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# MP169 ‘Managing the Consumer’s Refusal of a Smart Meter’

## Annex E

## Request for information responses

### About this document

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This document contains the full non-confidential collated responses received to the [MP169 ‘Managing the Consumer’s Refusal of a Smart Meter’](#) Request for Information (RFI).

This RFI was issued to Parties in September 2024, following comments at the August 2024 Working Group that Parties sought an opportunity to formally provide their thoughts on the Proposed Solution.

Please note, Restricted Flag/Attribute/Mode are used interchangeably throughout this document and refer to the solution set out in the DCC Impact Assessment.

### Summary of responses

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SECAS received 14 responses to this RFI. One Party, Citizens Advice, supported the Proposed Solution in its current form. All other respondents voiced concerns over the Proposed Solution which will allow the Restricted Attribute to be applied at any time.

Question 1 ‘Noting the current Proposed Solution will allow the Restricted Attribute to be applied and removed at any point, do you have any concerns?’

- Citizens Advice supported the Proposed Solution, noting this modification would introduce a mechanism for customers. They noted that since the rollout began, consumers had been assured they would have a choice about Smart Meters and smart functionality.
- Networks focused on the allowed SRV list, noting that several important Service Requests would not be collectable from the meter if it had the Restricted Attribute applied. They provided examples of Service Requests they would like access to in order to fulfil their Licence conditions.
- Suppliers noted that it was up to individual businesses how they should comply with requests to have meters installed in ‘dumb mode’ and did not believe an industry-wide solution should be adopted.

- Parties sought clarity on exactly how Devices with the Restricted Attribute would be classified. They requested more information from Ofgem about what they would be required to inform Ofgem about. Similarly, Parties also questioned whether a Device with the Restricted Attribute applied would be classed as a non-communicative Device.
- One Large Supplier noted that although this modification would allow the Restricted Attribute to be applied at any time, Parties may set their own rules as to when it can be used. They noted that this could cause confusion as consumers moved from Supplier to Supplier and different rules existed around when the Restricted flag could be applied.
- Several Parties also noted that this modification was initially raised to cater for the small number of instances where a consumer seeks to have their Device installed in 'dumb mode'. They added that this solution could be adopted by many consumers, leading to a loss of business benefits from having Smart Meters installed.

Question 2 'Please provide any further comments'.

- Citizens Advice reiterated their view that the Proposed Solution would introduce a workaround for Parties to use consistently for Consumers who requested a Device to be installed with the Restricted Attribute applied.
- Parties noted that some Service Requests would be allowed to the Device in order to keep it functional. They commented that it would be difficult for Parties to inform Consumers the Device was not collecting their data when Service Requests would be collected from the Smart Meter.
- One Party highlighted that they did not agree that Consumers have a right to refuse a Smart Meter.
- A number of respondents noted that this solution will not please all Consumers who wish to have a Smart Meter installed in 'dumb mode'. They argued that this modification would introduce an expensive partial solution to an issue they believe only impacts a small number of Consumers.

## Question 1: Noting the current Proposed Solution will allow the Restricted Attribute to be applied and removed at any point, do you have any concerns?

| Question 1  |                 |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                |
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| Respondent  | Category        | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | SECAS Response                                                                                                                                                                                                                                 |
| Alt HAN Co  | Other SEC Party | No       | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                |
| British Gas | Large Supplier  | Yes      | <p>We are concerned that introducing a Restricted Attribute that could be applied or removed at any stage sets a concerning precedent against the smart meter business case to ensure all customers benefit from the functionality of smart meters. In the absence of a specific direction from the government to mandate smart installs for customers, it remains with individual suppliers to manage the treatment of a smart install for customers who do not want a smart meter. The development of an industry solution for this is unhelpful and will drive worse outcomes for the programme which is concerning in the lead up to the ongoing maintenance for smart services driven by SMETS1 end of life and the 4G rollout.</p> <p>Specifically;</p> <ul style="list-style-type: none"> <li>An industry solution could result in significant numbers of customers requesting their supplier to apply the Attribute. Not just at meter installation, but at any stage during the meter's life. This</li> </ul> | SECAS believes that a Device installed which then had the Restricted Attribute would count as a Smart Meter installation. SECAS has requested information from Ofgem about the reporting they would seek if this modification was implemented. |

| Question 1 |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |
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| Respondent | Category | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SECAS Response |
|            |          |          | <p>could particularly occur if there is unwanted media or online influencer erroneous advice.</p> <ul style="list-style-type: none"> <li>We presume that an installed meter with the Attribute applied will still count as a smart meter installation. However, a large number of meters having the Restricted Attribute selected would reduce the volume of meters <u>actually operating as intended</u>, and <u>actually collecting remote smart meter reads</u>. Amongst other implications, this would mean that the expected £ benefits of the Smart programme, and related programmes such as MHHS, could be put at risk.</li> <li>Practically, as a Supplier, if a Restricted Attribute flag is introduced, we are concerned of the impacts to ongoing maintenance of smart communications as per our SLC 43 and 49 alongside the decision taken by Ofgem to publish operating smart meter performance.</li> <li>From a customer perspective, customers may not realise that requesting the Restricted Attribute to be applied may impact the services they current receive from their energy supplier. For example, energy apps may no longer work; the customer may no longer be eligible for existing tariffs or popular energy products (such as Electronic</li> </ul> |                |

| Question 1 |                 |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                           |
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| Respondent | Category        | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SECAS Response                                                                                                                                                                                                                                                                                                                                            |
|            |                 |          | <p>Vehicle tariffs and time of use tariffs); if the customer is an export customer, they would potentially become ineligible for SEG.</p> <p>More practically, we also consider the existence of the Restricted Attribute to considerably complicate the rollout of 4G, and cause further unintended consequences. The 4G upgrade appointment is another customer contact point (requiring a home visit), where it would be easy for an uninterested customer to select the Restricted Attribute option, rather than be at home for an appointment. If a supplier is struggling to contact some customer groups, it could be easier for them to apply the Restricted Attribute, and this could be open to abuse.</p> |                                                                                                                                                                                                                                                                                                                                                           |
| Calisen    | Other SEC Party | Yes      | <p>Whilst the Mod Report reflects the change in views from Ofgem about the specific controls that were initially proposed, it now implies that ‘no controls will be introduced’ – in reality, controls may be introduced, by individual suppliers about how the attribute is applied.</p> <p>Whilst we are supportive of the Modification being introduced, we have concerns that installed meters may have the restricted attribute applied, upon change of tenancy for example, which in effect remove the benefits the smart meter is providing when working fully as a smart meter. As an industry we shouldn’t be looking to ‘reduce’ the smart functionality of these devices.</p>                             | <p>This modification proposes to remove the flag if there is a Change of Tenancy but keep the flag in a Change of Supply.</p> <p>In terms of testing, if this modification was approved then the solution would be fully tested by the DCC before implementation. These costs have been included in the £731,502 quoted in the DCC Impact Assessment.</p> |

| Question 1             |               |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |
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| Respondent             | Category      | Response                | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | SECAS Response |
|                        |               |                         | <p>We would like clarification of the definition of these meters – we assume they will still be ‘smart meters’ but this needs to be clear as the Modification report is a bit vague i.e. do these become smart meters not working in smart mode and therefore included in respective stats on this.</p> <p>We are also mindful of having this solution tested to ensure the key aspects such around security and ability to upgrade firmware do actually work when the meter is in restricted state, to ensure the meter remains secure and operates on the most recent firmware as possible.</p>                                                                                                                                                                                                                          |                |
| <b>Citizens Advice</b> | Consumer Body | No, we have no concerns | <p>The modification, with its current proposed solution, rightly reflects the original intent of the solution. This solution reflects what was agreed upon early in the smart meter rollout, what is contained in the Ombudsman’s decisions, Citizens Advice guidance, and the communication materials of several suppliers (as demonstrated in response to Question 2). The modification, with its current proposed solution, reflects a functionality that has long been promised and used to reassure consumers.</p> <p>The modification, with its current proposed solution, rightly codifies the ability for consumers to choose whether their smart meter should operate in smart mode. As noted in this RFI, no policy decision has been made to make it mandatory for consumers that smart meters must operate</p> |                |

| Question 1              |                 |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |
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| Respondent              | Category        | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SECAS Response |
|                         |                 |          | <p>in smart mode and code should reflect consumers' flexibility to choose.</p> <p>We reiterate our concerns raised previously about the late changes made to the modification to effectively make a consumer opt-out "one way" and only available at the point of installation. As the consultation document notes, this change was made late in the process in response to perceived concerns about the views of Ofgem. The regulator has since confirmed that they are comfortable with the modification as it was (i.e. the current Proposed Solution) - as such it is our firm view that the modification should proceed without delay as originally intended and currently drafted.</p>   |                |
| <b>Energy Ombudsman</b> | Other SEC Party | Yes      | <p>We would welcome the flexibility of the option to change the basis of the meter in properties where there is a clear opposition to full smart functionality from the consumer and/or where circumstances may change over time.</p> <p>Our own data shows we received 159 cases in the last 12 months where the subject of the complaint was a consumer not wanting a smart meter. This represents 1.5% of our smart meter complaints. While not large in volume, the impact on the individuals is significant and the right to decline a smart meter is often quoted by these consumers. In some cases we have also seen consumers have smart meters installed without their consent or</p> |                |

| Question 1   |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                       |
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| Respondent   | Category       | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SECAS Response                                                                                                                                                                                                                                                                        |
|              |                |          | <p>knowledge, so the proposed solution allows such issues to be resolved in a timely manner.</p> <p>That said, we do feel there should be a high bar in terms of when the flag is added. We understand and are supportive of the direction of travel with the smart meter roll out and the intention/benefits behind this. In all circumstances we would expect the supplier to exhaust all efforts to have the meter in full smart mode or remain in that state. This would include the consumer being given full clarity of what they are losing out on by following this course of action and should be the exception.</p>                                                                                                     |                                                                                                                                                                                                                                                                                       |
| <b>ENGIE</b> | Small Supplier | Yes      | <p>While we agree there is a genuine problem to be addressed and in our response to the previous RFI we were supportive of the proposal, we are concerned about the wide range of cost estimates, the level of some of these (over £1m), and the comments in the final report which suggest that this is a technically difficult change. As it is unlikely that consumers who are determined to refuse a Smart meter would accept one in “restricted” mode (as the meter would still have the inherent capability to collect granular data and they may not view the “restricted” Smart meter any differently to an “unrestricted” one as a result) we also have some concerns about the cost/benefit balance of this change.</p> | <p>The cost estimates relating to £1million refer to comments made by Large Suppliers that they would lose business benefits of Smart Meters of up to this cost if the Restricted Attribute was applied. The costs in the DCC Impact Assessment for implementation were £731,502.</p> |

| Question 1 |               |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                   |
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| Respondent | Category      | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SECAS Response                                                                                                                                                                    |
| ENWL       | Network Party | Yes      | <p>ENWL understands the requirement for supporting the small proportion of consumers who do not want a smart meter installed when legacy meters are no longer available for replacement. However we have material concerns that need to be addressed because the proposal does not recognise fully how DNOs use smart meter data and connectivity.</p> <p>This may introduce unintended consequences that are to the detriment of the small proportion of customers who are primarily concerned about limiting visibility of data associated with consumption.</p> <p>The proposal enables the installation of a smart meter with a “flag” applied to identify those meters where suppliers will be restricted from retrieving individual consumers energy consumption to safeguard the consumers data privacy concerns.</p> <p>DNOs need to be able to access and interact with all smart meters including those with a flag applied and to also be able to identify which smart meters have the flag applied.</p> <p>DNOs require a different set of data from Electricity Suppliers with different requirements. Smart meters enable DNOs to provide an enhanced level of service to the consumer unrelated to the individual energy</p> | SECAS is engaging with the Proposer and Network Parties to identify the SRV’s referred to in this response before determining whether they should be added to the ‘Allowed’ list. |

| Question 1 |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                               |
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| Respondent | Category       | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | SECAS Response                                                |
|            |                |          | <p>consumption. This aspect has not been considered or taken account of in the proposed solution.</p> <p>The proposal must allow for DNO requirements and the following data with the following data being must remain available to DNOs on flagged smart meters if MP169 is implemented:</p> <ul style="list-style-type: none"> <li>• Energisation Supply Status Check (SR7.4)</li> <li>• AD1 Power Outage Alerts</li> <li>• The suite of Power Restore Alerts</li> <li>• The suite of Voltage Threshold Breach Alerts and Reset Alerts</li> <li>• Obtain voltage logs (SR4.10) and be able to set voltage (SR6.5) and alert (SR6.22) parameters.</li> </ul> <p>Default alert settings applied by manufacturers and/or Suppliers have the potential to cause nuisance alerts, taking up communication network bandwidth.</p> <p>It is not clear that the proposal will still allow Distributors to enrol a meter and manage security credentials/certificates.</p> |                                                               |
| EON        | Large Supplier | Yes      | <p>With the suggested controls being removed it would be reasonable to expect that Ofgem has an expectation for monitoring and reporting on the Suppliers' use of the restricted mode. The form of which and frequency has</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SECAS has requested Ofgem's view on monitoring and reporting. |

| Question 1            |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                     |
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| Respondent            | Category       | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SECAS Response                                                                                                                                      |
|                       |                |          | not been shared. It would be helpful to understand Ofgem's expectations. Reinstating the suggested controls may reduce the future burden on Suppliers to evidence the process applied and also provides some consistency throughout the Supplier cohort on the usage of restricted mode.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                     |
| <b>Scottish Power</b> | Large Supplier | Yes      | <p>While we understand the rationale for the proposals they will risk asset stranding and inflated operating costs, as energy suppliers are forced to continue to sustain both smart and legacy arrangements, which will inevitably manifest in standing charges.</p> <p>We also note that a smart meter in Restricted Mode could not be operated in Prepay Mode, this is because the list of permitted service requests does not include the 2.2 "Top Up Device" service request. However, as it is currently unclear whether the Restricted Mode flag would only be intended for customers who refused a smart meter at the point of installation, or if it was to be made available for any customer that requested it (i.e. those who already have an operating smart meter), this issue could take on even greater significance.</p> | SECAS notes that the Restricted Attribute will only be available for consumers who have credit meters and not for consumers with prepayment meters. |
| <b>SSEN</b>           | Network Party  | Yes      | SSEN support the requirement for allowing a method for any consumers who do not want a smart meter installed in their premises. SSEN also support the list of Allowed SRV's when restricted. SSEN believe that some DNO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SECAS is working with the Proposer and Networks to examine the SRV list and determine whether these requests can be added.                          |

| Question 1 |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |
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| Respondent | Category | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | SECAS Response |
|            |          |          | <p>service requests which are similar to suppliers SRV's have been missed from the list.</p> <p>SSEN believe we need to be able to access and interact with all smart meters in the new "Restricted" status in a similar way to suppliers as proposed within this modification proposal.</p> <p>We believe that the list of Allowed SRV's when restricted needs to be updated to include DNO SRV's that are currently absent.</p> <ul style="list-style-type: none"> <li>• 7.4 Read Supply Status</li> <li>• 7.7 Read Auxiliary Load Control Switch Data</li> <li>• 7.14 Read Auxiliary Controller Configuration Data</li> <li>• 7.15 Read Auxiliary Controller Operational Data</li> </ul> <p>In addition to the above, SSEN collect energy consumption data from smart meters and aggregate and anonymise this data in compliance with Distribution Licence condition 10A. We would therefore look to understand, through discussion, if this is data that could be made available through devices marked as restricted. These SRV's are listed below:</p> <ul style="list-style-type: none"> <li>• 4.12.1 Read Maximum Demand Import Registers</li> <li>• 4.12.2 Read Maximum Demand Export Registers</li> <li>• 4.8.1 Read Active Import Profile Data</li> </ul> |                |

| Question 1                   |               |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                |
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| Respondent                   | Category      | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SECAS Response                                                 |
|                              |               |          | 4.10 Read Network Data                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                |
| <b>UK Power Distribution</b> | Network Party | Yes      | <p>The current proposal does enforce some form of control as it limits the ability to change the DCC flag, to the responsible Supplier only. This is positive as it clarifies responsibility and accountability, but there remains a grey area which is the rules the supplier operates under:</p> <ul style="list-style-type: none"> <li>• how long has the supplier got once it has been asked by the customer to switch the flag?</li> <li>• How does the customer need to ask: is a phone call enough or is anything more formal required?</li> <li>• Are the above a Retail Energy Code matter? It is important as it is those details that will effectively protect the customer's right to privacy if we put it in the hand of the supplier.</li> </ul> | A REC Change Proposal is required alongside this modification. |
| <b>UKPN</b>                  | Network Party | Yes      | <p>UK Power Networks understands the requirement for supporting the small proportion of consumers who do not want a smart meter installed when legacy meters are no longer available for replacement, however we have concerns that need to be addressed because the proposal does not recognise the DNO's data requirements from smart meters.</p> <p>The proposal enables the installation of a smart meter with a "flag" applied to identify those meters where suppliers will be restricted from retrieving individual</p>                                                                                                                                                                                                                                 |                                                                |

| Question 1 |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |
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| Respondent | Category | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SECAS Response |
|            |          |          | <p>consumers energy consumption to safeguard the consumers data privacy concerns.</p> <p>For the reasons set out below, DNOs need to be able to access and interact with all smart meters including those with a flag applied and to also be able to identify which smart meters have the flag applied.</p> <p>DNOs require a different set of data and have different requirements to that of Energy Suppliers. Smart meter data will enable DNOs to provide an enhanced level of service to the consumer (see below) unrelated to the energy consumption data of individual consumers.</p> <p>We believe that the proposal should allow for the DNO requirements and the following data must remain available to DNOs on flagged smart meters if MP169 is implemented:</p> <ul style="list-style-type: none"> <li>•Energisation Supply Status Check</li> <li>•AD1 Power Outage Alerts</li> <li>•Power Restore Alerts</li> <li>•Voltage Threshold Breach Alerts and Reset Alerts</li> <li>•Voltage half-hourly readings</li> </ul> <p>This data will enable DNOs to provide enhanced customer service to customers experiencing a power outage or supply quality issue.</p> |                |

| Question 1 |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                |
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| Respondent | Category       | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SECAS Response |
|            |                |          | <p>In addition, to ensuring efficient planning and operation of their networks, DNOs plan to collect energy consumption data from smart meters for aggregation in compliance with Distribution Licence condition 10A. To ensure consumer data privacy is maintained we would therefore want to retrieve data from all smart meters including those marked with the Supplier restricted flag to use in an aggregated manner.</p> <p>The aforementioned aggregated data will provide enhanced visibility of the performance of the DNO's distribution network allowing informed decisions to be taken when network assets require to be reinforced or replaced, in particular, from the increasing consumer LCTs demands such as from EV chargers and heat pumps. This supports the Government's net zero targets providing benefits to consumers and the wider energy system.</p> <p>We therefore believe that DNOs should be able to retrieve data from smart meters marked with the Supplier restricted flag for use as described above – on the basis that any such information will be used in an aggregated form.</p> |                |
| Utilita    | Large Supplier | Yes      | The lack of controls on this attribute will inevitably lead different Suppliers to having different processes for when                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |

| Question 1        |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |
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| Respondent        | Category       | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SECAS Response |
|                   |                |          | this attribute can and cannot be applied, which may lead to customer confusion when changing supplier, or the mode being used in situations where it is not applicable. Therefore, we believe that there should be a set of Industry agreed controls in place to standardise this.                                                                                                                                                                                               |                |
| Utility Warehouse | Large Supplier | Yes      | There must be a clear and defined process and appropriate corrective action to ensure this approach to installations is limited to its intended purpose (e.g. where a customer refuses a smart meter due to data privacy reasons). We have concerns around this sort of installation becoming the norm at a time when industry is trying to improve smart functionality. Therefore, as an industry we must ensure that this modification doesn't take us in the wrong direction. |                |

## Question 2: Please provide any further comments.

| Question 2 |                 |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |
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| Respondent | Category        | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SECAS Response |
| Alt HAN Co | Other SEC Party |          | <p>Alt HAN Co welcomes the progress made with this modification.</p> <p>We recognise the challenges around customer engagement have already been highlighted by others. We note that there may be an even greater challenge of customer engagement in the edge cases where Alt HAN devices are required to connect to the gas meter in the 'restricted' mode (note rationale below). However, Energy Suppliers can factor this into their engagement approach once this Modification has been implemented.</p> <p><i>Considerations for Suppliers:</i></p> <p><i>The Alt HAN solution requires a device to be plugged into the customers property to receive and send communications to the Comms Hub. If a customer wants a meter operating in 'restricted' mode they may be less likely to accept the need for an Alt HAN device plugged into their home.</i></p> <p><i>We expect this to be an edge case for this issue, the likely outcomes in the event that a customer wants a smart meter in restricted mode, where Alt HAN is required, is that:</i></p> |                |

| Question 2  |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                      |
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| Respondent  | Category       | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | SECAS Response                                                                                                                       |
|             |                |          | <p>1. The customer declines to have the Alt HAN device in which case the Supplier is unable to commission the Gas meter</p> <p>2. The customer declines to have the Alt HAN device in which case the Supplier commissions the Gas meter (either by bringing the meter 'close' to the Comms Hub or by installing and then uninstalling Alt HAN, leaving the Gas meter as 'Non Operating').</p> <p>3. The customer agrees to allow the Alt HAN device to be plugged in (in which case the commission and operation of the GSME (and other devices in the home) is complete and the restricted SRs can be sent, in accordance with the MP169 solution).</p> <p>In the event that a customer requests 'restricted mode' post installation, a Supplier can remove the Alt HAN device if the customer wishes (which leads to the same outcome as (2) above). If a customer then changes their mind or an incoming resident changes the status, the Supplier will need to re-install the Alt HAN device(s).</p> |                                                                                                                                      |
| British Gas | Large Supplier |          | <p>The scope of the proposed solution, and its potential consequences on other industry programmes (such as MHHS), is clearly too 'large' to be addressed just through a SEC Modification Proposal.</p> <p>If a Restricted Attribute flag is a serious proposition, then its potential introduction (and the accompanying</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | The DCC Impact Assessment only covers DCC costs, however other costs/impacts on Parties will be included in the Modification Report. |

| Question 2             |               |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |
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| Respondent             | Category      | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SECAS Response |
|                        |               |          | <p>messaging) needs to be included in the wider discussions around the smart mandate 2025 onwards.</p> <p>Overall, we are concerned that a modification proposal, that was intended to address issues around a very small number of customers (who unavoidably need a new meter, and a non-Smart meter is not an option), could end up significantly reducing the number of communicating meters, with all the associated benefits losses for customers, the programme and the industry as a whole.</p> <p>Finally, it isn't clear if a further iteration of the Impact Assessment may be required. The introduction of the Restricted Attribute is going to have some broader financial impacts on entities other than just the DCC system, and these need to be considered when looking at the overall business case for this modification.</p> |                |
| <b>Citizens Advice</b> | Consumer Body |          | <p>We strongly support the approval of MP169 and its implementation as soon as possible, noting it was raised more than three years ago. We believe that introducing this modification better facilitates SEC objectives (a) and (g), as outlined in the MP169 Modification report.</p> <p>As noted in the context section of this consultation as the statutory consumer advocate we strongly support this modification in its original form.</p> <p>Since the inception of the Smart Meter Rollout consumers have been told that they do not have to have a smart</p>                                                                                                                                                                                                                                                                           |                |

| Question 2 |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |
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| Respondent | Category | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SECAS Response |
|            |          |          | <p>meter and that - if no other meters are available – they will be able to choose to have their meter placed into restricted or “dumb” mode.</p> <p>Energy suppliers currently publish marketing materials promising exactly this functionality.</p> <p>“You decide if you are willing for your data to be shared by us with other third parties, and you can opt out at any time. Or you can stop sharing with us completely by setting your meter reading frequency to never”</p> <p>[Excerpt from E.On information material to consumers about getting a smart meter - 2024]</p> <p>The above text is not unique to one supplier - several suppliers offer similar commitments to their customers about smart meters.</p> <p>In the absence of this SEC modification suppliers have been meeting the requirement to provide a form of restricted mode in a variety of ways, many of which are suboptimal for the consumer. These have included not commissioning comms hubs or installing old meters - these approaches mean that a consumer will need an engineer visit if they change their mind or move into a property that had previously elected not to share meter reads with their supplier.</p> |                |

| Question 2 |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |
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| Respondent | Category | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | SECAS Response |
|            |          |          | <p>The current workarounds by suppliers are likely to result in multiple visits and the cost of multiple assets unnecessarily which is inefficient and costly, creating confusion for consumers due to the inconsistency in how they are applied.</p> <p>MP169 addresses this long-known issue by creating a straightforward and consistent means for suppliers to put a smart meter into - and crucially out of - restricted mode when a consumer requests they do so. Consumers will be able to make a request simply, easily and efficiently to suppliers, rather than requiring engineer visits, multiple assets and other inefficient alternatives.</p> <p>Placing a smart meter into restricted mode has always been a last resort for those consumers adamant that they do not want to share remote data with their energy supplier even once all benefits have been explained to them. We know from our own research<sup>1</sup> that control over data flows is particularly important in reassuring consumers about smart meters. Our research showed 89% of consumers considered an opt-out of data sharing important and more recent research to be published later this year indicates that this rate has since increased past 90% since then. It's important to note that a high appetite to make this choice does not translate to a high rate of people actively opting out.</p> |                |

| Question 2 |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |
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| Respondent | Category | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | SECAS Response |
|            |          |          | <p>We would note that during their evaluation of Mandatory Half Hourly settlement reforms, Ofgem reported data-sharing opt out rates in the low single figures.</p> <p>Allowing consumers to opt-out does not mean they will, but the knowledge that they have a choice to do so significantly increases consumer trust and engagement with smart metering and the products and services smart meters enable which will be vital to achieve our net zero goals.</p> <p>The earlier solution which introduced controls made the process “one way” i.e. a consumer cannot opt to switch their meter to restricted mode after it has been installed and operated creates several risks:</p> <ul style="list-style-type: none"> <li>● It contradicts the messaging and advice consumers have been receiving from their suppliers, advice agencies and ombudsman throughout the rollout of smart meters - messaging which in many cases has reassured consumers to agree to having a smart meter fitted in the knowledge that they can change their mind about data sharing. We note that suppliers frequently cite this ability to “change your mind” in their myth-busting and reassurance communications materials.</li> <li>● It creates unfairness in consumers’ ability to choose for those consumers who move home and inherit a smart meter but find they cannot opt-out of it</li> </ul> |                |

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| Respondent | Category        | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | SECAS Response |
|            |                 |          | <p>sharing data. This is likely to particularly disadvantage those in the private rented sector on shorter term lets who have to move more frequently. For example more than half (52%) of private renters in England have lived in their current home for less than 3 years and more than one fifth (22%) have lived in their current home for less than 1 year.</p> <ul style="list-style-type: none"> <li>• We are aware of cases where smart meters are fitted against a customer's wishes - not allowing a consumer to then at least place the meter in restricted mode runs contrary to the core principle of allowing consumers a choice as to whether they have a smart meter.</li> </ul> |                |
| Calisen    | Other SEC Party |          | <p>Whilst we acknowledge this MOD covers the functionality to be introduced if this change is agreed, it is clear there is a large amount of work still to be done and decisions to be made as to how this would work operationally.</p> <p>We are supportive of any changes that will help increase the volume of smart meters being installed, and particularly will help to reduce the volume of traditional meters being re-used and potential issues around traditional meters coming to end of certification life etc. However, this seems to be trying to solve the question of whether smart meters should be mandated, without re-discussing this part.</p>                              |                |

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|            |                |          | <p>From attendance at the working group on this Mod, it is clear there are some significant aspects to work out such as how this functionality is messaged to consumers – it will not be a smart meter in dumb mode, given the volume of SRVs that will be sent to the meter. This change would also not be applied to prepayment customers, therefore the challenges this Mod is trying to fix, will still remain – we don't believe this is adequately reflected in the Modification report. Furthermore this change will result in significant cost and changes to process required across a wide range of processes which has not been reflected currently in the Modification report or change documentation.</p> |                |
| EDF        | Large Supplier | Yes      | <p>We do not agree with the premise on which this proposal is based:</p> <p>“Smart Meters are not mandatory in Great Britain, meaning that Energy Consumers have a right to refuse to have a Smart Meter installed.”</p> <p>It is a matter of fact that Suppliers have always had the ability to determine the metering through which they deliver their supplies of energy, and it is entirely open to Suppliers in a competitive market to set the terms by which they are willing to provide their services.</p> <p>Suppliers are therefore entirely free to determine what metering is installed when a supply is taken from them</p>                                                                              |                |

| Question 2 |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |
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|            |          |          | <p>and would be free to require smart metering to be installed – and in fact a number of suppliers have through their contractual terms made certain products and tariffs conditional on smart metering.</p> <p>It is therefore factually incorrect to suggest that Energy Consumers have the right to refuse to have a smart meter installed, in the same way as it would be factually incorrect to suggest that Energy Consumers have the right to refuse to have a prepayment of PAYG meter installed.</p> <p>Notwithstanding, this fairly fundamental inaccuracy in the proposal, we see no issue with Suppliers having the ability to apply a restricted mode parameter to their metering provided this was solely within the control of the Supplier, and any such restriction reset at the point of Change of Supply or Change of Tenancy event. The ability to apply a restricted mode parameter cannot be driven by a Customer independently, not only would this create significant operational issues, but it would also cut across agreed contractual obligations and positions agreed between the parties.</p> <p>It is absolutely critical that all smart metering parameters are carefully and closely controlled, this is especially important in the case of a 'restricted mode' parameter, so that it is not used inappropriately.</p> |                |

| Question 2 |          |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                |
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|            |          |          | <p>The following minimum controls would need to be in place:</p> <ul style="list-style-type: none"> <li>• The Restricted flag can only be set by the Relevant Supplier.</li> <li>• The restricted flag can only be cleared by the Relevant Supplier.</li> <li>• The meter must be set in credit mode.</li> </ul> <p>We do not believe that either Citizens Advice or the Ombudsman have any remit to dictate to Suppliers the basis on which they are prepared to supply to end consumers and the metering that they should use with regard to that supply. This is an entirely operational and commercial decision for Suppliers who, within a competitive market, and in the absence of regulation to the contrary, should be free to set whatever reasonable terms they consider would be most appropriate.</p> <p>Given the prevalence of wi-fi enabled assets these days, there is no credible or reasonable justification for Suppliers not to be able to require the supplies they are making to be measured by the most modern metering available on the market. It cannot be open to consumers to require suppliers, against their will, to adopt unreasonable, outdated, costly and inefficient operating practices – especially in the context of metering which is critical to ensuring appropriate and accurate billing.</p> |                |

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| Respondent | Category | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | SECAS Response |
|            |          |          | <p>We expect that Ofgem would also be very interested in the use of the restricted mode flag and require DCC and Suppliers to report its use. There is some sense in agreeing the reasons and setting them out in a guidance note before implementation. We would also expect that this reporting would include a categorisation of the reason it was set such as:</p> <ul style="list-style-type: none"> <li>- Customer choice privacy</li> <li>- Customer choice health</li> <li>- Ombudsman ruling</li> <li>- Citizens Advice Request</li> </ul> <p>Additionally, the DCC should have controls:</p> <ul style="list-style-type: none"> <li>- Not set the flag if the customer is in PAYG mode</li> <li>- Not remove the flag on Change of Supplier</li> <li>- Not remove the flag on swap of comms hub or meter</li> <li>- Remove the flag on notification of a Change of Tenancy</li> <li>- Remove the flag immediately on notification through SSI</li> </ul> |                |

| Question 2       |                 |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                |
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| Energy Ombudsman | Other SEC Party |          | <p>As a wider point, we still encounter challenge from some suppliers when we require a supplier to arrange for smart functionality to be turned off if the circumstances warrant it.</p> <p>For our part we are balancing the needs/rights of the consumer against the obligations/requirements of the energy supplier. Ideally, in the interim prior to the solution being implemented, we feel a stronger voice (possibly Ofgem) to approve or publicly confirm to suppliers that the option of a non-functioning smart meter is reasonable and permissible in certain circumstances. There appears to be an inconsistency of approach at present – some are happy to oblige the consumer, some not.</p> <p>On other issues, we note that the modification would be unlikely to satisfy consumers who may have associated health issues (anxiety) as a result of the smart meter being in their property. As we understand it smart functionality and potential communication is still possible with the current solution.</p> <p>We also note that no guidance is being provided around the restricted flag being automatically reset on COT or COS. We would be supportive of clear direction on this point to avoid an inconsistent supplier approach during the COT/COS process which could may lead to consumer detriment.</p> |                |

| Question 2 |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |
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| EDF        | Large Supplier |          | <p>The technical capability to have a smart meter, but not allowing it to operate in smart mode was never considered within the original SMETS specifications – not least because it is a slightly ridiculous concept.</p> <p>It is the equivalent of introducing the requirement for fire alarms in multiple occupation housing, and specifying that the fire alarms should contain functionality that they could be manually turned off by landlords or tenants for fear they might make a bit of noise when they went off.</p> <p>It makes no sense for the Government to drive an investment in national infrastructure (such as the investment in installing a smart meter) in order to deliver certain anticipated benefits if any third party can then on request make the value of such investment entirely redundant by forcing the meter to be operated in a manner that removes the very purpose for which that meter was designed.</p> <p>However, in exceptional cases, and solely at the Supplier's discretion, we accept that it may be helpful for Suppliers to have the ability to adopt restricted mode, to deal with problem cases and extremely vulnerable customers, provided Suppliers are able to manage this in a way that ensure this is exceptional and not the norm.</p> <p>On this basis alone, EDF tentatively support the need for a smart meter to have the ability to be switched into a</p> |                |

| Question 2 |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |
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|            |                |          | <p>restricted mode but only if this was carefully controlled, and solely at the discretion of suppliers and there should be a common understanding and agreement about its use;</p> <ul style="list-style-type: none"> <li>• The meters in this mode must count to roll-out and recognised as “healthy” if they are switched to ‘restricted’ for installation.</li> <li>• Citizens Advice, including their Extra Help Unit, and Ombudsman should agree that the solution is the appropriate solution for where customers have a legitimate reason for not wanting an operating smart meter and must recognise that they cannot dictate what metering suppliers wish to adopt to provide their services. Customers wishing to have a smart meter removed should be advised that ‘restricted’ mode is the minimum metering solution available.</li> <li>• The DCC is able to act quickly and reasonably to implement and remove the restriction ensuring no unauthorised access to the meter is allowed.</li> </ul> <p>The proposed approach can provide energy suppliers with the opportunity to increase the penetration of smart meters to customers who have legitimate reason for not accepting an operating smart meter.</p> |                |
| ENGIE      | Small Supplier | Yes      | While we are not necessarily opposing this change and have to date been supportive of it, we would ask that                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                |

| Question 2 |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                |
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|            |                |          | further consideration is given to the concerns we have raised.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |
| ENWL       | Network Party  |          | See response to Q1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                |
| EON        | Large Supplier |          | <p>We do not consider that the proposed solution addresses the problem – data is still being sent albeit it at reduced levels. How to communicate that we are responding to the customer wanting a 'dumb' meter but the smart meter continues to communicate albeit on a reduced basis, will be difficult to get the message right; especially as there's no industry guidance expected to be issued</p> <p>With customer trust of Suppliers and smart metering being of key importance, the modification introduces a disparity between customer types, as it only applies to credit customers (for the reasons explained in the consultation documents).</p> <p>We also have a couple of questions:</p> <ul style="list-style-type: none"> <li>• If we install and commission fully the smart meter first, is the expectation that suppliers will delete any initial data/readings received as part of initial commissioning prior to the restricted attribute being applied?</li> <li>• If we wish to remotely switch a customer to PAYG (not at the customer request but for debt purposes for example) and the attribute is set, are we allowed to do this?</li> </ul> |                |

| Question 2            |                |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                 |
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| Respondent            | Category       | Response | Rationale                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | SECAS Response                                                                                                                                                                                                  |
| Scottish Power        | Large Supplier |          | Noting CA's concerns about changing its message, we think that this could be more nuanced: e.g. in so far as the mass rollout is concerned, optionality can remain a feature; however, for those consumers whose existing meters are no longer serviceable, there can be no alternative.                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                 |
| SSEN                  | Network Party  |          | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                 |
| UK Power Distribution | Network Party  |          | It is not clear if this flag can be switched from Non-restricted to Restricted: the solution does not explicitly cover such scenario where a new tenant wants to switch on the Restricted flag. It seems to me they would be in their right to do so: can we get confirmation the system will allow for that?                                                                                                                                                                                                                                                               | The technical solution highlighted in the DCC Impact Assessment allows the Restricted Attribute to be applied at any time. This would allow it to be switched from Non-Restricted to Restricted and vice-versa. |
| Utilita               | Large Supplier |          | <p>We still do not believe that the proposed solution fully addresses the issue raised. The core of this issue is resolving what happens when a customer requests to not have a Smart meter – an issue that is proposed to be resolved by installing a Smart meter, regardless of whether that meter can communicate fully or not.</p> <p>We also note that the cost for this modification is exceptionally high for providing only a partial solution and question the merit of paying for this now, only to potentially have to pay additional costs down the line to</p> |                                                                                                                                                                                                                 |

| Question 2        |                |          |                                                                                                                                                                                                                                                                                                                                                                                                |                |
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|                   |                |          | <p>cover new edge cases not taken into account by this modification.</p> <p>These points serve to illustrate that this solution is not one that is fit for purpose and should be reevaluated. We are strongly opposed to the implementation of this modification, as we do not believe it would resolve the complaints of the potential consumers who would want to utilize this solution.</p> |                |
| Utility Warehouse | Large Supplier |          | N/A                                                                                                                                                                                                                                                                                                                                                                                            |                |