# **Retail Market**

INFORMATION ABOUT THE RESPONDENTS	
Are you responding to this questionnaire on behalf of/as: -single choice reply-(compulsory)	Organisation
Please enter your name or the name of your company/organisation -open reply-(compulsory)	ANEC
Please indicate your principal country or countries of residence or activity -multiple choices reply-(compulsory)	Belgium
What is your role in the energy market? -single choice reply-(optional)	Consumer Association
How would you prefer your contribution to be published on the Commission website, if at all? -single choice reply-(compulsory)	Under the name indicated (I consent to publication of all information in my contribution and I declare that none of it is under copyright restrictions that prevent publication)

## I. GENERAL FUNCTIONING OF THE RETAIL MARKET AND CONSUMER PARTICIPATION

a) Well-functioning wholesale market -single choice reply-(optional)	Very important
b) Customer choice between competing offers -single choice reply-(optional)	Very important
c) Easy access to technology such as smart meters or appliances -single choice reply-(optional)	Important
d) Secure access to more detailed energy consumption data -single choice reply-(optional)	Very important
e) Easy access to demand response services -single choice reply-(optional)	Important
f) Easy access to energy efficiency services -single choice reply-(optional)	Very important
g) Strong consumer protection -single choice reply- (optional)	Very important
h) Market-based consumer prices -single choice reply-(optional)	No opinion
i) Regulated consumer prices -single choice reply- (optional)	No opinion
j) Transparent contracts and bills -single choice reply-(optional)	Very important
k) Bill reflecting real instead of estimated consumption -single choice reply-(optional)	Very important
I) Light permitting and grid connection	Important

procedures for self-production -single choice reply-	
(optional)	
m) Right to sell excess energy -single choice reply-	Important
(optional)	
n) Protection against misleading selling methods	Very important
and practices -single choice reply-(optional)	
o) Protection of vulnerable consumers -single	Very important
choice reply-(optional)	
p) Independent and competent National	Very important
Regulatory Authority -single choice reply-(optional)	

2. Are there other factors which would enable residential consumers and SMEs to better control their energy consumption and costs? -open reply-(optional)

Q1 is misleading. In well-functioning retail energy markets, consumers must be informed and sufficiently protected so that they can benefit from competition, compare information on consumption and costs, and know their rights and means of dispute resolution. Prices must be kept in check so that consumers get value for money. Moreover, there seems to be no focus on the format of information. Consumers should be able to easily access all information they need in a user-friendly format. Behavioural research confirms that informing consumers does not automatically result in informed consumers so measures and safeguards must be in place. Better than on 'sufficient' information, the focus should be on less is better and simpler/more understandable and meaningful is better http://bit.ly/1iotpO1

3. ACER/CEER Annual Report concludes that Consumers are not aware of their switching rights - Prices and consumers are dissatisfied with the information tariffs are too difficult to compare due to a lack of tools and/or due they receive in their contract and in their billing to contractual conditions - Switching offers insufficient benefits information. The report also shows the Complex switching procedures - Unfair commercial practices frequency with which consumers switch from such as misleading branding and communication strategies one energy supplier to another. This varies applied by integrated DSO/retail suppliers - Other between 0% to 14,8% in the EU Member States. In your opinion, what are the key factors that influence switching rates? -multiple choices reply-(optional) Please specify -open reply-(optional)

Lack of confidence in the market. Prices and tariffs too difficult to compare. Switching is lengthy and offers insufficient benefits. Dubious offers as significant obstacle. Key factors that influence switching rates in real life are different from the standard economic theory (perfect rationality and perfect self interest). Suppliers to provide easily accessible, simple, understandable and comparable information about each offer - tariff information label. The European Commission to co-ordinate an investigation about unfair practices, esp. regarding door-step and distance selling. Clear conditions for door-step selling needed. Switching in less than three weeks, including the cooling off period for the right of withdrawal (off-premises contract). Without termination fee or penalty.

a) Include standardised minimum information in commercial offers for easier comparison -single choice reply-(optional)	Agree
b) Ensure the availability of web-based price comparison tools -single choice reply-(optional)	Agree
<ul> <li>c) Ensure consumers are aware of their rights</li> <li>-single choice reply-(optional)</li> </ul>	Agree

d) Develop further rights for consumers -single choice reply-(optional)	Agree	
e) There is no need to encourage switching -single choice reply-(optional)	Disagree	
4.1. Please feel free to develop further your choic	ces about consumers and energy supplier -open reply-(optional)	
In order to improve transparency, consumers should also be provided with a summary (a standardised notice including key pre-contractual information and the rights and obligations of the consumer and the supplier under the contract) in a concise and simple language alongside with the contract. Member States to ensure that there is at least one comparison tool for energy services which consumers can use to compare available offers. These tools should respect main principles http://bit.ly/1is225I Independent accreditation of online comparison tools is important. Personalised advice may be preferable for those consumers who are not completely aware of their consumption. Further proposals on how to improve consumer rights available at http://bit.ly/1qHPGZV		
5. With the implementation of related provisions in the Energy Efficiency Directive by December 2014, consumers can be billed on the basis of their actual energy consumption and have the right to access their actual and historical consumption data. Do you think that bills provide consumers with sufficient information about their consumption patterns? -single choice reply-(optional)	No	
	Because the bills are not sufficiently transparent and meaningful - Because the bills showing actual consumption are sent too rarely (e.g. once a year) - For other reasons	
Please specify what other reasons -open reply-(optic	nal)	
Although the relevant legislation provides a number of rules, we continue raising issues related to unclear and confusing bills (often caused by unclear price structure), information overload, complex terminology or information in a small font as major consumer concerns. The structure of the bill needs to be improved and the information must be clear, comprehensible and provide all relevant information to consumers, including complaint handing and contact points. Moreover, accurate bills should be guaranteed as soon as smart meters are installed. The European Commission and NRAs should undertake a full scale review of the content of energy bills and annual statements and urgently put forward the proposals and minimum standards to improve the information provided on and with the bill.		
6. If you were able to receive more detailed information on your energy consumption, do you think this would affect your consumption patterns? -single choice reply-(optional)	No opinion	
will be the main drivers of future developments in the retail market? -multiple choices reply-(optional)	Smart meters and smart grids - Security of supply - Energy poverty - Data management - Local autonomy due to decentralised generation - High costs of investment in network capacity - Other	
Please specify which other factor(s) -open reply-(co	mpulsory)	

Main driver/factor of future developments in the retail market will be –and ought to be– consumer energy needs and consumer energy concerns. In this question only the possible means to the ends determined by consumers are mentioned. We believe this question mistakenly elevates the means/ factors to the level of ends, and therefore is an example of 'goal displacement'. Consumer factors missing are eg: High costs of investment in smart metering and smart grid capacity Increase of consumer prices due to increased market

volatility Consumer lock-in to forward wholesale markets (traditional consumer energy contracts) Therefore, the current approach needs to change so that policy regarding new technologies and services is based on understanding the outcomes for consumers and market opportunity

8. My reply to the previous question concerns	EU 28
the following Member State(s) -multiple choices	
reply-(optional)	

## **II. MARKET DESIGN**

9. In your opinion, is the level of competition in	No, there is too little
retail energy markets appropriate? -single choice	
reply-(optional)	
Why do you think there is too little competition?	Insufficient regulatory intervention - Lack of interest by new
-multiple choices reply-(optional)	suppliers - Market dominance by a few market actors -
	Unfavourable market conditions - Other barriers to entry

Please specify other barriers to entry -open reply-(optional)

Vertical integration is a business model that may deliver efficiencies but there are several concerns too. On the negative side, it may reduce competition in the wholesale market if vertically integrated providers can self-supply. Market power issues may arise if cross-subsidies operate between the businesses, or if trading takes place behind closed doors. Adequate regulation needs to be in place to ensure the functional separation of generation and supply businesses and that they trade with other parties in the sector on fair terms. Political strength of the energy sector has often played a very important role too.

10. My reply to the previous question (9) concerns the following Member State(s) -multiple choices reply-(optional)	EU 28
11. Market functioning and the degree of competition are also determined by impartial operation of the networks and therefore by the independence of network operators from commercial retailers of energy. DSOs have a specific role in their key task of distributing energy. Some DSOs belong to vertically integrated companies that have departments selling energy and/or providing other types of commercial services in the retail market.	
In your view should: -single choice reply-(optional)	
12. In your opinion, which of the following task(s) should DSOs carry out? -multiple choices reply-(optional)	Data management - Balancing of the local grid, including distributed generation and demand response - Connection of new generation/capacity (e.g. solar panels) - Other

### Please specify -open reply-(optional)

The DSO has a role in operating the networks, balancing the local grid, ensuring integrity of the local network, including meters, having access to necessary information, and developing a smart grid. DSOs should balance the local grid, develop it in an economically efficient way and maintain it at a low cost. In the future, DSOs may play a role in demand side response, at least in some countries. However, the DSO should only have access to the retail market of supply through an entity completely cut-off from the network part. Comment on Q14: Several consumer organisations pointed out that the distribution and retail branches of vertically integrated companies are often not visually distinguished very well which is confusing for consumers.

13. In your opinion, what are the requirements Good regulatory oversight - Independence from supply activities -

for DSOs to efficiently fulfil their tasks that you identified above? -multiple choices reply-(optional)	Independence from political influence - Clear definition of the roles of DSOs and TSOs - Clear definition of the DSO's relationship with suppliers - Clear definition of the DSO's relationship with consumers
14. The provisions in existing EU legislation aimed at achieving network operators' independence include the requirement of a clear separation of the visual identities (distinct branding) of the opearators of distribution networks (DSO) and commercial retailers in order to avoid any consumer confusion. This is particularly relevant in cases where the network operators are owned by businesses that also offer retail supply services on a commercial basis.	
How clearly are the distribution and retail branches of vertically integrated companies in your country separated in visual branding terms? -single choice reply-(optional)	
a) Billing -single choice reply-(optional)	No opinion
b) Data management -single choice reply-(optional)	Yes
c) Balancing of the local grid -single choice reply- (optional)	Yes
d) Distributed generation -single choice reply- (optional)	Yes
e) Demand response -single choice reply-(optional)	Yes
f) Connection of new generation/capacity (e.g. solar panels) -single choice reply-(optional)	Yes
g) Curtailment on the basis of a contract and against reward -single choice reply-(optional)	
h) Other -single choice reply-(optional)	
Please specify which other roles -open reply-(option	al)

General comment on future markets: The roll out of smart meters (where this happens) should lead to the introduction of new products and services in the retail sector. The introduction of new energy efficiency products and a decrease in prices for existing technologies should provide the opportunity to transform the usage of energy within the home. Policies covering demand response, product design as well as energy efficiency in buildings need to be aligned. Sufficient protections must be put in place to ensure more vulnerable households can continue to assess a supply of energy at a reasonable price as well as products and services that meet their needs.

16. In line with the spirit of existing legislation, the principle of the consumer owning his or her energy consumption data is promoted. Allowing

other parties to have access to such consumption data in an appropriate and secure manner, subject to the consumer's explicit agreement, is a key enabler for the development of new energy services for consumers. The manager of energy consumption data must share the data with the market actors in a non-discriminatory and safe fashionsingle choice reply-(optional)	
17. In your view, which of the following entities should manage the consumption data flows? -multiple choices reply-(optional)	Other
Please specify -open reply-(optional)	
ensured that for the consent to be valid it must be infor for processing and not necessarily the most appropriat processing needs to comply with the principles set out and purpose limitation. Processing of data for a second	onsumer. When consumer consent is needed to access personal data it should be rmed, free and specific. At the same time, consent is only one of the legal grounds the one in all circumstances. However, even when the consent is valid, any in the EU legal framework (Directive 95/46),ie. transparency, data minimisation dary non compatible purpose is not permitted (i.e. data collected for the purpose of ey demands for smart markets and data protection http://bit.ly/1hlsGaJ
a) The tariffs should be time-differentiated to enable demand response -single choice reply- (optional)	Neutral
b) The tariffs should be measurable -single choice reply-(optional)	Neutral
c) The cost breakdown of tariffs should be transparent -single choice reply-(optional)	Agree
d) The methodology to calculate the tariffs should be transparent -single choice reply-(optional)	Agree
e) The tariffs should be favourable for distributed generation -single choice reply-(optional)	Neutral
f) The principles to determine network tariffs should be the same for both distribution and transmission to avoid distortion -single choice reply- (optional)	Neutral
g) European wide principles for setting distribution network tariffs are needed -single choice reply-(optional)	Agree
19. Internal Energy Market legislation foresees that Member States designate DSOs for a period of time to be determined by them and having regard to efficiency and economic balance. In this context the operation of distribution networks may be measured against cost efficiency, long-term sustainability and consumer interest. In Member States where the DSOs do not own the network; the awarding of	No opinion

concession to operate distribution networks varies but must be governed by the principle of non–discrimination and public procurement legislation.		
If applicable, do you view the procedure for awarding concessions for gas and electricity distribution in your country as adequate?		
-single choice reply-(optional)		
20. In your opinion, a suitable period of time for a concession contract would be: -single choice reply-(optional)	Other	
Please specify another suitable time -open reply-(op	otional)	
Comments on consumer's role and consumer rights: Consumers must be able to be active in the market whenever they wish so. While some consumers will indeed actively participate in the market as producers, there will be passive consumers who want simply to use the energy services without getting involved in understanding the whole market complexity. The European Commission should co-ordinate with Member States and NRAs to undertake a systematic review of consumer protection rules and if the necessary safeguards are in place to cope with ever-changing energy markets. Consequently, policy makers should put forward proposals (including an eventual revision of European energy legislation) to address identified gaps. More info about views at http://bit.ly/1qHPGZV		
a) Taking autonomous decisions in its regulatory duties concerning retail energy markets and their actors (DSOs, energy service companies, consumers) independently from any political body or other public or private entity -single choice reply-(optional)		
b) Helping to ensure consumer protection in the		
energy market -single choice reply-(optional)		
c) Fixing or approving distribution tariffs or their methodologies -single choice reply-(optional)		
d) Monitoring the level and effectiveness of market opening and competition at retail level -single choice reply-(optional)		
e) Reacting to occurrences of contractual practices restricting the freedom of consumers to contract more than one energy supplier -single choice reply-(optional)		
f) Bringing cases of distortion of competition before the competent competition authorities -single choice reply-(optional)		
g) Efficiency -single choice reply-(optional)		
22. Does the NRA in your country (in your view) have sufficient resources to fulfil its role? -single choice reply-(optional)		
III. DEMAND-SIDE PARTICIPATION	AND SMART USE OF ENERGY	

23. Advances in innovation have enabled a	No
broad range of distributed generation and	
demand response technologies for industrial,	
commercial (including small businesses) and	
residential consumers to control their	
consumption and to help balance the grid while	
decreasing dependency on energy supply from	
other sources. Energy efficiency, demand	
response, self-generation, auto-consumption	
and local storage go hand-in-hand in this	
respect.	
Do you think that consumers have the	
information they need to use energy more	
efficiently? -single choice reply-(optional)	
a) Real-time data through metering equipment	A lot
-single choice reply-(optional)	
b) Historical data graphics or graphics that	A lot
compare similar household consumption	
patterns -single choice reply-(optional)	
c) In-home displays visualising metering	A lot
information -single choice reply-(optional)	
d) More frequent and informative billing -single	A lot
choice reply-(optional)	

#### 24. Are there other information sources that could improve energy efficient behaviour? Please specify. -open reply-(optional)

23.1c-If consumers understand the information given via different interfaces, are aware of tips for economising their consumptions and/or the benefit of better energy performing appliances, they can control their consumption and become more energy efficient(EE) The historical comparison in23.1b should include information on the consumer's own usage in the same period for the previous year as well as a comparison with other similar households. Indications of possible savings could be provided Information on sources of independent advice on EE improvements taking into account different customer profiles with different consumption patterns Safeguards should be in place to ensure that EE improvements do not result in any welfare loss for the consumer, especially those who are vulnerable

25. Energy service companies (ESCOs) are businesses that design and implement integrated energy solutions, including energy supply, energy conservation and financing. They can facilitate favourable contractual arrangements for consumers and provide information that can be used by consumers to achieve better prices (e.g. in demand response programmes). Energy services - specifically in the context of energy efficiency - are services that can deliver measurable energy efficiency improvements on the basis of a contract between energy service providers and consumers. They can also help finance initially high investment costs against the cost benefits over time (e.g. through contracting).

Don't know/no opinion

Do you think there is sufficient choice of energy efficiency services in your country? -single choice reply-(optional)	
26. Is it easy for energy service companies to start operating in your country? -single choice reply-(optional)	No opinion
27. Do you think that more should be done to support the establishment of ESCOs that are active in the field of energy efficiency? -single choice reply-(optional)	Yes
a) Public databases of companies offering energy efficiency services -single choice reply- (optional)	To some extent
b) Central information points and intermediaries to facilitate contracting arrangements -single choice reply-(optional)	To some extent
c) An independent facility (such as an ombudsman) to settle disputes and complaints between consumers and ESCOs -single choice reply-(optional)	To some extent
a) Industrial consumers -single choice reply-(optional)	
b) SMEs and commercial consumers -single choice reply-(optional)	
c) Residential consumers -single choice reply- (optional)	
29. In your country, do the following consumer groups have access to dynamic pricing and/or time-differentiated tariffs (e.g. time-of-use tariffs)? -multiple choices reply-(optional)	
30. Regarding the participation of end-consumers in demand response, who should offer demand response services to residential consumers and SMEs? -multiple choices reply-(optional)	Suppliers - Aggregators
31. Who should offer dynamic pricing to residential consumers and SMEs? -multiple choices reply-(optional)	Suppliers - Aggregators
32. If there is little or no dynamic pricing in your country, what are the barriers? -multiple choices reply-(optional)	Technical standards - Regulatory barriers - Unclear legal framework - Unclear benefits - Other
Please specify -open reply-(optional)	

Please specify -open reply-(optional)

Comment on demand response programmes: Demand-response should be a choice for all consumers within a framework which does not punish unflexible consumers. At this moment, it is impossible to know the percentage of consumers who would be interested in different types of demand response programmes. Pilot projects are not reliable about what can be expected, considering the participating

test persons already are a priori interested in the new technologies. Distributional analysis on the impact time-of-use tariffs on different social groups and if/how these groups can access the benefits of new deals is urgently needed. Apart of level of income, this analysis should take into consideration vulnerability, heating type, dwelling and location among other factors.

a) The lead (demand consolity) that can be	
a) The load (demand capacity) that can be adapted by the consumer upon request should be measured at aggregated level -single choice reply-(optional)	
b) Consumers should be able to enter aggregation programmes regardless of the size of their load -single choice reply-(optional)	Agree
c) On-site qualification tests for demand-side units should be carried out at an aggregated level -single choice reply-(optional)	
d) Consumers should be able to participate in the primary balancing market -single choice reply- (optional)	
e) Network operators should be obliged to offer products, services and contracts which match the characteristics of flexibility that residential and small industrial/commercial consumers can typically provide (i.e. smaller loads for limited time) -single choice reply-(optional)	Agree
f) The full activation time within which primary reserve capacities must be provided should be sufficiently long for thedemand side to prepare and react -single choice reply-(optional)	
g) The minimum duration of the requested adaptation of the demand should be kept within limits that are acceptable for consumers (for example maximum 15 minutes) -single choice reply- (optional)	
33.1. The time within which primary reserve capacities must be fully activated should be: -single choice reply-(optional)	No opinion
33.2. The minimum duration for which the adaptation of demand is offered at the balancing market should be -single choice reply-(optional)	No opinion
33.3. Further comments -open reply-(optional)	

Comments on Q 35-37: All consumers should have the possibility to engage in demand response and should be offered simple services and hassle-free technical solutions. However, it is essential to provide consumers with choice and it should be left up to consumers to choose whether or not they would like to have a smart meter installed and if they want to opt-in and participate in demand response programmes. If smart meters are rolled-out, solid legal and regulatory framework is needed in order to guarantee that the roll-out is cost efficient and that costs and benefits are fairly shared among all stakeholders who benefit from the new technology. Although we agree that smart appliances should display information on consumption, this should not be used as a replacement of EE requirements

a) Aggregators have full access to the market Neutral

-single choice reply-(optional)	
b) Aggregators appear today as active players	Disagree
in the energy market -single choice reply-(optional)	
c) Suppliers should be allowed to act as	Neutral
aggregators -single choice reply-(optional)	
d) Member States should incentivise	Agree
aggregators -single choice reply-(optional)	
a) A large number of consumers would engage	Neutral
in demand response programmes if they were offered simple services and hassle-free	
technical solutions -single choice reply-(optional)	
b) Only very specific consumer segments (like	Neutral
young people and people without children)	
would engage in demand response programmes	
-single choice reply-(optional)	
c) Overall few consumers would engage in	Neutral
demand response programmes -single choice reply-	
(optional)	
a) Have a smart meter installed on his own	Yes
request and at his expense even if smart meters are not rolled out systematically in his area?	
-single choice reply-(optional)	
b) Have a smart meter with functionalities of his	Yes
own choice even if a different type is rolled out	
in his area? -single choice reply-(optional)	
a) Smart appliances and/or smart energy	Neutral
management systems are a precondition	
to make the field of demand response	
accessible to a broad range of consumers -single	
choice reply-(optional)	Agroo
<ul> <li>b) Smart appliances and/or smart energy management systems are a facilitator to make the</li> </ul>	Agree
field of demand respons accessible to a broad range	
of consumers	
-single choice reply-(optional)	
c) Smart appliances should also display	Agree
information on consumption and consumption patterns -single choice reply-(optional)	
e) Smart appliances and/or energy management	Neutral
systems, if correctly set up, will not mean a	rivoutiur
reduction of user comfort -single choice reply-	
(optional)	
38. The Energy Performance of Buildings	No opinion
Directive lays down that all new buildings will	
have to be nearly-zero energy buildings by	

2020. This means that buildings will have to be	
very energy-efficient while covering the low	
remaining energy need for heating and cooling	
with renewable energy produced on site or	
nearby. In line with the Renewable Energy	
Directive, consumers can decide to generate	
renewable energy without having to face	
disproportionate permitting and grid connection	
procedures. When combining energy	
management systems and smart appliances	
with self-production, consumers can achieve	
greater energy autonomy.	
Do you think that it is sufficiently easy for a	
consumer to install and connect renewable	
energy generation or micro-CHP equipment in	
their house? -single choice reply-(optional)	
a) Their self-produced electricity to the grid?	
-single choice reply-(optional)	
b) Electricity to different suppliers? -single choice	
reply-( <mark>optional</mark> )	
c) Electricity to their neighbours? -single choice	
reply-(optional)	
40. If not, please specify why this is not possible?	-open reply-(optional)
meter given the relatively low savings that are expected on user-friendliness and consumer engagement - natio be achieved if consumers are given the choice as to wh technology/ is not in a position to interpret the data they expected. The consultation contains several ill-designed	ding how many consumers would want to incur the cost of purchasing a smart d to be available to consumers. Any technological development should be based nal/EU policies are needed. Moreover, the real consumer empowerment can only nat kind of role they want to play. If consumers do not engage with the new y get on their consumption, changes in consumer behaviour can hardly be d questions / limited opportunities to provide accurate answers
http://tinyurl.com/nttn6rp	
a) Self-generation and auto-consumption	
reduces the need for generation and network	
capacity for society as a whole and should therefore be exempt from additional charges	
-single choice reply-(optional)	
b) Self-generators/auto-consumers should	
contribute to the network costs even if they use	
the network in a limited way -single choice reply-	

(optional)c) The further deployment of self-generation<br/>with auto-consumption requires a common<br/>approach as far as the contribution to network<br/>costs is concerned -single choice reply-(optional)d) The further deployment of self-generation<br/>with auto-consumption requires a common<br/>approach for the simplification of related

administrative procedures -single choice reply-
(optional)
e) Member States should give more financial
incentives for promoting self-generation and
auto-consumption of heat from renewable
energy sources and micro-CHP -single choice reply-
(optional)
a) There should be incentives for electrical
heating appliances that are demand
response-ready -single choice reply-(optional)
b) There should only be incentives for electrical
heating that is demand response-ready if the
underlying technology is very energy efficient
(e.g. heat pumps) -single choice reply-(optional)
c) Member States should give more financial
incentives for the purchase of highly efficient
heating technologies, irrespective of the fuel
-single choice reply-(optional)