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December 7, 2020

VIA ELECTRONIC MAIL ONLY

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

**Re: Jersey Central Power & Light Company's Post Work Session Comments
Advanced Metering Infrastructure
BPU Docket No. EO20110716**

Dear Secretary Camacho-Welch:

On November 23, 2020, the New Jersey Board of Public Utilities ("Board" or "BPU") hosted a work session in the above-referenced proceeding to discuss Advanced Metering Infrastructure ("AMI"). Jersey Central Power & Light Company ("JCP&L" or the "Company") appreciates the Board Staff hosting this meeting and allowing interested stakeholders to provide comments. Two primary issues were discussed at the above-referenced AMI work session: (1) third-party access to customer information collected through the use of AMI; and (2) the potential uses for AMI metering. JCP&L offers the following comments on these issues based on its affiliated utilities' successful experiences with deployment in other jurisdictions. The Company hopes that the Board will find JCP&L's comments and suggestions helpful as it begins its consideration of these two important issues.

I. The Board should adopt data access policies similar to those utilized successfully in Pennsylvania.

As discussed at the work session, there are various pathways the Board can take to address the numerous and conflicting data access concerns expressed by stakeholders. And, as the Board is likely aware, these various pathways have been the topic of numerous and extensive stakeholder proceedings in many different jurisdictions. For example, in the Pennsylvania Public Utility Commission's ("PPUC") *Smart Meter Procurement and Installation Final Order* issued in December 2012, the PPUC ordered the creation of a Web Portal Working Group to develop standards for system-to-system sharing of customer data.¹ Ultimately, that working group convened for three years—finally issuing its recommendation for a framework in February 2015—

¹ See *In re Submission of the Electronic Data Exchange Working Group's Web Portal Working Group's Solution Framework for Historical Interval Usage and Billing Quality Interval Use*, Docket No. M-2009-2092655, p. 2 (Final Order, Sep. 3, 2015).

and a Final Decision was issued on the working group's recommended framework in September 2015.

JCP&L encourages the Board to adopt data access policies that are similar to those already adopted and successfully implemented in Pennsylvania. These policies provide for data access for all market participants, including customers, retail suppliers, and other third parties such as consultants, while preserving consumer privacy. This access improves efficiency in the retail competitive market, enabling further price offerings by the retail suppliers, and supports energy management opportunities by the customer or through other third-party service entities. Further, Pennsylvania's policy uses a proven standard data exchange mechanism, Electronic Data Interchange ("EDI"), that has been utilized in New Jersey since de-regulation and further relies on the use of Green Button Download My Data, which allows customers to provide their data directly to third-parties, eliminating the need for additional customer consents. The key characteristics of Pennsylvania's data access policy are:

- A Customer Eligibility List that is updated to include indication of accounts with AMI metering, enabling retail suppliers to target such customers with price products and services dependent on interval data;
- Use of EDI, the standard data exchange mechanism in the marketplace, allows for interval data from AMI meters to be passed to retail suppliers for all customer classes;
- A Supplier Portal, dedicated for use by retail suppliers, provides three functionalities for access to AMI interval data for all customer classes:
 - Single User – Multiple Request ("SU-MR") method requires a web-based platform allowing for an authorized user to manually log into a secure portal, request, and receive smart meter interval usage for one or more account numbers as part of a single request. The results are rendered within the web portal interface itself or exported to the user in a predefined file format;
 - System-to-System Historical Interval Usage ("StS-HIU") is a method that utilizes a platform which allows an authorized user's information technology systems to communicate directly with the web portal system of the electric distribution company ("EDC") without requiring a user to manually log into the web portal and leverage the user interface. The requestor connects to the EDC's system exchanging data via XML transactions; and,
 - System-to-System Rolling 10-Day ("StS Rolling 10-Day") is a "provide-and-park" approach for sharing AMI data. The utility publishes a file that includes all available detailed bill quality meter-level interval usage in hour ending format for the set of accounts served by a particular retail supplier on a specific usage delivery date;
- A Customer Portal provides customers with the ability to view and download interval data using Green Button Download My Data to provide further insight into managing their energy consumption. This functionality also supports non-licensed third parties interested in offering customer services such as energy efficiency to retrieve data directly from the customer in lieu of having the customer sign a letter of authorization for the third party to receive such data from the utility, streamlining the data access process; and

- No additional consent is required of residential customers for providing hourly interval data than that which is required for providing existing monthly data.

There are several benefits associated with the Board focusing in on Pennsylvania's policies as a framework for its own. First, many of the stakeholders in New Jersey should be familiar with Pennsylvania's policies, as many of the third-party suppliers ("TPS") that operate in New Jersey also operate in Pennsylvania. Second, the policies that have been successfully implemented by the PPUC are the result of an extensive stakeholder process that took into account various interests, indicating that similar policies have the potential for broad support in New Jersey as well. Third, utilities that operate in Pennsylvania and jurisdictions with similar policies will be able to leverage the groundwork laid there to provide a faster and more efficient implementation of data access plans in New Jersey. In fact, the Board adopting significantly different policies could result in increased costs because of the need for utilities to implement differing policies across multiple jurisdictions.² Finally, by adopting a framework that already has well-established ground rules for data access, the Board can then take additional time as necessary to implement rules for special data access requirements and/or functionalities.³ As such, JCP&L encourages the Board to avoid attempts to "reinvent the wheel" and, instead, use this proceeding to focus on data access policy frameworks that have already been implemented successfully, in Pennsylvania.

II. The Board should determine the appropriate technology and uses for smart meters in the context of each utility's AMI filing.

At the work session, several stakeholders encouraged the Board to adopt certain specific technologies and uses for AMI as part of this proceeding. JCP&L discourages the Board from doing so for several reasons.

First, as discussed above, one of the benefits of New Jersey's timing with this stakeholder proceeding is that it does not have to "reinvent the wheel" when it comes to certain issues. In conjunction with this benefit, however, it is also important for the Board to recognize that it is not working from a blank slate when it comes to the deployment of AMI. Several of the affiliates of New Jersey utilities, including JCP&L's affiliated utilities in Ohio and Pennsylvania, have already deployed or are in the process of deploying AMI metering and systems. This is reflected in JCP&L's AMI implementation plan, where the Company proposes to leverage its experience in other jurisdictions to facilitate its implementation of AMI in New Jersey.⁴ Moreover, utilities that are implementing the same technology across multiple jurisdictions can potentially rely on economies of scale to save customers money. If the Board acts in this proceeding to require

² For example, requiring the use of Green Button Connect could substantially increase costs for JCP&L specifically. JCP&L's affiliated utilities do not use Green Button Connect and a requirement for JCP&L to use it would result in increased technological and administrative costs.

³ At the work session, Mission:Data introduced the idea of data disaggregation enabling solutions to allow the deciphering of the appliances used in a customer's home based on interval data. While certain customers may be interested in such solutions, the experience of JCP&L's affiliated utilities in other jurisdictions indicates that many customers may have concerns about the utilities and third-parties having such an ability due to privacy concerns.

⁴ See, generally, *In re the Petition of Jersey Central Power & Light Company for Approval of an Advanced Metering Infrastructure (AMI) Program (JCP&L AMI)*, BPU Docket No. EO20080545, Direct Testimony of John C. Ahr on behalf of Jersey Central Power & Light Company (Aug. 27, 2020)..

specific technologies for or uses of smart meters by all utilities, these potential savings may be lost. Indeed, it may result in increased costs for utilities that already have technologies and procedures in place because of the need to adjust back-office procedures to handle the new technology.

Second, the Board's determination of which specific technologies and uses for AMI to be implemented by each utility would benefit from the procedural protections afforded by the already pending utility-specific filings. By deciding this issue in those proceedings, the parties and the Board will benefit from the issuance of discovery and the further development of an evidentiary record. This is especially important where, as here, each utility may have unique characteristics and/or circumstances that support the deployment of different AMI technologies and uses.

Finally, if the Board does desire to use this proceeding to determine what minimal functionalities and/or uses for the smart meter technologies adopted by the utilities for their implementation of AMI, JCP&L encourages the Board to permit the utilities flexibility in what technologies and procedures to use to meet these requirements. Again, this approach will allow utilities the opportunity to potentially leverage existing economies of scale and their experience in other jurisdictions to provide these minimal functionalities and/or uses to its customers at the least cost.

For the reasons set forth above, JCP&L encourages the Board to not make a decision on these issues as part of a generic stakeholder proceeding and, instead, make such determinations in the context of each utility's AMI implementation plan filing. If the Board does desire to choose certain minimal functionalities as part of this proceeding, JCP&L encourages the Board to permit the utilities flexibility in determining how to meet such requirements.

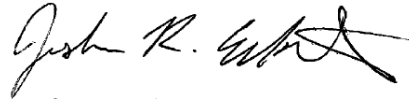
III. This is not the appropriate proceeding for the Board to decide issues related to supplier consolidated billing.

Finally, JCP&L discourages the Board from using this proceeding to address supplier consolidated billing. NRG's presentation at the working session referenced supplier consolidated billing, but the Board's resolution of issues related to third-party data access does not require any decisions be made on supplier consolidated billing. As the Board is aware, supplier consolidated billing has been an issue in various proceedings for a long time and has implications that expand beyond the utilities' implementation of AMI. JCP&L discourages the Board from expanding this proceeding unnecessarily to address such issues.

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JCP&L again thanks the Board for the opportunity to provide these comments. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joshua R. Eckert", with a stylized flourish at the end.

Joshua R. Eckert
Counsel for Jersey Central Power & Light Company