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MP234 ‘Addition of Public Task and Legitimate Interests into the SEC’

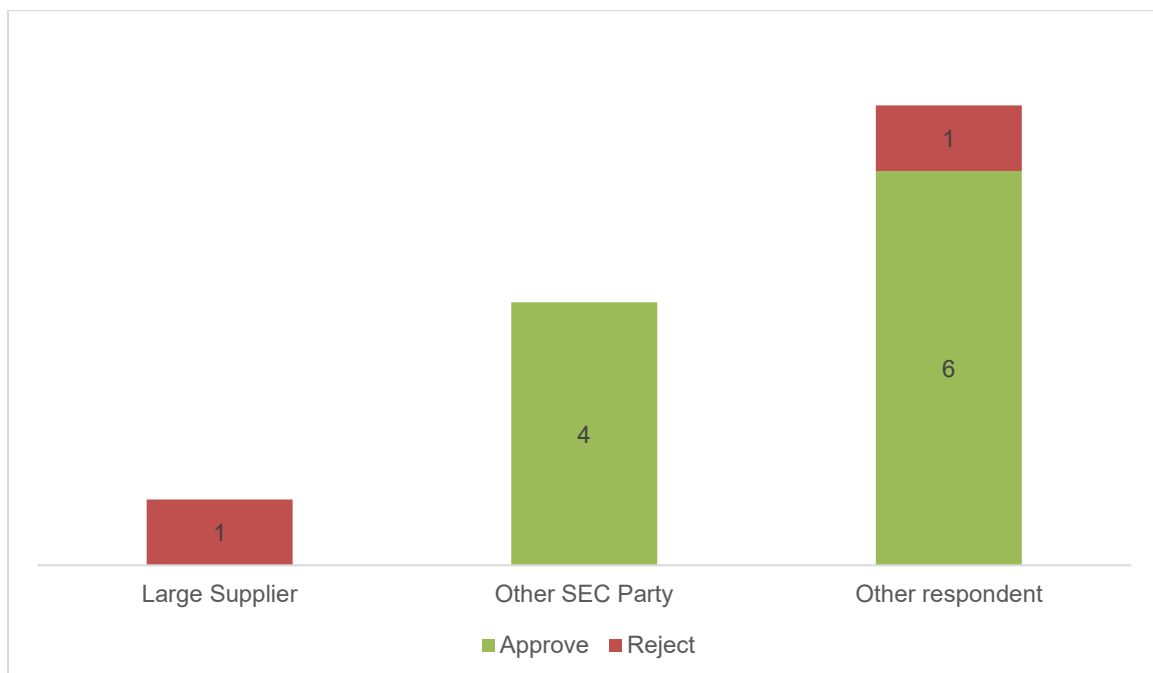
Annex B

Refinement Consultation responses

About this document

This document contains the full non-confidential collated responses received to the MP234 Refinement Consultation.

Summary of responses



Refinement Consultation

SECAS received thirteen responses to the Modification Report Consultation, twelve of which were non-confidential. Ten believed that the modification should be approved. They considered the modification better facilitated SEC Objectives (a)¹, (c)², (d)³, (e)⁴, (f)⁵, and (g)⁶.

¹ facilitate the efficient provision, installation, and operation, as well as interoperability, of Smart Metering Systems at Energy Consumers' premises within Great Britain.

² facilitate Energy Consumers' management of their use of electricity and gas through the provision to them of appropriate information by means of Smart Metering Systems.

³ facilitate effective competition between persons engaged in, or in Commercial Activities connected with, the Supply of Energy.

⁴ facilitate such innovation in the design and operation of Energy Networks (as defined in the DCC Licence) as will best contribute to the delivery of a secure and sustainable Supply of Energy.

⁵ ensure the protection of Data and the security of Data and Systems in the operation of this Code.

⁶ facilitate the efficient and transparent administration and implementation of this Code.

Question 1: Do you agree that the solution put forward will effectively resolve the identified issue?

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	Yes	Based on our involvement in delivery-focused pilot work with banking and corporate partners to access tenanted and non-owned energy consumption data to explore new funding models, the proposed amendments to SEC Section I and the associated changes to the Privacy Controls Framework address a clear and practical challenge within the current SEC arrangements. While organisations can already access Consumption Data, reliance on individual consent creates significant additional effort in establishing, managing, and evidencing direct permissioning and consent records, which can act as a barrier to effective data use. The introduction of Public Task and Legitimate Interests as lawful bases, underpinned by the proposed PCF evidentiary requirements and the gatekeeping role of the Privacy Sub-Committee, provides a more proportionate and robust mechanism for access. This approach maintains appropriate safeguards while reducing unnecessary friction where data use is justified and necessary.	Thank you – This will be taken under advisement as the Modification is assessed.

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			Our engagement with SMEs indicates that energy consumption data is broadly considered acceptable to share under appropriate governance. In parallel, banks and large corporates increasingly require more granular and higher-quality consumption data to evidence transition planning, carbon reduction activity, and improvements in energy efficiency. These objectives cannot be met effectively without improved access to, and assurance over, consumption data. Overall, the proposed solution is likely to resolve the identified issue by enabling more consistent, well-governed, and targeted use of Consumption Data in support of public interest outcomes and improved product and support offerings.	
Auth Energy Ltd	Other Respondent	Yes	The solution put forward recognises the GDPR LI / PT concepts and defines the process to enable the application of such concepts to the specific use cases, mitigating risks of misuse.	Thank you – This will be taken under advisement as the Modification is assessed.
British Gas	Large Supplier	No	We don't agree at all with Legitimate Interest – in particular, the examples quoted in earlier meetings/working groups (mortgage companies, insurance firms) do not seem appropriate examples to access such granular (half hourly) information. We feel very uncomfortable with Public Task – particularly if such an approach could lead to different processes and	The mechanisms available today are limited to the centralised governance and approval of any LI or PT schemes proposed by users which will be rigorously reviewed. We see a primary use case of supporting local authorise or social landlords in better understanding and

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			customer impacts depending on where they live in the UK. If there were considered a need for such parties to access granular consumption information, we would be more comfortable for this to be through a centralised (and more transparent) approach such as the Elexon SDR.	improving the “fuel poor” which has become a significant larger problem in recent years. Neither Elexon’s SDR or Ofgem’s CCS will be available for some time and initial operations are unlikely to support LI or PT scenarios. Therefore we feel it necessary to proceed with the mechanism that are available today.
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	Possibly	While the solution may resolve the identified issue, there is insufficient evidence to show that the benefits for consumers from sharing this data without explicit consent outweighs the shortcomings relating to loss of consumer control over their data. Other less intrusive products have already been developed to help Local Authorities, Social Landlords and others to access data to meet their needs to identify and relieve social poverty. The UrbanTide and Data Communications Company (DCC) project uZero (https://urbantide.com/uzero) achieves many of the same aims which does not require opening up personal consumer data without consent. We do not believe that there is a need for this modification proposal. The uZero	“The roll of SECAS and PSC of which CA is a member and expect material input to each User and use case that is put forward for approval. Within the modification the guidance and process has been broadly defined to ensure the legality and legitimacy of the use scenario before any action can be taken by the User.”

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			project was developed in combination with academia, many Local Authorities (e.g. Sunderland, South Gloucestershire, Nottingham, Wakefield, Bristol, Barnsley, Blackpool, Hillingdon, Essex, Suffolk, Havering, Eden, Hastings) as well as Electricity Distribution Network companies. The project offers substantial insights for Local Authorities and other users relating to energy usage and fuel poverty while preserving anonymity for consumers. The proposed modification will result in consumer data being used for commercial gain without any direct (or potentially any indirect) reward for consumers and potentially be passed to a wide range of social and commercial entities. By eliminating the need for consumer consent, the leverage consumers currently have to require a clear benefit before allowing access to their personal data will be lost and other parties will benefit from its value rather than consumers.	
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	Yes	Using the established GDPR principles of Legitimate Interest (LI) or Public Task (PT) is an effective and responsible approach to enabling these valuable use cases for smart meter data.	Thank you – This will be taken under advisement as the Modification is assessed.

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	No Comment	No Comment	Thank you – This will be taken under advisement as the Modification is assessed.
N3rgy	Other SEC Party	Yes	As we are looking holistically at the smart meter data landscape, we will continue to work with the SEC and engage as it develops on a case by case basis and impacts wider use cases.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 2: Do you agree that the legal text will deliver MP234?

Question 2				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	Yes	The proposed changes to SEC Section I, together with the detailed requirements in the Privacy Controls Framework, appear to provide a structured approach to enabling access to Consumption Data under Public Task and Legitimate Interests, consistent with the objectives of MP234. The role of the Privacy Sub-Committee in reviewing and overseeing access requests appears to be a key feature of this framework, providing reassurance around governance and oversight. By reducing reliance on individual consent alone, the proposed arrangements may help streamline access while maintaining appropriate safeguards. Subject to implementation and interpretation, these provisions are likely to support more consistent and higher-quality access to Consumption Data, which could facilitate use cases such as transition planning, carbon reduction, and more targeted product and support offerings.	Thank you – This will be taken under advisement as the Modification is assessed.
Auth Energy Ltd	Other Respondent	Yes	The legal text provides clarity and structure for the application in practice of the MP234.	Thank you – This will be taken under advisement as the Modification is assessed.

Question 2				
Respondent	Category	Response	Rationale	SECAS Response
British Gas	Supplier	Some Concerns	We are uncomfortable that it is for the DCC Other User (or more probably, the DCC Other User's third-party clients) to decide whether they have Legitimate Interest or Public Task. How is it made clear that the Consumption Data accessed in this way cannot be used for marketing purposes? If the DCC Other User obtains Consumption Data for one third party client (who has Legitimate Interest or Public Task to access that data), what are the deletion requirements for that data (in the DCC Other User's systems) once it has passed that Consumption Data on to that third party client. I1.2E(a) and I1.2E(b) cover obtaining the data only, and I1.2E(c) covers processing, but nothing mentions deletion of the data, once it has been passed across to the respective third-party client. In the PCF, the User is required to inform Data Subjects of their access to their information. This would be the DCC Other User, not the eventual third-party client (local authority, or mortgage/insurance company). This seems to be a very strange communication for the customer to receive – from a company that they will probably not have heard of. What phone number will be on that communication if the customer has questions, or wants to disagree with the access to their data?	It is not for the DCC User to decide the legitimacy of their legal basis or the legal basis of a third party. The process described in the modification proposed legal text together with the guidance included in the PCF describes the submission of basis to SECAS for review by the privacy team, IPA and PSC before potentially approving the request. All other requirements within the SEC remain in place with regards to data access, retention and erase. The User must also comply with GDPR which explicitly requires these policies to be in place. The obligation of informing the data subjects within the SEC is on the Other User but there is also a requirement within GDPR on the Data Controller. How the Other User and Data Controller (if a third party is involved) would be reviewed as part of the Other Users proposal to SECAS. However, generally we would expect the Data Controller to lead the

Question 2				
Respondent	Category	Response	Rationale	SECAS Response
				communication with the consumer as per GDPR but reference the Other User for SEC compliance purposes (although this may not be the only viable route for any given proposal).
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	No Response	No Response.	Thank you – This will be taken under advisement as the Modification is assessed.
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	Yes	The proposed text is appropriate.	Thank you – This will be taken under advisement as the Modification is assessed.
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	No Comment	No Comment	Thank you – This will be taken under advisement as the Modification is assessed.

Question 2				
Respondent	Category	Response	Rationale	SECAS Response
N3rgy	Other SEC Party	Yes	The legal text provides clarity and structure for the application in practice of the MP234.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 3: Do you agree with the proposed implementation approach?

Question 3				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	Yes	From a non-technical perspective, the proposed implementation approach appears consistent with existing GDPR principles, including necessity, proportionality, and purpose limitation. The approach seems designed to introduce additional lawful bases while maintaining existing protections, which is important for sustaining confidence in data use. By reducing reliance on individual consent alone, the approach may help address some of the operational challenges associated with permissioning and consent records. Engagement with SMEs suggests that energy consumption data is broadly acceptable to share under such safeguards, while banks and other organisations could benefit from higher-quality data to support transition planning, carbon reduction, and more targeted products or services. Overall, the proposed approach appears likely to enable more structured and proportionate access to Consumption Data, although its effectiveness will depend on implementation and adherence to the proposed governance arrangements.	Thank you – This will be taken under advisement as the Modification is assessed.

Question 3				
Respondent	Category	Response	Rationale	SECAS Response
Auth Energy Ltd	Other Respondent	Yes	The proposed implementation approach combines the recognition of GDPR LI/PT concepts, whilst providing mechanisms to ensure consistent application of such concepts to energy data, preserving the SEC principles of consumer protection.	Thank you – This will be taken under advisement as the Modification is assessed.
British Gas	Large Supplier	No	We do not agree with this modification.	Thank you – This will be taken under advisement as the Modification is assessed.
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	No	We believe any implementation should await the results of the design and implementation of the REC Consumer Consent Solution.	Consumer Energy debt has increased in the last 6 years from £1.5B to £\$4.5B. We feel it essential to act now rather than wait 2-5 years before helping consumers manage their energy costs.
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	Yes	The proposed implementation approach is appropriate.	Thank you – This will be taken under advisement as the Modification is assessed.
Heat Geek	Other Respondent	-	-	-

Question 3				
Respondent	Category	Response	Rationale	SECAS Response
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	Yes	We appreciate that there is a governance in place to discuss and approve the proposed implementation. We would welcome further transparency on the outcomes of applications to access data via this method and suggest that a summary of cases are made openly available after a 6-12 month trial period. Ongoing avenues for scrutiny remain important.	Thank you – This will be taken under advisement as the Modification is assessed.
N3rgy	Other SEC Party	Yes	The proposed implementation approach combines the recognition of GDPR LI/PT concepts, whilst providing mechanisms to ensure consistent application of such concepts to energy data, preserving the SEC principles of consumer protection.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 4: Will there be any impact on your organisation to implement MP234?

Question 4				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	Yes	There may be impacts associated with understanding and aligning internal processes with the revised SEC requirements, particularly around documenting lawful bases and engaging with the Privacy Controls Framework. At this stage, these impacts are expected to be primarily administrative rather than technical. Ongoing impacts potentially facing a number of organisations could include maintaining records of lawful bases, supporting requests for access, and ensuring that internal processes continue to align with governance and oversight requirements set out by the Privacy Sub-Committee. While these efforts are not expected to be complex, they will require some ongoing resource and attention to ensure compliance and consistent application of the framework.	Thank you – This will be taken under advisement as the Modification is assessed.
Auth Energy Ltd	Other Respondent	Yes	We will be extending our consent framework material to support organisations with the LI/PT concepts in accordance to MP234. We consider these impacts as positive as they will unlock benefits of smart meter data to a number of use cases with high social and economic impact, which are currently	Thank you – This will be taken under advisement as the Modification is assessed.

Question 4				
Respondent	Category	Response	Rationale	SECAS Response
			constrained by the impractical need to collect individual unambiguous consent.	
British Gas	Supplier	Yes – negative and complex to manage	We would need to consider whether a change to our smart data Privacy Notice might be required, or other customer communications, given the significance of this change to customers and their rights to privacy surrounding their smart meter data. We would also need to manage any subsequent customer enquiries or complaints, or requests for such access to be prevented. Whilst we are not the Data Controller responsible for providing third party access to information on individual meters, a customer might reasonably presume that – as their Energy Supplier – we were responsible, especially as most customers are not aware of the DCC and its role. We therefore disagree with the modification report's statement that the impact to Suppliers will be minimal. For example, if a customer is made aware that the local council has obtained HH data for their property for a purpose they are uncomfortable with, it is likely that they will direct that complaint towards the Supplier.	We would be interested to understand the impact of this specific mod beyond the challenges you've outlined (which are also applicable to the existing Other User mechanisms).

Question 4				
Respondent	Category	Response	Rationale	SECAS Response
			Except for MHHS data for settlement rules, our Privacy Notice is explicit that customers' half hourly data will never be accessed or shared without the customer's consent. This smart data Privacy Notice (or earlier versions of such) will have formed part of the smart installation journey, when the customer first agreed to have a smart meter installed.	
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	No	N/A	Thank you – This will be taken under advisement as the Modification is assessed.
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	No	N/A	Thank you – This will be taken under advisement as the Modification is assessed.
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	No	N/A	-

Question 4				
Respondent	Category	Response	Rationale	SECAS Response
N3rgy	Other SEC Party	Yes	We will be extending our consumer consent features to cover the LI and PT concepts, as well as expanding our body of knowledge with templates to ensure consistent characterisation and formalisation of such scenarios. We consider these impacts as positive as they will unlock benefits of smart meter data to several use cases with high social and economic impact, which are currently constrained by the impractical need to collect individual unambiguous consent.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 5: Will your organisation incur any costs in implementing MP234?

Question 5				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	£0	As an organisation involved in supporting pilot and policy-facing work rather than operating smart metering systems, we do not currently expect to incur material direct implementation costs. Any effort is likely to relate to internal governance, review of documentation, and engagement with partners, rather than system changes.	Thank you – This will be taken under advisement as the Modification is assessed.
Auth Energy Ltd	Other Respondent	£1-£49,999	As per previous answer	Thank you – This will be taken under advisement as the Modification is assessed.
British Gas	Supplier	£50,000-£249,000	We would incur costs in undertaking the work summarised above. This would be more than £50k.	Thank you – This will be taken under advisement as the Modification is assessed.
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	£0	N/A	-
Energy Sparks	Other Respondent	-	-	-

Question 5				
Respondent	Category	Response	Rationale	SECAS Response
Green Energy Options	Other SEC Party	£0	N/A	-
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	[No response given]	N/A	-
N3rgy	Other SEC Party	£1-£49,999	As per previous answer.	-
Perse Energy	Other Respondent	-	-	-

Question 6: Further to Question 5, will your organisation incur any intangible or unquantifiable costs in implementing MP234?

Question 6				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	Yes	There may be some unquantifiable costs related to staff time spent familiarising themselves with the updated framework and ensuring that appropriate assurance processes are followed.	Thank you – This will be taken under advisement as the Modification is assessed.
Auth Energy Ltd	Other Respondent	Yes	We foresee material intangible cost in the education and support of businesses wishing to utilise public task and/or legitimate interest together with their guidance through the processes required by the SEC.	Thank you – This will be taken under advisement as the Modification is assessed.
British Gas	Supplier	Yes	We would also be exposed to additional impacts, if customers were to request their meter to be replaced or put into dumb mode as a result of concern about their half hourly consumption data being shared in this way (for example if MP234 and MP169 were both approved and implemented) – operational costs and loss of benefits from MHHS. We also are concerned about the indirect impacts of substantial increases in DCC Other User traffic from MP234. Previous meetings and working groups on MP234 discussed high interest from companies such as mortgage providers and insurance companies. The	We would be interested to understand the impact of this specific mod beyond the challenges you've outlined (which are also applicable to the existing Other User mechanisms).

Question 6				
Respondent	Category	Response	Rationale	SECAS Response
			resulting traffic volumes could be extremely high. As a Supplier, we would be impacted by potential DCC performance issues (if the new high traffic volumes linked to MP234 resulted in issues for Install & Commission, or Prepayment top-ups), and we would potentially see higher DCC costs for capacity expansion. This is particularly significant if MP234 (and MP235) were implemented, without MP218 also being implemented.	
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	No	N/A	Thank you – This will be taken under advisement as the Modification is assessed.
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	No	N/A	Thank you – This will be taken under advisement as the Modification is assessed.
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-

Question 6				
Respondent	Category	Response	Rationale	SECAS Response
Icebreaker One	Other Respondent	No	N/A	Thank you – This will be taken under advisement as the Modification is assessed.
N3rgy	Other SEC Party	Yes	We foresee material intangible cost in the education and support of businesses wishing to utilise public task and/or legitimate interest together with their guidance through the processes required by the SEC.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 7: Will there be any benefit to your organisation in implementing MP234?

Question 7				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	£0	MP234 may support delivery-focused work by reducing some of the practical barriers associated with accessing Consumption Data for public interest projects. Our organisation does not currently access this data directly; rather, it is accessed by our partners. As such, we do not anticipate any direct cost savings.	Thank you – This will be taken under advisement as the Modification is assessed.
Auth Energy Ltd	Other Respondent	£1-£49,999	We foresee material intangible cost in the education and support of businesses wishing to utilise public task and/or legitimate interest together with their guidance through the processes required by the SEC.	Thank you – This will be taken under advisement as the Modification is assessed.
British Gas	Supplier	£0	No – no benefits whatsoever.	-
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	£0	N/A	-
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	£1-£49,999	It is hard to estimate the exact benefits to our organisation but MP234 opens up new opportunities to use smart	

Question 7				
Respondent	Category	Response	Rationale	SECAS Response
			meter data which deliver benefits to society, industry and our organisation.	
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	[No response given]	N/A	Thank you – This will be taken under advisement as the Modification is assessed.
N3rgy	Other SEC Party	£50,000-£249,000	We foresee cost savings from application of the required consent governance for the LI/PT use cases, eliminating the impractical attempts of gathering individual consents. More importantly, the change will be unlocking benefits for scenarios where individual consent is not feasible.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 8: Further to Question 6, will your organisation incur any intangible or unquantifiable benefits in implementing MP234?

Question 8				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	Yes	Potential intangible benefits include increased confidence in the use of observed energy consumption data, improved collaboration with public sector partners, and an enhanced ability to design more robust, evidence-based interventions. Over time, these benefits could support better-informed decision-making and more precisely targeted initiatives, even where impacts are difficult to quantify directly. For our partners, streamlined access to data – removing the need to request information individually from each consumer – would deliver meaningful time and cost savings. These efficiencies would be realised while maintaining strong safeguards, with access remaining safe and secure under established gatekeeping provisions and full compliance with GDPR and data protection requirements.	Thank you – This will be taken under advisement as the Modification is assessed.
Auth Energy Ltd	Other Respondent	Yes	Not only for our organisation, but for the market in general, the implementation of MP234 will unlock benefits of energy data for use cases of high social and economic value, e.g. fuel poverty, local authorities net zero investments prioritisation, financial institutions regulatory	Thank you – This will be taken under advisement as the Modification is assessed.

Question 8				
Respondent	Category	Response	Rationale	SECAS Response
			compliance - enabling green financing models which will benefit society at large.	
British Gas	Supplier	No	No – no benefits whatsoever.	Thank you – This will be taken under advisement as the Modification is assessed.
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	No	N/A	-
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	Yes	It is hard to estimate the exact benefits to our organisation but MP234 opens up new opportunities to use smart meter data which deliver benefits to society, industry and our organisation.	Thank you – This will be taken under advisement as the Modification is assessed.
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	No	N/A	-

Question 8				
Respondent	Category	Response	Rationale	SECAS Response
N3rgy	Other SEC Party	Yes	Not only for our organisation, but for the market in general, the implementation of MP234 will unlock benefits of energy data for use cases of high social and economic value, e.g. fuel poverty, local authorities net zero investments prioritisation, financial institutions regulatory compliance - enabling green financing models which will benefit society at large.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 9: How long from the point of approval would your organisation need to implement MP234?

Question 9				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	N/A	N/A	-
Auth Energy Ltd	Other Respondent	1 Month	-	-
British Gas	Supplier	N/A	We would need time for any customer communications regarding the Privacy Notice issues mentioned above.	Thank you – This will be taken under advisement as the Modification is assessed.
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	N/A	N/A	-
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	N/A	No effort is required on our part to implement MP234.	Thank you – This will be taken under advisement as the Modification is assessed.
Heat Geek	Other Respondent	-	-	-

Question 9				
Respondent	Category	Response	Rationale	SECAS Response
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	No Comment	N/A	-
N3rgy	Other SEC Party	1-6 Months	Our implementation plan is structured in phases, starting with communication and engagement, framework documentation and changes to the digital platform.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 10: Do you believe that MP234 would better facilitate the General SEC Objectives?

Question 10				
Respondent	Category	Response	SEC Objective(s)	Rationale
Athena Foundation	Other Respondent	Yes	Positive - (a), (c), (e), (f), (g)	MP234 appears to support improved use of smart metering data, facilitate innovation in delivery models, and maintain strong data protection and governance arrangements, all of which align with the General SEC Objectives.
Auth Energy Ltd	Other Respondent	Yes	Positive - (a), (c), (d), (e), (f), (g)	The MP234 fills a gap in the SEC data protection requirements by recognising the Legitimate Interest and Public Task. In practice this gap has been constraining the use of smart meter data in use cases of high social and economic impact.
British Gas	Supplier	No	Negative – (f), (a), (c), (g)	We think it would harm General SEC Objective (f), and potentially also General SEC Objectives (a), (c) and (g).
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	No	Negative – (f)	We do not believe that the proposed solution would better facilitate the General SEC Objectives and further believe that the proposed solution will be negative with respect to (f) ensure the protection of Data and the security of Data and Systems in the operation of this Code.
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	Yes	Positive – (c), (f)	This enables wider usage of smart energy data for the public good.

Question 10				
Respondent	Category	Response	SEC Objective(s)	Rationale
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	No comment	-	No comment
N3rgy	Other SEC Party	Yes	Positive – (a), (c), (d), (e), (f), (g)	The MP234 fills a gap in the SEC data protection requirements by recognising the Legitimate Interest and Public Task. In practice this gap has been constraining the use of smart meter data in use cases of high social and economic impact.
Perse Energy	Other Respondent	-	-	-

Question 11: Do you believe there will be any impacts on or benefits to consumers if MP234 is implemented?

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	Yes	Consumers, particularly those in vulnerable situations, may benefit from earlier identification of energy-related risks, such as fuel poverty or inefficient energy usage, enabling more timely and targeted support. By streamlining access to higher-quality consumption data, larger organisations, such as social landlords and banks, could more effectively deliver support programs, grants, or other interventions. The proposal may also reduce reliance on proxy measures of energy performance, which can be inaccurate for individual households, further improving the precision and effectiveness of support.	Thank you – This will be taken under advisement as the Modification is assessed.
Auth Energy Ltd	Other Respondent	Yes	Consumers and society at large will be directly or indirectly benefited by the recognition of the GDPR LI/PT concepts. For example, (a) Local Authorities (PT scenario) will have the possibility to make use of the smart meter data to proactively and more efficiently detect fuel poverty, have a more accurate understanding of the full picture which will better inform planning, justification of investments, as well as quantification of outcomes and return of investments. (b) Financial Institutions (LI) will have the possibility to make use of the data to make more accurate calculations of carbon emissions of their real	Thank you – This will be taken under advisement as the Modification is assessed.

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
			state portfolio, improving their reporting and discounted rates, which will enable them to pass through to consumers through lower interest rates and green finance models.	
British Gas	Supplier	No	We think there is a very real risk of harm to consumers from MP234 – if they consider their trust has been breached (ie if they were told that no-one would access their HH data without their consent, and they now find that a range of parties now can access it), and respond by unengaging from smart, potentially requesting their smart meter to be removed, or discouraging customers who do not yet have a smart meter from agreeing to one. This potentially feels a very dangerous modification.	As described in the consultation, numerous safe guards have be put in placed over and above the existing safe guards.
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	Yes	We believe that the proposed solution will be negative for consumers in relation to their control over their data. Reliance on GDPR principles of Legitimate Interest or Public Task considerations would be counter to the principle of consumers having control over their data. In most relationships between a consumer and a commercial provider, the consumer gives up their data in direct exchange for a service or product. In this scenario, the consumer will have their data taken without their knowledge or permission and used for a commercial	The organisation has a GDPR (and SEC) requirement to inform the consumer. Through the use case proposal and review process we are confident any concerns can be addressed as there is no obligation on the PSC to approve any given use case to grant approval. Through the initial review and exercise of use cases we will consider and review and

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
			purpose without any direct, or potentially any indirect, benefit. We believe that consumer trust in smart meter data may be impacted negatively if they discover that commercial third parties are accessing their data without explicit permission and passing it (for commercial gain) to Local Authorities, Social Landlords, other public bodies, and, in fact, any commercial entity. Individual as well as private business customer smart meter data could be affected by this modification and any loss of trust in the smart meter environment may result in impacts to the wider smart meter rollout for both the domestic and non-domestic sectors. Such negative impacts could result in a slow down in the rollout and consequent slowdown in usage of flexibility and in achieving net zero. We have not been provided with sufficient evidence to show that providing smart meter usage data to these public bodies and commercial entities will have the benefits for consumers that is described especially as the existing uZero project offers many of the same benefits to Local Authorities without any disclosure of individual personal data. We are concerned that smart meter data users will bypass the existing protections and rely on the GDPR parameters. This is not in consumers' interests. It is also likely that once such an avenue is opened up many organisations which currently rely on consumer	hopefully balance the commercial gain vs consumer benefit equation of any usecase. Evidence regarding the benefit to consumers will also be presented within these use case submissions. At present there is no viable mechanism to support local authorities, social landlords or even Citizens Advise to proactively identify and assist consumers in need as fuel poverty increases and energy debt continues to explode. Again as defined within the modification and with GDPR. Legitimate Interest as a legal basis must be a last resort and no a primary means, explicit consent is always preferred.

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
			consent and a value-exchange offer in exchange for a consumers' data will switch to using a legitimate interest basis, further reducing the control and choice consumers have over their data.	
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	Yes	MP234 would help public authorities to fulfil their regulatory obligations to tackle fuel poverty, protect vulnerable households and uphold minimum standards of housing by identifying at-risk Energy Consumers through their smart meter data. This is of clear benefit to vulnerable consumers and society as a whole.	Thank you – This will be taken under advisement as the Modification is assessed.
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	No comment	N/A	
N3rgy	Other SEC Party	Yes	Consumers and society at large will be directly or indirectly benefited by the recognition of the GDPR LI/PT concepts. For example, (a) Local Authorities (PT scenario) will have the possibility to make use of the smart meter data to proactively and more efficiently detect	Thank you – This will be taken under advisement as the Modification is assessed.

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
			fuel poverty, have a more accurate understanding of the full picture which will better inform planning, justification of investments, as well as quantification of outcomes and return of investments. (b) Financial Institutions (LI) will have the possibility to make use of the data to make more accurate calculations of carbon emissions of their real state portfolio, improving their reporting and discounted rates, which will enable them to pass through to consumers through lower interest rates and green finance models.	
Perse Energy	Other Respondent	-	-	-

Question 12: Noting the costs and benefits of this modification, do you believe MP234 should be approved?

Question 12				
Respondent	Category	Response	Rationale	SECAS Response
Athena Foundation	Other Respondent	Yes	On balance and based on our experience supporting delivery-focused pilot work, MP234 appears to offer benefits for public interest outcomes while retaining appropriate privacy safeguards.	Thank you – This will be taken under advisement as the Modification is assessed.
Auth Energy Ltd	Other Respondent	Yes	Yes, the benefits not only outweigh the costs but create long-term strategic gains for consumers and society at large.	Thank you – This will be taken under advisement as the Modification is assessed.
British Gas	Supplier	No	We fundamentally disagree with this modification. Customers have been reassured that only those parties they consent to will be able to see their half hourly consumption data. This modification could have some serious negative consequences for the benefits cases for the Smart Mandate and MHHS, and also risk harming delivery of the critical 2030/50 consumer flexibility targets, critical for Net Zero.	With the proposed modification consumers continue to have complete control over their data. The respondent should be more specific on what are the serious negative consequences and risks they are implying.
Chameleon Technology	Other SEC Party	-	-	-
Citizens Advice	Other Respondent	No	As mentioned above, we believe that the proposed solution will be negative for consumers in relation to their ability to control who can access their data. The Data	With the proposed modification consumers continue to have complete control over their data with the requirement for them to

Question 12				
Respondent	Category	Response	Rationale	SECAS Response
			Access and Privacy Framework, written by Government and reflected in supply licence conditions, is clear that consumers can choose which personal data they share with their suppliers. Customers have repeatedly and clearly said that trust is key for both smart meters and smart enabled products and services. 92% of those surveyed said it's important that customers are able to make choices about who accesses their data. We believe that the introduction of GDPR principles to access consumer smart data will open the door to many types of data-user using the GDPR principles to bypass the current stringent privacy protections. There is a high consequential risk that consumer trust in smart meter data usage will be impacted negatively if consumers discover that third parties including Local Authorities, Social Landlords, or even commercial entities may be accessing their data without explicit permission and for commercial gain with no apparent benefit to themselves. This loss of trust in the smart meter environment may result in negative impacts to the wider smart meter rollout and to net zero accomplishment. In addition, we believe that it is premature to introduce this modification when the REC has been tasked by Ofgem to design a Consumer Consent Solution (CCS) for energy data. The CCS will be developed with wide industry input via multiple workshops and consultations. It	be informed and their ability to opt out of any processing under the legal basis defined within this modification. Could you provide further details of the survey that identified 92% Again this modification does not 'by pass' controls in place but introduces support for other legal basis as defined within GDPR. Consumers will discover third parties may have access to their data as they will be informed and given the choice to withdraw. However it would be interesting to see what consumer sentiment is today (post covid, host energy crisis, post exponential increase in energy debt). By the time CCS is operational and supportive of the use cases defined within the modification, energy debt maybe and £10B or more.

Question 12				
Respondent	Category	Response	Rationale	SECAS Response
			would be better to await the results of the CCS which will be transparent within industry and have higher visibility to the public via utility press updates. The development of the CCS will likely engender greater public confidence compared to the SEC modification which could be introduced with relatively few parties inputting to it and which may not include the wider considerations that the CCS will incorporate (such as the Ofgem Data Design Principles, for example). We have recently input to the ongoing CCS development and while we have concerns regarding the current CCS design meeting consumer needs for control over their data, we believe that any SEC modification relating to consumer data access should await the conclusion of the CCS project. Our response to the Ofgem consultation on the CCS is attached, which provides further details regarding our views on data privacy for consumers relating to their smart meter data	
Energy Sparks	Other Respondent	-	-	-
Green Energy Options	Other SEC Party	Yes	This is a pragmatic and cost effective solution which enables us to derive more benefit from the nation's investment in smart metering.	Thank you – This will be taken under advisement as the Modification is assessed.

Question 12				
Respondent	Category	Response	Rationale	SECAS Response
Heat Geek	Other Respondent	-	-	-
HomeLink (Aico)	Other SEC Party	-	-	-
Icebreaker One	Other Respondent	No comment	N/A	-
N3rgy	Other SEC Party	Yes	Yes, the benefits not only outweigh the costs but create long-term strategic gains for consumers and society at large.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	-	-	-

Question 13: Please provide any further comments you may have.

Question 13			
Respondent	Category	Comments	SECAS Response
Athena Foundation	Other Respondent	-	-
Auth Energy Ltd	Other Respondent	The approval of this modification will unlock relevant use cases for the smart meter data and create additional motivation for the still remaining smart metering rollout as communal benefits are unveiled.	Thank you – This will be taken under advisement as the Modification is assessed.
British Gas	Supplier	There is an additional risk if any of the new third parties seeking access under Public Task or Legitimate interest were to use the half hourly data for marketing purposes (which could – for example – include promoting various schemes for vulnerable households). We are nervous about how existing DCC Other Users might use Legitimate Interest – particularly if they are expecting more than one client to show interested in this data, and particularly if it is more practical to set up their own unofficial data repository once rather than multiple times for multiple clients. Separately, the Elexon SDR project (and the consumer consent solution) are both progressing on the assumption that consumer consent would always be needed to access HH consumption data. We are confused how this would sit alongside a DCC Other User access route that also permitted Legitimate Interest or Public Task. We still have smart meters to install in consumers homes who have been unwilling or not engaged with the programme. This modification	The roll of SECAS and PSC of which CA is a member and expect material input to each User and use case that is put forward for approval. Within the modification the guidance and process has been broadly defined to ensure the legality and legitimacy of the use scenario before any action can be taken by the User.

Question 13			
Respondent	Category	Comments	SECAS Response
		could increase consumers wariness of smart meters and lead to further refusals to have a smart meter or CH exchange.	
Chameleon Technology	Other SEC Party	I am writing to express support for SEC Modification 234, which would enable Public Task and Legitimate Interests as lawful bases for accessing smart meter data. For financial institutions and other organisations, timely access to smart meter data is crucial for delivering services such as green finance, carbon reporting, and home energy efficiency improvements. These activities often require aggregated or portfolio-level data across large numbers of properties, making individual explicit consent impractical and disproportionate. Responsible access to this data enables organisations to: • Meet regulatory and reporting obligations for carbon reduction • Develop and offer green finance products based on verified energy performance • Accelerate investment in low-carbon technologies The governance and safeguards proposed under MP234 ensure data is used lawfully and proportionately, with strong consumer protections in place. We believe this change will unlock innovation and support the transition to Net Zero, while maintaining public trust.	Thank you – This will be taken under advisement as the Modification is assessed.
Citizens Advice	Other Respondent	N/A	-

Question 13			
Respondent	Category	Comments	SECAS Response
Energy Sparks	Other Respondent	I am writing to express strong support for SEC Modification 234, which would enable Public Task and Legitimate Interests as lawful bases for accessing smart meter data. Energy Sparks is a registered charity that supports schools to reduce their energy use and carbon footprint through our school-specific energy management platform. Timely access to smart meter data is essential for identifying and monitoring low and no-cost energy efficiency interventions. These insights are critical for delivering and monitoring effective school climate action plans. In practice, obtaining explicit individual consent from each school is often not proportionate. MP234's robust governance and safeguards ensure data is used responsibly. We believe this change will enable more proactive and effective services for schools, while maintaining public trust.	Thank you – This will be taken under advisement as the Modification is assessed.
Green Energy Options	Other SEC Party	Green Energy Options fully supports MP234.	Thank you.
Heat Geek	Other Respondent	I'm writing on behalf of Heat Geek in response to the MP234 Refinement Consultation, to express support for SEC Modification 234 enabling Public Task (PT) and Legitimate Interests (LI) as lawful bases for accessing smart meter consumption data, under robust governance. Heat Geek operates primarily in the able-to-pay domestic retrofit market, supporting homeowners to adopt heat pumps with good design, commissioning and optimisation. In that context, reliable	Thank you – This will be taken under advisement as the Modification is assessed.

Question 13			
Respondent	Category	Comments	SECAS Response
		access to smart meter data (ideally half-hourly consumption) materially improves consumer outcomes and reduces delivery friction. <u>Why MP234 matters (our perspective)</u> 1) Better outcomes for households Smart meter data enables more accurate estimation of a home's real demand profile and usage patterns, which supports: • More accurate heat pump sizing and system design (reducing performance and comfort risk) • Clearer homeowner-facing estimates of running costs and potential savings (reducing the risk of mis-selling perceptions) • Post-install optimisation and issue detection (controls, flow temperatures, cycling, and overall efficiency) 2) Today's consent-only approach creates practical barriers Even where a homeowner is willing, data access can be slow, inconsistent, and operationally difficult at scale due to consent workflow friction, reliance on multiple third parties, and variable data availability/formatting. This reduces the ability to deliver timely, data-driven advice and support—particularly at earlier “pre-design” stages where the insight is most valuable. MP234's addition of PT/LI (with clear guardrails) would help remove these delivery barriers in cases where explicit consent is impractical or disproportionately burdensome, without increasing privacy risk.	

Question 13			
Respondent	Category	Comments	SECAS Response
		<u>Cost / benefit evidence (rough order of magnitude; please treat as confidential if needed)</u> Consumer payback impact Appropriate use of smart meter data can materially change household economics. In our experience, improved demand insight, better sizing, and more effective optimisation can be the difference between a heat pump payback of approximately ~5 years versus ~20 years, depending on the property, tariff, and existing heating system. Mechanisms driving this impact • Avoiding mis-sizing/over-sizing (capital cost and performance penalties) • Identifying when fabric/controls/emitter changes are required to achieve good efficiency before installation • Improving seasonal efficiency through commissioning and optimisation informed by real consumption patterns (reducing running costs and complaints) Operational efficiency Earlier access to consumption data reduces unproductive survey work, rework, and delays. As an indicative magnitude, avoiding even a modest proportion of unproductive site visits (and associated admin/scheduling) is material at portfolio level and improves customer experience.	

Question 13			
Respondent	Category	Comments	SECAS Response
		<u>Privacy, governance and safeguards</u> We support the proposal's emphasis on proportionate, governed access aligned with UK GDPR, including: • PSC oversight and approval requirements • An Accepted/Approved Use List, transparency, and auditability • Clear escalation/suspension/revocation pathways for non-compliance • Consumer protections including opt-out where appropriate Overall, we believe MP234 will unlock smarter and fairer services for households—improving the success rate and performance of low-carbon heating—while maintaining public trust through robust governance.	
HomeLink (Aico)	Other SEC Party	I am writing on behalf of HomeLINK (Aico) to express our strong support for SEC Modification 234 (MP234), enabling Public Task and Legitimate Interests as lawful bases for accessing smart meter consumption data, subject to appropriate governance, oversight, and consumer protections. <u>Improving health outcomes through better understanding of home conditions</u> HomeLINK supports social landlords and housing providers to improve resident safety, health, and wellbeing through insights via our connected home products. When smart meter consumption data is combined with in-home temperature and humidity data, landlords gain	Thank you – This will be taken under advisement as the Modification is assessed.

Question 13			
Respondent	Category	Comments	SECAS Response
		a more accurate and contextual understanding of living conditions that are directly linked to health outcomes. This combined approach enables landlords to: • Identify conditions associated with respiratory and cardiovascular risk, including persistent low temperatures, excess humidity, and patterns of under-heating. • Reduce the incidence and severity of damp and mould, which are known contributors to asthma, respiratory infections, and poor mental wellbeing. • Distinguish affordability-driven under-heating from property defects, allowing landlords to respond with support rather than enforcement. • Intervene earlier and more appropriately, helping prevent minor issues from escalating into serious health risks or costly disrepair. In addition, where appropriate, the integration of smart meter data with environmental sensor data allows landlords to calculate the Heat Transfer Coefficient (HTC) of a home. This provides objective insight into real-world heat loss, helping to explain why certain homes remain cold or damp and supporting more accurate targeting of energy efficiency or ventilation interventions.	

Question 13			
Respondent	Category	Comments	SECAS Response
		Together, these insights allow housing providers to move from reactive responses to complaints toward preventative, health-led housing management, supporting residents' wellbeing while reducing pressure on health and social care services. <u>Why an opt-out model is proportionate and preferable</u> While consent remains appropriate in some circumstances, HomeLINK supports an opt-out approach under MP234 for these use cases. In practice, reliance on explicit opt-in consent often leads to systematic exclusion of vulnerable residents, including those with health conditions, limited digital access, or low engagement - frequently those most affected by poor housing conditions. This model would: • Support equitable identification of health and wellbeing risks across entire housing portfolios. • Enable landlords to meet public task obligations relating to housing standards, damp and mould, and resident welfare. • Maintain resident autonomy through clear communication and the ability to opt out at any time. <u>Governance and public trust</u> We support the governance arrangements proposed under MP234, including Privacy Sub-Committee oversight, defined and transparent use cases, auditability, and consumer protections. These safeguards	

Question 13			
Respondent	Category	Comments	SECAS Response
		ensure data is accessed only where necessary, proportionate, and in pursuit of clearly defined public interest outcomes. In conclusion, we believe MP234, implemented with an opt-out framework and robust safeguards, will enable more proactive, fairer, and more effective housing services. By responsibly combining smart meter data with environmental sensor data, landlords can better protect resident health, target support and investment, and contribute to net zero objectives, while maintaining, and even building, public trust.	
Icebreaker One	Other Respondent	As we are looking holistically at the smart meter data landscape, we will continue to work with the SEC and engage as it develops on a case by case basis and impacts wider use cases.	Thank you – This will be taken under advisement as the Modification is assessed.
N3rgy	Other SEC Party	We raised this modification almost three years ago. Since then, its relevance and urgency have grown as the smart meter data coverage reached a sensible level. The approval of this modification will also create additional motivation for the remaining smart metering rollout as communal benefits are unveiled. We have also engaged with social landlords and organisations associated with the care and protection of social tenants and have included with this response.	Thank you – This will be taken under advisement as the Modification is assessed.
Perse Energy	Other Respondent	I am writing to express strong support for SEC Modification 234, which would enable Public Task and Legitimate Interests as lawful bases for accessing smart meter data. For social housing providers and local authorities, timely access to smart meter data is essential for identifying fuel poverty, damp and mould risk, under-heating, and for targeting energy efficiency	Thank you – This will be taken under advisement as the Modification is assessed.

Question 13			
Respondent	Category	Comments	SECAS Response
		interventions. These insights are critical for resident welfare, statutory duties, and delivering Net Zero objectives. In practice, obtaining explicit individual consent is often not feasible or proportionate—particularly where data is needed at scale to support vulnerable households, or where those most in need are least able to engage with consent processes. MP234’s robust governance and safeguards ensure data is used responsibly, with strong consumer protections in place. We believe this change will enable more proactive, fairer, and effective services for residents, while maintaining public trust. For financial institutions and other organisations, timely access to smart meter data is crucial for delivering services such as green finance, carbon reporting, and home energy efficiency improvements. These activities often require aggregated or portfolio-level data across large numbers of properties, making individual explicit consent impractical and disproportionate. Responsible access to this data enables organisations to: Meet regulatory and reporting obligations for carbon reduction; Develop and offer green finance products based on verified energy performance; Accelerate investment in low-carbon technologies The governance and safeguards proposed under MP234 ensure data is used lawfully and proportionately, with strong consumer protections in place. We believe this change will unlock innovation and support the transition to Net Zero, while maintaining public trust.	