

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Establishment of a Working )  
Case for the Writing of a New Rule on the )  
Treatment of Customer Information by ) Case No. AW-2018-0393  
Commission Regulated Electric, Gas, Steam )  
Heating, Water, and Sewer Utilities and their )  
Affiliates and Non-Affiliates )

**KANSAS CITY POWER & LIGHT COMPANY’S  
AND KCP&L GREATER MISSOURI OPERATIONS COMPANY’S  
COMMENTS IN RESPONSE TO QUESTIONS THAT WERE DISCUSSED,  
OR AROSE, AT THE CUSTOMER INFORMATION WORKSHOP**

Kansas City Power & Light Company (“KCP&L”) and KCP&L Greater Missouri Operations Company (“GMO”) (collectively, “KCP&L/GMO”) hereby respond to the Public Service Commission’s (“Commission”) Order issued in this docket on October 23, 2018, providing further opportunity to submit written comments in response to a set of questions that were discussed, or arose, at the Customer Information Workshop.

KCP&L/GMO appreciate the opportunity to comment in this working case. KCP&L/GMO respond to these questions:

1. What is an appropriate definition of “utility related services” for purposes of this rule?

Response: KCP&L/GMO make use of third-party non-affiliates and affiliates to carry out regulated business functions and in so doing share customer personal information and customer general information. Please see the explanation for the distinction between customer personal and general information in response to definition of “customer” below.

KCP&L/GMO provide customer personal and general information to third-party non-affiliates and affiliates to perform authorized utility related services or emergency response. Almost any function of the utility could be provided by a third-party non-affiliate or affiliate. The definition of “utility related services” should be broad enough to be inclusive of all those potential functions. Some examples of third-party non-affiliate and affiliate functions include customer bill printing and mailing, customer accounts receivable

services, payment card processing, marketing of utility services, and energy efficiency program administration. Services provided by third-party non-affiliates and affiliates are subject to agreements and provide customers with a variety of benefits including cost control and reliability.

2. What is an appropriate definition of “non-utility related services” for purposes of this rule?

Response: Since the definition of “utility related services” should be broad enough to be inclusive of all the utility functions. The definition of “non-utility related services” would include any functions not regulated by the Commission. These could include non-regulated services provided by KCP&L/GMO. While not regulated, these services may be closely tied to utility services providing additional benefit to customers. The use of customer general information or aggregated information should be allowed for “non-utility related services”.

3. In what situations, and for what purposes, is it appropriate for a utility company to share specific customer information with third parties without consent of the customer?

Response: It is appropriate for KCP&L/GMO to provide customer personal and general information to third-party non-affiliates and affiliates when performing “utility related services” without the consent of the customer. These third-party non-affiliates and affiliates are subject to agreements and must comply with the same protection laws and regulations as do KCP&L/GMO.

In addition, various law enforcement or regulatory authorities may also request customer personal and general information using subpoena, warrant or other form of court or commission order that KCP&L/GMO will be obligated to provide without the consent of the customer.

4. What is an appropriate definition of “customer information” for purposes of this rule?

Response: KCP&L/GMO believe that their existing data privacy practices, whether required by law or company policy, are sufficient to safeguard sensitive customer personal information. The Missouri Data Breach Notification Law (MO Rev Stat § 407.1500) already establishes a definition for protected customer personal information that was developed and implemented by the state legislature. KCP&L/GMO’s Privacy Policy further states the protections provided to customer personal information.

In light of these existing protections, any definition of customer personal information should be consistent with the statutory definition. Any customer information that does not meet that statutory definition should be classified as customer general information.

5. How should a utility's privacy statement be shared with the public?

(A) Appear on website – How frequently?

Response: KCP&L/GMO already post their Privacy Policy on their website. This is a reasonable and cost-effective way to communicate the policy that has become the standard for consumers. KCP&L/GMO periodically update the policy when there is a need to update. There is no need to have a set frequency to update or further to set a requirement to post the privacy policy.

(B) Mailed to shareholders – How frequently?

Response: Again, KCP&L/GMO already post their Privacy Policy on their website. This is a reasonable and cost-effective way to communicate the policy to shareholders. KCP&L/GMO periodically update the policy when there is a need to update. There is no need to have a set frequency to mail or further to set a requirement to mail the privacy policy to shareholders.

(C) Mailed to customers – How frequently?

Response: KCP&L/GMO already post their Privacy Policy on their website. The Privacy Policy website could be referenced on a customer bill. This is a reasonable and cost-effective way to communicate the policy that has become the standard for consumers. KCP&L/GMO periodically update the policy when there is a need to update. There is no need to have a set frequency to mail or further to set a requirement to mail the privacy policy to customers.

6. Should utilities advise their customers that their customer information is shared with other entities? If yes, what types of customer information sharing should be disclosed to customers?

How and when should this disclosure occur?

Response: KCP&L/GMO provide customer personal and general information to third-party non-affiliates and affiliates to perform utility-related services. These functions while provided by a third-party non-affiliate or affiliate are no different than had KCP&L/GMO self-performed and occurs “behind the scenes” with regard to the customer. KCP&L/GMO should not be required to advise their customers that their customer personal and general information is provided to third-party non-affiliate and affiliates. These third-party non-

affiliates and affiliates are subject to agreements and must comply with the same protection laws and regulations as do KCP&L/GMO.

If it is determined that this disclosure is required, KCP&L/GMO already post their Privacy Policy on their website to which this additional disclosure could be added. This is a reasonable and cost-effective way to communicate the policy that has become the standard for consumers. KCP&L/GMO periodically update the policy when there is a need to update.

KCP&L/GMO express their commitment to be a good steward for the customer information entrusted to their care. KCP&L/GMO do not and will not sell or provide customer personal information to third parties or affiliates for any non-utility related marketing without customer consent. KCP&L/GMO will continue to monitor, direct and limit the way in which its third-party contractors and affiliates access and utilize customer information.

Respectfully submitted,

*/s/ Robert J. Hack*

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**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been hand delivered, emailed or mailed, postage prepaid, this 30<sup>th</sup> day of November 2018, to all counsel of record.

*/s/ Robert J. Hack*

Robert J. Hack

**Attorney for Kansas City Power & Light Company  
and KCP&L Greater Missouri Operations  
Company**