

Energy Division Central Files Document Coversheet

Directions: Submit all documents and submittal questions to Energy Division Central Files via email EnergyDivisionCentralFiles@cpuc.ca.gov

1. Fill out coversheet completely. Coversheet can be embedded as page 1 of the electronic compliance filing, or can be submitted as a separate document that is attached to the email that delivers the compliance filing.
2. If the coversheet is submitted as separate document, please name the coversheet file with the same document name used in your primary document (see Section A) + plus the word "cov" (for coversheet). For example, the name of the coversheet file will be something like: **PG&E Monthly Gas Report 201602 COV.docx**
3. If the document is confidential add CONF (for confidential). For example, the name of the coversheet file will be something like: **PG&E Monthly Gas Report 201602 CONF.docx** and **PG&E Monthly Gas Report 201602 COV CONF.docx**
4. All documents are required to be submitted in an electronically *searchable* format.
5. Documents need to reference the reason for the mandate that ordered the filing in Section B or C. If you are unable to reference a proceeding or explain the origin of your filing, please contact Energy Division Central Files.
6. To find a proceeding number (if you only have a decision number), go to <http://docs.cpus.ca.gov/DecisionsSearchForm.aspx>; enter the decision number, and the results shown include the proceeding number.

A. Document Name

1. Utility Name: Clean Energy Alliance
2. Document Submission Frequency (Annual, Semi-Annual, YTD, Quarterly, Monthly, Weekly, Ad-hoc, Once, Other Event): Annual and Tri-Annual
3. Report Name: Annual Data Privacy Report 2021 and Tri-Annual Data Privacy Audit 2021
4. Reporting Interval (for this submission, e.g. 2015 Q1): 2021
5. Document File Name (format as 1+2 + 3 + 4): CEA Annual Data Privacy Report 2021 and Tri-Annual Data Privacy Audit 2021
6. Append the confidential and/or cover sheet notation, as appropriate. [Click here to enter text.](#)

Sample Document Names:

Utility Name + Submittal Frequency + Report Name + Year + Reporting Interval + (COV or CONF or both or neither)

<i>SCE Annual Procurement Report 2014</i>	<i>PG&E Monthly Gas Report 201602 CONF</i>
<i>SDG&E Quarterly DR Forecast 2015Q1</i>	<i>PG&E Daily Gas Report 20160230 COV</i>
<i>PG&E Monthly Gas Report 201602</i>	<i>PG&E Monthly Gas Report 201602 COV CONF</i>
<i>PG&E Daily Gas Report 20160230</i>	

7. Identify whether this filing is ☒ original or ☐ revision to a previous filing.
 - a. If revision, identify date of the original filing: [Click here to enter text.](#)

B. Documents Related to a Proceeding

All submittals should reference both a proceeding and a decision, if applicable. If not applicable, leave blank and fill out Section C.

1. Proceeding Number (starts with R, I, C, A, or P plus 7 numbers): R.08-12-009
2. Decision Number (starts with D plus 7 numbers): D.12-08-045
3. Ordering Paragraph (OP) Number from the decision: OP 8

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C. Documents Submitted as Requested by Other Requirements

If the document submitted is in compliance with something other than a proceeding, (e.g. Resolution, Ruling, Staff Letter, Public Utilities Code, or sender's own motion), please explain: [Click here to enter text.](#)

D. Document Summary

Provide a Document Summary that explains why this report is being filed with the Energy Division. This information is often contained in the cover letter, introduction, or executive summary.

D.12-08-045's Rules Regarding Privacy and Security Protections for Energy Usage Data Applicable to Community Choice Aggregators or Electrical Service Providers (when providing service to residential or small commercial customers) require CCAs to submit an annual report and tri-annual audit.

E. Sender Contact Information

1. Sender Name: Chasity Hendren
2. Sender Organization: Clean Energy Alliance
3. Sender Phone: 858-2526255
4. Sender Email: chasity@tosdalapc.com

F. Confidentiality

1. Is this document confidential? ☒ No ☐ Yes
 - a. If Yes, provide an explanation of why confidentiality is claimed and identify the expiration of the confidentiality designation (e.g. Confidential until December 31, 2020.) [Click here to enter text.](#)

G. CPUC Routing

Energy Division's Director, requests that you not copy him/her on filings sent to Energy Division Central Files. Identify below any Commission staff that were copied on the submittal of this document.

1. Names of Commission staff that sender copied on the submittal of this Document: Dina Mackin; Taaru Chawla

ver.5/19/2016



April 29, 2022

Ms. Rachel Peterson
Executive Director
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: Clean Energy Alliance Annual Data Privacy Report 2021

Dear Ms. Peterson:

Pursuant to Decision (D.) 12-08-045, issued in the Smart Grid Rulemaking (R.) 08-12-009, Clean Energy Alliance (CEA) hereby submits its 2021 Annual Data Privacy Report.

Ordering Paragraph 8 in D.12-08-045 states: "Community Choice Aggregators shall comply with the privacy rules contained in Attachment B of this decision." The annual reports as required by Rule 4(c)(6), Rule 8(c), Rule 9(e)(1), and Rule 9(e)(2) of Attachment B are contained in the attached Annual Data Privacy Report 2020.

The annual report indicates CEA has met all its covered information reporting requirements and is in compliance with the provisions of D.12-08-045 for the 2021 reporting year with no findings.

If you have any questions regarding this annual report, please contact me at (661) 510-0425 or ceo@thecleanenergyalliance.org.

Sincerely,

Barbara Boswell
Chief Executive Officer
Clean Energy Alliance

Attachment: Clean Energy Alliance Annual Data Privacy Report 2021

Cc: R.08-12-009 Service List
EnergyDivisionCentralFiles@cpuc.ca.gov

Clean Energy Alliance
Annual Data Privacy Report 2021

ANNUAL REPORT REQUIREMENTS OF D.12-08-045

Attachment B of California Public Utilities Commission (Commission) Decision D.12-08-045, Rules Regarding Privacy and Security Protections for Energy Usage Data Applicable to Community Choice Aggregators or Electrical Service Providers (when providing service to residential or small commercial customers) establishes the requirements for an annual report as required by Rule 4(c)(6), Rule 8(c), Rule 9(e)(1), and Rule 9(e)(2).

Specifically:

Rule 4(c)(6): On an annual basis, covered entities shall report to the Commission the number of demands received for disclosure of customer data pursuant to legal process or pursuant to situations of imminent threat to life or property and the number of customers whose records were disclosed. Upon request of the Commission, covered entities shall report additional information to the Commission on such disclosures. The Commission may make such reports publicly available without identifying the affected customers, unless making such reports public is prohibited by state or federal law or by order of the Commission.

Rule 8(c): In addition, Community Choice Aggregators or Electrical Service Providers (when providing service to residential or small commercial customers) shall file an annual report with the Commission's Executive Director, commencing with the calendar year 2012, that is due within 120 days of the end of the calendar year and notifies the Commission of all security breaches within the calendar year affecting covered information, whether by the covered Community Choice Aggregator or Electrical Service Provider (when providing service to residential or small commercial customers) or by a third party.

Rule 9(e)(1) and Rule 9(e)(2): On an annual basis, each Community Choice Aggregator or Electrical Service Provider ((when providing service to residential or small commercial customers) shall disclose to the Commission as part of an annual report required by Rule 8.b, the following information:

- (1) the number of authorized third parties accessing covered information,
- (2) the number of non-compliances with this rule or with contractual provisions required by this rule experienced by the utility, and the number of customers affected by each non-compliance and a detailed description of each non-compliance.

CLEAN ENERGY ALLIANCE ANNUAL REPORT FINDINGS: 2021		
Rule 4(c)(6)	Number of demands received for disclosure of customer data pursuant to legal process or pursuant to situations of imminent threat to life or property and the number of customers whose records were disclosed	0 Demands 0 Accounts
Rule 8(c)	security breaches within the calendar year affecting covered information	0 Security Breaches
Rule 9(e)(1)	number of authorized third parties accessing covered information	2 Authorized Third Parties
Rule 9(e)(2)	number of non-compliances with this rule or with contractual provisions required by this rule experienced by the utility, and the number of customers affected by each non-compliance and a detailed description of each non-compliance	0 Non-Compliances 0 Customers Affected



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



Abbott, Stringham & Lynch

1901 S Bascom Avenue
Suite 105
Campbell, CA 95008

Main: 408-377-8700
Fax: 408-377-0821
Web: aslcpa.com

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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