**NAESB Third Party Data Privacy Practices Certification Process**

As Approved by the Board Certification Program Committee on August 25, 2014Process Overview:

* The third party requests an affidavit form from NAESB.
* The third party:
* Completes the affidavit and provide a Certification Practice Statement
* Meets the requirements for NAESB Third Party Data Privacy Certification
* Holds a legal, current copy of the applicable standards from NAESB
* Provides any audit reports or surety assessment reports identified herein
* Upon successful completion of the above, the NAESB office will:
* Provide documentation to the requestor that the certification is complete
* Post the name of the Certificate holder and certified products or services on the NAESB Web Site
* Provide a Certificate(s) artwork for the requestor to use for the applicable product or service for a period of two years
* Collect the certification fee from the requestor
* The Certificate(s) will be active for a period of two years, after which the data privacy practices must be recertified to maintain the Certificate(s)

NAESB considers its process for certification of third party data privacy practices to be completely voluntary.

**Process Detail**

The following are the components of the process to be used by NAESB to certify, and maintain the certification of the Third Party Data Privacy Practices. Certificate(s) issued by NAESB indicate that the third party has complied with the requirements of this document.

1. Certification

The NAESB Certification Program utilizes a self-certification format. To be initially certified, the candidate seeking Certification (“Candidate”) must submit to NAESB:

* 1. An affidavit, signed by an Officer or Principal, attesting that the Candidate meets the requirements for the NAESB Third Party Data Privacy Practices Certification Program and certifies its answers are accurate and truthful. The affidavit is modeled on similar statements made under Sarbanes-Oxley.
	2. The attestation pursuant to Section 2(a)(i) and the indication as noted in Section 2(a)(ii).

NAESB does not warrant or guarantee that the data privacy practices of the holder of the Certificate(s) comply with the NAESB Third Party Data Privacy Practices Certification Program requirements, perform as intended, or comply with representations made by the holder of the Certificate(s).

The holder of the Certificate(s) is not required to be a member of NAESB, but must possess a current and legal copy of relevant NAESB standards.

The holder of the Certificate(s) may display the applicable valid NAESB Certification Mark, as provided by NAESB on its web site or documentation for as long as the holder of the Certificate(s) remains NAESB certified.

After the candidate completes the self-certification steps in Section 1.a and 1.b above and achieves NAESB certification, NAESB will add the name and contact information of the holder of the Certificate(s), including the candidate’s Certification Practice Statement, to the NAESB web site. The holder of the Certificate(s) will immediately be authorized to display the NAESB certification mark and will be authorized to claim compliance with the NAESB Third Party Data Privacy Practices Certification Program with respect to the certified products and services.

2. Auditing/Renewal

1. To maintain NAESB Certification, the holder of the Certificate(s) must submit biannually to NAESB:

i. an attestation, such as an audit management letter by a Qualified Auditor, that the holder of the Certificate(s) is compliant in all material respects with the current version of the certification requirements as specified in Section 5 for the applicable services or products, and

ii. an indication of whether the holder of the Certificate(s) has received an unqualified audit from third party auditor.

1. The audit in 2(a)(i) and 2(a)(ii) must be performed by an independent, unaffiliated third party auditor (“Qualified Auditor”).
2. The above information will be provided to NAESB contemporaneously with the holder of the Certificate(s) making the report available to other organizations.
3. The holder of the Certificate(s) may incorporate the NAESB Specification for Data Privacy Governing Third Party Access and NAESB REQ Model Business Practices REQ.22 requirements into the audit processes it utilizes to perform related audits of its ongoing business.
4. No auditing of the subscribers to the services or purchasers of the products is necessary.
5. The holder of the Certificate(s) must be recertified by NAESB if there is a purchase, sale or merger of said holder by/with another entity.
6. Upon publication of a revision to the NAESB Specification for Data Privacy Governing Third Party Access or the NAESB REQ Model Business Practices REQ.22, a holder of a Certificate(s) must resubmit documentation required under section 2(a) to be certified for the new version.

3. Revocation

a. NAESB may revoke the Certificate(s) for cause at any time by providing 30 days’ notice in writing to the holder of the Certificate(s). Holders of Certificate(s)s that receive revocation notices from NAESB are required to notify all purchasers of the products or subscribers to the services within 5 days that their NAESB Certification has been revoked and their Certificate(s) will no longer be valid, and

b. Examples of cause for revocation include, but are not limited to:

* + 1. The holder of the Certificate(s) fails to submit to NAESB, in a timely manner, the submissions of Section 2(a).
		2. The submissions of Section 2(a) indicate that the holder of the Certificate(s) is no longer in compliance with the requirements for the NAESB Third Party Data Privacy Practices Certification Program as specified in Section 5.

4. Notification Requirements

a. The holder of the Certificate(s) shall notify NAESB and its affected subscribers or customers, as specified by the applicable jurisdictional agency’s notification requirements, upon becoming aware that the compliance requirements for certification outlined in Section 5 of this document are no longer being met. If there are no notification requirements from an applicable jurisdictional entity, the notification should take place by the close of the next business day.

b. The holder of the Certificate(s) agrees to notify NAESB and its subscribers or purchasers a minimum of 90 days in advance of any plans to no longer be considered certified by NAESB for its third party data privacy practices.

5. Compliance Requirements

a. In complying with the requirements for certification, the holder of the Certificate(s) must comply with the specific provisions of the NAESB REQ Model Business Practices REQ.22 Third Party Access to Smart Meter-based Information applicable to third party business practices, the NAESB Specification for Data Privacy Governing Third Party Access, and conform to this NAESB Certification Program to be considered certified by NAESB.

6. Pursuit of the Certificate(s) for third party data privacy practices

a. NAESB considers its process for certification of third party data privacy practices to be completely voluntary.