

3 October 2023

Louise Staker  
Market Conduct and Digital Division  
Treasury  
Langton Cres  
Parkes ACT 2600

Via email to [CDRRules@treasury.gov.au](mailto:CDRRules@treasury.gov.au)

Dear Louise Staker,

**Re: Consumer Data Right rules – expansion to the non-bank lending sector**

Simply Energy welcomes the opportunity to provide feedback on the exposure draft amendments to the Competition and Consumer (Consumer Data Right) Rules 2020. Simply Energy's feedback is focused on the proposed amendments to facilitate access to energy product reference data.

Simply Energy is a leading energy retailer across Victoria, New South Wales, South Australia, Queensland and Western Australia. Simply Energy is owned by the ENGIE Group, one of the largest independent power producers in the world and a global leader in the transition to a zero-carbon economy. As a leading retailer focused on continual growth and development, Simply Energy supports the development of effective regulation to facilitate competition and positive consumer outcomes in the market.

Simply Energy is disappointed that Treasury has included this proposed amendment in a consultation related to the non-bank lending sector, particularly as there has been no direct engagement with the energy sector on this proposal before it was included in this consultation.

We do not understand Treasury's rush to implement this change without a fulsome consultation and assessment of the costs and benefits of the change and any reasonable alternatives. There were also some significant risks raised at the stakeholder forum, such as the potential for reflection attacks if this change proceeded. We recommend that Treasury engage with these technical issues before proceeding with this change.

Simply Energy would support this amendment being put on hold until there is evidence of a failure in the current processes and that consumers are missing out on benefits of the CDR due to retailers not re-directing product data requests to the product data holders (the Australian Energy Regulator and the Victorian Agency). If such evidence is available, we would support an assessment of available options to provide those benefits at an efficient cost for industry and consumers.

Simply Energy welcomes further discussion in relation to this submission. To arrange a discussion or if you have any questions please contact Matthew Giampiccolo, Senior Regulatory Adviser, at [matthew.giampiccolo@simplyenergy.com.au](mailto:matthew.giampiccolo@simplyenergy.com.au).

Yours sincerely

A handwritten signature in black ink that reads "James Barton". The signature is written in a cursive style with a large initial 'J'.

**James Barton**  
General Manager, Regulation  
Simply Energy