

State AMI Aggregation Summary

California

California's PUC adopted the 15/15 rule which requires aggregation of at least 15 customers and a single customer's load must be less than 15% of an assigned category (*see*, Commission Decision 97-10-031). In addition, Cal. Pub. Res. Code § 25402.10 sets an aggregation requirement of three or more active utility accounts for a covered building regard an obligation to provide energy usage data pursuant to a written authorization.

Regulations prohibit sale of personally identifiable information (Cal. Pub. Util. Code §§ 8380–81) and require contractual protections when sharing personally identifiable information with third-parties (which is only permitted with customer consent) (Cal. Civ. Code § 1798.98).

Colorado

Colorado has adopted a 15/15 rule that requires aggregation of at least 15 customers and no single customer in a class exceeding 15% or more of the total data (3.3033(b)). In addition, the regulation requires that the utility ensure that the data does not include any personal information or a unique identifier (3.3033(a)), and requires utilities to disclose their security protections in their tariff (3.3033(d)).

The regulation uses the following definition: “aggregated data” means customer data, alone or in combination with non-customer data, resulting from processing (*e.g.*, average of a group of customers) and/or the compilation of customer data of one or more customers from which all unique identifiers and personal information has been removed.” 4 CCR 723-3, § 3001(b).

4 CCR 723-3.3033

District of Columbia

DC has adopted a 5/80 rule and requires aggregation of at least 5 customer accounts and no one account, other than the account registered to the building owner, can represent more than 80% of the total energy consumption.

D.C. Official Code § 8-1774.07

Illinois

The ICC has adopted a 15/15 aggregation rule that requires at least 15 customers within the same ZIP+4 area, stripped of any identifiable information, and no single customer can comprise more than 15% of the total data. The Commission's Order also found that “anonymous data” is individual customer data with “customer specific information” removed.

See, Investigation of Applicable of Sections 16-122 and 16-108.6 of the Public Utilities Act (Docket 13-0506, [Final Order](#)).

Minnesota

The Minnesota PUC has not adopted a specific standard but requires the utility to “adequately protect the anonymity of the [customer energy use data]” and to file its aggregation and release policies with the Commission.

See, In the Matter of a Commission Inquiry into Privacy Policies of Rate-Regulated Energy Utilities, Docket No. E,G-999/CI-12-1344 ([Order](#))

New York

New York DPS has adopted the 15/15 standard for residential which requires aggregation of at least 15 customers and no one customer may account for more than 15% of the total consumption. In the context of its utility energy registry order, it adopted the 15/15 standard for residential users and set a separate 6/40 standard (*i.e.*, 6 customer, no more than 40% of total) for small commercial and other groups.

See, In the Matter of the Utility Energy Registry (Case 17-M-0315) and *In the Matter of Distribution System Implementation Plans* (Case 16-M-0411).

North Carolina

We do not believe that North Carolina Utilities Commission has set a particular standard but it has requested that utilities provide more information on the dissemination of customer usage data to third parties.

See, Order Accepting Smart Grid Technology Plans issued March 29, 2017, in Docket No. E-100 Sub 147.

Oklahoma

Oklahoma statute provides that electric utilities may “disclose aggregate usage data to third parties and may make aggregate usage data generally available to the public ...” so long as the usage data “contain a sufficient number of similarly situated customers within a particular geographic areas so that the daily usage routines or habits of an individual customer could not reasonably be deduced from the data” (§ 710.7)

Oklahoma law defines “aggregate usage data” as “any usage data from which all identifying information has been removed such that the individual usage data of a customer cannot without extraordinary effort and expertise be associated with the identifying information of that customer.” (§ 710.3)

17 Okl. St. §§ 710.3, 710.7

Vermont

Disclosure of aggregated data is permitted or even required under some circumstances, but no methodology for aggregating data is specified. “Any aggregation of customer information by a Utility for any purpose shall be done in such a way that individual customers cannot be identified from that data unless in the case of an [energy efficiency utility] such aggregation is otherwise performed as authorized under the EEU’s Order of Appointment and the corresponding Process and Administration Document as established by the Vermont Public Utility Commission.”

See, Docket 7307, Order issued February 25, 2019, Final Order Approving a Statement of Principles Relative to Privacy.

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