



28 March 2019

Ms Sarah Court  
Commissioner  
Australian Competition & Consumer Commission  
Level 17  
2 Lonsdale Street  
MELBOURNE VIC 3000

Dear Ms Court

### **Consumer Data Right in Energy**

The Information Exchange Committee (IEC) welcomes the opportunity to provide input into the ACCC's Consultation Paper on the data access model for the implementation of the Consumer Data Right (CDR) in energy.

The IEC is a committee established under the National Electricity Rules (NER) and is made up of elected (and some appointed) members representing distribution, retail, metering, third party, consumer sector representatives<sup>1</sup>. The IEC is responsible for developing, consulting, and making recommendations on changes to the electricity retail market B2B Procedures. The B2B transactions specified in the B2B procedures are facilitated by the e-hub provided and supported by AEMO.

The B2B structures and processes are a key framework that enables the industry to facilitate the exchange of information, in a cost-effective way, to deliver consumer energy services. This includes supporting the exchange of customer information, life-support arrangements, metering installation processes and data exchange, and energisation and de-energisation of consumer premises. It enables all relevant parties involved in the provision of consumer services to come to the one communication platform to undertake its activities with other parties in the market including AEMO.

The IEC is also very conscious that the industry, through the implementation of the Power of Choice reforms which went live on 1 December 2017, implemented a range of significant enhancements which expanded the B2B framework and AEMO the e-hub. The framework was expanded to facilitate different types of services that will be available through advanced meters and the wider range of participants that may wish to communicate with each other regarding these services. The implementation of these significant reforms followed the Australian Energy Market Commission's review and rule changes around the introduction of a Shared Market Protocol (SMP). After considering a range of options including point to point

---

<sup>1</sup> Refer to rule 7.17.6 of the National Electricity Rules and the IEC election procedures which can be found on the AEMO website at: <https://www.aemo.com.au/Stakeholder-Consultation/Industry-forums-and-working-groups/Retail-meetings/Information-Exchange-Committee>

communication, the AEMC recommended the SMP approach and uplifting existing B2B processes to support standard and enhanced services to promote competition, reduce duplication, and reduce barriers to new energy service companies.

Within this context, the B2B framework and supporting e-hub was designed in a way to facilitate a market place for the provision of these services and the ability to add additional services. The IEC would encourage the ACCC to leverage these investments in considering the third-party access model for CDR in energy.

The IEC considers that the model termed the “gateway” model best leverages existing investments and structures and best meets the objectives of CDR. Further, the gateway model is also flexible to the changing landscape and would more easily be able to facilitate the addition of data, data holders, and data receivers over time at least cost. The IEC notes that further work is required on designing an appropriate consent, authorisation and authentication framework that best enable the model to meet the objectives of CDR. The industry looks forward to working with the ACCC on developing the rules that govern these arrangements.

As noted above, the gateway model best enables parties to come to the one place to undertake its engagement with other parties to meet its requirements under energy rules and meet its requirements under the CDR. The economy-wide model would require industry to duplicate existing processes, and thus add unnecessary costs. This is because parties would still need to meet their energy rule requirements via B2B processes and the e-hub and then duplicate these communication methods to meet their requirements under CDR.

The IEC notes that applying CDR across sectors, as per section 56BA(2), doesn't entail that the approach to the implementation of CDR needs to be identical for each individual industry. Taking into account the circumstances for each sector under consideration is important. In the energy sector, this entails the consideration of existing data transfer processes and standards, technology already in place and the roles played by existing actors. Doing this enables the industry to deliver the objectives of CDR at least cost.

The industry would welcome the opportunity to work with the ACCC and Data61 to develop and implement that CDR in energy.

Should you wish to discuss any matters relating to this letter, please feel free to contact me at [john.pittard@bigpond.com](mailto:john.pittard@bigpond.com).

Yours sincerely

A handwritten signature in blue ink, appearing to be 'John Pittard', with a stylized flourish at the end.

John Pittard  
**Chair**  
**Information Exchange Committee**