

**BEFORE THE PUBLIC SERVICE COMMISSION OF THE
STATE OF MISSOURI**

In the Matter of the Establishment of a Working)
Case for the Writing of a New Rule on the)
Treatment of Customer Information by) File No. AW-2018-0393
Commission Regulated Electric, Gas, Steam)
Heating, Water, and Sewer Utilities and their)
Affiliates and Non-Affiliates)

ADDITIONAL COMMENTS OF THE LIBERTY UTILITIES

COME NOW The Empire District Electric Company, The Empire District Gas Company, Liberty Utilities (Midstates Natural Gas) Corp., and Liberty Utilities (Missouri Water) LLC (collectively, “Liberty Utilities”), by and through counsel, and in response to the *Order* issued herein by the Missouri Public Service Commission (“Commission”) on October 23, 2018, Liberty Utilities respectfully provides responses to the six questions posed by the Commission relating to the proposed rule with regard to the treatment of customer information by regulated electric, steam heating, water, and sewer utilities.

1. What is an appropriate definition of “utility related services” for purposes of this rule?

Response: Utility related services should be defined as those services provided by a utility regulated by the Missouri Public Service Commission pursuant to the utility’s Commission approved tariff, including all services performed or provided in furtherance of the utility’s activities as a Missouri public utility.

2. What is an appropriate definition of “non-utility related services” for purposes of this rule?

Response: Non-utility related services should be defined as those services provided by a utility or its affiliate that are not regulated by the Missouri Public Service Commission.

3. In what situations, and for what purposes, is it appropriate for a utility

company to share specific customer information with third parties without consent of the customer?

Response: Utilities should be permitted to share specific customer information with third parties without consent of the customer as follows: (a) third party service providers who provide services necessary to the utility such that it can deliver utility service to customers; (b) affiliates of the utility that provide services necessary to the utility such that it can deliver utility service to customers; (c) lawful disclosures required by law enforcement, subpoena or court order, and; (d) requests from the Commission or from the Federal Energy Regulatory Commission.

4. What is an appropriate definition of “customer information” for purposes of this rule?

Response: Customer information should be defined to include any information that individually identifies a customer or could lead to the identification of a customer, including, but not limited to, name, address, telephone number, account number, social security number, usage information, and payment or banking information. Customer information should not be defined to include generic information regarding the usage, load shape, or other general characteristics of a group or rate classification, unless the release of that information would reveal customer specific information because of the size of the group, rate classification, or nature of the interconnection.

5. How should a utility’s privacy statement be shared with the public?

(A) Appear on website – How frequently?

(B) Mailed to shareholders – How frequently?

(C) Mailed to customers – How frequently?

Response: Liberty Utilities and Algonquin Power & Utilities Corp. post Privacy Statements on their websites and believe this is the most effective and efficient way to communicate the information to customers, shareholders, and the public. Liberty Utilities would be amendable to providing information in a bill insert for its Missouri utility customers once a year providing the link to the Privacy Statement, as well as mailing such a statement to customers upon telephone request, as well as providing the Privacy Statement in any “new customer” brochures.

6. Should utilities advise their customers that their customer information is shared with other entities? If yes, what types of customer information sharing should be disclosed to customers? How and when should this disclosure occur?

Response: Liberty Utilities believes that the most effective and efficient way to inform customers of any customer information disclosure is via the utilities’ Privacy Policy on the websites in which Liberty Utilities describes the circumstances under which customer information is shared with third parties (and as described in response to Question No. 3 above).

WHEREFORE, Liberty Utilities respectfully submits these Additional Comments and welcomes the opportunity to further discuss potential changes to the rules in a working group setting.

BRYDON, SWEARENGEN & ENGLAND, P.C.

By:

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CERTIFICATE OF SERVICE

I hereby certify that the above document was filed in EFIS on this 30th day of November, 2018, with notification of the same being sent to all parties of record.

 /s/ Diana C. Carter