

ORDINANCE NO. 20 - ____

**AN ORDINANCE AMENDING TITLE 8 (PUBLIC UTILITIES) OF THE
NAPERVILLE MUNICIPAL CODE**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers that:

SECTION 1: Title 8 (Public Utilities) of the Naperville Municipal Code is hereby amended by deleting the stricken language and by adding the underlined language as follows:

TITLE 8 - PUBLIC UTILITIES

CHAPTER .5 Naperville Public Utilities Customer Bill of Rights

.5.1 Definitions

Public Utilities: Shall include both Water and Electric Utilities owned and operated by the City of Naperville

Customer: The person who uses either electric energy or water/wastewater supplied by the Public Utilities.

Property Owner: The recorded owner of the property. The property owner may not be the customer.

.5.2 Public Utilities Bill of Rights

Public Utilities have outlined the core rights of utility customers as it relates to wireless meter or meter interface unit reading. The City developed these rights based on customer feedback and input, the overall goals of wireless meter reading, and current national and state guidelines and policies for wireless meter reading projects.

Customers of Public Utilities are entitled to responsible and transparent utility operations that include: the right to be informed; the right to privacy; the right to options; and the right to data security.

1. THE RIGHT TO BE INFORMED

A. Public Utilities customers will have convenient access to information that helps explain:

- Available electric billing rate structures

- and options.
 - Electric outage information and peak demand.
 - Household high water use and leak detection.
 - Impact of energy and water consumption habits on utility bills.
- B. Information regarding the financial and operational aspects of wireless meter and meter interface unit reading and related programs will be publicly available through multiple channels.
- C. Customers will be informed and be able to view electricity consumption and water usage from a convenient user interface.
- D. Customers will be informed of electric system enhancements that will support current and future tools (such as home area networks (HAN), electric vehicle charging, distributed generation, etc.) that empower them to actively control electricity consumption. The decision to install a device will be at the Customer's expense if they choose to participate in the optional energy control programs.
- E. Customer Usage:
1. Electric usage readings will not be taken more frequently than in 15-minute intervals.
 2. Water usage readings will not be taken more frequently than 1-hour intervals.

2. THE RIGHT TO PRIVACY

- A. Customers' personal information will not be connected to usage data released to any third parties. Third Parties is defined as any person or entity other than employees of the Public Utilities, Finance Department, or Legal Department, or any other entity contractually bound to the City to provide wireless meter reading, billing or collection services for Public Utilities accounts. For purposes of this Section, City of Naperville employees in all other City of Naperville

Departments shall be considered third parties and usage data connected to personal information shall not be shared with them.

- B. Cloud hosting solutions, if utilized, shall meet Naperville and industry standard privacy and security protocols at time of purchase and all vendors shall be contractually bound to maintain these protocols as well as any amendments or enhancements to these protocols throughout the life of their relationship with the City of Naperville.
- C. The purpose of any collection, use, retention, and sharing of energy consumption and water usage data shall be made public in a clear and transparent manner.
- D. Customers will be informed of the available choices and consent options regarding the collection, use, and disclosure of energy consumption and water usage data.
- E. Disclosure of energy consumption and water usage data will not be made to any third party absent a warrant, court order or written consent from the customer.
- F. Customer will retain control of all in home devices and appliances purchased and installed by them. Customers may voluntarily participate in an Electric Utility managed energy control program and include devices that the utility can adjust as a part of a demand response program. This includes programmable thermostats, Jacuzzi/pool pumps and heaters and energy storage systems.
- G. Customers who wish to file a privacy violation complaint have the right to petition the Public Utilities Advisory Board for a resolution. If the issue is not resolved to the customer's satisfaction, the customer may appeal the issue to the City Council.

3. THE RIGHT TO OPTIONS

- A. Electric customers can select a billing rate structure that meets their needs. This includes the traditional fixed-rate pricing and time-of-use pricing programs. Customers will have the ability to change programs.
- B. The City will not alter an Electric customer's selected rate program unless the Customer is made aware of and consents to this change. The City will never ration electricity.
- C. Customers can choose how they will receive information from the utility.
- D. Electric customers may purchase and use compatible devices, technologies and appliances that augment the understanding of, visibility into, and control of electricity consumption at their discretion.

4. THE RIGHT TO DATA SECURITY

- A. All customers have the right to a functioning electric meter, water meter and meter interface unit, and customer web portal that will provide secure, confidential, and accurate electricity consumption and water usage data.
- B. A Public Utilities cyber security plan, designed to protect the wireless meter reading equipment and critical computer infrastructure that may be a potential target of criminal threats, terrorism acts, industrial espionage and/or politically motivated sabotage, will guide and govern all security policies and practices that apply to customer energy consumption and water usage data. A summary of this plan can be provided upon request.
- C. Customers' energy consumption and water usage interval data shall be kept for three years, and thereafter annually purged and destroyed.

.5.3 WIRELESS METER READING

NAPERVILLE NON-WIRELESS METERING ALTERNATIVE

If the property owner requests and pays the associated additional charges, Naperville Public Utilities will install a manual-read electric meter and/or manual water meter interface unit (MIU). These options, referred to as the Non-Wireless Metering Alternative (NWMA), do not utilize wireless communications and meters or MIU will be manually read by a utility technician.

If the property owner chooses an NWMA, such a meter and/or MIU will be installed after the payment of a one-time charge, identified below. This fee covers the additional cost to provide and install the necessary equipment. In addition, the customer is responsible to pay an ongoing monthly fee for the manual reading of the NWMA meters. These fees reflect the actual cost to Public Utilities to perform the readings. Fees will be reviewed annually and may be increased to reflect an increase in actual costs.

Below is a summary of options available to Public Utilities customers:

<u>NWMA OPTION</u>	<u>ONE TIME CHARGE</u>	<u>MONTHLY COST</u>
<u>ELECTRIC ONLY</u>	<u>\$81.00</u>	<u>\$31.44</u>
<u>WATER ONLY</u>	<u>\$31.29</u>	<u>\$31.44</u>
<u>ELECTRIC & WATER</u>	<u>\$112.29</u>	<u>\$38.84</u>

CHAPTER 1 – ELECTRICITY, ARTICLE B. - SERVICE RULES AND POLICIES

Section 8-1B-1 Service Rules and Policy Handbook

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~~Section 8-1B-2: - NAPERVILLE SMART GRID CUSTOMER BILL OF RIGHTS:~~

~~The City of Naperville has outlined the core rights of utility customers as it relates to the Naperville Smart Grid Initiative (NSGI). The City developed these rights based on~~

~~customer feedback and input, the goals of the overall NSGI, and current national and State guidelines and policies for smart grid projects.~~

~~Customers of the Naperville electric utility are entitled to responsible and transparent utility operations that include the right to be informed; the right to privacy; the right to options; and the right to data security.~~

~~1. The Right To Be Informed:~~

- ~~• Customers will have convenient access to information that helps explain available billing rate structures and options, outage information, peak demand, and the impact of energy consumption habits on electric bills.~~
- ~~• Information regarding the financial and operational aspects of the Naperville Smart Grid Initiative (NSGI) and related programs will be publicly available through multiple channels.~~
- ~~• Customers will be informed and be able to view electricity consumption from a convenient user interface.~~
- ~~• Customers will be informed of electric system enhancements that will support current and future tools (such as home area networks (HAN), electric vehicle charging, distributed generation, etc.) that empower them to actively control electricity consumption. The decision to install a device will be at the customer's expense if they choose to participate in the optional energy control programs.~~
- ~~• Customers' electric usage readings will not be taken more frequently than in 15-minute intervals.~~

~~2. The Right To Privacy:~~

- ~~• Customers' personal information will not be connected to usage data released to any third parties. "Third parties" is defined as any person or entity other than employees of the City's Department of Public Utilities – Electric, Finance Department, or Legal Department, or any other entity contractually bound to the City to provide billing or collection services for electric utility accounts. For purposes of the Section, City of Naperville employees in all other City departments shall be considered third parties and usage data connected to personal information shall not be shared with them.~~
- ~~• The purpose of any collection, use, retention, and sharing of energy consumption data shall be made public in a clear and transparent manner.~~

- ~~• Customers will be informed of the available choices and consent options regarding the collection, use, and disclosure of energy consumption data.~~
- ~~• Disclosure of energy usage data will not be made to any third party absent a warrant, court order or written consent from the customer.~~
- ~~• Customer will retain control of ALL in home devices and appliances. Customers may voluntarily participate in a utility managed energy control programs and include devices that the utility can adjust as a part of a demand response program. This includes programmable thermostats, Jacuzzi/pool pumps and heaters and energy storage systems.~~
- ~~• Customers who wish to file a privacy violation complaint have the right to petition the Public Utilities Advisory Board for a resolution. If the issue is not resolved to the customer's satisfaction, the customer may appeal the issue to the City Council.~~

3. The Right To Options:

- ~~• Customers can select a billing rate structure that meets their needs. This includes the traditional fixed-rate pricing and time-of-use pricing programs. Customers will have the ability to change programs.~~
- ~~• The City will not alter an individual's customer-selected rate program unless the customer is made aware of and consents to this change. The City will never ration electricity.~~
- ~~• Customers can choose how they will receive information from the utility.~~
- ~~• Customers may purchase and use compatible devices, technologies and appliances that augment the understanding of, visibility into, and control of electricity consumption at their discretion.~~

4. The Right To Data Security:

- ~~• All customers have the right to a functioning electric meter and customer web portal that will provide secure, confidential, and accurate electricity consumption data.~~
- ~~• A utility cyber security plan, designed to protect the smart grid's critical computer infrastructure that may be a potential target of criminal threats, terrorism acts, industrial espionage and/or politically motivated sabotage, will guide and govern all security policies and~~

~~practices that apply to user and energy information. A summary of this plan can be provided upon request.~~

- ~~• Customers' electric usage interval data shall be kept for three (3) years, and thereafter annually purged and destroyed.~~

8-1B-3: Bidding or Selling of System Demand Response

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8-1C-3: - TERMS AND CONDITIONS:

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8. Metering:

8.1. Unless otherwise provided under this Section, DPU-E will furnish and maintain, as a standard metering installation, electric meters adequate to properly measure a single SDP at the premises of a residential or nonresidential customer. Under NSGI, standard electric meters contain wireless communication technology. If the property owner requests and pays the associated additional charges, DPU-E will install a non-standard electric meter, which does not contain wireless communications. This meter is also referenced as "non-wireless metering alternative" (NWMA). Reference Chapter .5.3 Subsection 8-1C-3.9.3 for information on associated fees.

8.2. – 8.6 * * *

9. Additional Meter Charges:

9.1. Additional flat fees shall be charged during each billing period based on the installation of DPU-E electric meters, potential transformers, current transformers, and accessories as scheduled below.

9.2. DPU-E will furnish and maintain electric metering equipment as a part of the regular metering installation. The customer is responsible for furnishing and installing the meter socket, wiring, supports and other necessary appurtenances.

~~9.3. If a property owner requests a non-wireless meter alternative (NWMA) electric meter, such a meter will be installed after the payment of a one-time charge of sixty-eight dollars and thirty-five cents (\$68.35). This fee covers the additional cost of the~~

~~NWMA electric meter as compared to the cost of the standard electric meter. In addition, there shall be a monthly charge for the City to manually collect energy interval information from the non-standard NWMA electric meter for billing and utility operation purposes based on actual City costs for performing said service, and the amount of this charge will be reviewed on an annual basis. This monthly charge is in addition to electric rate and customer charges assessed to all customers on a monthly basis.~~