



GAS RULE NO. 27.1

Sheet 1

**Access to Energy Usage and Usage-Related Data
While Protecting Privacy of Personal Data**

The following rule provides Pacific Gas and Electric Company's (PG&E's) policies and procedures governing access to energy usage and usage-related data by eligible academic researchers, local government entities, and state and federal agencies ("Third Parties") adopted as Attachment A to California Public Utilities Commission Decision (D.) 14-05-016. For the purposes of this rule, "energy usage and usage-related data" includes energy usage and usage-related data includes data related to PG&E's retail customers and data related to customers of third party retail load serving entities for which PG&E acts as agent for the purposes of collecting the data or billing or metering the customers.

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A. DATA REQUEST AND RELEASE PROCESS

1. PG&E Responsibilities

- a. PG&E will provide a single point-of-contact (POC) for filing and processing third-party energy usage data requests.
- b. The single POC will include a single email mailbox or website and other contact information to which requests for energy data access may be transmitted.
- c. The single POC information will be provided prominently and conveniently on PG&E's website.
- d. PG&E's website will provide access to an electronic input form for third-parties to request energy data access.
- e. PG&E's website is expected to eventually include a Data Catalog of energy data access requests made, fulfilled, and/or denied. New requests for data that have previously been received and fulfilled can easily be made available to eligible third-parties. PG&E will provide data without charge, but may record costs in a memorandum account and subsequently seek recovery via an application or general rate proceeding.
- f. Within one business day of receiving a request form, from a third-party requesting access to energy data, PG&E will respond by email or in writing acknowledging and confirming receipt of the request.
- g. Within seven business days of receiving a request form from a third-party for access to energy data, PG&E will respond by email or in writing regarding whether the information on the form is complete and, if incomplete, what additional information is required for PG&E to process the request.

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<i>Advice</i>	4341-G	<i>Issued by</i>	<i>Submitted</i>	December 11, 2020
<i>Decision</i>	14-05-016	Robert S. Kenney	<i>Effective</i>	December 11, 2020
		<i>Vice President, Regulatory Affairs</i>	<i>Resolution</i>	



GAS RULE NO. 27.1

Sheet 2

Access to Energy Usage and Usage-Related Data
While Protecting Privacy of Personal Data

A. DATA REQUEST AND RELEASE PROCESS (Cont'd)

- 1. PG&E Responsibilities (Cont'd) (L)
 - h. Within 15 business days of receiving a complete request for access to energy data from a third-party, PG&E will respond by email or in writing regarding whether it is able to grant the request, and provide a proposed schedule for providing the requested data. If PG&E responds that it cannot grant access to the data, it will provide specific reasons why it cannot provide the data or offer other options for providing data access (such as providing data listed in the Data Catalog or suggesting modifications to the request such that it could be granted). If the requesting party disagrees with PG&E's rejection of its request for data access or the alternative options offered by PG&E, the third-party may bring the dispute for informal discussion before the Energy Data Access Committee established below in Section 4. (L)
- 2. Non-Disclosure Agreement
 - a. Prior to receiving access to energy data, the requesting party will execute a standard non-disclosure agreement (Form 79-1166) if required by PG&E as directed by D.14-05-016 (Section 7.2), with substantially consistent terms and conditions among PG&E, SCE, SDG&E, and SoCalGas. In addition, if a pre-disclosure review of the third-party's information security and privacy controls and protections is recommended by PG&E, the recommendations will be substantially consistent among PG&E, SCE, SDG&E, and SoCal Gas and published in advance and available on the utilities' websites.
- 3. Terms of Service
 - a. Local governments receiving aggregated and anonymous data need not sign a non-disclosure agreement but must accept the following terms of service (Form 79-1167):
 - 1) The party will use the data for the purposes stated in the request.
 - 2) The party will not release the data to another third party or publicly disclose the data.
 - 3) Prior to the release of any data to a requesting local government PG&E will inform the Executive Director of the Commission via a formal letter four weeks in advance of the proposed transfer. The letter shall contain the following information:
 - a) The purpose identified by the party requesting data.
 - i. A description of the data requested and to be released.

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GAS RULE NO. 27.1

Access to Energy Usage and Usage-Related Data
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Sheet 3

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A. DATA REQUEST AND RELEASE PROCESS (Cont'd)

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3. Terms of Service (Cont'd)

b. Simultaneous with Section 1.h (above), PG&E must inform the Executive Director of the Commission via a formal letter of its proposed action. PG&E must also send a copy of the letter to the requesting party. No data shall be released to university researchers, state or federal government agencies, or local government entities requesting data until four weeks have passed from the date of the letter informing the Executive Director of the Commission of the proposed transfer. The letter shall contain the following information:

- 1) The purpose identified by the party requesting data.
- 2) A description of the data requested and to be released.
- 3) The following contact information:
 - a) Name (Individual and organization, if applicable)
 - b) Address
 - c) Phone and email address

c. For an entity that requests ongoing access to data without change in either purpose or data requested, following the initial formal letter to the Executive Director by a utility providing data, no advance letter is needed for subsequent transfers of the same type of data. Instead, both PG&E and the requesting entity shall file a quarterly report identifying the data that it is continuing to send or receive and provide (and update as needed) the contact information listed in this requirement.

4. The Energy Data Access Committee

a. The Energy Data Access Committee will meet at least once a quarter for the initial two years, and as necessary thereafter, to review and advise on the implementation of the utilities' energy data access programs, and to consider informally any disputes regarding energy data access and make other informal recommendations regarding technical and policy issues related to energy data access.

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GAS RULE NO. 27.1

Sheet 4

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A. DATA REQUEST AND RELEASE PROCESS (Cont'd)

4. The Energy Data Access Committee (Cont'd)

b. If a party does not accept the recommendation of the Energy Data Access Committee, that party maintains full rights to request a formal consideration of the matter by the Commission via the Commission's petition process. If the Access Committee recommends against providing access to the data requested by a third-party, that party may file a petition with the Commission seeking clarification of access rules. If the Access Committee recommends providing access to the data and a utility declines to follow the recommendation, PG&E should similarly file a petition seeking clarification of Commission policies concerning whether that particular request is consistent with Commission policies and privacy laws.

5. Privacy and Information Security Laws

a. Nothing in this process requires or authorizes PG&E or a third-party to violate any existing privacy or information security laws, rules or orders, including the Commission's privacy rules. Nothing in this process requires or authorizes PG&E or a third-party to transfer, sell, or license energy data that consists of PG&E's or any third-party's intellectual property, trade secrets, or competitively-sensitive data. The transfer, sale or licensing of such intellectual property, trade secrets and competitively-sensitive data will be subject to Commission review and approval consistent with existing laws and Commission rules and orders regarding the sale, transfer or licensing of utility assets. (T)
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6. Standardized Data Output and Delivery

a. All data outputs will be in standard formats. Data will be accessible in specified formats such as comma-delimited, XML, or other agreed-upon formats. Customized outputs or formats should be avoided. The Energy Data Access Committee can review formats annually to ensure that the utilities are consistent with current technology trends for data sharing formats.

b. Mechanisms for handling data delivery for request of all sizes in a secure manner should be standardized. To the extent possible, PG&E will provide data through the customer data access program adopted in D. 13-09-025. Some requests may be very small and require very little effort to transmit or deliver. Others could be gigabytes in size. In addition, sensitive customer information or other information subject to protections will be transmitted to the third party with reasonable encryption. By standardizing delivery mechanisms, PG&E and third-parties will provide pre-approved delivery methods for sensitive information, reducing risk as well as the time to transmit and receive the data.

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GAS RULE NO. 27.1

Access to Energy Usage and Usage-Related Data
While Protecting Privacy of Personal Data

Sheet 5

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A. DATA REQUEST AND RELEASE PROCESS (Cont'd)

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7. Academic Researcher Qualifications

a. Academic researchers shall possess all of the following qualifications in order to be eligible for access to covered energy data:

- 1) The researcher is affiliated with a non-profit college or university accredited by a national or regional accrediting agency and the accrediting agency is formally recognized by the U.S. Secretary of Education.
- 2) The researcher is a faculty member or is sponsored by a faculty member and the researcher and the sponsoring faculty members are responsible for carrying out the terms of the data release and a non-disclosure agreement.

b. Concerning the specific research, to receive covered data, the research project and the researcher shall fulfill the following conditions:

- 1) The researcher shall demonstrate that the proposed research will provide information that advances the understanding of California energy use and conservation. Research may include, but is not limited to, analysis of the efficacy of Energy Efficiency (EE) programs, or demand response programs, or the quantification of the response of electricity consumers to different energy prices or pricing structures. In addition, research pertaining to GHG emissions, the integration of renewable energy supplies into the electric grid, and the analysis of grid operations are also topics vested with a public interest and will advance the understanding of California energy use and conservation. In addition to these research topics, research tied to any energy policy identified in the Public Utilities Code as serving a public purpose is also appropriate.
- 2) Pursuant to the California Information Practices Act, University of California researchers or researchers associated with non-profit education's institutions that seek data containing Personally Identifiable Information (PII) shall demonstrate compliance with the provisions of Civil Code § 1798.24(t)(1).
- 3) The project shall be certified to be in compliance with the federal government's "Common Rule" for the protection of human subjects by an "Institutional Review Board," as defined in the National Science Foundation's Code of Federal Regulations 45CFR690: Federal Policy for the Protection of Human Subjects. For research undertaken by members of the University of California, researchers must demonstrate approval of the project by the CPHS for the CHHSA or an institutional review board, as authorized in paragraphs (4) and (5) of Civil Code § 1798.24(t). Specifically, the review board must accomplish the specific tasks identified in Civil Code § 1798.24(t)(2).

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