

22 March 2019

Rod Sims  
Chairman  
Australian Competition and Consumer Commission  
Consultation Hub

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Dear Mr Sims,

**Consultation paper: CDR data access model**

AusNet Services appreciates the opportunity to respond to the ACCC's consultation paper on proposed models for providing customers with their data right in energy. We have seven years of experience in operating portals that provide customers with their interval data.

The consultation paper seeks stakeholder views on the best model for consumers to enable *accredited data recipients* to obtain energy data from *data holders*. Under legislation proposed the ACCC has a role in determining the rules governing the Consumer Data Right (CDR) in energy.

AusNet Services supports, in principle, the establishment of efficient and robust rules for exchanging data that allow customers to benefit from customer services in energy facilitated by fast access to relevant data. It is important that in establishing these CDR rules the privacy rights of customers are protected, especially for customers with particularly sensitive needs. In our experience in operating meter data portals, we have refused to provide interval metering data on the basis of determining the applicant was a land lord (not residing at the property) or an ex-partner of an occupant.

The three models for data access proposed, with the establishment of appropriate consent models similar to the arrangements proposed for banking, all appear to adequately protect customer privacy rights. However, the need for the customer to authorise the request for data, and the need to extensively match the data between the authorisation request with information held by the customer's retailer, make the three proposed models unsuitable for customers seeking a price comparison or pre-sales assessment for solar/battery/demand management products. Our detailed response to selected questions from the consultation paper outlines these issues in more detail.

We believe there is possibly a better way to provide the data that customers need to access new energy services. It would involve the provision of a lower risk data set, subject to lesser privacy concerns, which still enables most common use cases to occur. The lower risk data set could consist of average, whole-month interval data profiles for weekdays, weekends and include peak demand information (applicable to the network area) over each calendar month. It would enable price comparisons services and installers to better understand the optimal system size and battery capacity. This data set would not reveal the occupants' usage on particular days and hence their daily activities.

With this lower risk data set, we consider the application of *accredited data recipients* to an audit based compliance regime would be substantially satisfied by auditing *accredited data recipients* and by taking a risk based approach to privacy. To prevent this lower risk private data from being used for direct marketing and other restricted uses.

An AEMO centric data access model would be most efficient model for all *data holders* and *accredited data recipients*, because the monthly average interval data set could be produced only once and in a consistent manner across all companies. AEMO is also best placed to manage audits of *accredited data recipients* on behalf of all *data holders*.

Where customers wish to provide their *accredited data recipients* with a higher level of authorisation to their “up to the 5-minute” metering data, we suggest that it could be provided by either proposed models 2 or 3 with the customer’s verified authorisation. The choice between models 2 or 3 for this richer and more up-to-date dataset should be determined based on which of the proposed models best meets the security and privacy criteria.

Our below attachment addresses answers to questions in the consultation paper.

If you have any queries about any of the positions outlined in this submission, please do not hesitate to contact Justin Betlehem on 03 9695 6288.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Hannan', with a long horizontal stroke extending to the right.

Greg Hannan  
**Manager Economic Regulation**

# Consumer Data Right in energy

Supporting material in response to the  
consultation paper

## 1 Responses to selected questions

AusNet Services positions with respect to the CDR in energy are given in the answers below:

### Question 1

Are there any other assessment criteria or relevant consideration with the ACCC should use to determine a preferred model for consumers to access their energy data under the CDR?

### Response to question 1

a) AusNet Services supports the ACCC's identified assessment criteria as relevant considerations in making CDR rules. Furthermore, we consider greater weight should be afforded to the criteria of reliability, security and privacy because of the potential for energy data to identify customers' daily energy usage and hence their daily activities. Some customers would be very concerned by the prospect of unauthorised people knowing how electricity they are using at any 5-minute interval.

### Question 2:

Having regard to the assessment criteria, what are the advantages and disadvantages of each of the models?

### Response to question 2

Model 1 has the potential to provide the lowest cost, fastest and most efficient solution for the CDR in energy, however it would rely on all retailers providing AEMO with their commercially sensitive and private customer information that AEMO would need to authorise requests for data access. As a distribution network service provider (DNSP), we have experienced some difficulties in receiving email addresses and mobile phone numbers from retailers. Therefore, we would expect that AEMO would have even greater challenges in obtaining a more extensive set of commercially sensitive and private customer information. On this basis, we consider it is not viable.

Similarly, in the Models 2 and 3 *data holders* also need overcome the challenge of authorising customer requests for information. The dataset of customer information that is needed to verify such data requests comes from retailers in establishing electricity billing arrangements. Today, retailers and DNSPs have established some arrangements to provide this data to customers' authorised agents and overcome this challenge as best as possible. However, there will be significant costs modifying current data access arrangement for data holders to comply with the CDR in energy rules whether model 2 or 3 is chosen.

It is for this reason we propose the provision of a lower risk data set, subject to lesser privacy concerns, that still enables the provision of fast price comparisons and installers to better understand the optimal system size and battery capacity. The lower risk data set could consist of average, whole-month interval data profiles for weekdays, weekends and include peak demand information (applicable to the network area) over each calendar month. This data set would not reveal the occupants' usage on particular days and hence their daily activities, nor would it show their "up to the 5-minute" current activities, being averaged over each calendar month.

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**Submission to the ACCC on Customer Data Right in energy consultation paper**

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With this lower risk data set, we consider the application of *accredited data recipients* to an audit based compliance regime would be substantially satisfied by auditing *accredited data recipients* and by taking a risk based approach to privacy. To prevent this lower risk private data from being used for direct marketing and other restricted uses.

An AEMO centric data access model would be most efficient model for all *data holders* and *accredited data recipients*, because the monthly average interval data set could be produced only once and in a consistent manner across all companies. Privacy requirements could be substantially satisfied by auditing *accredited data recipients* of the low risk data set by taking a risk based approach to privacy. AEMO is also best placed to manage these audits of *accredited data recipients* on behalf of all data holders.

Where customers wish to provide their *accredited data recipients* with a higher level of authorisation to their “up to the 5-minute” metering data, we suggest that it could be provided by either models 2 or 3 with the customer’s verified authorisation. The choice between models 2 or 3 for this richer and more up to date dataset should be determined based on which of the proposed models best to meets the security and privacy criteria.

**Question 3:**

What are the likely implementation/compliance costs for market participants (including accredited data recipients) under each of the models, including costs associated with IT system changes or data storage?

**Response to question 3**

Without detailed CDR in energy draft rules, system requirements and procedure requirements it is not possible to determine the likely implementation/compliance cost market participants. We have invested significantly in our IT systems and any change to these systems can be costly.

However, if the CDR rules incorporated our suggested approach for the provision of a low risk data set by AEMO we (and other data holders) may not need to make any changes to IT systems.

**Question 6:**

What are the cost differences to participants of providing data once a day (to an AEMO repository) or on demand?

**Response to question 4**

We consider there is no cost difference to registered participants. Metering data providers already send to AEMO and other registered participant relevant metering data once a day. Registered participants already have established B2B Processes and systems to provide energy data on demand.