

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Order Instituting Rulemaking to Consider Smart Grid Technologies Pursuant to Federal Legislation and on the Commission's own Motion to Actively Guide Policy in California's Development of a Smart Grid System

R.08-12-009
Filed October 19, 2009

**OPENING COMMENTS OF WALMART STORES, INC. AND
SAM'S WEST, INC. ON PROPOSED DECISION**

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June 2, 2011

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Pursuant to Rule 14.3 of the California Public Utilities Commission's Rules of Practice and Procedure Walmart Stores, Inc. and Sam's West, Inc. ("Walmart") hereby submits these comments in response to *Decision Adopting Rules to Protect the Privacy and Security of the Electricity Usage Data of the Customers of Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company*, issued May 6, 2011 ("Proposed Decision").

I. INTRODUCTION.

Walmart supports the primary general conclusion of the Proposed Decision that adopts the Fair Information Practice Principles as the key framework for developing specific regulations to protect consumer privacy because these principles are consistent with California law, consistent with emerging national privacy and security policies, and supported by the record in this proceeding. Walmart also supports the second major conclusion of the Proposed Decision not to adopt rules and policies that apply to community choice aggregators and electric service providers at this time.

II. THE COMMISSION SHOULD ADOPT THE PROPOSED DECISION AS WRITTEN.

Walmart is very pleased to note that the Proposed Decision generally takes account of, and substantially reflects, all of Walmart's comments filed in this proceeding to date.¹ Walmart will continue to contribute its views as each investor-owned utility files an advice letter to bring its policies, practices and applicable tariffs into conformity with the privacy and security rules included in the Proposed Decision.

III. CONCLUSION.

Walmart appreciates the opportunity to comment on the Proposed Decision, and looks forward to working with all parties as the Commission commences a new phase of this proceeding to explore whether the rules and policies adopted in this decision should apply to community choice aggregators and energy service providers.

Respectfully submitted,



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¹ See, *Comments on Order Instituting Rulemaking*, filed February 2, 2009, *Comments on Ruling Inviting Comments on Proposed Findings on Policies Established by the Energy Information and Security Act of 2007*, filed October 6, 2009, *Comments on Proposed Policies and Findings Pertaining to Smart Grid*, filed March 9, 2010, and *Opening Comments on Proposed Decision*, filed, June 19, 2010.