

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission)	
On Its Own Motion)	
)	Docket No. 17-0123
Investigation into a Non-RES Third-Party)	
Warrant Process for Access to Customer)	
Advance Metering Infrastructure Interval)	
Meter Data)	

**VERIFIED SUPPLEMENTAL RESPONSE COMMENTS OF
THE RETAIL ENERGY SUPPLY ASSOCIATION**

The Retail Energy Supply Association (“RESA”)¹, by and through its attorney, Gerard T. Fox, pursuant to 83 Illinois Admin. Code Part 200 and the Administrative Law Judge’s Ruling, hereby submits its Verified Supplemental Response Comments in this proceeding, the Illinois Commerce Commission’s investigation into a warrant process by which third parties that are not Retail Electric Suppliers (“RES”) can obtain access to customer advanced metering infrastructure (“AMI”) interval data.

On July 13, 2018, Supplemental Initial Comments were filed in this proceeding by the following parties: Ameren Illinois Company (“Ameren”), Commonwealth Edison Company

¹ The comments expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of twenty retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

(“ComEd”), Elevate Energy (“Elevate”), the Environmental Defense Fund and the Citizens Utility Board (“EDF/CUB”) and the Mission.data Coalition (“Mission”). RESA herewith responds to those comments and takes the position that the Commission should approve a warrant process for non-RES third parties in this proceeding, specifically the warrant process proposed by Mission for its Scenarios 1 and 2.

RESPONSE TO COMED

ComEd opposes the approval of the warrant processes proposed by EDF/CUB and Elevate in this proceeding for the following reasons. First, the Commission lacks jurisdiction over non-RES third parties. (ComEd Supp. In. Comments, pp. 2-4) Second, existing procedures exist, such as the Green Button Connect process, which allow non-RES third parties to obtain access to customers’ interval usage data with the consent of those customers. (Id., pp. 5-7) While RESA shares ComEd’s concerns, RESA also believes that it is important that customer interval data be as accessible as possible so long customers’ rights to privacy are protected and there are means to authenticate customer authorization.

RESPONSE TO AMEREN

Ameren states that it does not believe that a warrant process for non-RES third parties is necessary because of existing processes already in place, such as Green Button Connect. (Ameren Supp. In. Comments, pp. 2-3) However, Ameren offers an alternative warrant process proposal. (Id., pp. 4-6) While Ameren’s proposal is preferable to the proposals already filed in this proceeding by Elevate and EDF/CUB in that it requires supplemental verification, RESA believes that for reasons to be discussed *infra*, the warrant process proposed by Mission is superior.

RESPONSE TO ELEVATE AND EDF/CUB

Elevate continues to support the warrant process proposal it made previously in this proceeding. (Elevate Supp. In. Comments, pp. 2-9) EDF/CUB continue to support their warrant process proposal, although modified to reflect their proposal that some elements of the vendor approval process used by the Illinois Power Agency in its Long-Term Renewable Resource Procurement Plan. (EDF/CUB Supp. In. Comments, pp. 10-12) While EDF/CUB's modification is an improvement over its previous proposal, RESA believes that the warrant process proposed by Mission offers customers greater protection.

RESPONSE TO MISSION

Mission does not comment on the warrant processes that were filed in this proceeding pursuant to the Commission's initiating order. Instead, it offers its own warrant process. (Mission Supp. In. Comments, pp. 5-7) Mission notes initially that there is widespread use of customers sharing their utility log-in credentials with third parties. (*Id.*, pp. 3-5) Consequently, adoption of a workable warrant process for non-RES third parties would eliminate the spread of this credential-sharing process.

Mission offers a proposed warrant process with three scenarios. RESA supports adoption of Scenarios 1 and 2, but not Scenario 3.

Scenario 1 applies when a residential customer has a single electric meter. The process is laid out in detail on pages 6 and 7 of Mission's Supplemental Initial Comments, including the use of a two-factor authorization. Mission states that there are three benefits of its proposal. First, the customer provides an express affirmation that he or she wants to share energy information with the third party. Second, the customer chooses the method by which he or she will receive the temporary authorization code. Third, the process is customer-friendly and easy

to adapt based on experience. (Id., pp. 7-8) Scenario 2 is essentially the same as Scenario 1, except that it would be used for residential customers with multiple meters. (Id., pp. 9-11)

Unlike Scenarios 1 and 2, Scenario 3 does not contain the two-factor authentication process. (Id., p. 12) RESA believes that the two-factor authentication process is a necessary element of any non-RES third party warrant process and, therefore, does not support the adoption of Mission's Scenario 3.

CONCLUSION

In conclusion, for the reasons stated in the Supplemental Initial Comments of Mission and in these Supplemental Response Comments, the Retail Energy Supply Association recommends that the Commission approve the warrant process for non-RES third parties proposed by Mission, specifically the process described for its Scenarios 1 and 2.

Respectfully submitted,

Retail Energy Supply Association

By: /s/GERARD T. FOX
Gerard T. Fox

Law Offices of Gerard T. Fox
203 N. LaSalle Street, Suite 2100
Chicago, IL 60601
(312) 909-5583
gerardtfox@gerardtfoxlawoffices.com

NOTICE OF FILING

Please take note that on August 24, 2018, I caused to be filed via e-docket with the Chief Clerk of the Illinois Commerce Commission, the attached Verified Supplemental Response Comments of the Retail Energy Supply Association in this proceeding.

/s/GERARD T. FOX
Gerard T. Fox

CERTIFICATE OF SERVICE

I, Gerard T. Fox, certify that I caused to be served copies of the foregoing Verified Supplemental Response Comments of the Retail Energy Supply Association upon the parties on the service list maintained on the Illinois Commerce Commission's eDocket system for the instant docket via electronic delivery on August 24, 2018.

/s/GERARD T. FOX
Gerard T. Fox