



29th
March 2018

Ms Sarea Coates Nicholas
Director, Energy Data and Consumer Analysis
Department of the Environment and Energy
King Edward Terrace
Parkes ACT 2600

By email: energycouncil@environment.gov.au

CC: data@treasury.gov.au

Dear Ms Coates

Facilitating access to consumer electricity data

The Australian Competition and Consumer Commission (ACCC) appreciates the opportunity to make a submission on the draft report on facilitating access to consumer electricity data (the Houston Kemp report).¹

The purpose of this submission is to note our support for a consistent approach toward access to consumer data across all sectors.

As noted in the Houston Kemp report, there are multiple proposals regarding access to consumer data on foot. In particular, in addition to the proposal in the Houston Kemp report for access to electricity data, a proposal for a general consumer data right has been detailed in the Open Banking report, released by the Treasury on 9 February 2018.² This follows an announcement from the Assistant Minister for Cities and Digital Transformation in November 2017 that the government would introduce a consumer data right, first in banking, and then in the energy and telecommunications sectors.³

The ACCC supports an outcome that ensures, at the least, that these proposals work together and do not create complexity for consumers. Such complexity could arise if multiple frameworks exist for different types of data in different sectors, and could be exacerbated if differing frameworks impose inconsistent requirements.

Consistency between proposals does not imply uniformity, and the Open Banking report acknowledges that even though the consumer data right is intended to have general application, specific rules may be made to acknowledge the particular circumstances of given industries.⁴ This would however occur within an overall framework that promotes consistency and interoperability across many sectors of the economy.

¹ Houston Kemp Economists, *Facilitating access to consumer electricity data – Draft report for the Department of the Environment and Energy* (February 2018), published 1 March 2018.

² Treasury, *Review into Open Banking: giving customers choice, convenience and confidence*, Report (December 2017).

³ The Hon Angus Taylor MP, Assistant Minister for Digital Transformation and Cities, 'Australians to own their own banking, energy, phone and internet data', Media Release (26 November 2017).

⁴ See p. 19.

The ACCC understands that the Treasury and the Department of the Environment and Energy continue to liaise in relation to the consumer data right proposal outlined in the Open Banking report, and the proposal for access to electricity data outlined in the Houston Kemp report. In light of the detailed work being undertaken, the ACCC does not consider that giving additional attention to consistent interaction between the proposals will slow momentum towards implementation.

The ACCC strongly supports initiatives that provide consumers with greater access to, and control over, the data that is held about them. These initiatives have the potential to deliver significant competition and consumer benefits, including enhancing the ability of consumers to compare competing offers and to switch between service providers.

Please contact Stephen Bordignon on (03) 9290 1952, or at stephen.bordignon@accc.gov.au, if you have any queries in relation to this submission.

Yours sincerely



Rod Sims
Chairman

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