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[ICoSS Response to consultation on Retail Energy Code V3.0](#)

The Industrial & Commercial Shippers & Suppliers (ICoSS) is the trade body representing the majority of the GB non-domestic energy market. Our members¹, who are all independent Suppliers, in total supply in excess of three quarters of the gas and half the electricity provided in the highly competitive non-domestic market.

We are responding to the specific question regarding data access under the GES.

Question 2.1: Do you agree that access to data within the GES should be governed under the provisions of the REC?

We share the concerns raised by the CDSP regarding the proposal to remove the ability for UNC parties to govern the management of their data and move it to the REC.

The process set out in the Data Access Schedule does not require the Code Manager to consult (they “may” choose to) the relevant data master, in this case UNC parties, in the event that there is a change to the Data Access Matrix (DAM). It does not allow that data master to object to the data item being added to the DAM or being made available to any organisations via the DAM. The CDSP also has no mechanism to dispute data access once granted by the Code Manager. This effectively removes control of UNC data from UNC parties. It is not clear how shippers who are GES Users will be treated differently to those who are not GES Users, but it does not seem reasonable for Shippers to have to apply under the REC to access their own data.

There are also no proposed remedies for these parties to mitigate risk that the data may not be used appropriately. The REC currently requires that the Service User is





indemnified from IPR infringement for data which Shippers Users are not agreeing to be provided and the CDPS cannot prevent access to. This creates particular issues as the consultation deems that the data master for each meter point has “Regulatory Responsibility.” There also appears to be no limit on how data may be accessed once access is granted.

We believe that these proposals should not be progressed. GES data access governance needs to be kept with those parties whose data it is and so remain unchanged.

Regards

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