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MP241 ‘Interoperability Checker Update’

Annex B

Legal text – version 1.0

About this document

This document contains the redlined changes to the SEC that would be required to deliver this Modification Proposal.

Section H 'DCC Services'

These changes have been redlined against Section H version 21.0.

Amend Section H.16 as follows:

H16. INTEROPERABILITY CHECKER SERVICE

The Responsibility of Supplier Parties

H16.1 Each Supplier Party shall ensure that Energy Consumers at premises supplied with electricity and/or gas shall:

- (a) have access to the information described in Section H16.2;
- (b) be able to access that information in the manner described in Section H16.4; and
- (c) have such access in such manner during the period determined in accordance with Section H16.5.

H16.2 The information described in this Section (the **"Interoperability Data"**) is, in respect of each premises, information as to:

- (a) whether the supply of electricity or the supply of gas (as determined by the request made by the Energy Consumer) to the premises is made through an Enrolled Smart Metering System; and
- (b) where either the supply of electricity or the supply of gas is made through an enrolled Smart Metering System:
 - (i) whether the supply of other fuel is also made through an Enrolled Smart Metering System;
 - (ii) the name of the Electricity Supplier or the name of the Gas Supplier (or both as the case may be);
 - (iii) whether any such Enrolled Smart Metering System is a SMETS1 Smart Metering System or a SMETS2+ Smart Metering System; ~~and~~
 - (iv) where any such Enrolled Smart Metering System is a SMETS1 Smart Metering System, the name of each electricity and/or gas supplier (as the case may be) which ~~has notified~~ the DCC can identify that ~~it is its policy~~, if it commences to supply premises at which a Smart Metering System of that type is installed, to operate that Smart Metering System in Smart Mode;
 - (v) whether any such Enrolled Smart Metering System is currently operating in Smart Mode;

H16.3 For the purposes of Section H16.2(b)(iv), the name of the electricity or gas supplier shall include, where applicable, any brand name that the electricity or gas supplier has

notified to the DCC as a brand name that it uses in any communications with or to Energy Consumers.

H16.4 The Interoperability Data in respect of any premises shall be able to be accessed by each Energy Consumer at those premises on the request of that Energy Consumer, by means of remote communications, and free of charge.

H16.5 The Interoperability Data shall be capable of being accessed by an Energy Consumer:

- (a) from any such date as may be specified in a direction issued by the Secretary of State to all Supplier Parties and the DCC; and
- (b) until any such date as may be specified in a further direction issued by the Secretary of State to all Supplier Parties and the DCC,

and for these purposes the Secretary of State may exercise the power to give a direction under Sections H16.5(a) and (b) more than once.

Provision of Data by Suppliers to the DCC

H16.6 ~~Not used. For the purpose of establishing a record of the Interoperability Data referred to in Section H.16.2(b)(iv), each Supplier Party may provide the DCC, in such manner and in such form as may be specified by the DCC, with a statement which:~~

- (a) ~~Not used is in respect of each type of Smart Metering System which at that time constitutes an Enrolled SMETS1 Smart Metering System at any premises;~~
- (b) ~~Not used indicates whether the policy of that Supplier Party, if it commenced (at the date of the statement) to supply premises at which that type of Smart Metering System was installed, would be, subject to any exceptions identified by the Licensee in the statement, to operate it in Smart Mode; and~~
- (c) ~~Not used is accurate and up to date.~~

H16.7 Where a Supplier Party provides a statement to the DCC in accordance with Section H16.6, it may also notify the DCC of any brand name (including where it works in partnership with a White Label Tariff Provider any brand name of the White Label Tariff Provider) it uses when engaging in activities that are directed at, or incidental to identifying and communicating with, Energy Consumers in relation to the supply of electricity or gas.

Obligations of the DCC

H16.8 On behalf of all Supplier Parties, and for the purpose of ensuring that each Supplier Party can discharge its responsibility under Section H16.1, the DCC shall provide a service to be known as the “**Interoperability Checker Service**”, being a service:

- (a) by means of which the Interoperability Data in respect of each premises to which gas and/or electricity is supplied shall be made available to Energy Consumers at those premises so that it may be accessed by each Energy Consumer on request and free of charge by means of remote communications; and

(b) that is provided during the period determined in accordance with Section H16.5.

H16.9 For the purpose of providing the Interoperability Checker Service in accordance with Section H16.8, the DCC shall enter into an agreement in accordance with Sections H16.10 to H16.12 with either:

- (a) Citizens Advice and Citizens Advice Scotland; or
- (b) such other person as may, in substitution for those named in paragraph (a), be specified in a direction issued by the Secretary of State to the DCC.

H16.10 The agreement referred to in Section H16.9 shall be an agreement under which the person identified in that Section shall, by means of:

- (a) one or more dedicated pages on a website; or
- (b) a dedicated smartphone or tablet application,

maintained by it or on its behalf, agree to provide a facility through which Energy Consumers may request and obtain the Interoperability Data via remote communications.

H16.11 The agreement referred to in Section H16.9 shall, as a minimum, contain terms which require that the facility provided under that agreement is designed to ensure that:

- (a) any person requesting Interoperability Data shall be able to obtain the such data only on providing information that reasonably establishes that he or she is an Energy Consumer at the premises to which the Interoperability Data relates;
- (b) appropriate safeguards are in place to ensure that Interoperability Data may be accessed only by individual Energy Consumers, and may not be accessed by means of software capable of making automated requests in respect of multiple premises;
- (c) no Interoperability Data, or any information provided by Energy Consumers for the purposes of requesting the Interoperability Data, may be accessed, retained or processed by the person providing the facility:
 - (i) in such a manner as may be used to provide, or used in conjunction with the provision of, any other service by that person to an Energy Consumer; or
 - (ii) for any purpose other than ensuring the effective provision of the facility.

H16.12 A copy of the agreement entered into by the DCC in accordance with Section H16.9 shall, as soon as practicable after it has been entered into, be submitted by the DCC to the Secretary of State.

H16.13 The DCC shall have no liability to any Party where it provides (or does not provide) the Interoperability Checker Service in circumstances where it should not (or should) have done so, to the extent that the same arises due to inaccuracies in the Interoperability Data that are not caused by the DCC.

Provision of Data by the DCC to Suppliers

H16.14 The DCC shall provide Supplier Parties, in such manner and in such form as may be determined from time to time by the DCC, with a statement that sets out each particular type of SMETS1 Smart Metering System which at that time is or can become an Enrolled SMETS1 Smart Metering System.

Definitions

H16.15 For the purposes of this Section H16:

Smart Mode	means, in respect of a Smart Metering System of a particular type, that a Supplier Party does or will, on a regular basis, send communications to and receive communications from that Smart Metering System by means of the DCC's Communications Services.
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