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Lori Hoyum
Policy Manager
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July 25, 2014

VIA E-FILING

Dr. Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

Re: In the Matter of a Commission Inquiry
Into Privacy Policies of Rate-Regulated
Energy Utilities. Docket No. CI-12-1344

Dear Dr. Haar:

On Monday, July 14, 2014, CenterPoint Energy filed a Petition for Rehearing and Reconsideration (“Petition”) of the Minnesota Public Utilities Commission’s June 24, 2014 Order Requiring Utilities to Adopt and Document Processes Regarding Personally Identifiable Information and Other Action in the above-referenced docket. Minnesota Power respectfully submits these Reply Comments in response to the Petition.

Please contact me at the number provided above with any questions or concerns.

Yours truly,

A handwritten signature in black ink that reads "Lori Hoyum". The signature is written in a cursive style with a large, sweeping flourish at the end.

Lori Hoyum

Attachment
cc: Service List

STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of a Commission Inquiry
Into Privacy Policies of Rate-Regulated
Energy Utilities

Docket No. E,G-999/CI-12-1344

MINNESOTA POWER'S
REPLY COMMENTS

On Monday, July 14, 2014, CenterPoint Energy filed a Petition for Rehearing and Reconsideration ("Petition") of the Minnesota Public Utilities Commission's ("Commission") June 24, 2014 Order Requiring Utilities to Adopt and Document Processes Regarding Personally Identifiable Information and Other Action ("Order") in the above-referenced docket. Minnesota Power (or the "Company") respectfully submits its Comments in response to the Petition.

As enumerated by CenterPoint Energy in its Petition, there is currently a definition in Minnesota State Statute¹ for personal information for businesses that own or license data in Minnesota. The statute defines personal information as follows:

"personal information" means an individual's first name or first initial and last name in combination with any one or more of the following data elements, when the data element is not secured by encryption or another method of technology that makes electronic data unreadable or unusable, or was secured and the encryption key, password, or other means necessary for reading or using the data was also acquired:

- (1) Social Security number;
- (2) driver's license number or Minnesota identification card number; or(3) account number or credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.
- (f) For purposes of this section and section 13.055, subdivision 6, "personal information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

¹ Minn. Stat. § 325E.61, subd. 1(b).

Minn. Stat. § 325E.61 also provides for remedies and enforcement of unauthorized releases of personal data. The statute states that any business “shall disclose any breach of the security of the system following discovery or notification of the breach in the security of the data to any resident of this state whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person.” It also goes on to enumerate what a “notice” shall consist of and the appropriate timeframe in which to give customers notice of a data breach. Minnesota Power questions the need for the Commission to set forth superfluous and differing regulation in the way of customer data security.

The Commission decided upon an altered definition for what it coins “Personally Identifiable Information” (“PII”) as enumerated in the Order. The new definition for personal information (or PII) enforced by Commission action reads as follows:

Personally Identifiable Information (PII) shall be defined as “customer PII data which can be used to distinguish or trace the identity of an individual (e.g., name, social security number, biometric records, etc.) alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual (e.g., date and place of birth, mother’s maiden name, etc.).”

Minnesota Power has stated in previous Comments² and continues to support the notion that Minn. Stat. § 325E.61 is the appropriate guideline for which to define PII. Minnesota Power agrees that the redefining of “personal information” in conjunction with the requirements of the Order improperly circumvents the Administrative Procedure Act (“APA”) rulemaking procedures.

Minnesota Power is concerned about the privacy of its customer’s information. The Company does not object to the adoption of reasonable processes and procedures to ensure the safety of information collected from its customers. However, the redefining of a term already presented in State statute and the adoption of requirements that are redundant, unclear, and that after initial consideration appear very difficult to enforce, does not seem to follow principles built into Minnesota’s rulemaking procedures.

² Minnesota Power’s August 30, 2013 Reply Comments in Docket. No. 12-1344

Dated: July 25, 2014

Respectfully submitted,

A handwritten signature in cursive script that reads "Lori Hoyum". The signature is fluid and elegant, with a large loop at the end of the last name.

Lori Hoyum
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Duluth, MN 55802
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STATE OF MINNESOTA)
) ss
COUNTY OF ST. LOUIS)

AFFIDAVIT OF SERVICE VIA
ELECTRONIC FILING

Jodi Nash of the City of Duluth, County of St. Louis, State of Minnesota, says that on the 25th day of July, 2014, she served Minnesota Power's Reply Comments in Docket No. E,G-999/CI-12-1344 to the Minnesota Public Utilities Commission and the Energy Resources Division of the Minnesota Department of Commerce via electronic filing. The remaining parties on the attached service list were served as so indicated on the list.

/s/ Jodi Nash

Subscribed and sworn to before
me this 25th day of July, 2014.

/s/ Dawn LaPointe

Notary Public - Minnesota
My Commission Expires Jan. 31, 2015

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Service List Member Information

Electronic Service Member(s)

Last Name	First Name	Email	Company Name	Delivery Method	View Trade Secret
Aberle	Tamie A.	tamie.aberle@mdu.com	Great Plains Natural Gas Co.	Electronic Service	No
Ahern	Michael	ahern.michael@dorsey.com	Dorsey & Whitney, LLP	Electronic Service	No
Anderson	Julia	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service	Yes
Anderson	Kristine	kanderson@greatermngas.com	Greater Minnesota Gas, Inc.	Electronic Service	No
BeVier	Martin S.	bevi0022@umn.edu	N/A	Electronic Service	No
Berndt	Emma	emma.berndt@opower.com	Opower	Electronic Service	No
Bohler	Scott	scott.bohler@fr.com	Frontier Communications Corporation	Electronic Service	No
Bull	Michael J.	mbull@mncee.org	Center for Energy and Environment	Electronic Service	No
Caballero	Cesar	Cesar.Caballero@windstream.com	McLeodUSA Telecommunications Services, LLC	Electronic Service	No
Christensen	Brent	bchristensen@mnta.org	Minnesota Telecom Alliance	Electronic Service	No
Colton	Roger	roger@fsconline.com	N/A	Electronic Service	No
Dobson	Ian	ian.dobson@ag.state.mn.us	Office of the Attorney General-RUD	Electronic Service	No
Downer	Steve	sdowner@mmua.org	MMUA	Electronic Service	No
Ferguson	Sharon	sharon.ferguson@state.mn.us	Department of Commerce	Electronic Service	No
Gullickson	Bill	wdgvc76@yahoo.com	N/A	Electronic Service	No
Haar	Burl W.	burl.haar@state.mn.us	Public Utilities Commission	Electronic Service	Yes
Hentges	Ryan	ryanh@mvec.net	Minnesota Valley Electric Cooperative	Electronic Service	No
Hoyum	Lori	lhoyum@mnpower.com	Minnesota Power	Electronic Service	No
Johnson	Paula	paulajohnson@alliantenergy.com	Alliant Energy-Interstate Power and Light Company	Electronic Service	No
Johnson	Joel	joel@mrea.org	Minnesota Rural Electric Association	Electronic Service	No
Kismohr	Steve	skismohr@mwalliance.org	Midwest Energy Efficiency Alliance	Electronic Service	No
Kupser	Nicolle	nkupser@greatermngas.com	Greater Minnesota Gas, Inc.	Electronic Service	No
Larson	Douglas	dlarson@dakotaelectric.com	Dakota Electric Association	Electronic Service	No
Lindell	John	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	Electronic Service	Yes
Marquardt	Kevin	Kevin.Marquardt@CenterPointEnergy.com	CenterPoint Energy	Electronic Service	No
McLaughlin	Bridget	bmclaughlin@mncee.org	Center for Energy & Environment	Electronic Service	No
Moeller	David	dmoeller@allete.com	Minnesota Power	Electronic Service	No
Moratzka	Andrew	apmoratzka@stoel.com	Stoel Rives LLP	Electronic Service	No
Palmer	Greg	gpalmer@greatermngas.com	Greater Minnesota Gas, Inc.	Electronic Service	No
Pyles	Adam	adam.pyles@centerpointenergy.com	CenterPoint Energy	Electronic Service	No
Reha	Phyllis	phyllisreha@gmail.com	N/A	Electronic Service	No
Savelkoul	Richard	rsavelkoul@martinsquires.com	Martin & Squires, P.A.	Electronic Service	No
Saville	Kevin	kevin.saville@fr.com	Citizens/Frontier Communications	Electronic Service	No
Slotterback	Brendon	brendon.slotterback@minneapolismn.gov	City of Minneapolis	Electronic Service	No
Sorum	Peggy	peggy.sorum@centerpointenergy.com	CenterPoint Energy	Electronic Service	No
Spangler, Jr.	Ron	rlspangler@otpc.com	Otter Tail Power Company	Electronic Service	No
Stephenson	Cary	cStephenson@otpc.com	Otter Tail Power Company	Electronic Service	No
Thompson	SaGonna	Regulatory.Records@xcelenergy.com	Xcel Energy	Electronic Service	No
Topp	Jason	jason.topp@centurylink.com	CenturyLink	Electronic Service	No
Walters	Gregory	gjwalters@minnesotaenergyresources.com	Minnesota Energy Resources Corporation	Electronic Service	No
Woeste	Robyn	robynwoeste@alliantenergy.com	Interstate Power and Light Company	Electronic Service	No

Paper Service Member(s)

Last Name	First Name	Company Name	Address	Delivery Method	View Trade Secret
Anderson	Amie	Minnesota Community Action Partnership	MCIT Building, 100 Empire Drive, Suite 202, St. Paul, MN-55103	Paper Service	No
Braman	Jon	Bright Power, Inc.	11 Hanover Square, 21st floor, New York, NY-10005	Paper Service	No
Brezinka	Sheri	USGBC-Minnesota Chapter	5353 Wayzata Blvd Suite 350, Minneapolis, MN-55416	Paper Service	No
Brown	Peter	Minnesota Tenants Union	2121 Nicollet Ave Ste 203, Minneapolis, MN-55404	Paper Service	No
Carter	Richard	N/A	371 Water Street, Excelsior, MN-55331	Paper Service	No
Clearwater	Andrew	Future of Privacy Forum	919 18th Street N.W. Suite 901, Washington, DC-20006	Paper Service	No
Edwards	Jennifer	Center for Energy and Environment	212 3rd Ave. N. Ste 560, Minneapolis, MN-55401	Paper Service	No
Flisrand	Janne	MN Green Communities	c/o Flisrand Consulting, 2112 Dupont Ave. S, Minneapolis, MN-55405	Paper Service	No
Hickey	Mike	National Federation of Independent Business/MN	380 Jackson Street, Suite 780, St. Paul, MN-55101	Paper Service	No

Horton	Caroline	Aeon	901 N. 3rd St. Suite 150, Minneapolis, MN-55401	Paper Service	No
Johnson	Craig	League of Minnesota Cities	145 University Ave. W., Saint Paul, MN-55103-2044	Paper Service	No
Krukowski	Andrea	Institute for Market Transformation	1707 L Street NW Ste 1050, Washington, DC-20036	Paper Service	No
Lewis	Kevin	Greater Minneapolis BOMA	Suite 610, 121 South 8th Street, Minneapolis, MN-55402	Paper Service	No
Liljenquist	Todd	Minnesota Multi Housing Association (MHA)	1600 West 82nd Street, Suite 110, Minneapolis, MN-55431	Paper Service	No
Lindburg	Alison	Fresh Energy	408 St. Peter St Ste 220, St. Paul, MN-55102	Paper Service	No
Matthews	J.B.	Cushman & Wakefield/NorthMarq	3500 American Blvd W - #200, Minneapolis, MN-55431	Paper Service	No
Shaddix Eling	Janet	Shaddix And Associates	Ste 122, 9100 W Bloomington Frwy, Bloomington, MN-55431	Paper Service	No
Whitney	Patricia	St. Paul Assn of Responsible Landlords	2197 Silver Lake Road NW, New Brighton, MN-55112	Paper Service	No
Wilson	Elizabeth	Humphrey School of Public Affairs	130 Humphrey School, 301 19th Ave. S, Minneapolis, MN-55455	Paper Service	No
Winters	Josh	MPIRG	2722 University Ave SE, Minneapolis, MN-55414	Paper Service	No