

Rule 25

Sheet 6

PROTECTING THE PRIVACY AND SECURITY OF
CUSTOMER USAGE INFORMATION

(Continued)

5. DATA MINIMIZATION (Continued)

- c. Data Disclosure. Covered entities shall not disclose to any third party more covered information than is reasonably necessary or as authorized by the Commission to carry out on behalf of the covered entity a specific primary purpose identified in the notice required under section 2 or for a specific secondary purpose authorized by the customer.

6. USE AND DISCLOSURE LIMITATION

- a. Generally. Covered information shall be used solely for the purposes specified by the covered entity in accordance with section 3.
- b. Primary Purposes. SCE, a third party acting under contract with the Commission to provide energy efficiency or energy efficiency evaluation services authorized pursuant to an order or resolution of the Commission, or a governmental entity providing energy efficiency or energy efficiency evaluation services pursuant to an order or resolution of the Commission may access, collect, store and use covered information for primary purposes without customer consent. Other covered entities may collect, store and use covered information only with prior customer consent, except as otherwise provided here.
- c. Disclosures to Third Parties.
- (1) Initial Disclosure by SCE. SCE may disclose covered information without customer consent to a third party acting under contract with the Commission for the purpose of providing services authorized pursuant to an order or resolution of the Commission or to a governmental entity for the purpose of providing energy efficiency or energy efficiency evaluation services pursuant to an order or resolution of the Commission that specifically directs SCE to disclose customer-specific usage information or other confidential information to the governmental entity.ⁱ SCE may disclose covered information to a third party without customer consent

ⁱ In such a situation, SCE will provide affected customer(s) with advance written notice that the governmental entity has sought and obtained Commission authorization to access customer specific usage information or other confidential customer information. The notice will be submitted to the Commission's Public Advisor office for its prior review and approval. SCE will abide by the instructions of the customer as to the entities to which access to confidential customer information is provided.

(Continued)

(To be inserted by utility)

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Vice President

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Rule 25

Sheet 7

PROTECTING THE PRIVACY AND SECURITY OF
CUSTOMER USAGE INFORMATION

(Continued)

6. USE AND DISCLOSURE LIMITATION (Continued)

c. Disclosures to Third Parties. (Continued)

(1) (Continued)

(a) when explicitly ordered to do so by the Commission; or

(b) for a primary purpose being carried out under contract with and on behalf of SCE;

provided that the covered entity disclosing the data shall, by contract, require the third party to agree to access, collect, store, use, and disclose the covered information under policies, practices and notification requirements no less protective than those under which the covered entity itself operates as required under this rule, unless otherwise directed by the Commission.

(2) Subsequent Disclosures. Any entity that receives covered information derived initially from SCE may disclose such covered information to another entity without customer consent for a primary purpose, provided that the entity disclosing the covered information shall, by contract, require the entity receiving the covered information to use the covered information only for such primary purpose and to agree to store, use, and disclose the covered information under policies, practices and notification requirements no less protective than those under which the covered entity from which the covered information was initially derived operates as required by this rule, unless otherwise directed by the Commission.

(3) Terminating Disclosures to Entities Failing to Comply With Their Privacy Assurances. When a covered entity discloses covered information to a third party under this subsection 6(c), it shall specify by contract, unless otherwise ordered by the Commission, that it shall be considered a material breach if the third party engages in a pattern or practice of accessing, storing, using or disclosing the covered information in violation of the third party's contractual obligations to handle the covered information under policies no less protective than those under which the covered entity from which the covered information was initially derived operates in compliance with this rule.

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PROTECTING THE PRIVACY AND SECURITY OF
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Sheet 11

(Continued)

9. ACCOUNTABILITY AND AUDITING (Continued)

- b. Customer Complaints. Covered entities shall provide customers with a process for reasonable access to covered information, for correction of inaccurate covered information, and for addressing customer complaints regarding covered information under these rules. SCE's customers can dispute the accuracy or completeness of their covered information by following the procedure set forth in SCE's Rule 10.
- c. Training. Covered entities shall provide reasonable training to all employees and contractors who use, store or process covered information.
- d. Audits. SCE shall conduct an independent audit of its data privacy and security practices in conjunction with general rate case proceedings following 2012 and at other times as required by order of the Commission. The audit shall monitor compliance with data privacy and security commitments, and SCE shall report the findings to the Commission as part of its general rate case application.
- e. Reporting Requirements. On an annual basis, SCE 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.
- f. Limitation of Liability: SCE shall not be liable for any claims, demands, causes of actions, damages, or expenses arising from or resulting from any release of Covered Information or other confidential customer information pursuant to a customer's written authorization, legal process or the Commission's order; the unauthorized use of Covered Information or other confidential customer information by a third party receiving such information from SCE pursuant to a customer's written authorization, legal process or the Commission's order; or any actions taken by a customer-authorized third party. After SCE makes a secure and authorized transfer of Covered Information to a third party pursuant to customer authorization or Commission order, SCE shall not be responsible for the security of the Covered Information or data or its use or misuse by a third party.

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