



April 30, 2026

Sasha Bergman
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 Bergman,

The Minnesota Solar Energy Industries Association (“MnSEIA”), and United States Solar Corporation (“US Solar”) (herewithin, Joint Parties) respectfully submit these initial comments in regard to the Commission’s March 31 Notice of Comment Period seeking input on the Grid Data Sharing Framework Report (“Draft Framework” or “Framework”) submitted on March 4, 2026, in Docket 20-800. Each of the Joint Parties were participants in the working groups referenced in the Draft Framework. We offer feedback on the subjects open for discussion in the Commission’s Notice, and further considerations in regard to the topics raised.

Sincerely,

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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 JOINT PARTIES

Docket No. E002/M-20-800

April 30th, 2026

The Joint Parties respectfully submit these initial comments in regard to the Commission’s March 31 Comment period seeking input on the Grid Data Sharing Framework Report submitted on March 4, 2026, in Docket 20-800 by Converge Strategies (“Converge”). Specifically, the Joint Parties recommend that the Commission modify: (1) the Draft Framework’s request process; (2) its appeals process, including the role of the Grid Security Working Group (“GSWG”); and (3) its evaluation and oversight recommendations before approval.

We also identify additional considerations relevant to the Commission’s deliberations related to how data is classified and further implementation of the National Association of Regulated Utility Commissioners (NARUC) Grid Data Sharing Framework Playbook (“Playbook”) in Minnesota. The Joint Parties support the establishment of a centralized process for sharing grid data in Minnesota, and this draft represents a step towards implementing such a

process. We appreciate the work of Converge, the Commission, and all parties who participated in the working groups, in continuing this work.

Summary of the Joint Parties' position:

At a high level, the Joint Parties support the development of a statewide framework to govern access to distribution grid data. A well-designed framework can introduce consistency, transparency, and predictability for utilities, regulators, and third-party users alike. However, as currently written, the Draft Framework would create additional barriers to information relevant to DER-development and leaves some key questions unresolved—particularly around specific risk classifications, process timelines, and access to meaningful review on appeal. Failing to balance legitimate security risk with legitimate commercial or academic uses of pertinent grid data can impede the deployment of distributed and/or renewable energy facilities, cause delays to Minnesota's carbon-free goals, and increase costs for ratepayers, developers, and utilities alike.

Under the Draft Framework as currently written, our parties have considerable concerns with who has to demonstrate the existence (or non-existence) of risk and what risk level applies to a given data request. As such, we believe that without modification this framework will increase, rather than decrease, the number of data-sharing disputes that make their way to the Commission, and cause considerable delay in the interconnection and operation of renewable energy projects. We make further recommendations to implement the components of the NARUC Grid Data Framework Playbook not discussed in this proceeding.

For these reasons, our parties recommend that the Commission enact targeted modifications before adopting the Framework and its appeals process, clarify the role of the Grid

Security Working Group (“GSWG”), and expand the metrics for evaluation and review of the Framework.

First, the request process outlined in the draft report, while possibly appropriate for high risk data, could be burdensome for low to medium risk data. While our parties agreed that some sort of preapplication registration was reasonable for all data requests, requiring a universal background check for low-risk data is unnecessary, burdensome, and will impede access to data necessary to promote the public interest in developing distributed energy resources in a safe, reliable and cost-effective manner¹. Moreover, requiring a full risk analysis and scoping meeting every time a data request is made, regardless of whether the risk level and number of requests warrants such measures, is unreasonable². This is especially true for same or similar requests from a single requester, or if the data is low to medium risk and is readily available to the utility. The amount of time to fulfill a request should be commensurate with the complexity of the request. It is unlikely that common, simple requests for low or some medium risk data should take a scoping meeting and two months to fulfill. Therefore, we make concrete recommendations below to reorganize these components of the request process to maximize efficiency while still addressing security concerns.

Second, this framework represents considerable changes to how grid data is shared currently. As such, at the outset there should be a well-defined, prompt, and comprehensive plan for regular evaluation and alteration of the framework to ensure its efficacy. We recommend

¹ Converge Strategies, *Recommendations for a Grid Data Sharing Framework*, Docket 20-800. p. 11. (March 4, 2026) <https://efiling.web.commerce.state.mn.us/documents/%7BA0C1B99C-0000-C812-849B-50E7CF7720AB%7D/download?contentSequence=0&rowIndex=4>

² *Id.* p. 11

expanding the evaluation metrics for each one-year compliance filing, and recommend a 30-day negative checkoff period after these annual compliance filings to increase opportunity for evaluation if needed.

Background

This proceeding dates back to 2019 and 2020, originally arising from a discussion of Xcel Energy's Hosting Capacity and Analysis (HCA) maps and data. From there, the docket expanded to a full discussion of the methods, needs, and risks involved in sharing grid data. The issue originates from the Commission's July 31, 2020 Order in Xcel Energy's Hosting Capacity Analysis proceeding, which identified concerns about public access to distribution grid data (including mapping, load data, and infrastructure information). The Commission directed further discussion and encouraged continued stakeholder work on integrating hosting capacity data with interconnection processes. Commission staff convened a multi-party workgroup in 2024. This group brought together utilities, developers, state agencies, and security professionals to examine how to balance the operational need for granular grid data (especially for distributed energy resource interconnection) with utility concerns about exposure of sensitive infrastructure information. For a complete history, see the Commission's January 16th, 2025 briefing papers in this docket.

The Commission determined that it would be in the best interests of the state and parties to conduct three further workshops, using the NARUC Grid Data Framework Playbook as a template to derive a proposal for a grid data access procedure in Minnesota. These workshops occurred on July 7th, 2025, August 11th, 2025, and October 6th, 2025, facilitated by Converge.

Created by NARUC, the Grid Data Sharing Playbook provides a flexible, non-prescriptive framework designed to help state utility commissions and stakeholders navigate complex decisions around sharing electric grid data by systematically evaluating use cases, policy priorities, data needs, benefits, risks, and mitigation strategies. The Playbook functions as a structured information collection and decision-support tool to guide deliberations, document tradeoffs, and support consistent, transparent regulatory outcomes across varying state contexts. In the three Converge workshops the Playbook served as a model framework for resolving data-sharing questions. Its use in the development of the Draft Framework was appropriate and useful, and our parties recommend further iteration and refinement based on further components of the NARUC Playbook, as we will get into.

In order to determine what grid data to make available and under what conditions requires the Commission to appreciate the variety of types of risk. The NARUC Playbook recognizes there is a need to balance disclosure of grid data to support the achievement of official state policy while also providing an appropriate level of protection for data that warrants it.³ For example, in 2023 Minnesota passed a bill to require 100% carbon free energy resources to meet system needs by 2040. A portion of that will be met by non-utility developed resources, such as community solar gardens and rooftop solar. If developers are unable to obtain the distribution grid data necessary to site and design these DER resources, then it will be more challenging, and potentially more costly, to meet state policy. Therefore, it is consistent with state policy and the NARUC Playbook to ensure reasonable access to data, balancing security

³ *NARUC Grid Data Sharing Playbook*, National Association of Regulated Utility Commissioners. pg. 2. November, 2023
https://pubs.naruc.org/pub/E2E50FD7-CD1B-62D5-1071-8D8362AD1E6D?_gl=1*4trow0*_ga*NzO2ODcwODMuMTc3NzUwMDAxNw.*_ga_OLH1N3Q1NF*cze3Nzc1MDAwMTckbzEkZzAkdDE3Nzc1MDAwMTckajYwJGwwJGgw

risks with the possibility of development barriers and delays caused by developers or other parties being unable to access relevant data.

Discussion

- Should the Commission accept, modify, or reject the Grid Data Sharing Framework Report submitted into the record on March 4, 2026?
- Should the Commission accept, modify, or reject the Framework's appeals process? Specifically, should the Commission accept, modify, or reject the use of the Grid Security Working Group to address informal complaints to minimize submittal to CAO?
- Should the Commission accept, modify, or reject the framework's evaluation recommendations?
- Are there other issues or concerns related to this matter?

As described in the NARUC Playbook, state regulators are increasingly at the forefront of conversations regarding access to data that previously had been solely used by the regulated electric utilities. This grid data, housed by electric utilities, is used to help utilities plan and operate the electric system. However, non-utility entrants, including businesses or individual customers, who seek to invest and install new resources and identify optimal areas for locating those resources also need this data. As a result, data that had previously been the domain of electric utilities must also be used by others to add new resources and services to the grid—which is in the public interest. However, such information may also pose a risk to the operations of the utility system. The NARUC Playbook, which the draft framework filed by Converge was in part based on, was designed to help regulators respond to these new challenges in a way that protects data requiring protection, as well as to help regulators craft appropriate policies to guide their decisions on when, how, and what data can be shared.

Framework Acceptance: Support only with Modification

- Should the Commission accept, modify, or reject the Grid Data Sharing Framework Report submitted into the record on March 4, 2026?

The Joint Parties support adoption of a statewide framework, as a valuable asset to create consistency and predictability for all parties. Having a standardized and repeatable process across the state is valuable to all parties by ensuring common rules of the road and to focus parties on the substantive issues and disagreements. However, the Joint Parties propose a number of recommendations to the Draft Framework’s data request process:

Pre-Application and Vetting Requirements:

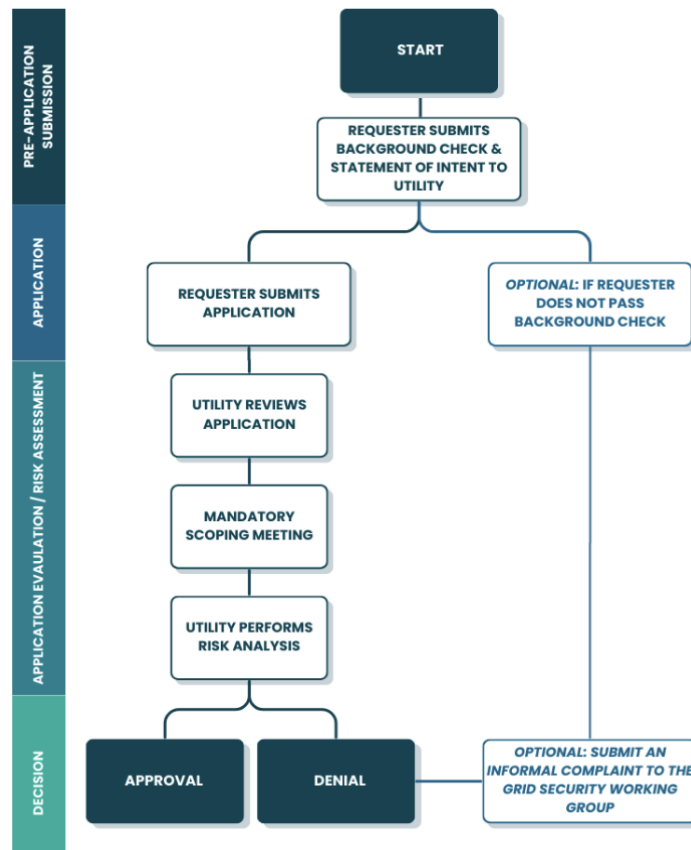


Fig. 1: Page 10, draft Grid Data Sharing Framework

At a high level, the Joint Parties are supportive of the process delineated in the Framework. For example, the Joint Parties agree that a Scoping Meeting may be useful when the data request is vague, the utility does not have the data, or is unable to provide the data. Having an opportunity where the utility and the requestor can meet to ensure that the data access needs can be fulfilled can minimize disputes. However, the Joint Parties are concerned that some current details (or lack thereof) make parts of the Framework unworkable on a practical level.

The Joint Parties do not support the requirement that a requestor be required to undergo a background check in the preapplication phase, in order for a request to be initiated. While the completion of a background check may facilitate future data access requests, it remains that a background check may or may not be appropriate for the level of risk attached to a specific set of data. Furthermore, the background check requirement will make it exceedingly difficult for individual customers to seek access to grid data. The Joint Parties do not believe that the completion of a background check to start the data access process is a necessary requirement, especially considering that the utility has done no risk analysis of a specific data request at that point.

The Joint Parties recommend that the background check requirement be moved to later in the data request process, after the risk analysis and as a conditional step or mitigation measure only if it is necessary for the sharing of particular data. Please see Figure 2 below for an outline of the Joint Parties’ proposed updates to the request process. In other words, after the risk analysis is completed, the utility can propose mitigations to enable the sharing of the requested data, such as a non-disclosure agreement, limiting access, or other actions. A background check may be a useful mitigation to apply to the requestor after the completion of a risk analysis, but requiring a background check before the party may even *submit* a data request is unreasonable and a significant barrier to a process intended to minimize disputes and facilitate data sharing.

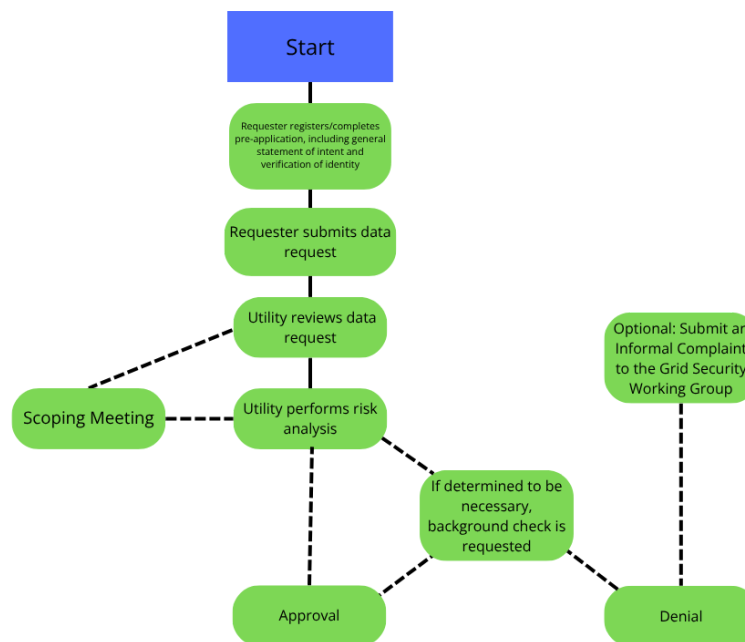


Fig. 2: Joint Parties Proposed Updates to Order of Request Process

While the Joint Parties agree that a scoping meeting can be beneficial for complicated data requests, it should not be mandatory if the request is simple or the mitigations can otherwise be satisfactorily implemented. The Scoping Meeting should only be used when there is significant misalignment in expectations by the requestor and the utility, or when the utility is unable to provide the requested data (e.g., because the data is unavailable or otherwise sensitive). As such, the Joint Parties recommend that the Scoping Meeting be held only if requested by either party, or if necessary to clarify key details or provide potential alternatives. Given that it would be an optional “trigger step,” it could occur before or after the risk analysis is completed, to provide additional clarity, answer questions, or provide alternatives.

The Joint Parties note that the discussion in this section of the Framework highlights our ongoing concern about its misalignment with the NARUC Playbook. In this section, the Framework only discusses mitigations that may be proposed by the utility, but is silent on requiring the utility to also consider the other categories of the NARUC Playbook, such as state priorities, desired outcomes, or what the effect of denying access to grid data may be upon the customer or the state. The concerns of the utility cannot be substituted for the concerns of the state to implement policy that effectuates its clean energy goals.

Ensure standardization and limit situational discretion

The Framework should more clearly define risk classification criteria, acceptable mitigation measures, and data access decision standards, to ensure predictability and consistency. Much of the draft framework leaves considerable room for utility discretion in what data is public (and therefore out of scope), or what data is low, medium, or high risk. That gap, and the lack of a formal Commission proceeding defining those categories clearly and explicitly, creates a fundamental issue: without modification it is possible that the Draft Framework will fail to standardize the process it is designed to standardize.

Low-Risk

Definition. Low-risk data is unlikely to cause disruptions or degradation of the grid that would cause significant harm to infrastructure and society, without significant data aggregation efforts or other prior non-public knowledge. Data in this category does not offer enough visibility into the system to reveal physical or cyber vulnerabilities of assets or information about individual customers.

Examples. Historical data. Peak load, and load shape at low granularity and/or at discrete sites.

Medium-Risk

Definition. Medium-risk data carries the risk of limited potential impacts to the system and people (e.g. short duration or localized disruptions). It may offer some visibility into system vulnerabilities but not to a level that could result in significant harm to the distribution grid and society. It can also be the result of specific points or types of aggregated data that would be normally categorized as low-risk, either in the single request or in a series of requests from an individual or organization over a period of at least three years.

Examples. Areas with enhanced resiliency measures or limited redundancy. Peak load, and load shape for a diffuse area. Aggregated distribution system capacity data. Substation ratings.

Fig. 3: *Draft framework, page 15*

As noted in Figure 3 above, the Draft Framework data categories are general definitions with examples, rather than specific lists. It is left to the subjective judgment of the utility depending on request level, how each grid data request is categorized. The definition of medium-risk data including “aggregated low-risk data” without limiting or defining specific gradations of aggregation or the actual risk it creates, is a particularly stark example. The ability of one party in the request process, the utility, to subjectively accept, deny, or delay requests is pervasive throughout these classifications.

Furthermore, this process leaves no room for data currently held by the utilities that may in fact pose no risk to the utility or the public, but is otherwise not currently publicly available. Indeed, the Draft Framework excludes “currently publicly available data” but makes no mention of data that in the future may be publicly available⁴. This has significant implications in the requirements to request data, as discussed below.

⁴ Converge Strategies, *Recommendations for a Grid Data Sharing Framework*, Docket 20-800. p. 7. (March 4, 2026)
<https://efiling.web.commerce.state.mn.us/documents/%7BA0C1B99C-0000-C812-849B-50E7CF7720AB%7D/download?contentSequence=0&rowIndex=4>

As a further, relevant example, Xcel Northern States Power’s sister utility, Public Service Company of Colorado (PSCo) had previously required a non-disclosure agreement be submitted in order to access granular generation and load hosting capacity analysis (HCA) maps. In December 2025, the Colorado Public Utilities Commission directed that PSCo make both the generation and load HCA maps available publicly with no NDA. The Colorado Commission found that PSCo’s arguments to keep such information confidential were “vague and speculative” and that the Commission agreed with arguments “about the importance of making data widely available to stakeholders, especially as the distribution system is evolving”⁵. In essence, the Colorado Commission found utility arguments about the security risks associated with granular generation and load HCA unsupported and ordered PSCo to make those maps publicly available.

As stated previously by a security expert hired by the Department of Commerce regarding this issue, in this docket⁶:

“Leaving this data solely in the hands of a monopoly provider is not in the interest of customers, or the state, particularly in regard to ambitious renewable energy and electrification goals. It is right for the Commission to focus on the risks of releasing data: it is equally right for it to weigh this against the benefits of releasing data, including the harm imposed by delaying the development of useful information that IREC notes has been made available in various forms in over 20 states.

⁵ *In the Matter of the Application of Public Service Company of Colorado for Approval of its 2025-2029 Distribution System Plan and the Grid Modernization Adjustment Clause*, Decision No. C25-0903, Proceeding No. 24A-0547E at PP 329, 334 (December 15, 2025) https://www.dora.state.co.us/pls/efi/efi_p2_v2_demo.show_document?p_dms_document_id=1054222.)

⁶ Minnesota Department of Commerce, *Letter of the Minnesota Department of Commerce, Division of Energy Resources; Letter of Synapse Energy Economics on Staff Briefing Papers Related to Grid and Customer Security Issues Related to Public Display or Access to Electric Distribution Grid Data*, Dockets 20-800 & 19-685, p. 2-3 (April 18, 2023); see also Minnesota Department of Commerce, *Report Titled Hosting Capacity Analysis and Distribution Grid Data Security*, Dockets 20-800 & 19-685 (Sept. 30, 2021).

On the second point, utilities seem to conflate the release of load and relevant hosting capacity data with all cybersecurity risk. There is no contention from any party that there is overlap between these issues. Nevertheless, it should also be noted that cybersecurity risk must be viewed holistically, in terms of all the threats to the utility system and how the sharing of distribution grid data, some of which is already in the public domain, increases this risk, or not. We are not aware of any demonstration in this proceeding that shows why public sharing of information would significantly increase the risk of utility cyber (or physical) security attacks, if at all.”

In addition, no party in the workgroup sessions specifically identified how providing information about capacity or other grid information created a security risk that outweighed the risk to the public in not providing this information. In fact, no party identified a specific example where grid information created a security risk. What this means, in effect, is that requestors are left to the decision of the utility regarding what is an acceptable level of risk, regardless of the broader public policy goals or whether the utility position is reasonable. Furthermore, by solely focusing on potential risks to security, the Framework fails to identify other commercial risks that may be the source of any denial of access to grid data, such as entities that may act as a competitor to the utility for certain services. As the example from Colorado shows, the burden of proof should be on the utility to show that such data is unshareable, not the requestor. We recommend further proceedings, based on the NARUC playbook, to create more consistent classifications of data in regards to level of risk across requests and utilities.

Timelines and Accountability: Establish enforceable timelines and transparency requirements.

Figure 2: Process Timeline



Draft framework process timeline, page 19

The Joint Parties agree that a process timeline is important to ensure that the requestor and the utility each know their role in the process. However, the proposed timeline in the Framework needs additional details to be useful to parties. Joint Parties recommend that more specific steps and time frames be included in this process to ensure clarity and minimize disputes.

The Minnesota Distributed Energy Resources Interconnection Procedure (MN DIP), as the governing document for the interconnection of distributed generation in Minnesota, establishes clear timelines, dates, and processes for these facilities. It represents years of careful iteration, update, and expert consultation to establish a standard method to interconnect distributed generation in Minnesota. In so doing, ensuring that industry-altering frameworks were implemented carefully took time, clear guidelines, and iteration. At its core, while this framework should be a useful starting point, it may require extensive iteration, clarification, and alteration over the coming years, especially in terms of a more clear timelines – how long before each step is required to be completed, what the key deadlines are, and recourse if parties involved fail to meet scheduled deadlines or requirements for transparency.

Minn. Stat 216B.1611, the statute requiring the creation of MN DIP, provided certain guidelines in establishing the MN DIP. Like access to information, access to the grid requires a balancing of providing access, with reasonable concerns about safety and reliability. Those guidelines included: 1) following industry, state and national standards; 2) making sure access was low-cost, safe and standardized; 3) taking into account differing requirements-in other words, the access should be proportional to the risk; 4) having reasonable terms and conditions; and 5) having standardized documents. All of those same guidelines should be equally applicable to accessing grid data for the creation of those facilities.

An example of effective implementation and a well-developed timeline for grid data requests can be found in California. In 2014, the California Public Utilities Commission adopted a data request process for aggregated customer energy usage data, so that there was a consistent process for any third party to request this aggregated data. What the California Commission adopted was built on a proposal developed by a working group of utilities, local governments, academia, and others who sought aggregated customer energy usage data. While the California Commission's process was to enable access to aggregated customer energy usage data rather than grid data, the underlying need is the same as here: "to enable eligible third-parties to request access to energy data via a common and consistent process across the utilities."⁷

For purpose of this proceeding, the Joint Parties highlight that the request process adopted by the California Commission included the following requirements and specific timelines:

⁷ (*Order Instituting Rulemaking to Consider Smart Grid Technologies Pursuant to Federal Legislation and on the Commission's own Motion to Actively Guide Policy in California's Development of a Smart Grid System*, D.14-05-016, R.08-12-009 at 84 (May 5, 2014).
<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M090/K845/90845985.PDF>

- “Each utility will establish a consistent, streamlined, “ one-stop” process for providing data to entities eligible to request access to energy data as authorized in this decision. The process will include the following:
 - a. Single point-of-contact in the utility for filing and processing of third-party energy usage data requests. The single point-of-contact will include a single email mailbox or website and other contact information to which requests for energy data access may be transmitted.
 - b. The single point-of-contact information will be provided prominently and conveniently on the utility’s website.
 - c. The utility’s website will provide access to an electronic input form for third-parties to request energy data access. The form will be consistent among PG&E, SCE, SDG&E, and SoCalGas.

Within one business day of receiving a request form, from a third-party requesting access to energy data, the utility will respond by email or in writing acknowledging and confirming receipt of the request.

Within seven business days of receiving a request form from a third-party for access to energy data, the utility will respond by email or in writing regarding whether the information on the form is complete and, if incomplete, what additional information is required for the utility to process the request.

Within 15 business days of receiving a complete request for access to energy data from a third-party, the utility will respond by email or in writing regarding whether it is able to grant the request, and provide a proposed schedule for providing the requested data. If the utility responds that it cannot grant access to the data, it will provide specific reasons for why it cannot provide the data or offer other options for providing data access (such as providing data listed in the Data Catalog or suggesting modifications to the request such that it could be granted). If the requesting party disagrees with the utility’s rejection of its request for data access or the alternative options offered by the utility, the third-party may bring the dispute for informal discussion before the Energy Data Access Committee established below.

All data outputs will be in standard formats. Data will be accessible in specified formats such as comma-delimited, XML, or other agreed-upon formats. Customized outputs or formats should be avoided. The Energy Data Access Committee can review formats annually to ensure that the utilities are consistent with current technology trends for data sharing formats.

Mechanisms for handling data delivery for requests of all sizes in a secure manner should be standardized. ... By standardizing delivery mechanisms, utilities and third parties will provide pre-approved delivery methods for sensitive information, reducing risk as well as the time to transmit and receive the data.”⁸

The purpose of highlighting the California requirements is that it provides a standardized and repeatable process that minimizes disputes regarding process. This example is provided in contrast to the current state of the Draft Framework, which provides a much more high level process. The Joint Parties recommend that the Commission initiate further proceedings to refine the Framework, provide more detailed requirements regarding the request process, and set up a process for more concrete implementation. Questions about what data should or should not be public were not fully covered by the working group, and those questions remain best left to the Commission to decide.

⁸ *Order Instituting Rulemaking to Consider Smart Grid Technologies Pursuant to Federal Legislation and on the Commission's own Motion to Actively Guide Policy in California's Development of a Smart Grid System*, D.14-05-016, R.08-12-009 pg. 84-88 (May 5, 2014)
<https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M090/K845/90845985.PDF>

The Draft Framework provides no further guidance or recommendations regarding how the Commission should measure or manage the determination of what data does or does not affect the risk to the electricity system, nor does it address the trade-offs of not making data available and the risk of failing to meet state policy. Instead, the process outlined in the Draft Framework attempts to provide the Commission with a path to streamline requests for information. While “public data” is not included in its request process, the Commission retains the ability to decide what is or is not public data, and the Draft Framework will likely require edits to account for what happens if public grid data is requested.

Appeals Process: Ensure Meaningful Recourse, Modify and Clarify

- Should the Commission accept, modify, or reject the Framework’s appeals process? Specifically, should the Commission accept, modify, or reject the use of the Grid Security Working Group to address informal complaints to minimize submittal to CAO?

The Commission should modify the use of the Grid Security Working Group. Establishing a neutral, iterative venue to deal with specific data sharing questions is a good idea. Correctly implemented, the GSWG may serve as an effective informal dispute resolution venue, but cannot or should not delay or replace access to formal Commission review if it is needed. If the Grid Security Working Group is used to attempt to resolve disputes, there must be an established timeline that requires them to provide a recommendation within a defined period of time – preferably 30 days or less – so that the process does not cause unreasonable delays. The timeline could be extended by agreement among the parties, but, if it is not, then the GSWG cannot make a recommendation. Like the MN DIP dispute resolution process, use of the GSWG

should be an optional mitigation measure if needed, rather than mandatory⁹. Doing so would mirror existing procedures for the interconnection and operation of distributed generation, and therefore would be a sensible, consistent step. Parties are entitled to bring disputes to the Commission under the law, and the right to do so should not require an additional process if all that process will accomplish is delay a decision that must be made by the Commission. The draft data sharing framework should include defined timelines, standards of review, and direct access to Commission processes for appeal and refinement.

Evaluation and Ongoing Oversight: 30-day checkoff period, expanded metrics

- Should the Commission accept, modify, or reject the framework's evaluation recommendations?

The Joint Parties support the Draft Frameworks's suggested metrics for review, but respectfully request expansion of the data reported on. Please see below the Joint Parties' recommendations added in red to the Draft Framework's proposed metrics. In order to provide the clearest possible metrics for evaluation, we add measures relating to processing times, approval rates, and appeals outcomes broken down in granular detail.

- Total number of data requests per utility, per year.
- Total number of fulfilled requests per utility, per year.
- Total number of denied requests per utility, per year.
- Total number of fulfilled **and denied** requests for each risk level (high-, medium-, and low-risk), per year.

⁹ *State of Minnesota Distributed Energy Resources Interconnection Process (MN DIP)*, Minnesota Public Utilities Commission. pg. 23 Feb 5, 2025
https://mn.gov/puc/assets/MN%20DIP%202025%20Clean%20April%2024%202025_tcm14-623149.pdf

- Reasons why requests (if any) were denied, per year.
- How many requests were brought to the GSWG for dispute resolution, with an explanation of why the dispute occurred (e.g., why request was denied, timeline of remediation efforts between the utility and requester, and statements of position and desired outcome by both the dispute initiator and responder), per year.
- Average fulfillment time for requests per utility, per year.
- List of requesters for the year from each utility, per year.
- Any data breaches from requesters who have been given data that each utility knows of, per year, and any data breaches by the utility or utility contractors.
- Average time to process data requests, broken down by risk level and topic area
- Number of appeals broken down by risk level, and topic area.
- Appeals outcomes broken down by risk level and topic area.

In addition to these additional metrics for consideration, our parties recommend the following change to the review process. Upon the receipt of each utility's annual compliance filing on these metrics, there should be a 30-day negative check-off period. This period would allow interested parties to review these metrics and evaluate the efficacy of the grid data request process. If a party files comments in response to these compliance filings within the 30-day negative check-off period, that will trigger a further period of review. We envision this check-off period as being additive to the evaluation at the three year mark proposed in the Converge report: if no parties file objections or further motions in response to compliance filings, there will still be a full Commission review of the Draft Framework and its efficacy at the three year mark. However, if need be, additional review can and will be triggered earlier, to maximize the effectiveness of the process.

Other Issues: Misalignment with the NARUC Playbook

As detailed above, outstanding questions remain even after development of the Draft Framework. Further proceedings that continue to rely on the NARUC Playbook and its additional components may help the Commission better understand and identify the risks and trade-offs associated with accessibility of grid data. Risk is not a one-way street, but is instead multi-layered. The degree of risk can depend on the granularity of data, the temporality of data, and the availability of data. Data that is highly granular but stale contains different levels of risks than data that is less granular but more recent. The process described herein may help move discussions along, but cannot and will not solve every question or every problem.

It is important to note that this Draft Framework, while based on the NARUC Grid Data Framework Playbook, does not make use of the full purpose of the playbook itself. The NARUC playbook is designed to strike a balance between the risks of possible cyber attack or other data breaches, and the risks created by data not being shared by utilities. The NARUC Playbook is meant to help regulators navigate those questions. This Draft Framework, by failing to acknowledge the full purpose of the playbook, shifts the fundamental presumptions underlying how grid data should be treated. These changes would enact barriers that will delay construction and interconnection of projects, ultimately preventing Minnesota from reaching its clean energy deployment targets within the timelines mandated by law and raising costs for ratepayers.

The NARUC Playbook identified seven categories for state regulators to work through to develop appropriate grid data access policies to help them manage and balance those risks. The process undertaken in this docket and in the construction of the Draft Framework by Converge does not utilize every component of the NARUC Playbook. The focus of this initiative is to develop a process to facilitate the request for securely sharing minimum necessary grid data, using the NARUC Playbook as a guide¹⁰. Our comments here express further considerations for the Commission to consider, in this proceeding and the future.

The Joint Parties note that the NARUC Playbook allows a regulator to start at any point, however, the categories cannot act within a vacuum. As we more fully describe below, the Framework and the process to develop the Framework leave important decisions unaddressed. Notably, while the working group sets publicly available data outside the proposed Framework, it assumes that all other data is confidential, yet provides no discussion or process to determine

¹⁰ *Notice of Comment Period*, Minnesota Public Utilities Commission. Docket 20-800 p. 3 (March 31, 2026)

whether that is true. The NARUC Playbook’s purpose is to offer “considerations for effective stakeholder engagement and provides practical insights that illustrate the application of the” Playbook¹¹. In other words, regardless of where a regulator starts, the other categories can inform the others. So, a question regarding whether a piece of data should remain protected or not would be viewed through the lens of its applicability to state priorities, what are the current practices employed by the data custodian, what the data details, potential impacts of making it available (or not making it available), how to make it available, and what is it that the regulator (or jurisdiction) seeks to accomplish through data sharing.

In practice, this means that if a piece of data that is currently not publicly available (which is undefined), the Framework, as proposed, would leave that decision-making solely to the utility. The NARUC Playbook, instead, envisions that the regulator creates a framework, guided by the Playbook, to craft practices and policies to inform and guide how those decisions are to be made.

The Joint Parties, nevertheless, are aware that the focus of this proceeding on the data request process is meant to help all stakeholders make progress on grid data access. However, the request process proposed in the Draft Framework is ill-suited for that purpose, mostly due to its lack of alignment with the full NARUC Playbook.

The NARUC Playbook highlights an example from Ofgem, the electricity regulator in the United Kingdom¹². Ofgem realized that lack of a standardized approach and framework to

¹¹ *NARUC Grid Data Sharing Playbook*, National Association of Regulated Utility Commissioners. pg. 3. November, 2023

https://pubs.naruc.org/pub/E2E50FD7-CD1B-62D5-1071-8D8362AD1E6D?_gl=1*4trow0*_ga*NzQ2ODcwODMuMTc3NzUwMDAxNw.*_ga_QLH1N3Q1NF*cze3Nzc1MDAwMTckbzEkZzAkdDE3Nzc1MDAwMTckajYwJGw wJGw

¹² Energy Data Taskforce Report - 2021 [A Strategy for a Modern Digitalised Energy System: Energy Data Taskforce Report](#), pg. 25.

accessing grid data was a significant barrier to reaching the climate goals of the UK. Notably, the goal of the UK's electricity grid is to create “a modern, digitalised energy system delivering better outcomes for consumers via superior utilisation of assets, greater price discovery and opportunity to attract new productive assets to the system.”¹³ In recognizing the importance of grid data, Ofgem stated a foundational principle: grid data is presumed open. This does not mean, however, that security is not important. Indeed, “this principle recognises that Energy System Data needs to be managed and that totally open is not always appropriate; however, this principle places the onus on data owners to “start from open” justifying why any restriction might be required.”¹⁴ The process for understanding what data should not be available relies on understanding the risks of such data. The NARUC Playbook attempts to operationalize the Ofgem Report by providing regulators with the means to work through those risks, however they may be defined.

The Framework, on the other hand, starts with the conclusion that grid data poses security risks to the grid and goes from there. The NARUC Playbook (and the Ofgem Report) do not consider that topic as closed as the Framework. The Joint Parties certainly recognize that some grid data cannot and should not be publicly available and that the security of the grid is important. However, that is not the end of the analysis, which is what both the NARUC Playbook and Ofgem Report envisioned. Indeed, there are other factors in play that the regulator must consider when identifying, determining, and weighing risk. The Framework's scope of the question about accessing grid data is framed entirely around the consequences of sharing grid

¹³ Energy Data Taskforce Report - 2021 [A Strategy for a Modern Digitalised Energy System: Energy Data Taskforce Report](#), pg. 16.

¹⁴ *Id.* at 24

data, however, the NARUC Playbook, importantly, recognizes that risks and consequences are far more varied than the strict construction imposed by the Framework.

Since the Framework takes the position that grid data is presumed closed, as opposed to the Ofgem position, this means that any risk analysis and consequence determination is only viewed through that one lens: security. As both the NARUC Playbook and Ofgem Report note, that unnecessarily rigid viewpoint misses the opportunities that greater access to grid data can afford to customers and the state. Joint Parties are concerned that leaving that balancing act in the hands of the utilities, as the data custodian, will create additional and needless friction and disagreement. As detailed above, we propose a number of modifications to the request process that can minimize this friction.

Our parties disagree on the draft framework's fundamental presumption that the burden of proof on data-sharing is on the requester rather than the utility. As the NARUC Playbook indicates, utilities should have to prove that specific grid data cannot be public, rather than requesters prove that they have a need to access it, before enacting barriers. At its core, our parties believe there should be a presumption of openness for sharing grid data. This is due to the fact that the distribution grid is a publicly-funded good that the utilities manage, rather than an exclusively corporate asset.

Conclusion

As illustrated in these comments, the Draft Framework serves as a productive starting point but currently lacks the necessary detail and balance to be effective. The Joint Parties urge the Commission to adopt the modifications suggested herein before accepting the Draft

Framework. Specifically, the Commission should move background checks to a conditional step after risk analysis, make scoping meetings a conditional step if they are needed or requested by party seeking data access, make clear the timeline for each step of the data request process, expand the annual evaluation metrics to include granular data on denials and processing times, and provide the option for earlier comprehensive review via an annual 30-day negative checkoff period. We also urge the Commission to clarify that the Grid Security Working Group (GSWG) acts as a neutral, optional venue for informal dispute resolution with a strict 30-day recommendation timeline, to ensure it does not delay formal Commission review.

Furthermore, the Framework should align more closely with the NARUC Grid Data Sharing Framework Playbook. We support adopting a presumption of grid data openness, placing the burden of proof on utilities to justify why data should remain restricted. By enacting these changes, Minnesota can ensure that grid data sharing facilitates the state's carbon-free goals and distributed energy deployment without compromising security. We thank you for your consideration of our comments, and look forward to further engagement to ensure an effective grid data request process for all stakeholders.

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