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Public Utilities Commission
State of Colorado
1560 Broadway, Suite 250
Denver, CO 80202

Re: Disclosure Letter, Docket No. 09I-593EG (Chairman Binz)

This disclosure letter is being filed on behalf of the City of Boulder, Colorado, pursuant to Decision No. C09-0878 in this docket and pursuant to Commission rules, within two business days following a permitted *ex parte* communication with a Commissioner as part of the above docket. As required, this disclosure letter states the time, date and place of the meeting, lists the persons attending, and contains a summary description of the topics discussed. This disclosure also provides a copy of all written materials, if any, provided to the Commissioner.

This letter shall serve as disclosure of the communications between the City of Boulder and Chairman Ron Binz at the Commission, which occurred from approximately 1:30-2:00 P.M. on September 15, 2009. Present for the City of Boulder were Jonathan Koehn, Regional Sustainability Coordinator; Debra Kalish, Assistant City Attorney; and Jeffrey G. Pearson, Esq., outside counsel. Present from the Commission staff were Tony Munoz and Geri Santos-Rach.

The general subject matter of the meeting was the City of Boulder's need to acquire from Public Service Company of Colorado ("Public Service") certain "anonymized" information concerning electricity consumption by its residents. Individual customer usage data would be aggregated (e.g., by census tract) so that the City would not be able to identify individual customers or their consumption characteristics. Boulder needs this information on a citywide basis in order effectively to administer, monitor, evaluate, design and improve programs it undertakes to implement the City's Climate Action Plan. Boulder's Climate Action Plan is an official City initiative mandated by ordinance and supported by a citywide tax on residents under which the City is committed to reducing its carbon footprint by specified amounts over time. At the meeting with Commissioner Tarpey, the following specific topics were addressed:

1. Whether under current law it would be permissible for Boulder to obtain the aggregated and anonymized information the City seeks if Public Service were willing and able to provide it.

2. Whether Boulder could make use of customer usage information obtained through a sampling process.

3. Whether Public Service could contract with a third-party IT contractor to review individual electric customer consumption information in the possession of Public Service, then to compile that information into an aggregated, anonymized format for Boulder's use for the purposes indicated, so long as the third party contractor was under agreement to Public Service not to disclose individual customer information to the City or anyone else.

4. How the interests of the City as a governmental body in using electricity consumption information (aggregated and anonymized) for the purposes indicated might differ from the interests of an "edge service provider" seeking such information for commercial purposes. In connection with this discussion, hard copies of the attached document were distributed.

5. That the information Boulder seeks to utilize in the administration of its Climate Action Plan includes both historical usage information, and, potentially, real-time usage information that Public Service may acquire through "smart meter" technology.

Hard copies of the attached handout were distributed by the City of Boulder to the Commissioner and staff.

Very truly yours,



Jeffrey G. Pearson