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July 24, 2014



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

**RE: In the Matter of Commission Inquiry Into Privacy Policies of Rate-Regulated  
Energy Utilities  
Docket No. E,G999/CI-12-1344  
Answer to Petition for Rehearing and Reconsideration**

Dear Dr. Haar:

Otter Tail Power Company (“Otter Tail”) is filing this letter as its Answer to CenterPoint Energy’s Petition for Rehearing and Reconsideration 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-captioned matter.

Specifically, Otter Tail agrees that it would be useful to clarify the scope and application of the Order’s definition of “Personally Identifiable Information” (“PII”). As noted by CenterPoint, the Order can be construed to require utilities to maintain the same level of privacy protection for all forms of PII, including lower-risk, publically-available information such as customer name and telephone numbers. This is inconsistent with the risk-based approach described in the National Institute of Standards and Technology (“NIST”) Special Publication (“SP”) 800-53. While it may be implicit that utilities should construe the definition PII through NIST’s risk-based approach, there is value in clarifying this point.

Otter Tail also shares CenterPoint’s concern regarding the privacy standard requiring third-party contractors hired by the utility to “provide equivalent or greater protection” to PII than the utility itself. As noted by CenterPoint, the process implied by this standard could in some cases create security risks. The standard is also inherently difficult to apply given the scope of contractors engaged by utilities. For example, it would not reasonable to require local electrical contractors hired to install metering equipment as part of a CIP program to have a security program equivalent to Otter Tail’s privacy protections. Additional clarity on this point would be useful.

Otter Tail respectfully requests the Commission to reconsider its Order.

Dr. Haar  
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Otter Tail has electronically filed this document with the Commission and is serving a copy on all persons on the official service list for this docket. A Certificate of Service is also enclosed.

If you have any questions regarding this filing, please contact me at 218-739-8956 or at [cstephenson@otpc.com](mailto:cstephenson@otpc.com).

Sincerely,

*/S/ CARY STEPHENSON*  
Cary Stephenson  
Associate General Counsel

jce  
Enclosures  
By electronic filing  
c: Service List

## CERTIFICATE OF SERVICE

**RE: In the Matter of a Commission Inquiry into Privacy Policies of  
Rate-Regulated Energy Utilities  
Docket No. E,G999/CI-12-1344**

I, Jana Emery, hereby certify that I have this day served a copy of the following, or a summary thereof, on Dr. Burl W. Haar and Sharon Ferguson by e-filing, and to all other persons on the attached service list by electronic service or by First Class mail.

**Otter Tail Power Company  
Answer to Petition for Rehearing and Reconsideration**

Dated this **24th** day of **July, 2014**

/s/ JANA EMERY

Jana Emery  
Regulatory Filing Coordinator  
Otter Tail Power Company  
215 South Cascade Street  
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