

February 19, 2014

Dear Sir,

Consultation on extending the existing smart meter framework for data access and privacy to Smart-Type Meters and Advanced Meters

Please find Co-Operative Energy's response to the above consultation below.

Chapter Two

Question 1: Please provide views on the different approaches to extending the data access and privacy framework discussed in this chapter. In particular, what is your preferred approach and why?

We agree that domestic customers with Smart-Type meters should be extended the same protections around detailed data gathering as those with SMETS2 compliant meters and that opt-in consent in relation to this should be required. Should this not be the case there is a danger that when these non-compliant meters have to be replaced at the end of the national rollout, customers will be even more inconvenienced by potentially being asked for opt-in consent for detailed data gathering and loss of smart services as this will be the norm at this point and the DCC will be up and running.

Question 2: Does the licence drafting at Appendices 2 and 3 achieve our policy aims?

Yes, we believe so.

Question 3: We have questioned whether a consumer who already has a Smart-Type Meter being approached again regarding their choices for data privacy could create a poor experience. Relevant to this is the nature of the conversation on their choices they had at installation. If you think a more flexible framework (ie opt-out consent permissible if accessing Detailed Data) is necessary to prevent poor consumer experience, please provide evidence that the consumer would be unnecessarily inconvenienced by a further conversation regarding their choices.

We believe that, given the public concerns that have been expressed around detailed data access, it is worth asking the customer for opt-in permission, particularly as this question will not have been posed to the customer before. It is probably also advisable to adopt a uniform approach across all households for reasons of clarity and in order to avoid confusion around this. Once this

permission has been given there should then be no need to pose the question again once the Smart-Type Meter has been replaced by a SMETS2 meter.

Question 4: If we fully extended the Privacy Requirements, what would the impact on consumers be in terms of loss of service?

There should not be any loss of service provided that the customer agrees to continue consenting to supplier access to detailed data, assuming that they are already on a tariff which requires data access of this kind. This will then potentially obviate the need for the question to be posed again when the Smart-Type meter is replaced by a SMETS2 meter.

Question 5: If we introduce a flexible framework, what level of consent (i.e. opt-in or opt-out) should suppliers be required to obtain from domestic consumers before using any data for marketing purposes?

We believe that data usage of this kind should require opt-in consent and that this should be the standard for all domestic customers. This should then ensure that common standards are followed and that all suppliers behave in the same manner in relation to this.

Question 6: If we introduce a flexible framework, do you consider there should be a grace period, after which suppliers would be required to get opt-in consent for Detailed Data? What would be an appropriate amount of time?

We believe that opt-in consent should be the default standard, particularly as it is likely that this will be required for true time of use tariffs once these become widely available.

Chapter Three

Question 7: We invite comments on our proposal to extend the Privacy Requirements to cover Smart-Type Meters installed at micro businesses.

As it is already the norm in the non-domestic sector for advanced meters to be fitted, thus enabling customers to be charged in line with actual usage and receive the best price, there may be a lesser need for the privacy requirements to be extended into this sector. However, as Co-Operative Energy is not a primarily non-domestic supplier, we would be interested to hear the views of other suppliers who specialise mainly or exclusively in this sector.

Chapter Four

Question 8: Do you agree with our proposal to not extend the existing data access and privacy arrangements that apply to network companies for premises with smart meters to network companies for premises with Smart-Type meters?

Yes, as we agree that network companies will not be able to access smart meter data for Smart-Type meters as this will be provided through DCC.

Question 9: Do you agree that 56 days is sufficient for suppliers to become compliant with their new obligations?

Yes, we believe that this is a sufficient time period for the necessary permission to be acquired from customers and agree that it would potentially be to the detriment of consumers to delay the process longer than is necessary.

Question 10: If we extend the Privacy Requirements, are there any reasons why suppliers wouldn't be able to comply based on the metering stock it would apply to?

We are not aware of any.

Question 11: We welcome views and evidence from stakeholders on whether consideration should be given to extending the existing SMICoP rules to the installation of Smart-Type Meters.

We believe that requiring the application of the SMICoP rules to the installation of Smart-Type meters would be inefficient as it is likely that the amount of these installed will fall off sharply as the launch of SMETS2 meters approaches.

Please do not hesitate to contact me should you have any questions or require any further information.

Yours faithfully,

Chris Hill

Head of Policy