

The Commission met on **Thursday, May 29, 2014**, with Chair Heydinger, and Commissioners Boyd, Lange, Lipschultz, and Wergin present.

The following matters were taken up by the Commission:

### **TELECOMMUNICATIONS AGENDA**

**P-6922/NA-14-242**

**In the Matter of the Application of TELEX FREE, LLC for a Certificate of Authority to Offer Interexchange Services**

Commissioner Heydinger moved to deny the application to do business in Minnesota without prejudice.

The motion passed 5-0.

### **ENERGY AGENDA**

**E-002/AI-14-165**

**In the Matter of a Request for Approval of New Administrative Service Agreement with Northern States Power Company-Wisconsin**

Commissioner Wergin moved to approve Northern States Power Company's Administrative Services Agreement with Northern States Power Company-Wisconsin.

The motion passed 5-0.

**E,G-002/M-14-185**

**In the Matter of a Petition for Approval of a Modification to the Natural Gas State Energy Policy Tariff Rate, 2014 Project Eligibility, 2014 SEP Adjustment Factor, and 2013 SEP Compliance Filing**

Commissioner Boyd moved to take the following actions:

1. Approve Xcel Energy's proposed 2014-2015 natural gas SEP Rider adjustment factor of \$0.002238, as modified by the Company's March 6, 2014, amended petition; and
2. Approved Xcel Energy's proposed customer notice and tariff update to incorporate the approved adjustment factors; and
3. Required the Company to provide the following information in its next SEP Rider filing:
  - A comparison by month for the past twelve months for which actual data is available of the actual natural gas SEP-related costs to the budgeted costs; and
  - A discussion of reasons for deviations from budgeted amounts (both higher and lower).

The motion passed 5-0.

**E-002/M-00-1553**

**In the Matter of Annual Compliance Report and a Request for commission Approval to Discontinue or Modify Reporting Requirements Associated with Xcel Energy's Exempt Wholesale Generators and Foreign Utility Company Investments as Ordered on March 26, 2001**

Commissioner Heydinger moved to accept the report; and modify the reporting requirements to state: Provided Xcel Energy has not made any EWG and/or FUCO investments, the Company may simply note in its Annual Report and annual capital structure filing that it does not have any EWG and/or FUCO investments. If it does have EWG and/or FUCO investments, then it must continue to provide the previously required information.

The motion passed 5-0.

**E,G-999/CI-12-1344**

**In the Matter of the Commission Inquiry into Privacy Policies of Rate-Regulated Energy Utilities**

Commissioner Heydinger moved to take the following actions:

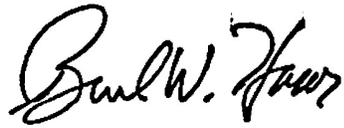
1. Utilities may collect and use customer social security numbers only in a manner that complies with federal and state law. A customer has the right to refuse to provide his or her social security number to the utility.
2. Personally Identifiable Information (PII) shall be defined as “customer PII data which can be used to distinguish or trace the identity of an individual (e.g., name, social security number, biometric records, etc.) alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual (e.g., date and place of birth, mother’s maiden name, etc.)” (Source: NIST’s *Security and Privacy Controls for Federal Information Systems and Organizations*; 800-53; April 2013).
3. Require utilities to adopt and document reasonable processes to collect and protect customer PII data, consistent with the protections set forth in NIST’s *Guide to Protecting the Confidentiality of Personally Identifiable Information* (800-122; April 2010), and based on the following principles:
  - a) The utility shall collect and maintain only the customer PII data needed to perform its regulated utility business functions;
  - b) The utility shall give the customer clear and accurate information about how the customer PII data will be used and protected;
  - c) The utility shall use the customer PII data solely for the purposes for which it was collected, unless prior written consent is clearly given by the affected customer or with the approval of the Commission;

- d) Customers shall be able to review their own customer PII data and request deletion of their SSN and/or correction or deletion of or any customer PII data improperly collected or retained. Disputes regarding the deletion of a SSN or customer PII data that remain unresolved for more than 45 days from the date of the request for deletion may be brought by the customer or the utility to the Commission for a determination;
  - e) The utility shall control and limit access to customer PII data to those employees who need it for an identified business purpose; and
  - f) The utility shall annually review its data privacy policies and processes for continued appropriateness and adequacy.
4. The utility shall submit its customer notice to the Commission for review.
  5. The utility may provide necessary customer PII data to a contractor for a regulated purpose, so long as the contractor is required to provide equivalent or greater protection for the customer data, and the utility retains responsibility to the customer in the event of the contractors' unauthorized use or release of data.
  6. The utility shall not sell customer PII data.
  7. The utility may share a customer's PII data for a purpose other than related to regulated utility service only after the utility obtains explicit, written consent from the customer that includes a clear statement of the information to be shared and with whom it will be shared. Customer consent shall be deemed valid until revoked by the customer, but for no more than one year or the contract term, and is subject to renewal.
  8. Find that sharing of customer PII data previously authorized by the Commission remains in effect, but must be revised, if necessary, and resubmitted to the Commission within 60 days of the Commission's order in this matter for a determination that it complies with the terms of the Commission's order.
  9. The utility shall promptly notify affected-customers, the Commission, the Department and the Attorney General's Office in the event of an unauthorized use or release of customer PII data. Notice shall include the number of customers affected, date or period of breach, types of data inappropriately accessed, whether the source or cause of the breach has been identified and provided to law enforcement, steps taken to prevent similar breaches and steps to redress the breach.
  10. Require compliance filings from each rate-regulated utility within 60 days of the order in this docket that demonstrates it has policies consistent with this order.

The motion passed 5-0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: July 2, 2014**

A handwritten signature in black ink, appearing to read "Burl W. Haar". The signature is written in a cursive style with a large initial "B".

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**Burl W. Haar, Executive Secretary**