

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. E-100, SUB 161**

In the Matter of:)	
Commission Rules Related to Electric)	NCSEA’S COMMENTS AND
Customer Billing Data)	REQUEST FOR REPLY
)	COMMENTS

NCSEA’S COMMENTS AND REQUEST FOR REPLY COMMENTS

Pursuant to the *Order Granting Additional Extension of Time* issued by the North Carolina Utilities Commission (“Commission”) in the above-captioned docket on November 8, 2019, the North Carolina Sustainable Energy Association (“NCSEA”) submits the following comments. Further, inasmuch as the Commission’s *Order Requiring Information, Requesting Comments, and Initiating Rulemaking* issued on February 4, 2019 in Docket Nos. E-100, Sub 153, E-100, Sub 157, and E-100, Sub 161 requests proposed rules be filed with initial comments, NCSEA respectfully requests that the Commission allow reply comments so that parties may respond to the various proposed rules.

NCSEA has long been a proponent of improving customer access to their energy consumption data, allowing customers to authorize third-parties to access their energy consumption data, and allowing access to aggregated and de-identified energy consumption data. *See generally, NCSEA’s Comments*, Docket No. E-100, Sub 137 (February 5, 2013); *NCSEA’s Compiled Consumer Statement of Position Letters*, Docket No. E-100, Sub 137 (February 12, 2013); *Comments of NCSEA and EDF*, Docket No. E-100, Sub 141 (January 9, 2015); *NCSEA’s Comments*, Docket No. E-100, Sub 147 (December 19, 2016); *NCSEA’s Initial Comments*, Docket No. E-100, Sub 157 (January 16, 2019); *Direct Testimony of Michael Murray on Behalf of North Carolina Sustainable*

Energy Association, Docket No. E-2, Sub 1142 (October 20, 2017)¹; *NCSEA’s Partial Proposed Order*, Docket No. E-2, Sub 1142 (January 12, 2018); *Direct Testimony of Michael Murray on Behalf of North Carolina Sustainable Energy Association*, Docket No. E-7, Sub 1146 (January 23, 2018); *NCSEA’s Post-Hearing Brief*, Docket No. E-7, Sub 1146 (April 27, 2018).

Leading up to the filing of these comments, the Public Staff – North Carolina Utilities Commission (“Public Staff”) circulated amongst the parties the draft rule that they planned to propose. In addition, the North Carolina Attorney General’s Office (“AGO”) and Mission:data circulated amongst the parties an additional draft rule. NCSEA is generally supportive of the both Public Staff’s proposed Rules R8-7 and R8-51² and the AGO/Mission:data rule.

NCSEA supports the Public Staff’s proposed Rule R8-51, but believes that the changes to Rule R8-51 regarding North American Energy Standard Board’s Req. 21, the Energy Services Provider Interface (“Green Button”) that the Public Staff proposes to come into effect on January 1, 2022 should be accelerated. NCSEA recognizes that there are practical limitations to the instantaneous adoption of the Green Button standard but notes that the conversation related to data access in North Carolina has already been going on for seven years. As such, NCSEA would propose that the Green Button portion of the Public Staff’s rule come into effect six months after a final Commission order in this rulemaking proceeding. NCSEA is also generally supportive of the Public Staff’s proposed changes to Rule R8-7, but is concerned about the vague nature of the language proposed for Rule

¹ Portions of Mr. Murray’s testimony filed in Docket No. E-2, Sub 1142 were struck as not relevant to the underlying general rate case application by the Commission in its *Order Granting in Part and Denying in Part Motion to Strike Testimony* issued on November 3, 2017.

² NCSEA does not take a position on the Public Staff’s proposed changes to Rule R8-8.

R8-7(c). Specifically, NCSEA believes that the phrase “Once metering and billing technology required for such analysis is in place” needs to be better defined. As with the Public Staff’s proposed Rule R8-51, NCSEA believes that the requirements of Public Staff proposed Rule R8-7 should be required six months after a final Commission order in this rulemaking proceeding.

Similar to the Public Staff’s proposed rule, the AGO/Mission:data proposed rule requires compliance with Green Button and authorizes the use of aggregated, de-identified energy consumption data. As such, NCSEA supports the AGO/Mission:data proposed rule as written.

While NCSEA was afforded the opportunity to review both the Public Staff and AGO/Mission:data proposed rules, NCSEA recognizes that other parties to this proceeding may propose rules or changes to the Public Staff and AGO/Mission:data rules. As such, NCSEA respectfully requests that the Commission allow the parties to file reply comments to address any other proposed rules or initial comments filed in this proceeding.

Respectfully submitted, this the 10th day of February, 2020.

/s/ Peter H. Ledford
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CERTIFICATE OF SERVICE

I hereby certify that all persons on the docket service list have been served true and accurate copies of the foregoing Comments by hand delivery, first class mail deposited in the U.S. mail, postage pre-paid, or by email transmission with the party's consent.

This the 10th day of February, 2020.

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