



5 June 2014

Mr Marc Tutaan
Australian Energy Market Commission
PO Box A2449
Sydney South NSW 1235

United Energy
6 Nexus Court
Mulgrave VIC3170
PO Box 449
Mt Waverley VIC 3149
T 03 8846 9900
F 03 8846 9999
www.ue.com.au

Electronic lodgement - ERC0171

Dear Marc

RE: Customer access to information about their energy consumption

United Energy (UE) appreciates the opportunity to respond on the Consultation Paper – National Electricity Amendment (Customer access to information about their energy consumption) Rule 2014.

UE has responded to each of the consultation questions in the Attachment. UE has also commented on the drafting proposed in the SCER Rule Change proposal – Consumer Access to their Energy and Metering Data under the NER, Oct 2013.

UE recognise that the term consumption data is intended in this consultation to refer to metering data and to settlement ready data.

Under the NER, chapter 10, the settlement ready data is defined as:

“The metering data that has undergone a validation and substitution process by AEMO for the purpose of settlements and is held in the metering database.”

For the purposes of this rule change, UE suggest that the consumption data be limited to metering data i.e. the processed or validated data provided by the metering data provider to the retailer and distributor for their respective billing processes.

Should you have any comments in relation to this response please do not hesitate to contact me on (03) 8846 9856.

Yours sincerely

Verity Watson
Manager Regulatory Strategy

Attachment

Question 1 Proposed assessment framework under the NEL

- a. **Do you consider that the proposed issues to consider are appropriate for this rule change request? Are there any other issues that we should consider?**

UE is supportive of the proposed assessment framework.

Question 2 Proposed assessment framework under the NERL

- a. **Do you consider that it is appropriate that the proposed issues to consider, which we will use as a basis to assess whether the proposed rule meets the NERO, should be the same as those used for assessment against the NEO?**
- b. **Are consumer protections that relate to the provision of information to customers the relevant class of consumer protections for consideration in this rule change request? Are there any other relevant classes of consumer protections that we should consider?**

UE has no further comment, the relevant consumer protections are outlined in the Consultation Paper Appendix.

Question 3 Obtaining access to electricity consumption data

- a. **Do you think it is appropriate that the NER be amended to allow a customer to access its consumption data by requesting that data from its DNSP?**
- b. **Should MDPs be able to provide electricity consumption data directly to customers or their agents?**

UE is supportive of the NER being amended to allow a customer, subject to verification, access to their consumption data. Where the metering is provided by the DNSP the data available is the processed metering data which is forwarded to AEMO and the FRMP. Where the metering is not provided by the DNSP the processed metering data that the MDP provides to the DNSP could be made available. As noted in Fig A1, the processed metering data is provided to AEMO. Settlement ready data is data extracted from the AEMO metering database after further validation and processing by AEMO. The obligation for DNSPs should be limited to providing metering data, not settlement ready data.

DNSP's receive customer details transactions from retailers with the customer contact details for supply and outages. For business customers where the account holder and the maintenance or outage contact may be different there may be some additional complexity verifying customers. UE understand that for residential customers retailers are providing the account holder names in the customer details transactions.

Unless the MDP had a direct contract with a customer or was also the FRMP or DNSP, they may not have sufficient details to verify the customer. If the MDP was able to verify the customer, they should be able to provide metering data directly to the customer or their representative.

Question 4 Minimum format requirements for electricity consumption data

- a. **What is the nature and magnitude of costs on market participants of providing data in raw format and summary format to their customers?**
- b. **What information should be required in the summary data format?**
- c. **Should the NER stipulate a specific period of time in relation to which the electricity consumption data must cover? If so, what is the appropriate period of time?**

Interval data standards have already been developed and agreed in Victoria to enable interval data to be provided to small customers. Each retailer and DNSP in Victoria is able to provide interval metering data in one of the standards agreed. In Victoria, customers are able to use the standard data formats to obtain their metering data and to upload into retailer price comparator tools. If these standards are adopted nationally or continued use is enabled, then the cost of the proposed rule should be negligible. However, the amendment of these existing standards to require summary format data and additional file formats (eg for large customers) will incur additional costs.

It is preferable that the standard to continue facilitating customer access to metering data and use of the price comparator tool in Victoria and the national requirements are the same. Where the standards vary customers may find more difficulty using the price comparator tools if they received the incorrect file format.

The proposed rule 7.16 (4) appears to require the metering data to be provided in the meter data file format. UE suggest that the rule be drafted less prescriptively so that it is not limited to one format.

Requirements of summary data

The consultation papers suggest that the customer could receive detailed metering data referred to as raw data and summary data. Summary data could include usage data across daily time periods, including a peak period, the customers usage or load profile over a specified period. COAG also suggested where a customer has an accumulation meter that it may be useful to have the distribution net system load profile (NSLP) for comparative purposes.

In Victoria, AMI meters have been rolled out to more than 95% of premises and there are less than 5% premises with accumulation or manually read meters. The majority of customers settled in Victoria will be on the basis of their interval meter data, there will be very few remaining customers settled using the net system load profile which will also include unmetered supply and inaccuracies associated with the loss factors used. As the number of accumulation metered customers diminishes in the NSLP, the consumption patterns for other unmetered supply may become more prominent making the comparison of a customer's accumulation meter consumption over a quarter and the daily/monthly NSLP more misleading. Any large business customers who have remained on an accumulation meter would also be included in the NSLP making the resulting profile less relevant for small residential consumers.

Interval data could be readily aggregated into time blocks to represent consumption across the day or month. However UE is conscious that retailers may represent peak energy periods differently in retail tariffs eg whether peak time blocks are applied on weekends or on public holidays etc. Any representation of usage into daily periods will need caveats about the applicability to the customer's current retail tariff.

The Consultation Paper poses an alternative where AEMO could extract electricity consumption data from MSATS and provide the summary data rather than retailers and DNSPs having to generate the

summary data. Retailers and DNSPs would then use this report to provide to its customers. This proposal appears to suggest that interval data would be extracted from retailer and DNSP systems whilst the summary data would be based on AEMO's data. UE consider it is preferable to obtain the data from one location to meet a customer's request. The retailer or DNSP are in a position to verify the customer and may be best placed to provide the detailed metering data and the summary data. Where the formation of the summary data is relatively standardised across customers, the costs of creating the summary data from the detailed data provided should be able to be kept to a minimum.

Specified time period

The rule change request does not propose a specific period of time in relation to which consumption data is provided, however the NERR does state that a small customer must receive the previous two years on request.

The NER and NERR need to be read together. On this basis the NER does not need to specify a time period. The amount of data provided should remain flexible in the NER to cater for the following situations:

- Where the data is readily available for a longer period eg 3 years via a portal customers should be able to receive data via this method;
- Customers should only receive data pertaining to their electricity consumption so may only be entitled to metering data from the time they moved in eg the last 6 months rather than the specified period;
- Customers may have changed meters from an accumulation meter to an interval meter and the interval data may be more valuable than providing a mixed data set to the customer;
- Similarly a change of meter configuration from 2 data streams to one or the establishment of a generation datastream may render earlier data less meaningful for the customer;
- The NER requires 13 months of online data and the remaining metering data may be archived. The NERR has the potential to extend this basic requirement to 2 years for small customers which is a large volume of interval data. The two years in the NERR is able to provide a historic limit and the retailer or DNSP could provide more history if /where it is readily available and requested by the customer.

UE suggest that the specified time period be part of the customer's request with the NERR acting as an upper time limit for small customers receiving the data once per year without any cost.

Manner of delivery

UE agree that the rule allow data to be provided via web portal, electronic and hard copy delivery.

Question 5 Time frame to respond to a request for electricity consumption data

- a. **Is 10 business days an appropriate time frame for market participants to respond to a request from their customers for their electricity consumption data?**

UE support 10 business days as a reasonable endeavours obligation. Where customers make requests via the UE EnergyEasy portal, data should be available promptly.

Where customer details need to be verified in a customer details transaction with retailers or requests are required via hard copy, the 10 business days is reasonable. However where the volume of requests is high or an agent requests data for 1000's of customers the 10 business days may be more difficult to achieve.

Question 6 Fees payable by a customer

- a. How often should customers be able to request their energy consumption information free of charge in the NERR?**
- b. Are there any other consumer protections we should take into account when assessing this aspect of the rule change request?**

The rule change proposes that electricity consumption data be provided free of charge not more than once over a billing period. However billing periods may vary from quarterly to monthly which means that some customers may be able to receive data more frequently than those on a quarterly billing cycle. Potential provision of data monthly or quarterly would be most efficiently provided by access to a self service portal as opposed to provision via manual processes such as hard copy or electronic copies (emailed datafiles).

There are a number of retailer and DNSP portals available for customers who are seeking access to their data on a regular basis for no charge. UE has a customer metering data portal available for customers with a smart meter, EnergyEasy. Customers are able to access their metering data on a regular basis free of charge. Customers may generate a hard copy of their metering data, create a file which may be emailed to their preferred energy service providers or downloaded and used in price comparator tools.

UE is not aware that the current obligations to provide data once in any 12 month period free of charge has proven to be problematic, particularly given the number of metering data portals available with frequent and free access. In order to encourage more efficient methods for data access via portals, UE suggest that the drafting remain that enables that a reasonable charge may result where information is requested more than once in any 12 month period. This allows a distributor to charge a reasonable fee where the requests are frequent and the customer requires hard copies or emailed files using a service desk support and also allows discretion for no fee to be charged to the most disadvantaged that need the extra assistance.

Customers still have the right to query their retailer bill or their network charges on a more frequent basis or as required.

Question 7 Time frame for making and revising the data provision guidelines

- a. When should the first data provision guidelines be published?**
- b. Should there be an obligation review these guidelines? If so, how often should such reviews take place?**

The timing to publish the first data provision guidelines should allow reasonable time for stakeholder input into the development and then rules consultation processes. UE consider that the first set of guidelines should be published around 6-12 months after the final rule determination and a further 6 months should be allowed for any changes to systems to cater for altered data standards and extension to all meter types. Where participants are able to update systems and processes in a faster timeframe, earlier implementation should be allowed.

This timeframe may also allow the arrangements in Victoria to be updated and aligned to national formats, if required, so that customers are able to continue using the price comparator tools using an updated national standard file format.

There is no need for review of the guidelines after a specified period. Any stakeholder is able to request an amendment to the guidelines at any time. The draft rule proposes that AEMO may amend the guideline after rules consultation processes have been undertaken. An amended guideline should allow participants sufficient time to update systems and processes.

Question 8 Request from large customers to provide electricity consumption data

- a. **Should proposed rule 56A of the NERR only apply to small customers or should it apply to all customers, which would include large customers?**

Large customers have a right to request data under the NER as it is currently drafted. The proposed rule change enables large customers or their representatives to request metering data from either their FRMP or DNSP. Large customers are generally account managed by retailers and it would be in the retailer's interests to provide large customers with metering data on request or provide access via portals where frequent access was desired. The protections in NERR 56A could be limited to small customers without a substantive impact on large customers.

Question 9 Access by authorised agents or service providers to their customers' electricity consumption information

- a. **What is the appropriate term to refer to these third parties (eg agents, authorised parties) in the NER?**
- b. **Beyond existing privacy laws, should the NER specify:**
- **the nature of consent a customer must give to authorise a person to access its data; and**
 - **any additional privacy obligations on authorised parties, retailers or DNSPs in relation to the disclosure of electricity consumption data?**

UE's view is that the term customer's authorised representative would be more appropriate. In providing access to a customer's representative, UE seeks evidence of the relationship from the customer authorising UE to provide the customer's data to that party. Customer consent is required for each data access request to the third party.

The Consultation Paper queries whether it is appropriate for the NER to address the nature of the authorisation or consent required to be given by the customer so that representatives or authorised parties can access their data. UE's view is that the existing privacy laws are adequate and no further rules are required. The retailer or DNSP is able to develop processes to manage the information requests from customer's authorised agents. In Victoria AMI Orders already require retailers or DNSPs to provide interval data to a customer or their representative.

Question 10 Informing customers about the uses of their electricity consumption data

- a. **Is there a significant risk or problem in the NEM that necessitates the publication of standard information on the websites of retailers and DNSPs about how electricity consumption data is used? What are the benefits associated with this proposal? Are there examples where a similar approach has been applied in other industries?**

- b. Is it appropriate for energy-specific regulations to be used to extend privacy law by requiring information about how electricity consumption data is used to be published on the websites of retailers and DNSPs?**
- c. Is there a significant risk or problem in the NEM that would require the creation of 'metering data common terminology guidelines' ? What are the benefits associated with this proposal? Are there examples where a similar approach has been applied in other industries?**
- d. Are there any other consumer protections we should also take into account?**

The Consultation Paper noted that the rule change proposal stated that there is legal ambiguity as to whether metering data falls under the definition of personal information which is protected under privacy legislation. UE concur with this view.

From a UE perspective, information on the handling of data is already covered in the UE Customer Charter and the UE Privacy Policy which is available on the UE website.

UE does not think there is a need for metering data common terminology guidelines. UE is not aware of any evidence that suggests the use of terminology is creating customer confusion.

UE offers the following drafting comments related to the SCER Rule Change Request, Oct 13.

Clause	Issue	Recommendation
NER 7.7 (a) (7)	The drafting relating to "information relating to the customers metering installation" is far broader than the current proposal for the FRMP, DNSP (or possibly MDP) to provide the processed metering data. There would also be benefit in simplifying the drafting	Amend 'information relating to that customer's metering installation' to 'information relating to that customers metering data'. Amend 'a customer, or an agent or service provider authorised to act on behalf of that customer' to 'a customer or the customer's authorised representative'.
NER 7.7 (a2)	The need to meet privacy legislation includes the reasonable verification that the requestee is in fact the account holder or customer and entitled to the data. .	Suggest the drafting refer to verification of the customer and also authorisation from the customer of the representative arrangement. The drafting should include that both of these conditions are satisfied, to the DNSP or FRMP, and the data need not be provided until this verification is satisfactory
NER 7.16	As noted in our response to Q3 above the provision of data would be best described as the metering data. The validated metering data provided by the MDP is what is used for network and retail billing. Settlement ready data is data extracted from the AEMO metering	Suggest the procedures be limited to the provision of metering data where the obligation to provide the data is being placed on the DNSP.

Clause	Issue	Recommendation
	database for settlement of the wholesale market.	
NER 7.16 (c) (1) (i)	The use of the term raw data format could be interpreted to be raw data from the meter which may not yet have a metering constant applied or be validated. The term detailed data format may be a more intuitive term for the validated half hourly interval data or the accumulation meter readings and dates.	
NER 7.16 (c) (3)	Refer to response to Q4. UE suggest that the drafting be more flexible, this may allow that the NSLP is not provided in Victoria if the general view is that it would be misleading for customers.	UE suggest that the drafting be amended so that the NSLP is optional rather than a minimum requirement.
NER 7.16 (c) (4)	Query why the form of data provision must have regard to the AEMO meter data file format. This also appears to conflict with sub clause (5) and (7).	Suggest delete.
NER 7.16 (c) (5)	It is unclear why this is needed and this may require complex file formats and data delivery for different customers types and sizes which will add to costs.	Suggest delete.
NER 7.16 (c) (6)	Amend reference to 7.7 (a) (7)	
NER 7.16 (f)	Suggest delete, refer to response to Q 7.	Suggest delete.
NER 7.16 (g)	All registered participants must comply with the data provision procedures.... This is fairly broad and would include all registered categories of retailers, generators etc.	Suggest drafting be reviewed with a view to narrowing the categories of registered participants to align with data provision under NER 7.7.
NER 7.16 (h)	Suggest delete, refer to response to Q 7.	Suggest delete.
NERR 86 (1)	As drafted this enables unlimited and frequent requests without any charge	
NERR 86	The NERR Rule 28 obliges a retailer to provide a customer with access to up to 2 years historical data on request and without charge. The rule also allows the retailer to charge for provision of data prior to the 2	Suggest the drafting of NERR 86 revert to the current NERR drafting that allows a reasonable charge where consumption data is requested more than once in any 12 month period. This allows the

Clause	Issue	Recommendation
	<p>years or where the request is made more than once in any 12 month period.</p> <p>The proposed drafting of 56A and 86 (1) and (4) appear to contradict the current arrangements.</p> <p>UE suggest that the drafting remain that a request for information more than once in any 12 months may be provided subject to a reasonable charge.</p> <p>UE is providing metering data via on line portals free of charge and encourages the use of these tools by the verified customer.</p> <p>UE is concerned that the proposed drafting may serve to encourage more frequent manual process and access to metering data which will serve to increase costs to all consumers. Using terms like billing period in 84 (4) is unhelpful, whose billing period – distributor to retailer or retailer to customer? Distributors are not in a position to know the billing period of a particular customer for this approach to be workable.</p>	<p>flexibility of hard copy or manual processes to incur a charge and encourages the use of on line channels. The current drafting of NERR 86 is also consistent with the current arrangements in Victoria relating to interval data provision for small customers and charging.</p>