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VIA E-MAIL

Aida Camacho-Welch
Secretary of the Board
New Jersey Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Trenton, New Jersey 08625-0350
Board.secretary@bpu.nj.gov

Re: Comments on the Board's AMI Work Session
BPU Docket No. EO20110716

Dear Secretary Camacho-Welch:

On behalf of Direct Energy, ENGIE Energy, NRG Energy, and Vistra, ("Competitive Suppliers") we commend the Board for scheduling an Advanced Metering Infrastructure ("AMI") Work Session on November 23 and for providing an opportunity to comment on the important issues which were raised during the course of the Work Session. As the above third-party suppliers ("TPSs") requested in our April 16 letter[1] to the Board, we once again request that the Board initiate a generic AMI data stakeholder process to establish the foundational regulations necessary for effective customer data access and protection. A stakeholder proceeding would allow the Board to create a uniform framework and platform for AMI data access which will fully unlock the value of a modernized electric system and enable cost-effective achievement of New Jersey's clean energy goals. We strongly agree with the 2019 Energy Master Plan: Pathway to 2050 ("EMP") observation that statewide AMI deployment will allow New Jersey customers to achieve gains in energy efficiency, better environmental outcomes, and cost savings – and it will take the participation of competitive suppliers to make that a reality.

As many of the panelists at the AMI Work Session suggested, it is essential, more efficient, and less costly to establish clear AMI data access standards before the state's EDCs have installed AMI meters rather than waiting until after the meters are deployed. The EDCs should be required to incorporate the data access standards in the initial build out of their systems and to make the data available to the market concurrent with the phase deployment of their AMI systems and smart meters. Any delay in addressing data access will unnecessarily delay New Jersey customers from

[1] *See* April 16, 2020, letter from Murray Bevan to the Board requesting an AMI Stakeholder Process.

utilizing the innovative energy efficiency, demand response, and carbon reduction solutions that the Competitive Suppliers look forward to offering in New Jersey. Customers' access to AMI data will provide them with a better understanding of and control over their energy usage. TPSs must have access to this data as soon as it becomes available so that they can begin to digest and analyze their customers' usage patterns and design solutions to meet their needs.

ACCESS TO INTERVAL USAGE DATA IS ESSENTIAL TO SPUR MARKET INNOVATION AND ALLOW GREATER CUSTOMER CONTROL OVER THEIR USAGE

AMI smart meters, unlike the current meters in use, measure and collect granular energy usage data in increments ranging from one minute to an hour. This data, which is commonly referred to as Interval Usage ("IU") data, provides information about how much electricity a customer is using during every hour (or less) of the day. The availability of IU data to TPSs spurs innovation and customized energy solutions that enable customers to take control over both their energy usage and budgets through products and services designed to help them shift their usage based on their individual needs.[2]

TPSs will also rely on this data to improve their own load profiling and forecasting as well as customer segmentation and behavior analysis, thereby promoting a smarter and more efficient grid. For this reason, IU data must become standard usage data available to all TPSs for all of their customers in New Jersey. This is the data of the future and the only way that customers will realize the full benefits of this data is for it to be widely available to the customers' chosen suppliers.

The ability to deliver product innovation hinges on timely and efficient access by TPSs to their customers' near real-time IU data from AMI meters every single day, all at one time, with watt level precision, and on having PJM load settled based on that data. In addition, Peak Load Contributions ("PLCs") must be calculated for customers based on each customer's individual AMI hourly peaks and used to set each customer's ICAP tag. Specifically, TPSs should have access to Billable Quality Interval Usage ("BQIU") data from AMI meters within at least 48 hours. This data must be made available daily and each supplier must be able to access the data for all of its customers at one time. At a minimum, TPSs should have access to their customers' IU data through the EDC's existing secure supplier portal via comma-separated values (".CSV") flat files – and where no portal exists, through newly created FTP sites – as well as through Electronic Data Interchange ("EDI"). Finally, during each phase of AMI meter deployment, the data should be made available to customers and their suppliers as soon as the meters are installed and begin collecting data.

THE AMI METER DATA BELONGS TO THE CUSTOMER

Importantly, the Board should acknowledge and declare that the interval usage data generated by AMI meters belongs to the customer and the customers should alone be in control of access to their usage data. Customers should be free to grant access to their data to their chosen competitive

[2] *See, e.g.,* Leveraging Competitive Markets to Unlock the True Value of AMI | R Street (October 26, 2020).

supplier in the same way they grant access to their chosen supplier to switch their electricity service and obtain their usage data from their respective EDC during the contracting process.

NEW JERSEY CAN LEARN FROM OTHER STATES

New Jersey does not need to develop from scratch the foundational AMI data requirements necessary to facilitate a data-rich environment. We can learn from other states that have already blazed the trail. Moreover, it is unlikely that a single data access solution will be sufficient to meet the needs of all market participants. A variety of solutions can and should be adopted in New Jersey to meet various needs in the market. For example, the Pennsylvania Public Utility Commission ("PAPUC") directed its EDCs to work through its Electronic Data Exchange Working Group process to develop Electronic Data Interchange transactions to fully achieve the capabilities of smart meter technology. Specifically, the PAPUC directed that all EDCs provide customers and their designated representatives with data access that fulfills the requirements of open, non-proprietary, two-way access for electric suppliers and third parties, such as conservation and load management service providers, and full electronic access for customers and their representatives to meter data upon customer consent. The PAPUC has also defined "bill quality data" for the purpose of functionally being able to bill using it and requires such interval data to be shared within 24 to 48 hours of daily meter reads. Moreover, the PAPUC directed the work group to develop standardized solutions for the acquisition of historical interval usage and BQIU data via a secure web-portal and those solutions were approved and implemented in 2017.[3] These solutions included a requirement for flat .CSV batch files with a rolling 10-days' worth of IU data delivered through the EDCs' supplier portals daily, an API solution capable of retrieving real time and historical interval usage,[4] and an EDI solution. All of these solutions were implemented by the Pennsylvania EDCs.

1) Similarly, the Maryland Public Service Commission convened stakeholders and developed a methodology for the delivery of near real-time BQIU data to third-party suppliers as well as a customer consent policy.[5] IU data is also available via EDI in Maryland. The same is true for the utilities in Delaware and the District of Columbia.

CONCLUSION

Direct Energy, ENGIE Energy, NRG Energy, and Vistra urge the Board to initiate, as quickly as possible, a generic stakeholder process to establish foundational regulations necessary for effective customer data access and protection. Specifically, this proceeding should develop standardized

[3] *See* Pennsylvania Public Utility Commission, Smart Meter Procurement and Installation, Docket No. M-2009-2092655, Final Order (December 5, 2012).

[4] API (application programming interface) is a computing interface that defines interactions between multiple software intermediaries.

[5] *See* Public Service Commission of Maryland, Order No. 87285 (December 8, 2015).

data access requirements that enable all TPSs to access their customers' BQIU data, all at one time, every single day. This stakeholder proceeding should ensure that the EDCs do not develop or implement AMI plans that would inhibit a statewide uniform framework and platform for customer data access and protection necessary to fully unlock the value of a modern electric system and to cost-effectively achieve the State's clean energy goals.

Very truly yours,

Murray E. Bevan