

LOCAL GOVERNMENTS TERMS OF SERVICE ACCEPTANCE AGREEMENT FORM 79-1167

As set forth in Ordering Paragraph 5 and Section 8 of California Public Utilities Decision (D.) 14-05-016, eligible local governments requesting aggregated and anonymous energy usage data pursuant to the Decision must expressly agree to the following terms of service prior to receiving any such data.

- a. The local government agrees to use the data for the purposes stated in the request.
- b. The local government agrees to not release the data to another third party or publicly disclose the data.
- c. Prior to the release of any data to a requesting local government PG&E must inform the Executive Director of the Commission via a formal letter four weeks in advance of the proposed transfer. The letter shall contain the following information:
 1. The purpose identified by the local government requesting data.
 - i. A description of the data requested and to be released.
- d. The local government agrees to immediately notify the Commission and the utility in writing of any unauthorized access or disclosure of the data.
- e. The local government agrees to require all agents, contractors, consultants, or other representatives of the local government that are not employees of the local government to agree to and execute the Non-Disclosure Certificate attached to this agreement, and to provide the utility with copies of all such Non-Disclosure Certificates, prior to any disclosure or use of the data by such agents, contractors, consultants or other representatives.
- f. The local government agrees to comply with the laws, rules and orders of the California Public Utilities Commission applicable to the release, use and disclosure of the data, including D.14-05-016.



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g. This agreement at all times shall be subject to such modifications as the California Public Utilities Commission may direct from time to time in the exercise of its jurisdiction.

Agreed By: _____

Agreed By: _____

Title: _____

Title: _____

Name of Local Government:

On behalf of PG&E

Date: _____

Date: _____



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Non-Disclosure Certificate

I, _____, hereby certify that (i) I am an agent, contractor, consultant or representative of [specify local government's name], (ii) I understand that access to energy usage data will be provided to me by [name of local government] pursuant to the terms and restrictions of that certain "Local Government's Terms of Service Acceptance Agreement" ("Agreement") by and between [name of local government] and PG&E, dated and effective [date], (iii) I have been given a copy of and have read and understand the Agreement, and I agree to be bound by the Agreement and all of its terms and restrictions in my capacity as agent, contractor, consultant or representative of [name of local government], (iv) I shall not disclose (other than in accordance with the Agreement) to anyone the contents of the data, or any other form of information, that copies or discloses the data; and (v) I agree that [name of local government and PG&E] are third-party beneficiaries of this Non-Disclosure Certificate.

By: _____

Title: _____

Organization: _____

Date: _____