

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion,	)	
to commence a collaborative to consider issues	)	Case No. U-20959
related to the further engagement, education, and	)	
participation of utility customers.	)	
_____	)	

At the February 18, 2021 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair  
Hon. Tremaine L. Phillips, Commissioner  
Hon. Katherine L. Peretick, Commissioner

**ORDER**

In the October 17, 2019 order in Case No. U-20645, the Commission established MI Power Grid initiative in partnership with Governor Gretchen Whitmer (October 17 order). MI Power Grid is a focused, multi-year stakeholder initiative, the purpose of which is to maximize the benefits of the transition to clean distributed energy resources for Michigan residents and businesses. MI Power Grid seeks to engage utility customers and other stakeholders to help integrate new clean energy technologies and to optimize grid investments for reliable, affordable electricity service, and including outreach and education, as well as changes to utility regulation designed to advance Michigan's clean energy future.

The Commission's October 17 order described the MI Power Grid objective of *Customer Engagement* as "Providing Michigan residents and businesses with the energy technologies, programs, and price signals that will allow customers to be more active and effective participants

in the state’s transition to increased clean and distributed energy resources.” October 17 order, p. 6. The Commission also described this corresponding work area:

**Customer education and participation**, including educating customers on new utility and non-utility offerings and involving all customers (residential, commercial, and industrial) in developing programs in order to ensure customers fully benefit from these new offerings.

*Id.*

In the MI Power Grid Status Report issued on October 15, 2020 in Case No. U-20645, the Commission Staff (Staff) recommended that the Commission “consider bifurcating the two elements it identified as comprising the Data Access & Privacy work area – System Data Access and Customer Data Access – such that the Customer Data Access section can be integrated into a workgroup in the Customer Engagement area of focus within MI Power Grid.” MI Power Grid Status Report, Case No. U-20645, filing # U-20645-0004, p. ii.

The purpose of this order is to officially launch the Customer Education and Participation workgroup (workgroup) as part of Phase III of MI Power Grid, to integrate the Customer Data Access section of the Data Access & Privacy workgroup into the Customer Education and Participation workgroup, and to provide guidance to the Staff and stakeholders regarding the Commission’s objectives and expectations for this effort.

#### Background and Recent Developments

As outlined by the Commission in the October 17 order, Michigan’s energy system is undergoing a fundamental shift “from large, central-station power plants to cleaner and more distributed energy resources such as wind and solar energy.” October 17 order, p. 2. As the Commission has seen communicated by the state’s utilities through the filing of the first round of integrated resource plans, this transition will require not only deployments of supply-side wind,

solar, and other generating resources, but will also necessitate the considerable engagement of customers and deployment of demand-side resources.

Increasingly, energy customers will be relied upon to not only be passive recipients of electrons and grid services, but active, engaged, and dependable participants integral to supporting the energy ecosystem. Customer engagement, participation, and adoption of energy waste reduction (EWR) and demand response (DR) programs, time-of-use rates, distributed energy resources (DERs), and other demand-side measures will be an essential component to ensuring that this transition maximizes the benefits for all ratepayers while ensuring the reliability of the energy system.

The Commission recognized the increasing role utility customers will play in the energy transition when establishing the Customer Engagement work area of the MI Power Grid initiative. Furthermore, the Commission acknowledges the importance of access to energy data and information in order to fully leverage the participation of customers and enabling the availability of demand-side resources. As a result, incorporating the Customer Data Access & Privacy topic into the Customer Education and Participation workgroup will allow the Staff to more thoroughly assess and provide recommendations to the Commission on how providing safe access to customer energy data, and balancing the availability of that data with customer privacy, can contribute to the energy systems' transition to clean DERs.

Since the issuance of the October 17 order, several emerging developments have spurred Commission activity related to the Customer Education and Participation workgroup. The Staff should consider how the following developments may provide important context and learnings that can inform the workgroup's recommendations to the Commission.

- **Response to the COVID-19 Pandemic**

The ongoing COVID-19 pandemic continues to have impacts throughout the electric, natural gas, and telecommunications industries. The response to the pandemic by the Commission, utilities, State agencies, community agencies and stakeholders, however, has placed Michigan customers in a stronger position when compared to other states around the country

Recognizing the need to document and evaluate the lessons learned by the Staff, utilities, and stakeholders as they closely engage with customers throughout the pandemic, the Commission directed the Staff to issue a report summarizing customer-related COVID-19 response activities, best practices, and recommendations. *See*, July 23, 2020 order in Case No. U-20757, pp. 46-47. The Staff submitted the report with its recommendations for improvement to the docket on December 15, 2020. *See*, Collaboration and Communication Process Report, Case No. U-20757, filing #U-20757-0241. Takeaways from the report that are relevant to the focus of the Customer Education and Participation workgroup include an acknowledgement that equitable access to energy programs and services is of increasing importance to historically underserved communities. *See, Id.*, p. 33. Additionally, the report recommended that the Customer Education and Participation workgroup “consider the outreach and education discussion in the report” in its workgroup deliberations. *Id.*, p. 40.

- **The Commission’s 2021-2025 Strategic Plan**

In January of 2021, the Commission finalized its 2021-2025 Strategic Plan (Plan) and one of the goals of the Plan is to “Cultivate open and diverse communication and education . . . .”<sup>1</sup> In order to best strive towards this goal, the Plan has identified several strategies to enhance public

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<sup>1</sup> *See*, 2021-2025 Strategic Plan, at [https://www.michigan.gov/documents/mpsc/External\\_Strategic\\_Plan\\_2021-2025\\_713576\\_7.pdf](https://www.michigan.gov/documents/mpsc/External_Strategic_Plan_2021-2025_713576_7.pdf). (accessed January 28, 2021).

engagement and promote transparency amongst customers, stakeholders, and the Commission. The Commission will implement elements of the Plan throughout the next five years.

- **The Commission’s Diversity, Equity, and Inclusion Efforts**

In the wake of the tragic death of George Floyd on May 25, 2020, the Commission acknowledged the renewed interest and need for dialogue and action on issues of diversity, equity, and inclusion (DEI). The Commission subsequently convened an internal team to comprehensively examine the Commission’s practices while identifying opportunities to integrate best-in-class DEI principles into the organization. The Commission views its DEI efforts as an opportunity to increase its organizational capacity and effectiveness. Areas of focus include the development of a DEI policy statement, review of existing hiring and advancement practices, and consideration of DEI principles in the context of the Commission’s regulatory responsibilities.

- **The Commission’s Outreach to Michigan’s Tribal Communities**

On October 31, 2019, Governor Whitmer issued Executive Directive (ED) 2019-17, which, among other commitments, ordered each state department and agency to “adopt and implement a process for consulting on a government-to-government basis with Michigan’s federally recognized Indian tribes.”<sup>2</sup> In response, the Commission has established a more consistent and organized effort to engage and understand how the Commission can respond to the needs and concerns of Michigan’s 12 federally recognized Tribal Nations.

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<sup>2</sup> See, ~~Executive Directive~~ ED 2019-17, [https://www.michigan.gov/whitmer/0,9309,7-387-90499\\_90704---,00.html](https://www.michigan.gov/whitmer/0,9309,7-387-90499_90704---,00.html).

- **Customer Data Access**

Consumers Energy Company and DTE Energy Company have continued to operationalize and integrate customer data accessibility with tools like Green Button<sup>3</sup> into their customer data access platforms to more easily allow customers to access their data and give consent to share their data with third parties.

#### Scope of the Customer Education and Participation Workgroup

In order to best prioritize the time and efforts of the Staff and stakeholders, the Commission seeks to clarify, through this order, its intentions for the initial scope of the workgroup.

The Commission directs the Staff to convene customers, utilities, third-party demand-side technology and service providers, community-based organizations, and other stakeholders to explore the following topics of interest to this workgroup:

- **Customer Education and Participation** – This section of the workgroup will focus on ways to better connect and communicate the availability of customer-facing programs and resources, whether offered by the Commission, utilities, or other third parties, to Michigan’s ratepayers.

The Staff should explore in this workgroup best practices to outreach more effectively and create pathways for all customers to participate in demand-side programs, services, and technologies that are key components to the success of the ongoing energy transition. Such programs, services, and technologies may include, but are not limited to, EWR, DR, DERs, and innovative rate offerings. The Staff shall review the findings and recommendations from the

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<sup>3</sup> Green Button is an energy-industry effort to implement consumer-friendly and computer-friendly technology that provides customers with easy access to information about their energy use. See, <https://www.energy.gov/data/green-button>.

December 15, 2020 Collaboration and Communication Process Report filed in Case No. U-20757 and the strategies outlined in the Commission's 2021-2025 Strategic Plan for additional guidance.

In addition to providing customers with better knowledge of and access to programs and resources external to the Commission, the ongoing energy transition will necessitate that the Commission provide enhanced opportunities for engagement by customers, consumer advocates, community-based organizations, and other stakeholders in Commission proceedings. The Staff should engage in discussions and profile other state public utility commissions to identify ways to improve customer knowledge and understanding of, and involvement in, Commission activities.

Lastly, underserved and historically marginalized communities often experience greater challenges and less access to utility and third-party resources external to the Commission, as well as encounter increased barriers to participating in the internal proceedings and activities of the Commission. As the energy ecosystem further evolves, the Commission, utilities, and stakeholders should continue to devote resources and educate one another in an effort to collectively lessen or avoid perpetuating the systemic inequalities faced by some customers when interacting with the energy system.

Through this workgroup, the Staff should explore best practices for the Commission to enhance access to internal and external customer-facing resources and programs, while also identifying how the Commission can assist in creating more equitable pathways for the participation of historically underserved customers and communities. The Staff shall engage participants of the Commission's Diversity, Equity, and Inclusion group and leverage the principles and best practices identified by this group.

Questions for the Staff to consider when discussing this topic with stakeholders should include the following:

1. How can all customers be more informed and involved in the development and implementation of programs and services that are essential to the transition to a cleaner and more distributed energy system?
2. Are there learnings from the Commission, utilities, and other stakeholders in response to the COVID-19 pandemic that could provide improvements to the outreach and engagement of customers in programs and services that facilitate more active, effective, and diverse participation in the state's transition to increased clean and distributed energy resources?
3. Are there opportunities for the Commission to further outreach to and better understand the needs and concerns of underserved and historically marginalized populations and communities in the state?

**Customer Data Access and Privacy** - The Staff shall convene and engage in discussions with relevant stakeholders and local and national experts to further explore how additional access to energy data by customers and third parties can allow ratepayers to be more active, responsive, and dynamic participants in the energy system while appropriately maintaining data privacy safeguards. Questions for the Staff to consider when discussing this topic with stakeholders should include the following:

1. How are third parties proposing to utilize available energy data and how can this information be accessed by customers and third parties in a way that facilitates the usability of this data?
2. What are the regulatory, technical, or other barriers customers and third parties experience when attempting to access or utilize such data?
3. What are the solutions or best practices to facilitating a customer's direct access to or sharing of energy data with a third party (e.g., Green Button Download and Connect My Data standards)
4. How can the privacy of customers' personally identifiable and energy usage information be best protected while providing customers and third parties with access to energy data?

The Staff shall interpret these questions as exploratory and shall not deem this list of questions as all inclusive. Additional guidance can be provided by the Commission throughout the course of this effort as needed.



### Next Steps

During the remainder of 2021, the Staff will conduct research and planning for productive workgroup sessions. A proposed workgroup plan will be posted to the Commission's website prior to the first stakeholder meeting in the second quarter of 2021. In addition, no later than February 25, 2022, the Staff shall file in this docket a report summarizing efforts to date, providing recommendations for the Commission's consideration, and identifying potential next steps.

THEREFORE, IT IS ORDERED that:

A. The Customer Education and Participation workgroup is established, as described in this order.

B. The Customer Data Access section of the Data Access & Privacy workgroup shall be integrated into the Customer Education and Participation workgroup.

C. Not later than February 25, 2022, the Commission Staff shall file in this docket a status report summarizing efforts of the workgroup to date, providing recommendations for the Commission's consideration, and identifying potential next steps.

The Commission reserves jurisdiction and may issue further orders as necessary.

MICHIGAN PUBLIC SERVICE COMMISSION

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Daniel C. Scripps, Chair

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Tremaine L. Phillips, Commissioner

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Katherine L. Peretick, Commissioner

By its action of February 18, 2021.

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Lisa Felice, Executive Secretary


# PROOF OF SERVICE

STATE OF MICHIGAN )

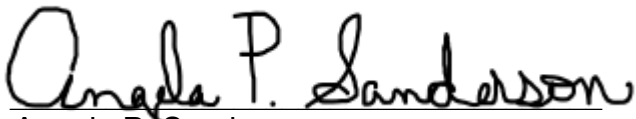
Case No. U-20959

County of Ingham )

Brianna Brown being duly sworn, deposes and says that on February 18, 2021 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

  
Brianna Brown

Subscribed and sworn to before me  
this 18<sup>th</sup> day of February 2021.



Angela P. Sanderson  
Notary Public, Shiawassee County, Michigan  
As acting in Eaton County  
My Commission Expires: May 21, 2024

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