



14 October 2021

Secretariat
Energy Senior Officials

Lodged electronically: ElectricityConsultation@industry.gov.au

Dear Sir/Madam,

Consumer Data Right for Energy – Consultation on NEL and NER Amendments

Origin appreciates the opportunity to review the proposed amendments to the National Electricity Law (NEL) and National Electricity Rules (NER) to support the implementation of Consumer Data Right (CDR) in the energy sector.

We generally support the amendments to the NER and NEL to accommodate the CDR regime in the energy sector.

While CDR is established under the Commonwealth's Competition and Consumer Act 2010 (CAA), amendments are required to the NER and NEL to facilitate the transition of the scheme to the energy sector. This includes ensuring the NER and NEL do not restrict the sharing of certain data sets and to further expand AEMO's role within the electricity market to include CDR functions.

Origin's main concerns with the proposed legislative amendments are in relation to the inclusion of amendments that are not directly related to the implementation nor delivery of CDR in energy. In particular, the proposed amendment to clause 8A of the National Electricity Regulations (Regulations) to enable the Commonwealth Scientific and Industrial Research Organisation (CSIRO) to access energy data held by AEMO does not limit the ability of CSIRO to access AEMO's data. In addition, the data deficiencies have not been made clear to the market. The AEMC has a transparent and legislated rule making process and this process should be followed to determine the extent to which third parties require data to assist in policy making.

A further non-specific CDR provision is related to the proposed amendment to Rule 7.15.5 of the NER. The proposal under this Rule is to expand a consumer's right to access NMI standing data directly from a retailer or distributor. We understand that this amendment would require NMI standing data to be brought into the Metering Data Provision Procedures (MDPP) which will allow for a subset of NMI standing data to be provided as a standard data request with meter data. This provision goes beyond the CDR energy framework and should be consulted on through a separate AEMC Rule change process.

Finally, we note that the expansion of AEMO's statutory functions under section 49 of the NEL to include CDR is to allow AEMO to recover its costs in relation to the performance of CDR functions. While cost recovery is reasonable, we believe that there needs to be transparency with regards to how: 1) AEMO determines the costs; and 2) allocates these costs to participants. The CDR cost recovery framework needs to be transparent, simple and provide for the equitable allocation of costs to those that most benefit from the scheme.

If you have any questions regarding this submission, please contact Caroline Brumby in the first instance on (07) 3867 0863 or caroline.brumby@originenergy.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Sean Greenup".

Sean Greenup
Group Manager Regulatory Policy