

## **UTILITY DATA AGGREGATION**

**ACCOUNT HOLDER(S)** means the person or entity authorized to access or modify utility account details. Account holder may also be referred to as the “customer”.

**AGGREGATED USAGE DATA** means an aggregation of COVERED USAGE DATA, where all data associated with a QUALIFIED BUILDING or QUALIFIED PROPERTY including, but not limited to, data from tenant meters and from owner meters are combined into one collective data point per UTILITY DATA TYPE, per time period, and where any unique identifiers or other personal information are removed or dissociated from individual meter data. The utility shall provide all necessary data points for QUALIFIED DATA RECIPIENTS to comply with reporting requirements to which they are subject, including any such data that the utility possesses

**AGGREGATION THRESHOLD** means three or more unique non-residential QUALIFIED ACCOUNTS or five or more unique residential QUALIFIED ACCOUNTS of a PROPERTY or building during the period for which data is requested.

**COVERED USAGE DATA** means electric, gas, DISTRICT ENERGY, water, or fuel delivery data collected from one or more UTILITY meters that reflects the quantity and time period of UTILITY usage in the building, PROPERTY or portion thereof

**DATA RECIPIENT(S)** means any of the following:

- (1) An owner of the covered commercial building;
- (2) An owner of a portion of a PROPERTY with regard to COVERED USAGE DATA only for the UTILITY consumption it or its tenants (if any) pay for and consume in the owned portion;
- (3) A tenant with regard to COVERED USAGE DATA only for the UTILITY consumption it or its subtenants (if any) pay for and consume in the space leased by the tenant;
- (4) The board in the case of a condominium or cooperative ownership of the PROPERTY or building; or
- (5) An agent authorized to receive the COVERED USAGE DATA by any of the above

**DISTRICT ENERGY** means steam, hot water, chilled water, and other heat and/or heat rejection services delivered through fixed pipes to multiple properties

**PROPERTY** means any of the following:

- (1) A single tax parcel;
- (2) Two or more tax parcels held in the cooperative or condominium form of ownership and governed by a single board of managers
- (3) Two or more co-located tax parcels owned or controlled by the same entity

**QUALIFIED ACCOUNT(S)** means a UTILITY account that serves some or all of a building or PROPERTY for which COVERED USAGE DATA is requested and that, as affirmed by the DATA RECIPIENT, was not controlled by the DATA RECIPIENT or its subsidiary during the time period for which COVERED USAGE DATA is requested

**QUALIFIED BUILDING** means a COVERED COMMERCIAL BUILDING that meets the AGGREGATION THRESHOLD

**QUALIFIED DATA RECIPIENT(S)** means DATA RECIPIENT(S) with respect to a QUALIFIED PROPERTY or QUALIFIED BUILDING:

**QUALIFIED PROPERTY** means a PROPERTY that meets the AGGREGATION THRESHOLD.

**QUALIFIED UTILITY** means:

- 1) A consumer-owned or investor-owned gas utility; or
- 2) A consumer-owned or investor-owned electric utility that makes sales of electricity to retail electricity consumers in an amount that equals three percent or more of all electricity sold to retail electricity consumers in Oregon

**UTILITY** means a company, cooperative, association, or government entity that distributes and sells electricity, natural gas, delivered fuel (fuel oil, propane, kerosene, and coal), or DISTRICT ENERGY for use in buildings

**UTILITY DATA TYPE** means one of four types: electric, gas, DISTRICT ENERGY, or fuel delivery.

- a) Beginning on January 1, 2026, a QUALIFIED UTILITY shall provide AGGREGATED USAGE DATA to a QUALIFIED DATA RECIPIENT within sixty days after receiving the DATA RECIPIENT's valid written or electronic request. AGGREGATED USAGE DATA shall
  - a. Include at least the most recent 60 consecutive months of COVERED USAGE DATA prior to the initial date the data was requested, regardless of whether the QUALIFIED DATA RECIPIENT had a business relationship with the building or PROPERTY during that time period;
  - b. Include all necessary data points for DATA RECIPIENTS to comply with reporting requirements to which they are subject, including any such data that the utility possesses;
  - c. Be provided an electronic document formatted for direct upload to the United States environmental protection agency's energy star portfolio manager;
  - d. Be provided to the DATA RECIPIENT in no less than monthly intervals
  - e. Be accompanied by a list of all the QUALIFIED UTILITY'S meters associated with the COVERED USAGE DATA. The QUALIFIED DATA RECIPIENT shall assist the QUALIFIED UTILITY in identifying meters associated with the COVERED COMMERCIAL BUILDING.
  - f. Be provided at no cost to the QUALIFIED DATA RECIPIENT
- b) On and after January 1, 2026, QUALIFIED UTILITIES shall maintain records of the COVERED USAGE DATA of all COVERED COMMERCIAL BUILDINGS to which they provide service. This data must be maintained for at least the most recent sixty months in a format compatible for uploading to the United States environmental protection agency's energy star portfolio manager.
- c) In carrying out the requirements of this section, a QUALIFIED UTILITY shall use any method for providing the specified AGGREGATED USAGE DATA in order to maximize efficiency and minimize overall program cost. QUALIFIED UTILITIES are encouraged to consult with the United States environmental protection agency and their customers in developing reasonable reporting options.
- d) For any COVERED COMMERCIAL BUILDING with that meets the aggregation threshold, a qualifying utility must, upon request of the QUALIFIED DATA RECIPIENT, provide the QUALIFIED DATA RECIPIENT with monthly AGGREGATED USAGE DATA without requiring prior consent from tenants.
- e) Each QUALIFIED UTILITY must ensure that all data provided in compliance with this section does not contain personally identifiable information or customer-specific billing information about tenants of a COVERED COMMERCIAL BUILDING.
- f) Notwithstanding any other law, AGGREGATED USAGE DATA shall not be deemed customer utility usage information, personally identifiable information, critical energy infrastructure information, or confidential information and shall not be subject to protections as such.