

**STATE OF NEW YORK
PUBLIC SERVICE COMMISSION**

In the Matter of the Utility Energy Registry	Case 17-M-0315
In the Matter of Distributed System Implementation Plans	Case 16-M-0411
Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs	Case 14-M-0224

**JOINT UTILITIES’ COMMENTS ON UTILITY ENERGY REGISTRY
STATUS REPORT**

I. INTRODUCTION

Consolidated Edison Company of New York, Inc. (“Con Edison”), Orange and Rockland Utilities, Inc. (“Orange and Rockland”), Central Hudson Gas & Electric Corporation, National Fuel Gas Distribution Corporation, Niagara Mohawk Power Corporation d/b/a National Grid, KeySpan Gas East Corporation d/b/a National Grid, and The Brooklyn Union Gas Company d/b/a National Grid NY (collectively, “National Grid”), New York State Electric & Gas Corporation, and Rochester Gas and Electric Corporation (collectively, the “Joint Utilities”) submit these comments in response to the Public Service Commission’s (“Commission”) *Notice Soliciting Comments on the Utility Energy Registry Status Report* (“Notice”).¹ In the Notice, the Commission seeks comments on the New York State Energy Research and Development Authority’s (“NYSERDA”) Utility Energy Registry (“UER”) Status Report prepared by Climate Action Associates, LLC (“Report”).² The Report describes the progress of the UER’s implementation and operation, including the demand for, uses of, and benefits of UER data, and proposes modifications to: 1) refine and better document methodologies for the Joint Utilities to

¹ Cases 17-M-0315 *et al.*, *In the Matter of the Utility Energy Registry* (“UER Proceeding”), Notice Soliciting Comments on the Utility Energy Registry Status Report (issued January 10, 2020) (“Notice”).

² UER Proceeding, NYSERDA UER Status Report (filed December 30, 2019) (“Report”).

populate the UER; 2) restructure UER data fields; and 3) add additional data sets that would be useful to distributed energy resources (“DER”) providers.

The Joint Utilities continue to support making energy consumption and related information available for public use to assist with community-based energy planning, raise energy usage awareness, facilitate effective adoption of DER, and support state and national energy and environmental goals. The Joint Utilities have supported since its inception and provide the data necessary to populate the UER. In addition, the Joint Utilities have established and continue to enhance web-based information portals that provide access to utility system data, hosting capacity data, and potential non-wires solution opportunities. The UER, along with these other data access and sharing platforms, either in development or under consideration, complement the utility information portals and collectively can be used to meet the needs of various stakeholders.

As recommended by the Report, the Joint Utilities support NYSERDA convening a UER working group to provide overall governance for the UER and serve as a forum to evaluate protocols, methodologies, and other technical and policy decisions, with participation of Department of Public Service Staff (“Staff”), utilities, and other stakeholders. However, this UER working group should complement other Commission efforts to evaluate data access needs holistically across the State. In particular, in its March 19, 2020 *Order Instituting Proceeding* in Case 20-M-0082, the Commission initiated a comprehensive proceeding to address the strategic use of customer energy-related data (“Data Proceeding”).³ As part of this Data Proceeding, the Commission directed Staff to develop and issue for comment two whitepapers related to the strategic use of data. One whitepaper will focus on developing a data access policy framework that standardizes the necessary privacy, cybersecurity, and quality requirements for access to energy-related data. The other will focus on the development of an integrated energy data resource that would provide a platform for access to customer and system data.⁴ So as to not duplicate collaborative efforts, or platforms, the UER working group must complement the efforts being undertaken in the Data Proceeding. For instance, the working group should focus

³ Case 20-M-0082, *Proceeding on Motion of the Commission Regarding Strategic Use of Energy Related Data*, Order Instituting Proceeding (issued March 19, 2020), p. 7.

⁴ *Id.*, pp. 7-8.

on technological or operational issues specific to UER, and not address or evaluate policy modifications to the UER.

The Joint Utilities provide specific responses to the Report's recommendations below but note that many recommendations would be more effectively addressed in the proposed UER working group and in the upcoming Data Proceeding.

II. RESPONSES TO SPECIFIC RECOMMENDATIONS IN THE REPORT

a. Refine and Better Document Methodologies

The Report recommends the formation of a standing UER working group of utilities, NYSERDA, Staff, and others as needed to develop and maintain a formal New York UER Protocol that defines methodologies for populating the UER consistent with Commission orders and to address and solve technical issues. As noted above, the Joint Utilities support a governance structure for continued UER support and oversight.

b. Restructure UER Data Fields

The Report recommends restructuring UER data fields to align with Energy Information Administration ("EIA") standard sector categories of Residential (R), Commercial (C), and Industrial (I). The Report states that this alignment conforms more broadly with standard sector categories ("National Protocol") that energy planners use rather than the current Residential (R), Small Commercial (SC), and Other (O). The current UER customer groupings were adopted based on utility rate service classes or groupings of those classes and, in particular, to provide useful information for Community Choice Aggregation ("CCA") programs related to the types of customers that could be enrolled in a CCA on an opt-out basis.⁵ Restructuring of UER customer groupings may be appropriate only if the needs of stakeholders such as municipalities and CCA administrators have changed since development of the original fields.

Changing fields now, absent a demonstrable need, raises a variety of issues. Modifying the UER customer groupings may result in data inconsistencies across utilities in New York due

⁵ The SC grouping comprised those non-residential service classes determined to be eligible for opt-out participation in CCA programs; generally, these are service classes not billed on a demand basis. The O grouping is generally comprised of large commercial/industrial users taking demand service and street lighting.

to tariff variations and differences in service classes. In addition, restructuring the customer groups may impact the number of customer data aggregations that pass Commission-mandated privacy screens, especially as they relate to the industrial sector.⁶ Moreover, moving to the EIA customer groupings may produce new and unforeseen issues with UER data results, completeness, and consistency. Finally, the Joint Utilities need to evaluate the level of complexity to modify the customer groupings, including the cost and time required to do so. Therefore, customer groupings should not be modified now. Rather, the new UER working group can consider the usefulness and feasibility of any future modifications.

c. Add Power Generation Identifier

In addition to the recommended modification of customer groupings above, the Report recommends that, for natural gas reporting, an identifier be established for Power Generation (“PG”), that would also follow the EIA’s Power Program reporting framework.⁷ The Joint Utilities do not oppose adding a PG identifier for UER, but recommend that NYSERDA or its UER contractor obtain and populate the PG data into the UER. Obtaining the PG information from EIA would avoid the need for utilities to apply the privacy screens to utility-supplied PG usage data, as mandated by the Commission in the UER Order.

d. CCA Policy Metrics

The UER currently provides communities and CCA administrators with the total number of customer accounts (R, SC, O) and the total number of ineligible CCA accounts (R, SC)⁸ in a given municipality or zip code. The Report recommends adding the total ineligible load to streamline access to CCA metrics desired by communities and potential market participants. This recommendation ignores that the Commission has already approved utility tariffs in place that authorize them to collect a fee for the provision of the CCA opt-out eligible customer count

⁶ The UER Order prescribed a privacy screen of 15/15 for the R grouping and 6/40 for SC and O groupings. Accordingly, under the proposed new sector grouping, each Commercial (C) load data aggregation by zip code (New York City only), municipality, or county will now need to have at least six customers under commercial service class (utility-specific), and none of those customers can exceed 40 percent of the total load in MWh or Therms. UER Order, pp. 24-25.

⁷ Grid-connected generators with a nameplate capacity of 1 MW or greater are required to publicly disclose energy to EIA on Forms EIA-923 and EIA-860.

⁸ Customers currently being served by an Energy Services Company (“ESCO”) or that have a block on their account are considered ineligible for CCA opt-out enrollment.

and load.⁹ Therefore, providing such data sets improperly circumvents the utilities' approved tariffs such that this modification should not be adopted.

e. Add Distributed Energy Resource Fields

The Report recommends incorporating information on DER in the UER and noted that municipally-aligned DER information is important to community energy planning and may allow local governments to establish goals and develop plans, codes, and regulations to site these resources with community input. The Report proposes that, by adding data about DER connected to the grid, the UER may become a “simple, one-stop solution”¹⁰ for energy planners.

The Joint Utilities already provide useful information for DER developers, customers, and other stakeholders through a variety of public channels, including provision of data on a monthly basis on the Department of Public Service Standardized Interconnection Requirements (“SIR”) Utility Interconnection Queue Data,¹¹ as well as through the Distributed System Implementation Plans.¹² In addition, the Data Proceeding will likely consider how and where utilities should be providing this type of data to that extent it is not already provided. Therefore, the UER should not be modified now to include additional DER information.

f. Modifying Data Screening to Increase Access to Data

The Report recommends two changes to the Commission-mandated aggregation privacy screening for the UER: 1) requiring the utilities perform privacy screening based on annual data sets as opposed to the current monthly data sets, and 2) eliminating the privacy screen that provides privacy protection for customers whose usage represents a high percentage of the aggregation. Each of these changes would violate the Commission's aggregations standards, which were developed after careful consideration of stakeholder feedback. As an example, after considering the feedback from stakeholders, including community planners, CCA administrators, and consumer advocates, the Commission did modify existing aggregated data standards for non-

⁹ Case 14-M-0224, Order Establishing Community Choice Data Access Fees (issued December 14, 2017), *Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs*.

¹⁰ UER Proceeding, Report, p. 13.

¹¹ The SIR Utility Interconnection Queue Data is available at:<http://www3.dps.ny.gov/W/PSCWeb.nsf/All/286D2C179E9A5A8385257F8F003F1F7E>

¹² Case 16-M-0411, *In the Matter of Distributed System Implementation Plans*.

residential customers to make the UER more effective.¹³ Instead of modifying the Commission’s aggregation standards, the Joint Utilities believe that a closer review of the application of screening methodologies among UER groupings, especially if these will be restructured, likely would provide more benefits.

g. Establish a Process for Publishing Exemptions

The Report recommends establishing a process for entities to request an exemption from publishing their energy use information in a specific location if they demonstrate a reason. The Report did not identify the basis for this recommendation. However, on the surface, this recommendation presents significant challenges in terms of administering any kind of an “exemption” process. The Joint Utilities recommend that the new UER working group consider this recommendation.

III. CONCLUSION

The Joint Utilities strongly urge that the most effective approach for managing the modifications to the UER suggested in the Report is through the recommended UER working group or and in the broader context of the Data Proceeding.

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Respectfully submitted,

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¹³ UER Order, pp. 24-25.

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