BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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In the Matter of the Establishment of a
Working Case for the Writing of a New
Rule on the Treatment of Customer
Information by Commission Regulated
Electric, Gas, Steam, Heating, Water,
and Sewer Utilities and their Affiliates
and Non-Affiliates.

File No. AW-2018-0393

INITIAL RESPONSE TO DRAFT RULE

COMES NOW Union Electric Company d/b/a Ameren Missouri ("Ameren Missouri" or "Company"), and submits to the Missouri Public Service Commission ("Commission") this *Initial Response to Draft Rule* ("*Initial Response*") addressing the proposed courses of action raised by the Commission's Staff ("Staff") in its September 16, 2019 filing, *Staff Draft Customer Information Rule* ("*Draft Rule*"). In of its position, Ameren Missouri states as follows:

1. In paragraph 6 of the cover pleading included in its *Draft Rule* filing, Staff suggested there were three possible courses of action in addressing a revised and consolidated customer information rule:

...(1) continue this working case and issue an Order requesting comments from stakeholders within 30 days after the date of said Order addressing the consideration of the attached draft potential new rule on the treatment of customer information; (2) engage in an Order of Proposed Rulemaking utilizing the attached draft potential new rule on the treatment of customer information as the proposed Commission rule; or (3) in an Agenda or Agendas utilize the attached draft rule on the treatment of customer information to produce an Order of Proposed Rulemaking with changes of the Commissioners to the attached draft customer information rule....

2. Ameren Missouri appreciates the effort Staff has put into its draft rule. The Company suggests, however, that there is opportunity to continue this workshop and further refine the rule. The Company has several additional comments that Staff and the Commission may find helpful in optimizing the relevance and effectiveness of this rule, while avoiding unintentional consequences. In the more substantive and thorough response it currently has in process, the Company will have input on provisions of the rule including, but not limited to:

- Contracting requirement provisions such as:
 - Grandfathering of existing contracts
 - Interplay with existing and pending cost allocation manuals
 - Comparisons to other regulatory requirements such as NERC CIP¹
- Customer affirmative consents such as:
 - \circ How they are obtained
 - \circ How they are retained
- Aggregation and anonymization of customer information such as:
 - Commission approvals required before provision of information for research projects by organizations such as EEI
 - o Aggregation, anonymization, and reporting for internal analytics
- Privacy Policy issues such as:
 - How the policy is provided
 - What information and format is required
- Provision of customer information to federal, state, and local courts and governmental bodies such as:
 - Reporting requirements to the Commission
 - Expectations regarding laws, rules, orders, and subpoenas that are not under the utility's control

¹ The provisions, in fact, are more restrictive in practice than NERC CIP-013 standards.

3. Ameren Missouri looks forward to continuing work on the proposed rule with Staff and other interested parties. With the continued examination and vetting of the proposal, the Company is confident the Commission will be presented with an industrypracticable rule that provides robust protections for customer-specific information in concert with existing and evolving laws and requirements.

WHEREFORE, for the foregoing reasons, Ameren Missouri asks that the Commission pursue Staff's first option in how to proceed with regard to the draft rule, and continue this working case with additional comments and working sessions with interested stakeholders.

Respectfully submitted,

UNION ELECTRIC COMPANY, d/b/a Ameren Missouri

Isl Paula N. Johnson

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CERTICATE OF SERVICE

I hereby certify that copies of the foregoing have been emailed to the parties of record on this 20th day of September, 2019:

[s] Paula N. Johnson

Paula N. Johnson