

ANEC response to the Consultation on CEER Draft Advice on Data Management for Better Retail Market Functioning

Privacy and security

1 Customer meter data should be protected by the application of appropriate security measures that prevent unauthorised access but which allow access to parties authorised to receive it, such as DSOs/metering operators.

This customer meter data protection should be ensured by (tick one box):

- Legislation/regulation
- Contract between customer and relevant parties
- Code of conduct
- Other (please specify in the comment box below)
- No opinion

Comment box (3500 characters maximum)

2 Customers retain the right to control the use of their customer meter data. Specific parties (e.g. DSOs/metering operators and suppliers) should be authorised to access that data.

However, the authorisation to access that data and the terms on which that data can be used should be ensured by (tick one box):

- Legislation/regulation
- Contract between customer and relevant parties
- Other (please specify in the comment box below)
- No opinion

Comment box (3500 characters maximum)

General comments on the guiding principle: Privacy and Security (maximum 3500 characters)

Transparency

3 The relevant body (NRA/DSO/metering operator/TSO/other) shall ensure that, as a minimum, the customer has knowledge of general information on meter data management:

- (a) the customer's rights with regards to data management;
- (b) what type of customer meter data exists and what it is used for;

- (c) how customer meter data is stored and for how long; and
(d) how both the customer and third parties get access to that data

- Agree
- Disagree
- No opinion

4 The customer meter data which comes out of the data management processes should be transparent to the customer.

Transparency should be ensured by the relevant body (NRA/DSO/metering operator/TSO/other) through (tick one or several boxes):

- Providing clarity on how information can be accessed
- Setting a maximum time period during which a customer has to wait to receive that information after having moved in to a new premises
- Other (please specify in the comment box below)
- No opinion

Comment box (3500 characters maximum)

5 The customer meter data should be transparent to a third party, to whom a customer has provided such consent.

By third party we mean a party that needs customer consent to manage data, hence not a party already authorised by law and/or carrying out regulatory tasks for system operation.

Transparency should be ensured by the relevant body (NRA/DSO/metering operator/TSO/other) through (tick one or several boxes):

- Providing the third party clarity on how information can be accessed
- Setting a maximum time period during a third party has access to the information
- Other (please specify in the comment box below)
- No opinion

Comment box (3500 characters maximum)

6 The relevant bodies in each country should take active steps to build customer confidence in sharing customer meter data in order to achieve energy efficiency benefits and other potential benefits.

(a) That body or bodies should be (tick one or several boxes)

- NRA
- DSO/metering operator
- Other (please specify in the comment box below)
- No opinion

Comment box (3500 characters maximum)

(b) Active steps might include (tick one or several boxes):

- Information campaign
- Use of energy advisor
- Other (please specify in the comment box below)
- No opinion

Comment box (3500 characters maximum)

7 There should be a common standard for data content, data formats and data exchange in the retail market.

- Agree (X)
- Disagree
- No opinion

8 The common standards for data content, data formats and data exchange in the retail market should be set on (tick one box):

- European level (X)
- Regional level (across national borders)
- National level
- Sub-national level
- No opinion

9 The data that should be standardised should as a minimum/as a starting point be (tick one or several boxes):

- Point of delivery identification data (X)
- User and contract data (X)
- Consumption data (X)
- Other (please specify in the comment box below)
- No opinion

Comment box (3500 characters maximum)

With view to the completion of the Internal Market, standardisation at European level will be important when data is shared and energy services are provided cross-border.

Standardisation will make it easier for consumers to make informed decisions on energy usage and to realise the potential benefits from faster switching and easier access to new products from new service providers.

Data should be available to consumers in a format which they can easily understand and access and which they can use themselves.

Standardisation of the data format should facilitate the communication of data content via multiple communication channels (such as mobiles, internet, in-home displays, etc.), depending on which mode(s) of communication are available.

Protection of privacy and data should be ensured at all times and this should be reflected in standardisation. Privacy by design and by default in the communication and handling of data in smart grid systems is essential to ensure that consumers' personal data protection rights are respected. Failure to ensure that consumer concerns about privacy are adequately addressed will result in lower customer engagement and will make it more difficult to realise some of the potential benefits from implementing smart meters and smart grids.

Privacy by Design and by Default principles should be made very easy to implement, and technologies and systems need very simple and clear requirements. Please refer to the work of the EC Smart Grid Task Force EG2 and the standardisation work of the Smart Grid Coordination Group WG on Information Security. ESOs should be requested to consult the National Data Protection Authorities represented in the Article 29 Working Party when dealing with privacy and data protection.

(b) NRA's should ensure that appropriate arrangements are in place for the development of common standards for data content, data format and data exchange and monitoring of compliance.

- Agree (X)
- Disagree
- No opinion

10 The general information on meter data management (as specified in draft recommendation 3) should as a minimum be published on the website of the relevant body (NRA/DSO/metering operator/TSO/other), and must be presented in a customer-friendly way.

- Agree (X)
- Disagree
- No opinion

General comments on the guiding principle: Transparency (maximum 3500 characters):

Accuracy

11 Relevant bodies (NRA/DSO/metering operator/TSO/other) should have in place standardised measures available to the customer to enable any remaining inaccuracy concerning data management to be addressed. Those measures should include a timetable set out in (tick one box)

- Legislation/regulation
- Contract
- Code of conduct
- Other (please specify in the comment box below)
- No need for standardisation processes for remaining inaccuracy

Comment box (3500 characters maximum)

General comments on the guiding principle: Accuracy (maximum 3500 characters):

Accessibility

12 The customer (or party acting on behalf of the customer) should have easy access to his/her customer meter data. This information should be made available in a way that is standardised and through a channel of the customer's choosing (web, paper, etc.). The common standards for provision to customer of meter data information should be provided at a (tick one box):

- European level (X)
- Regional level (across national borders)
- National level
- Sub-national level
- No need to standardise customer meter data
- No opinion

13 The arrangements for accessing customer meter data should be proportionate.

Subject to customer choice, access should only be provided to a party where it requires that particular customer meter data (not just any data) and where they can use it to deliver wider benefits, including to customers.

- Agree (X)
- Disagree
- No opinion

General comments on the guiding principle: Accessibility (maximum 3500 characters):

In question 13, it should be noted that the consumer needs to give his explicit consent to the (third) party requiring customer meter data unless it is required for regulator purposes. Besides the process for obtaining this consent also the process for the withdrawal of consent must be foreseen. There should be an opportunity for the consumer to withdraw his consent, which was previously given, at any time. The consent should be obtained by the consumer opting in rather than being assumed unless the consumer opts out.

Non-discrimination

14 To support an effective and competitive market, the data management model should not give undue preference to one stakeholder over another. Specifically in relation to smart meters, there should be non-discriminatory access to information if and where smart meters are installed.

- Agree
- Disagree
- No opinion

General comments on the guiding principle: Non-discrimination (maximum 3500 characters):

Further questions for public consultation

1. Do you agree with the list of relevant stakeholders we have identified in **Section 5.1** of the paper? If not, which other stakeholders do you think should be included and why?
[Comment box \(3500 characters maximum\)](#)
2. Do you agree that we have correctly identified the right categories of data – defined as ‘customer meter data’ – in **Section 4.2** of the paper, as being relevant to retail market functioning and thus within the scope of our draft advice?
[Comment box \(3500 characters maximum\)](#)
3. In relation to the 5 proposed guiding principles:
 - a) Do you agree with the proposed guiding principles in **Chapter 8** of the paper? Should any be added or removed?
[Comment box \(3500 characters maximum\)](#)
 - b) Do you see any conflicting principles, which can eventually create problems in the energy market?
[Comment box \(3500 characters maximum\)](#)

4. Do you agree that standardisation of data content, data formats and data exchange, set out in **Section 4.3** of the paper, is important? We welcome any comments.

Comment box (3500 characters maximum)

About ANEC

ANEC is the European consumer voice in standardisation, defending consumer interests in the processes of technical standardisation and conformity assessment, as well as related legislation and public policies.

ANEC was established in 1995 as an international non-profit association under Belgian law and is open to the representation of national consumer organisations in 33 countries.

ANEC is funded by the European Union and EFTA, with national consumer organisations contributing in kind. Its Secretariat is based in Brussels.



Raising standards for consumers

**European association for the coordination
of consumer representation in standardisation aisbl**

Avenue de Tervuren 32, box 27, B-1040 Brussels, Belgium

Tel.: +32 2 743 24 70 / Fax: +32 2 706 54 30

E-mail: anec@anec.eu

EC Register of Interest Representatives:

Identification number 507800799-30

www.anec.eu

<http://companies.to/anec/>



ANEC is supported financially by the European Union & EFTA

This document may be quoted and reproduced, provided the source is given.

This document is available in English upon request from the ANEC Secretariat or from the ANEC website at www.anec.eu

© Copyright ANEC 2014