value of time and locationally optimized programs via measurement - especially when goals are based on carbon impacts. The lack of granular gas data in their planning and tracking framework leaves them with only half (or less) of the equation to optimize delivery. Similarly, the measurement and verification of any program should include a granular assessment of GHG impacts. Allowing for secure access to site-level gas data for electric municipal utilities to conduct evaluation would also align with the intent of "Primary Purpose." Acquiring that data through the CEC's EDAP instead of a direct data request to a gas utility would reduce cost, improve efficiency, and ensure consistency of the data (since the CEC cleans both gas and electric data and provides it in a consistent format)

Measuring the time and locational impacts of demand-side programs is crucial for meeting California's collective climate goals while addressing affordability pressures. Program models that tie program performance and payments to actual delivered

outcomes, like meter-based NMEC programs, also enhance accountability for all ratepayers. The secure provision of customer usage data for this discrete use case would help identify high-impact regions and customers that will benefit the most from the interventions. Without site-level data for this use case, opportunities may be overlooked, resulting in missed benefits for both customers and the state.

This additional exemption would be tightly constrained to discrete use cases. It would reduce friction and public costs of decarbonization if it could be operationalized and streamlined using the CEC dataset. All parties would still comply with the security requirements outlined in that template.

Finally, we recommend two ministerial modifications to the standardized contract template to clarify that organizations, not individuals, would be responsible for contacting CEC in case of a security incident and acknowledge that the individual does not have control of all data. Specifically, we recommend adding the underlined text to the existing language:

*3. In the event that I become aware of an unauthorized release of Confidential Information or Personal Information I will immediately notify my employer's Chief Information Security Officer (or equivalent) and agree to work with my employer's security team as they notify the following CEC personnel.*

*6. I agree that at the end of the Agreement, I will destroy all Confidential Information and Personal Information under my control that has been provided to me pursuant to the Agreement, unless directed otherwise in writing by the Energy Commission. As applicable, my employer's Infrastructure team will handle all other deletions and destruction at the end of the Agreement, and I will coordinate with them as needed.*

Recurve appreciates the time and effort spent on this matter and is available to clarify or talk through our comments on this docket.

Respectfully Submitted,

*/s/ Carmen Best*

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