Minnesota Solar Energy Industries Association

We Move Minnesota Solar + Storage Forward

November 12, 2024.

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: In the Matter of a Commission Investigation on Grid and Customer Security Issues Related to Public Display or Access to Electric Distribution Grid Data, Docket Number E-999/CI-20-800

Executive Secretary Seuffert,

Please find here the Comments of the Minnesota Grid Access Advocates (MGAA) in the above-entitled matter. These comments reflect the views of the Minnesota Solar Energy Industries Association (MnSEIA), Cooperative Energy Futures (CEF) and other interested members related to the issue raised, and the topics open for discussion, in the Minnesota Public Utilities Commission's Notice of Comment Period issued on October 9th, in the above-referenced docket.

Sincerely,

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STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

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In the Matter of a Commission Investigation on Grid and Customer Security Issues Related to Public Display or Access to Electric Distribution Grid Data.	COMMENTS OF THE MINNESOTA GRID ACCESS ADVOCATES
November 12th, 2024	Docket No. E002/M-20-800

I. INTRODUCTION

The Minnesota Solar Energy Industries Association ("MnSEIA") is a nonprofit association of over 170 members that represents Minnesota's solar and storage industry. Our broad membership ranges from rooftop installers to non-profit organizations, manufacturers, and many others, all of whom collectively employ over 5,000 Minnesotans. MnSEIA submits these Comments jointly with Cooperative Energy Futures as the Minnesota Grid Access Advocates (MGAA) in response to the Minnesota Public Utility Commission's ("Commission") October 9, 2024 Notice of Supplemental Comment Period.[1] In this filing, MGAA presents detailed recommendations for establishing a balanced data-sharing framework that supports Minnesota's clean energy future. Our recommendations aim to help the Commission establish clear, practical guidelines for data security that protect truly sensitive information while

[1] *Notice of Supplemental Comment Period,* In the Matter of a Commission Investigation on Grid and Customer Security Issues Related to Public Display or Access to Electric Distribution Grid Data, Docket No. CI-20-800, Minnesota Public Utility Commission, October 9th, 2024.

maintaining the transparent data access necessary for achieving Minnesota's ambitious clean energy goals.

II. BACKGROUND

Access to transparent, accurate grid data is essential for achieving Minnesota's mandate of 100% carbon-free energy by 2040 and supporting its distributed energy goals and initiatives. The Commission's data sharing and security decisions will directly affect the efficiency and speed with which distributed energy resources ("DERs") can be deployed across Minnesota's grid infrastructure. As such, the Commission faces a critical decision point in establishing frameworks for grid data sharing and security that will significantly impact the state's ability to meet its clean energy goals.

The challenge before the Commission and the workgroup established in this docket is to establish a balanced framework that enables necessary data access while maintaining appropriate security measures. This balance is particularly crucial given Minnesota's pressing need to interconnect thousands of MegaWatts of distributed solar to meet statutory targets, alongside the deployment of Distributed Power Plants (DPPs),[2] Solar on Schools, Solar on Public Buildings, community solar gardens, and other clean energy initiatives. Historical interconnection challenges in Xcel Energy territory underscore the importance of getting this framework right.

The Department of Energy and National Association of Regulatory Utility Commissioners (NARUC) collaborative framework, recently submitted to the record,[3] provides a systematic approach for evaluating the risks and benefits of sharing specific grid data. While this framework offers valuable guidance, MnSEIA and MGAA recommend that it be used in

[2] Also commonly referred to as Virtual Power Plants.
[3] *Workgroup Report,* In the Matter of a Commission Investigation on Grid and Customer Security Issues Related to Public Display or Access to Electric Distribution Grid Data, Docket No. CI-20-800, Minnesota Public Utility Commission, October 9th, 2024.

conjunction with a security framework similar to the Synapse report, such as the Converge report if it is approved by the Commission, to provide recommendations tailored explicitly to Minnesota's circumstances.

Drawing from the experiences of states with similar clean energy mandates, particularly New York and California, we observe that greater data transparency need not compromise grid security. These states have successfully implemented frameworks that protect sensitive information while maintaining the data access necessary for efficient clean energy deployment. Their experiences demonstrate that many utility concerns about data security can be addressed without creating undue barriers to access and unnecessarily redacting data.

The stakes are high: decisions made now about grid data sharing will either accelerate or hinder the state's clean energy transition. MGAA believes that with the thoughtful implementation of appropriate frameworks, Minnesota can join states leading the way on this issue who have demonstrated that grid security and data accessibility can successfully coexist in service of our clean energy future.

III. DO PARTIES HAVE ADDITIONAL COMMENTS ON THE WORKGROUP RECOMMENDATIONS FILED WITH THIS NOTICE?

1. *Suggested adoption of the following clarifications to the workgroup's proposed recommendations:*

Minnesota Grid Access Advocates respectfully suggests adoption of the following clarifications to the workgroup's proposed recommendations, as shown in the following redline of the Workgroup' October 9, 2024 Report and recommendations, at 3:

> From the workshop, the parties requested Commission guidance on a few items. They recommended the Commission affirm that the ~~minimum~~ necessary data should be shared with requestors (including individual property owners, as well as third-party DER developers), and that it should be shared securely if a reasonably heightened security treatment is justified. They recommended authorizing the workgroup to determine the security methods to be employed

via the NARUC Grid Data Sharing Framework, subject to a party's right to appeal that determination to the Commission. . .

These changes will help clarify who can access the grid data (requestors), and that the data should be subject to heightened security treatment only if that security treatment is necessary (not as a default). The final redline change is necessary to ensure that any final decision the workgroup makes regarding a request to access grid data is reviewable by the Commission, e.g., upon appeal by either the data requestor or the relevant distribution utility.

IV. WHAT INFORMATION FROM THE DOE/NARUC COLLABORATIVE FRAMEWORK (SUBMITTED INTO RECORD ON OCTOBER 9TH, 2024 AS AN ATTACHMENT TO THE WORKGROUP REPORT) IS APPLICABLE TO DECISIONS BEING MADE IN THIS RECORD?

Several aspects of the NARUC Grid Data Sharing Playbook (submitted in docket 20-800 as Attachment 1 to the Workgroup's Report dated October 9, 2024) are applicable to decisions being made in this record – as listed below. For relevant context, the NARUC Grid Data Sharing Playbook is a 44-page document that the Workgroup attached to its filed Report. As explained on page 1 of the Playbook, "In 2022, the National Association of Regulatory Utility Commissioners (NARUC) launched an initiative to support its members in addressing issues related to grid data sharing. The Grid Data Sharing Collaborative was funded by the DOE's Office of Electricity and Office of Cybersecurity, Energy Security, and Emergency Response (CESER)."

The Playbook shows significant alignment with the Synapse report already on record in this proceeding;[4] both tools document that states with clean energy goals have required electric utilities to the meet a burden of proof to restrict data access,[5] and both underscore the need to

[4] *Comments,* In the Matter of a Commission Investigation on Grid and Customer Security Issues Related to Public Display or Access to Electric Distribution Grid Data, Docket No.20-800, Minnesota Department of Commerce, Division of Energy Resources, September 30, 2021. (Synapse Report on Hosting Capacity Analysis and Distribution Grid Data Security)

[5] *Id*, at 39. Regarding California's experience: "In 2018, an Administrative Law Judge ruled that the CA IOUs had to make all of their distribution system maps, as well as related analyses, publicly available through a web portal; and allow third parties to access these maps through a user registration process without having to execute an NDA. 131 He also ruled that all information that is not confidential customer data under the 15/15 aggregation standard be published, unless the utilities are able to prove that the information they wish to redact or make subject to an NDA, meets the definition of CEII that should be protected from public disclosure on confidentiality grounds." *See also, NARUC Playbook, at 22. "*The CPUC denied a request by utilities to classify broad categories of grid data. The CPUC found the investor-owned utilities (IOUs) had not provided evidence that publishing these data would lead to, or had already resulted in, adverse impacts to the distribution system. The CPUC noted that much of the data the utilities wished to classify were publicly accessible via other means. Finally, the CPUC noted that much of the data

balance grid data accessibility and transparency with security and privacy concerns. With regards to information from the DOE/NARUC collaborative framework that applies to decisions made in this record, MnSEIA finds relevant information is included in the Framework's treatment of (1) Use Cases, (2) Desired Outcomes, (3) Data Details. (4) State Priorities, and (5) data sharing tactics to fully develop the record on the risks, costs, and benefits of data sharing. We discuss the relevant information in the framework below.

1. Use Cases

In light of Minnesota's clean energy deployment goals and targets, greater data sharing could significantly benefit work to rapidly interconnect the 1200+ MW of solar that must be built to meet Minnesota's statutory targets, and to do so in an orderly and economically efficient manner with reduced interconnection costs and timelines. Specific categories of Grid data are also needed to most-efficiently deploy third-party owned battery energy storage systems (BESS) and virtual *aka* distributed power plants (DPPs), as well as electric vehichle charging stations, and other types of DERs. MnSEIA and MGAA also values grid security and supports continued discussion on data-sharing tactics that can be implemented to mitigate potential risks and negative impacts of data sharing, balanced against the benefits of greater access to grid data.

More comprehensive data may be required for interconnection purposes as DER penetration increases to ensure system stability, proper planning, coordination between utilities and DER operators, grid modernization support and complex DER interactions. The following paragraphs illustrate what data is most important to enabling certain use cases.

A. Interconnection Use Case

This use case focuses on enabling effective DER interconnection and system planning through detailed data sharing. Per the NARUC Grid Data Sharing Playbook, an important benefit of sharing this sort of grid data with DER developers is to unlock the benefits of this use case.[6] This same motivating consideration – to enable more efficient and improved DER siting analysis,

that the utilities requested to classify had been available for over a decade without any documentation of a negative outcome."

[6] *Id,* at 31-33

design size optimization, and interconnection-cost-feasibility analysis – was specifically discussed during the August and September, 2024 workgroup meetings.

Minnesota has a history of interconnection issues caused by grid congestion in Xcel Energy territory, and more regions of the state will experience congestion as DSES and other projects begin to interconnect. Furthermore, stakeholders are in the early stages of building procedures for "proactive" and "reactive" cost-sharing methodologies to fairly allocate costs for infrastructure needed to increase hosting capacity. Transparent access to accurate, detailed grid data is required to improve interconnection and enable robust and trusted cost-sharing programs. In particular, as the NARUC Playbook acknowledges[7] the following categories of grid data have been found to be relevant to DER project siting, development, and interconnection:

Table 2: Sample Grid Data Elements

Interconnection Data Elements
(Source: Grid Data Sharing Collaborative)

Feeder (and substation in some cases)

- Feeder name or identification number
- Substation to which the feeder connects
- Feeder voltage
- Number of phases
- Substation transformer to which the feeder connects
- Feeder type (e.g., radial, network, spot, mesh)
- Feeder length
- Feeder conductor size and impedance
- Service transformer rating
- Service transformer daytime minimum load
- Existing generation
- Queued generation
- Total generation
- 8760 load profile
- Percentage of residential, commercial, and industrial customers
- Currently scheduled upgrades
- Federal or state jurisdiction
- Known transmission constraint
- Presence of reverse flow protection, automated voltage regulators, load tap changers, capacitor banks that would be impacted
- Other relevant information to guide interconnection applicants

Public Queue Data

- Queue number
- Nameplate rating and export capacity
- Fuel type
- City, ZIP code
- Substation
- Feeder
- Status (e.g., active, withdrawn, connected)

Dates for

- Application complete
- Screening results
- Supplemental review results
- System impact results
- Facilities study results
- Interconnection agreement provided
- Interconnection agreement signed
- Permission to operate

NOTE: This is an illustrative list for demonstration purposes only.

[7] NARUC at 14.

For this reason, MGAA respectfully requests that the Commission's order include a finding that each of these data elements have been found to be generally relevant to DER development and interconnection. This would help create a rebuttable presumption of relevance for purposes of data-request disputes that may come before the Data Access Workgroup in the future – though the Workgroup may still of course consider privacy or security concerns, as well as potential mitigation, etc., related to the data access request.

Note that "grid data sharing" as described in the NARUC Grid Data Sharing Playbook means "data related to the electric system, up to and including data generated by the electric meter."[8] This may include much of the data in Table 2 being made available in hosting capacity maps. It also could mean providing the sort of data in Table 2 (above) to a requestor and could entail sharing potentially "large volume of data", "complex data types,", and/or "high processing speed requirements." [9] The requesting party would need to specify the specific set of grid data it is requesting in bulk form, which should be delivered in a standard data format for ease of use by the requesting party (*i.e.*, tabular format, electronic data transfer, etc.). Ideally, the utility would also refresh its grid data set on a monthly regular basis, *i.e.*, to keep it current with actual changes to the distribution system (and/or the interconnection queue, etc.), and to minimize the presence of stale, incorrect, or misleading data in the grid data set.

2. Desired Outcomes

At a foundational level, successful grid data sharing should result in better use of utility resources, assets, and energy, while preventing grid constraints and increasing the use of currently available capacity. MGAA recommends using the Playbook as a tool to enable these improvements, leading to more efficient interconnection processes, improved capacity utilization and enhanced operational resilience through distributed energy resources.

From a financial perspective, the desired outcomes include significant cost reductions for utility customers, developers, and utilities. Better access to transparent data will lead to more

[8] *NARUC Playbook*, at 1.
[9] *Id,* at 13.

efficient processes, which should reduce costs by avoiding unnecessary interconnection applications and making better use of utility staff resources. Policy achievement represents another critical category of desired outcomes; grid data sharing should facilitate better alignment of grid modernization efforts with broader policy objectives, such as Minnesota's 100% clean energy by 2040 objective. MGAA recommends using the Playbook to support and accelerate the achievement of clean energy goals and enable more effective deployment of renewable resources.

3. Data Details

The Playbook provides that data quality is highly relative to its usefulness in enabling desired outcomes; to be useful, grid data must be accurate, attainable, and actionable.[10] The framework specifically defines data accuracy as the extent to which records are error-free and can be used as a reliable source. Data accuracy and accessibility are particularly relevant to Minnesota's plans to interconnect high penetrations of distributed generation in the near term. Accordingly, MGAA recommend the Commission expand its focus on data quality in conjunction with an expanded focus on data security.

4. State Policy Goals

The Playbook points to the need for an "Analysis of State Priorities and goals relevant to the use case and data sharing."[11] Minnesota's state policy goals create a critical framework for grid data-sharing decisions. For this reason, we respectfully ask the Commission to acknowledge in its order the following Minnesota statute provisions that spell out the state goals and priorities relevant to enabling DER adoption and development:

- **216B.1691, subd. 2f(e).** Minnesota's Solar energy standard which established a statutory goal that by 2030, 10% of statewide retail electric sales be generated by solar energy.
- **216B.1691, subd. 2g.** Minnesota's **Carbon-free energy** standard which requires that by 2030, 80% of retail sales for public utilities and 60% of retail sales for other electric

[10] *NARUC* at 11.
[11] *Id,* at 6.

utilities must be generated or procured from electricity from carbon-free energy technologies.

- **216B.1691, subd. 2(h).** Minnesota's Distributed Solar Energy Standard, which requires public utilities to generate or procure a certain percentage of their retail electricity sales from solar systems under 10MW by 2030.
- **Minn. Stat. 216B.164, subd. 1**. Minnesota's state policy goal with regard to distributed generation, "to give the maximum possible encouragement to cogeneration and small power production consistent with protection of the ratepayers and the public."
- **Minn. Stat. 216B.1611, subd. 2.** Requiring that interconnection standards be consistent with industry and other federal and state operational and standards, and "provide for the low-cost, safe, and standardized interconnection of facilities."

Other Minnesota statutory provisions may be relevant to grid data relevant to enabling fleet vehicle electrification, widespread EV charging infrastructure, distributed power plants, or other potential use cases. Minnesota's goal of using 100% carbon-free energy by 2040 is a foundational policy that interweaves with other state initiatives such as transportation electrification, the DSES, the state CSG program, Cost Sharing programs, energy storage, and more. Grid data sharing is essential for effectively deploying and operating DERs, particularly when Minnesota's energy policy actively encourages their deployment.

5. Data Sharing Tactics

The Playbook highlights several common risk mitigation approaches across the industry. State regulators face the challenge of accurately distinguishing between data that should be protected because of security risk versus data that utilities seek to protect for commercial purposes. In an example that illustrates why a utility would seek to protect data for commercial purposes, Xcel recently proposed to deploy a utility-lead and funded Distributed Power Plant (totaling at least 400 MW of storage and 440 MW of solar) with the claim that their utility owned model would be "led by the Company to engage and enroll our customers to adopt DER at the homes and businesses that are the best locations on the grid to maximize the efficiency of existing infrastructure."[12]

[12] *Initial Comments,* In The Matter Of the 2024-2040 Upper Midwest Integrated Resource Plan Northern States Power Company d/b/a Xcel Energy, Docket No. 24-67, Xcel Energy, August 9, 2024. At 12.

Hosting capacity and grid data are the essential ingredients for determining "the best locations on the grid to maximize the efficiency of existing infrastructure" and Xcel Energy has a commercial interest in insulating itself from competition by maintaining exclusive access to grid data. MGAA recommends that the Commission and working group implement the Playbook to prevent protectionist data-sharing tactics that deepen information asymmetry between electric utilities and the public.

Also applicable to decisions being made in this record is the Playbook's acknowledgment that the Federal Energy Regulatory Commission (FERC) has already established a workable approach that provides grid data access to third-party DER developers in a non-discriminatory manner while also providing protection to Critical Energy/Electricity Infrastructure Information (CEII).[13] The Playbook further explains that "CEII restricts access to critical infrastructure information, defined as a system or asset of the bulk-power system (physical or virtual), the incapacity or destruction of which would negatively effect national security, economic security, public health or safety, or any combination of such matters."[14] The Playbook also states that "Many states have similar CEII-like frameworks, often deferring to the FERC model."[15]

i. Data Sharing Tactics: Risks of Over-Implementation

Implementing any risk-benefit framework comes with the risk of over-implementation. A balance must be struck between protecting sensitive information and enabling sufficient data access to achieve policy goals and market efficiency. Utility proposals to restrict access to data must be considered in the context of the primary risk of over-implementing mitigation practices: effectively nullifying the intended benefits of hosting capacity data sharing.[16] For this reason. The MGAA encourages the Commission to place the burden of proof on utilities and require utilities proposing to limit access to grid data to develop a complete, public, and

[13] NARUC at 9
[14] NARUC at 9, internal quotations omitted) *see also* 18 C.F.R. 388.133(c)(1) & (2).
[15] NARUC at 9
[16] NARUC, at 31-33, 36-37, 40-41.

transparent record of relevant, factual information documenting the specific security risks of public access to data before approving redaction or limiting access to data.

If mitigations significantly increase costs for data requestors, the desired outcomes of data sharing may not be realized. Similarly, if mitigations reduce the type, frequency, granularity, or content of data too severely, they could prevent the achievement of the intended benefits. This is particularly important in cases where data sharing is meant to support state policy goals or improve distribution capacity utilization. Concerning barriers to data access; the Playbook emphasizes that regulators need to assess whether proposed mitigations to address security and commercial risks align with good business practices without imposing barriers that are too high for new entrants to participate in data sharing.

Both the Playbook and the Synapse report align in their warning against the over-classification of grid data as sensitive. The Synapse report directly addresses this issue in its discussion of grid security, stating that "obscurity is not security" and arguing that the belief that concealed data is inherently more secure may provide a false sense of security that could reduce a utility's urgency to strengthen its cybersecurity defenses, as evidenced by the growing list of recent cybersecurity data breaches of U.S. companies.[17] Both documents cite California's experience where regulators rejected utilities' attempts to broadly classify grid data as confidential, noting that much of this data had been publicly available for over a decade without documented adverse outcomes.[18] As the Synapse report explained in greater specificity, much of the information utilities often try to protect, such as feeder locations, is already available through public sources like Google Earth or simple visual observation.[19] MGAA recommends that the Commission look to the example set by the CPUC in its decision-making on utility requests to broadly classify large categories of grid data as confidential.

ii. Existing Data Practices and Data Openness

[17] Synapse, at 44.
[18] NARUC, at 22, See also Synapse at 39.
[19] Synapse at 40-41

An aspect of the NARUC Grid Data Sharing Playbook that is applicable to decisions being made in this record is the importance of "Identify existing data sharing practices and data openness."[20] For this reason, the workgroup should be cognizant that Minnesota state policy as provided in both the MN DIP and Minnesota law already requires distribution utilities to reveal certain enumerated categories of grid data to a prospective DER customer or developer upon request.[21] In addition, MN DIP already enables interconnection customers including developers to request and receive site-specific grid data through two related mechanisms, the application pre-report (at MN DIP 1.4) and the interconnection application itself (at MNDIP 1.5). Unfortunately, these current data access processes apply to individual project applications on an individual feeder, and so do not support and enable the benefits of the Improving DERs Interconnection use case explained in the NARUC Grid Data Sharing Playbook.

III. SHOULD THE COMMISSION APPROVE THE FRAMEWORK FOR USE BY A STANDING WORKGROUP TO CONSIDER DATA SHARING AND SECURITY ISSUES BETWEEN PARTIES AS RECOMMENDED BY THE WORKGROUP?

MnSEIA and MGAA appreciate that the Playbook is a useful tool for structuring the process to weigh the risk against the benefits of providing greater access to grid data. The framework is a starting point for the workgroup discussion and should be approved as such. However, the workgroup should also be deferential to FERC's established approach to data sharing, for example by diverging from FERC's security classification for a given category of grid data only when parties to a dispute have provided relevant material evidence to support the divergent security classification. MGAA recommends that in addition to the Playbook and FERC framework, the workgroup should continue to utilize the Synapse report, or the Converge report if approved, as a highly relevant decision-making tool tailored to Minnesota. MGAA recommends a combined approach incorporating a Minnesota risk-benefit framework specific to Minnesota within NARUC's broader evaluation process.

MGAA also recommends that the workgroup and the Commission consider data sharing models that are being implemented in other states that have similar carbon-free energy goals as

[20] NARUC at 7

[21] *See, e.g.,* Minn. Stat 216B.164, subd. 12 (requiring customer access to electricity usage data).

guidance for establishing data governance practices that align with Minnesota's needs. States that are serious about meeting carbon-free energy goals are establishing comprehensive frameworks to manage all aspects of hosting capacity data, including data quality, access, and security. Minnesota would benefit from a similar comprehensive approach that integrates security into broader efforts to ensure fair and public access to grid data. We provide examples of such comprehensive approaches in the section below.

V. WAS THERE ANY SPECIFIC INFORMATION PROVIDED BY SECURITY EXPERTS AND OTHER NEW PARTIES DURING THE WORKGROUP MEETINGS THAT WOULD HELP INFORM COMMISSIONERS IN THEIR DECISION MAKING? INFORMATION ALREADY IN THE RECORD DOES NOT NEED TO BE RESUBMITTED.

In workgroup meeting three, a security professional inquired as to whether the PUC looked at other states to see how this issue has been managed in other states and assessed whether and how these tactics can be implemented in Minnesota. The Commission staff stated that examples of successful policies in other states had been entered into the record but thought that consensus among the parties about the best way to move forward was slowly coming together.[22] MGAA sees key areas where no such consensus has been reached, including remaining disagreements on what security tactics should be associated with each data item.

Accordingly, MGAA suggests the workgroup should incorporate the suggestion of the security professional in workgroup meeting three and consider how other states are implementing data security processes and rules. Both the Playbook and the Synapse report cite New York and California as leading examples of how states can achieve such a balancing act. Both states have developed comprehensive frameworks through extensive stakeholder processes, though they take somewhat different approaches to implementation.

1. New York Framework

New York has established a comprehensive Data Access Framework (DAF) that serves as the single source for statewide requirements governing access to energy-related data and aims to

[22] 20-800_Workgroup 3 Notes_2024-20-09, page 5.

balance the need for data accessibility with appropriate security and privacy protections. [23]The framework adopts a statewide aggregated data privacy screen that is similar to Minnesota's privacy screen. Importantly, in this framework system data is generally considered public unless it impacts customer privacy or critical infrastructure.[24]

New York also imposes specific implementation requirements for utilities, including the removal of most fees for aggregate data access,[25] establishment of data quality and integrity standards,[26] creation of transparent user agreements, and implementation of customer consent mechanisms.[27] The NARUC Playbook provided that for sensitive data access, the New York system creates a tiered system with different levels of security requirements.[28] This includes potential use of non-disclosure agreements, secure portals, and specific cybersecurity protocols depending on the sensitivity of the data and the method of access.[29]

Minnesota's clean energy goals are similar to the goals set by New York. As such, MGAA recommends that the workgroup and Commission consider implementing solutions within the New York framework, including non-disclosure agreements, secure portals, and specific cybersecurity protocols, depending on the sensitivity of the data and the method of access. However, these security tools must be thoughtfully implemented to avoid excessive barriers to access. This concern was noted by utilities In workgroup three when they stated that a vetted portal system, similar to the secure portal system established in New York, "would create winners and losers for small and large developers for GIS mapping."[30] We share this concern with utilities and believe that the workgroup is well positioned to determine how protocols may be implemented without raising excessive barriers to data access.

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[23] *Order Adopting A Data Access Framework And Establishing Further Process,* In the Matter of the Strategic Use of Energy Related Data, CASE 20-M-0082, New York Public Service Commission, April 15, 2021.
[24] *Id*, at 34. "The Commission agrees with the proposal in the Whitepaper that there should be no protections on the availability of Hosting Capacity data, since it is aggregated data itself and does not contain CEUD."
[25] *Id,* at 74, Order Point 12.
[26] *Id*, at 44-48
[27] *Id.*
[28] NARUC, at 22.
[29] *Id*.
[30] Workshop meeting 3 notes, page 4.

2. California Framework

Addressing California's decision-making framework surrounding hosting capacity data access, the Playbook states that in 2022, the CPUC denied a request by utilities to restrict access to broad categories of grid data, based on finding that (1) investor-owned utilities (IOUs) had not provided evidence that publishing these data would lead to adverse impacts to the distribution system and (2) much of the data that the utilities requested to restrict had been available for over a decade without any documentation of a negative outcome.[31] Following this 2022 determination, the CPUC recently decided with respect to improvements to data access that:

1. The CPUC's 15/15 Rule for data redaction (which is identical to Minnesota's 15/15 rule), provides adequate privacy and security protections and that "excessive redaction could result in less accuracy and, therefore, less usefulness, which are objectives of this endeavor."[32]
2. Utilities are required to remove registration requirements for accessing their data portals to reduce barriers to data access, and doing so would not compromise maintaining appropriate data privacy and security protections.[33]

Minnesota's energy policy objectives mirror California's. As such, MGAA recommends the Commission require clear and transparent evidence to support a utility's claims that sharing grid data would lead to adverse impacts to the distribution system. Further, we encourage the Commission to require utilities to provide clear and transparent evidence documenting why access to data, which has been publicly available in Minnesota for several years, must now be removed or restricted to avoid adverse impacts to the distribution system.

VI. CONCLUSION

MnSEIA and MGAA recognize the value of the NARUC framework as a starting point for evaluating grid data sharing and security in Minnesota. However, we strongly recommend that the Commission and workgroup continue utilizing the Synapse report, or the Converge report if

[31] NARUC framework, page 22.

[32] *Decision Adopting Improvements To Distribution Planning And Project Execution Process, Distribution Resource Planning Data Portals, And Integration Capacity Analysis Maps*, Order Instituting Rulemaking to Modernize the Electric Grid for a High Distributed Energy Resource Future, Rulemaking 21-06-017, Decision 24-10-030, California Public Utilities Commission, October 17, 2024, at 156.

[33] *Id*, at 151.

approved, alongside the NARUC framework, as well as the successful programs of other states, as it provides recommendations specifically tailored to Minnesota's needs and circumstances. The combined approach we advocate would incorporate a risk-benefit analysis within NARUC's broader evaluation structure, and start from a presumption of data transparency while using NARUC's systematic process to document and evaluate specific risks and benefits and limit access to grid data only when there is proven need to do so.

As Minnesota works toward its ambitious 100% clean energy by 2040 goal, we must establish data sharing practices that enable rather than hinder progress. MGAA recommends looking to states with similar clean energy goals, particularly New York and California, whose experiences demonstrate that transparent grid data access and security can successfully coexist. These states have developed comprehensive frameworks that protect sensitive information while maintaining necessary data access for clean energy deployment.

Regarding security measures, MGAA recommends that the Commission require utilities to develop a complete, public, and transparent record documenting specific security risks before approving any redaction or limitation of data access. When utilities request to designate grid data as "CEII" data, they should bear the burden of justifying their request and explaining why the information is not already publicly known.

MGAA believes that the "minimum necessary data" standard may prove insufficient in areas with high DER penetration. Instead, we advocate for data-sharing models that align with Minnesota's needs and clean energy goals. This is particularly crucial for enabling effective DER interconnection and system planning, as evidenced by Minnesota's history of interconnection issues caused by grid congestion. Access to accurate, detailed grid data is essential for improving interconnection processes and enabling robust and trusted cost-sharing programs.

While we support the use of security measures such as non-disclosure agreements, secure portals, and specific cybersecurity protocols, we emphasize that these tools must be

thoughtfully implemented to avoid creating excessive barriers to access, particularly for smaller developers.

MGAA also recommends careful scrutiny of data-sharing tactics that could deepen information asymmetry between electric utilities and the public. The risk of over-implementing security measures is real and could effectively nullify the intended benefits of hosting capacity data sharing. Both the NARUC framework and Synapse report warn against the over-classification of grid data as sensitive.

By implementing these recommendations, Minnesota can establish a balanced approach that protects truly sensitive information while maintaining the transparent data access necessary to achieve its clean energy goals.

Respectfully,

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