

Consumer Data Right

Data Standards Advisory Committee

Minutes of the Meeting

Date: Wednesday 9 June 2021

Location: Held remotely via WebEx

Time: 10:00 to 12:00

Meeting: Committee Meeting # 17

Sector: Energy

Attendees

Committee Members

Andrew Stevens, Data Standards Chair
Jill Berry, Adatree
Lawrence Gibbs, Origin Energy
Peter Giles, CHOICE
Melinda Green, Energy Australia

Joanna Gurry, NBN Co
Lisa Schutz, Verifier
Aakash Sembey, Simply Energy
Dayle Stevens, AGL

Observers

Barry Thomas, DSB
James Bligh, DSB
Ruth Boughen, DSB
Terri McLachlan, DSB
Michael Palmyre, DSB
Mark Verstege, DSB
Paul Franklin, ACCC

Luke Barlow, AEMO
Mark Staples, Data61
Athena Jayaratnam, OAIC
Kate O'Rourke, Treasury
Jodi Ross, Treasury
Fiona Walker, Treasury

Apologies

Louise Benjamin, ECA
Joe Locandro, AEMO

Frank Restuccia, Finder
Lauren Solomon, CPRC

Chair Introduction

The Data Standards Chair (Chair) opened the meeting and thanked all committee members and observers for attending meeting # 17 of the energy sector Data Standards Advisory Committee.

The Chair noted that Frank Restuccia (Finder) and Joe Locandro (AEMO) are stepping down from the committee. He would like to extend his thanks to them both for their outstanding contribution to the values and mission of the DSAC. He welcomes Luke Barlow (AEMO) & Chris Ellis (Finder) as new members to the committee from July.

The Chair noted that Tomas Schier, a new member of the DSB team commenced in May 2021. He is part of the technical team and his role is to help create, direct and facilitate open-source projects to develop a series of moderated open-source repositories.

The Chair noted that Louise Benjamin (ECA), Joe Locandro (AEMO), Frank Restuccia (Finder) and Lauren Solomon (CPRC) are apologies for this meeting.

Minutes

Minutes

The Chair thanked the Committee Members for their comments and feedback on the Minutes from the 12 May 2021 Advisory Committee meeting. The Minutes were taken as read and formally accepted.

Action Items

The Chair noted that the Action Item for the DSB to set up a Standards Design Challenge Subcommittee is still pending as he would like to bed down the new Advisory Committee approach first before setting up the subcommittee.

The Chair noted that all other Action Items were completed.

Advisory Committee Refresh

The Chair thanked everyone for their feedback in relation to their ongoing role in the Data Standards Advisory Committee (DSAC) from July 2021. He noted that there are a couple of members who have decided to make a transition in their membership which will provide an opportunity for others.

The Chair noted that there will be twenty members on our single Advisory Committee from July which consists of nine data holders (including NBN), eight data recipients and three consumer representatives. A slightly different view would be three consumer representatives, four banking industry data holders, five energy sector data holders, one telco and seven existing and potential seven data recipients and intermediaries. He noted that we have ended up with a very good balance between data holders, data recipients and consumer representatives and also a good split between energy, banking and emerging telecommunication representation in our group.

The Chair looks forward to yet another step in the journey for the DSB and the DSAC as we participate in this implementation of national significance.

The Chair invited Luke Barlow, the new committee member from the Australian Energy Market Operator (AEMO), to introduce himself to the committee.

Barlow noted that he works at AEMO as a Group Manager in data and information services and the main projects he is working on is the Consumer Data Right and wholesale demand response. He has been involved in the energy sector throughout his entire career and has a engineering and computer science background. He works very closely with the team and industry in general on the business outcomes they're trying to achieve.

Barlow noted that as they move forward from an energy perspective, data exchange and the standards associated with it are becoming more critical as it becomes a much more distributed landscape of players. This is extremely important for them as consumers are now quite often generators and participating in virtual power plants, or in the case of larger energy users individually.

The Chair thanked Luke and also extended his thanks to Joe Locandro for his contribution to the committee which has been very helpful. He knows from the discussions on gateway versus peer to peer model, it has not been a simple or trivial process. He is delighted that Luke can join us and that AEMO can continue to support the operation and considerations in this Advisory Committee.

Working Group Update

A summary of the Working Group's progress since the last committee meeting was provided in the Committee Papers and was taken as read.

Technical Working Group Update

A further update from was provided on the Technical Working Group by James Bligh as follows:

The DSB noted that over the last month they have been obtaining feedback on the Design Papers. For the energy sector, they have made some updates to the draft energy standards in response to collaboration with the Victorian Energy Compare (VEC) and Energy Made Easy (EME) about the generic tariff structure for the energy sector.

The DSB anticipate they will try to do a push to ensure they have a stable standard for the generic tariff data, as from their experience in the banking sector, the unauthenticated product information is the easiest first phase to do, and they would like to provide this as an option. This will involve collaboration with VEC & EME in particular.

The DSB noted that in regard to the peer to peer model and the related issues around that in regard to information security. They have been reviewing the feedback and planning out their future consultations in that regard.

Consumer Experience (CX) Working Group Update

A further update was provided on the CX Working Group by CX Lead Michael Palmyre as follows:

The DSB noted that it has been a very busy month since the last Advisory Committee Meeting. The key things to point out are the Design Papers and the workshops they ran and participated in to support that consultation which went very well.

The DSB noted that there was some great engagement, including the artefacts that they developed to facilitate some of the comprehension. They have conducted some analysis and they have some clear views on next steps in relation to CX standards work.

The DSB noted that there are some key Decision Proposals that have been out for consultation. DP160, which covers non-individuals, business partnerships, and secondary users, closed on Tuesday 8th June. They have received some feedback which they expect would apply to the energy sector as well, depending on the definition of eligible consumers, but obviously the first cut is for the banking sector.

The DSB noted that there is also an item for disclosure consents which is effectively for accredited data recipients (ADR) to ADR disclosures as the key one but also relating to some of the access arrangements that were discussed in the recent Treasury announcement.

The DSB noted that an update to [NP157](#) was published to clarify that, other than the open consultation on DP160, no further Data Holder obligations are anticipated for July 2021 or November 2021 in relation to CX standards referenced in the updated NP157 document, unless required as a result of further rules amendments.

The DSB noted that extensive work is underway on CX Artefacts for ADR Dashboards, CDR Receipts, and the v2 rules amendments to consent, such as separate consents and amending consents. These are currently being finalised for release in June.

The Chair noted that it has been a very busy four weeks with a lot of progress acknowledging the v1.10.0 standards release during that period.

Stakeholder Engagement

A summary of stakeholder engagement including upcoming workshops, weekly meetings and maintenance iteration cycles was provided in the Committee Papers and was taken as read.

The Chair noted that the numbers at the weekly Implementation calls are remaining at a healthy level and depending on the timing of issues, key compliance dates and milestones, the attendance numbers fluctuate to reflect that.

The Chair noted that the Maintenance Iteration # 5 is currently underway and the support portal is also progressing well. The DSB newsletter is circulated weekly and the Service Provider directory is continuing to grow.

Issues Raised by Members

Aakash Sembey from Simply Energy was interested to hear about the technical implications of the peer to peer model and the potential standards impacts from joint accounts. The Chair noted that Treasury will cover this off as part of their update.

Treasury Update

Kate O'Rourke, First Assistant Secretary, and CDR Division Head, from Treasury (TSY) provided an update as follows:

TSY thanked committee members for their excellent contributions to the Design Papers issued on extending CDR to Energy and on Joint Accounts. TSY noted the very positive feedback received on both the Design Paper approach – which included rules, standards and the consumer experience (CX) together in one paper - and on having multiple ways in which people could contribute (via GitHub, email and workshops).

TSY noted that in regard to the energy Design Paper, they received twenty-one submissions (in addition to the GitHub and workshop contributions) from a wide variety of stakeholders. Some of the key issues raised were on moving to the peer to peer model and the particular issues this raises in relation to the roles of retailers and the Australian Energy Market Operator (AEMO), including with respect to complaints; and phasing the introduction of CDR to energy retailers.

TSY noted in regard to the Joint Account Design Paper, there was almost double the number of submissions received and it also attracted media attention. There were passionate submissions made on the issue of whether to switch from “opt-in” or to “opt-out” and stakeholders identified fundamental questions around CDR being at stake in relation to these issues. Some of the other issues raised were on complex accounts and the implementation question and the implications for how different options on those issues might be tackled.

TSY noted that in respect to joint accounts in energy, the submissions received indicated that it's not nearly as big an issue in relation to the energy space, but the account holder issues are very important, as well as the secondary user arrangements. They are working at how these different types of relationships work in different sectors with the goal of having rules that are as universal as possible and that is one of the things they're balancing as they work through the submissions.

TSY noted that as announced in the Budget, they are assessing the telecommunications sector for suitability for designation. The goal is that both the assessment and the designation (should the Government proceed to designation), occur by the end of this calendar year. The first step is for TSY to do a sectoral assessment and they are doing active planning on that which is due to start soon. The criteria is set out in the *Competition and Consumer Act 2010* and include the interest of the consumers, privacy of consumers' information, the regulatory impacts, promoting data driven innovation and promoting competition.

TSY noted that there will be a consultation process which they hope to start in July 2021 which will include roundtables. There is also a formal consultation process that is required under the statute i.e. consultation with the Office of the Australian Information Commissioner (OAIC), the Australian Competition and Consumer Commission (ACCC) and the Australian Communications and Media Authority (ACMA) as the relevant regulator. A report will then be sent to the Minister, which will be published. The Minister will then decide whether to proceed with designation.

TSY noted that the purpose of the consultations is to identify, through the designation process, as many issues as they can in relation to the data sets and the use cases which will allow the roll-out to be smooth. They noted that they are committed to conducting one assessment per year.

One member asked for clarity on what they are assessing telecommunications for.

TSY noted the assessment and designation process is the formal legal decision to bring telecommunications within the scope of the CDR. At a high level they're looking at what are the benefits of designating telecommunications under CDR, and related issues around cost and sensitivities. If the designation decision is made that then enables further rules to be made about the obligations that apply to data holders in the telecommunications sector.

The Chair asked if it was just whether Telcos is designated or not designated, or is it also the nature of the data elements that could be designated as well? He noted that we have highly engaged data holders, data recipients and consumer representatives on the committee who understand the CDR as it is developing, and it would be useful for members to think ahead of the consultation on what their views would be which could be a real accelerator in the implementation process.

TSY noted that the end-state in terms of the designation decision would be specifying the types of data within telecommunications in scope for sharing and by reference to which entities are holding them. The consultation process that will commence in July will explore those very issues. For example:

- What kinds of data are currently held in digital form right now in the telecommunications sector could, if made available under the CDR, unlock benefits for consumers, innovation and for competition?
- Where are the efficiencies in terms of a data access model for making those kinds of data sets available, who is holding them and in what form?
- What format is data held in, and what utility will that provide for data recipients? (Noting this will raise issues around material enhancements and transformation of data).

Another member noted that some of the things that would be really interesting to put on the radar is the amazing breadth and expansive nature of some of the different data sets that Telcos have in addition to what we've seen through banking or energy. That relates to real live location, as Telcos have a lot of data on where someone is at any minute of the day because of the connection to devices.

They noted that in the telco industry, they have constraints and obligations they work with for example the Telecommunications Act 1997, the Australian Signals Directorate, and the metadata retention regime. Legislation constrains their ability to exchange information, even with other Government agencies and they are interested to receive some guidance on how they navigate this.

TSY noted the current regulatory framework applying to telecommunications as a sector will be highly relevant to the assessment. They are currently liaising very closely with the Department of Infrastructure, Transport, Regional Development and Communications, ACMA and ACCC to ensure they have a good understanding of the current regulatory obligations, as they prepare their paper and before they put it out for consultation.

TSY noted that on location data, that's a good example of an area where they're keen to hear feedback on and they can possibly anticipate the nature of some of that debate. They are keen to understand what use cases this could support and what it could mean in terms of real benefits for consumers.

The member noted that sometimes when things get slowed down it's because a lot of Telcos fall under the critical national infrastructure legislation and are under the remit of the security agencies.

The Chair noted that this is a good example of why our members can really contribute; the implication of whether my location data is sensed by my phone and whether it is CDR data or not; and in the context of the Apple changes on app tracking this is going to be very relevant and given the importance of telco data there may be real value and issues that we need to be aware of in the process.

TSY noted that this is the first sectoral assessment they've done, as the process was done differently in the banking and energy sector; and are getting a sense of how to do it well and active engagement early has been useful.

TSY noted that the Government has asked them to conduct a Strategic Assessment to identify the sectors that will bring the most consumer benefits from CDR and comes within the broader context of the Digital Economy Strategy that the Government published in the Budget and the push for digitisation and business engagement. They said they have been asked to complete this within the first three months of the financial year and provide to Government for consideration.

The Chair noted that this is a real opportunity for use-cases to come to the fore and particularly cross sector use-cases. He requested those that have existing or potential use-cases to provide data that would be helpful, particularly for consumer value and competition up-lift and digital driven outcomes; especially where the benefits of use-cases then driving the data sources that are needed for that cross sector, will be helpful inputs. He said he understands that not everyone will be able to disclose the use cases because they're highly sensitive, but the data requirements and the value of that could be very useful in this process.

TSY noted that they raised both the Telecommunications Assessment, and the Strategic Assessment at the Framework Design and Strategy Forum they hosted yesterday, and they received some really interesting and useful initial observations from people. As foreshadowed by TSY, they're setting up a community of practice for FinTech's and others from the perspective of the use cases so they can make contributions on design, timeframes and other sectors.

TSY noted that work is progressing on payments between rules, policy and standards including workshops this week on payment issues.

One member noted in regard to the Strategic Assessment, if someone's building a use-case cross sector, they're dealing with digital identity and other kinds of data sharing - there's a terrain already in place. They said it would be good to be really clear on what the terrain is because the danger of thinking about what data could CDR make available to get something done, there is the counterfactual, can this be done any other way to yield the policy goal? They see the policy goal of the CDR as almost a last resort when people aren't going to share data anyway.

The member also noted that the other piece to the counterfactual is that we have the issue of twin track privacy, which has a huge cost of ownership. They describe it as 1% is getting the data with CDR. The context in which there are other options for data sharing, and also the overhead that it brings in being considered.

TSY noted that in regard to the terrain, they are setting up mechanisms to make the most of the TSY connections with the whole framework in Government that applies across the economy, plus using them to get to the relevant stakeholders and industry associations, consumer groups and others. They responded there is obviously a challenge in doing this in three months and the resultant capacity to really get deep into things in terms of sectors and the terrain part is really a fundamental issue rather than it being CDR separated from everything else.

One member asked TSY for some more information about joint accounts, phasing and what are the next steps on the peer to peer vs gateway model.

TSY noted that in regard to phasing, this phase refers to the compliance dates that would apply to particular data holders in energy. TSY provided an example of phasing, that product reference data was likely to come online first, followed by AEMO data sets and retailer data sets. TSY haven't

landed on any positions as yet; they are finalising the drafting of the rules and ultimately they need to brief the Minister.

TSY noted in regard to joint accounts, the proportion is lower in energy but there is a higher proportion of secondary user arrangements.

The DSB noted that in regard the technical implications of the peer-to-peer model particularly with the joint accounts, and from a technical perspective and what is required to get to a binding standard. The DSB noted that there are four key things from a technical perspective that are needed to get to a Data Standards version 1.0.0 for the energy sector. Two of those are directly related to the peer-to-peer model and two aren't.

The DSB noted that the first thing is to finalise the application programming interface (APIs), which they have a really good draft. They have also talked about finalising the generic tariffs as a priority and the reason for this is that it will help EME and VEC with their budget application cycles. In the recent consultations people have been digging into the detail around the payloads and the retailers have been raising some excellent feedback around entity relationships.

The DSB noted that the peer-to-peer model is similar to banking, which means that it reduces the technical standards effort quite significantly and they can effectively use the same information security profile. Consequently, they noted energy retailers can take advantage of the vendor community that's just been established for banking because the translation from that sector to the energy sector will be pretty seamless to a large degree; because a large proportion of the complexity in the implementation for the technical standards and for the vendors is going to be pretty similar.

The DSB noted that they will need to define the information security profile between the retailers and AEMO, because AEMO are still holding three of the really critical data sets and it's still the designated data holder but instead of being in front of the retailers they are now behind the retailers. The DSB noted that AEMO already have a lot of capability in place already for connecting to retailers. The DSB will be very much relying on the AEMO team to guide them into what InfoSec profile should apply and they will need to put a security lens over that to ensure that it's up to the CDR security standards.

The DSB noted that the other really important thing is non-functional requirements. DSB said retailers will be relying on AEMO as a service provider but they will not be in control of their implementation so how do we communicate to the regulator through the metrics APIs etc.

The DSB noted that the fourth item is what they refer to as "what is an account in energy". DSB said a lot of the feedback from the Design Papers and other discussions they are having with retailers indicates some nuanced responses around the fact that our customer represents a unit of sharing and is likely going to be different in energy to banking.

One member noted that they were concerned more around joint authority and their understanding that peer-to-peer is overwhelmingly supported by the energy sector. They asked the question, has the late change in the life cycle introduced any new risks to the standards and timing implications?

The DSB noted that the change away from the gateway model has de-risked the data standards lifecycle, because the gateway model was significantly more complicated and, this change has reduced the risk both for implementation but also for the standards development and consultation. The DSB also noted that in regard to the issues around joint account sharing, these are completely

unrelated to the gateway vs peer-to-peer model as AEMO was never going to be able to assess account relationships that were held by the retailer.

The member also noted although we are now calling it peer-to-peer, which is a data access model, in real terms peer to-peer is the party who has the data, provides the data and that's happening in banking but what we are seeing now is probably a pseudo gateway model because now the gateway has moved from AEMO to the retailer.

The Chair noted on authorisation and authentication there is a lot of real improvements and reduction in the risk profile. He also noted that the inter relationships with the register, the conformance test suite (CTS), and others are also going to be de-risked through this model. He noted that in line with the Government policy, the model we have now has overwhelming support from the community and is more consistent cross sector and whole of economy.

One member asked because retailers handle all of the meter data, they have queries on whether we need AEMO, and there's extra cost and complications of having those links with AEMO. They said it brings up some other challenges of where the customer has been with a particular retailer and they asked how much history of data will be stitched together and how do we make sure that that data is contiguous?

The DSB replied that the technical standards will be built to the designation and currently that data set is designated to AEMO so that is what they will be building the standards to unless the designation changes.

The DSB noted in regard to high switching customers the reality is that we don't have a solution for that at the moment, which has been a known issue for some time and with talking with the different agencies and parties involved, the only practical solution they've identified for this problem at the moment, is for AEMO to have more information about move in and move outs. DSB said AEMO can tell when it changes between retailers, but not when it changes between customers, and from a purely technical perspective that's the only viable solution that has been proposed so far.

AEMO agrees for the strong need for transparency on all the interactions to support the models that are being put forward. They said the ecosystem, as it stands, supports a lot of this transparency in order to be able to discover those items; and that the dispute resolution and privacy arrangements that are in the peer-to-peer model will also need support around it. In regard to personally identifiable information about consumers data, AEMO stated a position where, if they were to hold this, this would be a duplication of cost and arrangements for industry, and they have no need to throw that extra cost into industry and roll it on to consumers.

One member noted that when you are looking at this, one use case to consider is when moving to a new house and looking at the meter at the house you're moving to. In that case I am not a customer but I want to try and work out whether I need for example solar panels etc. This is something that can't be done but it is an obvious time when someone will look at energy.

The DSB noted that technically, this is an area where the CDR could help. This is a service that an ADR could provide with full control over it by the existing customer.

ACCC Update

Paul Franklin from the ACCC provided an update as follows:

The ACCC released a mock version of the register last week which is effectively a coded version of the register standards. They are also working to release a mock version of a data holder and data recipient in July. They said this is in response to requests from participants for a broader range of testing tools to help them with their own testing. That has been released as an open source code.

The ACCC said their main focus at the moment is onboarding of the non-major banks.

The ACCC noted that following feedback on the conformance test suite (CTS) at these meetings a month ago, they have allocated a squad of people to focus on addressing some of the issues with the CTS; so within a week of last month's meeting all open issues were closed and the ACCC are now in the position to close any tickets that are raised very quickly.

The ACCC noted that within a two-week period, they have had eighteen banks move through the CTS to the point that they're able to be onboarded. They did a recent activation yesterday and they now have 6 active data holders in the register. Tyro Payments Limited was the latest bank to be activated and they're gearing up for many more over the next three weeks.

One member noted that they were surprised to hear that the ACCC were doing a mock data holder and mock data recipient as they did not think that was going to be in their pipeline.

The ACCC replied that these mock-ups weren't previously advised to stakeholders, but it's been developed in response to requests from participants. It's work the ACCC said they've started fairly recently, as there was a significant amount of feedback from participants, particularly on the data holder side, saying they wanted a broader range of testing tools to be made available; and they have responded to that request.

The member noted that they have a commercial solution that does that and said the ACCC had previously stated they weren't going to be competing with commercial solutions.

The ACCC replied that they think there is still a very important role for commercial participants in the market; and there is a very big difference between providing basic testing tools and offering a full-service testing solution; but there is still plenty of scope for competitive offerings in the market.

ACCC noted that there is no reason why the free tools that they've made available could not be used by people who have commercial offerings as well.

ACCC noted that they have had a number of requests from data holders for exemptions from their 1st July data sharing obligations; so the ACCC has written to the members of Customer Owned Banking Association (COBA) and the Australian Banking Association (ABA) to let them know that just because they're currently late or not able to meet their obligations doesn't mean that they will automatically be granted an exemption. The ACCC noted that some exemption requests have been denied by their CDR Committee; and any exemption request that has been granted is published on the ACCC's website.

ACCC noted that they expect that there will be some accredited data recipients that will not be live by the 1st July as they are obliged to and this will trigger an enforcement investigation by the ACCC. The ACCC said they are doing everything they can to make sure that they're able to get every bank live that is capable of being live by the 1st of July.

One member asked if ACCC have any insights into why some of those data holders are in that state? Is it because they are smaller companies and they've not been aware of what's needed, or have they started late, or does this indicate some difficulty in how they set up their systems etc?

The ACCC noted that there are some known issues with vendors who have been late to deliver solutions. Quite a number of the applications they're receiving refer to difficulties getting solutions from vendors. The ACCC have indicated to the banks that they will obviously take those factors into account when they consider any enforcement action. The ACCC said they don't think it's credible for CDR participants to say they were unaware of their obligations; because this is legislation which has been widely publicised and there was a delay granted more than 12 months ago. The ACCC noted that CDR is a difficult environment to implement at the outset, and they hope by the time they get to energy, that is it better understood and there are more vendors in the market who understand how the environment works.

The ACCC noted that there has certainly been an issue with the depth of expertise available in the market with people who understand the CDR ecosystem which has been a significant issue. The ACCC said they are doing everything they can so support banks to meet their obligations.

ACCC noted that one thing they've responded to recently is the need for a broader range of testing tools and they think there is definitely a need for commercial providers to provide support in the market.

ACCC noted that certainly before energy goes live, they will have a much better-informed set of information and tools available to support energy than they had for the banking sector initially. The ACCC said they have certainly learnt a lot since they started banking.

Meeting Schedule

The Chair advised that the next meeting will be held remotely on Wednesday 14 July 2021 from 10am to 12:00pm.

Other Business

The Chair noted that he hopes that things pan out for our Victorian based members in relation to the lockdown. He knows it's taking a toll and his thoughts are with them during this time.

The Chair also noted that it has been great working with Frank Restuccia (Finder) and Joe Locandro (AEMO) and he is sorry to lose them but their delegates will continue on with the journey.

Closing and Next Steps

The Chair thanked the Committee Members and Observers for attending the meeting.

Meeting closed at 11:30