What Is Data Privacy?

- **Integrity, confidentiality, availability**
  - Basics of good cyber practice include the confidentiality of data

- **Expectation of privacy**
  - Customers expect that their information will not be shared with unauthorized companies/individuals

- **Sharing data, while protecting Personally Identifiable Information**
  - Data can be used in a number of ways, but protection of the customer is important

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Why Is Data Privacy Important?

- Fraud and identity theft
  - Criminals looking for easy targets

- Marketing, business information
  - Information that utilities may want to share with other companies, customers must be aware of that sharing

- Energy usage, conversation records
  - Other private information that may reveal things about the customer which they do not want shared

Laws and Regulations: Federal

- All sectors: FTC enforcement of privacy promises, protection of customers’ financial information
  - “Broad authority” to enforce privacy laws under Section 5 of the Federal Trade Commission Act

- Telecom: FCC CPNI rules
  - 2007 Order in Docket No. 96-115
  - Requirements on how information can be used and stored

- Energy: DOE Voluntary Code of Conduct
Laws and Regulations: State

- California: Breach disclosure requirements
  - S.B 1386, passed in 2002
  - 48 jurisdictions have passed similar requirements

- Commissions have placed requirements on AMI data
  - Three commissions passed regulations, ongoing in six others

- State legislatures have examined AMI data
  - Four states have created rules for storage and usage of customer data

Cross-Sector Comparisons

- All must comply with FTC rules
  - Enforcement possible when a company violates the customers rights or misleads them as to precautions taken

- State-based rules apply
  - Breach notifications required in 48 jurisdictions, 7 have additional regulation or legislation

- CPNI requirements for telecom, future FCC rules possible (but contentious)
  - Only utility industry with industry-specific data privacy rules
Challenges to Address

- Regulatory clarity
  - No overarching rules for the United states, patchwork approach

- Technical knowledge
  - Preventing access to systems storing customer data is difficult

- Offering services without endangering customers
  - Smart grid applications are enticing, but precautions must be taken