

Resident/Owner Opt-in Pathway

Intro and Overview of Data Access in Oregon

1. Confirm your state plans to collect energy consumption data directly from residents/owners. (If no, then please refer to the general overview and pathway sections to determine correct pathway and template for completion)

☒ Yes

2. Identify the Home Efficiency Rebates Program(s) that your state plans to use this pathway and home type for:

☒ Modeled, Single-family

☒ Modeled, Multifamily

3. Describe any existing program activities, platforms or agreements that are in place in your state that enable the collection of data directly from owners.

The state of Oregon does not have any existing program activities, platforms, or agreements in place that enable the collection of utility use data directly from ratepayers.

4. Provide an overview of your state program's processes and entities that will collect, transfer, and maintain the energy consumption data as provided by residents and owners.

Ratepayers will be responsible for accessing their utility use data. The vast majority of Oregon utilities provide online customer account portals that enable quick and easy access to account information and utility use data. Energy consumption data will be uploaded to the state's secure rebate processing system in one of two ways.

1. The home's utility ratepayer will upload their energy consumption data directly into the state's rebate processing system. Once customer consent to share the data is provided, the energy modeler will be allowed to access the data by logging into the system.
2. The home's utility ratepayer will provide their energy data directly to the energy modeler, who will upload the data into the rebate processing system via the submission of the HPXML modeling file, as required.

In both cases, the ratepayer will be required to provide their consent for the state, the project applicant, and any other partners (as specified below) to use their data as specified in this plan. This consent will be documented as part of the rebate application process, in one of two ways:

1. the ratepayer will provide their signature online through the rebate processing system (along with any other attestations or signatures that are required as part of the project application and participation agreement), or
2. applicants will collect the ratepayer's signature

on an attestation form and will submit a photo or scan of the signed and completed form to the rebate processing system. Ratepayers will also be required to provide the names of their utility service providers and their account number(s).

Energy consumption data will be maintained and stored in the state's rebate processing system and maintained by ODOE and the programs' implementers. The rebate processing system will transfer data to DOE using the PNNL API. ODOE will create detailed instructions regarding the utility consumption data requirements. Instructions will be created for applicants, contractors, ratepayers, and other partners.

Security and Safety of Energy Consumption Data

5. Describe how your state will ensure that any data are transferred and maintained safely and securely, using established standards. Describe:

- Encryption methods for data transfers.
- Protection of data collected and stored.
- Protocols in place for security guidelines and data classification.
- How the entity responsible for administering the program will notify a customer if there are data breaches or other security related events.

The Oregon Department of Energy is in the process of procuring a rebate processing and management system for the HOMES program. This system and the program implementers will be required to follow Oregon's established regulations and policies that will protect Personally Identifiable Information (PII) and consumer privacy; such protections include the following key policies and legal frameworks:

1. Oregon Identity Theft Protection Act (ORS 646A.600 - 628): This law requires state agencies and businesses to implement reasonable security measures to protect PII. PII such as Social Security numbers, driver's license numbers, and financial account numbers must be encrypted when stored electronically or transmitted. In the event of a data breach, entities are required to notify affected individuals promptly and provide information about the breach and the steps being taken to mitigate its impact.
2. Oregon Statewide Information Security Policy (Policy 107-004-020): Oregon Statewide IT Security Policies (Policy 107-004-020) ensure that systems are secured through strong encryption, access control, and monitoring mechanisms. This policy establishes statewide guidelines for protecting the confidentiality, integrity, and availability of sensitive information, including PII. The policy mandates access controls, encryption standards, and the use of secure authentication methods to ensure that only authorized personnel can access PII.
3. Oregon Administrative Rules (OAR) Chapter 125-800: Oregon Administrative Rules (OAR 125-800) enforce standards on encryption, access control, and network security to protect state data from unauthorized access and cyber threats. These rules provide a comprehensive framework for safeguarding electronic information, including PII, within Oregon state agencies. Specifically, OAR 125-800-0100 covers securing PII through

encryption, access controls, and regular security audits to ensure data protection. OAR 125-800-0150 sets requirements for network security to prevent unauthorized access and ensure the confidentiality of PII during transmission over state networks.

4. **Oregon Data Classification Policy:** Oregon's Data Classification Policy ensures that data is classified based on sensitivity, with appropriate measures applied to safeguard confidential and restricted information. PII falls under "confidential" data classification, meaning it is subject to stricter protection measures. The classification policy enforces strict access controls, encryption requirements, and data handling procedures to safeguard PII.
5. **Oregon Consumer Information Protection Act (ORS 646A.600 - 628):** This act extends protections to consumer privacy by requiring entities to implement security measures to prevent unauthorized access to consumer information, including PII. It mandates that businesses and government entities must follow strict guidelines regarding data retention, access, and destruction to minimize risks of exposure.
6. **Data Breach Notification Requirements (ORS 646A.600 - 628):** In the event of a data breach involving PII, the state requires prompt notification to affected individuals and the Attorney General if the breach affects more than 250 Oregon residents. The notification must detail what information was compromised and the steps being taken to address the breach, helping to minimize harm and restore privacy protections.
7. **Access Control and Audit Policies:** Oregon state agencies implement stringent access control policies to ensure that only authorized personnel can access PII. This includes user authentication protocols, logging and monitoring access to sensitive data, and conducting regular audits to ensure compliance with privacy regulations.
8. **Public Records Law (ORS 192):** While Oregon's Public Records Law promotes government transparency, it also includes provisions for the protection of PII in public records. Sensitive PII, such as Social Security numbers and health information, are exempt from disclosure to ensure consumer privacy.
9. **The Oregon Cybersecurity Framework (OCSF) and NIST SP 800-53 guidelines** further enhance security through risk management, regular audits, and incident response protocols.

Consent, Notification, and Revocation Process

6. Confirm that all data will be collected from residents/owners with their consent.

☒ Yes

Data Details and Frequency

7. Indicate the timing of energy consumption data to be collected. If multiple options are selected, indicate those use cases:

☒ Monthly

8. Indicate the frequency for energy consumption data be collected by the program (i.e., when will data be available for the program).

☒ At the time of home audit

☒ Other (specify) Ratepayers will be able to submit energy consumption data directly to the rebate processing system

Primary and Secondary Purpose

9. Please describe the primary purpose(s) of the energy consumption data.

- Implementation and reporting data for the program.
- Please describe any other primary purposes, if applicable (e.g., building benchmarking, emissions reductions etc.).

The primary use of the energy consumption data will be to support the implementation of the HOMES program, which includes energy modeling, evaluation, and reporting to USDOE.

In addition, ODOE would like to add actual annual energy consumption data to the Home Energy Score report data, both for validation of HES estimated energy use and for customer information. ODOE will ask customers for their consent to include total energy use in the official score that is provided to the HES database; if consent is not provided, the actual home energy use data will not be included in the HES report.

For the purposes of program analysis and statewide reporting, ODOE would also like to retain and use annual energy consumption data (including total energy consumed, annual cost, and demand, if applicable), anonymized by zip code.

10. Describe any secondary purposes¹ of the energy consumption data and the entities that it will be provided to (e.g., data will be provided to third parties to offer additional services like demand response initiatives, or other state-based programs).

The secondary purposes for the energy use data include analysis for residential building stock evaluation and benchmarking, to inform the state's Biennial Energy Report. Data will be anonymized before any analyses are conducted. ODOE may also elect to share anonymized energy use intensity data and building characteristic data with regional partners, such as the Northwest Power and Conservation Council and the Northwest Energy Efficiency Alliance, to improve building stock analysis for Oregon in their work on energy efficiency, market transformation, and related energy topics.

¹ Secondary purposes may include the use of customer data in outreach and education and additional product offerings that the customer does not already receive or has not authorized. Examples of secondary purposes may include targeted advertising for other energy equipment and sharing data with a third party for a service not included in the State program.

11. Identify if the program plans to Geographically Aggregate program data collected from residents/owners and provide it publicly.

☒ Yes. Describe how data will be aggregated and anonymized and how it is intended to be published.

ODOE may aggregate data to the state- and/or county-level, to be included in the Biennial Energy Report as a supplement to our existing county energy profiles and residential sector profiles. ODOE may use aggregated and anonymized data for program reporting to the Oregon state legislature and for public program reporting on the ODOE's HOMES program website.

Eligibility, Oversight, and Enforcement of Third Parties

12. Describe the eligibility criteria for third parties to access energy consumption data (e.g., contractual agreement with the state or program implementer that requires data security and privacy).

Oregon will establish data security and privacy provisions that will be included in contracts for all entities that will have access to energy consumption and billing data. Program implementers will be contractually required to adhere to the applicable data security and privacy policies and standards. Contractors and home energy auditors will only be provided access to customer data after the customer has provided their consent, and access to the system will only be allowed after the contractor/auditor has agreed to comply with all relevant security and privacy rules.

13. Confirm that the entities with access to energy consumption data will only use the data as approved for program purposes.

☒ Yes