**Submission Form**

**The Ministry of Business, Innovation and Employment invites feedback on its Discussion Paper *‘Exploring a consumer data right for the electricity sector’***

**We welcome your feedback**

This is the Submission Form for responding to the Discussion Paper released by the Energy Use team at Ministry of Business, Innovation and Employment (MBIE) ‘[Exploring a consumer data right for the electricity sector’](https://www.mbie.govt.nz/have-your-say/exploring-a-consumer-data-right-for-the-electricity-sector). The Ministry of Business, Innovation and Employment welcomes your comments by **5pm on Thursday 10 October 2024.**

Please make your submission as follows:

1. Please see the full Discussion Paper to help you have your say. There is also a summary version.
[Exploring a consumer data right for the electricity sector – relevant documents](https://www.mbie.govt.nz/have-your-say/exploring-a-consumer-data-right-for-the-electricity-sector#relevant-documents)
2. Please read the privacy statement and fill out your details under the ‘Submission information’ section below.
3. Please fill out your responses to the questions in the tables provided below. Your submission may respond to any or all of the questions. Questions which we require you to answer are indicated with an asterisk (\*). Where possible, please include evidence to support your views, for example references to independent research, facts and figures, or relevant examples. If you would like to make other comments not covered by the questions, please provide these in the ‘General Comments’ section at the end of the form below.
4. If your submission contains any confidential information, please:
5. State this in the cover page and/or in the e-mail accompanying your submission.
6. Indicate this on the front of your submission (e.g., the first page header may state “In Confidence”).
7. Clearly mark all confidential information within the text of your submission.
8. Set out clearly which parts you consider should be withheld and the grounds under the Official Information Act 1982 (OIA) that you believe apply.
9. Provide an alternative version of your submission with confidential information removed, in both Word and as a PDF, suitable for publication by MBIE.
10. Before sending your submission please delete this first page of instructions.
11. Submit your submission by:
12. Emailing this form as both a Microsoft Word and PDF document to the Energy Use team at energyuse@mbie.govt.nz with “Electricity CDR submission” in the subject line; or
13. Posting your submission to:

Energy Use Policy team

Ministry of Business, Innovation and Employment

15 Stout Street

PO Box 1473

Wellington 6140

Please direct any questions that you have in relation to the submissions process to energyuse@mbie.govt.nz with “Electricity CDR question” in the subject line.

**Release of Information**

Please note that submissions are subject to the OIA and the Privacy Act 2020. In line with this, MBIE intends to upload copies of submissions received to MBIE’s website at www.mbie.govt.nz. MBIE will consider you to have consented to uploading by making a submission unless you clearly specify otherwise in your submission. MBIE will take your views into account when responding to requests under the OIA and publishing submissions. Any decision to withhold information requested under the OIA can be reviewed by the Ombudsman.

**Privacy statement**

The information provided in submissions will be used to inform Government policy development processes and will inform advice to Ministers. Your submission will also become official information, which means it may be requested under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available upon request unless there are sufficient grounds for withholding it.

**Use and release of information**

To support transparency in our decision-making, MBIE proactively releases a wide range of information. MBIE will upload copies of all submissions to its website at [www.mbie.govt.nz](http://www.mbie.govt.nz). Your name, and/or that of your organisation, will be published with your submission on the MBIE website unless you clearly specify you would like your submission to be published anonymously. Please tick the box provided if you would like your submission to be published anonymously i.e., without your name attached to it.

If you consider that we should not publish any part of your submission, please indicate which part should not be published, explain why you consider we should not publish that part, and provide a version of your submission that we can publish (if we agree not to publish your full submission). If you indicate that part of your submission should not be published, we will discuss with you before deciding whether to not publish that part of your submission.

We encourage you not to provide personally identifiable or sensitive information about yourself or others except if you feel it is required for the purposes of this consultation.

**Personal information**

All information you provide will be visible to the MBIE officials who are analysing the submissions and/or working on related policy matters, in line with the Privacy Act 2020. The Privacy Act 2020 includes principles that guide how personal information can be collected, used, stored and disclosed by agencies in New Zealand. Please refrain from including personal information about other people in your submission.

**Contacting you about your submission**

MBIE officials may use the information you provide to contact you regarding your submission. By making a submission, MBIE will consider you to have consented to being contacted, unless you clearly specify otherwise in your submission.

**Viewing or correcting your information**

We may share this information with other government agencies, in line with the Privacy Act 2020 or as otherwise required or permitted by law. This information will be securely held by MBIE. Generally, MBIE keeps public submission information for ten years. After that, it will be destroyed in line with MBIE’s records retention and disposal policy. You have the right to ask for a copy of any personal information you provided in this submission, and to ask for it to be corrected if you think it is wrong. If you’d like to ask for a copy of your information, or to have it corrected, please contact MBIE by emailing energyuse@mbie.govt.nz.

**Submission information**

*(Please note we require responses to all questions marked with an \*)*

**Release of information**

Please let us know if you would like any part of your submission to be kept confidential.

[ ]  I would like my submission (or identified parts of my submission) to be kept confidential, and **have stated below** my reasons and grounds under the Official Information Act that I believe apply, for consideration by MBIE.

I would like my submission (or identified parts of my submission) to be kept confidential because [Insert text]

[To check the boxes above: Double click on box, then select ‘checked’]

|  |
| --- |
| Personal details and privacy |
|  | I have read and understand the Privacy Statement above. Please tick Yes if you wish to continue\*[To check the boxes below Double click on box, then select ‘checked’] |
|  | [ ]  Yes [ ]  No |
|  | What is your name? \* |
|  |  |
|  | Do you consent to your name being published with your submission?\* |
|  | [ ]  Yes[ ]  No |
|  | What is your email address? Please not this will not be published with your submission.\* |
|  |  |
|  | What is your contact number? Please note this will not be published with your submission.\* |
|  |  |
|  | Are you submitting as an individual or on behalf of an organisation? \* |
|  | [ ]  Individual (skip to 8)[ ]  Organisation  |
|  | If on behalf of an organisation, we require confirmation you are authorised to make a submission on behalf of this organisation. |
|  | [ ]  Yes, I am authorised to make a submission on behalf of my organisation  |
|  | If you are submitting on behalf of an organisation, what is your organisation’s name? Please note this will be published with your submission. |
|  |  |
|  | If you are submitting on behalf of an organisation, which of these best describes your organisation? Please tick one. |
|  | [ ]  Energy retailer[ ]  Energy distributor[ ]  Energy generator[ ]  Metering services organisation[ ]  Provider of energy services[ ]  Energy regulator[ ]  Consumer organisation[ ]  Registered charity [ ]  Non-governmental organisation [ ]  Local government [ ]  Central government [ ]  Iwi, hapū or Māori organisation[ ]  Academic/Research[ ]  Other. Please describe: |

# Responses to questions

*The Energy Use Policy team welcomes your feedback on as many sections as you wish to respond to; please note you do not need to answer every question.*

|  |
| --- |
| Status quo and problem definition  |
|  | What are your experiences of accessing consumer and product data for electricity under the status quo? |
|  |   |
|  | Do you agree with our summation of the status quo and problem definition? Is anything missing or incorrect in your view? And please provide any evidence you may have to support your views.  |
|  |  |
|  | Do you think that regulatory options are necessary to unlock better access to customer and product data?  |
|  |  |
|  | What do you consider to be the likely outcomes for access to customer and product data in the absence of a CDR for electricity?  |
|  |  |
| **What a consumer data right for electricity could look like** |
|  | Who else may be impacted by a designation of the electricity sector? Should particular groups or classes of entities be explicitly included or excluded from a potential designation? |
|  |  |
|  | What customer data do you think is the most important? And what else (now or in the future) would be important? And why? What are the benefits from consumers having ready access to this data? |
|  |  |
|  | If access to customer data is designated for all consumers (residential, small business, large business and large consumers) what are the potential benefits, risks or costs associated with each type of customer? And why? |
|  |  |
|  | What product data do you think is the most important? And what else (now or in the future) could be important? And why? What are the benefits from this data? |
|  |  |
|  | Are there any other issues with product data we should be aware of? And why? Please provide examples. |
|  |  |
|  | What factors should be considered when identifying who the best data holder is under a potential CDR regime? And how might contracting agreements affect the application of a CDR in regard to data holders? (e.g., contracts between metering equipment providers and retailers to share data).  |
|  |  |
|  | Do you agree with our initial framework for how to identify/designate data holders? Why or why not? |
|  |  |
|  | What actions could be designated for electricity under a CDR? And why? What are the potential benefits from these? Please provide examples.  |
|  |  |
| **Potential benefits and risks** |
|  | What are your thoughts on the potential impacts of a designation on the interests of consumers? Are there any specific benefits that are likely to be enabled with designation? What is the likely scale of the benefits, and over what timeframe would they occur? |
|  |  |
|  | Do you have any comments on the specific interests of different types of consumers, such as, residential, business, industrial, rural, Māori, or other groups of consumers? |
|  |  |
|  | What are your views on the nature and scale of costs/benefits? Who would these costs/benefits apply to and when? |
|  |  |
|  | Would you be able to quantify potential additional costs to your organisation associated with designation under the Bill? |
|  |  |
|  | Do you have any comments on the benefits and risks to security, privacy, confidentiality, or other sensitivity or customer data and product data?  |
|  |  |
|  | Are there any risks from the designation to intellectual property rights in relation to customer data or product data? |
|  |  |
| **Other aspects of a potential designation** |
|  | What do you consider to be important if designing an accreditation regime for the sector? |
|  |  |
|  | What are your views on fees for requests for customer electricity data under the Bill? If fees are charged, what limits or restrictions should be placed on fees? Do you have any comments on the costs and benefits of the various options?  |
|  |  |
|  | Are there any particular considerations for electricity that should be taken into account for a consumer consenting process? |
|  |  |
|  | Do you think that standards should be led by industry, by government or co-led? What is the role of industry in developing standards? And why? |
|  |  |
|  | How do you believe a CDR and the Code could/could not work together? |
|  |  |
| **General Comments:** |
|  |

**Thank you**

We appreciate you sharing your thoughts with us. Please find all instructions for how to return this form to us on the first page.