

John Pierce
Chair
Australian Energy Market Commission
PO Box A2449
SYDNEY SOUTH NSW 1235
Submitted online



Ethnic Communities'
Council of NSW Inc.

25 September 2014

Dear Mr Pierce

Draft Rule Determination: Customer access to information about their energy consumption

The Public Interest Advocacy Centre (PIAC) is an independent, non-profit, law and policy organisation that works for a fair, just and democratic society by taking strategic action on public interest issues. PIAC has, as a key area of work, energy and water policy. The Energy + Water Consumers' Advocacy Program (EWCAP) represents the interests of low-income and other residential consumers of electricity, gas and water in New South Wales.

Overall, PIAC welcomes this rule change and in particular, the change to allow consumers to be able to request their electricity consumption data from their DNSP.

ATA and the Ethnic Communities' Council supports PIAC's views as noted herein.

Access to data from retailers and DNSPs with civil penalties

PIAC supports the National Electricity Rules (NER) being amended to allow customers to access their electricity consumption data by requesting that data from their retailer or DNSP, with civil penalties for non-compliance under the new rule 56A.

We suggest an appropriate commencement date for the new rule would be 1 January 2015.

Access to data from AEMO

We are supportive of the Energy Market Reform Working Group (EMRWG) of the COAG Energy Council's proposal for customers and agents to be able to access customer energy use data from AEMO's Market Settlement and Transfer Solution (MSATS) database. The rationale for efficiencies that would result from such access is compelling, especially in regard to avoiding the need for duplication of retailer and DNSP data systems.

We would urge the AEMC to consult further with AEMO about the cost and upgrade required to link the MSATS database to customer names to allow easy customer access to data through this channel.

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Minimum format requirements

We are pleased the proposed rule change supports the provision of both raw and summary data to consumers.

As stated in our submission to the Issues Paper on this matter, ideally, summary consumption data would be provided in a form such that consumers can interpret it easily and make optimal choices about how to manage their own consumption.

While we accept that AEMO may be the most appropriate body to develop 'minimum requirements' for the data - with sufficient consultation with consumers and consumer advocates and rigorous testing of draft minimum requirements for consumer comprehension - we are concerned that:

- AEMO's processes strongly favour the views of energy retailers, and retailers have been plainly obstructive to measures that improve consumer access to data.
- AEMO are still developing their capacity to engage with consumer advocates, and may need direction around how to do this effectively.
- Recent experience shows that without explicit directions otherwise, AEMO will favour lowest cost options over highest net-benefit options. This is not in keeping with the National Electricity Objective.

Accordingly we recommend that AEMO be directed to:

- Establish equal representation of consumers to retailers in their engagement and decision processes in relation to determining minimum requirements. This implies not attributing decision making to the IEC committee, which lacks consumer representation.
- Specifically consider highest net benefit for consumers, rather than least cost to existing systems, in choosing options.

We are also pleased to see that consumers will be able to request their data from a previous retailer.

Timeframe to respond to a request

As started in our submission to the Issues Paper, PIAC would like the AEMC to explore how the rule change can facilitate the quickest viable access to data for consumers, especially given that data for consumers with smart meters should be able to be provided promptly, ideally in near real time.

While we recognise the importance of data validation, ten days delay is excessive for customers on smart meters. We accept that this entails that consumers may be using data that has not gone through the full suite of data validation processes.

'Free' access

PIAC considers that if this rule change is to meet its aim of improving customers' awareness of their electricity consumption and use patterns, then being able to access usage information for free four times a year is inadequate. Consumers are not able to recall their energy use drivers from three months ago, and even monthly is challenging.

We support monthly billing (and would prefer it was mandatory) and as such, believe that the number of times a customer should be able to request their energy consumption data without charge each year should be a minimum of twelve times. The AEMC should also look to see how more frequent access (preferably daily data feeds) could be enabled.

We are disappointed the Commonwealth's work on an 'energy information hub' seems not to have progressed, given the potential value to Australian residential consumers. We urge the AEMC to recommend to the Commonwealth to complete this work as soon as possible. It may be appropriate for COAG Energy Council to request the AEMC to undertake a rule change to give effect to consumers accessing their energy data online.

Requests from large customers

PIAC is disappointed to see large consumers are not proposed to be covered by this rule change. Obviously, given the potential of electricity consumption data to assist all users to better manage their energy use, including at peak times, we believe it should be available free-of-charge to all users, large and small.

Currently, retailers act as a gatekeeper of meter data for large customers and have been known to apply prohibitive and non-cost reflective charges to the consented agents of large energy users to access this data. By not including large energy users in the scope of this rule change, we believe the AEMC is perpetuating this barrier to competition in energy management services.

Informing consumers about the uses of their electricity consumption data

PIAC is also disappointed that the proposal to publish standard information about electricity consumption data on the websites of retailers and DNSPs in order to reduce information barriers for consumers has been excluded from the draft rule change. There is insufficient evidence that such information would not have assisted consumers. At a minimum, PIAC recommends that such standard information be provided on AEMO's website and the websites of retailers and DNSPs should be required to link to this information.

If you require any further information from PIAC in relation to this matter, please do not hesitate to contact me or Dr Gabrielle Kuiper, EWCAP Senior Policy Officer, on 02 8898 6520 or gkuiper@piac.asn.au.

Yours sincerely



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