

## **Procedures used to obtain authorization to access customer historical usage or credit information**

### **Customer Authorization Process.**

The distribution utility or MDSP shall provide information about a specific customer requested by Buyer. (“ESCO name”) authorized by the customer to receive the information.

1. ESCO NAME shall obtain customer authorization to request information, in accordance with the procedures in UBP Section 5, Changes in Service Providers, Attachments 1, 2, and 3. ESCO NAME shall inform its customers of the types of information to be obtained, to whom it will be given, how it will be used, and how long the authorizations will be valid. The authorization is valid for no longer than six months unless the sales agreement provides for a longer time.
2. A distribution utility and a MDSP shall assume that ESCO NAME obtained proper customer authorization if ESCO NAME is eligible to provide service and submits a valid information request.
3. ESCO NAME shall retain, for a minimum of two years, verifiable proof of authorization for each customer. Verification records shall be provided by ESCO NAME, upon request of the DPS staff, within five calendar days after a request is made. Locations for storage of the records shall be at the discretion of ESCO NAME.
4. Upon request of a customer, a distribution utility and/or MDSP shall block access ESCO NAME to information about the customer.
5. ESCO NAME shall comply with statutory and regulatory requirements pertaining to applicable state and federal do-no-call registries.

### **Customer Information Provided to ESCO NAME**<sup>1</sup>

*1. Release of Information.* A distribution utility and a MDSP shall use the following practices for transferring customer information to ESCO NAME .

a. A distribution utility shall provide the information in the Billing Determinant Information Set upon acceptance of ESCO NAME ’s enrollment request and the information in the Customer Contact Information Set and the Credit Information Set, upon ESCO NAME ’s request.

b. The distribution utility or MDSP shall respond within two business days to valid requests for information as established in EDI transaction standards and within five business days to requests for data and information for which an EDI transaction standard is not available.

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<sup>1</sup> Upon enrollment of a customer, ESCO NAME shall receive usage data and any subsequent changes, corrections and adjustments to previously supplied data or estimated consumption for a period, at the same time that the distribution utility validates them for use. An ESCO NAME issuing consolidated bills is entitled to receive billing information, in accordance with UBP Section 9, Billing and Payment Processing.

The distribution utility or MDSP shall provide the reason for rejection of any valid information request.

*2. Customer Contact Information Set.* The distribution utility or MDSP, to the extent it possesses the information, shall provide, upon ESCO NAME 's request, consumption history for the customer's electric account. Consumption history<sup>3</sup> for an electric account shall include:

1. Customer's service address;
2. Electric or gas account indicator;
3. Sales tax district used by the distribution utility;
4. Rate service class and subclass or rider by account and by meter, where applicable;
5. Electric load profile reference category or code, if not based on service class;
6. Usage type (e.g., kWh or therm), reporting period, and type of consumption (actual, estimated, or billed);
7. Twelve months, or the life of the account, whichever is less, of customer data via EDI and, upon separate request, an additional 12 months, or the life of the account, whichever is less, of customer data via EDI or an alternative system at the discretion of the distribution utility or MDSP, and, where applicable, demand information;<sup>4</sup> if the customer has more than one meter associated with an account, the distribution utility or MDSP shall provide the applicable information, if available, for each meter; and
8. Electronic interval data in summary form (billing determinants aggregated in the rating periods under a distribution utility's tariffs) via EDI, and if requested in detail, via an acceptable alternative electronic format.

*3. Billing Determinant Information Set.* Upon acceptance of ESCO NAME 's enrollment request, a distribution utility shall provide the following billing information for an electric account, as applicable:

- a. customer's service address, and billing address, if different;
- b. electric account indicator;
- c. meter reading date or cycle and reporting period;
- d. billing date or cycle and billing period;
- e. meter number, if available;
- f. distribution utility rate class and subclass, by meter;
- g. description of usage measurement type and reporting period;
- h. customer's load profile group, for electric accounts only;
- i. life support equipment indicator;
- l. customer's location based marginal pricing zone, for electric accounts only; and,
- m. budget billing indicator.<sup>6</sup>

*4. Credit Information Set.* The distribution utility or MDSP shall provide credit information for the most recent 24 months or life of the account, whichever is less, upon receipt of ESCO NAME's electronic or written affirmation that the customer provided authorization for release of the information to ESCO NAME . Credit information shall include number of times a late payment charge was assessed and incidents of service disconnection.

**Direct Customer Information**

A Direct Customer shall receive usage data and any subsequent changes, corrections and adjustments to previously supplied data, and estimated consumption for a period, at the same time that the distribution utility validates them for use. The distribution utility or MDSP shall make available, upon request, to an electric Direct Customer, a class load profile for its service class.

**Charges for Customer Information**

No distribution utility or MDSP shall impose charges upon ESCO NAME or Direct Customers for provision of the information described in this Section. The distribution utility may impose an incremental cost based fee, authorized in tariffs for ESCO NAME 's request for customer data for a period in excess of 24 months or for detailed interval data per account for any length of time.

**Unauthorized Information Release**

ESCO NAME , its employees, agents, and designees, are prohibited from selling, disclosing or providing any customer information obtained from a distribution utility or MDSP, in accordance with this Section, to others, including their affiliates, unless such sale, disclosure or provision is required to facilitate or maintain service to the customer or is specifically authorized by the customer or required by legal authority. If such authorization is requested from the customer, ESCO NAME shall, prior to authorization, describe to the customer the information it intends to release and the recipient of the information.

<sup>4</sup> A distribution utility may provide data for a standard 24 months or life of the account, whichever is less, as part of its customer contract information set.

<sup>5</sup> As specified in the EDI standard for an enrollment request and response, the distribution utility may transmit additional data elements, based upon the request, the responding distribution utility, and the commodity type.