



9 September 2024

The Treasury  
Langton Crescent  
Parkes ACT 2600

Via e-mail: [CDRRules@treasury.gov.au](mailto:CDRRules@treasury.gov.au)

### **Consumer Data Right rules: Consent and operational enhancement amendments**

Alinta Energy welcomes the opportunity to respond to the Treasury's consultation paper on changes to the Consumer Data Right rules in relation to amendments to consent and other operational enhancements.

We make specific comment on the operational enhancements and rule changes specific to the energy sector impacting on data holders and energy-sector specific amendments below.

#### Nominated representatives (section 2.1)

Treasury notes that it has considered submissions from data holders expressing concerns over the proposals to require data holders to provide an online mechanism for appointing nominated representatives for non-individual business consumers.

We appreciate that Treasury has taken concerns expressed by data holders into account and the 12-month deferment of the effective date for these obligations. Requiring the account holder to take active steps to appoint a nominated representative will protect consumer data and privacy.

However, if the online process set out under the changes to rules 1.13(1)(c) and 1.13(1)(d) needs to be incorporated fully within a data holder's CDR API architecture, the costs of implementation are likely to be high and for the energy sector, significantly negative from a cost-benefit basis given the low number of requests for nominated representatives to seek access.

We recommend the definition of an online service extend to the provision of an electronically accessible form available to account holders to easily nominate representatives.

#### Exempting trial products from the CDR

The scope of trial products in the energy sector set out in draft rule 1.5 is too narrow in the context of the products and services energy retailers (as data holders) will be required to test and trial through the energy transition. This is particularly the case with the recent focus of Commonwealth and State governments on the integration of consumer energy resources (CER). Energy sector trials will involve approaches that differ from the standard approach to product and billing and will assess consumer responses to incentives and other product features over time.

We recommend the limit of exempt trial participants should be at least 5,000 customers and the period of a pilot or trial be up to 36 months. Trial product development is costly and involves commercial risks that will often be borne primarily by energy retailers. Requiring trial products (which may be complex in design) to be included in the CDR data suite increases these costs and reduces the incentives for

retailers to participate in innovative trials that are ultimately seeking to provide enhanced consumer benefits.

Alinta Energy would welcome further discussion of this response with Treasury, please contact David Calder ([David.Calder@alintaenergy.com.au](mailto:David.Calder@alintaenergy.com.au)) in the first instance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G. Hamilton', is positioned above the printed name.

**Graeme Hamilton**  
General Manager, Regulatory & Government Affairs