



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

D.P.U. 14-141

February 20, 2015

Response of the Department of Public Utilities to Data Privacy and Data Security Issues Related to the Statewide Energy Efficiency Database.

HEARING OFFICER RULING ON REQUEST OF PROGRAM ADMINISTRATORS TO STAY COMPLIANCE FILING

I. INTRODUCTION

On December 1, 2014, the Department of Public Utilities (“Department”) issued its Order in Response to the May 13, 2014 Resolution of the Energy Efficiency Advisory Council (“Council”)¹ regarding the development of a statewide energy efficiency database (“database”). Response of the Department of Public Utilities to Data Privacy and Data Security Issues Related to the Statewide Energy Efficiency Database, D.P.U. 14-141 (2014). In the Order, the Department directed the Program Administrators² to: (1) populate a database with all data the Program Administrators currently report; and (2) provide certain additional data at a more granular level than is currently reported. D.P.U. 14-141, at 5-6. Further, the Department directed the Program Administrators to work with other interested stakeholders to develop answers to certain database implementation questions. D.P.U. 14-141, at 8. The Department directed the Program Administrators to file a compliance filing on these implementation questions by February 23, 2015. D.P.U. 14-141, at 8.

¹ The Department appoints and convenes the Council pursuant to G.L. c. 25, § 22.

² The Program Administrators are: Bay State Gas Company, d/b/a Columbia Gas of Massachusetts; The Berkshire Gas Company; Blackstone Gas Company; Boston Gas Company and Colonial Gas Company, each d/b/a National Grid; Fitchburg Gas and Electric Light Company, d/b/a Unitil (gas); NSTAR Gas Company; Liberty Utilities (New England Natural Gas Company) Corp.; the towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, Yarmouth, and the Counties of Barnstable and Dukes, acting together as the Cape Light Compact; Fitchburg Gas and Electric Light Company, d/b/a Unitil (electric); Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid; NSTAR Electric Company; and Western Massachusetts Electric Company.

On December 22, 2014, the Program Administrators filed a joint motion for reconsideration of the Department's Order ("Joint Motion"). In addition, the Program Administrators filed a motion to stay the compliance filing until such time as the Department conducts a review in this proceeding (Joint Motion at 17).³

II. RULING

The substance of the Program Administrators' Joint Motion is currently pending before the Commission. Accordingly, to allow review and consideration of the Joint Motion, I stay the compliance filing until such time as the Commission rules on the substance of the Joint Motion. See Aquarion Water Company, D.P.U. 08-27-A at 7 (2009) (it is within the Department's discretion to grant a stay where warranted).

Under the provisions of 220 C.M.R. § 1.06(6)(d)(3), any party may appeal this Ruling to the Commission by filing a written appeal with supporting documentation within five days of this Ruling. A copy of this Ruling must accompany any appeal. A written response to any appeal must be filed within three days of the appeal. The Ruling remains in full force and effect unless and until set aside or modified by the Commission. 220 C.M.R. § 1.06(6)(d)(2).

/s/

Jeffrey M. Leupold
Hearing Officer

³ On December 22, 2014, the Low-Income Energy Affordability Network filed comments in support of the Joint Motion. The Energy Consumers Alliance of New England, DOER, Acadia Center, and Green Justice Coalition, on January 12, 2015, January 13, 2015, January 14, 2015, and January 16, 2015, respectively, filed comments in opposition to the request for reconsideration.