



**CLEAN ENERGY ALLIANCE**

**INDEPENDENT ACCOUNTANT'S REPORT  
ON AGREED-UPON PROCEDURES**

**FOR THE PERIOD FROM MAY 1, 2021 (INCEPTION)  
THROUGH DECEMBER 31, 2021**



## INDEPENDENT ACCOUNTANT'S REPORT

Barbara Boswell, CEO  
Clean Energy Alliance  
Carlsbad, California

and

California Public Utilities Commission  
San Francisco, California

We have performed the procedures enumerated below on Clean Energy Alliance's ("CEA") internal privacy and data security policies regarding "Covered Information" for the period from May 1, 2021 (inception) through December 31, 2021. CEA's management is responsible for the internal privacy and data security policies regarding "Covered Information" for the period from May 1, 2021 (inception) through December 31, 2021.

CEA has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of complying with the rules regarding privacy and security protection for energy usage data applicable to community choice aggregators or electrical service providers as defined in California Public Utilities Commission's ("CPUC") Decision 12-08-045. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and the associated findings are as follows:

- 1) We obtained the following documents from CEA:
  - Latest privacy notice (version prior to December 31, 2021) provided to customers
  - Internal privacy and data security policies
  - Categories of agents, contractors, and other third parties to which CEA disclosed Covered Information for a primary purpose
  - List of agents, contractors, and other third parties to which CEA disclosed Covered Information for a secondary purpose, if any
  - A list of customers in which CEA disclosed Covered Information to a third party when prior authorizations are required, if any
  - List of disclosures pursuant to legal requests, if any
  - List of security breaches, if any



2) We performed the following procedures with respect to these documents:

A. Data Security and Information Technology (IT) Environment and Controls:

- i. The internal and external security vulnerability scans were performed by third-party IT Specialists to ascertain that CEA implemented technical and physical safeguards to protect Covered Information from unauthorized access, destruction, use, modification, or disclosures. We obtained the work of the IT Specialists that reported the results of their procedures as follows:
  1. The IT Specialists performed external vulnerability scans against web assets such as the CEA's website, public IP addresses and affiliated services, manually scanned the two devices used by CEA's employees, and inspected CEA's cloud collaboration tenant (Google Workspace). The IT Specialists ascertained that CEA implemented technical and physical safeguards to protect Covered Information stored, processed, or shared by CEA from unauthorized access, disclosure, destruction, use, or modification. Key IT documentation such as policies and procedures related to both general IT controls and Covered Information are scoped and updated. Data sharing with third-party vendors is documented. The IT Specialists also used third-party risk ranking services, BitSight and Security Scorecard to provide additional context around CEA's risk rating specific to the cybersecurity space. They are currently ranked in the top 10% of utility companies.
- ii. Ascertain that upon any breach affecting 1,000 or more customers, CEA notified the CPUC within two weeks of the detection, or within one week of notification.
  1. Upon inquiry of CEA's management, management represented that CEA did not have any breach affecting 1,000 or more customers during the period from May 1, 2021 (inception) through December 31, 2021. No exceptions were noted.

B. Transparency:

- i. Ascertain that a privacy notice was provided to customers from which CEA collected Covered Information.
  1. We obtained and inspected the pre-enrollment and post-enrollment notices sent to CEA's customers and noted that the notice did not inform customers how they may obtain a copy of CEA's privacy policy. However, we noted that these notices contained a link to CEA's website and the privacy policy is available at all times on CEA's website, (<https://thecleanenergyalliance.org/privacy-rights/>). Upon inquiry of CEA's management, management represented that the link to this policy will be included on each customer's utility bill on the one-year anniversary of CEA's inception, which is May 2022. Furthermore, we noted that the link to the policy is not included in CEA's electronic correspondence. Management added the link to their email signatures effective March 15, 2022. This is not noted as an exception.
- ii. We inspected the latest privacy notice and ascertained that it contained the language described in CPUC's Decision 12-08-045. No exceptions were noted.

C. Use and Disclosure:

- i. For all third parties in which CEA shared Covered Information for a primary purpose, we ascertained that by contract, CEA required these third parties to access, collect, store, use, and disclose the Covered Information under policies, practices, and notification requirements as required under CPUC's Decision 12-08-045.
  1. Upon inquiry of CEA's management, management represented that CEA disclosed Covered Information for a primary purpose with only one third party during the period from May 1, 2021 (inception) through December 31, 2021. We inspected the executed contract with this third party and ascertained that CEA required this third party to access, collect, store, use, and disclose the covered information under policies, practices, and notification requirements as required under CPUC's Decision 12-08-045. No exceptions were noted.
- ii. Ascertain that authorizations were obtained from customers for the disclosure of Covered Information to third parties for a secondary purpose.
  1. Upon inquiry of CEA's management, management represented that CEA did not disclose Covered Information to third parties for a secondary purpose during the period from May 1, 2021 (inception) through December 31, 2021. No exceptions were noted.
- iii. Ascertain that a notice was provided to the applicable customer within seven days for the disclosure of Covered Information as a result of a subpoena or legal proceedings.
  1. Upon inquiry of CEA's management, management represented that CEA did not disclose Covered Information to third parties as a result of a subpoena or legal proceedings during the period from May 1, 2021 (inception) through December 31, 2021. No exceptions were noted.

D. Access and Control:

- i. Ascertain that CEA provided customers with convenient and secure access to their Covered Information.
  1. Upon inquiry of CEA's management, management represented that CEA will provide customers with convenient and secure access to their Covered Information when requested. In addition, CEA did not have any customers requesting such access during the period from May 1, 2021 (inception) through December 31, 2021. No exceptions were noted.
- ii. Ascertain that the Organization provided customers with convenient mechanisms for granting and revoking authorization for secondary uses of Covered Information, disputing the accuracy or completeness of Covered Information, and requesting corrections or amendments to Covered Information.
  1. Upon inquiry of CEA's management, management represented that CEA will provide customers with convenient mechanisms for granting and revoking authorization for secondary uses of Covered Information, disputing the accuracy or completeness of Covered Information, and requesting corrections or amendments to Covered Information. In addition, CEA did not have any instances of customers requesting these types of services during the period from May 1, 2021 (inception) through December 31, 2021. No exceptions were noted.

E. Data Minimization:

- i. Ascertain that Covered Information was maintained only for as long as reasonably necessary or as authorized by the CPUC to accomplish a specific primary purpose or for a specific secondary purpose authorized by the customers.
  1. We noted that CEA has in place records retention policies and procedures to ensure that the use and retention of Covered Information are minimized when followed. No exceptions were noted.

We were engaged by CEA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the AICPA. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on CEA's internal privacy and data security policies regarding "Covered Information" for the period from May 1, 2021 (inception) through December 31, 2021. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of CEA and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of CEA and CPUC, and is not intended to be and should not be used by anyone other than these specified parties.

*Abbott, Stringham & Lynch*

April 26, 2022