

Rachel Clark
Programme Director, Switching Programme
10 South Colonnade
Canary Wharf
London
E14 4PU

Electricity North West
Hartington Road, Preston,
Lancashire, PR1 8AF

Email: enquiries@enwl.co.uk
Web: www.enwl.co.uk

Direct line: 07879115204
Email: paul.auckland@enwl.co.uk

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Dear Rachel

Consultation on Switching Programme and Retail Code Consolidation: Proposed changes to licences and industry codes

Thank you for the opportunity to comment on the consultation relating to the Retail Energy Code, its schedules, and the licence changes required to deliver faster, more reliable switching and Retail Code Consolidation.

Electricity North West continues to support the objectives of the Switching Programme and welcomes the ongoing dialogue with Ofgem on consequential changes to other industry codes to deliver the Switching Programme and Retail Code Consolidation Significant Code Reviews (SCRs).

To enable us to best assist Ofgem and meet customers' needs we would welcome further work on the following areas under the Switching SCR:

1. on what elements of our Data Transfer Service (DTS) licence obligations are within scope of either the Switching or Retail Energy Codes SCRs and any cross overs' with the Reforming the Energy Industry Codes SCR; and
2. the decisions made on the CSS network access as this may have consequential requirements for Distribution Network Operators (DNOs) to procure a solution for MPRS development for a MPRS/CSS interface specification.

Also, we would welcome further work on the following proposals to our current code or licence obligations under the Retail Code Consolidation SCR:

1. the transfer of our Metering Point Administration Service (MPAS) customer enquiry service licence obligations to a retail code as this would be better delivered centrally by the DCC rather than delivered individually by each DNO¹.
2. the requirement for DNOs to be subject to performance assurance for non retail activities if they are transferred to a retail code overseen by a Performance Assurance Board (PAB) charged with focusing on those identified risks which would materially and detrimentally impact customers switching supplier; we recommend the first PAB reviews are 12 months from go live; and
3. the transfer of the Meter Operation Code of Practice Agreement (MOCOPA), a health and safety and technical operation agreement, to a retail code as this would be better suited as a stand-alone agreement.

¹ As previously stated by Ofgem "a single service would be both easier for consumers to find and use, as well as more efficient to operate";

The following table gives our detailed responses to your specific questions:

Ref.	Question	Comment
1. REC Governance Arrangements		
1.1	Do you agree that the mission statement and objectives encapsulate the functions of the code, can drive activity of the governance functions and assist decision-making on changes to codes?	<p>Yes. We recommend the mission statement is further strengthened to ensure the REC interacts effectively with other energy industry codes as follows:</p> <p><i>“The REC will facilitate the efficient and effective running of the retail energy market, including its systems and processes. It will promote innovation, competition and positive customer outcomes. It will interact effectively with other non retail energy industry codes.”</i></p> <p>Without pre-empting the conclusions of the current Reforming Energy Industry Codes SCR this amendment to the mission objective will ensure parties and the Code Manager are obliged to account for and interact effectively with the other energy industry codes. This would still be fit for purpose if the SCR concludes there are 3 industry codes (retail, network and wholesale) or a variation thereof. The reform could also oblige the other codes which remain to have reference in their missions’ statements. This would help tackle an existing problem of lack of co-ordinated change management across the various codes and between retail, network and wholesale energy markets as all these codes are essential for customers need to be met.</p>
1.2	Do you agree with our proposals on the initial and ongoing appointment of RECCo Board Members?	<p>Yes. We agree a ‘Networks’ constituency expertise category should be a requirement for the RECCo Board membership to reflect REC party constituencies. We disagree with the Ofgem statement under paragraph 1.11 <i>“that these requirements do not necessarily translate into seats on the board.”</i> Whilst it is appropriate our role should diminish on switching as others take on these responsibilities with the creation of the Central Switching Service (CSS); Networks would still have a role as an Electricity Retail Data Agent under the REC and Ofgem are currently proposing other non switching areas which impact Networks and their customers should be transferred from DCUSA and the Master Registration Agreement (MRA) as part of this consultation. As such it is appropriate that the REC party constituency ‘Networks’ have a seat on the board.</p>
1.3 - 1.5	We responded to these questions in our earlier part 1 submission to this consultation sent on the 24 July 2019 regarding the REC manager role and MPAS governance.	
1.6	Do you agree with our proposals on the set-up of the REC Change Panel? Do you foresee any problems with these proposals?	<p>Yes. We agree with the concept as set out in the second bullet point under paragraph 1.25 whereby that the <i>“REC Change Panel should have representative members with constituency responsibilities such that that all categories should be assured that their interests will be represented in all decision making processes”</i>. However, we would like to see Ofgem confirm that Networks would specifically have a REC Change Panel representative member(s) with associated voting rights.</p>
1.7	Do you agree with our proposals on the set-up of the PAB? Do you foresee any problems with these	<p>Ofgem is proposing that PAB would be established during the transitional period (early 2020/21) and that its monitoring activities would be well established by the time the new switching arrangements go live. Ofgem is also proposing network operators are subject to PABs’ performance</p>

proposals?

assurance regime. Yet Ofgem will only make its final decisions on what elements of the Electricity Networks licence obligations may or may not move to the REC and be subject to the PAB regime in January 2021 with the changes becoming effective from the 1 April 2021. As such we recommend the first PAB reviews are 12 months from go live. This is supported by Ofgem's statement under paragraph 2.4 whereby it is only from 1 April 2021 that RECCo will start to govern the enduring, operational, non-switching obligations.

In addition, we propose the PAB introduce assessments of compliance assurance based on cycles as works effectively under the Smart Energy Code (SEC) and have risk based selection criteria for deciding upon which parties are audited based on the current Balancing and Settlement Code (BSC) Performance Assurance Framework (PAF). Whereby, there can be a 3 year cycle of full assessment, part assessment and self assessment combined with selection of which parties are auditable focusing on those identified risks which would materially and detrimentally impact customers switching supplier.

1.8 Do you agree that the inclusion of the principles outlined (as included in the draft change management schedule) should address some or all of the problems associated with existing code governance?

Yes. However, with regards to decision making we propose the RECCo Board, REC Change Panel have a duty to ensure the REC Manager, when collating REC Change Panel voting on REC Change Proposals, accounts for all party category accurately in any Modification Report. We have numerous examples for the Smart Energy Code Administrator and Secretariat (SECAS) whereby they have recorded our voting inaccurately. Such as, our vote has been counted as accept instead of reject, our vote and comments have not been counted and were absent or our Party Category votes have been under represented. The consequence of this:

- 1) Individual REC parties have to put extra resource in checking their submitted votes are accurately recorded. This might be more difficult for smaller or independent members.
- 2) Parties have no confidence in being assured their interests will be represented in all decision making processes and their Representative member may in error and through no fault of their own not represent all their parties views.

We also agree with the Ofgem statement under paragraph 1.53 that "*The potential impact that a change proposal may have on IT systems is and will continue to be a critical element...*". However, what is missing from Ofgem's proposals is that currently across all codes there is a cap of 6 months maximum for a change proposals impact on IT systems. Whilst we are undergoing six SCR's this cap is no longer fit for purpose with some changes being proposed which could take up to 18 months to implement and may involve following OJUE procurement rules. Consequently, impact assessments and proposed implementation dates need to account for this under the REC and other consolidated codes as part of the separate Reforming Energy Industry Codes SCR. Criteria for assessing change proposals which have significant impact on IT systems should be a consideration of any PAF.

2. Delivery Approach

<p>2.1 Do you agree with our proposed choreography of the Retail Code Consolidation SCR, Switching Programme SCR and associated licence changes, including our proposals that the Switching Programme changes will be introduced as ‘dormant’ before being made ‘active’ following Authority direction?</p>	<p>Regarding the Switching Programme SCR we foresee no problems with CSS go-live date being a few days after Ofgem publish industry code and licence directions if no further amendments are made to the industry codes and licences changes from the point Ofgem publish their decision in Jan 2021. However, if Ofgem make further amendments to the codes and licences directions a few days would be insufficient time for parties to ensure code compliance from the CSS go-live date a few days later. As such we suggest a freeze to code changes during this short interim period.</p> <p>Regarding the integration between the DNOs and CSS interface in order to exchange data we foresee a risk to the overarching Switching Programme plan. The DCC’s Switching Programme: Network Access Options Paper published in July 2019 set out three options for network access with the CSS. Dependent on which option is decided upon could result in a requirement for DNOs to procure a solution for MPRS development for a MPRS/CSS interface specification.</p> <p>Regarding the release date of the MRA consequential changes included under Appendix 5: the proposed legal drafting of this MRA (i.e. with reference to pre CSS go live’) implies there is an interim period between the release of this MRA version and the consequential changes to the REC or other codes. We recognise some of these provisions may remain dormant until the CSS go live date but would request clarity on when this version of the MRA will go live.</p>
<p>2.2 Do you agree with the approach we have described for managing the delivery of the Switching Programme SCR and the Retail Code Consolidation SCR?</p>	<p>Yes. However, regarding the Retail Code Consolidation SCR refer to our response to Q1.7 with network operators being subject to PABs’ transitional performance assurance regime, yet Ofgem will only make their final decisions on what elements of the DNOs licence obligations may or may not move to the REC and be subject to the PAB regime in January 2021 with the changes becoming effective from the 1 April 2021. As such we recommend the first PAB reviews are 12 months from go live.</p>
<p>2.3 Do you have any views on the draft consequential changes to industry codes and work plans described in Appendix 5 that would help deliver the Switching Programme and Retail Code Consolidation SCRs?</p>	<p>Yes.</p> <p>The following sets out our views regarding consequential changes as set out under Appendix 5 for:</p> <ul style="list-style-type: none">• MRA changes:<ul style="list-style-type: none">– We request clarification on the anticipated release date for this version of MRA. The proposed legal drafting of this MRA (i.e. with reference to pre CSS go live’) implies there is an interim period between the release of this MRA version and the consequential changes to the REC or other codes. We recognise some of these provisions may remain dormant until the CSS go live date but would request clarity on when this version of the MRA will go live.– The change summary document highlights that some of the MRA Agreed Procedures (MAPs) have been reviewed as part of this exercise but these have not been shared with the industry as part of this consultation. Without visibility of the

revised wording, we are unable to make substantive comments on the proposed drafting or effectiveness of the modifications.

- There are a few examples of issues with the numbering of clauses where titles or sections have been removed. We recommend MRASCo complete a review and revise the errors.
- There is no consistency regarding deletion of clauses. Some clauses and titles state NOT USED whilst others have been deleted without removing all of the sections of the original text. We recommend MRASCo review all clauses and ensure consistency.
- Many clauses have no sub title included (for both new clauses being added for CSS go live but also missing from legacy areas). We recommend MRASCo review all clauses and ensure consistency.
- Definition – we disagree with the current definition of Disconnected. We recommend this is revised as follows:
means the Metering Point is not in use and has no future use identified, either through the physical removal of the electrical supply to the Metering Point (a “Physical Disconnection”) or through a change to the supply data record where a connection does not exist making the Metering Point redundant (a “Logical Disconnection”) and “Disconnection” shall be construed accordingly;
- Section 5A ‘MRA Objectives’ is highlighted and the comment states ‘Ofgem would need to amend the MRA Objectives in the Distribution Licence before they could be amended as a consequential change’. We recommend all text from ‘For ease..’ onwards is removed. This will be consistent with other areas where the definition is contained in a separate document and will help to avoid any issues whilst the MRA awaits any Ofgem decisions on DNO SLC18 obligations as these obligations cover both switching and non switching areas. The latter being subject to a forthcoming Retail Codes Consolidation SCR to be launched in Autumn. Alternatively, remove the obligation for DNOs being responsible for “5A.1.1 to develop, maintain and operate efficient, coordinated and economical procedures and practices to be followed in relation to changes of Supplier; “ as others will be responsible for this following CSS go live.
- We note that there are a number of references to the DTC which have not been removed in the revised document. If the DTC is being transferred to the REC, the specific clauses in the MRA should also be transferred. We recommend MRASCo review all clauses and amend reference to DTC or the obligation appropriately.
- Clause 11 ‘Entry Assessment and Re Qualification’ is being removed. Can MRASCo clarify if they intend to run requalification of Metering Point Registration System (MPRS) during the transitional period for 2020/21 or not. This would help Distribution Businesses effectively plan resource. We recommend all such activity ceases during the transitional period and is reinstated once a decision is made where MPAS governance sits post 1 April 2021 (which may not be under the

- REC). This is an established service and MRASCo and Distribution Businesses efforts are best placed on ensuring Programme Readiness for CSS go live. Refer to our response to Q 4.3 we propose MPAS governance is best transferred to DCUSA following the winding down of the MRA.
- Clauses 13 and 14.3 – a distinction should be made between the different MPAS services provided. Following CSS go live DNOs will no longer provide registration services but will be required to provide other MPAS related services. We recommended these clauses are amended appropriately to reflect this.
 - Clause 14.17.A – we request MRASCo provide justification for removing this clause. This has no implications for CSS or the Switching Programme and there should be subject to normal industry change processes. We note that ‘prior’ is included in error twice.
 - Clause 19.1 – This clause’s exclusion is dependent on Ofgems’ decisions regarding if MPAS governance is transferred to the REC, DCUSA, BSC or a mix of these codes.
 - Clause 51.7 – This new clause requires Suppliers to contact Distribution Businesses where they believe a metering point should not have been disconnected and should remain registered on MPAS. At present Distribution Businesses would use the MAP04 process to address these issues. The current proposals include the removal of MAP04. Please refer to our point below on the removal of MAP04.
 - MAP04 – we strongly disagree with the removal of retrospective disconnection amendments from MAP04.. If this facility is no longer available for DNOs following CSS go live we believe this will have a detrimental impact on our customers. The current process allows the disconnected premise to be “re-commissioned” with all of the associated information and history. Moving away from this approach risks losing or at best, replicating this information unnecessarily.
 - MAPs covering non switching procedures – we recommend MAP04, MAP09,MAP 21,MAP27 and MAP28 move to DCUSA along with all associated MPAS governance as these procedures relate to non-switching network processes and it would not be appropriate for these to sit under the REC. We have also addressed this point in our response to Q4.3
 - Clause 36.7 Event of default – we disagree that clause 36.7 is removed. This should not be included as part of the Switching Programme modifications. Distribution businesses rely on this clause to protect customers in the event of a breach of DCUSA by suppliers. The ability within the MRA should remain for DNOs to be entitled to refuse to provide services where the Event of Default is in respect of failing to pay DUoS, MPAS charges or breach of credit cover under DCUSA.
- DCUSA changes:
 - We do not agree with all the theft provision being transferred in their entirety from DCUSA to the REC. Schedule 23 – Theft of Electricity Code of

Practice should remain in DCUSA as it includes our obligations as a DNO to investigate Theft in Conveyance from a network safety and security perspective. It would not be appropriate to include these provisions in a retail code.

- We would suggest that the retail element move under the REC and all other elements remain under the DCUSA in the interim period. DCUSA's payment and cover default position relies upon the provisions under Clause 36.7 of the MRA. As noted above, this is proposed to be removed. We would recommend that this section, if removed, should be replicated under DCUSA to ensure consistency.
- SEC changes :
 - Obligations on Networks/Registration Data Providers (RDPs) – we disagree with the DCC opening statement that the consequential changes to the SEC are relatively minor. The DCC acknowledge that the only SEC parties other than the DCC impacted are Network Parties with our obligation to ensure the RDPs send registration data to the DCC Data Service Providers (DSPs) being removed. This has an impact on our security obligation set out under Section G of the SEC and the Security Controls Framework document.
 - Missing area - there is no detailed design confirming what the replacement solution will be regarding the DCC providing data (DC enrolled MPANS) to the RDPs. The CSS high level design infers that the existing DC-RDP interface mechanism will fall away. Either way there will be changes to the SEC and presumably new subsidiary documents (CSS code of connection) for the REC.
 - Approach and next steps – The DCC should consult with SEC Parties in addition to the SEC Panel on the draft legal text for the SEC and the Security Controls Framework as part of their approach and next steps
- BSC changes :
 - There are very few details on the proposed changes to the BSC presented with the consultation. We agree that BSCPs 501,502,504, 514 and 537 will need to be modified to reflect the changes to the switching arrangements.
 - We note that the documented changes to the BSC do not include consequential changes to BSCP515 (Licensed Distribution). This needs to be amended to align with the proposed changes to MAP21 (Disconnections) and BSCP501 Registration
 - We recognise that work will be required to amend the BSC when final decisions are made on the location of the none switching elements of the MRA.

3. Switching Programme: REC Operational Arrangements

3.1	Do you agree that the draft Registration Services Schedule meets the required standards set out in the Regulatory Design Principles? If not, please	We agree with the principles of the creation of this Schedule. However, in the absence of a draft Technical Specification which is currently being developed and Ofgem is proposing to consult upon in Autumn we are unable to agree or disagree with these draft Schedules. We have no comments to improve the draft Registration Services Schedule at this
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	<p>describe how you think it should be improved.</p>	<p>time.</p>
<p>3.2 Do you agree that the draft Address Management Schedule meets the required standards set out in the Regulatory Design Principles? If not, please describe how you think it should be improved.</p>	<p>We have concerns regarding the current proposed obligation for each DNO to ensure the accuracy of the Metering Point Location (MPL) Addresses recorded for its Metering Points in its MPAS and to co-operate with any investigation by the CSS Provider into the accuracy of the corresponding Retail Energy Location (REL) Addresses as set out under paragraph 4.2</p> <p>Whilst DNO's are the master of the Registered Metering Point (RMP) address they are not responsible for the REL address. Suppliers will request changes to the RMP address via existing industry process but have to request any additional changes to the REL separately via the CSS Provider. Consequently, there is the possibility of widespread mismatches between Electricity RMP, Gas RMP and the CSS REL addresses. The current wording of paragraph 4.2 obligation would imply CSS providers are able to ensure the resolution of mismatches for REL addresses and associated performance assurance including being liable for sanctions if service levels are not met sits solely with DNOs which is not appropriate.</p> <p>The text of paragraph 4.2 should be revised as follows:</p> <p><i>Each Distribution Network Operator shall ensure the accuracy of the MPL Addresses recorded for its Metering Points in its Meter Point Administration Service, and shall support co-operate with any investigation by the CSS Provider into their <u>resolving mismatches</u> accuracy of the corresponding between the Metering Point and REL Address.</i></p>	
<p>3.3 Do you agree that the draft Data Management Schedule meets the required standards set out in the Regulatory Design Principles? If not, please describe how you think it should be improved.</p>	<p>We agree with the principles of the creation of this Schedule. However, in the absence of a draft Technical Specification which is currently being developed and Ofgem is proposing to consult upon in Autumn we are unable to agree or disagree with these draft Schedules. We have no comments to improve the draft Data Management Schedule at this time.</p>	
<p>3.4 Do you agree that the draft Service Management Schedule meets the required standards set out in the Regulatory Design Principles? If not, please describe how you think it should be improved.</p>	<p>We request further clarity regarding the where and when the Availability Targets and Performance Measures referred to under paragraph 11 are to be published.</p> <p>As a Switching Data Service Provider we need opportunity to partake in meaningful consultation with regards to the detailed service level agreements and any associated performance assurance including being liable for sanctions and liquidated damages if service levels are not met.</p>	
<p>3.5 Do you agree that the draft Entry Assessment and Qualification Schedule meets the required standards set out in the Regulatory Design Principles? If not, please describe how you think it should be improved.</p>	<p>It is unclear under paragraph 1.3 what circumstances DNO's may be subject to re-qualification.</p> <p>Paragraph 2.23 would imply these circumstances may be based on a definition of a Material Change. A Material Change is currently defined as <i>"applies in the context of Re-Qualification, and means a change by the User that has a significant impact on the Systems or processes used by that User to comply with its obligations under this Code, as from time to time further defined by the Performance Assurance</i></p>	

Board."

Our assumption is that a material change covers instances such as our implementing significant changes to our internal IT systems and that the MPRS content is not subject to re-qualification.

We would like clarification if the RECCo will define the CSS integration as a material change and as such require DNOs to re-qualify.

3.6 **Do you agree that the draft Resolution of Consumer Facing Switching and Billing Problems Schedule meets the Regulatory Design Principles? If not, please explain how the Schedule could be improved?**

We note DNOs have the following obligations under this Schedule:

- Section D – Crossed Meters – that where we become aware of a Crossed Meter by the Initiating Supplier that we are obliged to investigate the issues to determine all the affected RMPs in our portfolio and notify all Registered Suppliers of any affected RMPs. However, it is then for the Registered Suppliers to ensure the records and relevant Switching Data Services are updated with any agreed changes to data associated with the RMP. We agree it is the responsibility of Suppliers to resolve any crossed meters and we would cooperate where applicable.
- Section E – Duplicate Meters - we agree it is the responsibility of Suppliers to resolve any duplicate RMPs and that we would co-operate with any investigation. However, it should be noted that we anticipate that majority of duplicate RMPs will be justifiable and as such we would be required to reject under obligation 21.7 under the following scenarios:
 1. Multi feeder arrangement
 2. Import / Export sites
 3. Replacement MPANs, where add loads are in progress for a temporary period
 4. Related MPANs (number higher but this should improve as the Suppliers data cleanse this information as part of the Switching programme)
 5. Industrial & Commercial premises, whereby they have a supply for the main business area and a smaller supply for an office / residential part. Could be whereby the main business area needs supply at High Voltage (HV) and the office only at Low Voltage (LV); and
 6. Unmetered Supplies (UMS), where there are a number of inventories for a Customer. There are no addresses for UMS so we have to create one usually for the billing address.

3.7 **Do you agree that we have adequately captured the requirements of the ETCC within the draft Resolution of Consumer Facing Switching and Billing Problems Schedule, taking account of the existence of Guaranteed Standards of Performance that cover engagement with the consumer and resolution of erroneous transfers?**

Refer to our response to Q3.6. As resolution of crossed meters and duplicate meters which impacts Consumer Facing Switching and Billing Problems is the responsibility of Suppliers we have no further comments on this Schedule.

<p>3.8 Do you believe there is merit in extending obligations relating to the resolution of Erroneous Switches, Crossed Meters, Switch Meter Read Problems and Duplicate Meter Points to micro-business consumers or should these requirements more generally apply to all Non-Domestic Energy Suppliers? For Switch Meter Read Problems, should the scope be extended to cover domestic and micro-business consumers who are settled on a Half-Hourly basis?</p>	<p>Refer to our response to Q3.6. As resolution of crossed meters and duplicate meters which impacts Consumer Facing Switching and Billing Problems is the responsibility of Suppliers we have no further comments on this Schedule.</p>
<p>3.9 Do you agree with our proposal to introduce a harmonise procedure for escalating delayed and disputed problem resolutions for all problem areas covered by the draft Resolution of Consumer Facing Switching and Billing Problems Schedule? If not, please explain how the approach for escalations could be improved.</p>	<p>Refer to our response to Q3.6. As resolution of crossed meters and duplicate meters which impacts Consumer Facing Switching and Billing Problems is the responsibility of Suppliers we have no further comments on this Schedule.</p>
<p>3.10 Do you agree that the draft Prepayment Arrangements Schedule meets the required standards set out in the Regulatory Design Principles? If not, please describe how you think it should be improved.</p>	<p>This schedule is not applicable to DNOs and as such we have no comments.</p>
<p>3.11 Do you agree that the draft Related Metering Point Schedule meets the required standards set out in the Regulatory Design Principles? If not, please describe how you think it should be improved.</p>	<p>We agree with the principles of the creation of this Schedule. However, in the absence of a draft Technical Specification which is currently being developed and Ofgem is proposing to consult upon in Autumn we are unable to agree or disagree with these draft Schedules. We have no comments to improve the draft Related Metering Point Schedule at this time.</p>
<p>3.12 Do you agree that the draft Data Access Schedule meets the required standards set out in the Regulatory Design Principles? If not, please describe how you think it should be improved.</p>	<p>In order to best assist Ofgem and met customers needs we request further work on the following areas in this Schedule :</p> <ol style="list-style-type: none"> 1) The cover note does not accurately reflect how DNOs discharge their SLC 18 licence obligations and the distinction between the customer enquiry service (delivered via individual DNO MPAS enquiry services) and supplier enquiry service (delivered via a consolidated Electricity Central Online Enquiry Service (ECOES) as set out under the MRA). 2) We are unable to agree with Paragraph 1.2 that the

Data Access Schedule should be read in conjunction with the Technical Specification in the absence of the Technical Specification which will only be consulted upon in the Autumn consultation.

- 3) We do not agree with networks having joint responsibility with suppliers to ensure the RECCo complies with its obligations under Paragraphs 1.4. The obligation to ensure the RECCo procures an Electricity Enquiry Service should be the sole responsibility of Suppliers as the licensees for switching.
- 4) We are unable to agree with paragraph 3.5 that the charges for the provision of access to data through the Electricity Enquiry Service are set out in the REC Schedule of Charges without having sight of the charging methodology. We support the concept of Electricity Enquiry Service Users (such as ourselves) having access to data which will be provided based on the type of user and that RECCo costs could be recovered under a 'User Pays'. We welcome an opportunity to comment on your further thinking on cost recovery for such services in your Autumn consultation. We would welcome further information of the charging mechanism being based on a flat fee per Party category or volume based (i.e number of enquires made) or a combination thereof.

Refer to our more detailed response to Q3.14 regarding these points.

3.13 What changes would you make to best align the draft Data Access Schedule to the Energy Data Task Force recommendations?

We are proposing no changes to the Data Access Schedule at this time.

3.14 Do you agree that obligations should be placed on networks and suppliers to ensure that RECCo procures gas and electricity enquiry services and those obligations in the Gas Transporter and Distribution Licences can be removed?

Regarding the second part of Q3.14, DNOs have a licence obligation under SLC 18 Appendix 1 A5 to maintain an MPAS enquiry service for 'Customers' or 'Electricity Suppliers'. We discharge this obligation in two ways by providing:

- 1) Customers with an enquiry service via telephone and electronic online tool. When Ofgem requested volumes as part of an RFI in 2017 you also asked what likely changes to consumer demand for this service should Ofgem take into account. Estimated levels from our contact centre suggests that the majority (85%) of MPAS calls are not from end customers, we receive a significant number of calls from Property Management Companies asking who the Supplier is for multiple properties. Only a small minority of our MPAS calls are directly from an end customer.
- 2) Suppliers with an enquiry service:
 - via the ECOES as set out in the MRA for enquires regarding the MPAN of a property; and
 - via an electronic MPAS helpdesk for dataflow rejections, MRA Agreed Procedure (MAP) 04 manual amendments, refreshes, resends, reports, and transactional invoices. This service is also

provided to Supplier agents.

Yes we do agree with Ofgems' proposal that our SLC 18 Appendix 1 A5 obligation to maintain an enquiry service for 'Customers' (as set out under 1 above) should be removed from the Electricity Distribution licence and is separate and irrespective of the decision if our obligation to maintain an enquiry service for 'Electricity Suppliers' (as set out under 2 above) is transferred to the REC. For the avoidance of doubt we do not agree with the customer enquiry service licence obligation being transferred to the REC. Rather, based on extremely low volumes of end customer demand for the telephony service it is appropriate for this obligation to cease in full and that this cessation would become enacted when the new CSS goes live. It is more appropriate for the DCC to centrally run a customer enquiry service. As per the Ofgem decision document published in February 2018, Ofgem had reduced cost for DNOs for providing individual consumer enquiry services and retained costs for DCC as Ofgem stated "*a single service would be both easier for consumers to find and use, as well as more efficient to operate.*"

Electricity networks were originally obliged back in 1998 to maintain a customer enquiry service to answer who a customers' supplier was in the absence of a central switching service and to determine the MPAN prior to ECOES having the functionality. With creation of the REC and CSS and launch of ECOES2 it is appropriate as a network operator our role diminishes and other parties are responsible for informing customers who their supplier is and for suppliers and their agents to access ECOES for information on what the MPAN is for a premises.

Yes we do agree with Ofgem's proposal that our SLC 18 Appendix 1 A5 obligation to maintain an enquiry service for Suppliers (as set out under 2 above) should be removed from the Electricity Distribution licence. However, regarding the first part of Q3.14 we interpret this and agree with Ofgem proposing the rules that govern the ECOES or which is now referred to as the Electricity Enquiry Service should be transferred from the MRA to the REC. However, we do not agree this should be the responsibility of network operators to ensure RECCo procure this service. This should be the sole responsibility of Suppliers as the licensees for switching.

As set out under MRA Agreed Procedure 15, ECOES was designed to assist Suppliers in the transfer process when customers choose to switch and it provides Suppliers with a view of MPAS data that would otherwise be obtained via the DNOs individual enquiry service. Consolidation of the information and location in ECOES at the time was deemed more efficient for Suppliers reducing the number of enquiries directed to the DNO as the MPAS provider.

As set out under paragraph 3.46 we recognise that in order for the retail energy market to work effectively, relevant parties need to access data in a controlled and efficient way. We also recognise as an Electricity Retail Data Agent we will continue to have a role to support the switching service and require access to ECOES. As such we support the concept of Electricity Enquiry Service Users (such as ourselves) having access to data which will be provided based on the type of user and that RECCo costs could be recovered under a 'User Pays'. We welcome an opportunity to

	<p>comment on your further thinking on cost recovery for such services in your Autumn consultation.</p> <p>Refer to our more related response to Q3.12 regarding the cross over with the draft Data Access schedule.</p> <p>As this is a complex area refer to attachment 1 for a high-level summary of our understanding of Ofgem proposals and our recommendations.</p>
3.15	<p>Do you agree that the RECCo should be able to appoint either the Code Manager, Enquiry Service operator or a third party to act as the Enquiry Service Administrator for the purpose of monitoring compliance and managing Data Access Agreements?</p> <p>It is for Suppliers to decide on this proposal as we recommend Suppliers should solely be responsible for ensuring RECCo procure the Enquiry Service operator as Suppliers are the responsible licensees for switching.</p>
3.16	<p>Do you agree that the draft Interpretations Schedule meets the required standards set out in the Regulatory Design Principles? If not, please describe how you think it should be improved.</p> <p>We disagree with paragraph 2.4 whereby DNOs are responsible along with Suppliers to ensure the Electricity Enquiry Service Provider complies with its obligations and is liable for any failure. Suppliers should solely be responsible for ensuring RECCo procure the Enquiry Service operator and its pursuant obligations and liabilities as Suppliers are the responsible licensees for switching.</p> <p>The definition of the MPAS under the table on page 29 will need to be amended if a decision is made to transfer our MPAS obligations to DCUSA as part of the Retail Codes Consolidation SCR.</p>
3.17	<p>Are there any other areas that you think should be covered in the REC to support the Switching Programme, other than those that will be included in the Technical Specification?</p> <p>We agree with the principles of the creation of this Schedule. However, in the absence of what is being included in the draft Technical Specification which is currently being developed and Ofgem is proposing to consult upon in Autumn we are unable to agree or not if there are any other areas that should be covered.</p>
3.18	<p>Do you have any additional comments on the drafting of any of the schedules, in particular in relation to whether they effectively achieve the outcomes described here and articulated in Design Baseline 4 or other programme documents?</p> <p>We agree with the principles of the creation of this Schedule. However, in the absence of a draft Technical Specification which is currently being developed and Ofgem is proposing to consult upon in Autumn we are unable to agree or disagree with the draft Retail Energy Code (REC) Schedules impacted by that Technical Specification.</p>
<p>4. Retail Code Consolidation: SCR Scope, Process and Proposals</p>	
4.1	<p>Do you agree that Ofgem should lead an end-to-end process to develop the code modifications to deliver retail code consolidation?</p> <p>Yes. We agree Ofgem should lead an end-to-end process to close the MRA and SPAA and consolidate other industry codes. However, the title of the SCR is slightly misleading as not all of the proposed consolidation is regarding retail activity. This has been acknowledged with Ofgem's statement under paragraph 4.1 that "<i>some items are not easily categorised as retail provisions, so alternative governance arrangements have been considered.</i>" Many of these other items are regarding DNOs' network activities.</p>

Consequently, our responses to the remaining questions in this chapter focus on future proofing any decisions made under the Retail Code Consolidation SCR to not prejudice the outcome of the separate Reforming Energy Industry Codes SCR whereby a new Network Code is designated. It would not be appropriate for many of the proposals in this chapter to be transferred to the REC. They would best sit under existing non retail codes (such as DCUSA) which could be consolidated into this Network Code under the separate reform.

It would be more appropriate to refer to this SCR as '*Retail and other energy industry code consolidation*'

4.2	Do you agree with the proposed scope of the Retail Code Consolidation SCR? Do you think any additional areas should be in scope?	<p>Yes we agree the scope of this SCR should include all remaining provision in the MRA being placed in either the REC or another code. Whilst we recognise that the Data Transfer Catalogue is a schedule of the MRA and this consultation makes reference to the DTC transferring to the REC. The scope is silent on the Data Transfer Service (DTS) which transmits the DTC data items and for which we are obliged by our licence to provide. We currently discharge this obligation via procuring with other DNOs the Electralinks' Data Transfer Network (DTN).</p> <p>We note the Reforming Energy Industry Codes consultation does refer to the DTS and related IT systems such as the DTN which support the electricity codes and has included it within scope for that SCR. We recommend the Retail Code Consolidation SCR Autumn consultation clarify what elements of the DTS is within scope of the SCR and refer to any overlap with other SCRs.</p>
4.3 –	We responded to these questions in our earlier part 1 submission to this consultation sent on the 24 July 2019 regarding the REC manager role and MPAS governance.	
4.4		
4.5	Do you agree that the GDAA and Green Deal related provisions in the MRA should transfer to the REC?	<p>Yes as a predominately retail activity we agree the Green Deal Arrangements Agreement (GDAA) and Green Deal related provisions in the MRA should transfer to the REC.</p>
4.6	Do you think GDAA parties should accede to the REC, or be engaged in governance through some other means?	<p>Yes. We agree that Ofgem should further engage with current parties to the GDAA to agree suitable governance arrangements which may or may not involve GDAA parties acceding to the REC.</p>
4.7	Do you agree that the requirements currently held in SPAA Schedule 22 and the RGMA Baseline related to gas meter agent appointments and MDD should be mandatory for domestic and non-domestic suppliers? If not, why not?	<p>These requirements are not applicable to the electricity market and as such we have no comments.</p>
4.8	Do you agree with our preferred option for governance of agent appointments and MDD, outlined as option 3 above?	<p>These requirements are not applicable to the electricity market and as such we have no comments.</p>

4.9	Do you support our proposal for consolidating the metering CoPs into the REC?	<p>No. We do not agree with the MOCOPA being consolidated with the other metering CoPs into the REC. As Ofgem correctly state under paragraph 4.64. MOCOPA is “<i>primarily concerned with health and safety, competency of the overall business and its individual employees; and the practical operational interactions between DNOs and MEMs.</i>” MOCOPA should remain a standalone code of practice as the metering codes of practice should remain in the BSC.</p> <p>We do not foresee any benefits to consolidating the MOCOPA into the REC. We foresee issues and conflicts around a health and safety agreement being contained within an energy code (REC) governing retail energy activities and the operation of faster and more reliable arrangements for consumers to switch their energy suppliers.</p> <p>As MOCOPA is a technical agreement, it is important to ensure the clarity and consistency of the engineering processes are not diluted or misunderstood. If it is deemed appropriate that the MOCOPA is no longer a standalone code of practice we recommend it be consolidated with and have a better fit under DCUSA. A DCUSA objective is for the development, maintenance and operation of an efficient, co-ordinated and economical Distribution System to ensure customers lights remain switched on. This would future proof the Reforming Energy Industry Codes SCR decision to move DCUSA into a consolidated Network Code along with other network codes such as CUSC and the Distribution Code.</p>
4.10	Do you think MEMs should be parties to the REC?	<p>No. We do not agree MEMs should be parties to the REC in regards their interactions with networks under MOCOPA as we disagree with MOCOPA transferring to the REC for the reasons outlined under our response to Q 4.9. We have no comment on the MEMs being parties to the REC in regard their interactions with other MEMS or suppliers.</p>
4.11	Do you think changes to the metering Schedule(s) of the REC should be progressed through the Change Panel only, or should there be an additional MEM Panel?	<p>No. We do not agree with MOCOPA being transferred to the REC and as such we do not agree with changes to this health and safety technical agreement being progressed by a Change Panel created to oversee changes to a retail code.</p>
4.12	Which of the requirements within SMICoP, if any, should extend beyond the initial installation of the smart metering system?	<p>These requirements are not applicable to the electricity network market and as such we have no comments.</p>
4.13	Which of the requirements within SMICoP, if any, should apply to installation of non-smart metering systems and other site visits required to carry out metering related work?	<p>These requirements are not applicable to the electricity network market and as such we have no comments.</p>
4.14	No question	
4.15	What are your views on our proposals for the governance and assurance of the SMICoP provisions	<p>These requirements are not applicable to the electricity network market and as such we have no comments.</p>

once migrated to the REC?	
4.16	<p>Do you agree with our proposal for incorporating PSR provisions in the REC?</p> <p>Yes. We agree with the proposal for incorporating PSR provisions in the REC.</p> <p>However, as per our response to the recent Ofgem Vulnerability Strategy 2025 consultation we also believe that Ofgem should amend supplier licence requirements to improve the quality of their PSR data with standardised processes including how data is captured and removal of it when it is no longer valid.</p> <p>The cross-sector PSR trial we have taken part in with United Utilities has shown that in the water industry where the network company is also the supplier there are more touch points with the customer which ensures more accurate PSR data compared to a network-only company. In electricity and gas where the network and suppliers are separate, introducing additional contact with network companies can create disruption, inconvenience and confusion for people in vulnerable circumstances. A single source of data at least by sector held by suppliers should be the primary aim for Ofgem, with a view to widening participation with industries in the future. The outcomes of this should lead to reductions in costs across the industry in managing poor data, and less inconvenient or intrusive contact for the customer.</p>
5. Licence Condition Changes	
5.1	<p>Do you agree that Appendix 4 accurately describes all of the changes that should be made to licences to support the effective operation of the new switching arrangements?</p> <p>Yes. To the best of our knowledge and based on the current information supplied by Ofgem, the DCC and other code administrators</p>
5.2	<p>Do you agree that Appendix 4 accurately describes all of the changes that should be made to licences to support Retail Code Consolidation?</p> <p>No. we do not agree that Reference 12 of the DNO tab accurately describes the changes as SLC 18 holds an obligation for DNOs to provide a supplier and customer enquiry service not only a customer enquiry service. Also we do not agree that the proposal to transfer our current customer enquiry service obligation to the REC will support the effective operation of the new switching arrangements for the reasons set out in our response to Q3.14. Instead, we propose the removal and cessation of our customer enquiry service obligation which would become effective on the CSS go live date. It is more appropriate for a centrally run customer enquiry service to be provided by the DCC.</p>
5.3	<p>Are there any changes to licences that, if not made prior to the switching arrangements going live, would inhibit the delivery of the Switching Programme?</p> <p>No. To the best of our knowledge and based on the current information supplied by Ofgem, the DCC and other code administrators.</p>
5.4	<p>Do you think that we should remove licence obligations on GTs described in SLC 31 and DNOs in SLC 18 to provide one or more of the following services:</p> <p><input type="checkbox"/> Enquiry services;</p> <p>The current SLC18 obliges DNOs to maintain a register of data associated with a metering point/supply point and an enquiry service for Customers or Suppliers. We assume the first bullet point in Q5.4 relates to the enquiry service for Suppliers and the third bullet the enquiry service for Customers.</p>

- Maintenance of a register of data associated with a metering point/supply point; and
- Customer enquiry service?

Based on that assumption we agree that our licence obligations should be removed on all three areas. However, regarding transfer of obligations it is appropriate for:

- 1) the rules governing the Enquiry Service for Suppliers to be transferred from the MRA to the REC but Suppliers alone are responsible for RECCo procuring the Electricity Enquiry Service. We also note in the Ofgem February decision document that Reform Package 3 - "Same-Day Switching with enhanced information provision" (RP3) which included the replacement of ECOES and the gas equivalent by a new central Market Intelligence Service (MIS) was rejected. The reason being that Ofgem concluded the additional industry-wide costs of implementing and operating with a procured MIS, as described in RP3, – same-day switching with enhanced information provision – does not represent good value.
- 2) Maintenance of a register of data associated with a metering point/supply point to be transferred to the DCUSA which would then in turn be consolidated into a Network Code as part of the separate Reforming Energy Industry Codes SCR.
- 3) The Enquiry Service for Customers to cease in full and for the cessation to be enacted when the new CSS goes live. We agree with the principle that access to enquiry services is required to promote reliable and faster switching and we support the principle of enabling access to the existing data on ECOES. However, it is not appropriate for DNOs to continue to be obliged to provide consumer enquiry services for consumers to find out their Metering Point Administration Number (MPAN) or their supplier. It is more appropriate for the DCC to centrally run a customer enquiry service. As per the Ofgem decision document published in February 2018, Ofgem had reduced cost for DNOs for providing individual consumer enquiry services and retained costs for DCC as Ofgem stated "*a single service would be both easier for consumers to find and use, as well as more efficient to operate.*"

Refer to our more detailed response to Q3.14 regarding point 1) and 3) above and to Q4.3 and 4.4 set out in our separate response to Ofgem.

As this is a complex area refer to attachment 1 for a high-level summary of our understanding of Ofgem proposals and our recommendations.

I hope these comments are helpful. Please do not hesitate to contact me or Catherine Duggan (07775 547624) if you want to discuss any aspect of this response.

Yours sincerely

A handwritten signature in black ink that reads "Paul Auckland". The signature is written in a cursive style with a large initial 'P'.

Paul Auckland

Head of Economic Regulation

Attachment 1 – ENWL understanding of Ofgem DNO SLC18 proposals and subsequent response and recommendations

Status	SLC 18 – Provision of and charges for Metering Point Administration Services (MPAS)							
	Maintain a register of MPAS data (and make changes on CoS) and review and make available statement of MPAS charges		Provide MPAS data to Suppliers, agents, others (via BSC/MRA)	Maintain an MPAS enquiry service				
				for Suppliers	for Customers			
Current processes	<ul style="list-style-type: none"> individual DNOs maintain a MPAS rules governed in MRA 		<ul style="list-style-type: none"> individual DNOs provide Suppliers and others with MPAS data via MPAShelpdesk rules governed in MRA 	<ul style="list-style-type: none"> collectively DNOs and Suppliers procure and fund ECOES rules governed in MRA 	<ul style="list-style-type: none"> individual DNOs run own MPAS enquiry service (telephone and electronic) 			
Ofgem proposals (in live con)	<ul style="list-style-type: none"> should they remove licence obligation? should they transfer MPAS governance to REC, DCUSA or BSC or mix? 		<ul style="list-style-type: none"> silent on this specifically 	<ul style="list-style-type: none"> should they remove licence obligations? agree DNOs and Suppliers should be obliged to ensure RECCo procure 'Electricity Enquiry Services' (same for gas)? 				
ENWL response		<ul style="list-style-type: none"> agree remove from our licence 		<ul style="list-style-type: none"> agree remove from our licence 		<ul style="list-style-type: none"> agree remove from our licence 		<ul style="list-style-type: none"> agree remove from our licence
		<ul style="list-style-type: none"> agree our responsibility to make supplier registration amendments transferred to REC and CSS. agree we are responsible for obligations under REC as an Electricity Retail Data Agent (ERDA)/ 		<ul style="list-style-type: none"> agree we continue to provide data under REC (exc. CSS items). 		<ul style="list-style-type: none"> agree ECOES rules move from MRA to REC 		<ul style="list-style-type: none"> disagree moved to REC. Recommend cease and enacted when CSS goes live in 2021.
		<ul style="list-style-type: none"> disagree MPAS governance should be transferred to REC. Recommend transferred to DCUSA and ultimately a Network Code. ENWL need to review Technical Specification before can agree detail of the ERDA service in Ofgem's autumn consultation and is dependent where MPAS governance rules transfer too. 				<ul style="list-style-type: none"> disagree DNOs and Suppliers obliged to procure under RECCo. Recommend only Suppliers obliged and DNOs would pay for access to ECOES on User Pays principle – but need to review and detail in Autumn con 		<ul style="list-style-type: none"> DCC should provide this service centrally.