Model Utility Data Access Law

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What is Utility Data Access & Why It Matters

To lower utility bills, you have to know how much energy is being used. Utility data access is the ability of building owners to obtain whole-building energy (and sometimes water) consumption information, in a way that protects tenant privacy. This includes data from tenant-paid utility accounts.

In multi-tenant buildings where tenants pay their own utility bills, building owners often can't access tenant data, so they don't know how much energy their building is using. This creates unnecessary barriers that prevent owners from reporting on their data usage, improving their building's value, lowering energy costs for tenants, and securing funding for efficiency upgrades. This also means more energy is wasted, and utilities need more power to meet customer demand.

In response to requests from building owners, policymakers, and other stakeholders, IMT and RAP worked with more than 30 experts and stakeholders to write a model utility data access law. States (and local governments with municipal utilities) can use the model law as a starting point to write their own laws to enable authorized recipients to access buildings' energy consumption data. The law also gives homeowners and other utility account holders better data access for themselves and their authorized third parties. Streamlined data access saves time and money while creating new markets for innovative services delivered to utility account holders.

Read the model law

What the Law Does

- Creates a framework for utilities to provide building owners with aggregated whole-building consumption data while protecting tenant privacy
- Defines a standardized process for data access authorization and delivery
- Enables cost recovery for utilities implementing systems to share data as directed by customers
- Strengthens accountability through stakeholder engagement and oversight

Key benefits

- Helps reduce energy costs for building owners and tenants
- Enables building owners to access financing and incentives for efficiency improvements and to respond to data requests from investors and tenants
- Catalyzes economic development and job creation through increased building upgrades
- Helps preserve affordable housing by enabling efficiency improvements and access to state and utility support
- Empowers utilities to better target efficiency programs and manage grid demand
- Helps free up electricity at peak times to enable utilities to serve new loads from AI to reshoring

Demonstrated success

- Over 70 utilities currently provide building data access
- Those utilities upload data for at least 70,000 properties nationwide
- States with laws that are similar though less comprehensive and less vetted: California - SB356 & AB802, Colorado - HB21-1286, Washington - HB1257, Minnesota - SF 2295, Maryland - SB528.

State impacts

- Accommodate electric load growth
- Economic development
- Decarbonization
- Job creation
- Housing affordability
- Electric grid reliability

Cost and funding considerations

- Initial utility costs typically $50,000-$500,000 for automated systems
- Annual maintenance costs $50,000-$200,000[1]
- Savings to building owners are typically well over 10x the cost to utilities[2]
- Enables utilities to recover implementation costs through utility rates
- Costs offset by operational efficiencies and program improvements

Implementation details

The law phases in requirements based on utility size:

- Large utilities (>100,000 accounts): Automated data delivery
- Medium utilities (>10,000 accounts): Spreadsheet delivery initially, automated within 2 years
- Small utilities (>1,000 accounts): Basic spreadsheet delivery
- Very small utilities (<1,000 accounts): Exempt

The law provides flexibility:

- Stakeholder input on implementation rules
- Alternative compliance pathways for unique situations
- Reasonable timelines for utilities to develop systems

[1] The ENERGY STAR Data Access Network training module 5 shares high-level findings on IT costs for energy benchmarking system set-up, as well as ongoing maintenance costs: http://bit.ly/3UJbU2V.

[2] Greystar: The cost to the owner to acquire data using sensors or meters is between $11,000 to $100,000 per property for initial installation with ongoing annual costs ranging from $2,500 to $18,000 per year per property. If the utility provides aggregated consumption data, then the owner need not incur these costs.

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