**Section 452.90 Information Provided to the Transmission and Distribution Function by a Non-Affiliated ARES, Another Electric Utility, Customer of Non-Affiliated ARES or Another Electric Utility, or Retail Customer**

a) The information covered by this Section shall include any data or information provided to the electric utility's transmission and distribution function by a non-affiliated ARES, another electric utility, a customer of a non-affiliated ARES or another electric utility, or a retail customer.

b) No electric utility generation function employee shall have access to or receive any information described in subsection (a) unless verifiably authorized to do so by the non-affiliated ARES, other electric utility, customer of non-affiliated ARES or other electric utility, or retail customer, or unless required by tariff or by regulatory or judicial order. Nothing in this subsection (b) shall be construed as prohibiting mandatory generation function employees from accessing or receiving information furnished to the transmission and distribution function by an existing customer that is necessary to the continued provision of mandatory generation services to that customer.

c) If any information described in subsection (a) is accessible to or received by a generation function employee of the electric utility in violation of subsection (b), the electric utility shall notify the non-affiliated ARES, other electric utility, customers of non-affiliated ARES or other utility, or retail customer, whose data or information was disclosed, and the Commission's Energy Division Manager or his/her delegate, within 24 hours. The electric utility shall keep a log of all such instances. The log and entries in the log shall be kept confidential unless the Commission, after notice and hearing, determines that the data or information is not entitled to confidentiality. Entries in the log shall be retained for three years. The Commission or the electric utility shall inform the public, upon request, of the number of entries in the log.