

29 May 2020

Secretariat
Treasury
Langton Crescent
Parkes ACT 2600



Submitted via email 29 May 2020: data@treasury.gov.au

Dear Secretariat,

Consumer Data Right - Energy Sector Designation Instrument

Energy Queensland Limited (Energy Queensland) welcomes the opportunity to provide comment to Treasury in response to its consultation *Consumer Data Right - Energy Sector Designation Instrument (Consultation)*.

This submission is provided by Energy Queensland, on behalf of its related entities, including:

- Distribution network service providers, Energex Limited and Ergon Energy Corporation Limited;
- Retailer, Ergon Energy Queensland Pty Ltd (Ergon Energy Retail); and
- Affiliated contestable business, Yurika Pty Ltd including its subsidiary, Metering Dynamics Pty Ltd.

Energy Queensland notes the definition of Associate within this Consultation is taken from section 318 of the *Income Tax Assessment Act 1936*. It is our view that the use of this definition precludes a number of modern household and co-habitation arrangements. For example, the definition in the consultation would not consider de facto relationships or two friends who purchase a property together and then live together and share bills.

Energy Queensland agrees the definition of Associate should not extend to people who are simply lodgers but could consider share houses where a group of people may cohabit for a long period of time and all contribute to the household expenses. Similarly, the definition of Associate does not allow for certain third parties to act on behalf of a customer. For example, there is no reference to an attorney acting on behalf of a customer with reduced capacity qualifying as an Associate. Energy Queensland believes further consideration is required and any definition of Associate should account for a broader range of associations.

Energy Queensland also notes under this draft designation, the earliest date that the classes of information that are held by a data holder under the Designation can become subject to the consumer data right is 1 July 2018. This applicability date provides additional pressures on Retailers who may not have the information readily available in the prescribed format or uploaded to software that it has developed for Consumer Data Right (CDR) compliance purposes. Energy Queensland therefore suggests the applicability date should be applied at the point at which the Designation comes into force rather than retrospectively.

Additionally, to facilitate compliance with its obligations under section 56A of the National Electricity Retail Rules (NERR), Ergon Energy Retail has implemented a free to use customer portal to make it easier for its customers to access their consumption information. This tool was co-designed with customers and has a continuous improvement program to ensure customers' ongoing needs are met. However, we note that the equivalent information will potentially also be available from the Australian Energy Market Operator under the CDR, possibly rendering investment in this above-mentioned tool redundant, and thus section 56A of the NERR could be retired to the extent that it duplicates information to be provided under the CDR.

Should you require additional information or wish to discuss any aspect of this submission, please call Laura Males on (07) 4432 8222 or myself on 0409 031 882.

Yours sincerely



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