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Governance and Data Access and Privacy



FERC2222.org

Facilitating Collaboration Among Policy Makers on DER Integration

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Empowering the Energy Transition



DOE Project Information



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FERC Order 2222 & DER Policy Tracking



Bi-Monthly Report

With the first report in September 2024 and every other month thereafter, each report includes: ***Current News and Events***, ***Key Issues Analysis*** and ***Tracker Tips and Highlights***.

Bi-Monthly Webinar

Beginning October 2024, bi-monthly webinars are being held to present current information and allow discussion on topics.

- ❖ Today – ***Data Access/Privacy and Governance***
- ❖ April 24, 2025 – ***Aggregation Registration & Review***

FERC2222.org website & Policy Tracker

Launched November 2024, providing access to Policy Tracker that aggregates information related to FERC Order 2222 and DER policy that is shared with Collaborative Utility Solutions. This information is ‘tagged’ by state, ISO, and key issue to allow effective searching.

White Papers

David Kathan is leading an effort to create a series of white papers relating to DER topics over the next year.

Discussion Groups

The website includes secure chat rooms allowing policy makers a forum to discuss key issues.

Library

Includes key DOE, NARUC, NERC or other papers relevant for policy makers. Not seeking to find every paper; attempting to highlight industry leading efforts to support policy decision and implementation.



Bi-Monthly Reports

- **The Bi-Monthly Reports contain three primary sections:**
 - Current News and New Developments
 - Key Issue Analysis
 - Tracker Tips and Highlights
- **The most recent bi-monthly report follows this structure**
- **Each of these reports will be posted to the [FERC2222.org](https://www.ferc2222.org) website**



FERC2222.org Website Releases

November 2024

Focus on Policy Tracker Content

- Policy Tracker
 - Database
 - Search
 - Filter, Tags, etc.
- Library
 - DOE
 - NARUC
 - NERC
 - Reports and White Papers
- Contact Us
 - Outreach to engage to get current info and website feedback

January 2025

Focus on Discussion Groups

- Discussion Groups
 - Key Issues + General (11)
 - Additional by Request
 - ISO, State, etc.
 - Login Required
 - User Management
 - User Experience



FERC2222.org Website Demo

Home Policy Tracker Reports Library Discussion Groups Contact

FERC ORDER 2222 AND DER POLICY COLLABORATION

COLLABORATING FOR SUCCESSFUL DER IMPLEMENTATION IN THE U.S.A

LATEST REPORT
FERC Order 2222 & DER Policy and Implementation Report
January 2025
[View Report](#)

NEW WEBINAR RECORDING
Introduction to FERC2222.org
December 12, 2024
[View Recording](#)

UPCOMING WEBINAR
Data Access/Privacy and Governance
February 27, 2025
[Register Now](#)



FERC2222.org Website Demo

DISCUSSION GROUPS

ABOUT DISCUSSION GROUPS

The DER Policy Discussion Group is a secure environment for regulatory authorities, their staff, and NARUC to discuss key issues. These groups are a space for secure discussions amongst policy makers and are not intended for public use, therefore users of these discussion groups will be required to have a valid email from an approved regulatory authority to participate. [Code of Conduct](#)

Groups

Data Access and Privacy

Rules, policies, and tools enabling the ability of all stakeholders (Electric Distribution Company, Transmission Utility
... [View More](#)

Join Group

Governance

Issues focused on the legal ability of DER aggregation to operate in states and localities, including aggregator

Join Group



Summary

- FERC2222.org is live – check it out
- Be on the lookout for NERC’s white paper
Reducing Impacts on Bulk Power System Variability and Uncertainty
DER Data Collection, Storage, and Sharing with DER Aggregators SPIDERWG White Paper
- This will be posted to FERC2222.org website
- Next Webinar April 24 – Go to FERC2222.org to register
- Bi-Monthly reports and updates – Go to FERC2222.org and register to receive updates as they become available going forward

Recent FERC Order 2222 Developments



- FERC issued compliance order on MISO's second compliance filing at its January open meeting
- MISO has been actively exploring FERC Order 2222 implementation in its Distributed Energy Resources Task Force (DERTF)
- Specific state activity
 - In December, the Indiana Utility Regulatory Commission (IURC) closed its investigation of the public utility status of DER aggregators.
 - New Jersey held a technical conference on FERC Order 2222 implementation in January 17, 2025. Comments were due by January 31.
 - The Maryland PSC issued a notice on February 4 requesting comments on FERC Order 2222 implementation. Comments are due by March 5.

OMS's View on the Importance of DER Data Exchange



- In February 2024, the OMS Board directed staff to work with MISO on Order 2222 implementation issues and to stress the importance of developing a holistic approach to DER data exchange
- OMS staff worked with MISO and interviewed stakeholders to identify current and future problems and to chart potential solutions
- The Feb 18th OMS-MISO Order 2222 Coordination Conference was a direct result of these efforts.
- OMS's 2025 DER-specific projects:

Ensure Order 2222 Enablement	Continue to track FERC's decision on MISO's final Order 2222 compliance filing, and shift focus towards Order 2222 implementation and readiness once that decision is reached.
Lead on a DER Data Registry Effort	Lead efforts to the creation of a formalized DER data collection and sharing process, which may include identification of the proper entities to facilitate such a data exchange.

See [2025 OMS Strategic Priorities](#)

Key Takeaways from Survey of MISO entities



1) Need for Centralized, Standardized Method to Share DER Information

- All interviewees highlighted the need for a centralized, standardized method to share registration information
- A paradigm shift is needed to track enrollments, automate workload, standardize data inputs, ensure accuracy, and avoid an inefficient, costly, piecemeal approach

2) Roles and Duties for Each Entity Need to Be Defined

- A clear process needs to be established for both registration and operations
- MISO-regulatory guidance needed here

3) Uncertainty Surrounds Operational Needs and Requirements

- Again, need to define roles and couple with a new information sharing method



Governance

- Governance issues are fundamental
 - Who sets the rules governing DER aggregation operation?
 - Who has oversight responsibility?
- States will need to examine whether changes to rules or tariffs may be necessary to accommodate DER aggregations
- Key areas to examine:
 - Jurisdiction
 - Registration and licensing of DER aggregators
 - Dispute resolution



FERC Jurisdiction

- 2016 *FERC v EPSA* U.S. Supreme Court found that
 - FERC has jurisdiction over the rules and practices governing the participation of DER aggregations in wholesale markets
 - But also affirmed the exclusive role of states to regulate retail electricity sales and rates
- 2019 D.C. Circuit *NARUC* decision affirmed FERC Order 841, and extended FERC's jurisdiction to energy storage, including BTM storage
- FERC Order 2222 applied these findings to DER aggregation



State Jurisdiction

- Based on state law and/or regulatory rules
- Will determine where modifications are needed or possible
- Example state action:
 - Michigan PSC determined it did not have authority – relies on MISO rules
 - Maryland applied its existing electric supplier regulations to demand response providers and then later DER aggregators
 - Indiana explicitly providing the Commission with rulemaking authority to implement Order 2222 and required development of rules



Registration and Licensing

- Concerning eligibility of DERs and DER aggregations to operate in a state
- Key decision is whether to develop a licensing and registration process for DER aggregators, and how detailed
- Maryland is a good example of state action
 - The Maryland PSC extended its jurisdiction over licensing and reporting that had applied to electricity providers to demand response providers and DER aggregators in 2011 and 2024, respectively
 - In order to do business in Maryland, demand response providers and DER aggregators must file an application for a license to operate in the State



Dispute Resolution

- Dispute resolution associated with DER aggregation is a relatively new issue
- Lack of action is partially driven by lack of disputes associated with demand response aggregation
- As part of their examination of FERC Order 2222, states are starting to explore procedures
 - As part of their request for comments on FERC Order 2222 implementation, the Pennsylvania PUC asks direct questions about whether their existing rules are applicable to DER aggregation



State Governance Options -- Summary

Walk	Jog	Run
Jurisdiction		
State regulators default to RTO authority over DER aggregations and completely delegates relevant processes.	State regulators use existing jurisdiction to regulate certain issues related to interactions between DER aggregations and regulated retail electric utilities.	State regulators coordinate with state legislature to pass legislation explicitly defining the state regulator's jurisdiction over DER aggregation or initiating a process to address jurisdictional questions as part of Order 2222 implementation.
Registration and Licensing		
State regulators rely on RTO's FERC Order 2222 rules and procedures for registration.	Initiate a process or issue an order clarifying the separate roles of the state regulator, regulated retail utility, and recognizing the role of the RTO in adapting and facilitating registration processes to accommodate new DER aggregation market access.	Initiate a process or issue an order specifically designed to clarify the state regulator's role in developing eligibility requirements for ARCs such as for registration and licensing process.
Dispute Resolution		
Utilize existing dispute resolution processes to the extent possible for issues involving DERs within retail markets or in organized wholesale aggregation scenarios.	Adapt processes, frameworks or general principles from existing dispute resolution procedures to specifically address DER aggregation.	Coordinate with state regulator staff responsible for managing dispute resolution to develop a new process specific to DER aggregation disputes, possibly in the context of Order 2222 implementation.

Access to data is a fundamental issue



Data access rules, policies and tools enabling the ability of all stakeholders to have appropriate access to information about DERs and DER aggregations is required to effectively enable DERs for utility programs and RTO/ISO market products. It is critical to incorporate a comprehensive and holistic data collection and secure sharing strategy. This diagram illustrates the need for multiple entities to access a common source of DER data.

Data privacy rules are also necessary to ensure appropriate access and effective information exchange for customers, aggregators, and other appropriate users of data.

Multiple entities need access to a common source of DER data.

Data Privacy – Focus on the Customer



- Data associated with a customer and the customer's DER belongs to the customer.
- Customers that agree to participate should opt-in to allow access customer and DER information.
 - There are multiple stakeholders that will require access to some (but not all) of the customer's data.
- The use of Common Information Model (CIM) data structures and sharing data through a secure data application programming interface (API) helps protect customer privacy by avoiding the need for manual transfers of customer data through paper documents and spreadsheets.

Detailing Access to Data

Access to the information related to a customer and their DER(s) can be determined by each appropriate regulatory authority. Enabling regulatory authorities to have the dynamic ability to define who has access to each data element is a key component to protecting privacy.



WHO HAS ACCESS TO THE DATA? (Each Regulatory Authority to define)										DER RESOURCE RECORD CREATION		
Sched Coord	Comp Retail Supplier	Equip Mfg	Aggregator	Regulatory Authority	ISO/RTO	TSO	DSO	Owner Agent	DER Owner	*REQUIRED DATA		DER Registry
										Entered by:		Field Description
	X		X	X			X	X	X	DER Owner*		DER OWNER INFO
	X		X	X			X	X	X	DER Owner*		First Name (As it appears on utility bill)
	X		X	X			X	X	X	DER Owner*		Last Name (As it appears on utility bill)
	X		X	X			X	X	X	DER Owner*		Address 1 (As it appears on utility bill)
	X		X	X			X	X	X	DER Owner*		Address 2 (As it appears on utility bill)
	X	X	X	X			X	X	X	DER Owner*		City
	X	X	X	X			X	X	X	DER Owner*		State
	X	X	X	X			X	X	X	DER Owner*		Zip
	X		X	X			X	X	X	DER Owner*		Phone Number (premise)
	X		X	X			X	X	X	DER Owner*		Phone Number (mobile)
	X		X	X			X	X	X	DER Owner*		Email
X	X		X	X	X	X	X	X	X	ESRI*		GPS Coordinates
	X		X	X			X		X	DER Owner*		Utility Account Number
X	X	X	X	X	X	X	X	X	X	DER Owner*	pick list	Distribution Utility Service Provider
X	X		X	X	X		X	X	X	DER Owner*	Y/N	Do you have a Competitive Retail Supplier (CRS)?
X	X		X	X	X		X	X	X	DER Owner*	pick list	Pick your CRS
X	X		X	X	X		X	X	X	DER Owner*	Y/N	Do you have an Aggregator?
X	X		X	X	X		X	X	X	DER Owner*	pick list	Pick your Aggregator
	X		X	X			X	X	X	DER Owner*	Y/N	Allow Agent to enter DER Info?
	X		X	X			X	X	X	DER Owner*	pick list	Pick your Agent
			X	X			X	X	X	DER Owner*	Y/N	Want info from equip mfg?
				X						DER Owner*	Y/N	Do you have a different aggregator for Demand Response?
X	X		X	X	X		X	X	X	DER Owner*	pick list	Pick your DR Aggregator
X	X		X	X	X		X	X	X	Registry		Premise Unique ID
X	X		X	X	X		X	X	X	Registry		Aggregate DER Unique ID for premise
X	X	X	X	X	X	X	X	X	X	Registry		Date entered into registry
X	X	X	X	X	X	X	X	X	X	Registry		SOLAR INFO
X	X		X	X	X	X	X	X	X	Registry		Date Entered into Registry
	X	X	X	X			X	X	X	DER Owner or Agent	pick list	Solar Unique Identifier
	X	X	X	X			X	X	X	DER Owner or Agent	pick list	Panel Manufacturer Name
	X	X	X	X			X	X	X	DER Owner or Agent	pick list	Panel Model Number
	X	X	X	X			X	X	X	DER Owner or Agent	pick list	Nameplate Capacity of Panel
	X	X	X	X			X	X	X	DER Owner or Agent		Number of Panels



We Need Your Help!

Tracking a wide range of key policy issues related to DER integration across the U.S. is no small task. To that end, state commissions and RTOs/ISOs are invited and encouraged to assist Collaborative Utility Solutions in crowdsourcing information to be included in the Policy Tracker. The value the Policy Tracker can provide will be largely dependent on policy makers sharing information with CUS each month proactively. Specifically, CUS welcomes the opportunity to periodically meet with Commissioners or key staff members at state utility commissions and RTOs/ISOs to hear from you regarding your FERC Order 2222 and DER implementation activities, key dockets, rulemakings, or other proceedings.

Please email **Suzanne Bertin** (suzanne.bertin@cusln.org) with any updates for your states or organizations that you would like to have included in the Policy Tracker, or to arrange a meeting to discuss your states or organization's implementation policy.