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Danielle and Kayla,

The Midwest Energy Efficiency Alliance (MEEA) greatly appreciates this opportunity to comment on data access and privacy. MEEA is a collaborative network, promoting energy efficiency to optimize energy generation, reduce consumption, create jobs and decrease carbon emissions in all Midwest communities. MEEA seeks an achievable pathway for all people and communities in the Midwest to receive the economic, environmental and societal benefits of energy efficiency and the larger clean energy economy. MEEA has been engaged with several MI Power Grid workgroups, and we commend the MPSC for taking up these important issues.

MEEA believes that customer data should be treated with the utmost care and respect by utilities, energy service providers and other EWR partners and agencies. However, Staff's recommendation to remove demand response, load management and energy efficiency from the primary purpose definition will undermine EWR program implementation and MPSC initiatives.

First, switching demand response and EWR-related utility data from a primary to a secondary usage would negatively impact the utilities' and MPSC's ability to estimate program potential, design programming, implement customer EWR, evaluate program efficacy and coordinate with other related programming. This reclassification, along with the addition of un-shareable categories of data (like health data and GPS data) would make it nearly impossible to implement certain EWR programs, such as behavioral programs that account for about 25% of DTE's EWR portfolio. As MPSC staffers involved with the EWR Collaborative and Low-Income EWR Collaborative know, it can already be challenging to assess potential for, design, market and implement EWR programming. Michigan's utilities continue to ramp up their EWR and decarbonization goals—goals that fit into Governor Whitmer's vision of decarbonizing Michigan's economy by 2050. Adding barriers to the EWR sector could reduce the amount of energy saved, in turn creating an additional obstacle to the monumental task of decarbonization.

Second, we believe that these recommendations would have broad implications on the EWR sector beyond utility-run EWR programs. Restricting this data would make it more challenging to conduct an accurate and thorough statewide EWR potential study, for example. Additionally, access to useable energy data is key to achieving compliance with policies that improve energy efficiency in existing buildings. Benchmarking ordinances and other policies rely on understanding characteristics of building energy consumption, including building location, occupancy characteristics and other data. Data sharing takes place between the utilities, their contracted energy service providers and public/private building owners. Without access to this information, compliance with existing and future municipal benchmarking ordinances and/or building performance standards would be nearly impossible.

Lastly, we believe this proposal runs counter to the state's efforts to streamline processes and applications. The Energy Affordability and Accessibility Collaborative has been tasked with bridging the gap between EWR and energy affordability. Michigan's PSC and utilities have taken significant steps in recent years to identify customers with high energy burdens (customers that spend >5% of annual income on energy costs) and connect them to free and low-cost resources. Adding restrictions on data will force the customer to take additional steps, while



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placing a higher administrative burden on Michigan agencies and local community action agencies trying to connect customers with EWR, weatherization, LIHEAP and other resources. Restricting this data may inadvertently create negative impacts on these newly coordinated affordability efforts.

In your recommendation and analysis, you identify a concern that subcontracted energy service providers that gain access to customer information in furtherance of EWR and other programs could use such information to market non-EWR related programming to customers (giving them an advantage over companies without access to such information). This concern could be addressed through a more precise limitation on the use of data for only the specified programs. Unfortunately, the recommendation that all EWR-related usage of customer information become subject to individual customer consent will create additional costs, undermine state-mandated energy savings programs, impact the state's ability to meet climate goals and potentially reduce opportunities for historically excluded communities and those with higher energy burdens.

Thank you for the opportunity to comment on this issue. MEEA understands that balancing the need for data access and the concerns of customer privacy is difficult. Ultimately, data access is critical to meet EWR requirements that save energy. We encourage the MPSC and Staff to consider how these recommendations could negatively impact this industry and other related efforts. You can reach out to our Policy Manager, Maddie Wazowicz, at mwazowicz@mwalliance.org if you have any questions for us on this matter.

Sincerely,

Stacey Paradis, Executive Director
Midwest Energy Efficiency Alliance