



Wednesday 20 March 2019

The Australian Competition & Consumer Commission

Via email: [ACCC-CDR@acc.gov.au](mailto:ACCC-CDR@acc.gov.au)

**To the ACCC,**

**RE: Consumer Data Right in Energy - Consultation paper: data access models for energy data**

I write regarding the interested party consultation on data access models for energy data. CHOICE has previously submitted a response to the Council of Australian Governments Energy Council's *Facilitating access to consumer energy data*, a report prepared by HoustonKemp in 2018.<sup>1</sup> There have been new developments in the design of the Consumer Data Right (CDR) in the energy sector since we submitted our earlier response and we welcome the opportunity to provide comments through this consultation process.

CHOICE encourages the ACCC and other involved parties to approach the design of the CDR in a way that ensures consistent outcomes across sectors. While the systems and infrastructure that underpins the CDR may require considerable variation across sectors, the CDR should be designed with the goal of creating simple, consistent user experiences for consumers across the board. Any short-term cost to business in reworking systems to provide this information must be balanced against the long-term gains that would be delivered to consumers. Any of the three models proposed in the consultation paper could be appropriate, provided the chosen option facilitates a consistent CDR user experience across banking, energy and other sectors in the future.

To be effective, the CDR must also grant consumers free access to data that relates to them. At minimum, consumers should be able to receive detailed information about the price they are paying for a service. In the energy sector detailed product, usage and transaction data must be provided to consumers in order for them to be able to make better and more informed choices about energy products and services, as well as to save on electricity costs.

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<sup>1</sup> CHOICE (2018), [Facilitating Access to Consumer Energy Data - Submission to the COAG Energy Council](#), Sydney.

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The CDR must include effective consumer protections to ensure that customer data is not exploited. This includes placing clear disclosure requirements on third parties to require them to gain explicit informed customer consent to allow their data to be aggregated when using one company's services to analyse multiple data streams from different sectors. In addition, there must be sensible restrictions on how third parties can use data to target consumers and protections against unfair discrimination. This will in part need to be achieved through direct regulation that prevents harmful practices.

For further information please contact CHOICE on [linda@choice.com.au](mailto:linda@choice.com.au)

Yours sincerely,



**Linda Przhedetsky**

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