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| Modification proposal: | Supply Point Administration Agreement (SPAA) Change Proposal (CP): SCP443: Provision of customer contact data to Transporters | | |
| Decision: | The Authority ¹ has decided to approve ² this modification ³ | | |
| Target audience: | SPAA Parties, SPAA Panel, and other interested parties | | |
| Date of publication: | 4 October 2019 | Implementation date: | 26 th June 2020 |

Background

In March 2014 the Department for Energy and Climate Change (DECC) published a review⁴ of the response by electricity Distribution Network Operators (DNOs) to severe weather over the 2013 Christmas period. The review actioned industry to improve, among other things, communications to customers whose supply has been disrupted. Industry subsequently implemented, among other things, a new process allowing customer contact data to be transferred from suppliers to DNOs to aid customer communication during disruptive events⁵.

However there are currently no similar arrangements for the gas sector. This means that gas transporters (transporters) do not have access to customers' names or contact information during large scale interruptions. Their communication channels to customers are limited to face to face communication, post, website updates or social media announcements which can be considered impractical for large scale disruptions.

The modification proposal

SCP443 seeks to introduce a new process to ensure that gas suppliers via gas shippers transfer customer contact information to the Central Data Service Provider (CDSP). The CDSP will host this data in a secure area where transporters – both gas distribution networks (GDNs) and independent gas transporters (iGTs) – can access it via an Application Programming Interface (API).

Transporters could then use this information to proactively contact customers concerning disruptive events impacting on that customer's gas supply (both planned and unplanned).

This information would only be utilised in certain circumstances, such as;

¹ The terms 'the Authority', 'Ofgem' and 'we' are used interchangeably in this document. Ofgem is the Office of the Gas and Electricity Markets Authority. This decision is made by or on behalf of GEMA.

² This document is notice of the reasons for this decision as required by section 38A of the Gas Act 1986.

³ 'Change' and 'modification' are used interchangeably in this document.

⁴ Accessible here: <https://www.gov.uk/government/publications/severe-weather-christmas-2013-electricity-distribution-industry-performance>

⁵ Implemented, among other changes, by DTC CP 3433: <https://www.mrasco.com/changes/change-tracker/improving-customer-communication-through-changes-to-the-d0302-to-include-email/>

- Unplanned interruption events including restoration of supply to consumers;
- Planned interruptions, for example, mains replacement to restore supply to consumers;
- Any supply cut-offs related to the Gas Safety (Installation and Use) Regulations 1998⁶;
- Appointments for Multiple Occupancy Buildings; and
- Guaranteed Standards of Performance⁷ compensation payments.

Change Board⁸ recommendation

At its meeting on 13 August 2019, the SPAA Change Board voted on the proposed modification. The outcome of the weighted vote for the proposed change solution, implementation date, and implementation technique was greater than 65%⁹.

In accordance with the weighted vote procedure, the Change Board considered that SCP 443 would better facilitate the relevant objectives of the SPAA, and therefore recommended its approval.

Our decision

We have considered the views of the Change Board and the Change Report dated 20 August 2019 and have concluded that:

- implementation of the modification proposal will better facilitate the achievement of the relevant objectives of the SPAA;¹⁰ and
- consenting to the modification being made is consistent with the our principal objective and statutory duties.¹¹

Reasons for our decision

We consider this modification proposal will better facilitate SPAA objective (d) and has a neutral impact on the other relevant objectives.

(d) So far as is consistent with sub-paragraphs (a), (b) and (c), the efficient discharge of the licensee's obligations under this licence.

The modification introduces a process in which transporters will be able to swiftly notify customers in situations when quick and direct communication is required. The process will help transporters take an efficient and co-ordinated approach to contacting customers, especially in emergency situations.

This modification will also bring arrangements for the gas sector in line with the procedures already in place within the Electricity sector, via the D302 Data Flow¹².

⁶ S.I. 1998/2451.

⁷ Gas (Standards of Performance) Regulations 2005 (S. 2005/1135).

⁸ Change Board is established and constituted pursuant and in accordance with the SPAA.

⁹ The threshold for a change proposal being accepted by relevant SPAA parties is 65%, as set out in clause 9 of the SPAA.

¹⁰ As set out in Standard Licence Condition 30.6 of the Gas Supplier Licence.

¹¹ The Authority's statutory duties are wider than matters which the Change Board must take into consideration and are detailed mainly in the Gas Act 1986.

¹² [D302 – Notification of Customer Details](#)

We note the concerns raised in relation to the protection of customers' data and in particular the "right to erasure"¹³. It is our position that this modification does not introduce any processes or procedures that relieve affected parties from their responsibility to ensure ongoing compliance with any legislation, including all relevant data protection legislation. Similarly, we do not believe that this modification impedes the ability of any involved parties to fulfil their obligations in relation to the protection of consumer data.

In addition, we note this process allows suppliers to return a blank/null record in a situation in which a Customer has requested their information be removed. This procedure may also be used to remove customers' details from the system and therefore retaining their right to erasure.

Decision notice

In accordance with Standard Licence Condition 30 of the Gas Supplier licence, the Authority hereby approves modification proposal SPAA CP 443: 'Provision of customer contact data to Transporters'.

Michael Wagner
Deputy Director, Gas Sector

Signed on behalf of the Authority and authorised for that purpose

¹³ [As set out in the EU General Data Protection Regulation \(GDPR\)](#)