

Commercially Valuable Smart Grid Data

Question: What is the Department of Energy's (DOE's) approach for ensuring confidentiality of information that contains confidential and/or proprietary information that recipients are required to submit in carrying out their Metrics and Benefits Reporting Plan obligations?

Answer: DOE does not anticipate requiring delivery of any "proprietary" information, i.e., confidential information developed at private expense outside the DOE grant. For data developed under a SGIG grant, DOE has the right to obtain and publish such data. However, certain "commercially valuable data" as set forth in more detail below, may be protected from publication.

DOE intends to gather and make available to the public information developed under these grants, as defined within the *Guidebook for Reporting ARRA Smart Grid Program Metrics and Benefits*, dated December 7, 2009. This information includes build metrics, impact metrics, and raw data sets, and it will be posted on the Smartgrid.gov website.

Build metrics, e.g., those associated with the deployment and costs of smart grid technologies, will be made available in aggregated and unaggregated form. The names of grant recipients will be associated with the build metrics.

Impact metrics relate to the performance of grid operations, e.g., improvements in operations and maintenance costs due to the deployment of smart grid technology. They may also relate to deferment of asset purchases due to efficiency improvements. DOE recognizes that impact metric information may be considered confidential by the grant recipient. Where this is true, DOE is requesting that grant recipients mark such data as being "commercially valuable smart grid data"(CVD), and submit it to National Renewable Energy Laboratory (NREL), Golden, CO, and not to DOE. DOE will make impact metric information available only in aggregated form; DOE does not plan to publish company-specific impact metric information and, if properly asserted and marked as CVD, and delivered to NREL, it would not be subject to release under DOE's FOIA regulations.

Some grant recipients plan to undertake rigorous consumer behavior studies. Raw data produced from these studies will also be made available on the Smartgrid.gov website; however, DOE requests that all personally identifiable information be removed by the grant recipient before providing it to DOE. DOE also plans to write a report based on the results of these studies and the report might identify the names of grant recipients.

DOE will provide the grant recipients detailed information regarding how any of the above information should be marked and submitted. In addition, DOE intends to use the National Renewable Energy Laboratory (NREL), located in Golden, Colorado, as its host site for the collection of this information.