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**EnergyAustralia**  
LIGHT THE WAY

Data Standards Body

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EnergyAustralia appreciates the opportunity to participate in the DSB's *phase 1 of Last Consumer Change Date* (LCCD) consultation. We support the intention to provide greater access to customer usage history; however, are unconvinced the LCCD field as proposed is the most cost effective or optimum solution available, and we are therefore unsupportive of the proposal.

The scope of this consultation is limited to the use of the LCCD in the standards. The processes associated with population, maintenance, conflict resolution and support with the LCCD field and value itself is outside the scope of the DSB and this consultation, and the scope of the AEMO consultation only considered matters around AEMO's retail and/or metering procedures. Therefore, there has been no consideration for the value of this field, or preferable (less costly and more appropriate) alternatives.

Ultimately, LCCD will be an onerous and expensive change for retailers to make and maintain. The LCCD field will commonly be incorrectly recorded, leading to potentially harmful customer consequences that will create concerning liability implications on the retailers entering the details (i.e. there is only weak protection that retailers have acted in good faith).

If there had been consideration of the merits of the LCCD proposal by either AEMO or the DSB, we are confident that the following would have been considered:

- **Retailers would have to accept the customer's answer as to whether they have moved in, as being accurate** – There is no means by which Retailers can verify the accuracy of the customer's answer. Requiring the customer to provide evidence of previous residence before they changed to the current Retailer (i.e. that they have *not* moved in) would be highly cumbersome, result in customer drop-outs, and call backs; with a possibility that the query will remain open for a protracted period of time. There is the further issue that evidence can be falsified. If customers provide incorrect information to the Retailer (intentionally or unintentionally) and indicate that they have not moved in and resided at the premises previously when this is not correct, Retailers will disclose metering data associated with a different person (the previous resident) to the Accredited Person.
  - This may cause customer confusion and data quality issues where an Accredited Person bases its services on irrelevant data. Where the use case is a comparator service one, this could possibly mean that a plan that does not suit the customer's consumption is recommended to the customer.

- **Risks to the customer** – Treasury referred to a “privacy” issue in its April 2021 paper, referring to AEMO’s MSATS solution and stating the customer change information would ‘*ensure the privacy of previous residents of a property remains protected*’. However, the success of AEMO’s MSATS solution still depends on the customer providing correct information to the Retailer. As above, we would have no means to verify the accuracy of the customer’s answer, and so this “privacy” issue (identified by Treasury) has not been addressed.

We have been unable to identify any specific customer harm that could arise through a customer obtaining metering data (via their Accredited Person) relating to a previous resident. However, this does not conclusively mean that there is no possibility of customer harm. It is extremely difficult to anticipate every way a customer may misuse data and combine it with other sources of data, particularly in a family violence context. **We submit the onus should be on Treasury to undertake a privacy impact assessment and broader customer risk assessment, to assess any adverse customer impacts that might arise from sharing metering data linked to a previous retailer. As this risk arises under the CDR regime, Treasury needs to accept this risk.**

The CDR Rules need to also clarify that Retailers will not be liable for any adverse customer impacts that flow from following the requirement to disclose data relating to a previous retailer (where the relevant rules are followed and the wrong data is disclosed), under both the CDR regime and the relevant energy legislation. Treasury should also confirm that there would be no liability under any privacy law.

- **Implementation cost/effort** – EnergyAustralia estimate significant implementation costs and ongoing management costs (available on request) to ensure that LCCD is accurately captured, corrected, and maintained, including time taking to speak to customers about LCCD to ensure it’s captured accurately.

Consideration of the merits of the proposal could have led to alternative options being considered. Below we provide an example of a solution that would achieve the desired outcome of providing usage data beyond the current retailer and with less cost imposed than the proposed solution:

The Accredited Person to ask the customer to confirm whether they have been at the premises for at least two years. If the answer is yes, then the full period of data would be provided. If the answer is no, the customer can then advise the Accredited Person how many months they have resided at their premises. The Accredited Person would then only request data for the period the customer resided at their premises. The Accredited Person could also provide an option for the customer to indicate when they are unsure of the date they moved in, which if selected, would mean the data sharing should be limited to the current Retailer.

This front-ended process would mean that any Retailer system and MSATS changes will not be necessary, as the customer’s engagement with the ADR would determine whether there has been a move in and the relevant period of metering data. This solution is also ideal because those that benefit from the data, the customer and the ADR, are required to provide the necessary information/ implement the change, compared to AEMO’s proposal which impacts the sale/ on boarding of every

energy customer regardless of whether they ever request CDR data or whether the Retailer has CDR obligations. In this way, overall it is a more efficient solution.

The same issues arise where the customer provides incorrect information (as discussed above), but we do not see this risk to be greater than that associated with AEMO's proposal. Both AEMO's proposal and our alternative ultimately rely on the customer to provide accurate information:

- at different times (when the customer onboards with their new energy retailer vs when they engage with the ADR to access the CDR); and,
- to different entities (Energy Retailer vs ADR).

Notably, this proposal fits neatly with the solutions proposed by the DSB, Option 1 is a good example of this:

*Option 1 – Allow historical data from previous retailers to be shared by default.*

- a) CX standards could require that Data Holders (DH) notify consumers when historical data from previous retailers may be shared; Accredited Data Recipients (ADR) would already be required to state the historical range of the data as per the CDR rules*
- b) Historical data from previous retailers could be shared without an explicit notification from DHs*

Ultimately, we are concerned with progressing the LCCD field when there is ambiguity on the application which will impact the value of the data. Neither the DSB's or the previous AEMO consultation have set out any upstream activities before the market transaction and so there is no clarity on the implications below:

- What interactions are expected with the customer to confirm whether there has been a customer change at the premises (i.e. a move in), to then populate the Last Customer Change Date Field? Verbally and digitally (online)?
- How should complaints about this data be handled?

We believe the DSB should consider whether an alternative option would be a better alternative, and failing that, whether it is justified for the DSB to consider the merit of progressing the solution at this time, as there are many issues impacting the benefit of the LCCD value. If it were to progress the DSB should conduct a cost benefit analysis to determine the validity of their decision:

- An assessment of the benefit in terms of the number of customers likely to use it in the current context of limited CDR uptake (i.e. number of CDR customers switching quite frequently so that they need their previous retailer's data); and,
- Costs to Retailers, AEMO and other participants, including a comparison of costs under different implementation options.

If you would like to discuss this submission, please contact me on 03 9060 1361 or [Travis.Worsteling@energyaustralia.com.au](mailto:Travis.Worsteling@energyaustralia.com.au).

Regards

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