

6 June 2014

Mr John Pierce
Chairman,
Australian Energy Market Commission
PO Box A2449,
Sydney South NSW 1235

Re: Customer access to information about their energy consumption: ERC 0171

Dear Mr Pierce 

ENA welcomes the opportunity to make a brief submission to the AEMC consultation paper on customer access to information about their energy consumption.

The Energy Networks Association (ENA) is the national industry association representing the businesses operating Australia's electricity transmission and distribution and gas distribution networks. Member businesses provide energy to virtually every household and business in Australia. ENA members own assets valued at over \$100 billion in energy network infrastructure.

ENA endorses the objective that customers should obtain better access to their consumption data and information about their energy use and be able to share their data with approved service providers in order to:

- Improve customers' awareness of their electricity consumption and use patterns;
- Enable more informed choices about DSP services that better suit their circumstances; and
- Promote efficient retail electricity markets through innovative products and services¹.

ENA wishes to comment on only three aspects of the draft rule change.

1. Enabling DNSP's to provide information to customers.
2. Free provision of information to customers
3. Privacy law

However, ENA refers AEMC to responses from ENA Members which provide greater detail on the proposals.

Enabling DNSP's to provide information to customers

ENA welcomes resolution of the ambiguous situation relating to the ability of distribution businesses to provide consumption information to customers.

Energy customers' ability to make active, informed choices to manage their energy use and hence their energy costs is enhanced by availability of information on their consumption. By harmonising the

¹ AEMC Consultation Paper: National Electricity Amendment (Customer access to information about their energy consumption) Rule 2014, p.3

National Electricity Rules (NER) with the existing arrangements in the National Energy Retail Rules (NERR), this rule change will clarify and confirm the ability of distribution businesses to provide consumption information directly to customers on their request.

This will codify circumstances at present operating, for example in Victoria, where special exemptions have had to be undertaken to support customers being able to access their consumption including via web portals installed to support consumption information from advanced meters installed by the distribution businesses.

Free provision of information to customers

ENA notes the intention in the rule change that electricity consumption data be provided free of charge 'not more than once over a billing period'².

ENA endorses the free provision of consumption information to customers, but is concerned at the specification that this could occur for each billing period.

Especially with the accelerated introduction of smart or advanced meters which is being encouraged by rule changes and is already proceeding in Victoria, there is increased likelihood of different billing periods being introduced for customers as part of differentiated retail offerings. In some cases, these 'billing periods' could be monthly or quarterly. This would have two significant effects:

- Providing different information rights to different customers dependent upon their billing cycle; and
- Providing significant potential cost imposts upon retail and distribution businesses for repeated provision of information.

It is suggested by ENA that the obligation to provide free consumption information to customers should be limited to not more than once annually, with the option to charge a reasonable fee for subsequent requests within a twelve month period. Businesses requested to supply this information on a more frequent basis would have the ability to waive a fee for service where assisting vulnerable customers to understand their usage.

It should also be noted that, especially as advanced meters become more readily available, customers will have alternative means (for example via web portals) to access their consumption information independently.

Privacy law

ENA notes the discussion at Section 7.2.1 of the Consultation Paper on information about how electricity consumption data is used on retailer and DNSP websites, particularly in relation to AEMC's view that *"The COAG Energy Council's proposal appears to use NERR to address potential regulatory 'gaps' resulting from the perceived legal ambiguity as to whether metering data is considered to be 'personal information' for the purposes of privacy legislation"*.³

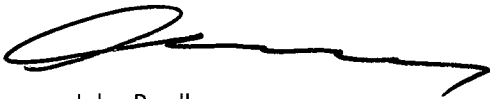
² Ibid, p. 17

³ Ibid, p. 24

ENA considers that if clarity is required on whether metering data is personal data under the privacy legislation, this would be better addressed within privacy legislation rather than risking potentially conflicting requirements with two separate legal frameworks. The privacy legislation should ensure that all registered parties are able to use metering information in undertaking their authorised activities.

ENA looks forward to engaging further on consideration of these issues, along with the related review and rule change proposals resulting from progression of the AEMC Power of Choice review. If you wish to discuss this further, please contact Susan Streeter, Director Future networks on 02 6276 1555 or ssreeter@ena.asn.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Bradley', with a long horizontal flourish extending to the right.

John Bradley
Chief Executive Officer