

Consumer Data Right (CDR) MSATS Consultation

Draft Report and Determination – Part
2 – Consumer Data Right (CDR) –
MSATS Consultation

Published: 12 September 2022

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Australian Energy Market Operator Ltd ABN 94 072 010 327

Notice of Second Stage Consultation – Part 2 – Consumer Data Right (CDR) – MSATS Consultation

National Electricity Rules – Rule 8.9

Date of Notice: 12 September 2022

This notice informs all Registered Participants, Metering Providers, Metering Data Providers, Embedded Network Managers, Ministers and the Australian Energy Regulator (AER) (Consulted Persons) that AEMO is commencing the second stage of its two stage consultation (Consultation) on the changes (Changes) which AEMO proposes (Proposals) to the Electricity Market Procedures (Procedures) in respect of the Consumer Data Right (CDR).

This Consultation is being conducted under clause 7.16.7 of the National Electricity Rules (NER), in accordance with the consultation requirements in NER 8.9.

Invitation to make Submissions

AEMO invites written submissions on this second part of the Draft Report and Determination (Draft Report Part 2).

Please identify any parts of your submission that you wish to remain confidential, and explain why. AEMO may still publish that information if it does not consider it to be confidential, but will consult with you before doing so.

Consulted Persons should note that material identified as confidential may be given less weight in the decision-making process than material that is published.

Closing Date and Time

Submissions in response to this Notice should be sent by email to NEM.Retailprocedureconsultations@aemo.com.au to reach AEMO by 5.00pm (Melbourne time) on 27 September 2022.

All submissions must be forwarded in electronic format (both pdf and Word). Please send any queries about this consultation to the same email address.

Submissions received after the closing date and time will not be valid, and AEMO is not obliged to consider them. Any late submissions should explain the reason for lateness and the detriment to you if AEMO does not consider your submission.

Publication

All submissions will be published on AEMO's website, other than confidential content.

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Executive Summary

The publication of this Draft Report Part 2 commences the Consultation by AEMO on the Changes to the Procedures. The key Proposals in the Issues Paper included the following Changes:

- The addition of a “Last Consumer Change Date” field into MSATS.
- Changes to CR5054 and CR5055 Change National Metering Identifier (NMI) Details transactions to allow the current FRMP to explicitly maintain the “Last Consumer Change Date” field.

The key issues arising from the Issues Paper were as follows:

- Risks to customers, privacy and liability.
- Implementation costs and effort.
- Timing.
- Lack of legislation.

In response to the issues identified by the Consulted Persons, AEMO held two AEMO facilitated CDR MSATS solutions workshops, which have resulted in the Proposals in this Draft Report Part 2.

Some of these issues were determined to be out of the remit of the Consultation. A third workshop facilitated by the Data Standards Body (DSB) was held to work through solutions with industry.

After considering the submissions, AEMO’s draft determination is to add a “Last Consumer Change Date” field to the CATS_NMI_DATA table, with the following requirements:

- The Last Consumer Change Date will be defined as follows:
 - The date a consumer starts as the new account holder for a premise.
- A new change request transaction will be created within the National Metering Identifier (NMI) Details group of transactions to allow the current FRMP to maintain this data.
 - As this will be a new stand-alone transaction, it will only need to be created when an update to the LastConsumerChangeDate is necessary.
- The LastConsumerChangeDate field value/date will be supplied by the current FRMP.
 - Where a prospective FRMP captures this information as part of a customer sign-on process, the update to the date is to be provided once the prospective FRMP becomes the current FRMP, i.e., following the completion of the customer transfer.
 - For the CR’s meta data, the actual change date would be the effective date of the completed Change Request.
- AEMO will apply logic to the CR1030/CR1040 transactions to automatically populate the LastConsumerChangeDate field with the date contained in the CR once it goes to a Completed status.

Specifically, the Proposal involves Changes to the following Procedures.

Summary of Change Proposals Procedure	Type of Change	Proposed Effective Date	Change Proposal
Standing Data for MSATS document v5.4	Amendment	30 May 2023	Consumer Data Rights (CDR)
MSATs Procedures – CATS v5.4	Amendment	30 May 2023	Consumer Data Rights (CDR)

Summary of Change Proposals Procedure	Type of Change	Proposed Effective Date	Change Proposal
MSATs Procedures – WIGS v5.4	Alignment	30 May 2023	Consumer Data Rights (CDR)

1. Stakeholder Consultation Process

AEMO is undertaking the Consultation in accordance with NER 8.9.

AEMO's indicative timeline for this consultation is outlined below. Deliverable	Indicative date
Issues Paper published	Wednesday, 27 April 2022
First stage submissions closed	Thursday, 2 June 2022
Draft Report Part 1 published	Friday, 29 July 2022
Submissions due on Draft Report Part 1	Monday, 15 August 2022
Draft Report Part 2 published	Monday, 12 September 2022
Submissions due on Draft Report Part 2	Tuesday, 27 September 2022
Final Report – Part 1 published	Monday, 12 September 2022
Final Report – Part 2 published	Thursday, 8 November 2022

Future dates may be adjusted depending on the number and complexity of issues raised in submissions. A glossary of terms used in this Draft Report Part 2 is at Appendix A.

2. Background

2.1. NER requirements

AEMO is responsible for the establishment and maintenance of metering procedures specified in Chapter 7 except for procedures established and maintained under NER 7.17.

The procedures authorised by AEMO under NER Chapter 7 must be established and amended by AEMO in accordance with the Rules consultation procedures.

2.2. Context for this consultation

2.2.1. Consumer Data Right

The Australian Government introduced the CDR on 26 November 2017 to:

- Give consumers greater access to and control over their data.
- Improve consumers' ability to compare and switch between products and services.
- Encourage competition between service providers, leading to better prices for customers, as well as more innovative products and services.

The CDR has been introduced through amendments to the Competition and Consumer Act 2010 (Cth). The CDR is to be implemented across various sectors of the economy, initially starting with the banking sector in 2020/2021, followed by the energy sector in 2022/2023.

The CDR reform is being led by the Federal Treasury (Treasury) and supported by the Australian Competition and Consumer Commission (ACCC).

Conceptually, the CDR model is to facilitate the authorised transfer of an authenticated consumer's data from a Data Holder to an Accredited Data Recipient (ADR). For energy, this involves the exchange of data related to:

- Tariffs, accounts and billing.
- Standing data, metering data and distributed energy resource (DER) data. AEMO is responsible for the provision of this DER data.

The energy data available through CDR is as follows:

Data Set	Description	Data Holder	Link to Standards
Generic Tariffs	Energy Plans currently offered to the market, with tariff detail	AER / Victorian Government	DSB - Energy Plan
NMI Standing Data	Site specific data such as location, metering configurations, network tariff and loss factors	AEMO	DSB – Service Points DSB - Service Point Details
Electricity Usage	Metered electricity usage for that site (NMI) for up to 24 months	AEMO	DSB - Energy Usage Reads

Data Set	Description	Data Holder	Link to Standards
Distributed Energy Resources	Installation details for Distributed Energy Resources (DER), such as Solar PV or Batteries, at the site (NMI)	AEMO	DSB - DER
Energy Accounts	Information on the specific plan detail and authorised contacts for accounts	Retailers	DSB- Accounts DSB- Concessions DSB- Payment Schedule
Billing	Invoicing, balances and billing transactions for the account	Retailers	DSB Billing DSB Invoices DSB Balance

The CDR will allow consumers to require energy retailers and AEMO to share the consumer's data with an ADR, such as a comparison site, to enable consumers to obtain more tailored, competitive services. Consumers will need to consent to and authorise their data to be shared under the CDR. The Final CDR Rules for the Energy sector, published on 15 November 2021, places obligations on retailers and AEMO, as designated Data Holders, to provide CDR services.

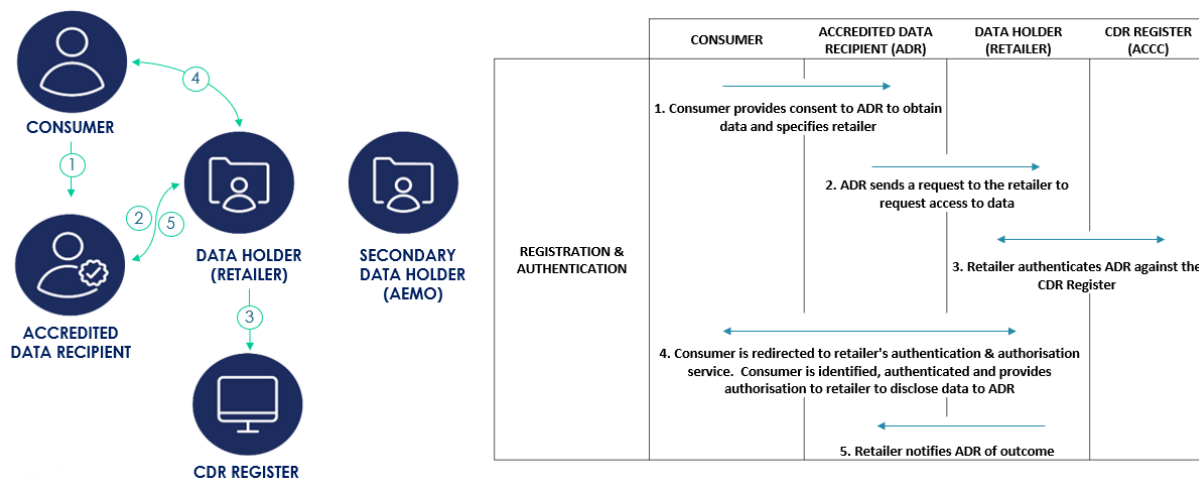
The initial tranche of retailers (the three largest retailers) and AEMO are required to provide CDR services by 15 November 2022. The broader tranche of retailers are required to provide CDR services by 1 November 2023.

The CDR data-sets and transactions are defined in the CDR data standards governed by the Data Standards Body (DSB). CDR data standards version 1.14, published on 29 October 2021, included the first full set of candidate level standards for the energy sector.

The CDR in Energy has designated AEMO as a Secondary Data Holder to enable consumers to share their information on DER, Standing Data and historical electricity usage that may not be available to the current retailer. To facilitate this outcome, the CDR data access model differs from the economy-wide model, to allow for the fact that AEMO does not have the information to manage consumer consent.

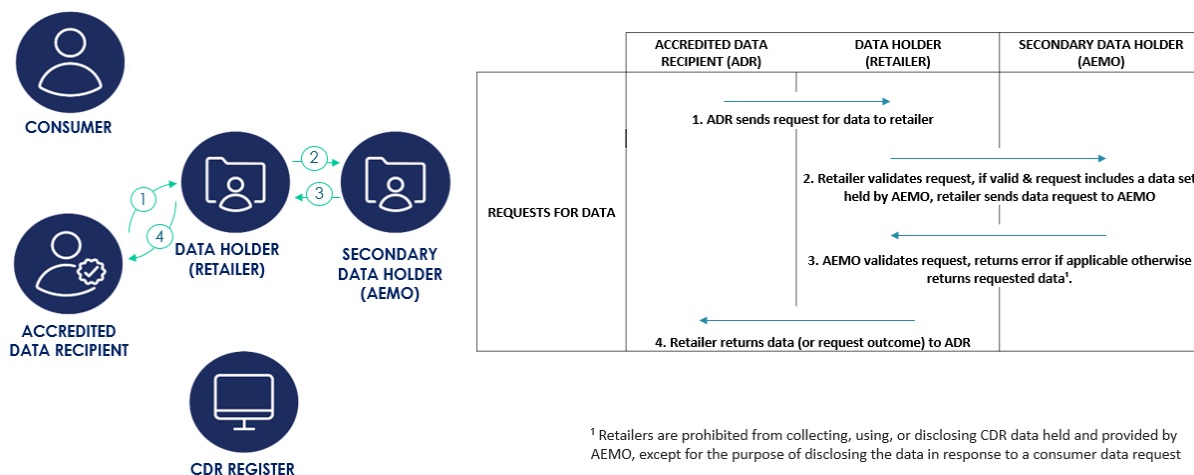
In the banking sector, all data required by CDRs are held by the one party, which is the customer's bank. However, in the energy sector, the data is held across multiple parties. Accordingly, a Peer-to-Peer (P2P) model will be used for the energy sector. The P2P model is a retailer-centric model. In the P2P model, the retailer is at the centre as the Primary Data Holder. The retailer requests data from AEMO, as the Secondary Data Holder, as needed to satisfy data requests. The P2P model eliminates the issue of ADRs needing to request data from multiple parties.

The retailer, as the Primary Data Holder, is responsible for consumer authentication and authorisation. The retailer provides a portal for the consumer to manage/update/retract authorisation. AEMO is not involved in this process.



AEMO, as the Secondary Data Holder, is required to enable consumers to share their data on service point information, distributed energy resources and historical electricity usage that may not be available to the current retailer. The retailer, as the Primary Data Holder:

- Must not use the data which AEMO provides for a purpose other than responding to the relevant data request by the ADR.
- Must delete any of this data which it holds in accordance with the CDR data deletion process, once the retailer has responded to the relevant data request by the ADR.



¹ Retailers are prohibited from collecting, using, or disclosing CDR data held and provided by AEMO, except for the purpose of disclosing the data in response to a consumer data request

The data requests will be managed via new APIs defined by the Consumer Data standards, via the existing e-Hub API gateway (<https://consumerdatastandardsaustralia.github.io/standards/#energy-apis>):

- Get Service Points – High level details for a list of NMIs.
- Get Service Point Detail – Details for a specific NMI.
- Get DER for Service Point – Obtain a list of DER data from a particular service point.
- Get DER for Specific Set of Service Points – Obtain DER data for a specific set of service points.

- Get Usage for Service Point – Obtain a list of electricity usage data from a particular service point.
- Get Usage for Specific Set of Service Points – Obtain the electricity usage data for a specific set of service points.

The data for these three services will be sourced from:

- CATS Standing Data.
- DERR – Distributed Energy Resources Register.
- MDM – Meter Data Management.

The key CDR elements for the electricity industry are:

- CDR only allows the current account holder to access the data for the NMI – if there has been a change in account holder, any previous account holders cannot authenticate, so do not have access.
- Current CDR standards still apply – if the retailer knows when there is a move in (i.e. they have been the FRMP throughout), they can only request/modify the ADR's request, for the period of the current consumer.

2.2.2. CDR Change Proposal

The Treasury has requested AEMO to introduce a new data field to indicate when a NMI has changed account holder. This would enable AEMO to release sufficient metering data to meet use cases in circumstances where a consumer has changed retailers during the period for which they wish to share their metering data with an accredited third party. The introduction of such a field would ensure that when sharing of a consumer's energy data occurs, following authentication by the consumer's current retailer, metering data is provided for the time that the CDR consumer was associated with the NMI.

A field indication as to when a NMI has changed account holders would:

- Enable the sharing of more historical metering data in response to one-off requests.
- Be relevant also where there is an ongoing data sharing arrangement.

As a result of the feedback received from participants in response to the Issues Paper and the subsequent CDR Workshops, in summary (section 3 contains more detail), AEMO has amended the initial proposal of an aseXML change to add a "Last Consumer Change Date" field to the CATS_NMI_DATA table, to include following requirements:

- The Last Consumer Change Date will be defined as follows:
 - The date a new consumer moves into a premises and starts as the account holder.
- A new change request transaction will be created within the NMI Details group of transactions to allow the current FRMP to maintain this data.
 - As this will be a new stand-alone transaction, it will only need to be created when an update to the LastConsumerChangeDate is necessary.
- The LastConsumerChangeDate field value/date will be supplied by the current FRMP.
 - Where a prospective FRMP captures this information as part of a customer sign-on process, the update to the date is to be provided once the prospective FRMP becomes the current FRMP, i.e., following the completion of the customer transfer.
 - For the CR's meta data, the actual change date would be the effective date of the completed Change Request.
- AEMO will apply logic to the CR1030/CR1040 transactions to automatically populate the LastConsumerChangeDate field with the date contained in the CR once it goes to a Completed status.

The addition of the “Last Consumer Change Date” field will enable the current retailer to request data for periods prior to them becoming the FRMP, thereby eliminating the need for an ADR to otherwise contact multiple Retailers/FRMPs to obtain the information required.

2.3. Initial Population of Last Consumer Change Date

AEMO is seeking feedback on the initial population of the Last Consumer Change Date (LCCD). The proposed options are outlined in the table below:

No.	Description	Net result for consumers	Comments
1	Do not initialise	Consumers can access data for their current Retailer relationship (no change). If the Consumer changed retailer access to historical data would not be available unless the Consumer works with Retailer to set the Last Consumer Change date.	Simple implementation and existing access maintained for early adopters of CDR, however, it leaves a future exception flow to the next in-coming retailer in the case of an in-situ switching to set the Last Consumer Change date for consumers using CDR.
2	Set the initial Last Consumer Change Date to a fixed date (30 May 2023)	Consumers receive data from the fixed date, however, a consistent point is set and within 12 months all consumers would have a useful set of data. In the interim consumers using CDR could work with Retailer to set the Last Consumer Change date	Simple implementation but a poor outcome for early adopters of CDR and retailers needing to manage exception flows to set the Last Consumer Change date.
3	Set the initial Last Consumer Change Date to the start date of the current NMI to FRMP relationship.	Consumers can access data for their current Retailer relationship (no change). If the consumer changes retailer (in-situ) access to historical data will be maintained.	Data access maintained for early adopters of CDR. For retailers that are the current FRMP across multiple consumers (Use Case 3: Multiple Consumers - Single Retailer) the Last Consumer Change date would need to be updated to reflect the current consumer.
4	Set the initial Last Consumer Change Date to the later of: <ul style="list-style-type: none"> current FRMP Start Date Twelve months prior (30 May 2022) Latest disconnection date Other information 	Consumers can access data for their current Retailer relationship (no change). If the consumer changes retailer (in-situ) access to historical data will be maintained.	Data access maintained for early adopters of CDR. This option extends option 3 (above) to use other information and a 12-month window to reduce the number of exceptions to be managed by retailers that are the current FRMP across multiple consumers.

Questions

- Which of the proposed initial population options does your organisation prefer and why?
- Is there an alternative initial population option you believe would better achieve the desired objectives?
- What do you believe should be considered in implemented your preferred initial population option?

2.4. First stage consultation

On 27 April 2022, AEMO issued the Notice of First Stage Consultation and published the Issues Paper, accompanied by the initial draft amended procedure documents. This information is available on AEMO's website: <https://aemo.com.au/en/consultations>

The Issues Paper included a summary of the proposed changes, as well as details on AEMO's stakeholder engagement, including through the ERCF.

In response, AEMO received 15 submissions, held two AEMO facilitated CDR MSATS workshops and the DSB facilitated a workshop. AEMO has published copies of all written submissions (excluding any confidential information) on AEMO's website at: <https://aemo.com.au/consultations/current-and-closed-consultations/consumer-data-rights-msats-consultation>.

3. Summary of Material Issues

The key material issues arising from the Proposal and raised by Consulted Persons are summarised in the following table:

No.	Issue	Raised by
1	Risks to Customers, privacy and liability	Multiple Respondents
2	Implementation costs, effort and timing	Multiple Respondents
3	Lack of legislation	Multiple Respondents

A detailed summary of issues raised by the Consulted Persons in their submissions, the two AEMO facilitated CDR workshops and the DSB-facilitated workshop, together with AEMO's responses, is contained in Appendix B.

4. Discussion of Material Issues

4.1. Risks to Customers, privacy and liability

4.1.1. Issue summary and submissions

The submissions and the subsequent AEMO facilitated workshops highlighted concerns and risks associated with customer privacy and associated liabilities.

Multiple respondents stated that:

- The solution relies on a consumer providing correct information.
- The solution does not satisfy the stipulation of Treasury and AEMO that the consumer change information should “ensure the privacy of previous residents of a property remains protected”.

There are risks to a consumer (as a previous resident) where a current resident requests the disclosure of the previous resident’s data to the ADR, but the retailers cannot verify that this request is not correct.

Specifically:

- EnergyAustralia noted that there is no means by which retailers can verify the accuracy of a customer’s answer, or that answers could be falsified. EnergyAustralia also noted that the procedures would need to provide that retailers would not be liable for any adverse customer impacts that flow from following the requirement to disclose data relating to a previous retailer (where the relevant rules are followed and the wrong data is disclosed), under both the CDR regime and the relevant energy legislation.
- Origin Energy and Alinta Energy noted that AEMO had previously provided legal advice to the industry on the use of MSATS for “consumer-specific information”, as opposed to “site-specific information”. The respondents consider that the proposed ‘last consumer change date’ field is also consumer-specific information, which, therefore, should not be held in MSATS.

Many respondents suggested an alternative front-ended solution, being that:

- Consumers inform their ADR of their retailer history; and
- The ADR then requests data from each retailer individually for each relevant period.

4.1.2. AEMO's assessment

In March 2020, Treasury appointed KPMG to conduct a supplementary Privacy Impact Assessment (SPIA). The SPIA:

- Was designed to assess the additional privacy impacts and risks from the proposed designation of the energy sector.

Identified a number of additional privacy risks raised by extension of CDR to the energy sector.

- Made eight recommendations to government agencies, including the ACCC, about how to address these risks.

Specifically, the SPIA’s recommendation 3 is that:

‘the energy-specific Consumer Data Right rules that are being developed will need to address the unique characteristics of the energy sector and how: energy data flows, the AEMO Gateway Model operates, the Priority Energy Datasets are defined and how electricity consumers engage with Electricity Retailers. These rules will need to establish appropriate controls to

manage data flowing through the Gateway and allocate responsibilities between Data Holders and Accredited Persons, supported by appropriate changes to the Consumer Data Right Privacy Safeguard Guidelines, Consumer Data Standards, CX Standards and CX Guidelines.’

Treasury published a consolidated response to the SPIA on 30 June 2020. This response reflected the coordinated responses of government agencies including the ACCC.

In response, the ACCC noted it will consider the issue of eligible consumers in the CDR for energy and will consult on eligible consumer requirements for the energy sector in the energy rules framework.

The Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2021 clause 1.3¹ provides that “customer data”, in relation to a particular person:

- (a) *means information that identifies or is about the person; and*
- (b) *includes:*
 - (i) *the person’s name; and*
 - (ii) *the person’s contact details, including their:*
 - (A) *telephone number; and*
 - (B) *email address; and*
 - (C) *physical address; and*
 - (iii) *any information that:*
 - (A) *the person provided at the time of acquiring a particular product; and*
 - (B) *relates to their eligibility to acquire that product; and*
 - (iv) *if the person operates a business—the following:*
 - (A) *the person’s business name;*
 - (B) *the person’s ABN (within the meaning of the A New Tax System (Australian Business Number) Act 1999); and*
- (c) *if the person is an individual—does not include the person’s date of birth.*

The Last Consumer Change Date flag will include:

- No such “customer data”; and
- Only a date in which a consumer has changed at a site, in a similar manner to a transfer date.

These circumstances distinguish the Last Consumer Change Date field from the proposed Life Support field, in which respect, the MSATS Standing Data Report and Determination dated 14 May 2020 pages 85-86² notes as follows:

The ACCC’s submission to AEMO states, “A key tenet of the CDR is secure sharing of consumer data – that is, that the correct data relating to an authenticated consumer is shared with an accredited third party, in line with the consumer’s consent.”

¹ Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2021 (legislation.gov.au)

² msdr-draft-report-and-determination.pdf (aemo.com.au)

In future, AEMO understands that the highest priority in the energy CDR context will be to ensure the relevant controls in respect of personal or sensitive information. The key privacy questions concern: how consumers provide consent to the use of their data; the timeframes in which this use occurs; and how the data is treated once the service is provided.

A consent management function could be a key role of an independent, trusted intermediary, with a strong record of prudent and secure information management. This function would: facilitate a single point of connection for consumers seeking to understand the use of their data; minimise friction in the system; and reduce costs to parties to CDR transactions.

Currently, AEMO handles consumer data – including sensitive information such as life support – as a function of its existing services. However, AEMO does not store this information in its systems. Instead, the B2B procedures sets out the processes by which participants – including retailers and distributors – store, as well as obtain, exchange and manage this information, in accordance with their obligations under the NER and National Energy Retail Rules (NERR). In this regard, AEMO notes that B2B communications may be influenced by some MSATS Standing Data items, but are not directly linked to the business-to-market operations.

Subsequently, however, the energy CDR has been confirmed to exclude sensitive information, such as life support information, from the consumer data which can be transferred as part of a CDR data request.

4.1.3. AEMO's conclusion

AEMO considers the customer, privacy and liability issues raised by the respondents fall outside of AEMO's remit and should be raised with the appropriate government bodies to be considered outside this Consultation.

In response to the respondent feedback, AEMO arranged for the DSB to facilitate the Workshop on 27 July 2022 to enable participants to voice their concerns in regard to the "know your customer" CDR requirements, as well as to discuss potential processes.

4.2. Implementation costs, effort and timing

4.2.1. Issue summary and submissions

The initial tranche of retailers (the three largest retailers) and AEMO is required to provide CDR services by 15 November 2022. The broader tranche of retailers is required to provide CDR services by 1 November 2023. The proposed effective date for the amendment of the Standing Data for MSATS procedure is 30 May 2023. A number of respondents questioned the proposed effective date as it precipitates the requirements for the second tranche of retailers to adopt CDR.

Specifically:

- EnergyAustralia voiced concerns in respect of the proposed effective date and suggested that the commencement date for any changes required by retailers be deferred to 15 May 2024, when the second tranche of retailers go live with their large customers, resulting in all customers being CDR applicable. These views were also supported by AGL and Telstra.
- EnergyAustralia suggested that it makes sense to wait until more retailers are participating in the CDR, as the benefit of the expanded data sharing enabled by AEMO's proposal would increase with the number of retailers which were sharing CDR data.

The implementation of the initially proposed CDR solution would have required a change to CATS Change Request (CR) codes 5054/5055, to allow current FRMPs to populate the Last Consumer Change Date field as a mandatory field. This new requirement would result in a business-to-market (B2M) schema change.

The majority of respondents did not support this proposal, noting the costs and resource implications of a schema change. A number of respondents commented that the current proposal would result in unnecessary costs to industry, in circumstances when more cost-effective alternatives could be considered.

Red/Lumo noted that without considering the costs and benefits of solutions, AEMO was not acting in accordance with its legislative requirements to consider the implications of the NEO and NERO. Ultimately, customers would pay the costs borne by AEMO, distributors, retailers and any other change-affected party which was interacting with MSATS.

4.2.2. AEMO's assessment

AEMO notes that the benefit-cost impacts have been assessed and prosecuted through the federal process of CDR implementation across different industries.

However, in order to ensure that a preferred solution was implemented, AEMO investigated alternative solutions, including:

- The ADR requesting multiple data requests to multiple retailers, where required.
- AEMO recording consumer movements in MSATS and routing requests for historical data to previous retailers to authenticate and process.
- AEMO recording consumer movements in MSATS and allowing the current retailer to send requested data belonging to previous retailer(s) for the same customer.
- Limiting historical data to the current retailer date range.

Respondents suggested a preference of ADRs being required to make multiple requests to multiple retailers for the relevant data sets. However, AEMO notes that under the CDR rules, retailers do not have an obligation to provide ADRs with data with respect to a consumer who is not a current customer.

4.2.3. AEMO's conclusion

AEMO has determined that the Last Consumer Change Date field in MSATS continues to be the most appropriate solution identified to date. However, AEMO acknowledges the issues raised with its original solution. Accordingly, AEMO proposes that the new field be maintained through new CR transactions (CR5056/5057). Although a schema upgrade would still be required to access the Last Consumer Change Date field, introducing the new CRs would remove the impact on non-applicable participants who can remain on the n-1 schema.

AEMO considers that its proposed effective date provides the industry with sufficient lead-time to implement its required changes, while also supporting the realisation of the benefits of CDR 12 to 24 months earlier than otherwise.

The new CR5056/5057 proposal has been change marked in the MSATS Procedures - CATS v5.4 and MSATS Procedures - WIGS v5.4 which accompany this Draft Report Part 2.

4.3. Lack of Legislation

4.3.1. Issue summary and submissions

The Treasury leads CDR policy, including the development of rules and advice to government on which sectors CDR should apply to in the future. Within Treasury, the DSB develops the standards that prescribe how data is shared under CDR.

To implement and regulate the CDR, the Treasury works closely with the two relevant regulators:

- The ACCC is responsible for the accreditation process, including managing the CDR Register. The ACCC ensures providers are complying with the rules and takes enforcement action where necessary.
- The Office of the Australian Information Commission (OAIC) - is responsible for regulating privacy and confidentiality under the CDR. The OAIC also handles complaints and notifications of eligible data breaches relating to CDR data.

In 2021, the regulatory framework for the implementation of CDR in the energy sector was completed by Treasury, including:

- The designation of the energy sector and data holders.
- The development of energy-specific CDR rules.
- The establishment of data standards by the DSB.

The CDR for energy imposes obligations on retailers and AEMO to fulfil CDR data requests as Primary Data Holders and the Secondary Data Holder, respectively.

AGL noted the request from Treasury to AEMO to support the provision of metering data. However, AGL considered that the changes to the National Electricity Law (NEL) to support AEMO's role as a data holder under CDR are still in draft form, as they have not yet been fully legislated by the South Australian Parliament.

Origin Energy noted that the MSATS procedures are enforceable under the National Electricity Rules. Origin Energy is uncertain as to whether a letter/request from Treasury is sufficient to enforce compliance with the CDR requirements through the MSATS procedures. In this regard, Origin Energy noted that the CDR is legislated under separate legislation which does not provide that AEMO can enforce compliance with the CDR requirements through the MSATS procedures. .

4.3.2. AEMO's assessment

The Commonwealth Department of Industry, Science and Resources consulted on amendments to the NEL/NER to support the introduction of CDR for energy. The key elements were amendments to:

- Ensure consistency between the CDR for energy and the NER, remove existing barriers to the functioning of the CDR for energy and ensure that providing data in accordance with the CDR rules is authorised under the NEL.
- Insert a catch-all provision to ensure that nothing prevents AEMO or a registered participant from disclosing CDR data in accordance with the CDR rules. This amendment will provide certainty that complying with the CDR will not put retailers or AEMO at risk of breaching the NER.
- Add CDR as a statutory function of AEMO.

- Extend the existing Metering Data Provision Procedures to include standing data. The effective date of changing this change is proposed to be set by AEMO.

Energy Ministers have agreed to the NEL and NER amendments. The amendments will be introduced into the South Australian Parliament based on their schedule.

4.3.3. AEMO's conclusion

AEMO understands that the legislation has been consulted on by Treasury. Currently, AEMO is waiting on the South Australian Parliament to complete the legislative process.

5. Draft Determination

Having considered the matters raised in submissions and the subsequent workshops, AEMO's draft determination is to add the "Last Consumer Change Date" field to the CATS_NMI_DATA table.

To help stakeholders and other interested parties to respond to this Draft Report Part 2, AEMO has published draft versions of the Procedures which incorporate the Changes.

The change-marked versions are available at: <https://aemo.com.au/consultations/current-and-closed-consultations/consumer-data-rights-msats-consultation>. To request an editable version of the draft Procedures in .rtf format, please email NEM.Retailprocedureconsultations@aemo.com.au. The pdf version is always the official version.

Appendix A. Glossary

Term or acronym	Meaning
Accredited Data Person/Recipient (ADR)	ADR are the 'receivers' in the Consumer Data Right system. These are the providers who receive a consumer's data after the consumer has given their consent. The providers then use it for the purpose the consumer has requested.
CATS	Consumer Administration and Transfer Solution, a part of MSATS
CDR	Consumer Data Right
CDR Consumer	A person or individual who holds relevant authority to share consumer data
Consumer Authentication	Identification of the individual as the rightful CDR consumer – i.e. CDR data owner
Consumer Authorisation	Permission granted by consumers to Data holders to the disclosure of their CDR data to an accredited person
Consumer consent	Permission given from the CDR consumer to the ADR to submit a request on their behalf to retrieve that consumer's data
Consumer Dashboards	An online service that can be used by CDR consumers to manage their consent/authorisations. As per current legislation, each ADR and DH (excluding secondary) are required to provide dashboards
CR	Change Request
Data Holder (DH)	DH are the 'givers' in the Consumer Data Right system. They are the providers who currently hold the consumer data.
DSB	Data Standards Board
ERCF	Electricity Retail Consultative Forum
LCCD	Last Consumer Change Date
MSATS	Market Settlements and Transfer Solution
NEM	National Electricity Market
NER	The National Electricity Rules made under Part 7 of the National Electricity Law
NERL	National Energy Retail Law
NMI	National Metering Identifier
Secondary Data Holder (SDH)	Data holders (energy retailers specifically) may request data from secondary data holders (SDH) in order to fulfill a data request from an ADR. AEMO is considered a secondary data holder. ADRs cannot directly request data from an SDH.

Appendix B. Summary of Submissions and AEMO Responses

No.	Question	Consulted person	Participant comment	AEMO response
1	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	AGL	AGL supports the changes to the enumerations for MSATS Standing Data. AGL does NOT support the changes to MSATS to include a date field to support CDR – See Attachment 1 for further detail.	AEMO notes the respondent's support for the changes to the enumerations for MSATS Standing Data. AEMO notes the respondent does not support the changes to MSATS to include a date field to support CDR.
2	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	Alinta Energy	Alinta Energy does not support the proposal. Some time ago AEMO refuted industries proposal to have a life support flag in MSATS. AEMO had their legal team review the proposal and it was deemed 'customer information' that should not live in MSATS. Alinta Energy would suggest that AEMO have their same legal team review this new proposed field, 'last consumer change date' because many participants feel this is also deemed customer information. There is also a question of appropriateness. Alinta Energy feels there are other solution options that have not been properly assessed and should be workshopped.	Treasury published a consolidated response to the SPIA on 30 June 2020. This response reflected the coordinated responses of government agencies including the ACCC. The Competition and Consumer (Consumer Data Right) Amendment Rules (No. 2) 2021 clause 1.3 provides that "customer data", in relation to a particular person. The Last Consumer Change Date flag will include: <ul style="list-style-type: none"> No such "customer data"; and Only a date in which a consumer has changed at a site, in a similar manner to a transfer date. These circumstances distinguish the Last Consumer Change Date field from the proposed Life Support field. The energy CDR has been confirmed to exclude sensitive information, such as life support information, from the consumer data which can be transferred as part of a CDR data request.
3	Does your organisation support the proposal	CitiPower/	Yes, CitiPower Powercor supports the proposal.	AEMO notes the respondent's support for this change.

No.	Question	Consulted person	Participant comment	AEMO response
	contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	Powercor		
4	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	EnergyAustralia	<p>On balance, no.</p> <p>Our issues with AEMO's proposal are around:</p> <ul style="list-style-type: none"> • risks to customers (the previous resident) where a current resident requests the disclosure of the previous resident's data to the Accredited Person, and Retailers cannot verify that this request is not correct • implementation costs and effort, and • timing. <p>Specifically:</p> <ul style="list-style-type: none"> • Retailers would have to accept the customer's answer as to whether they have moved in, as being accurate. There is no means by which Retailers can verify the accuracy of the customer's answer. Requiring the customer to evidence previous residence before they changed to the current Retailer (i.e. that they have <i>not</i> moved in) would be highly cumbersome, result in customer drop-outs, and call backs; with a possibility that the query will remain open for a protracted period of time. There is the further issue that evidence can be falsified. If customers provide incorrect information to the Retailer (intentionally or unintentionally) and indicate that they have not moved in and resided at the premises previously when this is not correct, Retailers will disclose metering data associated with a different person (the previous resident) to the Accredited Person. <ul style="list-style-type: none"> ○ This may cause customer confusion and data quality issues where an Accredited Person bases its services on irrelevant data. Where the use case is a comparator service one, this could possibly mean that a plan that does not suit the customer's consumption is recommended to the customer. • Risks to the customer - Treasury referred to a "privacy" issue in its April 2021 paper, referring to AEMO's MSATS solution and stating the customer change information would "ensure the privacy of previous residents of a property remains protected". However, the 	<p>AEMO notes, that in March 2020, Treasury appointed KPMG to conduct a supplementary Privacy Impact Assessment (SPIA). This was designed to assess the additional privacy impacts and risks from the proposed designation of the energy sector and did not revisit findings raised in the CDR PIA.</p> <p>The ACCC is considering the issue of eligible consumers in energy Consumer Data Right and will consult on eligible consumer requirements for the energy sector in the energy rules framework.</p> <p>The SPIA also identified a number of additional privacy risks raised by extension of CDR to the energy sector. It made eight recommendations to government agencies, including the ACCC, about how to address these risks. Treasury published a consolidated response to the SPIA on 30 June 2020. This reflected the coordinated responses of government agencies including the ACCC.</p> <p>AEMO recognises the benefit in gathering information on consumer account continuity as soon as possible so that the CDR can fulfill the 12 month or 24 month obligation sooner.</p> <p>AEMO notes the obligations placed on participants should the 'Last Consumer Change Date' field be included in the CR5054/5055 transaction. AEMO is proposing the creation of new CRs (CR5056/5057) for the 'Last Consumer Change Date' field, this has been shown as a tracked change.</p>

No.	Question	Consulted person	Participant comment	AEMO response
			<p>success of AEMO's MSATS solution still depends on the customer providing correct information to the Retailer. We would have no means to verify the accuracy of the customer's answer, and so this "privacy" issue (identified by Treasury) has not been addressed.</p> <p>We have been unable to identify any specific customer harm that could arise through a customer obtaining metering data (via their Accredited Person) relating to a previous resident. However, this does not conclusively mean that there is no possibility of customer harm. It is extremely difficult to anticipate every way a customer may misuse data and combine it with other sources of data, particularly in a family violence context. We submit the onus should be on Treasury to undertake a privacy impact assessment and broader customer risk assessment, to assess any adverse customer impacts that might arise from sharing metering data linked to a previous retailer; and more specifically, the risks around AEMO's proposal. As this risk arises under the CDR regime, Treasury needs to accept this risk.</p> <ul style="list-style-type: none"> • The CDR Rules and AEMO MSATS procedures need to also clarify that Retailers will not be liable for any adverse customer impacts that flow from following the requirement to disclose data relating to a previous retailer (where the relevant rules are followed and the wrong data is disclosed), under both the CDR regime and the relevant energy legislation. Treasury should also confirm that there would be no liability under any privacy law. However, given Retailers would have disclosed the metering data, Retailers are likely to wear any reputational damage from disclosing metering data relating to a previous resident. This is one of the main reasons why Retailers might oppose the proposal. • Implementation cost/effort – In addition to the customer facing issues above, AEMO's proposal requires implementation of adjustments to Change Reason Codes 5054 and 5055, to populate the new Last Consumer Change Date field. This will require Retailers to change their systems to populate the Last Consumer Change Date field, when the change date is confirmed both in call centre and digital (online) customer journeys. This would require a system change to peg the new transaction to a system flag change in the customer journey which indicates that there is a change of retailer <i>and</i> a move in by the customer. We will provide a cost estimate of our system changes to AEMO shortly. <p>Today, EnergyAustralia confirms that a sale is move in via the call centre and digital (online) journey, but this would need to be</p>	

No.	Question	Consulted person	Participant comment	AEMO response
			<p>reviewed, to ensure that the importance of the question is relayed i.e. customers are unlikely to think the question is significant.</p> <ul style="list-style-type: none"> • Unknown customer edge case - There are also edge cases which increase the complexity and cost of any solution. For example, unknown customers. In the energy sector, Retailers supply customers that move in and do not sign up to a Retailer (unknown customer). The Designated Retailer that supplies the unknown customer is either the last Retailer that supplied a customer at that connection point (the Financially Responsible Market Participant), or where the premises is a new connection, certain default Retailers (Local Area Retailers). In this scenario, the customer would have not engaged with a Retailer and so there would be no opportunity to ask them if they have moved in to populate the Last Customer Change Date. As a result, the Retailer might supply data back to the last time a move in was recorded which could pre-date the unknown customer's move in date. This edge case will need to be worked through. • Timing – AEMO proposes that the effective date for the amendment of the Standing Data for MSATS will be 30 May 2023. We recommend that the commencement date for any changes required by Retailers be deferred to 15 May 2024, when the second tranche of Retailers go live with their Large customers, completing their full customer base. It makes sense to wait until more Retailers are participating in the CDR, as the benefit of the expanded data sharing enabled by AEMO's proposal, would increase with the number of Retailers sharing CDR data. • Exemption for Retailers that the CDR does not apply to - AEMO will also need to consider whether small Retailers that will not have Data Holder obligations as of 15 May 2024 need to comply with the CDR MSATS changes. Although we note that there would seem to be benefits because those Retailers could be the previous Retailer and the field would mark the date the data will go back to. 	
5	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify	EQL	Energy Queensland does not support the proposal relating to "Last Consumer Changed Date" as a single item change initiating a schema upgrade. When reviewing the AEMO NEM2025 Roadmap Implementation Plan, we consider there is an opportunity for greater engagement in various upcoming strategic and foundational initiatives.	AEMO notes if a participant does not require the latest schema for their operations a participant can elect to stay on the n-1 schema.

No.	Question	Consulted person	Participant comment	AEMO response
	information as to your rationale			
6	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	Intellihub	Intellihub is supportive of the proposal considering the proposed changes will have minor impact on systems and existing processes.	AEMO notes the respondent's support for this change.
7	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	Jemena	Jemena supports the proposal.	AEMO notes the respondent's support for this change.
8	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	Origin Energy	<p>Origin Energy does not support inclusion of a new field or flag in MSATS, that is associated with customer information as opposed to site information. It is neither a Market Transfer, nor a Settlements function and hence should not be in scope of MSATS.</p> <p>Historically, AEMO has provided its legal advice to the industry on the use of MSATS for 'life support flag' in MSATS however which was rejected by AEMO based on it being 'consumer-specific information' and not 'site-specific information.'</p> <p>MSATS procedures are enforceable under the National Electricity Rules and Origin is unsure whether a letter/request from Treasury is sufficient to enforce these CDR requirements via MSATS procedures, considering it belongs to a separate legislation that does not provide enforceability of MSATS procedures to be governed by AEMO.</p> <p>Lastly, Origin Energy believes that the solution proposed by AEMO is quite rushed, has not been consulted previously, and is largely driven by an already-proposed solution by the Treasury. The solution does not cater for a number of other processes, including error correction, validation, reporting and audit requirements to ensure the flag/field is updated accurately. Due to the lack of these exception handling processes, Origin considers AEMO's proposed solution is risky to</p>	AEMO understands that the legislation has been consulted on by treasury and is waiting on SA parliament to complete.

No.	Question	Consulted person	Participant comment	AEMO response
			implement and can pose data integrity risks on industry if the flag is incorrectly maintained in MSATS.	
9	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	PLUS ES	<p>PLUS ES supports the concept of the proposal. The ability to identify a customer move in and the date would deliver additional benefits to industry participants, beyond the scope of CDR.</p> <p>PLUS ES does not support the proposal as published, as the requirements are not sufficiently robust to support the scenario of a customer requiring historical data for a timeframe where they have been the retail customer of 2 or more Retailers. Hence, significantly increasing the risk of:</p> <p>Privacy Breaches – i.e. the indicator has not been set or incorrect dates have been applied</p> <p>Not meeting customer expectations – a change in retailer customer does not mean a change of 'customer' on the site. How does one consistently differentiate between the various scenarios?</p>	AEMO notes the respondent's comment and refer to Table 1 item 4 response.
10	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale?	Red/Lumo	<p>Red Energy and Lumo Energy (Red and Lumo) strongly oppose the proposal contained in the Issues Paper with regards to the Consumer Data Right (CDR) changes.</p> <p>We understand the issue to be resolved is how to address the issue of sharing historical data from across multiple retailers. We agree with the industry position as articulated to AEMO at various forums, including the aseXML Standards Working Group (ASWG) and the Electricity Retail Consultative Forum (ERCF). At these meetings, retailers (including Red and Lumo) have agreed that MSATS is not a cost effective or viable solution to solving the issue. This position has also been discussed at length in the CDR technical working group (co-hosted by the Data Standards Body (DSB) and the Australian Energy Council (AEC)). At these meetings it was found that the MSATS solution was not viable as a stand alone solution, not without risk, and not supported by many (if any) retailers. Please refer to GitHub for further evidence of the lack of support of the MSATS solution and consideration of other options.¹</p> <p>Furthermore, we question whether due process has been followed by AEMO in this instance. We have concerns regarding the governance arrangements of AEMO making a change without the regulatory remit to proceed. We appreciate that Treasury has requested AEMO consider this, however, consideration and undertaking formal consultation to enable a change are very different. It is incumbent on AEMO to advise Treasury that MSATS holds NO customer information, and that the risks associated with introducing a field in MSATS to identify when a NMI has changed account holder. These</p>	<p>AEMO notes that cost impact assessment, costs and benefit have been prosecuted through the federal process of CDR implementation across different industries.</p> <p>AEMO notes the respondent's comments and refers them to Table 1 Item 8.</p>

No.	Question	Consulted person	Participant comment	AEMO response
			<p>risks are borne by AEMO as well retailers, and customers should their privacy not be upheld.</p> <p>Treasury and AEMO have incorrectly asserted that “the introduction of such a field would ensure that when sharing of a consumer’s energy data occurs, following authentication by the consumer’s current retailer, metering data is provided for the time that the CDR consumer was associated with the NMI.” A NMI is static to an address, and the customer associated with it is transient. Retailers have no means to guarantee that a customer is a move in customer or an in situ customer. This will result in incorrect flags being placed in MSATS with very severe unintended consequences in some cases.</p> <p>For example, a customer who advises that they are an in situ consumer when in fact they were not the original account holder with the previous retailer. This leads to the new retailer not flagging the site as having a new consumer in place (such as a partner or a housemate taking over an account). This could lead to access to their usage information being shared with an unauthorised person, where this customer is a victim of family violence or has specifically requested their data not to be shared.</p> <p>This risk is even more pertinent in the release of raw interval data (i.e. type 4) which can provide a significant amount of information about a premise and usage pattern. Usage indicating the times or days during which a property is left unoccupied, or when at night appliances are no longer in use. The inadvertent release of this data to an unauthorised person can have real privacy and security risks for a consumer. Red and Lumo have serious privacy concerns as it requires a retailer to pass on meter data for a consumer for a period for which it has no record as to whether the meter data is actually relevant to them.</p> <p>As demonstrated above and as was also clearly articulated in discussions at the CDR Technical Working group, neither AEMO nor a winning retailer of a NMI, can guarantee the security of a consumer’s information will be maintained with the proposed solution found in this Issues Paper. Therefore, Red and Lumo strongly oppose this solution as it stands, nor do we think AEMO should pursue this as a viable solution without further discussions potentially running some workshops. We question whether AEMO will have additional obligations and therefore consequences in terms of managing customer’s privacy?</p> <p>Red and Lumo consistently request for AEMO to undertake a cost benefit assessment of this solutions, and alternate solutions. Without considering the costs and benefits of solutions, AEMO is not acting in accordance with its legislative requirements to consider the</p>	

No.	Question	Consulted person	Participant comment	AEMO response
			<p>implications of the NEO and NERO. These costs include the introduction of this field to MSATS and new associated procedures. Ultimately, customers will pay for the costs borne by AEMO, distributors, retailers and any other party interacting with MSATS required to make changes (such as metering coordinators).</p> <p>Red and Lumo understand this change is not simply about accessing data to assess the possibility of switching to a retailer with a better energy offer - which considering the customers switching behaviour is not likely to happen regularly and thus the need for data not as frequent. Therefore, are there immediate benefits to be gained from needing to build and implement a solution, or is it more advisable to continue exploring all avenues and find a solution which first and foremost does not have a privacy risk for the consumer.</p>	
11	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	TasNetworks	<p>The proposal to add a new field in the MSATS1 CATS2 Procedure has consequential impacts to all participants. TasNetworks anticipates that this would require a business to market (B2M) schema change. Participants would need to expend costs and resources to implement the new schema version into their systems or alternatively stay on n-1 version. TasNetworks requests confirmation that the new field would not be passed to participants who remain on the n-1 version.</p> <p>The majority of participants may choose to stay on the n-1 version, particularly to manage the phased implementation of CDR, and also due to the field being of little or no relevance to many. TasNetworks would like confirmation that AEMO's MSATS change mechanisms would cope with having to transform large volumes of CATS messages, should this be the case. There has been recent instances where B2B changes have failed under load which caused impacts to participants. It can have significant ramifications for participants if market messages are unable to be processed. TasNetworks therefore questions whether adding a new field to MSATS for this specific use case is efficient, and whether requiring the Accredited Data Recipient to perform multiple requests to Data Holders in the instances where the Consumer may not have a full 24 months history with their current Retailer is a more efficient solution.</p>	<p>AEMO notes the respondent's comment and refers them to Table 1 item 5 response.</p> <p>AEMO notes that the data transformation issues experienced in the B2B space are not experienced for B2M transactions.</p>
12	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify	Telstra	<p>Telstra Energy do not have immediate concerns with the high-level intention of the proposed CDR MSATS change, though require more information to understand the proposals expectations and impacts to be able to support it or otherwise provide a view.</p> <p>Telsta Energy take the opportunity to note the CDR MSATS proposal imposes obligations on retailers to implement a component of CDR many years before they may be required to do so under the CDR rules. Under the CDR phased implementation approach, only tier 1</p>	<p>AEMO notes the respondent's comment and refers them to Table 1 item 4 response.</p>

No.	Question	Consulted person	Participant comment	AEMO response
	information as to your rationale		retailers will be required to deliver this functionality within the current proposed timeframes. Other retailers who have to build and deliver ahead of their data holder obligations commencing under CDR will need to build for a CDR solution. It would also therefore likely split CDR builds/implementations in to two components, or else it is just to be viewed as a market change and not related to CDR.	
13	Does your organisation support the proposal contained in the Issues Paper? If not, please specify the areas where your organisation does not support AEMO's assessment and specify information as to your rationale	United Energy	United Energy supports the proposal.	AEMO notes the respondent's support for this change.
14	Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options? How would they be implemented?	AGL	AGL agrees that these proposed minor changes to MSATS standing Data items best accommodate the necessary changes. AGL does NOT support the changes to MSATS to include a date field to support CDR – See Attachment 1 for further detail.	AEMO notes the respondent's comment and refers to Table 1 item 4 response.
15	Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options? How would they be implemented?	Alinta Energy	AEMO being the data holder seems to have created this challenge. The data AEMO is charged with disseminating under CDR will already be old and the obligations of the data holder should have been placed with the party that collects/validates/disseminates this data today – the MDP. Alinta understands that it may be too late to change the rule obligations of who the data holder is but feel it is important to note that this decision has inadvertently created another one. Secondly MSATS information is delayed and not helpful in determining what is actually happening at a site in real time. Alinta Energy believes there a number of alternative proposed solutions: B2B solution would be better placed with proving more real time information to AEMO. AEMO already has access to the B2B platform and can interrogate the information of interest as is seen fit.	AEMO notes that in July 2021, a solution model was suggested for ADRs to request multiple retailers for their relevant data sets. Under the CDR rules, retailers have no obligation to provide ADRs with data with respect to a consumer who is not a current customer. Other issues identified with this solution included: <ul style="list-style-type: none"> • Customers may not recall their previous retailers. • Multiple authentication is very poor from CX perspective. • Customer details for authentication might change. • Previous retailers may not retain data needed to authenticate.

No.	Question	Consulted person	Participant comment	AEMO response
			<p>Alternatively, have the Accredited Data Requestor – ADR ask the customer to confirm whether they have been at the premises for at least two years. If the answer is no, the customer can then input how many months they have resided at their premises. The ADR would then only request data for the relevant period. The Accredited Person could also provide an option for the customer to indicate when they are unsure, in which case only current retailers data would be shared.</p> <p>This process would be front-ended. Retailer systems and MSATS changes will not be necessary, as the customer’s engagement with the ADR determines the relevant information. This means that the customer and the ADR that will benefit from the data are the only impacted parties, compared to AEMO’s proposal which impacts the onboarding of every customer regardless of whether they use the CDR.</p>	<ul style="list-style-type: none"> Previous retailers may not have data to authenticate in the first place e.g. digital details or identification data.
16	<p>Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options? How would they be implemented?</p>	EnergyAustralia	<p>Alternative proposal</p> <p>An alternative and simpler approach, which does not seem to raise any new risks compared to AEMO’s MSATS-based solution, would be for the Accredited Person to ask the customer to confirm whether they have been at the premises for at least two years. If the answer is yes, then the full period of data would be provided. If the answer is no, the customer can then input how many months they have resided at their premises. The Accredited Person would then only request data for the period the customer resided at their premises. The Accredited Person could also provide an option for the customer to indicate when they are unsure of the date they moved in, which if selected, would mean the data sharing should be limited to the current Retailer.</p> <p>This front-ended process would mean that any Retailer system and MSATS changes will not be necessary, as the customer’s engagement with the ADR would determine whether there has been a move in and the relevant period of metering data. This solution is also ideal because it means that the customer and the ADR that will benefit from the data are required to provide the necessary information/implement the change, compared to AEMO’s proposal which impacts the sale/on boarding of every energy customer regardless of whether they ever request CDR data or whether the Retailer has CDR obligations. In this way, overall it is a more efficient solution.</p>	AEMO notes the respondent’s comment and refer to Table 1 item 15.

No.	Question	Consulted person	Participant comment	AEMO response
			<p>The same issues arise where the customer provides incorrect information (as above), but we do not see this risk to be greater than that associated with AEMO's proposal (Note: We could not identify any specific customer harms from AEMO's proposal, but this does not mean there aren't any). Both AEMO's proposal and our alternative ultimately rely on the customer to provide accurate information, but:</p> <ul style="list-style-type: none"> • at different times (when the customer onboards with their new energy retailer vs when they engage with the ADR to access the CDR); and, • to different entities (Energy Retailer vs ADR). <p>This alternative proposal will need to be tested with industry and Accredited Persons.</p>	
17	Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options? How would they be implemented?	EQL	It is Energy Queensland's preference to delay implementation pending a full schema upgrade with the field "Last Consumer Changed Date" to be an optional field. A delay would enable market participants to align new initiatives to future planning. Furthermore, it would be our strong preference if there was no requirement to upgrade for participants not directly impacted, until the next multiparty upgrade.	AEMO notes the respondent's comment and refer to responses in Table 1 item 5.
18	Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options? How would they be implemented?	Intellihub	No further comments.	
19	Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options? How would they be implemented?	Jemena	Jemena supports the proposal.	AEMO notes the respondent's support for this change.

No.	Question	Consulted person	Participant comment	AEMO response
20	<p>Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options? How would they be implemented?</p>	Origin Energy	<p>Origin requests AEMO to consider the aforementioned factors and reassess its position in providing historical metering data.</p> <p>An alternative option would be for customer to inform their appointed ADR about their electricity retailers so that ADR can request it from multiple retailers as required. Each retailer can then authenticate AEMO's request to provide this data based on their associated period with that customer for that NMI. Since CDR data flows are API based, these transactions can be sent by the ADR all at once and AEMO can provision this information to the respective retailers without the need of implementing any MSATS-based CDR validation. While this may sound complicated, it might be the easiest solution instead of adding further complexity in MSATS. Moreover, Origin considers this solution would only be used where change of retailer has taken place and data request period is greater than current retailer length period.</p> <p>Also, AEMO should be able to use customer switching information held in MSATS where 'Change Retailer Insitu' CRs (e.g. CR1000) provides information that customer has remained the same but switched retailers, whereas 'Change Retailer Movein' (e.g. CR1020/1030) provides change in customer as well as retailer. Where customer has changed, but retailer has not changed, it should be the responsibility of retailer to only request data for current customer period. Based on these principles, Origin Energy believes that CDR use cases will be appropriately covered without the need of additional flag.</p> <p><u>Worked examples based on AEMO's scenarios in Issues Paper:</u></p> <p>1. Single Consumer, Single Retailer</p> <p>Assumption: Origin has been FRMP for the whole duration and no change in customer during that period. In this scenario, Origin considers:</p> <ul style="list-style-type: none"> - Origin to request data for entire period and AEMO to provide this data. 	AEMO notes the respondent's comment and refer to Table 1 item 15.

No.	Question	Consulted person	Participant comment	AEMO response
			<ul style="list-style-type: none"> - Current model supports this scenario, no new field is required in MSATS as also noted in AEMO's CDR Issues Paper. <p>2. Single Consumer – Change of Retailer</p> <p>Assumption: Origin is FRMP for some part of data-request period, and no change in customer. In this scenario, Origin considers:</p> <ul style="list-style-type: none"> - Origin to request data for entire period, AEMO to provide it for the entire period however in multiple files based on the 'Change Retailer Insitu' history/timeslicing recorded in MSATS during data-request period. - While this scenario might require further analysis, current MSATS data for insitu transfer will work similar to the new proposed field, if AEMO is only looking for a 'change in retailer' trigger, and not 'change in customer/account holder' trigger. - In this scenario, current retailer may inform the ADR that the request period is greater than the FRMP period and ADR may choose to either contact the customer to provide previous retailer information to the ADR or reduce the data-request period. <p>3. Multiple Consumers – Single Retailer / Move In</p> <p>Assumption: Origin is FRMP for the entire duration, however customer changed during FRMP period. In this scenario, Origin considers:</p> <ul style="list-style-type: none"> - Origin to request data for the period where current customer is associated with that NMI, and AEMO to provide this data. - Onus should be on Origin (as current retailer) to only request data for the current customer and not for the previous customer/s, hence the new proposed field is redundant in this scenario. - As such, no new field required to fulfil this scenario as also noted in AEMO's CDR Issues Paper. <p>4. Multiple Consumers – Change of Retailer with Move In</p>	



No.	Question	Consulted person	Participant comment	AEMO response
			<p>Assumption: Origin is FRMP for a part of the data-request period, however no customer change during FRMP period. In this scenario, Origin considers:</p> <ul style="list-style-type: none"> - Origin to request data for the period where current customer is associated with that NMI, and AEMO to provide this data. - In theory, this is identical to scenario 1, no new field required to fulfil this scenario as also noted in AEMO's CDR Issues Paper. <p>5. Change of Account Holder – No Move In</p> <p>Assumption: Origin is FRMP for the entire data-request period, however account holder changed during FRMP period.</p> <ul style="list-style-type: none"> - In this scenario, AEMO has assumed that a retailer may not create a new account if there is a change in ownership or tenancy. Origin believes that industry should not create solutions based on assumptions that may not be correct as retailers create a new account when a new person takes ownership. - Where a retailer creates a new account for the new tenant, it will reset the proposed LasConsumerChangeDate flag and hence will only receive data for the new tenant by AEMO. As such in this case, the proposed field serves no purpose if a retailer is able to request data only for the new account holder. - At a high level, this is identical to scenario 3 and where a new account is created, Origin will request data for the period where current the account holder is associated with that NMI, and AEMO to provide this data. - Onus should be on Origin (as current retailer) to only request data for the current account holder and not for the previous account holder, hence the new proposed field is redundant in this scenario provided there is evidence that retailers are not able to create a new account for the new tenant (as per AEMO's example provided in the Issues Paper). 	

No.	Question	Consulted person	Participant comment	AEMO response
			<p>6. Change of Account Holder – Authorised Party</p> <p>Assumption: Origin is FRMP for the entire data-request period, however an additional authorised contact is added during FRMP period. In this scenario, Origin considers:</p> <ul style="list-style-type: none"> - As noted in AEMO's CDR issues paper, the current model supports this scenario, and no new field is required to fulfil this scenario. <p>In summary, only two of the given six scenarios are in scope for the new proposed field, for which, alternative process could be used, including retailers to validate request periods and AEMO to utilise switching data (CR1000/1020/1030, etc.) to validate the data provisioning, as required.</p>	
21	Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options? How would they be implemented?	Red/Lumo	<p>Red and Lumo propose that, at this point in time, the most suitable option is for the current retailer to provide only historical data for the period the consumer is with the current retailer.</p> <p>It could be expanded that should data be required for an extensive period of time beyond when the new retailer took over a property, the request should be sent separately to the previous retailer. It would be appropriate to expect an ADR to work with consumers and clearly explain to them the process in requesting data from multiple data holders in a way which removes any confusion from consumers.</p> <p>Confusion regarding the fact that they will receive more than one retailer authorisation request. This solution provides:</p> <ul style="list-style-type: none"> • No MSATS changes and therefore no additional costs to retailers and consumers • No increased risk of data security or privacy breach • Manages the risk of only having access to data for a shorter period of time Red and Lumo continue to work with the DSB to consider alternate options, however, these options are outside the scope of AEMO's consultation - as they do not involve any amendments to MSATS. 	AEMO notes the respondent's comment and refer to Table 1 item 15.
22	Are there better options to accommodate the change proposals that better achieve the required objectives? What are the pros and cons of these options?	TasNetworks	The Accredited Data Recipient would be required to perform multiple requests to Data Holders in the instances where the Consumer may not have a full 24 months history with their current Retailer.	AEMO notes the respondent's comment and refer to Table 1 item 15.

No.	Question	Consulted person	Participant comment	AEMO response
	How would they be implemented?			
23	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	Alinta Energy	Alinta Energy does not believe AEMO have fully explored other alternatives and the proposal put forward is an unnecessary cost impost to industry. There is also a question of scope and whether it is appropriate for AEMO to make a unilateral decision that would change retailers obligations under the procedures governed by the NER to solely increase data flows in the CDR. The sentiment here is that the cart has gone before the horse in regards to suggesting a solution before it has been legally reviewed or workshopped appropriately.	AEMO notes the respondent's comment.
24	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	AGL	At this stage, the changes to the MSATS standing data elements should pose only minor changes as the enumerations should be available in a stand alone file outside MSATS. AGL does NOT support the changes to MSATS to include a date field to support CDR – See Attachment 1 for further detail.	AEMO notes the respondent's comment. The issue of enumerations is outside the scope of the CDR consultation however is being investigate through alternative channels.
25	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	EnergyAustralia	See above.	AEMO notes the respondent's comment and refer to Table 1 item 15.
26	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	EQL	Following recent reforms in the MSATS Standing Data Review, many changes and complex schema upgrades are currently being implemented for the November 2022 release. It is therefore our preference to defer until a full schema upgrade is required to reduce financial and resourcing burdens on participants.	AEMO notes the respondent's comment and refer to responses in Table 1 item 5.
27	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	Intellihub	Intellihub is not anticipating any challenges in adopting these proposed changes.	AEMO notes the respondent's comment.
28	What are the main challenges in adopting	Jemena	Cost of schema change and system upgrade required to cater for new fields and management of data.	AEMO notes the respondent's comment and refer to responses in Table 1 item 5.

No.	Question	Consulted person	Participant comment	AEMO response
	these proposed changes? How should these challenges be addressed?			
29	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	Origin Energy	<p>In absence of the end-to-end process, this new proposed field can add a lot of complexity in the CDR landscape. Moreover, Origin is unsure of the volume of requests that will fall into the gap scenarios mentioned above.</p> <p>Without any comprehensive volumetric analysis performed by the industry, Origin believes that the implementation cost to update MSATS only to cater for a couple of scenarios, might outweigh the benefit of adding this new field and associated processes that retailers have to build to update this field in MSATS (implementation cost + ongoing cost).</p> <p>Origin suggests AEMO to facilitate a cost-benefit analysis prior to enforcing any new field in MSATS. AEMO should also consider existing standing data in MSATS in order to manage the multiple retailer scenario for insitu transfers. Due to the lack of confidence in administering this field, including any error correction processes that will require to be implemented, Origin does not support AEMO's proposed solution in its current state.</p>	AEMO notes the respondent's comment.
30	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	PLUS ES	<p>The main challenges in adopting the proposed changes are administrative in nature and focus on reliability of the data:</p> <ul style="list-style-type: none"> • Ensuring the Retailer provides/updates the LastConsumerChangeDate field. <ul style="list-style-type: none"> ○ No obligations have been placed on the current FRMP. PLUS ES proposes placing CATS obligations for Last Consumer Change Date on the current FRMP in section 2.2, similar to (p) and (q) with respect to Customer Classification Codes. The obligations should factor the significant implications of potential Privacy Breaches and should include appropriate timeframes, the requirement to provide and/or update, take corrective actions etc • Change of Account Holder – No move in – Scenario 5 of the Issues Paper. <ul style="list-style-type: none"> ○ According to the diagram if meter data is only available to Consumer 2 for the indicated timeframe, an additional 	AEMO notes the respondent's comment and refer to responses in Table 1 item 4.

No.	Question	Consulted person	Participant comment	AEMO response
			<p>indicator needs to be added - when Consumer 2 became the retailer customer.</p> <p>Retailer specific internal protocols. Variances in interpretations and Retailer protocols could deliver unintended disparities and confusion for end consumers or potentially create downstream issues for the current FRMP requesting the historical data.</p>	
31	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	Red/Lumo	These challenges can only be addressed by adopting a different solution, as per response to question 2.	AEMO notes the respondent's comment and refer to Table 1 item 15.
32	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	TasNetworks	Adding a new Standing Data field to MSATS has consequential impacts to initiators and recipients of the CR5054/5055 CATS message. Constraining the flow of data to the Accredited Data Recipient and Data Holders would address the impact on other participants.	AEMO notes the obligations placed on participants should the 'Last Consumer Change Date' Flag be included in the CR5054/5055 transaction. AEMO is proposing the creation of new CRs (CR5056/5057) for the 'Last Consumer Change Date' flag, this has been shown as a tracked change.
33	What are the main challenges in adopting these proposed changes? How should these challenges be addressed?	Telstra	<p>The CDR reform introduces utilisation of the AEMO CATS system/procedures to provide for 'consumer' data. The definition of 'consumer', and more pointedly when a consumer changes, must be clearly defined in order to avoid errors in the population of the proposed new CATS field.</p> <p>For the purpose of the CDR MSATS consultation, Telstra Energy understands a consumer means <i>"the person who has, or persons who have, a contractual arrangement (deemed or express) with the FRMP for the delivery of energy at the relevant NMI's connection point"</i>.</p> <p>However, over the period of a contractual arrangement with a FRMP, real life variables apply which include, but are not limited to:</p> <ul style="list-style-type: none"> - A consumer creates a joint account - A consumer removes/updates details of a joint account 	AEMO notes the respondent's comment.

No.	Question	Consulted person	Participant comment	AEMO response
			<p>- A consumer changes account name</p> <p>Telstra Energy are unclear how the CDR MSATS proposal applies these real life scenarios and recommend further industry consultation to clearly define the triggers to populate the new CATS field ultimately protecting the outcomes of the CDR reform.</p>	
34	Do you have any further questions or comments in relation to the proposals?	Alinta Energy	N/A	
35	Do you have any further questions or comments in relation to the proposals?	CitiPower/ Powercor	CitiPower Powercor recommends inclusion of an explanation on when the 'Last Consumer Change Date' field should be updated so that the field is updated consistently across all retailers and as intended by the Rules. It would be useful to provide example/s to illustrate when the date is to be updated.	AEMO notes the respondent's comment.
36	Do you have any further questions or comments in relation to the proposals?	EnergyAustralia	<p>Specific comments on Scenario 5 and 6</p> <p>While we consider our alternative proposal is better and if adopted, AEMO's further consideration of the individual scenarios will not be required, we still comment on Scenarios 5 and 6 below for completeness.</p> <p>Scenario 5 – Change of account holder, no move in (e.g. share house)</p> <p>In this scenario, responsibility is transferred from one consumer to another (without a move in) during the request period. For example, in a share house, where the responsible tenant moves out and a remaining tenant assumes responsibility for the account.</p> <p>We agree with AEMO's view that different Retailers will have different arrangements, i.e. some retailers will set up a different account (resetting the LastConsumerChangeDate field), while other retailers will just change the account holder linked to the account (no completion of LastConsumerChangeDate). We also agree with AEMO's proposal to accept the Retailer's existing protocols to minimise the cost of implementation. This is in line with the Data Standard Body's general approach to the data standards which is to acknowledge existing retailer practices.</p> <p>Scenario 6 - Change of Account Holder – Authorised Party for a business customer</p> <p>Governance issues and Requirements under the CDR Rules</p> <p>There has been a lack of clarity around which regulatory body is responsible for undertaking consultation and making decisions on the issue of expanding meter data sharing to data related to a previous retailer. We expect that this is likely due to the highly technical nature</p>	AEMO notes the respondent's comment and refer to Table 1 item 15 and Table 1 item 10.



No.	Question	Consulted person	Participant comment	AEMO response
			<p>of the proposal – both from an energy and CDR perspective. This lack of clarity has resulted in gaps in consultation and gaps in the regulatory requirements (the CDR Rules).</p> <p>With regard to potential gaps in the CDR Rules, it is unclear whether or when Treasury made the decision in the CDR Rules to require Retailers to disclose metering data relating to a previous retailer. The clearest statement of this intent was in Treasury’s letter published by AEMO.¹</p> <p>Our interpretation is that the current CDR Rules don’t require disclosure of metering data from a previous retailer</p> <p>We interpret the current drafting of the CDR Rules as not requiring the disclosure of metering data from a previous retailer. The CDR Rules’ definition of AEMO data, together with the definition of an arrangement in the Designation Instrument suggests a retailer-customer dependency. i.e. AEMO metering data relates to an arrangement between the retailer and the customer, and not another retailer. Therefore, we suggest that Treasury needs to change the CDR Rules to require the sharing of metering data linked to a previous retailer, with consultation as required by the Competition and Consumer Act 2010 to support the rule change.</p> <p>Importantly, this rules consultation should explore any privacy impacts, and a cost benefit assessment of disclosing metering data from a previous retailer. We note that these issues may be explored by AEMO, but the CDR Rules specifically require an assessment of privacy impacts for Rule changes, whereas AEMO’s assessment framework does not.</p> <p>A cost benefit assessment would involve:</p> <ul style="list-style-type: none"> • An assessment of the benefit in terms of the number of customers likely to use it in the current context of limited CDR uptake (i.e. number of CDR customers switching quite frequently so that they need their previous retailer’s data); and, • Costs to Retailers, AEMO and other participants, including a comparison of costs under different implementation options (we discuss our Alternative Proposal below). <p><u>Gaps in consultation</u></p> <p>Looking backwards at Treasury’s consultation, consultation on the concept of sharing metering data from a previous retailer has been very limited. From the beginning consultation has always assumed the adoption of an MSATS-based solution aligned with AEMO’s proposal, and other alternatives were not explored in a material way.</p>	

No.	Question	Consulted person	Participant comment	AEMO response
			<p>Treasury referred to the concept in July 2020 and April 2021 but only very briefly:</p> <p>July 2020: “To be clear, if we make a rule that an eligible CDR consumer must have an active account with an electricity retailer, we consider that a consumer will still be able to share AEMO-held metering data sets relating to the period that the consumer had an active account with a previous retailer. This is contingent on the consumer being able to be authenticated with their current retailer and AEMO being able to verify that the customer was and is linked to the NMI for the time period relating to the data sharing request”.²</p> <p>April 2021: “An important objective is for the CDR in energy to support anticipated use cases such as price comparisons and switching. To facilitate these and other use cases, an issue still to be resolved is the effective provision of historical metering data. Currently, AEMO does not capture information about when the customer associated with a NMI changes. Without this information, it is impossible to provide metering data in response to a CDR request for a period before the consumer signed up with their existing retailer. This is to ensure the privacy of previous residents of a property remains protected. The Australian Energy Market Commission (AEMC) is currently exploring whether this issue can be addressed through potential regulatory changes, in light of the AEMC’s current market review of the regulatory framework for metering services.”³ (our emphasis added).</p> <p>The AEMC’s market review (referenced in the second paragraph above) did not explore the concept in its paper, it only explored general issues around a smart meter rollout providing more data generally for the CDR.</p> <p>On 3 August 2021, EnergyAustralia published a slide pack on alternative options and relevant issues, as we recognised this was a highly technical area which would benefit from some industry support.</p> <p>Retailers raised significant concerns with the concept generally, and supported Option 4 (the “do nothing” approach). Some Retailers identified concerns in response, particularly Origin (Decision Proposal 195 - Candidate Usage End Points - Issue #195 - ConsumerDataStandardsAustralia/standards - GitHub). There was no response to the concerns nor was there a written decision by Treasury to state that they would still progress the MSATS-based solution. In that slide pack, we also requested that Treasury undertake a Privacy Impact Statement to understand any specific privacy risks, but that was not adopted.⁴</p>	

No.	Question	Consulted person	Participant comment	AEMO response
			<p>There was no reference to disclosing metering data from a previous retailer, in Treasury's draft explanatory statement to the Draft Rules (published on 17 August 2021); or any indication that the final Rules would require disclosure of metering data from a previous Retailer. In the absence of clear direction on the issue, and a lack of consultation on the concept, an assessment of cost/benefit etc has not been done to date.</p> <p>We are pleased that AEMO's consultation will explore alternatives, but it would seem inconsistent with AEMO's typical scope to be exploring alternatives that lie outside of MSATS changes and may not involve the Data Holder (Energy Retailer) i.e. impose obligations on Accredited Persons instead (see our Alternative Proposal below). Insufficient guidance on Retailer obligations</p> <p>Due to the lack of consultation and reference in the CDR Rules, industry have little guidance on the details of what they are expected to do to disclose metering data from a previous retailer under the CDR regime. E.g.:</p> <ul style="list-style-type: none"> • What interactions are expected with the customer to confirm whether there has been a customer change at the premises (i.e. a move in), to then populate the Last Customer Change Date Field? Verbally and digitally (online)? • Confirmation around requests from ADRs, and the authentication process for data relating to a previous retailer. • How should complaints about this data be handled? <p>We understand that AEMO's consultation is only considering matters around AEMO's retail and/or metering procedures; and any CDR implementation matters are being led by Treasury. AEMO's Issues Paper does not set out any upstream activities before the market transaction and so it is unlikely to cover the dot points above.</p> <p>Our issue is that Treasury has not consulted on or specified those upstream activities either. It is important that these details are set out and documented, in AEMO's procedures, CDR Rules, or elsewhere, so Retailers have certainty over their obligations. This is particularly important where there could be privacy or other customer risks.</p>	
37	Do you have any further questions or comments in relation to the proposals?	EQL	<p>Energy Queensland seeks clarity as to whether AEMO intends to create a new FRMP SQL report for missing values in the 'Last Consumer Change Date' field.</p> <p>Further, we seek guidance on whether AEMO intends to provide all meter read histories, ie both historical and active.</p>	AEMO notes the respondent's comments and will consider their suggestions.

No.	Question	Consulted person	Participant comment	AEMO response
38	Do you have any further questions or comments in relation to the proposals?	Intellihub	Intellihub is seeking for some rough indication of volume increase in the CR5054 and CR5055 as a result of the adoption of these proposed changes as well as any other market transactions that might experience unintentional impacts e.g. PMD or VMD.	AEMO is not in a position to provide indicative transaction volumes associated to the new CR transactions at this time.
39	Do you have any further questions or comments in relation to the proposals?	Jemena	No further comments or questions.	AEMO notes the respondent's comment.
40	Do you have any further questions or comments in relation to the proposals?	Origin Energy	<p>Treasury's letter to AEMO is based on a 'solution-based' approach which is quite restrictive. As such, Origin suggests that AEMO should consider a 'requirements-based' approach as the first logical step, followed by exploring multiple solutions that can support CDR historical metering data gap highlighted in scenario 2 of the Issues Paper.</p> <p>Origin suggests the end-to-end requirements to be discussed in the industry workshop scheduled for the 14th of June 2022 by AEMO, to ensure the gaps are well understood and alternative designs/solutions can be explored.</p>	AEMO notes the respondent's comments.
41	Do you have any further questions or comments in relation to the proposals?	Red/Lumo	<p>Scenario 5, Change of Account Holder – No Move In as described on page 10 of the Issues Paper is not an accurate representation of how all retailers manage a change of account holders.</p> <p>We note that energy retailers have obligations to gain explicit informed consent (EIC) to form a contract with a customer. In a scenario where responsibility is being transferred from one customer to another such as between partners or housemates, it is not as simple as just changing the name on the bill. The National Energy Retail Law prescribes EIC must be gained. Which is not clearly articulated in the Issues Paper.</p> <p>Should a retailer follow the process in AEMO's issues paper, it would be at risk of breaching the privacy act by virtue of not establishing a new account with the new customer. This should not be subject to the consultation process undertaken by AEMO as it is outside the scope.</p>	AEMO notes the respondent's comments.
42	Do you have any further questions or comments in relation to the proposals?	TasNetworks	No.	AEMO notes the respondent's comment.
43	Do you have any further questions or comments in relation to the proposals?	Telstra	<p>Telstra Energy make the following procedural/guideline change comments:</p> <p>MSATS CATS Procedures v5.4</p>	AEMO notes the respondent's comments.

No.	Question	Consulted person	Participant comment	AEMO response
			<ul style="list-style-type: none"> Section 2.2 of CATS Procedures currently provides FRMP SLA in provision of Customer Classification Code. Telstra Energy comment this section should also reflect FRMP SLA in provision of ‘Last Consumer Change Date’ Section 12.4 of CATS Procedures (CATS CR 5054/5055) indicates ‘Last Consumer Date Change’ and ‘Customer Classification Code’ are both mandatory requiring submission of both fields whenever CATS CR5054/5055 are submitted. Telstra Energy comment ‘the other field’ should be <u>optionally</u> provided whenever a CATS CR5054/5055 is submitted with existing CATS field remaining in CATS database if not provided (as per MSATS History Model). Section 3 of the CDR Issues Paper states ‘<i>The actual change date would be the effective date of the completed Change Request</i>’. However, Section 12.4 of CATS Procedures (CATS CR 5054/5055) provides ‘Proposed Change Date’ with allowance for a 140 retrospective business day period. Telstra Energy comment both ‘Last Consumer Date Change’ and ‘Customer Classification Code’ CATS fields must be capable of being retrospectively updated effective from the ‘Proposed Change Date’ (up to 140 days) and not effective from a CATS system process date. <p><u>Standing Data for MSATS v5.4</u></p> <ul style="list-style-type: none"> Description of the ‘Last Consumer Change Date’ field is ‘Indicates the date a NMI has changed customer’. Telstra Energy suggest inclusion of a more detailed, descriptive definition of this field to ensure accurate population of content as intended. 	

No.	Question	Consulted person	Participant comment	AEMO response
			For your consideration, the 'Last Consumer Change Date' maybe defined as 'The date a new customer commences to receive energy at the relevant NMI's connection point'	
44	Do you have any further questions or comments in relation to the proposals?	United Energy	United Energy recommends inclusion of an explanation on when the 'Last Consumer Change Date' field should be updated so that the field is updated consistently across all retailers and as intended by the Rules. It would be useful to provide example/s to illustrate when the date is to be updated.	AEMO notes the respondent's comment. A workshop facilitated by the DSB was held on 27 July to work through solutions with industry.

Attachment 1 – AGL View on CDR Change

Legislative matters

AGL notes the request from Treasury to AEMO to support the provision of metering data, but at this time, we understand that the changes to the National Electricity Law (NEL) to support AEMO's role as a data holder under the Consumer Data Right (CDR) are still in draft form and have not as yet passed the SA Parliament.

Therefore, while these changes to the NEL are under consultation and not yet part of the NEL, AGL suggests that AEMO does not proceed with these changes until it has a clear power under the NEL (by way of an expansion to its statutory functions) to consult on, or make any changes to Electricity Procedures or systems (eg MSATS and CATS), to support a CDR obligation. AGL is also concerned that the very fact of the consultation being undertaken may engender costs which accrue to all participants and AEMO for a change which should not have been proposed or consulted on at this time.

Further, the proposed go live date for the MSATS changes is May 2023, which is 7 months prior to the second tranche of retailers going live in CDR. As such, this change then places obligations arising from CDR requirements on all retailers (ie: changes to system and business processes and obligations to supply CDR data) including retailers who are in the second and third tier for the rollout of the CDR, prior to those retailers coming under any obligations within the CDR framework.

As such, AGL does not support this aspect within the consultation. Once the necessary CDR changes have passed the SA (and other jurisdictional) Parliaments, then, depending on the final amendments, it may be appropriate for AEMO to commence consultation on this change.

General Comments in respect to operationalisation of proposed field

Whilst AGL can understand the benefit which Treasury is trying to achieve through this request to AEMO. We question whether Treasury and AEMO clearly understands the obligations which energy retailers have with regards to contracting customers and may have been misguided in the applicability of introducing a field in MSATS which will denote when a NMI has changed account holder, and the risks associated with such a proposal.

As AEMO has been made aware at various forums, ranging from the CDR Technical working group through to the aseXML Standards Working Group (ASWG) and the Electricity Retail Consultative Forum (ERCF), that the proposed solution was not viable, contained unnecessary risk and change which would largely be placed on the retailer and was not supported by many retailers.

AGL does not agree with Treasury's or AEMO's statement that "the introduction of such a field would ensure that when sharing of a consumer's energy data occurs, following authentication by the consumer's current retailer, metering data is provided for the time that the CDR consumer was associated with the NMI." This assessment is inaccurate and does not account for scenarios already being faced by the energy industry today. Including:

- Consumers who reverse their decision to sign up to an address;
- Consumers who do not appropriately disclose that they are an insitu consumer and are processed as a move in;
- Consumers who advise that they are an insitu consumer when in fact they were not the original account holder with the previous retailer - leading to the new retailer not flagging the site as having a new consumer in place (such as a partner or a housemate taking over an account).

In the first example, it is possible that the date field will be set incorrectly or not set when it should be set, leading to erroneous decisions and risks of privacy breach. This is of particular concern to retailers who have clear obligations regarding privacy, and the release of such data may also breach Family Violence privacy settings put in place by the current retailer.

In the second example, unclear, inadequate, or misleading information provided to one of the retailers in the data chain, will lead to a privacy breach as described above. This is a risk no retailer can adequately manage, as it is dependent on the end user and the information they may choose or not choose to provide.

In the case of the third example, like the other examples, this can have severe consequences for consumers who are affected by family violence or have specifically requested their data not to be shared - with access to their usage information being shared with an unauthorised person.

All these risks are exacerbated when type 4/5 interval data is released, which can provide a significant amount of information about a premise and usage pattern. The times or days which a property is left unoccupied, or when at night appliances are no longer in use. The inadvertent release of such data to an unauthorised person can have substantial privacy and security risks for the consumer.

In all three scenarios AGL has serious concerns regarding its privacy and liability risks as it is requiring a retailer to pass on meter data for a consumer for a period for which it has no record as to whether the meter data is actually relevant to that retailer. Further, noting that the retailer has to delete this data after passing it on, AGL also considers that it has no way of protecting itself from liability or customer / ombudsman complaints in such a situation.

As demonstrated above and as was also clearly articulated in discussions at the CDR Technical Working group, neither AEMO nor a winning retailer of a NMI, can guarantee the security of a consumer's information will be maintained with the proposed solution proposed in this Issues Paper. Therefore, AGL does not support this solution, and strongly objects to AEMO pursue this proposal.

AGL question the cost which will need to be borne by retailers, and in turn consumers, of introducing this field to MSATS and new associated procedures. There has been no cost assessment undertaken by either AEMO or Treasury in making this proposal.

Attachment 2 – AER Submission

Thank you for the opportunity to provide a submission on the Consumer Data Right (CDR) MSATS Consultation.

The AER is broadly supportive of the proposed amendments directly related to the CDR, and we have elected to address only those amendments in this submission, specifically:

- The addition of a “Last Consumer Change Date” field into MSATs
- Changes to CR5054 and CR5055 Change NMI Details transactions to allow the current FRMP to explicitly maintain the “Last Consumer Change Date” field.

The AER recognises the value of the CDR in improving consumers’ ability to compare and switch between products and services, fostering competition. As the operator of the Australian Government’s energy price comparison service—Energy Made Easy—the AER has direct experience delivering comparison services to consumers. With the benefit of this experience, the AER considers that the proposed changes will unlock the ability for CDR-enabled comparison and switching services to deliver richer, and more accurate, product comparisons for those consumers who are switching frequently, and realising the benefits of competition that the CDR is expected to deliver.

For comparison and switching services generally, the richer the data available, the better the outcomes for the consumer. The AER recognises that historical metering data is only one component in providing richer and more personalised comparisons for consumers, but improving continuity of access to this data from MSATS is an important step to enable service providers and consumers to harness the value of the CDR.

Appendix C. References

Consumer Data Right: Privacy Impact Assessment (June 2020) | Treasury.gov.au. (2022). Retrieved from <https://treasury.gov.au/publication/p2020-89229>

CDR in the energy sector | accc.gov.au. (2022). Retrieved from <https://www.accc.gov.au/focus-areas/consumer-data-right-cdr/cdr-in-the-energy-sector>