

Docket 7307 Supplemental Memorandum of Understanding

Attachment B

Statement of Principles Relative to Privacy

1. Vermont's electric and efficiency utilities, and their authorized subcontractors, will treat customer personal information and usage data as confidential, to the extent permitted by state and federal law, including public records disclosure law in the case of municipal utilities.
2. A utility shall not disclose customer personal information unless required to do so by a warrant naming with specificity the customer(s) whose information is sought and issued pursuant to Vermont Rule of Criminal Procedure 41 or Federal Rule of Criminal Procedure 41 upon a finding of probable cause. A utility may not provide real-time access to information unless pursuant to a judicial order issued under 18 U.S.C. § 2516. Nothing prevents a person or entity seeking energy usage information from demanding such information directly from the customer(s) under any applicable legal procedure or authority, such as a subpoena. Nothing prevents a utility from disclosing, in response to a subpoena, the customer's (s') name, address, and contact information. Municipal utilities are also subject to nondisclosure provisions of state and federal laws.
3. Utilities shall create, maintain and appropriately update measures to protect customer personal information from inadvertent disclosure and/or inadvertent accessibility to unauthorized third parties.
4. Each utility shall adopt a privacy policy consistent with this Statement of Principles which shall be prominently displayed, made available to customers, and presented to third party vendors where appropriate to ensure protection of customer information. In the case of municipal utilities, such policies shall not be deemed to supersede or override state or federal public records law.
5. Any aggregation of customer information by utilities for any purpose shall be done in such a way as to ensure that individual customers cannot be identified from that data.
6. Utilities shall strictly adhere to any confidentiality agreements governing the provision of customer information to any entity appointed as an EEU under 30 V.S.A. sec. 209(d)(2).
7. Utilities shall have sufficient controls in place to ensure that customer data is maintained securely within infrastructure owned or controlled by the utility.
8. Any interactive connections with a customer shall require a secure method of user authentication on the part of the customer.

9. Customer personal information and data shall not be sold, given or in any fashion conveyed to third persons for any commercial purpose whatsoever without the written, express consent of the customer, except to the extent, if any, that such disclosure may be required by law.

10. Nothing in this Statement of Principles or in individual utility privacy policies shall restrict a customer from choosing to provide information or access to data directly to a third-party company, through applications, devices or otherwise.