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# MP219 ‘Accessing Consumption Data on behalf of SEC Parties’

## Third Conclusions Report – version 1.0

### About this document

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This document summarises the responses received to the Modification Report Consultation and the decision of the Change Board regarding approval or rejection of this modification.

### Summary of conclusions

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#### Change Board

The Change Board voted to recommend that MP219 be approved by the Authority. It believed the modification better facilitated SEC Objectives (a)<sup>1</sup> and (c)<sup>2</sup>.

#### Modification Report Consultation

Smart Energy Code Administrator and Secretariat (SECAS) received five responses to the Modification Report Consultation. Four Parties (one Small Supplier, One Network Party and two Other SEC Parties) believed that the modification should be approved. They considered the modification better facilitated Smart Energy Code (SEC) Objective (c) as MP219 will better facilitate Energy Consumers management of their Consumption Data by simplifying processes for providing consent.

One Party (Large Supplier) believed that the modification should be rejected. They considered this modification negatively impacts SEC Objective (f)<sup>3</sup>. They commented that existing methods for providing Unambiguous Consent are sufficient and should not be amended as they may damage the public perception of the Smart Metering Implementation Programme (SMIP).

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<sup>1</sup> Facilitate the efficient provision, installation, and operation, as well as interoperability, of Smart Metering Systems at Energy Consumers premises within Great Britain;

<sup>2</sup> Facilitate Energy Consumers' management of their use of electricity and gas through the provision to them of appropriate information by means of Smart Metering Systems;

<sup>3</sup> Ensure the protection of Data and the security of Data and Systems in the operation of this Code.

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## Modification Report Consultation responses

### Summary of responses

Two of the five supportive respondents (both Other SEC Parties) noted that MP219 would simplify processes for Energy Consumers to provide their consent, allowing them to more easily participate in energy-related services. One supportive Party (Other SEC Party) also noted this modification would allow SEC Parties to take advantage of the services provided by Other Users to maximise the benefits of Smart Meters to non-domestic Consumers.

The unsupportive Party (Large Supplier) noted their belief that existing methods for collecting Unambiguous Consent are sufficient. They noted that allowing third parties to inherit permissions of the employing party rather than collecting the Unambiguous Consent of the consumer could impact the SMIP.

## Change Board vote

### Change Board vote

The Change Board voted to recommend MP219 be **approved** by the Authority.

The vote breakdown is summarised below.

| Change Board vote       |         |        |         |                |
|-------------------------|---------|--------|---------|----------------|
| Party Category          | Approve | Reject | Abstain | Outcome        |
| Large Suppliers         | 5       | 0      | 1       | <b>Approve</b> |
| Small Suppliers         | 3       | 0      | 0       | <b>Approve</b> |
| Network Parties         | 0       | 0      | 3       | <b>Abstain</b> |
| Other SEC Parties       | 3       | 0      | 0       | <b>Approve</b> |
| Consumer Representative | 0       | 0      | 0       | -              |
| Overall outcome:        |         |        |         | <b>APPROVE</b> |

One Large Supplier abstained from voting as they noted no Large Suppliers had provided supportive responses to the third Modification Report Consultation. However, they added that they did not believe the modification should be rejected. They commented that their organisation would be unable to use the modification due to some of the controls introduced as part of the modification.

All three Network Parties abstained from voting as they considered that implementation of this modification would not impact their party category.

The Consumer Representative was not present at the meeting, so no vote was received.

## Views relating to the General SEC Objectives

### Objective (a)

Small Suppliers, Network Parties and Other SEC Parties believed MP219 better facilitates SEC Objective (a) as it will allow Consumers easier access to engage with schemes such as the Demand Flexibility Scheme (DFS).

### Objective (c)

The majority of Large Suppliers, Small Suppliers, Network Parties and Other SEC Parties members believed MP219 would better facilitate SEC objective (c) as it would enable Consumers to engage and manage their data more easily. Five of the six Large Suppliers at the meeting noted they believed this modification only facilitated this objective.

## Change Board discussions

A Large Supplier member questioned whether Suppliers and Other Users would both be required to submit a Privacy Change Notice to SECAS if they intended to use MP219. Another Large Supplier member clarified that if a Supplier or Network Party intended to use MP219 they would need to update their privacy details however a Privacy Change Notice would not be required. They added that only Other Users would be required to submit a Privacy Change Notice to SECAS as they would be altering their process and not collecting the Unambiguous Consent of each consumer before collecting their Consumption Data.

Another Large Supplier member noted the modification had been sent back twice and added that they believed the appropriate SEC Sub-Committees had provided all the feedback required. They questioned whether SECAS and Ofgem had engaged to ensure the modification would not be sent back a third time. An Ofgem representative confirmed that SECAS and Ofgem have been working closely since the second send back to align the Modification Report and Legal Text.

A Large Supplier member noted that throughout the Refinement Process the initial concerns of Parties regarding this modification had been allayed through controls introduced to prevent Other Users using the Consumption Data for other purposes. They questioned where the controls were detailed and who would be responsible for assurance they are being adhered to. SECAS noted that controls have been placed in the Legal Text to ensure the Other User is only able to collect the Consumption Data and pass it back to the employing Party. They added that controls have also been introduced to the Privacy Controls Framework to provide further controls and assurance on Other Users which will be checked by the Independent Privacy Auditor and discussed with the Privacy Sub-Committee.