



25 September 2014

Australian Energy Market Commission
PO Box A2449
Sydney South NSW 1235

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**NATIONAL ELECTRICITY AMENDMENT (CUSTOMER ACCESS TO INFORMATION
ABOUT THEIR ENERGY CONSUMPTION) RULE 2014 – DRAFT RULE
DETERMINATION**

Alinta Energy Retail Sales Pty Ltd (**Alinta Energy**) welcomes the opportunity to comment on the *National Electricity Amendment (Customer access to information about their energy consumption) Rule 2014* Draft Rule Determination (**Draft Rule Determination**). The Draft Rule Determination amends both the National Electricity Law and the National Energy Retail Law to provide consumers improved access to their consumption data. Alinta Energy supports the objective of the Draft Rule Determination.

Alinta Energy is both a generator and retailer of electricity and gas in Western Australia and the National Energy Market (**NEM**). It has over 2500MW of generation facilities and in excess of 750,000 retail customers, including around 150,000 customers in Victoria and South Australia.

The Draft Rule Determination permits customers and their authorised representatives to request from their electricity retailer (**Retailer**) or Distribution Network Service Provider (**DNSP**) to provide metering data in accordance with data provision procedures to be developed by the Australian Energy Market Operator (**AEMO**). Additionally the Draft Rule Determination proposes increasing the frequency that consumers can, free of charge request their relevant electricity data. Alinta Energy's comments on the Draft Rule Determination are provided below.

Frequency of requests

Where technology supports the provision of the information in a cost efficient manner Alinta Energy supports the potential increase in the frequency of providing data. However where technology does not support the efficient provision of customer data, such as where an accumulation meter or an interval meter without the communication technology enabled exists, Alinta Energy views the increase in the frequency as inappropriate, as cost efficiencies would be absent.

Associating the provision of energy consumption data with a customer's billing period is problematic, as product offerings have different billing periods, potentially ranging from one to three months. Placing obligations on participants to provide data aligning to the frequency of customer billing periods would add further complexity and administrative costs whilst making it unclear as to the rights of particular classes of consumers seeking access to their electricity consumption data and the obligation on participants to provide such data.

To ensure equal access for all small customers Alinta Energy would support increasing the frequency of requests without cost from once every twelve months to twice annually.

Data provision procedures

Alinta Energy notes that the AEMC has expressed the view that the minimum requirements for the provision of data to consumers are more appropriately located in data provision procedures to be developed by AEMO. Alinta Energy agrees with this view, however is concerned that the proscribed contents of the data provision procedures included in the Draft Rule Determination (and in some cases that manner of provision) are too prescriptive. As the National Electricity Rules are quiet rigid and onerous to amend, the requirements proposed in the Draft Rule Determination could hamper the evolution of the data provision procedures.¹ The ability to adapt the data provision procedures to address emerging technologies and functionality of systems is paramount to ensuring the ongoing efficiencies. Alinta Energy looks forward to participating in the development of the data provision procedures.

Customer authorised representatives

As stated in Alinta Energy's response to the Consultation Paper, Alinta Energy believes that electricity consumption data should be provided to consumers directly and not via agents. This removes consideration of consent requirements for a "customer authorised person" noting that they may not necessarily be covered by the *Privacy Act 1998* (Cth) or the Australian Privacy Principles (applicable privacy legislation). An entity subject to the applicable privacy legislation provides the appropriate level of protection of consumers' personal information and ensuring there is transparency and consumer awareness and understanding of the data being used by any third party. By permitting customer authorised persons, who may be exempt from the applicable privacy legislation and are not regulated or held to the same standards as other market participants, to request data on "behalf of customers" may compromise the integrity of the market through misuse of the information.

Requested data availability

As DNSPs are the constant point of data capture for a particular NMI, it is Alinta Energy's view that where a retailer only has partial data Retailers should be permitted to direct the

¹ Specifically, the amendment to the National Electricity Rules, new rule 7.16(d)(1) and (2).



consumer to contact the DNSP in relation to their request. This would increase accuracy, efficiency and timeliness of the provision of the requested information.

Timeframes for implementation

As amendments are required to the model terms and conditions for both standard retail contracts and deemed standard connection contracts, Alinta Energy recommends a 6 month transitional implementation period to allow retailers and DNSPs to incorporate any other required amendments to their contracts and collateral. Following the finalisation and publication of the data provision procedures Alinta Energy recommends that the timeframe for commencement should be a minimum of 6 months, rather than 3 months as proposed in the Draft Rule Determination. The data provision procedures are likely to require significant IT system changes and testing for retailers and DNSPs to ensure they meet any format and content requirements.

Should you have any questions or wish to discuss our submission further, please contact Lauren Zambotti on (02) 9372 2667 or via email: lauren.zambotti@alintaenergy.com.au.

Yours sincerely

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