



**REGULAR MEETING of the Executive Committee of the  
Peninsula Clean Energy Authority (PCEA)  
Monday, December 10, 2018  
8:00 a.m.**

Peninsula Clean Energy, 2075 Woodside Road,  
Redwood City, CA 94061

*Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Anne Bartoletti, Agenda Administrator, at least 12 hours before the meeting at (650) 260-0111 and/or [abartoletti@peninsulacleanenergy.com](mailto:abartoletti@peninsulacleanenergy.com). Notification in advance of the meeting will enable the PCEA to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees to this meeting are reminded that other attendees may be sensitive to various chemical based products.*

*If you wish to speak to the Committee, please fill out a speaker's slip located on the tables as you enter the meeting room. If you have anything that you wish to be distributed to the Committee and included in the official record, please hand it to a member of PCEA staff who will distribute the information to the Committee members and other staff.*

**CALL TO ORDER / ROLL CALL**

**PUBLIC COMMENT**

This item is reserved for persons wishing to address the Committee on any PCEA-related matters that are as follows: 1) Not otherwise on this meeting agenda; 2) Listed on the Consent Agenda; 3) Chief Executive Officer's or Staff Report on the Regular Agenda; or 4) Committee Members' Reports on the Regular Agenda. Public comments on matters not listed above shall be heard at the time the matter is called.

As with all public comment, members of the public who wish to address the Committee are requested to complete a speaker's slip and provide it to PCEA staff. Speakers are customarily limited to two minutes, but an extension can be provided to you at the discretion of the Committee Chair.

**ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS**

This item is to set the final consent and regular agenda, and for approval of the items listed on the consent agenda. All items on the consent agenda are approved by one action.

## **REGULAR AGENDA**

1. Chair Report (Discussion)
2. CEO Report (Discussion)
3. Recommend Approval of four new PCE policies designed to satisfy data-privacy and security requirements of the California Public Utilities Commission:
  - a. AMI Data-Privacy and Security Policy (Action)
  - b. Privacy Notice (Action)
  - c. Information Technology Security Policy (Action)
  - d. Records Retention Policy (Action)
4. Recommend Approval of Four-Year EV Infrastructure Program (Action)
5. Review 2019 EV Ride & Drive Marketing (Discussion)
6. Committee Members' Reports (Discussion)

## **CONSENT AGENDA**

7. Approval of the Minutes for the November 5, 2018 Meeting (Action)

Public records that relate to any item on the open session agenda for a regular board meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the Peninsula Clean Energy office, located at 2075 Woodside Road, Redwood City, CA 94061, for the purpose of making those public records available for inspection. The documents are also available on the PCEA's Internet Web site. The website is located at: <http://www.peninsulacleanenergy.com>.



**PENINSULA CLEAN ENERGY  
JPA Board Correspondence**

**DATE:** Dec. 5, 2018  
**BOARD MEETING DATE:** Dec. 10, 2018  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority Vote

**TO:** Honorable Peninsula Clean Energy Authority Executive Committee

**FROM:** Jan Pepper, Chief Executive Officer, Peninsula Clean Energy

**SUBJECT:** New PCE Advanced Metering Infrastructure (AMI) Data-Privacy and Security Policy, IT-Security Policy, Privacy Notice, and Records Retention Policy

**RECOMMENDATION**

Recommend approval by the Board of PCE's new Advanced Metering Infrastructure (AMI) Data-Privacy and Security Policy, IT-Security Policy, Privacy Notice, and Records Retention Policy.

**BACKGROUND**

In 2012, the Public Utilities Commission (PUC) issued Decision 12-08-045 (Decision), which extended certain requirements for protecting the privacy of Advanced Metering Infrastructure (AMI) data (i.e., customer energy usage data) to Community Choice Aggregators. The PUC's Decision requires that PCE, as a CCA:

1. Provide, at particular points in time, a notice to PCE's customers regarding how PCE handles their energy usage data; and
2. Adopt policies to ensure that PCE protects the privacy of customer energy usage data, including policies around customer access and control, disclosure and storage, security, and accountability and auditing.

The Decision also requires PCE to conduct an audit every three years to evaluate its compliance with the Decision's requirements. PCE must submit its first audit report to the PUC by April 30, 2019, for the period January 1, 2016 through December 31, 2018.

To meet these requirements, the San Mateo Office of County Counsel, with input from PCE staff, has drafted four policies recommended for Board approval:

1. AMI Data Privacy and Security Policy;
2. Notice of Accessing, Collecting, Storing, Using and Disclosing Energy Usage Information (Privacy Notice)
3. IT Security Policy
4. Records Retention Policy

The Privacy Notice is not technically a policy, but by adopting it as one, PCE can more easily manage and update it. Also, while only portions of the Records Retention Policy are required by the PUC's Decision, it makes sense to use this opportunity to adopt a comprehensive retention policy.

Once the Board approves these policies, PCE staff will implement them, including by (a) adding the Privacy Notice to PCE's website and customer correspondence, and (b) taking other actions required by the PUC's Decision, beyond those that PCE has already implemented. In addition, in December 2018, the County Counsel's Office will provide training to PCE staff regarding how to implement these policies and comply with the Decision. Finally, PCE is in the process of hiring an auditor, both to conduct the required audit and to identify how PCE can improve its ongoing implementation of the Decision's requirements and these new policies.



Policy Number: XX

Adoption Date: DATE

**Subject:** Advance Metering Infrastructure (AMI) Data Privacy and Security Policy

**Policy:** Decision 12-08-045, issued by the California Public Utilities Commission (Commission) on August 31, 2012, requires certain privacy protections for the energy usage data of customers of Community Choice Aggregators, including PCE. This policy provides those protections.

## 1. General

- a. PCE will implement reasonable administrative, technical, and physical safeguards to protect “covered information”<sup>1</sup> from unauthorized access, destruction, use, modification, or disclosure.
- b. PCE will provide reasonable training to all employees and contractors who use, store, or process covered information.
- c. PCE will collect, store, use, and disclose only as much covered information, and for as long, as is reasonably necessary or as authorized by the Commission, to accomplish (1) a specific primary purpose or (2) a specific secondary purpose authorized by a customer.<sup>2</sup>
- d. PCE will ensure that the covered information it collects, stores, uses, and discloses is reasonably accurate and complete or otherwise

<sup>1</sup> “Covered information” means “any usage information obtained through the use of the capabilities of Advanced Metering Infrastructure when associated with any information that can reasonably be used to identify an individual, family, household, residence, or non-residential customer, except that covered information does not include usage information from which identifying information has been removed” or “information provided to the Commission pursuant to its oversight responsibilities.” Decision (D.) 12-08-045, at B1-B2.

<sup>2</sup> “Primary purposes” include: (1) providing or billing for electrical power or gas; (2) providing for system, grid, or operational needs; (3) providing services required by law or the Commission; and (4) planning, implementing, or evaluating “demand response, energy management, or energy efficiency programs” under a contract with CCAs or the PUC, “or as part of a PUC-authorized program conducted by a governmental entity under the supervision of the” Commission. “Secondary purposes” include “any purpose that is not a primary purpose.” D.12-08-045, at B2.

compliant with applicable rules and tariffs regarding the quality of energy usage data.

- e. PCE will use covered information only for the purpose(s) it specifies in its Notice of Accessing, Collecting, Storing, Using and Disclosing Energy Usage Information (see Section 2(b)).

## **2. Transparency and notification**

- a. PCE will provide customers with meaningful, clear, accurate, specific, and comprehensive notice regarding the accessing, collection, storage, use, and disclosure of covered information. However, when PCE uses covered information solely for a primary purpose on behalf of and under contract with a utility, PCE is not required to provide notice separate from that provided by the utility.
- b. PCE will provide written notice when confirming a new customer account and at least once a year. The notice will: (1) inform customers how they may obtain a copy of PCE's notice regarding the accessing, collection, storage, use, and disclosure of covered information; (2) provide a conspicuous link to the notice on the home page of PCE's website; and (3) include a link to PCE's notice in all electronic correspondence to customers.
  - i. The notice will be labeled "Notice of Accessing, Collecting, Storing, Using and Disclosing Energy Usage Information," written in easily understandable language, and be no longer than is necessary to convey the requisite information.
  - ii. The notice and the posted privacy policy will state clearly: (1) the identity of PCE; (2) the effective date of the notice or posted privacy policy; (3) PCE's process for altering the notice or posted privacy policy, including how the customer will be informed of any alterations; (4) where prior versions will be made available to customers; and (5) the title and contact information, including email address, postal address, and telephone number, of an official at PCE who can assist the customer with privacy questions, concerns, or complaints regarding the collection, storage, use, or distribution of covered information.
  - iii. The notice will provide an explicit description of: (1) each category of covered information collected, used, stored or disclosed, and for each category of covered information, the reasonably specific purposes for which it will be collected, stored, used, or disclosed; (2) each category of covered information that is disclosed to third parties, and, for each such category, a description of the means by which customers may view, inquire about, or dispute their covered information;

and (3) the means, if any, by which customers may limit the collection, use, storage or disclosure of covered information and the consequences to customers if they exercise such limits.

- c. PCE will provide to customers upon request convenient and secure access to their covered information, in an easily readable format that is at a level no less detailed than that at which PCE discloses the data to third parties.

### **3. Use, disclosure, and customer authorization**

- a. PCE may disclose covered information without customer consent to a third party acting under contract with the Commission for the purpose of providing services authorized pursuant to an order or resolution of the Commission, or to a governmental entity for the purpose of providing energy efficiency or energy-efficiency evaluation services pursuant to an order or resolution of the Commission.
- b. PCE may disclose covered information to a third party without customer consent when explicitly ordered to do so by the Commission, or for a primary purpose being carried out under contract with and on behalf of PCE, provided that PCE requires, by contract, the third party to agree to access, collect, store, use, and disclose the covered information under policies, practices and notification requirements no less protective than those under which PCE itself operates.
- c. Any entity that receives covered information derived initially from PCE may disclose such covered information to another entity without customer consent for a primary purpose, provided that the entity disclosing the covered information shall, by contract, require the entity receiving the covered information to use the covered information only for such primary purpose and to agree to store, use, and disclose the covered information under policies, practices and notification requirements no less protective than those under which the covered entity from which the covered information was initially derived operates.
- d. When PCE discloses covered information to a third party under this subsection it will specify by contract, unless otherwise ordered by the Commission, that it shall be considered a material breach if the third party engages in a pattern or practice of accessing, storing, using or disclosing the covered information in violation of the third party's contractual obligations to handle the covered information under policies no less protective than those under which the covered information was initially derived.
- e. If PCE finds that a third-party contractor to which it disclosed covered

information is engaged in a pattern or practice of accessing, storing, using or disclosing covered information in violation of the third party's contractual obligations related to handling covered information, PCE will promptly cease disclosing covered information to such third party.

- f. Separate authorization by each customer will be obtained for all disclosures of covered information except as otherwise provided for herein.
- g. PCE will permit customers to cancel authorization for any secondary purpose of their covered information by the same mechanism initially used to grant authorization.
- h. PCE will permit the use of aggregated usage data that is removed of all personally-identifiable information to be used for analysis, reporting or program management provided that the release of that data does not disclose or reveal specific customer information because of the size of the group, rate classification, or nature of the information.

#### **4. Disclosures pursuant to a legal process**

- a. When PCE receives a subpoena for covered information:
  - i. The recipient must immediately inform, via email, the Director of Customer Care, Director of Regulatory Affairs, Chief Executive Officer, Office Manager, and General and Deputy Counsels (at the San Mateo County Counsel's Office).
  - ii. Working with counsel, the Director of Customer Care and Office Manager must: (1) calendar the subpoena next steps and requirements; (2) create designated electronic and paper folders; (3) save the subpoena and all related documents in the designated folders; (4) add the subpoena to the tracking spreadsheet for inclusion in any following compliance report; and (5) within 7 days of receipt, inform the affected customer(s) of the potential disclosure (see D.12-08-045, Att. B., § 4(c)(2)).
  - iii. Counsel will evaluate the subpoena for specificity and ensure customer contact and information (see D.12-08-045, Att. B., § 4(c)(1)-(2)).
- b. In addition, in processing a subpoena for covered information, PCE will meet the requirements in Section 4(c) of Attachment B to D.12-08-045, which provide as follows:
  - (1) Except as otherwise provided in this rule or expressly authorized by state or federal law or by order of the Commission, a covered



entity shall not disclose covered information except pursuant to a warrant or other court order naming with specificity the customers whose information is sought. Unless otherwise directed by a court, law, or order of the Commission, covered entities shall treat requests for real-time access to covered information as wiretaps, requiring approval under the federal or state wiretap law as necessary.

(2) Unless otherwise prohibited by court order, law, or order of the Commission, a covered entity, upon receipt of a subpoena for disclosure of covered information pursuant to legal process, shall, prior to complying, notify the customer in writing and allow the customer 7 days to appear and contest the claim of the person or entity seeking disclosure.

(3) Nothing in this rule prevents a person or entity seeking covered information from demanding such information from the customer under any applicable legal procedure or authority.

(4) Nothing in this section prohibits a covered entity from disclosing covered information with the consent of the customer, where the consent is express, in written form, and specific to the purpose and to the person or entity seeking the information.

(5) Nothing in this rule prevents a covered entity from disclosing, in response to a subpoena, the name, address and other contact information regarding a customer.

(6) On an annual basis, covered entities shall report to the Commission the number of demands received for disclosure of customer data pursuant to legal process or pursuant to situations of imminent threat to life or property and the number of customers whose records were disclosed. Upon request of the Commission, covered entities shall report additional information to the Commission on such disclosures. The Commission may make such reports publicly available without identifying the affected customers, unless making such reports public is prohibited by state or federal law or by order of the Commission.

## **5. Data security**

- a.** PCE will follow the procedures outlined below to prevent, identify, report, and respond to security breaches of covered information. Such breaches may be unauthorized access, destruction, use, modification, or disclosure to third parties for secondary purposes.
- b.** Procedures:
  - i.** All PCE employees who handle or have access to covered information must protect that information from unauthorized

access, destruction, use, modification, or disclosure to non-covered entities for secondary purposes.

- ii. PCE's Director of Customer Care (or CEO) will review and approve any request by third parties for access to PCE's customer usage data to ensure that there is no inadvertent release of covered information.
- iii. All authorized releases of covered information to third parties will be logged and reported to PCE's Director of Customer Care and Director of Regulatory Affairs for PCE's reporting purposes.
- iv. Any discovery by a third party of a security breach of covered information must be reported by the third party to PCE within one week of detection.
- v. The discovering party, after receiving complaint/notification from a third party or having discovered any security breach of covered information, must immediately contact PCE's Director of Customer Care and Chief Executive Officer.
- vi. PCE's Director of Customer Care will then quantify and validate the type and extent of the security breach(es).
- vii. PCE will report any single security breach of covered information affecting 1,000 or more PCE customers to the California Public Utilities Commission's Executive Director. PCE will make such report within two weeks of detecting the breach or within one week of notification of a breach by a third party.
- viii. PCE will report any security breaches of covered information to the Commission's Executive Director when ordered to do so by the Commission.
- ix. Within sixty (60) days of the end of a calendar year, PCE's Director of Customer Care will review all annual discoveries of security breaches of covered information and prepare a summary report to PCE's Chief Executive Officer and Director of Regulatory Affairs.
- x. By April 30 of each year, PCE will file an annual report with the Commission identifying all breaches of covered information during the prior calendar year. The report must include, for the prior calendar year: (1) the number of authorized third parties accessing covered information, and (2) the number of non-compliances with the Commission's security-breach requirements or with contractual provisions

required by those requirements, and the number of customers affected by each non-compliance and a detailed description of each non-compliance.

- xii. At least annually, PCE's Director of Customer Care will review this policy and PCE's Notice of Accessing, Collecting, Storing, Using and Disclosing Energy Usage Information to update them based on their implementation over the prior year. Any changes to this policy or the aforementioned Notice will be reviewed by PCE's Director of Regulatory Affairs, Chief Executive Office, and counsel, and then approved by PCE's Board of Directors.

## **6. Accountability and auditing**

- a. PCE will submit to the Commission on an annual basis the data breach report described in Section 5(x) above.
- b. PCE will cause to be conducted an independent audit of PCE's data privacy and security measures every three years, to be submitted to the Commission by April 30 of the year following the three-year period.
- c. PCE will provide its customers a process for reasonable access to covered information, for correction of inaccurate covered information, and for addressing customer complaints regarding covered information.
- d. PCE will provide reasonable training to all employees and contractors who use, store or process covered information;
- e. PCE will make available to the Commission, upon request:
  - i. PCE's privacy notices, including its Notice of Accessing, Collecting, Storing, Using and Disclosing Energy Usage Information;
  - ii. PCE's internal privacy and data-security policies;
  - iii. The categories of agents, contractors and other third parties to which PCE discloses covered information for a primary purpose, the identities of agents, contractors and other third parties to which PCE discloses covered information for a secondary purpose, and the purposes for which all such information is disclosed, indicating for each category of disclosure whether it is for a primary purpose or a secondary purpose (PCE will also retain and make available to the Commission upon request information concerning who has received covered information from PCE); and

- iv. Copies of any secondary-use authorization forms by which PCE secures customer authorization for secondary uses of covered data.

DRAFT



Policy Number: XX

Adoption Date: DATE

**Subject:** Notice of Accessing, Collecting, Storing, Using and Disclosing Energy Usage Information (Privacy Notice)

**Policy:** Consistent with all legal and regulatory requirements, PCE treats all customer information as confidential and employs a combination of technology and standard practices to ensure that customer information is safeguarded from unauthorized access or exposure. This notice, as well as PCE's companion Customer Confidentiality Policy and Advance Metering Infrastructure (AMI) Data Privacy and Security Policy, apply to PCE, its employees, agents, contractors, and affiliates.

To standardize some of the rules regarding customer privacy, the California Public Utilities Commission (Commission) has issued "Rules Regarding Privacy and Security Protections for Energy Usage Data." These rules prohibit PCE and other load-serving entities from releasing information that can reasonably be used to identify an individual customer (or a customer's family, household, or residence) to a third party without the customer's written consent, except as is necessary for PCE to:

- Provide or bill for electrical power services;
- Provide services required by state or federal law or as specifically authorized by an order of the Commission;
- Plan, implement or evaluate energy management, demand response or energy efficiency programs under contract with PCE or under contract with the Commission;
- Provide personal information pursuant to a lawful warrant or court or law enforcement order, after prior notice to you unless such notice is prohibited by law; or
- Provide personal information to emergency responders in situations involving an imminent threat to life or property.

//

//

## Privacy Policy and Website Security FAQs

### 1. What kind of information does PCE collect?

We collect customer information, such as your electric usage, name, address, and account information, based on your use of electric services and your decision to participate in programs we offer, such as those related to energy efficiency.

### 2. How is the information collected?

PG&E provides customer information to PCE. When you use electricity service, usage data is collected via PG&E's metering systems (including the SmartMeter system).

In order to provide greater security for you on PCE's website, you may be asked to submit personal information such as your PCE account number, PG&E account number, name, address, phone number, and email address. You may also be asked to submit additional personal information or financial information in order to use certain services. Our goal is to protect all information you provide us on the website, as set forth in this Privacy Notice. To that end, the Secure Socket Layer (SSL) certificate installed via SimpleSSL is a Lets Encrypt SSL certificate, using Sha 256 and RSA Encryption so that traffic is encrypted at 256 bit when using HTTPS.

You are responsible for your use of PCE's website. Accordingly, please use your own good judgment when choosing to share your user name or password with anyone who could use it to access your personal information without your permission. We encourage you to protect the confidentiality of your user name and password and other personally identifiable information that you access on PCE's website.

### 3. How is the information used?

We use customer information to administer your account and inform you about your energy usage, as well as to manage, provide, and improve our services and business operations, including data management and customer service.

We use this information to generate the PCE charges on your customer billing statement and to communicate with you about specific programs or opportunities offered by PCE that may help you to lower your energy usage or realize other benefits. We may also aggregate data about your electric usage with other users in various formats so that the data becomes anonymous and cannot be identified directly with you.

For instance, aggregated data could be a summary of total energy usage for all homes and businesses in a certain geographic area or climate. Aggregated data is not subject to privacy restrictions, and we use it to manage, provide, and improve our services and business operations.

We ask you to provide personal information when you access customer services offered on our website, and that information enables us to provide you with better service. We may use this information to contact you to respond to an inquiry that you send to PCE or to keep you informed about PCE and its services. If you choose email as an approved method for communicating with us, then we will generally use your email to communicate with you.

To provide you the services offered on our website, or to complete transactions requested by you on the website, we may transfer you to outside services provided by third-party operators. In certain instances, the third-party content may be shown in such a way that it appears that you are still on PCE's website. In such cases, we will have agreements with those third parties where they agree to maintain the confidentiality of your personal information and to use it only to help us serve you.

Other than for the exceptions noted in the above section, it is PCE's policy to not release personal information about you to any other person or business entity without your prior written consent. We may obtain your consent electronically. When we have obtained your consent to disclose data for certain purposes, you may revoke your consent (via the same means through which you provided it).

Your visits to PCE's website. We collect information about our website, such as the number of visitors to the website and the number of users who click on certain links or use certain services. For some applications, such as rate analysis, we may link usage information with the customer visiting the website. We use industry standard software to create summary statistics of the usage data we collect, which we may then use to highlight what our visitors find interesting, improve the website design and usability, identify system performance issues, or for other internal purposes.

Our use of your IP address. An Internet Protocol (IP) address is a number automatically assigned to your computer every time you browse the Internet. When you visit the website, our servers log your current IP address. We may use your IP address to help diagnose problems with our servers and to administer the website. Your IP address is not tied to your personal information, and we do not use it to identify you when logging IP address data except to provide content to you.

Our use of cookies. When you visit the website, our server may create cookies, which are small files placed on your computer, making it easier for you to use the website by verifying when you travel from page to page. The data we collect on website usage from cookies is not tied to your personal information, and we use it only in a collective form. We do not sell or transfer the data we obtain from cookies for any purpose other than to evaluate website usage or provide utility services to you, or to contact you to offer programs and/or services that you may be interested in.

Installed plug-ins: PCE has installed WP DoNotTrack. This stops plugins and themes from adding third-party tracking code and cookies, thereby protecting visitors' privacy and security and offering performance gains (by limiting requests executed in the browser to render your pages). Additionally, the Third Party Eraser Tool removes all the occurrences of third-party embed inside posts, pages, and

widgets. These programs stop images or javascript from being loaded if these are added using document.write, and set a2a\_config.no\_3p to true for add-to-any NOT to execute the third-party tracking.

Links. While browsing the website, you may encounter and choose to access other third-party operated websites or online services through hypertext links. These third-party websites may send their own cookies to you, log your IP address, and otherwise collect data or personal information about you and your online activities. PCE does not control and is not responsible for what third parties do in connection with their websites or online services, or for how they handle your personal information. Please use caution and consult the privacy policies posted on each third-party website for further information.

Security. Once you login to PCE's online services, any account information you enter (or that is displayed on our website in your browser window) is secured using SSL, an industry standard security technology. By using SSL, we attempt to protect the confidentiality of your personal and financial information. Your browser must be capable of supporting SSL. Please check with your browser manufacturer for details.

#### **4. Does PCE disclose my information to third parties?**

PCE may share customer data with contractors and vendors for purposes of providing you services and operating our programs. In these cases, we require that the contractors or vendors agree to use customer data only for program operational purposes and to protect it under the same confidentiality and privacy standards that we apply to our own employees and operations. PCE does not release personal customer information for any other reason without your prior written consent, except as described below. PCE does not sell or provide personal customer information to third parties for their commercial benefit. PCE may release personal information without your prior written consent as follows:

- To law enforcement officers, pursuant to legal process (such as a warrant or subpoena approved by a judge);
- To contractors providing utility-related services on behalf of PCE—but only to the extent necessary to render the service and subject to confidentiality and security obligations;
- To the California Public Utilities Commission (or other governmental agencies with jurisdiction over PCE) when they require such information;
- To others as required by court order or by applicable laws, rules, or regulations governing PCE;
- To credit reporting agencies and collection agencies if your account is assigned for collection; and



- To emergency responders in situations of imminent threat to life or property.

**5. How long does PCE keep customer information?**

PCE maintains customer-specific energy usage and billing information only as long as reasonably necessary, typically not more than five years unless otherwise necessitated by law or regulation. As a general policy, we collect and retain personal information in minimal quantities and for limited periods of time such that are reasonably necessary to provide electric services to you.

**6. How will I know about changes to this Privacy Policy, and how can I obtain prior versions?**

We will notify you annually with an on-bill message to guide you to the most updated version of this Privacy Policy, which is also available on our website. Between these notification periods, we will also notify you of any changes to this Privacy Policy through communications on our website, [www.peninsulacleanenergy.com](http://www.peninsulacleanenergy.com), including how to obtain prior versions of this Privacy Policy upon request.

**7. Whom should I contact if I have privacy questions or concerns?**

If you have privacy-related questions or concerns, or would like to view your disclosed information, please contact PCE's Director of Customer Care:

[info@peninsulacleanenergy.com](mailto:info@peninsulacleanenergy.com)  
(650) 260-0005

Peninsula Clean Energy  
2075 Woodside Road  
Redwood City, CA 94061

**8. What measures does PCE take to protect children's privacy online?**

We have areas of our website intended for the use of children containing information about energy and safety. We also provide free classroom materials for teachers on energy awareness and safety. We do not monitor the age of users of the website. However, if you are under the age of 18, you should not submit personal information on the website or any websites without the consent of your parent or guardian.

**Subject:** Information Technology Security Policy

**Purpose:** The purpose of this policy is to ensure proper management of information technology (IT or Information) as required to support regulatory compliance, minimize legal liability, reduce the risk of criminal activity, and sustain stakeholder and customer satisfaction. The IT of Peninsula Clean Energy (PCE) is a critical asset that will be managed to ensure that it remains complete, accurate, confidential, and available for authorized business activities.

## **1. Data protection requirements**

Data is a valuable asset of PCE, and some data must be protected with a higher level of attention and caution. The level of protection is based on the method defined after evaluating the type and sensitivity of the data in question.

## **2. Information Access and Controls**

PCE will make information technology accessible only to authorized employees or designated vendors as needed and such information shall only be used for authorized PCE purposes. To ensure protection of information technology, operational guidelines will be in place for employees and designated vendors to follow which adhere to the principles below:

- Access to specific information technology is to be assigned to PCE employees or designated vendors with the minimum level of access necessary to perform respective responsibilities.
- Access to information technology will be made available only to the extent necessary to support authorized business functions.
- Security systems are to be structured with multiple layers of security, including physical, network, host, and personnel security measures.
- The degree of information security protection is to be commensurate with the impact of inadvertent or intentional misuse, improper disclosure, damage or loss.
- Adequate controls will ensure effective segregation of duties to provide checks and balances that help insure operational guidelines are followed. Some of the key operational practices PCE follows include; system encryption, using only the

authorized cloud management platform to store documents, and setting-up two-factor authentication.

- Security is not an optional component of operations. All PCE staff and designated vendors are required to protect information. All staff and designated vendors that use or have access to PCE information technology are personally responsible for exercising the proper control over information according to the operational guidelines provided to them.
- Operational guidelines for treatment of information technology are subject to change as needed to protect PCE based on any changes in systems, threats, and practices.
- PCE will retain customer energy usage data only for as long as reasonably necessary or as authorized by the California Public Utilities Commission to accomplish a specific authorized purpose.

### 3. **Specific roles and responsibilities**

- a. **Finance Department:** PCE's Finance Department is responsible to define and implement key IT policies, ensure compliance with the policies, and perform periodic assessment to make sure policies are updated as needed.
- b. **Data user:** The data user is the individual, automated application or process that is authorized to create, enter, edit, and access data, in accordance with the policies and procedures. Data users have a responsibility to:
  - Maintain the security of passwords, personal identification numbers (PINs), and authentication tokens and certificates, and will be held accountable for any activities linked to their accounts;
  - Use the data only for the purpose specified by the Finance Department;
  - Comply with controls established by the Finance Department;
  - Prevent disclosure of confidential or sensitive data; and
  - Report suspected security incidents that may have breached the confidentiality of data.
- c. **Individuals using personally owned computers and other network devices:** Staff and consultants should use personally owned systems or devices only when absolutely necessary. Staff and consultants who use personally owned systems or devices to access PCE resources are responsible for the security of those systems and devices and are subject to (1) the provisions of this IT Security Policy and the standards, procedures, and guidelines established by the Finance Department for PCE computing

and network facilities, and (2) all other laws, regulations, or policies directed at the individual user.

- d. **Third-party vendors:** Third-party vendors providing hosted services and vendors providing support, whether on site or from a remote location, are subject to PCE security policies and may be required to acknowledge this fact in the contractual agreements.
- e. **Other registered entities:** Any entity that is a registered user and connected to PCE's network is responsible for the security of its computers and network devices and is subject to the following:
  - The provisions of this IT Security Policy and the standards, procedures, and guidelines established by the Finance Department for PCE computing and network facilities.
  - All other laws, regulations, or policies directed at the organization and its individual users.

#### 4. Reporting of security incidents

A critical component of security is to address security breaches promptly and with the appropriate level of action. All individuals are responsible for reporting incidents in which they suspect data, computer or network security may have been compromised. All such suspected or actual incidents should be reported to the Finance Department.

## Subject: Records Retention Policy

**Policy:** PCE will retain its records for set periods of time in order to ensure adequate and manageable recordkeeping. Records outside the specified retention periods may be discarded according to the procedures in this policy. Records may be kept in electronic or paper format (or both).

### 1. Retention periods

Record Type	Retention Period	Sample Descriptions
Executed contracts	10 years after termination	Power supply contracts, contracts with vendors or consultants
Vendor invoices	2 years after contract completion	Vendor invoices for payment
Non-disclosure agreements	In perpetuity	NDA with vendor, employee, Board member or advisor
Board-approved decisions	In perpetuity	Resolutions, meeting minutes, and other items approved at regular or special Board meetings
Board and committee meeting materials	In perpetuity	Agendas, staff reports, and other material provided to Board members for meetings
Board-approved budgets	In perpetuity	Final, approved budgets
Document drafts	30 days after final version is approved	Draft of contracts, programs, RFPs, etc.
General electronic correspondence	2 years	Relevant email correspondence at staff discretion
Customer-specific usage information and data	2 to 10 years, but no longer than reasonably necessary	Electronic information and reporting from Director of Customer Care, customer bill analyses, customer consent for third-party disclosures
Marketing material	2 years after public distribution	Flyers, brochures, electronic ads
General educational or informational material	2 years	Brochures, reports, electronic information
Personnel information	5 to 10 years after employee end date	Offer letter, resume, evaluations

## **2. Procedures for discarding records**

- a.** When records are no longer required to be kept under the requirements above, they may be discarded.
- b.** PCE will undertake a record purge at least every five years, identifying those records that may be discarded. The Office Manager will oversee the purge, in consultation with PCE's legal counsel.
- c.** Records with confidential or sensitive information will be discarded in a secure manner, such that the confidential or sensitive information is no longer viewable or accessible after being discarded.

DRAFT



**PENINSULA CLEAN ENERGY  
JPA Board Correspondence**

**DATE:** Dec. 5, 2018  
**BOARD MEETING DATE:** Dec. 10, 2018  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority Vote

**TO:** Honorable Peninsula Clean Energy Authority Executive Committee

**FROM:** Jan Pepper, Chief Executive Officer, Peninsula Clean Energy  
Rafael Reyes, Director of Energy Programs

**SUBJECT:** Electric Vehicle Infrastructure Incentive Program

**RECOMMENDATION**

Recommend approval by the Board on the proposed Peninsula Clean Energy (PCE) four-year \$16 million electric vehicle (EV) infrastructure incentive program.

**BACKGROUND**

Part of PCE's mission is to reduce greenhouse gas (GHG) emissions in San Mateo County. The three main contributors to GHG emissions are electricity use, transportation, and natural gas use in buildings. One of PCE's strategic goals is to further reduce GHG emissions by investing in programs such as EVs. This memo proposes a program aimed at addressing the most significant infrastructure barriers to EV adoption.

As background, in April 2018 the Board approved Phase 1 Electric Vehicle program funded at \$745,000 for EV marketing, new and used vehicle incentives, and a multi-unit dwelling (MUD) technical assistance program. The Board also approved in June 2018 an MUD and Curbside Pilot. These measures are intended to begin to address the three major barriers to EV adoption: a) low awareness, b) high vehicle cost, and c) charging infrastructure. As per the Program Roadmap approved by the Board in September, staff is bringing forward a series of Phase 2 programs for 2019 focused primarily on transportation. These programs include New Construction Reach Codes, EV Ride & Drive Marketing, and EV Infrastructure Incentives.

The new EV Infrastructure Incentive Program proposed here builds on the Phase 1 measures to address infrastructure gaps related to MUDs and other “garage limited” scenarios. Charging access in MUDs remains a major barrier, with roughly half the county population living in some form of MUD. Addressing this barrier is critical, especially for low-income residents. The program is intended to open the EV market via charging access and provide an extended term to support scaled planning and execution.

Multiple sources of complementary funding can be secured, including from the California Energy Commission (CEC), Pacific Gas & Electric (PG&E EV Charge Network program), Bay Area Air Quality Management District (BAAQMD), and Electrify America (VW Settlement). Some programs are “first-come, first-served” (PG&E) and others are on cyclical adoption cycles (CEC, VW). The CEC is anticipated to determine its 2020 allocations in early 2019. However, securing complementary funding is contingent on PCE timely adopting the program to demonstrate “shovel readiness”.

## **DISCUSSION**

The PCE program is intended to help deploy at least 3,000 charge ports across target segments in alignment with State targets. The funds proposed here would be used for (all funds approximate):

1. \$12 million: Incentives to property owners for installation of EV charging infrastructure (multi-unit dwellings, workplace, curbside, fast charging).
2. \$2.0 million: Outreach, education and technical assistance to secure locations and assist with site technical needs.
3. \$1.0 million: Workforce training including reaching underserved communities.
4. \$1.0 million: Program administration needs including incentive verification and disbursement, contractor management, and data systems.

The program is anticipated to leverage at least \$28 million in complementary funding across multiple sources including site host cost share (PG&E, BAAQMD, CEC, and Energize America). Incentive levels are envisioned to vary in most cases from \$1,000 to \$5,000 per charge port based on whether the site already participates in the PG&E program (meaning a lower PCE incentive), the charge port type (low-power 110 volt “Level 1” or higher power 240 volt “Level 2”), low-income segments (higher incentive), apartments (higher incentive) or condominiums (lower incentive). A limited number of fast chargers would be included, targeting a market gap for upgrades of existing fast chargers and higher power fast chargers (100 kW, non-proprietary and projects that are not legally mandated settlements).



Approximate ports per segment:

<b>Segment</b>	<b>Port Count</b>
Schools and community colleges	920
Workplace	350
Multi-unit dwellings	1,620
Fast charging	100
<b>TOTAL</b>	<b>2,990</b>

Actual number of ports installed will vary due to a number of market factors, including property owner interest, identified need, costs and other factors. To aid program adoption, the program includes both an option for any property owner to proactively propose projects and secure incentives as well as targeted “channel” outreach to large property owners and low-income targets. School districts, apartment companies with a large number of units, and low-income housing organizations are all proposed as initial priority outreach channels.

For workforce development, use of installers from the building trades would be required for receiving incentives, and funding would be applied to support a variety of workforce development programs. Workforce development programs could include apprenticeship programs, programs reaching communities with challenges for entering the workforce, and youth programs. All would be aimed at developing skills for the rapidly emerging electrified transportation and integrated distributed energy resources market.

#### **FISCAL IMPACT:**

Expend \$16,000,000 over the course of 4 years (Fiscal Year 2019-2020 through Fiscal Year 2023-2024). This level of expenditure has been included in the 5-year projection under Energy Programs provided to the Board in June 2018.



**PENINSULA CLEAN ENERGY  
JPA Board Correspondence**

**DATE:** Dec. 5, 2018  
**BOARD MEETING DATE:** Dec. 10, 2018  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** None

**TO:** Honorable Peninsula Clean Energy Authority Executive Committee

**FROM:** Jan Pepper, Chief Executive Officer, Peninsula Clean Energy  
Rafael Reyes, Director of Energy Programs

**SUBJECT:** 2019 Electric Vehicle Ride & Drive Marketing Program

**BACKGROUND**

Part of Peninsula Clean Energy's (PCE's) mission is to reduce greenhouse gas (GHG) emissions in San Mateo County. The three main contributors to GHG emissions are electricity use, transportation, and natural gas use in buildings. One of PCE's strategic goals is to further reduce GHG emissions by investing in programs such as EVs. This memo describes an EV Ride & Drive Marketing program to promote EV adoption.

As background, in April 2018 the Board approved Phase 1 Electric Vehicle program funded at \$745,000 for EV marketing, new and used vehicle incentives, and a multi-unit dwelling (MUD) technical assistance program. The Board also approved in June 2018 an MUD and Curbside Pilot. These measures are intended to begin to address the three major barriers to EV adoption: a) low awareness, b) high vehicle cost, and c) charging infrastructure.

As per the Program Roadmap approved by the Board in September, staff is bringing forward a series of Phase 2 programs for 2019 focused primarily on Transportation. These include New Construction Reach Codes, EV Ride & Drive Marketing, and EV Infrastructure Incentives. To address low awareness, research indicates that direct experience with EVs is one of the most effective means of increasing interest in EVs<sup>1</sup>.

---

<sup>1</sup> Recent Navigant research indicates that, among consumers stating they would be likely to acquire an EV as their next vehicle, over 50% had ridden or driven one. For those who stated unlikely they were unlikely to purchase an EV, only 15% had ridden or driven one. UC Davis ITS concludes that one of the most important strategies for promoting EV adoption is to "Create real PEV experience: Ride and drive

The new 2019 EV Ride & Drive Marketing Program builds on the Phase 1 Ride & Drive program that is in the closing stages in 2018. The 2018 program is delivering 6 events with a target of 1,000 EV experiences. Four events have been completed at Genentech, Facebook, San Mateo County Center, and the Burlingame Fall Fest, resulting in 555 drives with an additional 337 passengers for a total to-date of 892 experiences. Two more events are scheduled in December. The 2018 Ride and Drive program is funded at \$70,000. Surveys from the events consistently indicate substantial increases in improved opinion of EVs (~70-80%) and likeliness to acquire in the future (~80%).

## **DISCUSSION**

The 2019 PCE program is intended to scale up the 2018 program in a number of ways:

- Increase the number of participants
- Engage a broader community
- Maximize visibility of EVs and adopters

To achieve these goals, the proposed 2019 program would solicit proposals for a consultant who can not only execute events but also bring creative ideas for increasing the number of events, creating greater visibility, and engaging more community organizations. The RFP would require a minimum number of events (10) that PCE can assist in identifying, and that number could increase based on strategies the consultant may propose, as long as the consultant provides for a minimum of 120 test drives per event. Strategies could include increased visibility through social media, earned media, and other low-cost outreach strategies.

The contract is proposed to be structured as a 1-year contract with the option to renew the term at the end of each year for up to two additional years contingent on successful execution. The maximum budget for one year would not exceed \$250,000. If the consultant delivers the minimum number of events (10) per year the cost is anticipated to be approximately \$100,000 per year. If a consultant brings forward credible strategies for increasing the number of events, the budget will be increased proportionally based on the number of events. This approach is intended to allow for multi-year planning while retaining points of evaluation of the selected consultant.

## **FISCAL IMPACT:**

Expend up to \$750,000 over the course of 3 years (Fiscal Year 2019-2020 through Fiscal Year 2022-2023). This level of expenditure has been included in the 5-year projection under Energy Programs provided to the Board in June 2018.

---

events and the use of PEVs in shared mobility and vehicle rental applications.” In keeping with this recommendation, numerous ride-and-drive event surveys following ride-and-drive events indicate that roughly 12% acquire an EV within a year following an event.



**REGULAR MEETING of the Executive Committee of the  
Peninsula Clean Energy Authority (PCEA)  
Monday, November 5, 2018  
MINUTES**

8:00 a.m.

Peninsula Clean Energy  
2075 Woodside Road, Redwood City, CA 94061

**CALL TO ORDER**

Meeting was called to order at 8:23 a.m.

**ROLL CALL**

**Present:** Jeff Aalfs, Town of Portola Valley, *Chair*  
Rick DeGolia, Town of Atherton, *Vice Chair*  
Donna Colson, City of Burlingame  
Wayne Lee, City of Millbrae  
Rick Bonilla, City of San Mateo  
Pradeep Gupta, City of South San Francisco

**Absent:** Dave Pine, County of San Mateo  
Carole Groom, County of San Mateo  
Catherine Carlton, City of Menlo Park

**Staff:** Jan Pepper, CEO  
Andy Stern, CFO  
Jay Modi, Director of Finance and Administration  
Siobhan Doherty, Director of Power Resources  
Matthew Sanders, Deputy County Counsel  
Anne Bartoletti, Board Clerk/Executive Assistant to the CEO

**A quorum was established.**

**PUBLIC COMMENT**

No public comment.

## **ACTION TO SET AGENDA AND TO APPROVE CONSENT AGENDA ITEMS**

Motion Made / Seconded: Bonilla / Gupta

**Motion passed unanimously 6-0 (Absent: Pine, Groom, Carlton)**

## **REGULAR AGENDA**

### **1. CHAIR REPORT**

No report.

### **2. CEO REPORT**

Chief Executive Officer Jan Pepper—announced several CalCCA (California Community Choice Association) initiatives, including creating a Best Practices document on how CCAs (Community Choice Aggregator) can stay in touch with elected officials; forming a committee of CCA Board members for networking and collaboration; researching potential group procurement; and potentially sponsoring bills in the next California legislative session.

### **3. REVIEW REVISIONS TO PCE'S STRATEGIC GOALS**

Jan Pepper reviewed a redline copy of PCE's strategic goals that were modified during the Board of Directors' Retreat in September 2018 and modified by the Executive Committee at their October 2018 meeting. Committee members suggested a few additional revisions, including:

- inserting the words "and environmental justice" in Goal #4 after the words "demonstrate quantifiable economic",
- removing the word "additional" between the words "increasing" and "diversity" in Goal #4,
- inserting "/faith" between the words "nonprofit" and "organizations" in Goal #5.

### **4. COMMITTEE MEMBERS' REPORTS**

Donna Colson reported that she took a class at Berkeley called "Modern Urban City", and it didn't include any discussion on green energy. She spoke with the professor, who promised to add a component on CCAs (Community Choice Aggregators) and energy in the next class.

Rick DeGolia reported on efforts in several cities to procure EVs for city fleets. The Committee discussed whether EVs can be "pursuit rated" for certain city and county fleets.

Pradeep Gupta reported that an energy group reporting to the Board of C/CAG (City/County Association of Governments of San Mateo County) is updating their water strategy and reviewing smart grid concepts, and they are looking for speakers to talk with stakeholders.

#### **ADJOURNMENT**

Meeting was adjourned at 9:46 a.m.