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Thank you for inviting us to comment on the draft version of the Confidence Code.

Please find below our comments as they relate to specific provisions of the proposed Code and a summary of our views.

Requirement one – Independence and Impartiality

(E) Advertisements from energy suppliers, their agents, affiliates, or brands operating under the licence of a supplier must not be displayed on the home/main page or on the energy price comparison pages of the Price Comparison Service

We believe that a blanket restriction on advertising, as articulated here, is an unjustified barrier to innovation in the energy switching market. Our view is that the regulator should allow Price Comparison Services to submit advertising schemes to Ofgem for individual approval.

We put forward the following reasons for amending the Code in this way:

- The regulator has not made a case for the blanket prohibition of advertising. Without a substantial empirical basis that supports the Regulator's ground for the prohibition of advertisement this general ban is questionable.
- The prohibition on advertising is outdated. Leading internet services like Google have already proven that advertising can sit side by side with natural search results, provided that these advertisements are clearly labelled.
- The above Google example also demonstrates very clearly the potential for innovation that comes with advertising.
- Consumers understand advertising. Consumers who use free services such as those offered by Price Comparison Services understand that advertising exists to keep them free. The potential for misleading consumers can be addressed, if the scheme is designed and executed in a way that is fair to consumers.

Voltz is **not** arguing for all kinds of advertisements to be allowed. Voltz is arguing that the Regulator should adopt a differentiated and up-to-date view on advertising and approve schemes which are fair to the Consumer.

Requirement six – Quality of service and signposting of information

Energy efficiency information – A Service Provider must, on the homepage or during the Consumer Journey, provide signposting to independent sources of advice on energy efficiency matters [...]

We believe that this provision does not directly relate to the provision of price comparison and is therefore outside the scope of the Confidence Code.

General comments

1) Definition of Price Comparison Service

While the definition of Price Comparison Service does now include apps we note with concern that the definition still excludes call centres. We believe that the Confidence Code should cover all forms of switching that involve comparison. We believe that the recent questioning of the heads of the largest Price Comparison Services in Parliament justifies this view. Unless the Confidence Code covers Comparison, irrespective of how comparison is done, our strong view is that it will remain incomplete and weak in the public eye.

2) Price Comparison Services still disempowered

There is no new empowering language that might persuade Price Comparison Services to apply for the Code or remain inside it. For example, no language exists that empowers members of the Code to demand from Suppliers to provide them with a reasonable quality of tariff data in a timely manner. There is no language that would allow members to have access to complete data from suppliers – the provision of collective switch tariff data is a particular weakness here. Furthermore, there is no language that states that Price Comparison Services need not show the products of Suppliers that demonstrably fail to adhere to the rules as set out by the SLCs (such as the provision of TILs or up-to-date quarterly complaints data on their own website). Finally, members still have no right to demand that suppliers properly version their tariffs and thereby make it possible for consumers to identify their current tariffs.

As such, all the obligations remain with the Price Comparison Service, yet the Code does not empower its members to do the job it asks them to do.

Summary:

Voltz would support and would like to subscribe to a Confidence Code that is progressive, comprehensive and empowering for its members. We also wish for a Code that actively encourages innovation and not add barriers to innovation.

As it stands, the draft version unfortunately does not go far enough to address these concerns and aspirations. We therefore struggle to justify the benefits that the Code would hold for ourselves and the Consumers we represent.

Kind regards,

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Simplify Digital (www.voltzapp.com)