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Tēnā koutou

SUBMISSION ON EXPLORING A CONSUMER DATA RIGHT FOR THE ELECTRICITY SECTOR CONSULTATION PAPER

Unison Networks Limited (**Unison**) is an electricity distribution business operating in Hawke's Bay, Taupō and Rotorua. Centralines Limited (**Centralines**) is a distributor operating in Central Hawke's Bay.

Unison and Centralines welcome this consultation and strongly support any changes to legislation that will improve consumer data rights and access to electricity information.

Unison and Centralines have faced challenges under the current system, particularly in accessing consumption data and other smart meter data needed for network planning and pricing. The existing terms of access under the Data Template in the Default Distributor Agreement (part of the Electricity Industry Participation Code 2010) heavily favour electricity retailers, often making it difficult for distributors to obtain data on reasonable terms.

Some electricity traders who agree to provide data require distributors to obtain it through third-party providers, leading to additional service fees and agreements. These barriers are especially problematic given that each installation control point (ICP) is tied to a single Meter Equipment Provider (MEP), creating a monopoly on data access for distributors.

The most valuable data for consumers, such as consumption, export, and characteristics of Distributed Energy Resources (DER) and Customer Energy Resources (CER), is held by MEPs. However, under the current market structure, MEPs hold significant power over data access and pricing, making it difficult for distributors to negotiate fair terms. Although consumers already pay for this data through their metering charges as part of their retail electricity bill, distributors are still required to pay additional fees, which may ultimately be passed on to consumers.

Supporting this is a report by Are Ake, which identified that the cost of accessing smart data outweighs the benefits in a ratio of nearly two to one in technology pilots relying on consumer data access.

Implementing a Consumer Data Right (CDR) would allow consumers greater control and access to their data, including information on consumption, export, and DER/CER characteristics. This would empower consumers to make informed choices about energy and service providers, optimise their energy use, and contribute to system-wide efficiency. In turn, this supports more efficient investments in the electricity system, aligned with the recommendations in the Boston Consulting Group's report, *The Future is Electric*.

The current situation, where access to consumption and smart meter data is limited and costly for distributors, is not in the best interest of consumers. It prioritises the commercial interests of retailers, leading to inefficiencies and unnecessary costs that are ultimately passed on to consumers. Changes to regulation and the implementation of a Consumer Data Right (CDR) will empower consumers with greater control over their energy data, reduce barriers to efficient energy use, and help optimise the electricity system. This will lead to better investment decisions, improved service offerings, and reductions in energy hardship across the board.

Ngā mihi



Tomas Kocar
Principal Regulatory Advisor

Responses to questions

Status quo and problem definition	
1.	<p>What are your experiences of accessing consumer and product data for electricity under the status quo?</p> <p>We have been unable to access consumption data and other data from smart meters on consistent or reasonable terms and pricing for the purpose of network planning and pricing development.</p> <p>Terms for data access under the Data Template of the Default Distributor Agreement (Part 12A of the Electricity Industry Participation Code 2010) prioritise the commercial concerns of electricity retailers above reasonable access and use by Distributors and enabling benefits for consumers.</p> <p>Some traders who have agreed to provide data under the Data Template require distributors to access this from third parties that hold the data on behalf of the trader and who require distributors to enter into separate agreements that include service fees. These agreements and fees are not consistent with the terms of the data template and as there is no alternative data provider for a given ICP where the trader and Meter Data Service Provider (Usually the Meter Equipment Provider) are unique to the ICP.</p> <p>Ara Ake points out these consumer data access challenges in their latest report on EDB Challenge and points to customers needing to pay twice for data, as they have already paid for metering and smart meter data collection as part of their retail electricity bill.</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> <p>Yes, we agree.</p>
3.	<p>Do you think that regulatory options are necessary to unlock better access to customer and product data?</p> <p>Yes, this is supported by our experience in not being able to negotiate data access on reasonable terms as outlined in our response to Question 1.</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> <p>No change to the current unsatisfactory situation.</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>
6.	<p>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?</p> <p>Consumption data from smart meters including import and export Other smart meter data The type, capacity and characteristics of Distributed Energy Resources and Customer Energy Resources.</p>

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?
	Ara Ake report from pilots run by 7 EDBS identified following key value streams from customer data access: OPEX reductions, enhanced customer safety, increased engineering efficiency, the development of better present-day and future consumer consumption patterns, prioritisation and deferral of capital expenditure, as well as faster detection, management and resolution of customer complaints. These benefits will affect all types of customers.
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?
	Retail price plans Distributor price plans Energy export price plans Flexibility product/service specifications and price plans
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).
	The Electricity Market Structure covered by the Electricity Industry Participation Code 2010 (The Code) establishes a defacto monopoly data service provider (usually the MEP) for data at each installation control point (ICP) where a consumer is supplied. This means that data must be acquired from the relevant MEP, given the structural market power the MEP is endowed with under The Code, there is a significant impediment to achieving reasonable commercial terms, costs and outcomes for data access. For example consumption data from smart meters is already provided to retailers with consumers meeting the cost of this through metering charges on their electricity bill however distributors are being asked to also pay for this data, which ultimately will be passed through to consumers in spite of them already meeting the cost of acquiring and managing consumption data.
11.	Do you agree with our initial framework for how to identify/designate data holders? Why or why not?
12.	What actions could be designated for electricity under a CDR? And why? What are the potential benefits from these? Please provide examples.
	Access to customer data including consumption, export, DER and CER characteristics would enable unbundling of retail services at an individual ICP offering consumers choice in energy and service providers, as well as access to provide energy export, flexibility or other market services.
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?

	The benefits of the actions proposed in response to Question 12 will enable consumers to optimise the costs and value derived from the energy, flexibility or other services they receive and provide. This in turn enhances whole of system value ensuring efficient investment in and operation of the electricity system, consistent with the objectives and outcomes contained in the report by the Boston Consulting Group, 'The Future is Electric'.
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?
	As long as the informed and express consent of the customer is obtained at the outset regarding who their data is being shared with and for what purpose, the privacy impacts and risks should be mitigated to an extent.
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?
	Information security and privacy safeguards should be paramount considerations when introducing an accreditation regime, alongside ensuring it is practical and not cost-prohibitive.
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?
	Any fees should be limited to covering reasonable costs only, noting that where no incremental or additional costs are introduced there should either be no fee, or an adjustment to fees to all parties benefiting from the service such that the consumer does not indirectly face costs over and above the reasonable costs of providing customer data services between participants.
21.	Are there any particular considerations for electricity that should be taken into account for a consumer consenting process?
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?
	Co-led. Industry brings the practical considerations of acquisition and use of customer data.
23.	How do you believe a CDR and the Code could/could not work together?
	Data access provisions in the Code including Part 12 A Default Distributor Agreement and Data Template would need to be consistent with principles and requirements of a CDR.