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South Dakota

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To the Parties in Docket EL15-013:

During the June 23, 2015 PUC Commission meeting discussion was held on the proposed addition to the Black Hills Power tariff of a *Meter Data and Privacy Policy*. I commend Black Hills Power for initiating the discussion on this tariff addition as a means of protecting their customers' data through a policy that is transparent.

Through my questioning of Black Hills Power representatives in that meeting I became convinced that several improvements could be made to the tariff addition. I would offer the following for consideration by the company and Staff:

1. In Section 901 under the definition of "Meter Data" amend the last sentence as follows: "This includes data that can be collected from a standard energy service meter, a digital meter with two-way communications capabilities, data that is generated from sources behind the meter, analysis that is created by the company from a combination of various data types, and general Customer contact and service information."

This addition specifies that any data collected from behind the meter is treated with the same privacy policy as data generated by the meter.

2. In Section 903 amend the second paragraph as follows: "Black Hills Power, Inc. may release Meter Data, without Customer consent, as required by law enforcement agencies with an appropriate warrant or subpoena, social service agencies, subpoena, or regulatory agency orders, rules, or regulations and exceptions permitted by federal or state statues or laws."

This is normal practice for law enforcement agencies seeking such information. This will not cause a change in practice but simply reinforces the importance a warrant or subpoena provides for constitutional protections.

3. In Section 904 insert a new sentence after the first sentence of the first paragraph as follows: "Black Hills Corporation's affiliates, contractors, and agents are subject to this policy in the same manner as Black Hills Power."

This establishes as part of the policy the current practice that BHC affiliates, contractors, and agents must abide by the same privacy policy as the company.

4. In Section 904 place the last sentence of the second paragraph in a separate paragraph.

The second paragraph seems to cover two distinct subjects – aggregated data and individual data sans identifying information. The policy would be better understood if these two were in separate paragraphs. If, in fact, this paragraph only covers aggregated data some other clarification may instead need to be made in the last sentence of the second paragraph.

Thank you for your consideration of these changes. I look forward to reviewing the revised tariff filing in an upcoming PUC meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Nelson". The signature is fluid and cursive, with a large initial "C" and "N".

Chris Nelson
Commissioner