



13 December 2021

Consumer Data Right Division
Treasury
Langton Crescent
PARKES ACT 2600

Lodged electronically: data@treasury.gov.au

Dear Sir/Madam,

Consumer Data Right (Telecommunication Sector) Designation 2021

Origin Energy appreciates the opportunity to provide comment on the Exposure Draft *Consumer Data Right (Telecommunication Sector) Designation 2020* (Designation Instrument). Origin supports the intent of a Consumer Data Right (CDR) regime to enhance and encourage competition by giving consumers greater access to their data and to have the ability to share this data.

Origin has an interest in this Designation Instrument as we are not only an integrated energy company, but our retailing activities also include providing broadband services to residential consumers. Origin utilises the services of a wholesaler to provide internet (including VOIP) offerings to consumers. The development of the telecommunication sector CDR framework will impact on the operations of our business.

We believe that expanding CDR to include the telecommunication sector should be undertaken in a measured way to fully understand the operational characteristics of the sector, ensure the data sharing model aligns (where appropriate with banking and energy), and gauge the extent to which additional services or functionality is required under the existing CDR framework. This is particularly important for the telecommunication sector given the significant advancement in the CDR framework with finalisation of both the banking and energy operating frameworks.

Origin's views on matters raised in the Designation Instrument are set out below. We focus our comments on how the proposed enhancements to the framework would apply to the telecommunication sector.

1. Data Holders for the telecommunication sector

We note the Designation Instrument is broad as to the proposed designation of Data Holders under the CDR Regime for the telecommunication sector. The extent of the defining of Data Holders is set out in section 5 of the Designation Instrument as follows:

“(2) For paragraph 56AC(2)(b) of the Act, carriers and carriage service providers are specified as persons who hold such information (or on whose behalf such information is held).”

The definition of “carriers” and “carriage service providers” appears extensive and we understand that it is intended to capture the “retailer” of a product or service to a consumer. While capturing a retailer as a data holder appears reasonable for CDR, we believe that it has added complexities for the telecommunication sector. This is because of the various retailing models in the telecommunication sector e.g. some retailers procure and provide the full integrated service (ie wholesale, network, retail) and other retailers will “white label” and be the interface for the sales of a product.

In the scenario of white labelling, the data required for CDR could be held by a party different to the party that interfaces with the customers. As a result, there will need to be considerable work to

determine the appropriate primary data holders for the relevant data sets and the speed in which this data needs to be exchanged.

Further, we see that the telecommunication model of “white labelling” is potentially more complex than the banking sector. This is because consumer data relating to telecommunications services is collected by a range of parties connected to the various networks at different points in the supply chain – this could be infrastructure owners and operators, wholesalers or sub-wholesalers, service providers, or equipment providers. These differences need to be carefully considered in the development of the telecommunications CDR Rules.

2. Billing and Account information about retail supplies of products

A number of the types of billing and account information categories are broadly defined in the Designation Instrument and are intended to cover aspects of the account that a telecommunication consumer is being supplied on.

While these categories are broadly phrased, we believe that the requirements in the CDR Rules should align with the billing and account data requirements in the sector. We do not support the inclusion of additional billing and account data beyond the sector’s current requirements. If telecommunication providers are providing data above and beyond the minimum billing and account requirements, then these should form part of the “voluntary data” requirements under the CDR scheme. The development of the CDR framework should not inform the the billing requirements for the telecommunication sector.

3. Integration of the telecommunication sector with energy and banking

We support the intention of the CDR regime for consumers to be able to utilise data across a number of sectors. However, the request for data needs to be on a standalone basis. That is, the request for energy data and telecommunication data should not be provided on the one request as a business offers both energy and telecommunication services. Often systems are not linked and a consumer is likely to sign up for the services at different times. It is often incredibly hard to match consumers as different details are provided to sign up to a plan and the energy and telecommunication sectors use different locational data to match premises.

Closing

Origin supports effective competition and mechanisms in place to assist consumers in using data relevant to usage and needs. The telecommunication sector has a complex supply chain and with a wide number of product and service offerings available to consumers. It is therefore important that due consideration is given to the market characteristics and CDR is only extended to the data fields where there are demonstratable benefits to consumers.

If you have any questions regarding this submission, please contact Caroline Brumby in the first instance on (07) 3867 0863 or caroline.brumby@originenergy.com.au.

Yours sincerely



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