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Legislative Document

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H.P. 1237

House of Representatives, May 5, 2021

**An Act To Direct the Public Utilities Commission to Implement a
Statewide, Multi-use Online Energy Data Platform**

Received by the Clerk of the House on May 3, 2021. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KESSLER of South Portland.
Cosponsored by Representatives: BERRY of Bowdoinham, CUDDY of Winterport,
GROHOSKI of Ellsworth, WOOD of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §123** is enacted to read:

3 **§123. Statewide, multi-use online energy data platform**

4 The commission shall establish and operate a statewide, multi-use online energy data
5 platform, referred to in this section as "the platform," that provides natural gas utility and
6 investor-owned transmission and distribution utility customers with safe, secure access to
7 information about their energy usage and that allows for the aggregation of and removal of
8 personally identifiable information from community-level energy data. In establishing the
9 platform, the commission shall review similar online energy data platforms established by
10 other states.

11 **1. Platform requirements.** The platform must:

12 A. Consist of a common base of energy data for use in a wide range of applications
13 and for a wide range of business purposes;

14 B. Adhere to specific and well-documented standards for data accuracy, retention,
15 availability, privacy and security;

16 C. Provide a user-friendly interface;

17 D. Adhere to a common statewide logical data model that defines the relationships
18 among the various categories of data included in the platform;

19 E. Allow for the sharing of an individual utility customer's energy data with 3rd parties
20 only with the express consent of the utility customer; and

21 F. Protect utility customers from unauthorized disclosure of personally identifiable
22 information and ensure customer privacy rights.

23 **2. Platform creation and operation; assessment.** The commission may hire an
24 outside entity to create and operate the platform. All costs to create and operate the platform
25 are funded through an assessment on the ratepayers of natural gas utilities and investor-
26 owned transmission and distribution utilities and are to be collected by the utilities. The
27 commission shall determine the amount of the assessment on a yearly basis. All amounts
28 collected under this subsection must be transferred to the commission. The funds collected
29 from utilities under this subsection are just and reasonable costs for rate-making purposes
30 and must be reflected in the rates of natural gas utilities and investor-owned transmission
31 and distribution utilities. If a consumer-owned transmission and distribution utility elects
32 to participate in sharing data, the ratepayers of that consumer-owned transmission and
33 distribution utility are subject to an assessment under this subsection, the amount of which
34 must be determined by the commission.

35 **3. Participating utilities.** A natural gas utility and an investor-owned transmission
36 and distribution utility shall participate in data sharing pursuant to this section. A
37 consumer-owned transmission and distribution utility may elect to participate in data
38 sharing pursuant to this section. If a consumer-owned transmission and distribution utility
39 elects to participate, that utility is subject to all the requirements of this section.

40 **4. Rules.** The commission shall adopt rules to implement this section. The rules must
41 include specific requirements to protect a utility customer's privacy and define the
42 acceptable methods for a customer to give express consent to allow the customer's energy

1 usage data to be shared with 3rd parties. The rules must identify those 3rd parties that will
2 be permitted to access the data on the platform. Rules adopted pursuant to this subsection
3 are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

4 **Sec. 2. Platform certification; rules.** When initially adopting rules pursuant to
5 the Maine Revised Statutes, Title 35-A, section 123 for the establishment of a statewide,
6 multi-use online energy data platform, the Public Utilities Commission shall ensure those
7 rules allow that platform to meet the requirements for certification from the Green Button
8 Alliance and to support the Energy Service Provider Interface of the North American
9 Energy Standards Board and the Green Button "Connect My Data" standard of the Green
10 Button Alliance. In developing those rules, the commission shall seek input from natural
11 gas utilities and investor-owned and consumer-owned transmission and distribution
12 utilities, the Office of the Public Advocate, the Governor's Energy Office, the Efficiency
13 Maine Trust and municipalities.

14 **SUMMARY**

15 This bill requires the Public Utilities Commission to establish and operate a statewide,
16 multi-use online energy data platform that will provide natural gas and electric utility
17 customers with safe, secure access to information about their usage and allow for the
18 aggregation of and removal of personally identifiable information from community-level
19 energy data. It allows the commission to hire an outside entity to create and operate the
20 platform and specifies that the costs of the creation and operation of the platform are funded
21 through an assessment on the ratepayers of natural gas and investor-owned transmission
22 and distribution utilities. It allows a consumer-owned transmission and distribution utility
23 to elect to share data through the platform subject to the same requirements placed on
24 natural gas and investor-owned transmission and distribution utilities. It requires the
25 commission to adopt routine technical rules, which must include provisions to protect the
26 privacy of utility customers. It requires when rules are initially adopted that the commission
27 ensure that the platform created is able to meet the requirements for certification from the
28 Green Button Alliance and supports the Energy Service Provider Interface of the North
29 American Energy Standards Board and the Green Button "Connect My Data" standard of
30 the Green Button Alliance. Lastly, it requires in developing the rules that the commission
31 seek input from all natural gas and investor-owned and consumer-owned transmission and
32 distribution utilities, the Office of the Public Advocate, the Governor's Energy Office, the
33 Efficiency Maine Trust and municipalities.