### BakerHostetler

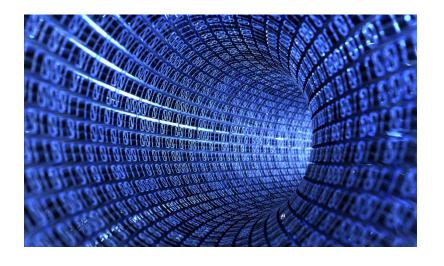
## Relevant Issues in Uses of Consumer Data

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## Agenda

- Data Considerations
- Use Considerations
- Desirable Features of a Rule





#### The Data Considerations



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### Types of Data

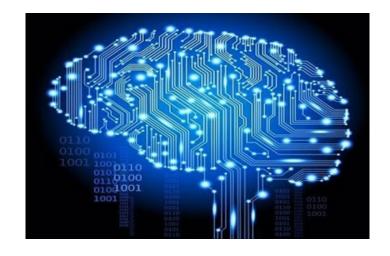
- Personal Record Level
- At-the-meter
   Record Level
- Anonymized & Aggregated





# Who Owns Customer Data Anyway?

- As between Customer and Utility?
- As between Utility and Third Party?



### **Use Considerations**



### **Use Cases**



#### Internal Use

- By the utility
- By third parties
- Generally broad rights

Third Party
 Commercial Activity

### For the Public Good



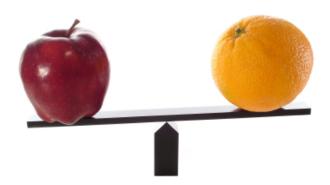
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- Efficiency in Operating the Water System
- Development of Industry Solutions
- Understanding
   Community Usage
   Over Time &
   Situation

## All Third Parties are NOT the same...

 Third Party Service Providers

Data Brokers



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### Desirable Features of a Rule



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## What's Important

- Clarity
  - Definitions sufficiently narrow
  - Scope of uses
- No unintended consequences
  - Deminimus Use
  - Data Brokers
  - Marketers



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### Concerns in Data Usage

- Security/privacy of customer data by the utility
- Maximizing the efficiency of utility systems

- Material harms to consumers through third party uses
- 3<sup>rd</sup> party snooping, tracking, and decision making to the detriment of customers based on data amalgamation

### Put Fences Around...

- Definitions to protect data we are concerned about
- Uses to manage uses we are concerned about



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## Provide Flexibility Around...



 Uses that further the long term interest of our customer

## Wrapping It All Up

- Certain data is less sensitive than others
- Certain uses are less sensitive and more useful than others
- Business realities and customer advantages are important



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## Wrapping it Up/Q&A



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