



February 8 ,2022

Danielle Rogers and Kayla Gibbs  
Michigan Public Service Commission  
7109 W. Saginaw Highway  
Lansing, MI 48197

Dear Ms. Rogers and Ms. Gibbs,

We are writing to provide comments on the draft report on utility customer data privacy and access.

The Michigan Municipal Utility Association for Utility Issues is a non-profit membership association of local governments that seeks better utility rates and services through regulatory processes and in dialog with utilities. Access to utility customer data is important to local governments in three dimensions:

- As utility customers themselves, operating various municipal facilities and services;
- As policy makers and implementers, seeking to achieve climate and energy goals, spur economic development and more;
- As elected representatives of their communities, holding utilities accountable for safe, reliable and affordable service and for impacts of their infrastructure on the community.

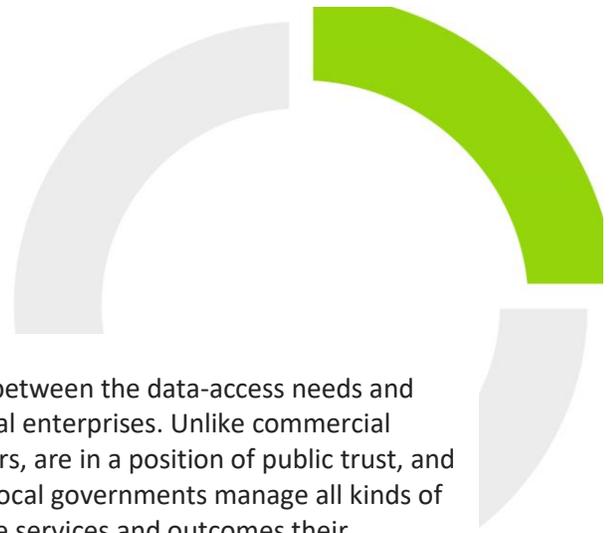
The three 2030 Districts of Ann Arbor, Detroit, and Grand Rapids have formed a collaboration with the City of Ann Arbor and Detroit's Green Task Force to further the adoption of commercial energy and water benchmarking and to achieve significant reduction in the carbon footprints of buildings.

The draft report contains several important recommendations that we support. Formalizing data aggregation standards is an especially important change. While we share suggestions, below, for improving the standards, the most important step taken is to formalize them to create stronger guidelines for utilities, customers and other stakeholders.

We also support redefining some data uses from primary to secondary purposes, as doing so should help level the playing field between utility users and other data users and stakeholders.

We appreciate, further, the careful attention given to protecting customers' data privacy.

Several passages in the draft report refer to improving access to data for third-party energy service providers and other commercial services. We recommend that the report make clear that any data made available for commercial purposes must also be equally accessible to local governments and other public agencies as well as the customers themselves.



Furthermore, the recommendations make scant distinction between the data-access needs and responsibilities of local governments and those of commercial enterprises. Unlike commercial enterprises, local governments are accountable to their voters, are in a position of public trust, and are responsible to deliver services that create public value. Local governments manage all kinds of personal, sensitive data that they need in order to deliver the services and outcomes their communities demand, including tax data and water utility account data. Considering the importance of energy reliability and affordability to economic and community development, public health and safety and quality of the local and global environment, access to data on energy use, costs and impacts is no different. We believe it is necessary and justified, therefore, to distinguish more carefully between public versus commercial secondary uses of utility customer data and to permit greater access for public purposes.

Following are more-specific comments.

#### **Aggregation Standards**

Data aggregations that cross municipal boundaries are not useful to local governments. Zip codes do not follow municipal boundaries. Accordingly, we recommend that data made available to local governments be aggregated, either additionally or alternatively, at the census block level, or if necessary for the purposes of protecting anonymity, at the census tract level. Our understanding is that both blocks and tracts normally observe municipal boundaries. Section 4.3.1 recommends data aggregation to zip code granularity (minimum aggregation 15/15 residential and 4/50 industrial). This formulation does not make clear whether zip or 15/15 aggregation is to be the default. Because the average US zip code has over 8,000 residents as of 2022, and zip codes do not follow municipal boundaries, aggregating at that level would not generally be useful to local governments. We recommend that all data be aggregated at 15/15 or 4/50 levels, and that each bundle should be identified by census block(s).

#### **Data Access Standards**

The data-sharing protocol should state in what format(s) data is to be provided.

The data-sharing protocol should also state how frequently data should be updated. Some commonly requested data should be posted regularly, rather than on request, and updated at defined intervals. On the other hand, when a utility fulfills a special data request and publishes availability of that data, it should be considered valid and responsive to other requesters for a defined period of time.

#### **Building Owner Benchmarking and Data Sharing**

The following comments pertain to both section 4.3.3, “Building Owner and Multi-Unit Dwellings” and section 4.6, “Customer Access and Sharing of Customer Energy Usage Data.”

We appreciate the recognition of the need for building owners to access and use electric and natural gas consumption information to manage and improve the energy performance of their



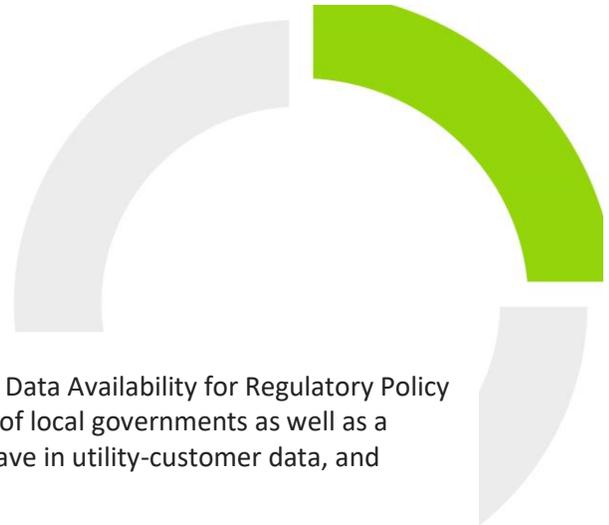
buildings. The recommendations specifically identify ENERGY STAR Portfolio Manager as a tool of best practice for building owners to achieve this. However, we do not believe the recommendations will minimize administrative burdens of using this tool. We would like to see the following four elements incorporated to align the working group's recommendations with requirements and established best practices for benchmarking with ENERGY STAR Portfolio Manager.

First, in cases where building owners whose tenants do not meet the proposed aggregation thresholds and tenant consent is required to generate whole-building aggregated data, we would like to see the best practices of customer consent presented to the MI Power Grid Workgroup Meeting #2 on June 22, 2021 as an established standard for utilities to meet, including the format of the consent (online, mobile-friendly, etc.), standards (secure, stable, and maintains privacy), and the time period of the consent (until the customer revokes it, rather than only 12-month intervals). Additionally, tenants should have the option to provide consent to share dis-aggregated consumption data with their building owner to enable targeted energy efficiency improvements.

Second, the recommendations do not address streamlining the transfer of data into benchmarking tools by automating the process. In Section 4.6, Green Button Connect is the recommended tool for sharing customer data. However, [Portfolio Manager](#) does not offer the ability to upload Green Button files or Green Button "Connect My Data". We would like to see utilities have a clear mechanism for developing fully automated and securely delivered data, replacing manual input by building owners. Manual input is especially burdensome for any owner managing multiple properties and/or multiple meters, which is generally the case for municipal governments as well as many landlords and multi-unit dwelling managers. It is best practice to transfer data on a monthly basis.

Third, Section 4.3.3 addresses aggregating data by units, but does not address individual meters. Some meters associated with a building address may not be appropriate to include for the use of benchmarking in ENERGY STAR Portfolio Manager. We would like to see a clear process defined for building owners to verify which tenants and meters should be included in the whole-building aggregated total. In addition, energy consumption data separated out by meter is the most useful format for energy waste reduction. We would also like to see a clear process for buildings owners that would prefer to manage individual meter data to request consent and for this data to be transferred to ENERGY STAR Portfolio Manager. This functionality would support Green Leases.

Lastly, the aggregation standards in section 4.3.3 include the data sets of kWh, demand, and peak demand. ENERGY STAR Portfolio Manager also requires information on voluntary green power purchases and onsite solar generation, consumption, and outflow and when available to the utility, should be included in data shared for the purpose of benchmarking in ENERGY STAR Portfolio Manager.



## Data Use Cases

We recommend expansion of section 4.3.4, “Aggregated Data Availability for Regulatory Policy Considerations,” to recognize regulatory responsibilities of local governments as well as a broader range of strategic interests local governments have in utility-customer data, and consequently a broader range of data topics.

Section 4.3.4 focuses on regulatory functions of the Public Service Commission without fully acknowledging the various regulatory responsibilities of local governments. Local governments grant franchises to electric and gas utilities and should have access to data that allows them to investigate how effectively those franchises serve the public interest. Areas of interest include power reliability and quality, energy security for vulnerable or low-income customers, regulation of utility infrastructure investments in public easements, public safety needs and more.

Additionally, local governments need utility customer data not only to regulate utility activities but also for policymaking, program design and delivery and program evaluation purposes. Social services, community and economic development, land use and climate and energy policies of local governments all depend on provision of accurate, timely, granular utility-customer data.

Accordingly, we recommend that local government have access to the following kinds of data – in addition to those already listed in this section – aggregated at the 15/15 or 5/40 levels.

- **Affordability and assistance data:** local government leaders need to know how many of their residents are struggling to pay their energy bills and are facing shutoff. Data should be available, at the census block level, in the format of the reports utilities are currently providing monthly in the U-20757 docket. In addition, local governments should have access to data, again at the census block level, showing the numbers of low-income customers receiving assistance, and numbers of senior and medically vulnerable customers.
- **System performance data:** add power quality (voltage regulation) data in addition to SAIFI, SAIDI and CAIDI.
- **Clean energy data:** local governments are increasingly adopting community-wide clean energy goals, for which they need data. Governments should have access to:
  - Installed EV charger counts and total demand.
  - EWR project data – number of projects completed, dollar cost, projected energy and dollar savings. EWR surcharge revenue.
  - Renewable energy data: number of behind-the-meter solar PV systems installed and total capacity. Where metering allows, reporting should also include total behind-the-meter generation.
  - Voluntary green power enrollments: number of customers enrolled in VGP options and total periodic kWh.
  - Carbon offsets: number of customers enrolled in carbon offset programs and total amount of carbon offsets purchased.
  - GHG data: total GHG emissions, broken down into customer classes for electric and gas, by census block.



### Street Lighting

As the primary customers for public lighting services, we note that the report is silent about availability of data to customers in the lighting class. The data-access standards recommended for customers pertain to buildings and do not translate well to lighting. We suggest that lighting customers should be able to request a monthly report detailing:

1. Number of outages reported to the utility, average outage restoration time year-to-date, and any current outages reported more than 10 days before report date.
2. Number of outages discovered by the utility and average restoration time year-to-date.
3. Number of outage credits paid and total value, per month and year-to-date.
4. Total kWh usage by streetlights in prior month and related GHG emissions.

### Protocol for Reporting Utility-Customer Data to Local Governments

Recognizing that we are advocating a significant expansion of reporting of utility customer data to local governments, we recommend that the Commission convene a working group to create a protocol standardizing provision of utility data to local governments. We recommend that the protocol should define automatic reports that all local governments receive regularly, and what additional special data requests governments can make. We believe automatic, regular reporting may be especially useful as it may alert local government to needs and problems of which they were unaware. For utilities, standardized reporting can reduce the costs of responding to irregular requests received from local governments for different kinds of data in different formats.

Thank you for undertaking this important review of utility customer data privacy and access, and for providing opportunity to comment on the draft report. We stand ready to assist the Commission and utilities in finalizing and implementing these recommendations.

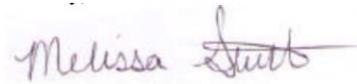
Sincerely,



Rick Bunch  
Executive Director  
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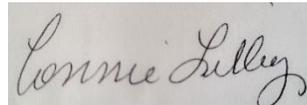
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