

DOCKETED

Docket Number:	15-OIR-05
Project Title:	Building Energy Use Disclosure and Public Benchmarking Program Mandated under Assembly Bill 802
TN #:	212766
Document Title:	Pacific Gas and Electric Comments: on AB 802 Pre-Rulemaking Workshop
Description:	N/A
Filer:	System
Organization:	Pacific Gas and Electric
Submitter Role:	Public
Submission Date:	8/12/2016 1:41:24 PM
Docketed Date:	8/12/2016

Comment Received From: Pacific Gas and Electric

Submitted On: 8/12/2016

Docket Number: 15-OIR-05

PG&E Comments on AB 802 Pre-Rulemaking Workshop

Additional submitted attachment is included below.

August 12, 2016

**POSTED ELECTRONICALLY TO
DOCKET 15-OIR-05**California Energy Commission
Dockets Office, MS-4
Docket No. 15-IOIR-05
1516 Ninth Street
Sacramento, CA 95814-5512

Re: Docket 15-OIR-05: Pacific Gas and Electric Company Comments on the July 22, 2016 Workshop on Building Energy Use Disclosure and Public Benchmarking Program Mandated Under Assembly Bill 802

Pacific Gas and Electric Company (PG&E) appreciates the opportunity to provide comments on the Initial Staff Proposal to Implement Building Energy Use Data Access, Benchmarking, and Public Disclosure Provisions of Assembly Bill 802 (AB 802).

PG&E is a strong proponent of energy efficiency, the first resource in the state's loading order, and has long supported the requirement to pursue all cost-effective energy efficiency. From 2010 to 2014, PG&E's energy efficiency programs helped customers avoid the release of more than 2,000,000 metric tons of carbon dioxide (CO₂), which is equal to the annual GHG emissions from nearly 460,000 passenger cars or more than 1,400,000 homes in PG&E's service territory.¹ AB 802 is intended to further help building owners partner with energy efficiency service providers and utilities to make progress towards Governor Brown's goal of doubling energy efficiency in existing buildings by 2030. Building benchmarking is a valuable tool in determining a starting point in this initiative, and AB 802 provides guidance on implementing these tools while also prioritizing the safeguarding of customer data and privacy. As PG&E has noted in earlier comments on building benchmarking, by 2014, PG&E had helped customers benchmark nearly 14,000 properties, whether for mandatory programs or local ordinances, while appropriately considering protections of confidential customer information.²

PG&E appreciates the continued efforts of staff to consider and incorporate stakeholder feedback in response to the March 2016 Workshop. As PG&E noted at the July 22, 2016 workshop, the current draft of the regulation largely incorporates PG&E's earlier comments, and the comments submitted today focus on two remaining questions of customer data privacy.

Key points of PG&E's comments include:

- Meter numbers and customer names associated with those meters constitute Personally Identifiable Information (PII) and cannot be shared by PG&E with building owners.

¹ PG&E Internal Data from Customer Data Warehouse, 2010-2014 inclusive.

² [http://energy.ca.gov/ab1103/documents/2014-07-](http://energy.ca.gov/ab1103/documents/2014-07-02_workshop/comments/Pacific_Comments_Lead_Commissioner_CEC_7-02-14_Workshop_2014-07-21_TN-73442.pdf)

[02_workshop/comments/Pacific_Comments_Lead_Commissioner_CEC_7-02-14_Workshop_2014-07-21_TN-73442.pdf](http://energy.ca.gov/ab1103/documents/2014-07-02_workshop/comments/Pacific_Comments_Lead_Commissioner_CEC_7-02-14_Workshop_2014-07-21_TN-73442.pdf)

- Utilities should not be responsible for notifying customers on behalf of building owners for actions initiated by building owners or their agents.

II. Meter Numbers and Related Customer Names are PII and Cannot Be Provided to Building Owners

Section 1681(b)(1) of the draft Regulation would require the utility to provide a list of meter numbers for all meters serving the building, along with a list of all utility customers associated with the building. When taken in combination, the provisions of both of these data points constitute Personally Identifiable Information (PII) and do not comply with aggregation standards set forth in AB 802.³ The aggregation standards adopted in AB 802 protect individual customer names and information; there is no requirement in AB 802 to provide a list of the customers for whom information is aggregated. Furthermore, a release of this PII could lead to unauthorized access to utility customer data and potential violations of state law. As one example, meter number is a unique identifier that can be used, along with other customer information, to access and control a customer's online account, which would enable the recipient to start/stop service, view financial information, etc.

As noted at the July 22 workshop, building owners may have access to meters within their buildings and may, to the extent possible, wish to provide those meter numbers to the utility to facilitate benchmarking the building's data usage. Provision of the meter numbers by the building owner to the utility would not violate PII and confidentiality requirements; however, the Utility cannot provide the meter number to the building owner without violating confidentiality requirements.

In short, PG&E takes seriously its obligation to protect customer information (especially PII), and has concerns about releasing PII without customer consent; PG&E believes that there are ways to achieve the goals of building energy efficiency without putting customers' information and privacy at risk. Accordingly, PG&E recommends that Sections 1681(b)(1)(A) and 1681(b)(1)(B) be deleted.

PG&E will deliver the Building Identification Number, per Section 1681(b)(1)(C) to the building owner once the format for such data has been defined by the Energy Commission.⁴ It should be noted that utilities do not collect energy usage on a per-building basis through utility metering and billing systems. The staff proposal should recognize that data collection occurs on a customer basis and that a Building Owner must provide all appropriate billing or metering information for a building for PG&E to provide whole-building data.

III. PG&E is Best Suited to Facilitate, not Conduct, Customer Consent Outreach

³ http://docketpublic.energy.ca.gov/PublicDocuments/15-OIR-05/TN212341_20160718T163240_AB_802_Draft_Regulations_Initial_Staff_Proposal_Jul_22_2016_Wor.pdf

⁴ *Ibid.*

Sections 1681.(b)(4)(A)(i)(2) a and 1681(b)(4)(B) direct utilities to notify customers and building owners or owner's agents under different data request scenarios.⁵ The responsibility for obtaining permission to share energy usage data should remain with the building owner who has the business relationship with the customer. Requiring PG&E to reach out to customers on behalf of the building owner would insert PG&E inappropriately into the relationship between the building owner and tenant. Furthermore, configuring PG&E systems to contact customers by postal or electronic mail to handle these requests would require significant effort and costs while potentially delaying the process. PG&E is prepared to offer a template letter to building owners or owner's agent that they can customize and then send to customers via postal or electronic mail.

IV. Conclusion

PG&E appreciates the opportunity to comment on the Initial Proposal, and looks forward to continuing to collaborate with staff as the implementation of AB 802 advances.

Sincerely,

/s/

Wm. Spencer Olinek

⁵ *Ibid.*