



An Exelon Company

## Position Statement

OPPOSE

Economic Matters Committee

03/05/2020

### **House Bill 1065 Public Service Companies and Contractors – Customer Protection – Personal Information**

Baltimore Gas and Electric Company (BGE) opposes *House Bill 1065 Public Service Companies and Contractors – Customer Protection – Personal Information*, which would prohibit Maryland public utilities and contractors from disclosing customer personal information without written consent from the customer, a criminal warrant mandating disclosure, or being otherwise required under Federal or State law.

The objective of this legislation regarding data security and personal information protection is currently being addressed in the Public Service Commission's PC44 Competitive Markets & Customer Choice (CMCC) workgroup. BGE is a participant in the workgroup, which is currently working to develop regulations around giving data access to third party entities. The workgroup is looking at Green Button Connect type of communications protocol. The 'Green Button standard,' is an open standard evolved from the Department of Energy, National Institute of Standards and Technology (NIST) and the North American Energy Standards Board (NAESB). BGE currently has *Green Button Download My Data* whereby consumers can see a snapshot of their own usage. *Green Button Connect My Data* describes a secure process to allow customer-authorized third-party service providers access to specified customer energy information, including incremental consumption data, in an ongoing way.

While the final regulations have not yet been developed, the customer would have the ability to terminate that data access, select/limit the type and frequency of the data, and choose to provide access for a given length of time before it is automatically terminated. As part of the access agreement with the customer, the third party would have to disclose how they plan to use the data and would need to have security protocols in place to ensure security of the data. The third party would also be prohibited from selling the customer's data.

Like many public utilities across the nation, BGE collects, stores, and shepherds customers' personal information in the process of providing safe and reliable energy services at a reasonable cost. As our economy becomes increasingly digital and as customer adoption of new technologies continues to expand at a rapid pace, public utilities are engaging with customers and securing information from an increasingly digitized network. BGE wants to ensure that it is not limited from employing future applications of data designed to enable new, customer benefiting solutions. HB 1065 is concerning due its potential to prevent utilities from engaging with and providing value-added services to customers through data-intensive solutions. Most importantly, BGE wants to protect the customer's ability to instruct public utilities on if and when their data can be used to enhance value through services offered. In line with legislative trends across the nation concerning data privacy,

BGE believes that the customer's consent is a fundamental element for determining how the customer's data should or should not be used.

BGE understands the importance of protecting a customer's ability to access, distribute, or restrict the distribution of data and we look forward to working with stakeholders to ensure that customer interests are properly prioritized.

For these reasons, BGE respectfully request that the Committee vote unfavorable on this legislation.

BGE, headquartered in Baltimore, is Maryland's largest gas and electric utility, delivering power to more than 1.2 million electric customers and more than 655,000 natural gas customers in central Maryland. The company's approximately 3,400 employees are committed to the safe and reliable delivery of gas and electricity, as well as enhanced energy management, conservation, environmental stewardship and community assistance. BGE is a subsidiary of Exelon Corporation (NYSE: EXC), the nation's leading competitive energy provider.