

Proposed Procedural Principles
Toward a Voluntary Code of Conduct
for Protecting the Privacy of Electricity Consumers
Draft: 19 February 2013

Guiding Principles

The following principles guide this DOE-facilitated public collaborative:

Openness. Activities are conducted in the open. Openness applies to all aspects of the code development process, including work products and related meetings. Meetings, agendas, and items set for discussion and/or vote are publicly noticed, and interested parties have the opportunity to participate.

Voluntary. Participation is voluntary and adherence to any resulting code of conduct also is voluntary. This procedure does not have an enforcement mechanism.

Balance of Interests. DOE will seek to ensure participation by a broad array of electricity market participants so that no interest group or market segment has an undue influence on the resulting code of conduct.

Inclusivity. All interested parties have the opportunity to participate in the development of a voluntary code of conduct.

Consensus-Based Decisions. DOE and its contractors will seek to build a high degree of consensus among participants in the public collaborative regarding the elements of a privacy code of conduct. This is to ensure that all participants' views are taken into account and all participants' interests are protected.

Focus on Practices. The collaborative will seek to avoid creating policy in the development of a code of conduct. To the extent reasonable, the code of conduct will incorporate best practices from among existing and reasonably anticipated procedures.

Broad Applicability. To the extent practicable, the code of conduct could be applicable to both the electric and the natural gas industries.

Transparency

All meetings are open for attendance and participation by any interested party. Meeting announcements and agendas are posted in advance to permit the widest possible participation. Conference-calling capability is available for all meetings. Those intending to attend a meeting in person or by telephone are asked to notify DOE or its agent by a specific date to permit adequate meeting planning.

Minutes are taken of all meetings and posted on the DOE web site.

Order of Business for Initial Meeting

At the initial meeting:

- a. The facilitative leader should welcome participants, ask participants to identify themselves and give antitrust guidance.
- b. The facilitative leader should review the objectives of the collaborative.

- c. Participants should prepare a mission statement.
- d. The facilitative leader may conduct any other organizational business as may be necessary to implement an organizational structure and process necessary to carry out the objectives of the collaborative.

Development Process

Meetings shall be arranged and lead over by the facilitative leader and/or his or her team. Meetings shall be open to all interested persons. Meetings shall be held at times and in places reasonably selected for the convenience of participants. Notices of meetings shall be posted on the DOE website.

Notice of collaborative group meetings should be given at least two weeks in advance, although smaller working groups, if organized, may call meetings with less than two weeks' notice. Notice should be posted on the DOE web site.

Agendas for all meetings should be prepared by DOE or contractor staff and posted on the DOE web site at least one week before the meeting. Any document that will be discussed in the meeting (e.g., portions of a draft voluntary code of conduct) also should be posted on the DOE web site at least one week before the meeting.

All meetings must provide for attendance by teleconference. With prior notification, such attendance by teleconference may be at the callers' expense. At an in-person meeting, the facilitative leader of the meeting shall call the teleconference number by means of a speakerphone so as to admit the teleconference attendees and permit interaction between the in-person and teleconference attendees.

Protocol for Subsequent Meetings

The collaborative Subcommittees shall follow these procedures:

- a. DOE and/or its contractors will prepare meeting notices and agendas, which are distributed by the DOE office. Meeting notices should be issued so as to give adequate notice to attendees who must travel from out of town.
- b. Meetings, including ad hoc meetings and those held by telephone, should be scheduled by first conferring with the DOE office to ensure that meetings involving the same participants have not been scheduled for the same time.
- c. All meetings are open and minutes are taken. All attendees should provide contact information identifying themselves as attendees to the meeting. Minutes should be posted within two weeks of the conclusion of every meeting.
- d. Any votes should be recorded in the minutes.
- e. Minutes, working documents, meeting notices, agendas, and all other documents used in the meeting should be forwarded in electronic form to the DOE office for posting on the DOE website.

Distribution

Once developed and agreed to by the participants, the voluntary code of conduct shall be

forwarded to any government agency requesting it. FERC and the National Association of Regulatory Utility Commissioners (NARUC), through NARUC's executive director, shall be provided with the code of conduct and any related documentation.