

Consumer Power Advocates

Columbia University Medical Center
Fordham University
Memorial Sloan Kettering Cancer Center
The College of New Rochelle

Mount Sinai Health System
New York Presbyterian Hospital
New York University
NYU Langone Medical Center

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January 13, 2016

Honorable Kathleen Burgess
Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

RE: 14-M-0101- Reforming the Energy Vision, Comments on Data Issues

Dear Secretary Burgess,

These are the comments of Consumer Power Advocates (CPA) regarding data privacy and security issues raised at the December 16, 2015 technical conference in the above captioned proceeding. Consumer Power Advocates' mission is to lower energy costs for our members through representation in energy-related regulatory and legislative proceedings. CPA is an alliance of large not-for-profit institutions in the greater New York region. Our membership is open to hospitals, universities, medical schools, and cultural institutions. CPA members include some of the largest employers and energy users in New York State. Six of our recent member hospitals are among the 15 largest regional health organizations including five of the ten largest. Six current CPA members are among New York City's 25 largest employers, according to Crain's New York Business.

CPA supports the Commission's efforts to define secure data protocols that respect customer privacy. In our view, customer data is customer property. As such, it should always be available to customers and their identified agents and to their vendors or contractors with permission only. Moreover, customer identifying information must never be disclosed without the customer's specific consent. As described in the above mentioned technical conference, the current EDI protocol may not meet criteria.

CPA also believes that data must be available to customers in a conveniently usable form. That means it should be downloadable from utility supported platforms at all times at the customer's option, in formats that are usable in widely available software. Utilities should not charge for this service, nor should they be allowed to sell customer specific data. Any use of data by utilities as a revenue generating resource will ultimately create an incentive to restrict the availability of that data from all other parties, including customers. Any restriction on the customer's access to his or her own data will only discourage the development of innovation and market based solutions to energy use problems.

Finally, it is important that customer data be available to agents and consultants identified by the customer on the same basis as available to the customer. The New York's energy systems are becoming increasingly complex, and many customers, including some of the most sophisticated consumers, may not have the specific skills and knowledge necessary to optimize the value of these new opportunities. In these circumstances, it is essential that customers have available to them the advice of third party experts, including consultants who do not have a direct interest in energy sales transactions. It is critical for customers to have the best advice from disinterested experts if they are to understand the full potential value of these new opportunities. Absent the knowledge provided by expert advisors, many consumers will not achieve the promised benefits of REV. In the worst case, the least knowledgeable customers will be the victim of misleading or even fraudulent business practices.

Thank you for the opportunity to offer these comments.

Respectfully Submitted,

Catherine Luthin

Executive Director, Consumer Power Advocates