



Bulb's response to the Retail Energy Code proposals (v2)

This response is not confidential and can be published. For further information, please contact policy@bulb.co.uk.

Executive summary

- Bulb broadly supports the approach outlined in the v2 proposals, especially where measures protect and enhance the consumer's right to switch.
- The REC should facilitate a level playing field for suppliers and other third parties operating in the energy sector. We support standardisation and equal conditions for market entry for all relevant companies.
- Non-domestic suppliers should not be exempt from the schedule.

Full response

2.1: Do you agree with our proposed approach to information security and data protection assessment under the REC? In particular, do you agree with the requirement for all REC Service Users to notify the Code Manager of a security breach?

Whilst we think it's admirable that Code Manager is trying to incorporate data protection considerations into the REC framework, we don't think the Code Manager is best placed to advise on data protection or review our risk assessments or logs of data incidents. As the REC acknowledges, the ICO is the data protection regulator and we liaise directly with them on data incidents and on compliance with our data protection obligations. Sending these documents and reporting such incidents to the Code Manager for the purposes of the REC seems duplicative and not useful for the Code Manager.

2.2: Do you agree with our proposal to extend entry qualification to new gas MEMs? If not, please explain why.

We fully support the extension of entry qualification to new gas MEMs. We also recommend that Ofgem introduce specific consideration of entry criteria for export MOPs. REC entry for these MEMs should include a commitment to ensure timely responses to supplier requests to contract for export. This would improve MEM governance and support better operations for suppliers.



2.3: Do you agree that the change effected by MAP CP 0338 should apply equally to gas?

We agree. This will provide a level playing field for all prepayment customers and ensure that they receive the same level of service as direct debit customers. The REC PAB should also make efforts to ensure all suppliers over 50,000 customers are producing UTRNs for both gas and electricity smart prepayment customers where possible. This will reduce the risk to prepayment consumers who may lose gas supply when smart top-ups do not work. The cost of assuring industry performance should be factored in earlier in the process as it will be more expensive and detrimental to the market.

2.4: Do you agree that the clarification on the applicability of the schedule to non-domestic suppliers sufficiently gives regard to non-domestic suppliers who do not serve prepayment customers?

Non-domestic suppliers should not be exempt from the schedule. We agree that the clarification has been made but we do not accept that all non-domestic suppliers have zero prepayment meters in their supply profile. For example, landlords and letting agents are able to register domestic prepayment supplies on non-domestic contracts with non-domestic only suppliers. Non-domestic suppliers should be made to comply with the prepayment arrangements schedule in these circumstances.

2.5: Do you agree that the approach and processes for gas unregistered sites should be standardised, as set out in the Unbilled Energy Code of Practice?

Yes, it is necessary for electricity provisions to be replicated for unregistered gas sites in order to provide a level playing field for all consumers. SLC 12A already outlines current supplier obligations in relation to gas 'theft investigations'. This schedule should align with these SLCs in terminology and content. Current SLCs should use "unbilled energy" rather than "theft" for regulatory terminology to remain consistent and to ensure clarity.

2.6: Do you agree that the REC should make provision for the PAB to consider the case for reconciliation of data held by PPMIPs and CDSP for the purpose of identifying unregistered sites? If so, do you agree that this process should sit in the Unbilled Energy Code of Practice?

Bulb strongly supports this. PPMIP and CDSP data should be consolidated to allow all consumers to switch when CSS goes live. We believe strongly in the consumer's right to switch energy suppliers, and any action that will maintain consumer rights to switch when CSS goes live should take priority. It would be practicable for this to be included in the Unbilled Energy Code of Practice.



2.7: Do you agree with the principle that a consumer should be no worse off by virtue of a theft investigation being undertaken by a network company rather than a supplier?

We agree, a level playing field should be maintained for all consumers regardless of the party completing the unbilled investigation. It is also appropriate for Gas Transporters to be regulated in the same manner to Network Operators, but further consultation will be needed on the proposed changes.

2.8: Do you agree that the requirements relating to provision of customer contact details should apply equally to non-domestic suppliers, as set out in the Transfer of Consumer Data Schedule?

We agree, both domestic and non-domestic suppliers should be required to provide up to date customer contact information to the CDSP where possible.

2.9: Do you agree with our proposal to extend ‘Gas use case 5: Payment of Guaranteed Standard of Performance Payments’ to cover voluntary payments?

We agree, GTs should have access to consumer data in order to make voluntary GSOP payments. The REC should make it clear to all parties that data, especially sensitive data, should be handled and shared in a manner consistent with GDPR. Where data is accessed, there should be a legitimate business or public interest reason for doing so (we should stress these conditions for our agreement).

2.10: What risks (if any) do you foresee in the transfer of processes associated with Commissioning, Complex Sites, Proving and Faults from BSCP514 to the REC Metering Operations schedule?

We do not have a response to this question.

2.11: Do you agree that requirement to comply with the BSC CoPs should be placed directly on MEMs in the REC? If not, please explain your reasons.

We strongly agree. The responsibility to install CoP compliant metering equipment belongs to the MEMs. The requirement should not be split across the BSC and REC if the increased level of complexity will lead to higher costs for REC participants. The most cost effective solution should be implemented.

2.12: Do you agree that metering operations rules and processes in the REC could be assured by the BSC, particularly with regard to PARMS reporting and technical



assurance audits, until the assurance function can transition to the REC? If not, please explain your reasons.

We agree with this approach on the condition that the cost of collaborative governance and performance assurance is lower than delaying REC governance of the BSC until performance is achievable within the REC.

2.13: Do you agree that the information in the RGMA Baseline relating to exceptions should be out of scope of the mandatory Schedule?

We agree with the suggestion to exclude the exceptions information from the mandated scope of this schedule.