

Australian Energy Market Commission
GPO Box 2603
Sydney NSW 2000
Submitted online: <https://www.aemc.gov.au/contact-us/lodge-submission>

13 November 2024

Dear Ms Anna Collyer,

Real-time data for consumers

The Australian Energy Council ('AEC') welcomes the opportunity to make a submission in response to the Australian Energy Market Commission's ('AEMC') *Real-time data for consumers* Consultation Paper ('the Paper').

The AEC is the peak industry body for electricity and downstream natural gas businesses operating in the competitive wholesale and retail energy markets. AEC members generate and sell energy to over 10 million homes and businesses and are major investors in renewable energy generation. The AEC supports reaching net-zero by 2050 as well as a 55 per cent emissions reduction target by 2035 and is committed to delivering the energy transition for the benefit of consumers.

The AEC supports the objective of empowering consumers to better understand their energy usage, thereby enabling them to make more informed decisions and manage their energy consumption and bills. We recognise the value in providing consumers with the tools and insights necessary to optimise their energy usage. However, the AEC has concerns around the specific mechanisms proposed within this Consultation Paper.

The past five years have seen significant policy attention directed towards the role of data. In the energy sector, this has mainly manifested through the *Consumer Data Right* ('CDR') and the Energy Security Board's *Data Strategy*. The AEC has been actively involved in both these policy reforms and has watched their evolution, and in the case of CDR, from embryonic to implementable.

What is apparent in data policy reform is that this transition to implementation is not easy. In both instances, the AEC gave in-principle support for the CDR and Data Strategy as levers to empower customers to make more informed choices about their energy use. However, the AEC also cautioned that policymakers must be mindful of the complexity and costs to customers of these types of reforms, and that the infinite speculation about what customers *could* do with data is not the same as how *likely* customers are to use that data.

This difference between what is "possible" and what is "likely" has played out in the Consumer Data Right. Despite constant assertions about what the CDR could unlock, customer uptake of the CDR has remained extremely low - the [CDR performance dashboard](#) indicates that less than 300 customers in total have shared their data through the CDR. Making things worse is that the technical build and operational changes required to enable data delivery was significantly more expensive and complex than anticipated. This combination of high costs and low customer uptake led to the Federal Government temporarily pausing the CDR.

This context is important for the AEMC when considering the merits of providing customers with access to real-time data. As the Consultation Paper points out, there are unresolved policy questions about what the scope and remit of "real time" data is, the data sharing arrangements to be used, how interoperability can be enabled, and the level of customer protection required. The answers to these questions will substantially shape the cost of implementation, and this cannot be lost in speculative considerations of potential benefits.

Notwithstanding this question of scope, the AEC understands that there are already a range of energy data options available for consumers that would want them. For instance, several retailers allow customers to granularly track their energy usage, including:

- [Origin](#)
- [AGL](#)
- [EnergyAustralia](#)
- [Powershop](#)
- [Red Energy](#)
- [LUMO](#)
- [Engie](#)
- [Amber](#)

Most of these services provide customers with a breakdown of their daily electricity usage, down to hourly increments, cost per day and kilowatt hours. Moreover, there are a range of commercially available electricity monitors which allow customers to monitor their electricity usage in real-time, tracking electricity consumption and sending it directly to the customers' phone.

In Victoria, for example, the [Victorian Energy Upgrade program](#) provides for the free installation of a management system which connects to a customer's electricity meter and displays their energy usage to their smartphone via Bluetooth. As alluded to in the Paper, monitoring apps are likewise provided by CER service providers, often free with their solar or battery, which allows customers to monitor both their electricity generation and consumption. These broad range of options represents a market that, while still in its infancy now, is expected to grow as demand for these products and uptake of CER increases.

As the market stands now, while there might be some benefit to some customers for more precise real-time data, the AEMC must consider how equitable it is to expect all customers to subsidise this. If the intent of this rule change is to accelerate CER orchestration, then the customers most likely to benefit are those with high CER uptake, which is presently a small segment of customers. Spreading the costs of this proposal across all customers to benefit only a particular group would seem inequitable.

The AEC noted in a previous [submission](#) last year that 'real-time data capabilities will be enabled in the long term organically' to meet realistic future demand. At the time, the AEC recommended that the AEMC wait a period of 3-5 years to ensure that any policy with respect to real time access was based on evolving requirements rather than theoretical speculation. While efficiencies could be found through this rule-change process, it is not clear whether the value of regulatory change will be commensurate to the cost.

If this rule change is to go ahead and require remote access for third parties, either now or in the future, the AEC has strong reservations about any data access framework being developed independent of the CDR. This would be highly duplicative and only serve to further strain the CDR's value proposition. The AEC would expect any provision of real-time data to leverage the CDR infrastructure and be subject to the same data privacy and security protections. Any arguments from third parties about "reducing or minimising friction" with respect to data access should be treated cautiously as this could just translate to lowering customer protections.

Any questions about this submission should be addressed to Braeden Keen by email to braeden.keen@energycouncil.com.au.

Yours sincerely,

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