

December 6, 2022

Shonta Dunston, Chief Clerk
North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4300

RE: North Carolina Utilities Commission Docket No. E-100, Sub 161

Dear Chair Mitchell and Commission Members,

On behalf of the Southeast Sustainability Directors Network (SSDN) and its members, I appreciate the opportunity to provide these comments and recommendations to the North Carolina Utilities Commission (the Commission) on the proposed rules to address customer data access issues in Docket No. E-100 Sub 161. SSDN and its members welcome additional collaboration and discussion on any of the issues described herein with the Commission, the Public Staff, Duke Energy (Duke), and other interveners and stakeholders.

SSDN is a network of local government sustainability professionals representing 115 city, county, and tribal governments in 10 states across the Southeast, including 26 local governments in North Carolina.¹ Through peer-to-peer learning and collaboration, SSDN and its members work together to accelerate, scale, and implement programs to build more sustainable and resilient communities. As part of this work, SSDN regularly engages in direct conversations with utilities and key stakeholders to help ensure that clean energy programs are developed and implemented as effectively as possible for customers.

Local governments in North Carolina and throughout the Southeast are establishing long-term sustainability goals to reduce greenhouse gas (GHG) emissions, invest in clean energy and electric transportation, implement energy efficiency measures, create local jobs, and deliver immediate environmental and public health benefits. SSDN members are regional leaders in localized clean energy and climate action, with over 70 percent of members network-wide adopting GHG reduction goals and measuring emissions reductions across government operations. In North Carolina, 60 percent of SSDN's members track, measure, and report GHG emissions for government operations and 40 percent have taken the next step of adopting community-wide GHG reduction targets. Over a quarter of SSDN's North Carolina members have adopted climate action plans for their communities.

¹ SSDN's North Carolina members include: Apex, Asheville, Boone, Buncombe County, Carrboro, Cary, Chapel Hill, Charlotte, Chatham County, Davidson, Durham, Durham County, Greensboro, Henderson County, Hillsborough, Holly Springs, Mecklenburg County, Morrisville, New Bern, Orange County, Raleigh, Rocky Mount, Wake County, Wake Forest, Wilmington, and Winston-Salem. For more information see: <https://www.southeastsdn.org/members/ssdn-members/>

To this end, it is critical that local governments have access to utility billing data for their own operations, aggregated data for the community, and data for local program participants in order to ensure that they accurately measure their GHG emissions, as well as the effectiveness of sustainability programs in their communities.

SSDN member governments have identified historic and current data access as a major barrier to program implementation and evaluation, and prioritized working collectively to improve access to utility data. Local governments have collaborated through SSDN and the EDF Cities Initiative² to engage in Docket No. E-100 Sub 161 and explore factors that would be critical to how they would request and access utility consumption data. The City of Asheville submitted [comments](#) in this docket in 2019 which reflected these priorities. Durham County and the City of Durham participated in the stakeholder process for Access to Customer Usage Data that the Commission directed Duke Energy to convene in Docket No. E-100, Sub 147 on April 18, 2018.³ Since that stakeholder convening, local governments remain interested in further collaboration on data access and billing platform issues and look forward to continued discussions with Duke Energy staff as well as participating in any follow up stakeholder processes regarding these issues.

Local governments also collaborated with Duke Energy as part of the process to develop the Customer Connect billing platform in 2019. Partners identified utility billing system features and functionality that would help local governments manage their energy usage and achieve their GHG reduction goals. Local governments created a list of their desired priority functions and features for Customer Connect and shared these priorities with Duke Energy staff. The majority of their priorities focused on features and functionality related to data access, including:

- Access to all data points on billing and additional consumption data including interval level and sub meter data,
- Access to 5 years of historical data,
- Data point descriptors and definitions to tell a user what each data field is and what is being measured, and
- API or integration functionality for other tracking and analytics systems.

Duke Energy staff attended an EDF Cities Initiative meeting in December of 2019 to discuss the priorities and the local government use cases behind them. Duke Energy staff offered to share this input with the Customer Connect development team. In January of 2021, Duke Energy staff returned to a Cities Initiative meeting to review the identified priorities and discuss which ones were going to be addressed in the Customer Connect rollout. More recently, SSDN members and staff have been engaging directly with Duke and the Public Staff to discuss data access concerns and obstacles encountered with Customer Connect.

² The Cities Initiative is convened by EDF and brings over two dozen NC local governments together to identify and address systemic barriers in North Carolina to GHG reduction. Cities Initiative participants' priorities include access to utility consumption data and creation of a utility billing platform that helps local governments and customers understand and manage their energy use.

³ <https://starw1.ncuc.gov/NCUC/ViewFile.aspx?Id=5765d059-3425-43e6-bb2f-9927741a8006>

Since initial comments were submitted to the Commission in 2019, SSDN members and EDF Cities Initiative participants have continued to face obstacles in accessing their own utility data through Customer Connect, community level data, and program participant data through Duke Energy's data request process. Having this data would enable better monitoring of local government and community GHG emissions, cost-effective operation of government facilities, and evaluation of emissions reduction programs.

Specific examples from several SSDN members that illustrate ongoing issues local governments are encountering regarding access to energy usage data are included below. In an effort to improve data access for our members, SSDN requests:

1. Availability of local governments' utility data in an electronic, machine readable format.
Duke has committed to providing public sector customers, including local governments, with machine readable versions of their own data, both billing data and smart meter data. Having the ability to streamline the analysis of their own data, including sub-hourly interval data, that is reliably downloadable and not time shifted, through electronic analytic tools enables local governments to save energy and money and allows for accurate accounting of the impact of energy efficiency (EE), onsite solar generation, and demand reduction efforts. Despite collaborative efforts with Duke, local governments are still encountering barriers to directly accessing their own energy usage data. Many public sector customers that have facilities on collective billing do not have the ability to utilize the "Download My Data" function, which prevents them from accessing high resolution smart meter data. We appreciate efforts to date to grant local governments' access to their interval level data, but suggest standardizing this type of access across Duke Energy Carolinas and Duke Energy Progress territories to ensure all local governments across the state have the same type of data access. We look forward to continued efforts to create a long term solution that ensures that local governments have consistent access to their own billing and meter data, as well as the ability to make their own data available to customer verified and vetted third-parties that provide data analysis support services to local governments. **SSDN recommends that Duke Energy be required to provide customers direct, immediately available access to their own utility data, including historic data going back 5 years, in an electronic, machine-readable format, as well as the ability to share their own data with third parties.**
 - a. The City of Asheville issued an RFP for a solar lease for a large event space in the City with heavy demand charges. The data the City has access to currently does not include interval-level data, which leads to disparate demand savings estimates. The City is unable to accurately project the benefits of installing solar on-site at that facility due to a lack of data to confirm the time demand charges occur.
2. Availability of aggregated data to inform policy and programmatic decision making, tracking of metrics, and reporting, at a scale that protects privacy and also provides enough granularity to be useful, such as by employing the 15/15 rule or more granular

data sets.⁴ In Colorado, in response to privacy concerns and in order to still allow important data to be shared in instances where fewer than 15 customers are included in a specific grouping, parties agreed to allow the combination of customer classes in order to meet the minimum customer threshold required by the 15/15 rule.⁵ Including both energy consumption data, as well as data on EE program participation broken down by sector, is invaluable for local governments seeking to measure and track GHG emissions across their jurisdictions. It is also especially useful as local governments evaluate, plan, and support public EE and/or weatherization programs, as improved data access has the potential to facilitate local government understanding of energy burden to better support EE programming. This aggregated data should also be made available to other interested parties such as researchers and service providers. **SSDN supports the provision in the Public Staff's proposed changes to R8-51 (g, l-o)⁶ that would expand Duke Energy's ability to share this type of aggregated data, including with local governments, which would improve local governments' ability to measure program effectiveness and monitor progress toward climate goals.** Examples of local government projects that would have been improved with access to aggregated community energy data include:

- a. Durham County recently conducted work related to resilience and urban heat islands. The County identified a need to determine where areas of community energy burden overlap with heat islands to facilitate better prioritization, which would necessitate access to aggregated community energy use data. This type of data access would enable the County to better serve its residents by targeting heat island remediation programming to residents that are most in need of assistance.
 - b. The Town of Chapel Hill is working to better understand who in the community would benefit the most from weatherization programs in order to make the best use of limited funding and staff resources. Improved access to data and increased partnership with the utility to determine who is energy burdened would enable local government programs to be administered more effectively.
3. Access to a standard consent-based utility release form on Duke Energy's website. Several local governments administer low-income weatherization programs, commercial benchmarking programs, and other programs where having standard release forms readily available would enable the programs to enroll and assist more residents or businesses. **SSDN supports the Public Staff's proposed R8-51(g) to have a customer consent form authorizing the disclosure of customer data on Duke**

⁴ NC Utilities Commission, Rulemaking Docket for Commission Rules Related to Electric Customer Billing, Docket No. E-100 Sub 161, Public Staff's Initial Comments and Proposed Draft Rules, Appendix II at 5 (Feb. 10, 2020) (PDF)

⁵ CO Public Utilities Commission, Data Access and Privacy Rules for Electric and Gas Utilities, Docket G_363066, Joint Filing from the Community Energy Report Stakeholder Group (Feb 3, 2015) (https://www.dora.state.co.us/pls/efi/EFI.Show_Filing?p_fil=G_363066&p_session_id=

⁶ NCUC Docket No. E-100 Sub 161, Public Staff's Initial Comments, Appendix II at 4-6.

Energy's website.⁷ We also recommend standardizing the format in which customer data is received and establishing a standard waiting period between when the request is submitted and when data is supplied.

- a. In collaboration with Duke Energy, the Town of Chapel Hill designed a standard utility data release form for a town-administered program; however, it was later deemed as no longer applicable after data had been collected. This resulted in no data flowing between the utility and the Town; the data that the Town did receive was directly from participating residents sharing physical bills, which placed an undue burden on program participants to track their own data. A standardized customer consent form as outlined in the Public Staff's proposal would resolve many of the highlighted issues of program administration and ensure a smoother experience for program participants.

Local governments recognize the amount of effort Duke Energy has put into improving customers' access to their energy usage data with new billing systems in recent years and hope that, as Duke and the Commission work to improve customer access to utility data, the issue of inconsistent access to utility data for local governments is resolved to allow them to successfully track energy use and emissions. Although local governments have had robust engagement and multiple discussions with the utility's staff to date and remain deeply interested in collaborating with Duke to reach a workable solution, local governments desire increased clarity on how their feedback is being utilized – an ongoing process to track and collaborate on implementation would be valuable. Local governments have a productive history of partnering with Duke Energy on data access issues and are committed to working with Duke and the Commission to facilitate the solutions outlined in this letter in a timely manner, which will enable local programs to benefit residents, businesses, and local government operations. We appreciate the consideration of our recommendations by the Commission and hope to continue active collaboration and partnership on the issue of customer data access.

Respectfully,



Meg Jamison
Director
Southeast Sustainability Directors Network
(423) 416-0839 (mobile)
meg@southeastsdn.org

⁷ NCUC Docket No. E-100 Sub 161, Public Staff's Initial Comments, Appendix II at 4.