

Energy Data Access Committee (EDAC)

EDAC Charter

Background

In the California Public Utilities Commission’s (CPUC’s) Smart Grid Technologies Rulemaking 08-12-009, parties explored proposals to standardize and accelerate third-party access to customer energy usage data consistent with customer privacy in situations where there is no customer consent. On May 5, 2014, the CPUC issued Decision (D.) 14-05-016 *Decision Adopting Rules to Provide Access to Energy Usage and Usage-Related Data While Protecting Privacy of Personal Data* (“the Decision”), which provides access to certain third parties, such as university researchers and local governments, to certain aggregated and anonymized customer data collected by the four California investor-owned utilities (IOUs),¹ while at the same time protecting the privacy of customer-specific data as well as other confidential data that IOUs consider market-sensitive, competitively sensitive, or intellectual property. The Decision also requires IOUs, within six months, to implement web-based applications and tools that allow third parties streamlined access to customer data.

In addition, Ordering Paragraphs 10 and 11 of the Decision direct the formation of Energy Data Access Committee (EDAC) to 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. The decision stipulates the EDAC shall meet at least once a quarter for the initial two years and as necessary thereafter.

The Purpose of the EDAC

The EDAC has three core purposes:

1. To provide advice regarding a utility’s protocols for reviewing data requests,
2. To act as an informal body to review disputes between a utility and a requestor, and
3. To act as an on-going forum to discuss and review changes in protocols in response to changing technological abilities.²

As provided in the Decision, the “goal of this Committee is to serve as a forum for evaluating progress, informally resolving disputes, considering next steps, introducing new ideas, and identifying problems with the utilities implementation of the orders in this decision.”³

¹ The California IOUs are Pacific Gas and Electric Company (PG&E), Southern California Edison (SCE), San Diego Gas & Electric (SDG&E) and Southern California Gas Company (SoCalGas).

² D.14-05-016, p. 98.

³ D.14-05-016, p. 99.

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Further guidance from the Decision clarifies that “when a particular dispute cannot be resolved by the interested parties, a petition process for adopting or clarifying a policy remains available to each party.”⁴

The Decision also states that “the EDAC will work with the four energy utilities so that access to energy data considers the “best available practices” and “best available technologies” to meet the State’s energy policy needs while reasonably protecting customer privacy.”⁵

Membership terms

Members will serve on the EDAC for a minimum of one year. At the end of the first year the member may choose to extend their membership for another year or choose to relinquish their seat to another participant within the stakeholder community. Members that cannot complete a one-year term should submit their resignation to the Chair in writing and provide one or more recommendations for a replacement that can represent their community of interest. Additionally, members will be required to be available for a minimum of three meetings a year.

Frequency of EDAC meetings

EDAC will meet once a quarter in person or via video/teleconferencing accommodations for a minimum of two years. However, if the EDAC finds it warrants to meet more frequently, to discuss items of urgent nature, the EDAC will have the discretion to call for ad hoc meetings, with the contingency that adequate notice be provided to members. Ad hoc meetings will be conducted via conference call or webinar.

Additionally, after consulting with the Energy Division, and with proper justification, EDAC may recommend to extend the committee for an additional period of time beyond its current two-year duration.

Treatment of confidential information

In order to ensure candid discussions, EDAC members will be able to request confidentiality for certain discussions and exchanges of information, similar to the confidentiality rules applicable to CPUC settlement discussions. Members who wish to participate in these discussions would execute the appropriate non-disclosure agreements to safeguard confidentiality.

EDAC Composition

⁴ D.14-05-016, p. 99.

⁵ D.14-05-016, p. 98.

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A Chair and Vice Chair will be elected by EDAC membership to lead the EDAC. The meetings will be hosted by the IOUs or by the Energy Division. The meetings will be scheduled for four hours unless the Chair determines in advance a longer meeting is necessary due to larger than usual agenda. Alternatively, the Chair may choose to shorten a meeting if it is deemed appropriate to do so due to lack pertinent agenda items. Half day meetings will be from either 9am to 1pm or from 1pm to 5pm. Full day meetings, if deemed necessary, will be scheduled from 9am to 4pm (with a lunch break at noon provided by the host utility). IOUs will provide resources to record minutes of the meetings, which will be published on the Energy Data Request Program (EDRP) web portal in addition to being made available on CPUC's EDAC web page. Meetings will be quarterly unless EDAC deems ad hoc meetings appropriate and schedules them accordingly.

The Chair will be responsible for receiving and aggregating the agenda for the meetings. Members will receive advance notice of the agenda. Topics of interest to particular EDAC members will be communicated in advance by the interested members. Topics of discussion may include, but are not limited to, the following:

- Review of dispute resolutions by third parties requesting data from the utilities
- Discuss and review of best practices and benchmarking of data sharing programs
- Discuss and review changes in protocol in response to changing technological abilities

The Committee will have the following membership categories:

Category	# of Members	Examples
Privacy and Consumer Advocates	2	EFF, TURN, CFC, etc.
Academic researchers	2	UC Berkeley, UCLA, UC Davis, etc.
Investor Owned Utilities (IOUs)	4	Data, policy SMEs
CPUC Energy Division Staff (ED)	1	Data, policy SME
CPUC Office of Ratepayer Advocates (ORA)	1	Data, policy SME
California Energy Commission (CEC)	1	Data, policy SME
Local Governments (LGs)	2 ⁶	LGSEC (or Individual LGs)
Rotational Interested Parties	3	NRDC, CSE, CEERT, etc.
Total	16	

⁶ By Committee vote on December 2, 2015, a second member was added for Local Government representation.

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EDAC Bylaws

The following seven Articles provide a foundational framework for the guiding principles of the EDAC:

- 1) Article I – Name, purpose, term
 - Section 1: The committee will be known as Energy Data Access Committee and be referred to as EDAC.
 - Section 2: The EDAC’s purpose is to (a) provide advice regarding a utility’s protocols for reviewing data requests, (b) act as an informal body to review disputes between a utility and a requestor, (c) act as an on-going forum to discuss and review changes in protocols in response to changing technological abilities .
 - Section 3: The EDAC shall exist for a minimum of 2 years and as necessary on an ad hoc basis thereafter as determined by the EDAC.

- 2) Article II – Membership
 - Section 1: EDAC will be made up of 16 members and the members will consist of IOUs, ED, ORA, CEC, Privacy and/or Consumer Advocates, Local Governments, researchers and other interested parties (please refer to the list of members attached as Appendix A to the Charter).
 - Section 2: The EDAC will have a Permanent Membership, made up of the four IOUs, ED, ORA and CEC. Each Permanent Member is responsible for filling his or her seat with a replacement in the event the Permanent Member is unable to continue to serve on the EDAC. The remaining seats will be selected via invitation as determined by the Permanent Membership of the Committee.
 - Section 3: Member selection for the non-Permanent seats on EDAC will be performed by the members of the EDAC using a 2/3 majority vote. Voting may take place during meetings or “out-of-band” between meetings using a simple tally of written ballots (email is acceptable as long it is clear the EDAC member is indicating a yea or nay response to the inclusion of the candidate as a member of EDAC).
 - Section 4: The structural composition of the EDAC representative seats may change upon 2/3 majority vote of the full membership of the EDAC. New members will be added by notifying potential candidates using channels available to the committee in the form of Letters of Solicitation. Candidates who respond by following the instructions outlined in the letter will be

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considered by the EDAC for possible membership. Candidates are welcome to make their interest known at any time and will be considered for future openings that they qualify for.

- Section 5: An alternative non-Permanent member may be selected by the members of the EDAC if a member is unable to fulfill his or her responsibility. Failure to uphold responsibilities to the committee is defined as being unable to attend the minimum required meetings. Members will be required to attend a minimum of three meetings a year. The member whose seat is being vacated may nominate an individual from their stakeholder community for consideration. If none exists, the EDAC may nominate a new member using the selection process outlined in Sections 3 and 4.
- Section 6: A member may be removed upon 2/3 majority vote by the full EDAC membership. A similar stakeholder will be invited to fulfill the remaining term of the removed member. If one does not exist the invitation may be extended to the larger service list soliciting participation, in accordance with Section 4. The EDAC members will then vote to fill the seat being vacated from a pool of interested parties in accordance with Section 3.

3) Article III – Meetings

- Section 1: EDAC shall meet quarterly, with the option for ad hoc meetings if necessary.
- Section 2: EDAC shall maintain a yearly meeting calendar. The meetings will be publicly posted on each IOU's Energy Data Request Program (EDRP) web portals and on the CPUC daily calendar. The Chair will circulate the agenda for this meeting two weeks prior to the meeting.
- Section 3: The meetings will be scheduled for four hours, but will last as long as necessary and as short as possible to complete the agenda items.
- Section 4: A minimum of 2/3 member attendance is necessary for quorum. If more than a third of the members are unable to attend a scheduled meeting the Chair may choose to reschedule a meeting or may choose to move the agenda to the next scheduled meeting.
- Section 5: The Energy Division will establish a group email through which all EDAC members will be notified for any unscheduled communication.
- Section 6: EDAC documents, including meeting minutes, will reside on the CPUC's website, with links to individual IOU data access webpages.
- Section 7: The IOU responsible for hosting the meeting will provide staff to record votes, document minutes, and collect and publish recommendations

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from the majority and dissenting minority on their respective EDRP web portals.

- Section 8: In order to ensure candid discussions, EDAC members will be able to request confidentiality for certain discussions and exchanges of information, similar to the confidentiality rules applicable to CPUC settlement discussions. Members who wish to participate in these discussions would execute the appropriate non-disclosure agreements to safeguard confidentiality.
- 4) Article IV – Decision making procedures
- Section 1: The EDAC will utilize a simple majority voting process for decision making with the ability for the minority to offer its dissenting view. Given the EDAC is an informal and non-adjudicatory body and advice provided by it is non-binding on any party, parties with unresolved disputes may use the Commission petition process to seek clarification of the Decision or guidance on policy interpretation.
 - Section 2: EDAC members may request postponement of agenda topics should they deem it necessary to seek additional feedback from their stakeholder community. The Chair may grant postponements with the understanding that postponements will be seldom made, and then only made where circumstances dictate.
- 5) Article V – Chair and supporting staff
- Section 1: Responsibility of the Chair will be to develop and communicate agenda items for an upcoming meeting. The Chair will additionally have responsibility of facilitating the meetings. Vice Chair will provide the same responsibility in the absence of the Chairperson.
 - Section 2: EDAC members will vote for a Chair that will serve for a minimum of one year, after which a new Chairperson will be voted upon by the EDAC to serve for the second year. Vice Chair will be voted upon by the EDAC. Additional staff will be provided by the IOUs that will assist with managing the meetings.
- 6) Article VI – Reporting and oversight
- Section 1: The host IOU compiles meeting minutes, which will be uploaded to the EDAC/CPUC website (not to exceed 30 days after the meeting date). In addition to IOU's posting any EDAC relevant documents on their respective web portals, Energy Division staff will make all relevant materials also available on an EDAC specific web page on the CPUC's website. Majority and dissenting parties are responsible for drafting their written recommendations, if such documents are

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necessary, and make them available to the IOUs and ED for publication on their respective websites.

7) Article VIII – Amendments

- Section 1: If any amendments to this Charter are discussed and deemed necessary, those amendments will be voted by the EDAC members.

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APPENDIX A - Membership contacts:

Member Organization	Member Representative	Member Email Address
Pacific Gas and Electric (PG&E)	Lena Lopez	lena.lopez@pge.com
Southern California Edison (SCE)	Natalie Martinez	natalie.martinez@sce.com
Southern California Gas (SoCalGas)	Jody Lawler	JLawler@semprautilities.com
San Diego Gas and Electric (SDG&E)	Chris Vera	cvera@semprautilities.com
CPUC Energy Division (ED)	Amy Reardon	amy.reardon@cpuc.ca.gov
California Energy Commission (CEC)	Andrea Gough	Andrea.Gough@energy.ca.gov
CPUC Office of Ratepayer Advocates (ORA)	Zita Kline	Zita.Kline@cpuc.ca.gov
Electronic Frontier Foundation (EFF)	Lee Tien	tien@eff.org
The Utility Reform Network (TURN)	Mark Toney	Mtonney@turn.org
Center for Sustainable Energy (CSE)	Timothy Treadwell	Timothy.Treadwell@energycenter.org
San Francisco Department of the Environment	Barry Hooper	barry.hooper@sfgov.org
Mission:data	Michael Murray	michael@missiondata.org
Natural Resources Defense Council (NRDC)	Maria Stamas	mstamas@nrdc.org
University of California, Berkeley (UCB) Energy Institute at Haas	Karen Notsund	knotsund@berkeley.edu
University of California, Los Angeles (UCLA) Institute of the Environment and Sustainability	Stephanie Pincetl	spincetl@ioes.ucla.edu
City of Chula Vista Economic Development Department, Office of Sustainability	Cory Downs	CDowns@chulavistaca.gov