

ORDINANCE NO. 11 - 029

**AN ORDINANCE AMENDING CHAPTER ONE (ELECTRICITY),
ARTICLE B (SERVICE RULES AND POLICIES)
OF TITLE 8 (PUBLIC UTILITIES) OF THE NAPERVILLE MUNICIPAL CODE**

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

SECTION 1: Chapter One (Electricity) Article B (Service Rules and Policies) of Title 8 (Public Utilities) is hereby amended by adding the underlined words as follows:

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

8-1B-2(a): OVERVIEW: 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.

8-1B-2(b): 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 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.

8-1B-2(c): THE RIGHT TO PRIVACY

- Personal information will not be connected to usage data released to any third parties.
- 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 to any third party, such as in the case of a court order, is subject to federal, state and local laws.
- 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.

8-1B-2(d): 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.

8-1B-2(e): 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.

SECTION 2: This Ordinance shall be in full force and effect upon its passage and approval.

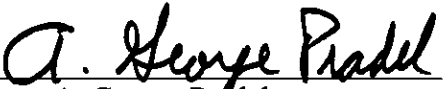
PASSED this 15TH day of FEBRUARY, 2011.

AYES: KRAUSE, MILLER, WEHRLI, PRADEL, BOYAJIAN,
BRODHEAD, FIESELER, FURSTENAU, HINTERLONG,


NAYS: NONE

ABSENT: NONE

APPROVED this 16TH day of FEBRUARY, 2011.


A. George Pradel
Mayor

ATTEST:


Pam LaFaber, Ph.D.
City Clerk

