



Making a positive difference
for energy consumers

Electricity supply licence holders,
and supplier agents (Half Hourly
qualified Data Collectors and
Data Aggregators)

Email: half-hourlysettlement@ofgem.gov.uk

Date: 19 October 2017

Dear Colleague,

Request for Information to inform the Privacy Impact Assessment being undertaken in connection with the decision on access to data for market-wide half-hourly settlement.

On behalf of the Gas and Electricity Markets Authority, Ofgem is writing to certain stakeholders to seek information to inform the Privacy Impact Assessment being undertaken to inform a decision on access to data for market-wide half-hourly settlement (HHS). Please provide the information requested by 30 November 2017. The specific information we are requesting from you is set out in an Excel spreadsheet attached to this letter.

We have timed this voluntary request for information (RFI) to co-incide with the Smart Metering Team issuing templates for the annual Wider Monitoring RFI. The formal annual Wider Monitoring RFI will be issued next month, and responses will be due in January 2018. For any queries on the annual Wider Monitoring RFI please contact Leigh.Rafferty@ofgem.gov.uk.

This information is being requested on a voluntary basis pursuant to the Gas and Electricity Markets Authority's general market monitoring functions under section 47 of the Electricity Act 1989. You should note that the information we receive may be used for any purposes relating to Ofgem's functions.

We would ask you to endeavour to provide us with as detailed and accurate information as possible.

Background to this request

Ofgem launched the Electricity Settlement Reform Significant Code Review on 24 July 2017¹. As part of our work to consider a move to market-wide HHS we are considering the rules relating to access to consumers' half-hourly electricity consumption data for settlement purposes.

We published the Project Objectives and Assessment Options for the market-wide half-hourly settlement Business Case on 12 September 2017 which include information about the options under consideration for access to half-hourly consumption data from smart meters². These options relate to the collection and use of this data for settlement purposes

¹ <https://www.ofgem.gov.uk/publications-and-updates/electricity-settlement-reform-significant-code-review-launch-statement-revised-timetable-and-request-applications-membership-target-operating-model-design-working-group>

² <https://www.ofgem.gov.uk/publications-and-updates/project-objectives-and-assessment-options-market-wide-half-hourly-settlement-business-case>

only. Our proposals will therefore not impact wider access to smart metering data as set out under the smart metering Data Access and Privacy Framework.

We are currently evaluating the following options:

1. Access to half-hourly data subject to existing data access rules (opt-in, the status quo)
2. Half-hourly data is available for settlement purposes only with an option for consumers to opt-out
3. Half-hourly data is available for settlement purposes only
4. Half-hourly data is available for settlement purposes only, following pseudonymisation or anonymisation

The question of access to half-hourly data for settlement is important and we do not currently have a preferred option. We are therefore in the process of collecting information in order to make an evidence-based decision about which would be in the best interest of consumers. We have committed to undertake a Privacy Impact Assessment as part of this evidence gathering process. The information we receive from this voluntary RFI will form an important part of this evidence base.

Confidentiality

Any information provided to Ofgem which relates to the affairs of an individual or a particular business will be subject to statutory restrictions on disclosure under section 105 of the Utilities Act 2000. However, you should note that there are exceptions to the statutory restrictions, including where the disclosure is necessary to facilitate the statutory functions of Ofgem (e.g. the publishing information to promote the interests of consumers) or other public bodies. In so far as it is practicable to do so, Ofgem will normally seek your consent before making any disclosure.

You should note that Ofgem cannot provide any assurances in relation to the treatment of information which may be the subject of a request made under the Freedom of Information Act 2000 ('FOIA'). However, we can confirm that Ofgem will always consider whether the statutory restrictions on disclosure apply to the requested information and therefore whether one or more of the FOIA exemptions apply.

Before deciding whether to publish any information relating to the affairs of a particular licence holder, Ofgem is required to consider whether it is appropriate to redact any information on the basis that the information would or might, in our opinion, seriously and prejudicially harm the interests of that person ('confidential information'). In order to conduct this assessment, we would ask that you indicate in your response whether you consider any information to be confidential information and provide brief reasoning in support of your views. Where appropriate, we may seek further representations from licence holders at a later stage in respect of any specific information Ofgem is proposing to publish.

Your response

Please complete the information request spreadsheet and return it by email to half-hourlysettlement@ofgem.gov.uk by 30th November 2017.

Should you have any questions regarding the information request please contact Jenny.Banks@Ofgem.gov.uk

Yours faithfully,



Cathryn Scott
Partner, Energy Systems