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| NPRR Number | [1266](https://www.ercot.com/mktrules/issues/NPRR1266) | NPRR Title | Opt-Out Status Held by a Transmission-Voltage Customer Cannot be Transferred |
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| Date | March 31, 2025 |
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| Submitter’s Information |
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| Market Segment | OPUC/ Residential Consumer  |

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| Comments |

The Office of Public Utility Counsel (“OPUC”) and Residential Consumer in the Technical Advisory Committee (TAC) collectively appreciate the Electric Reliability Council of Texas (ERCOT’s) efforts in developing Nodal Protocol Revision Request (NPRR) 1266.

On February 7, 2025, ERCOT filed a comment which will allow for Customer notice and a process for removal in those cases where it seems that there has been a Customer change at the Electric Service Identifier (ESI ID) associated with a transmission-voltage Customer that is a Securitization Uplift Charge Opt-Out Entity. ERCOT highlighted that the Public Utility Commission of Texas (PUCT) will make the final determination as to whether the Customer should be removed from the list of Opt-Out Customers. OPUC agrees with ERCOT’s statement and agrees that Opt-Out should not be transferable.

OPUC opposes the use of the CBCI file for any purpose that isn’t strictly necessary, and it isn’t clear that it is necessary for this NPRR.

A renewed effort focused on Customer data security and privacy protection is vital to ensure that personal data is not misused and does not fall into the wrong hands. Increasing uses of Customer data as contemplated by this NPRR and in other venues gives us reason to call for further safeguards for Customer data so that it is not just kept confidential, but also using security best practices.

We appreciate that ERCOT, the Transmission and Distribution Service Providers (TDSPs), and retailers already have extensive measures to protect Customer data in place today.

Increasingly, digital records of Customer data are the target not just of criminals, but also foreign hostile powers. As ERCOT, retailers, and utilities consider the expansion of the collection and transmittal of Customer data, new opportunities for mishandling and misuse of that data may be inadvertently introduced. OPUC, therefore, would like to ensure that Consumers are proactively protected. As such, we encourage the transfer of Customer data proposed by this NPRR be limited so that it is done only to the extent necessary to accomplish the specific purposes herein.

More broadly, OPUC encourages ERCOT staff and the members of the Retail Market Subcommittee to evaluate and implement best practices for protecting Customer data, including, at least, limiting who may access the data, using best practices for encryption, routine purging of data that is no longer up to date instead of storing it, and routine audits of access, encryption, and other security measures.

From a utility perspective, TDSPs should consider retaining data for no longer than is necessary to meet a specific need, since they are not in the business of Customer interactions in the normal course of their business in Texas.

The Commission may want to consider additional rules (or at least the development of best practices) for Customer protection of data by retailers.

A fresh look at these matters may be warranted, and we request that the Retail Market Subcommittee and ERCOT Staff consider taking them up for discussion.

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| Revised Cover Page Language |

None