

Austin Energy Competitive Matters Resolution

Customer Privacy

Electric Utility
Commission

November 15, 2010



Utility Code §182.052

- Provides for privacy of “personal” information if requested by the customer in writing
 - Applies only to individuals, not businesses or other entities
 - 1994 AG opinion (ORD-625)
 - Covers only address, phone number, social security number, and usage



Utility Code §17.004

- Entitled “Customer Protection Standards”
- Applies to privately owned providers
- “All buyers of telecommunications and retail electric services are entitled to ...(6) privacy of customer consumption and credit information”
- “Customer” includes people, businesses, and all other entities



Utility Code §17.005

- “The governing body of a municipally owned utility shall adopt, implement, and enforce rules that shall have the effect of accomplishing the objectives set out in Sections 17.004(a) and (b) and 17.102....”
- PUCT has adopted an opt-out approach where customer privacy is the default condition



Issue:

- Reliance on §182.052 would not protect commercial information
- Interpreting §17.005 so as not to apply to individuals would give businesses more privacy rights than people
- Intent of PURA is to favor customer privacy
- PURA clearly grants authority to Council to adopt policy regarding customer privacy

