

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	
1.	<p>What are your experiences of accessing consumer and product data for electricity under the status quo?</p>
2.	<p>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.</p>
3.	<p>Do you think that regulatory options are necessary to unlock better access to customer and product data?</p> <p>Yes. As a community-owned lines company, Northpower supports innovations and improvements that benefit our customers. We support consumer choice, innovation, competition, and the opportunity for new entrants to break into the electricity retail market. We support the development of a Consumer Data Right, named data holders, and designated customer data and product data, where this contributes to the benefits above. Such regulatory changes should not create unintended consequences which impede existing data access rights for distributors, e.g. customer and consumption data, or access to other data needed to manage our network for the benefit of consumers, e.g. power quality data.</p>
4.	<p>What do you consider to be the likely outcomes for access to customer and product data in the absence of a CDR for electricity?</p>
What a consumer data right for electricity could look like	
5.	<p>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?</p>

	Electricity distributors do not operate in a competitive marketplace. There is no consumer choice in the selection of electricity distributor. Innovation and improvements in the distribution sector are not driven by a market mechanism. We invite MBIE to consider the role of distributors in relation to consumer choice and the possibility of excluding distributor-specific data and actions from designation under the CDR.
6.	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?
7.	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?
8.	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?
	We support the discussion paper's definition of product data: "plans, tariff or other related services electricity retailers offer". We agree with restricting product data to data about services available from retailers.
9.	Are there any other issues with product data we should be aware of? And why? Please provide examples.
10.	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).
	Customer data and consumption data is shared with distributors, by retailers and metering providers. Distributors are not the owners of the data, are not the closest to its source, and do not have contractual relationships with consumers, who are the subjects of the data. Distributors should not be designated as data holders for these data sets.
11.	Do you agree with our initial framework for how to identify/designate data holders? Why or why not?

	The discussion paper defines Data Holders as “individuals or companies who hold designated electricity data”. This definition is broad enough to include individuals or companies with whom data is shared. Northpower would welcome a clarification around Data Holders or the framework for identifying data holders. The original holder of data, or parties close to the source of data, should be preferred as Data Holder, rather than those with whom they share data.
12.	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	
13.	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?
14.	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?
15.	What are your views on the nature and scale of costs/benefits? Who would these costs/benefits apply to and when?
16.	Would you be able to quantify potential additional costs to your organisation associated with designation under the Bill?
17.	Do you have any comments on the benefits and risks to security, privacy, confidentiality, or other sensitivity or customer data and product data?

18.	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	
19.	What do you consider to be important if designing an accreditation regime for the sector?
20.	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?
21.	Are there any particular considerations for electricity that should be taken into account for a consumer consenting process?
	<p>Under the Default Distributor Agreement which is prescribed by regulation (the Electricity Industry Participation Code (Code)) and subject already to conditions under the Code and existing privacy laws, retailers share consumption data with distributors, so distributors can calculate charges payable by the retailer. We seek to ensure new regulations do not conflict with exiting data rights.</p> <p>Customer data and consumption data may become designated data under the CDR. Designated data sets come with rules for data access. Specific data actions can be defined, and new processes created to accredit data requestors and gain consent from customers. Data sets can become regulated data services, as defined in the Customer and Product Data Bill. It is important to distributors that none of the new regulations affect existing access rights. This includes access rights under the Code, and also access rights via commercial contracts, e.g. for power quality data.</p> <p>We note that these continued access rights conflict with the stated CDR benefit that, “consumers might have greater control over their electricity data, including who it is shared with and for what purpose”. Existing, unconditional data access is essential for distribution businesses, for example access to customer and consumption data under the Code. Giving consumers control over the sharing of this data will be unworkable for distributors.</p>

22.	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?
23.	<p>How do you believe a CDR and the Code could/could not work together?</p> <p>We seek assurance that distributors' existing data rights under the Code are not affected by the CDR. This includes existing rights to customer data, which the trader must supply to the distributor for any network management related purpose. The Code also includes distributor rights to consumption data, which traders must provide for permitted purposes of developing distribution prices, and network planning and management.</p> <p>See answer to Q21.</p>
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.