



"First In Service"

July 16, 2018

Kavita Kale
Executive Secretary
Michigan Public Service Commission
P.O. Box 30221
Lansing, Michigan 48909

Re: Case No. U-18485

Dear Sir or Madam:

Attached is Alpena Power Company's revised Customer Data Privacy tariff filing pursuant to Commission staff's request for changes as listed in its July 5, 2018 email issued under Case No. U-18485.

If you have any questions concerning this filing, please contact me at 989-358-4951.

Sincerely,

Gary D. Graham
President and COO
Alpena Power Company
401 N. Ninth Avenue
Alpena, MI 49707
989-358-4951
gdg@alpenapower.com

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the Matter, on the Commission's own motion,)
in Case No. U-18485, of establishing a Customer)
Data Privacy tariff for Alpena Power Company.)

CUSTOMER DATA PRIVACY TARIFF

Alpena is a private investor-owned Michigan utility corporation with its principal office located in the City of Alpena, Michigan, supplying electric service to its customers (approximately 16,400) within its service area which includes: the City of Alpena; the Townships of Alpena, Green, Long Rapids, Maple Ridge, Ossineke, Sanborn, Wellington and Wilson in the County of Alpena; the Township of Presque Isle in Presque Isle County; the Township of Caledonia in Alcona County; and the Village of Hillman and Township of Hillman in Montmorency County, all in the State of Michigan.

Pursuant to the Commission's December 20, 2017 Order in Case No. U-18485, Alpena was directed to file a Customer Data Privacy tariff for the Commission's review and approval. Attached are copies of a revised Sheet No. C-20.00 from Alpena's Commission approved Standard Rule Book and new Sheet No.'s C-20.01, C-20.02, C-20.03, C-20.04 and C-20.05 to be added into Alpena's Rule Book to comply with the Commission's order.

Dated: May 3, 2018

Respectfully submitted,

ALPENA POWER COMPANY

By: _____

Gary D. Graham
President and COO
Alpena Power Company
401 N. Ninth Avenue
Alpena, MI 49707
(989) 358-495

TERMS AND CONDITIONS OF SERVICE
(Continued from Sheet No. C-19.00)

When, in the Company's opinion, the usage attributable to the nonresidential purpose is not substantial in relation to the residential usage, the combined usage shall be billed on the appropriate Residential Service Rate.

I. CUSTOMER DATA PRIVACY

DEFINITIONS

- A. "Aggregated Data" means any Consumption Data or Customer Account Information, from which all identifying information has been removed so that the individual data or information of a customer cannot be associated with that customer without extraordinary effort.
- B. "Anonymized Data" means any Customer Data, from which all identifying information has been Removed so that the individual data or information of a Customer cannot be associated with that Customer without extraordinary effort.
- C. "Contractor" means an entity or person performing a function or service under contract with or on behalf of the Company, including customer service, demand response, energy waste reduction programs, payment assistance, payroll services, bill collections, or other functions related to providing electric service.
- D. "Customer" means a purchaser of electricity that is supplied or distributed by a utility for residential or non-residential purposes.
- E. "Customer Account Information" means personally identifiable information including customer address, contact information, payment history, account number, and amount billed. Customer Account Information also includes information received by the Company from the Customer for purposes of participating in regulated utility programs, including, but not limited to, bill payment assistance, shutoff protection, renewable energy, or energy waste reduction.
- F. "Consumption Data" means customer specific electric usage data, or weather adjusted data, including, but not limited to kW, kWh, voltage, var, power factor, and other information that is collected by the electric meter by the Company and stored in its systems.
- G. "Informed Customer Consent" means, in the case where consent is required: (1) the Customer is provided with a clear statement of the data or information to be collected and allowable uses of that data or information by the party seeking consent; (2) the frequency of data or information release and the duration of time for which the consent is valid; and (3) process by which the Customer may revoke consent. In no case shall silence by the Customer ever be construed to

(continued on Sheet No. C-20.01)

Issued , 2018, by
Gary D. Graham, President
Alpena, MI 49707

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TERMS AND CONDITIONS OF SERVICE
(Continued from Sheet No. C-20.00)

G. "Informed Customer Consent" (cont'd):

mean express or implied consent to a request by the Company, or its Contractors. Customer consent may be documented in writing, electronically, or through recording of an oral communication.

H. "Personal Data" means specific pieces of information collected or known by the Company that merit special protection including that standard types of positive identification information used to establish an account. Personal Data includes, but is not limited to, name and address in conjunction with birth date, telephone number, electronic mail address, Social Security Number, financial account numbers, driver's license number, credit reporting information, bankruptcy or probate information, health information, network, or, Internet protocol address.

I. "Primary Purpose" means the collection, use, or disclosure of information collected by the Company or supplied by the Customer in order to: (1) provide, bill, or collect for, regulated electric service; (2) provide for system, grid, or operational needs; (3) provide services as required by state or federal law or as specifically authorized by an order of the Commission; (4) plan, implement, or evaluate programs, products or services related to energy assistance, renewable energy, or energy waste reduction by the Company or under contract with the Company, under contract with the Commission, or as part of a Commission-authorized program conducted by an entity under the supervision of the Commission, or pursuant to state or federal statutes governing energy assistance.

J. "Secondary Purpose" means any purpose that is not a Primary Purpose.

K. "Standard Usage Information" means the usage data that is made available by the electric utility to all similarly situated customers on a regular basis, delivered by the electric utility in a standard format.

L. "Third-party" means a person or entity that has no contractual relationship with the Company to perform services or act on behalf of the Company.

M. "Weather Adjusted Data" means gas or electric consumption data for a given period that has been normalized using stated period's heating or cooling degree days.

N. "Written Consent" means a signed form with the Customer's signature received by the Company through mail, facsimile, or email. A Customer may also digitally sign a form that is transmitted to the Company.

(continued on Sheet No. C-20.02)

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TERMS AND CONDITIONS OF SERVICE
(Continued from Sheet No. C-20.02)

COLLECTION AND USE OF DATA AND INFORMATION

- A. The Company, its Contractor or Company Agent collects Customer Account Information as necessary to accomplish Primary Purposes only. Informed Customer Consent is **NOT** necessary for Primary Purposes.
- B. Informed Customer Consent is necessary before collection or use of Customer Account Information for a Secondary Purpose.
- C. The Company will not sell Customer Account Information, except in connection with sales of certain aged receivables to collection firms for purposes of removing this liability from its accounts, unless it receives Informed Customer Consent.

DISCLOSURE WITHOUT CUSTOMER CONSENT

- A. The Company shall disclose Customer Account Information when required by law or Commission requests or rules. This includes law enforcement requests supported by warrants or court orders specifically naming the customers whose information is sought, and judicially enforceable subpoenas. The provision of such information will be reasonably limited to the amount authorized by law or reasonably necessary to fulfill a request compelled by law.
- B. Informed Customer Consent is not required for the disclosure of customer name and address to a provider of appliance repair services in compliance with MCL 460.10a(9)(a).
- C. Informed Customer Consent is not required for the disclosure of Aggregated Data.

DISCLOSURE TO COMPANY AGENTS AND CONTRACTORS

- A. The company shall disclose only the necessary Customer Account Information to Company Agents and Contractors working on behalf of the Company for Primary Purposes and any other function relating to providing electric services without obtaining Informed Customer Consent.
- B. Contracts between the Company and its Company Agents or Contractors specify that all Company Agents and Contractors are held to the same confidentiality and privacy standards as the Company, its employees, and its operations. These contracts also prohibit Company Agents or Contractors from using any information supplied by the Company for any purpose not defined in the applicable contract.

(continued on Sheet No. C-20.03)

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TERMS AND CONDITIONS OF SERVICE
(Continued from Sheet No. C-20.02)

- C. The Company requires its Company Agents and Contractors who maintain Customer Account Information to implement and maintain reasonable data security procedures and practices appropriate to the private nature of the information received. These data security procedures and practices shall be designed to protect the Customer Account Information from unauthorized access, destruction, use, modification, or disclosure. The data security procedures and practices adopted by the Contractor or Company Agent shall meet or exceed the data privacy and security policies and procedures used by the Company to protect Customer Account Information.
- D. The Company requires Company Agents and Contractors to return or destroy any Customer Account Information that it maintained and that is no longer necessary for the purpose for which it was transferred.
- E. The Company maintains records of the disclosure of customer data to Company Agents and Contractors in accordance with Company record retention policies and Commission rules. These records include all contracts with the Company Agent or Contractor and all executed non-disclosure agreements.

CUSTOMER ACCESS TO DATA

- A. Michigan Administrative Code, R 460.153 (Rule 53) of the Commission's Consumer Standards and Billing Practices for Electric and Natural Gas Service provides for Customer access to consumption data and confidentiality for that data.
- B. The Company will provide to customers upon request, a clear and concise statement of the customer's actual energy usage, or weather adjusted consumption data for each billing period during the last 12 months, or both. The Company will notify customers at least once each year that customers may request energy usage, or weather adjusted consumption data, or both.
- C. The Customer has a right to know what Customer Account Information the Company maintains about the Customer. The Company shall not provide data to a customer which the Company considers proprietary or used for internal Company business. The Company will respond to requests for this information within a maximum of fourteen calendar days or ten business days of being contacted by the Customer.
- D. Customers have the right to share their own Customer Account Information with third parties of their choice to obtain services or products provided by those third parties. These services or products may include, but are not limited to, in-home displays or smart devices, energy audits, or energy waste reduction programs.

continued on Sheet No. C-20.04)

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TERMS AND CONDITIONS OF SERVICE
(Continued from Sheet No. C-20.03)

- E. Customers have the opportunity to request corrections or amendments to Customer Account Information that the Company maintains.
- F. Fulfilling certain requests for data in accordance with the provisions of this tariff is consistent with the provision of normal utility service to Customers. When the data requested is Standard Usage Information, the request will be fulfilled without charge. Some requests for information extend beyond Standard Usage Information. Fulfilling these requests requires special data processing that is not a part of normal utility service and results in expenses that would not otherwise be incurred. Such requests are fulfilled at the discretion of the Company within the parameters of this Customer Data Privacy tariff. The costs of fulfilling any special requests shall be borne solely by the Customer, or third party if deemed appropriate, and be based on the specifics of the data request and the associated costs of developing, processing, and transmitting the requested data
- G. Customer may request that his or her Customer Account Information be released to a third party of the Customer's choice. Such requests may be made by calling the Company's Customer Service at 989-358-4900 and providing them with oral consent to provide such information to a specific third party. The Customer calling with the request must be listed on the Customer's account and must be able to establish their identity by answering specific questions concerning their account. The Customer can also access the Company's website www.alpenapower.com where the Company's written consent form is available for the Customer to fill out and electronically submit to the Company's Customer Service personnel at solutions@alpenapower.com via the link in the form. The form will be activated for use by the Company on the first business day following the submittal of the form by the Customer on the Company's website.
- H. Once the Company obtains Informed Customer Consent from the Customer, the Company shall release the requested customer account data to the third party by the end of the following business Day in a readily accessible format such as an Excel spreadsheet or a pdf. The Company is not responsible for loss, theft, alteration, or misuse of the data by third parties or customers after the information has been transferred to the Customer or the Customer's designated third party.

CUSTOMER NOTICE OF PRIVACY POLICIES

- A. New Customers receive a copy of the privacy policy upon the initiation of utility service from the Company. Existing Customers receive a copy of the privacy policy once per year by whatever method is used to transmit their bill and whenever the privacy policy is amended.
- B. Notice of the Company's privacy policies will be made available and is prominently posted on the Company's website. The notice includes a customer service phone number and Internet address where Customer can direct additional questions or obtain additional information.

TERMS AND CONDITIONS OF SERVICE
(Continued from Sheet No. C-20.03)

LIMITATION OF LIABILITY

The Company and each of its directors, officers, affiliates, and employees that disclose Customer Information, Customer Usage Data, Personal Data, Aggregated Data or Anonymized Data to Customers, Company Agents, or Contractors, as provided in this tariff, shall not be liable or Responsible for any claims for loss or damages resulting from such disclosure.

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