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 Nonaffiliates.	,	

Additional Comments of the Consumers Council of Missouri

The Consumers Council of Missouri ("Consumers Council") submits these additional comments in response to the Public Service Commission's (Commission's) October 23, 2018 invitation for answers to questions proffered by its Staff regarding the sharing of private customer information by regulated utility companies.

Consumers Council concurs in the November 30, 2018 Comments of the Office of the Public Counsel ("Public Counsel") in response to the Staff questions.

Consumers Council continues to believe that Commission Rules should protect utility consumers from having their private data disclosed and thus limit customer exposure to fraud. We are concerned that sensitive consumer information in the hands of monopoly utilities could too easily be sold or abused by third parties who are granted access to it--or even hacked by others, if that information is not sufficiently protected. To this end, Consumers Council looks to the Commission to ensure that protections for this data be uniformly codified, rather than simply trusting regulated monopolies to treat such customer data carefully.

The workshop and previous comments have thus far provided helpful suggestions on the proper definitions that could be included in such a rule. Consumer

Council further urges the Commission to consider that such customer privacy rules also

contain effective enforcement provisions, with remedies that effectively deter violations.

And as Consumers Council urged in its initial comments, consumer data protection

provisions should not be subject to waivers.

The central issue regarding disclosure involves the matter of customer consent;

the wording of any rule on this point should be carefully worded to grant maximum

protection to consumers and to preserve customer choice over the privacy of their data.

Thus, any such rule should contain clear language that requires affirmative customer

consent for the disclosure of any private data, apart from the data that is needed to

provide safe and adequate tariffed electric, gas, water and sewer services. Affirmative

consent should be defined as a clear "opting in" by the customer to allow for disclosure.

Consent for the disclosure of customer data should not be made a requirement to

receive essential utility services (or any tariffed service) from a regulated utility in

Missouri. Affirmative consent should not be defined as an implicit consent, nor as part

of an "opting out" framework.

Respectfully submitted,

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