

**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 Commission Regulated ) File No. AW-2018-0393  
Electric, Gas, Steam Heating, Water, and Sewer )  
Utilities and Their Affiliates and Nonaffiliates )

**SPIRE’S ADDITIONAL RESPONSE TO STAFF’S  
DRAFT CUSTOMER INFORMATION RULE**

COMES NOW Spire Missouri Inc. (“Spire” or “Company”) and submits *Spire’s Additional Response to Staff’s Draft Customer Information Rule* (“Response”) to the Missouri Public Service Commission (“Commission”) in response to the Commission’s November 7, 2019 Order Requesting Additional Responses to the Staff’s September 16, 2019 filing, *Staff Draft Customer Information Rule*. In support of its Response, Spire states as follows:

1. Spire appreciates Staff’s efforts in putting together a more streamlined customer information rule, however, Spire believes that additional changes are necessary to ensure the rule is both clear and practical, while still providing appropriate customer protections.

2. **Aggregated or Anonymized Personal Customer Information.** The Staff’s Proposed Rule sets forth how the aggregated or anonymized personal customer information may be disclosed to affiliates or third-party non-affiliates as follows:

Aggregated or anonymized personal customer information collected by a utility in its provision of utility related service, may otherwise be disclosed to an affiliate or third-party nonaffiliate *by the minimum number of customers and the maximum percentage contribution of any one customer to the total of the data for the particular category of data being disclosed in the aggregate* or anonymized as determined by the agreement between the utility and the affiliate or third-party nonaffiliate and submitted to the commission for authorization. (emphasis added)

The standard set out by Staff pertaining to how information should be aggregated and disclosed is unclear and confusing as written. Spire proposes that this standard be either removed or rewritten

after discussion with interested stakeholders. In addition, it is unclear regarding what would need to be submitted to the Commission for authorization. Regardless, Spire does not believe it is appropriate to obtain Commission authorization on its affiliate or third-party non-affiliate agreements. This type of requirement would be not only overreaching and inappropriate, but also overly burdensome to the utility and cause undue and unnecessary delay in the running of the utility's business. Additionally, the Staff's proposed rule, in the same Section, (4)(B) requires the utility to notify staff counsel's office and the office of the public counsel of the aggregating or anonymizing process by the utility for the utility's own analysis, reporting or program management. Spire does not agree with this provision of the rule, and proposes that it be removed, as this requirement is unnecessary and overly burdensome on the utility to have to provide notice each and every time the utility uses its own data in an aggregated or anonymized form; particularly in respect to the public counsel as they do not have oversight of the utility companies.

3. **Privacy Policy.** Spire generally agrees with the standards set forth by Staff in the Privacy Policy section pertaining to what information should be included and disclosed to customers. Spire disagrees with the requirement to automatically provide a tangible paper copy of the Privacy Policy to its new customers. Spire supports making the customer aware of its Privacy Policy and allowing the customer the option of accessing the Privacy Policy through the Company's website, or, if the customer so chooses, receiving a paper copy of Spire's Privacy Policy in the mail. Giving the customer a choice regarding the manner the customer accesses Spire's Privacy Policy better supports what is preferred by the customer, creates less waste, and reduces costs overall.

4. **Other Notification Required Respecting Personal Customer Information.** The Staff proposes a requirement that the utility notify both staff counsel's office and the office of the public counsel when customer information is required to be made available pursuant to rule, subpoena, or order without documented or written customer consent and also requires the utility to identify how such information is treated. Spire disagrees with this provision of the rule as

unnecessary and burdensome on the utility. Given the high frequency of these types of requests (divorces, for example), it would not be reasonably feasible for the company to track and report these requests with any regularity. Furthermore, it is not clear what value is served by providing this information to both staff counsel and the office of the public counsel. In the alternative, if the Commission is compelled to retain some sort of notice to staff counsel and the office of the public counsel on this matter, Spire proposes that this provision be modified to only require notice to staff counsel, and that notification be done on an annual basis in a report form documenting treatment of such instances.

WHEREFORE, for the foregoing reasons, Spire asks that the Commission consider its comments in the promulgation of this rule and allow for additional discussion among interested stakeholders where needed.

Respectfully submitted,

SPIRE MISSOURI INC.

*/s/ Goldie T. Bockstruck*

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### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Additional Response was served on all parties of record on this 9th day of December 2019 by email.

Goldie T. Bockstruck  
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