

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Consider
Distributed Energy Resource Program Cost-
Effectiveness Issues, Data Access and Use, and
Equipment Performance Standards.

Rulemaking 22-11-013
(Filed November 17, 2022)

CLEAN COALITION COMMENTS ON DATA WORKING GROUP DRAFT REPORT

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I. INTRODUCTION

Pursuant to Rule 6.2 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”) the Clean Coalition respectfully submits these comments on the Data Working Group draft report and offers the following recommendations.

- Transitioning to a 4/50 rule for data privacy is warranted, and should be prioritized.
- The final report should include a list of “low-hanging fruit” recommendations and use cases can be implemented swiftly.
- The report should recommend the creation of a Microgrid database (populated by opt-in data).
- The report should recommend an opt-in data sharing feature during the interconnection process as a low-hanging fruit solution.
- Including implementation timelines for each recommendation will improve the value of the final report for the Commission.
- We support the recommendation to require expanded reporting on interconnection data.
- Improving data access at multi-family sites will increase program participation.
- We support development of a central tool for access to smart meter data.

We appreciate the work that UCLA has done hosting the working group, compiling use cases, and developing the draft report. Clean Coalition’s vision for the report is a document that can serve as a pragmatic guide for the Commission to guide both short-term and long-term actions related to improving access to data. The recommendations we provide in these comments are aimed at distinguishing between the two and how to balance the need for both. While it is

important to feature the critical ‘big picture’ issues that need to be addressed, the sheer number of use cases submitted cannot all be distilled into a few umbrella ideas and many that are not featured in the draft report represent real issues and/or solutions that should be considered by the Commission.

II. DESCRIPTION OF PARTY

The Clean Coalition is a nonprofit organization whose mission is to accelerate the transition to renewable energy and a modern grid through technical, policy, and project development expertise. The Clean Coalition drives policy innovation to remove barriers to procurement and interconnection of distributed energy resources (“DER”)—such as local renewables, demand response, and energy storage—and we establish market mechanisms that realize the full potential of integrating these solutions for optimized economic, environmental, and resilience benefits. The Clean Coalition also collaborates with utilities, municipalities, property owners, and other stakeholders to create near-term deployment opportunities that prove the unparalleled benefits of local renewables and other DER.

III. COMMENTS

A. Transitioning to a 4/50 rule for data privacy is warranted, and should be prioritized

Making aggregated electrical load data available is critical for providing an accurate picture of the grid. An increasing numbers of residential and non-residential facilities need to know whether they are able to deploy generation or increase load to electrify based on available feeder capacity, and researchers need data to benchmark California’s progress toward achieving electrification goals. California treats utility usage data as confidential and privacy-sensitive, but generally not as categorically sensitive as protected medical or similarly regulated personal data. The 15/15 rule is primarily an anonymization and anti-reidentification standard designed to balance privacy with grid transparency and planning needs.

Clean Coalition supports the proposition of protecting customer privacy, but the 15/15 takes the protection to an extreme that is not demanded by customers, nor is it helpful in a data-driven world with an increasingly bidirectional grid. The existing 15/15 rule has proven to be

overly limiting, restricting access to data needed to move projects forward with certainty and to submit an interconnection application that is likely to succeed.

During Data Working Group meetings Clean Coalition consistently raised the need to relax the 15/15 rule during working group meetings and therefore appreciate the inclusion of a recommendation on the subject in the draft report and the May 7th workshop. The draft report recommends relaxing the existing rule, which we support, by adopting a 4/50 rule.

Recommending that the Commission should adopt a new 4/50 rule is the most impactful step the working group can take in the final report to immediately catalyze lasting and meaningful change that is necessary to achieve California's energy and electrification goals.

Clean Coalition strongly supports the recommendation and urges that it should be categorized as the top priority in the report. The successful implementation of the 4/50 rule in New York over the last four years is empirical evidence that the recommendation has been tested at scale and is ready for use in California.

B. The final report should include a list of “low-hanging fruit” recommendations and use cases can be implemented swiftly

In addition to the major recommendations ultimately selected for inclusion in the final report, the Data Working Group should also document lower-cost, lower-complexity, and readily implementable opportunities that emerged throughout the Data Working Group process. While these recommendations may not require significant policy reform or infrastructure investment, they may nevertheless provide meaningful near-term value to stakeholders and could be implemented on relatively short timelines.

These “low-hanging fruit” opportunities should be identified and categorized in the final Data Working Group report either as:

- standalone recommendations; and/or
- recommendations associated with the use cases that were submitted, discussed, or refined during Data Working Group meetings and stakeholder engagement throughout this process.

Including these opportunities in the final report would:

- preserve the work product developed during the Data Working Group process,
- provide actionable near-term implementation pathways,

- help demonstrate incremental progress while larger reforms are evaluated,
- and ensure that practical, cost-effective solutions are not overlooked simply because they are narrower in scope or easier to implement.

Even where consensus has not yet formed around broader structural reforms, documenting these smaller implementation opportunities would provide value to policymakers, utilities, researchers, and other stakeholders seeking to improve data accessibility, transparency, and usability in the near term.

C. The report should recommend the creation of a Microgrid database (populated by opt-in data) as a low-hanging fruit

Existing databases like ResStock and ComStock provide a model and data for similar projects, broken down by geography, simplifying the process of planning a new project and increasing efficiency. The same type of database for microgrid projects will help fill existing data gaps and make it clear where the biggest hurdles are for developers, improving the odds of success. In a state that is constantly dealing with the impacts of climate change and extreme weather events, this recommendation represents a low-cost opportunity to improve energy resilience by collecting data. **The Final Report should include a section for low-cost near-term solutions that can be implemented, with this recommendation featured.**

As explained in previous comments, Clean Coalition believes that a Clearinghouse with anonymized data from microgrid projects in each of the utility service territories would preserve the need for confidentiality while ensuring that a central location exists to store and access data associated with the development of microgrids. For example, an anonymized id (and no inclusion of a specific address or zip code) along with load data, system size, square footage, climate zone, level of resilience created by the system (e.g., 100% of the load for 24 hours or 25% of the load indefinitely, etc...), rate schedule, and interconnection data could be sufficient to provide an accurate picture of the development process and functionality of the system once operational. The types of data are certainly negotiable; the key is that including data can be done in a manner that is valuable for the parties involved with deploying and researching microgrids, while ensuring that customer confidentiality is retained.

Having such a granular level of detail available in a central location will help developers to determine appropriate load profiles and system sizing for future projects, while avoiding

issues associated with the interconnection process. Utilities, CCAs, and regulators looking to make cost-effective investments in clean local and resilient energy would also benefit from having a clear data set to inform decision making.

D. The report should recommend an opt-in data sharing feature during the interconnection process as a low-hanging fruit solution

The final report should include, as a “low-hanging fruit” recommendation, the concept discussed during the Data Working Group process of allowing customers to opt in to expanded data sharing at the time of interconnection. As noted in the draft report, “instead of a masking rule, CPUC should consider an opt-in function for data sharing, particularly for developers needing post project online data for monitoring and verification... For example, this consent could be requested at the time of interconnection.”¹

This recommendation represents a practical and comparatively low-complexity opportunity to improve data accessibility while preserving customer choice and privacy protections. Unlike broader structural reforms that may require substantial technical or regulatory changes, an interconnection-stage consent mechanism could potentially be incorporated into existing utility interconnection workflows and customer authorization processes.

Importantly, obtaining consent earlier in the project lifecycle may help address situations where operational, performance, resilience, or verification data becomes difficult to access after project energization due to later privacy restrictions, administrative barriers, or customer turnover. This concept may be particularly valuable for:

- (DER performance evaluation,
- post-project monitoring and verification,
- microgrid performance assessment,
- resiliency and outage-response analysis,
- and research efforts intended to improve grid planning and DER integration outcomes.

It could also support future development of a microgrid and resiliency project database, as proposed in earlier comments, by enabling participating customers and project developers to voluntarily authorize the use of relevant operational data for research, planning, and policy evaluation purposes.

¹ Draft Report, at p. 59.

Because this recommendation relies on voluntary customer authorization rather than broad changes to privacy standards or masking rules, it may represent a pragmatic pathway for improving access to high-value operational data while maintaining appropriate customer protections and transparency. Accordingly, the final report should identify this proposal as a near-term implementation opportunity and include it within any section summarizing actionable, lower-complexity recommendations emerging from the Data Working Group process.

E. Including implementation timelines for each recommendation will improve the value of the final report for the Commission.

The final report would be substantially more valuable to the Commission if each recommendation were accompanied by at least a preliminary implementation pathway, estimated level of effort, and proposed implementation timeline. Without these elements, even well-developed recommendations may remain difficult to operationalize or prioritize within future Commission proceedings.

Providing implementation timelines and sequencing would help transform the report from a high-level conceptual document into a practical roadmap for action. In particular, distinguishing between near-term recommendations that could be implemented administratively or through limited process changes, medium-term recommendations requiring coordination or technical development, and longer-term structural reforms would improve the Commission's ability to evaluate, prioritize, and act upon the Data Working Group's work product.

A final report that contains only broad principles or aspirational goals, without clear implementation pathways, risks becoming difficult to translate into concrete next steps. By contrast, recommendations paired with actionable timelines and implementation considerations would provide the Commission with a document that can meaningfully guide future policy development and data-access reform efforts.

Including implementation timelines would also:

- create accountability and transparency around next steps,
- help stakeholders track progress over time,
- identify opportunities for early wins and incremental implementation,
- and increase the likelihood that the report's recommendations ultimately result in meaningful improvements to California energy data access and usability.

To the extent feasible, the final report should therefore include implementation considerations, estimated complexity, dependencies, and proposed sequencing for each major recommendation.

IV. CONCLUSION

The Clean Coalition respectfully submits these comments and urges the Commission to include our recommended additions in the final Data Working Group report.

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