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MP169 ‘Managing SEC Obligations and the Consumer’s right to refuse a Smart Meter’

Refinement Consultation responses (CLEAR)

Annex C

About this document

This document contains the full collated non- confidential responses received to the [MP169 'Managing SEC Obligations and the Consumer's Right to Refuse a Smart Meter'](#) Refinement Consultation.

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

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	-	No comment	
British Gas	Large Supplier	Yes		
EDF	Large Supplier	No	We completely disagree with the issue as articulated in this Modification and cannot support this change. Smart meters are a key enabler for net zero and provide clear benefits to consumers as well as the wider energy system. If Government targets on net zero are to be achieved, all technologies (including smart meters) that support net zero need to be promoted and not restricted in any way that will undermine their contribution to net zero. It makes no sense to invest in the cost of installing a smart meter if a customer can then on request eliminate the value of that investment by requiring the meter to be operated in a manner that removes the very purpose for which that meter was designed. Facilitating a 'restricted' mode, will undermine the value of smart metering, restrict innovation, and delay the achievement of net zero. It will	

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			also create rather than remove legal hurdles on data privacy. We do not agree that smart meters do create any data privacy concerns, and as the benefits far outweigh the risk to any consumer there is clear legitimate interest in operating the meter in smart mode. Rather than introduce new processes that restrict the value to be gained from smart meters, all suppliers should be promoting the take up of smart enabled meters in smart mode. It is factually incorrect for this Modification to refer to “the consumer’s right to refuse a smart meter” or to a “legal right to refuse a Smart meter”. There is no legal right for a customer to refuse a smart meter, in the same way as there was no right for a customer to refuse a prepayment meter. It is down to suppliers to contractually specify their requirements for the metering assets they are willing to supply. The Modification also refers to supplier licence obligations to take “all reasonable steps” and states that suppliers will be able to rely on the changes proposed as part of their obligations to take “all reasonable steps”. It is not appropriate for the SEC to take a view what “all reasonable steps” are and whether use of the process noted in the Modification Report would count towards those steps. That is for suppliers and for Ofgem to decide.	

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			In our view this modification proposal is unhelpful for the smart meter rollout, unnecessary and factually incorrect in its assessment that a customer has the right to reject a smart meter – and we can therefore not support it.	
Electricity North West Limited	Network Party	No	The 'Issue' sections refers to the consumer requesting that the Supplier address concerns with radio frequency, data privacy and other general concerns. Whereas the sections on 'Summary', 'Consumers' and 'Proposed Solution' implies the proposed solution is specifically to address one concern of three areas which is to enable consumers who request the supplier to install a Smart Meter in 'dumb mode' due to data privacy concerns. We request clarity is provided on what issue the solution is seeking to resolve. We support consumer's being empowered to control their data. We would request that as part of the refinement process, the proposed solution investigate if the consumer is concerned with the use of their consumption smart meter data only. We suspect, such consumers, would not opt out of their Distribution Network Operator (DNO) being alerted to their power outages to enable their DNO to best support getting their electricity restored. For the remainder of this response we assume the solution is seeking to address the specific issue of the	

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			consumer requesting suppliers install a Smart Meter in 'dumb mode' due to data privacy concerns. We do not agree the proposed solution will resolve the identified issue for the following reasons: 1. the modification report does not provide sufficient evidence regarding the issue. We recommend a request for information is issued to gather evidence from suppliers and others regarding the impact before any decision is made on requesting the DCC to undertake an £130k full impact assessment and delivery a £1.2- £1.7m solution. This would enable SEC parties and the Authority to make a decision based on a cost benefit analysis. For example. The RFI could ask how many customers are requesting a dumb smart meter on the grounds of data privacy concerns. Are there concerns specifically regarding sharing or use of their consumption data. What is the cost of this issue to Suppliers and others. 2. have other, less costly and disruptive and more appropriate, options been considered by the proposer such as Suppliers publishing a Data Privacy Plan (as per the current requirement on Electricity Distribution Network Operators -	

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			DNOs). This would fall outside the scope of the SEC. This option could also be a more effective solution from a consumer perspective. For more detail refer to our response to Q12. 3. Lack of analysis and conclusions regarding the impact of the restriction to more data than might be necessary. The proposed solution removes all functionality for Electricity DNO when consumer concerns about data privacy have already been addressed by their Ofgem agreed Data Privacy Plan.	
ENGIE	Small Supplier	Yes	We agree that there is a disconnect between the legal right of an end consumer to refuse a Smart meter and (in the context of the regulatory and practical inability of suppliers to install traditional meters) the lack of a process to install a Smart meter in dumb mode. MP169 addresses this issue by creating a new class of “Restricted” Smart meters which can (through the temporary suspension of meter functionality to send and receive data) meet both the need of the end consumer wishing to refuse a meter operating in Smart mode and the supplier mandate to install a Smart meter. The Smart functionality can also be easily restored should the existing consumer change their position, or a new	

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			customer move into the premises who has no objection to the meter operating in Smart mode.	
EON	Large Supplier	No	We agree that in theory the proposed solution could effectively resolve the identified issue and could relieve pressure on classic stock but as there has been no presentation of expected customer volumes/uptake we are not able to make an informed decision, being unable to quantify a return on investment for what is likely to be an expensive change. We do have some concerns about customers being placed in an uncomfortable situation if the refusal is on site and this could attract negative media attention. We would suggest that this needs to be managed in conjunction with Consumer groups. We are concerned that this could create a precedent and large numbers of customers who are fully smart then request to have the Restricted flag which would negate many of the benefits of the SMIP, and detrimentally impact accurate billing. We would also like to highlight that this will not resolve refusals on the ground of RF noise, the solution does not indicate that RF will be shut down when a meter is in Restricted mode.	
OVO	Large Supplier	No	We believe that the solution, in part, addresses the identified issue, however, we feel that the solution still	

Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			doesn't address the problems we are facing fully around the reason consumers are refusing smart. This solution will allay the fears of customers who don't want a smart meter for privacy reasons, or prefer to be in control of providing readings, but wouldn't for those who don't want a smart meter on the grounds of the RF signal, seeing as we (we being the energy supplier or DCC) could still technically communicate with the device albeit in a restricted way. The solution won't enable us to be compliant without forcing customer to have a communicating meter in some way that we know customers are saying they don't want.	
Smart Meter Assets 1 Limited	Other SEC Party	Yes	While we should be exploring reviewing the consumer rights and considering enforcing installation of Smart meters, this solution is a pragmatic solution which will allow some of the benefits case to be delivered and should serve to reduce unnecessary removal of non-faulty meters in change of tenancy events where the incoming tenant does not want the Smart meter.	
Utilita	Large Supplier	No	Whilst we recognise that the issue identified is a valid one, we do not believe that the solution proposed resolves it fully, as it only addresses the issue of smart meters communicating with Suppliers and is unlikely to satisfy customers who request a non-smart meter.	

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Question 1				
Respondent	Category	Response	Rationale	SECAS Response
			The devices being installed are still standard smart metering devices, and although certain service requests will be blocked by this new Restricted mode, we believe that it will be difficult for a true distinction to be drawn between a fully operational smart meter and a restricted smart meter by customers. We also note that the Restricted mode would prevent the meter operating in pre-pay mode, this flag would unfairly limit this option simply because the customer does not wish to have a smart meter.	

Question 2: Do you agree with the proposed implementation approach?

Question 2				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	No view	The proposed solution for MP169 currently features a flag in the DCC system which would tell whether a customer has opted out of smart metering for a particular device. The information would be available via a DCC Service Interface but not via the DUIS interface. Has the group considered an alternative approach of adding a new 'state' to the SEC (and DUIS) which identifies devices where the consumer has opted out; this new state could be called 'Opted Out' (or something similar). The new state of the Device in the Smart Metering Inventory can then be made available using existing Service Requests, this means that the integration of this information into Suppliers back-end systems is easy since the processes already exist; only the support for the new status would need adding. A new Service Request would need defining which allows to put a device into the 'Opted Out' status and remove it where the consumer decides to no longer opt out. The possible transitions between the various SMI statuses will need to be investigated and the permitted transitions to and from the 'Opted Out' status would need to be defined.	
British Gas	Large Supplier	Yes		

Question 2				
Respondent	Category	Response	Rationale	SECAS Response
EDF	Large Supplier	Yes	-	
Electricity North West Limited	Network Party	No	Refer to our response to Q1.	
ENGIE	Small Supplier	Yes	The implementation timeline is driven by the DCC's requirement for at least a nine-month lead time. This will allow sufficient time for us as a supplier participant to be ready.	
EON	Large Supplier	No	Despite this modification being raised since 2021, the proposed implementation is 2025 which is near the end of mandate so we would question the value implementing so late.	
OVO	Large Supplier	-	-	
Smart Meter Assets 1 Limited	Other SEC Party	Yes		
Utilita	Large Supplier	N/A	No comments	

Question 3: The Proposed Solution uses the SSI to apply the ‘Restricted’ flag. The Working Group noted that an automated solution would involve a Service Request, although considered this would add extra cost. What would be your preferred way of setting the ‘Restricted’ flag?

Question 3				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	No view	See comments to question 2	
British Gas	Large Supplier	Self-Service Interface	We don't use SSI to set anything else, so acknowledge it would be a slightly different process, but we think this is preferable to incurring extra cost on what is already an expensive modification. Particularly as we are not sure in practice how much it would be used. We assume that the default will be for the flag not to be applied (hopefully the broad majority of cases). So it will only need to be applied in exceptions. If SSI is used, is there any thought as to how a bulk number of requests could be processed?	
EDF	Large Supplier	Self-Service Interface	The use of the Self-Service Interface should reduce the overall costs and increase the speed for delivery of this change. Should the volumes increase, or a manual process become unmanageable, then an automated solution using Service Requests should be considered.	

Question 3				
Respondent	Category	Response	Rationale	SECAS Response
			In order for a Self-Service Interface approach to work, suppliers will need easy access to frequent reporting on which of their customers have the 'Restricted' flag set so that they can manage any updates required appropriately. However, we fundamentally disagree with the proposals in this modification and industry should not proceed with these changes.	
Electricity North West Limited	Network Party		If this proposed solution is approved there needs to be a mechanism to ensure that the status is automatically notified to the Electricity DNO.	
ENGIE	Small Supplier	Service Request	We believe that the Service Request approach would allow for better tracking and reporting of application of the flags and more certainty that they were operating correctly.	
EON	Large Supplier	Self-Service Interface	The most robust, cost effective solution should be utilised.	
OVO	Large Supplier	Self-Service Interface	Until the costs have been defined, we would have to say SSI in the instance.	
Smart Meter Assets	Other SEC Party		I think to answer this we need to estimate the likely volume of initial installations and then the subsequent	

Question 3				
Respondent	Category	Response	Rationale	SECAS Response
			change of tenancy events that will necessitate the “restricted” mode to be switched on or off,	
Utilita	Large Supplier	Service Request	Allowing this flag to be set via Service Request would allow it to be built into an automated onboarding process instead of requiring manual intervention that the SSI route would require. Our answer is, as always, dependent on cost.	

Question 4: Do you have any information about the number of Energy Consumers who refuse a Smart Meter and the reasons why?

Question 4			
Respondent	Category	Response	SECAS Response
Alt HAN Co	Other SEC Party	No	
British Gas	Large Supplier	This is a confidential response.	
EDF	Large Supplier	Not at this time.	
Electricity North West Limited	Network Party	This question is best responded to by Suppliers.	
ENGIE	Small Supplier	This is a confidential response.	
EON	Large Supplier	This is a confidential response.	
OVO	Large Supplier	The challenge here is not the amount of consumers refusing as many will not provide a reason, they've just don't want one, and are being fed that they've no legal obligation to have one. Accentuated by being told they don't have to have one, can have one but your Supplier can 'switch off functionality' and also, more recently, from senior DCC stakeholders that it's already possible to do this!! So we're in a very odd situation where we cannot react to customers refusing for any reasons outside the framework set out in our obligations that we taken all reasonable steps to install one.	

Question 4			
Respondent	Category	Response	SECAS Response
Smart Meter Assets 1 Limited	Other SEC Party	No	
Utilita	Large Supplier	-	

Question 5: Should the 'Restricted' flag be automatically reset upon a Change of Supplier or Change of Tenancy event?

Question 5				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	No view		
British Gas	Large Supplier		It should be automatically reset on a Change of Tenancy event, but not for a Change of Supplier. If the customer has agreed with their old supplier that they would have a Smart meter installed only provided it could be kept in non-communicating mode, it seems unreasonable from the customer perspective for this to only apply when they stay with the same supplier.	
EDF	Large Supplier	No	We fundamentally disagree with the proposals in this modification and industry should not proceed with these changes. However, there is no reason for the 'Restricted' flag to be reset on a Change of Supplier event as it is highly likely that the customer, and therefore their rationale for having their communications for having communications restricted, will not have changed just a result of changing the supplier. However, it is vital that gaining suppliers can have visibility of the customers that they have gained that have	

Question 5				
Respondent	Category	Response	Rationale	SECAS Response
			the 'Restricted' flag set, possibly through a frequent report made available by the DCC. They need to know which sites they have gained that have 'Restricted' communications so that they can remove the restriction if the customer has changed, or has changed their mind about having 'Restricted' communications as part of their switch. The 'Restricted' flag should automatically be reset upon a Change of Tenancy event.	
Electricity North West Limited	Network Party	-	-	
ENGIE	Small Supplier	No (COS) Yes (COT)	Given that the incumbent customer has requested the Smart meter to operate in Restricted mode, the Restricted flag should be retained across a COS event. For COT, the flag should be reset and only moved back to Restricted if the incoming tenant expresses a wish to have Smart mode disabled on the meter.	
EON	Large Supplier	Yes	For a change of supplier event, the customer is the same therefore their views are unlikely to have changed. However, we think the customer should agree access with each supplier so that appropriate terms/tariffs can be offered and fulfilled; a supplier would not know of the presence of the restricted flag prior to commencing a change of supply if the flag is not reset. On a change of	

Question 5				
Respondent	Category	Response	Rationale	SECAS Response
			tenancy event, the Restricted flag should be reset. There is no detail on how this will be achieved, and it could be additional manual process for suppliers.	
OVO	Large Supplier	Yes	However, this will require further costs and system changes. Without any costs being defined we are reluctant to provide an answer of yes albeit will be useful.	
Smart Meter Assets 1 Limited	Other SEC Party	Yes	It would seem sensible to change automatically on Change of Tenancy (having fully functional Smart meters should be the default) but not necessarily for Change of Supply.	
Utilita	Large Supplier	No for CoS. Yes for CoT	It is our belief that this flag should only be changed with direct contact and consent of the customer in question, and having an automated process risks this flag being undesirably removed, which would lead to potential customer dissatisfaction, complaints etc. Based on this, we believe the flag should be reset upon Change of Tenancy but remain upon Change of Supplier. This means that the incoming tenant would receive the full benefits of a smart meter as they would likely expect. We do however note that there would need to be a mechanism for communicating that this flag is in place during the Change of Supplier process so that the gaining	

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Question 5				
Respondent	Category	Response	Rationale	SECAS Response
			supplier is aware and does not treat these meters as non-communicating by fault rather than by design.	

Question 6: Will there be any impacts on your organisation to implement MP169?

Question 6				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	No		
British Gas	Large Supplier	Yes	We will need to modify our processes to accommodate whatever is put into place, however this should help reduce the number of Smart refusers, which is positive.	
EDF	Large Supplier	Yes	Suppliers will need to develop processes and policies for installing meters with 'Restricted' communications and setting and maintaining the 'Restricted' flag arising from changes in customer, and customer preference. In addition, this modification may increase the volume of customers requesting an uncommunicating smart meter, adding to the pot of meters that are 'unhealthy' and decreasing the value of the Ofgem business case around smart meters and MHHS flexibility products and services in the future.	
Electricity North West Limited	Network Party	Yes	We would be required to modify our smart meter adaptor functionality. Data has to be maintainable every time there is a Change of Tenancy (COT).	
ENGIE	Small Supplier	Yes	This is a confidential response.	

Question 6				
Respondent	Category	Response	Rationale	SECAS Response
EON	Large Supplier	Yes	We believe there could be significant impacts to suppliers and we don't believe they have all been captured currently. • Our meter sourcing and deployment strategy may be impacted depending on the approach taken • Customer communications would need amending, and possibly Customer terms and conditions and privacy notices • New Process to update the SSI • Our Field and customer service colleagues would need to be briefed and trained. • Technical solution development if we are required to store/maintain records of the flag use We are unsure if we would be required to stop sending SRVs or the DCC will handle/reject them. If it is the former, then there will be changes required to our CRM and/or smart adapter service.	
OVO	Large Supplier	Yes	System and process changes will be required to accommodate the restricted flag.	
Smart Meter Assets 1 Limited	Other SEC Party	No	No operational impact in our role as MAP.	

Question 6				
Respondent	Category	Response	Rationale	SECAS Response
Utilita	Large Supplier	Yes	New processes would need to be created to cover customers who wanted a meter fitted or changed to Restricted mode, as well as our onboarding processes requiring amendment. Additionally, changes may be required to our COS process if a new or amended flow is required to communicate the existence of the Restricted flag on incoming gains. Further, as a predominantly pre-pay supplier we would potentially be unable to offer customers who wished for their meters to operate in Restricted mode the same level of service, as the flag removes the ability for the meter to operate in pre-pay mode. Restricting payment choice is unacceptable.	

Question 7: Will your organisation incur any costs in implementing MP169?

Question 7				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	No		
British Gas	Large Supplier	-	Not yet assessed.	
EDF	Large Supplier	More than £1m	The main impact of implementing this change will be the reduction in the business benefits gained by suppliers which arise from installing a smart meter. The Government's 2019 Cost-Benefit Analysis for the smart metering rollout estimated the benefits to suppliers at around £280 for each household with smart metering installed. These benefits will not be achieved for any meters that are installed with 'Restricted' communications, resulting in a high cost to EDF and any other suppliers should this change be approved. This figure does not include the wider benefits to other parties (such as Network Operators) of having a smart meter installed, which will also be impacted by this change.	
Electricity North West Limited	Network Party	£100k-£250k	Refer to our response to Q6.	
ENGIE	Small Supplier	This is a confidential response.	This is a confidential response.	

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Question 7				
Respondent	Category	Response	Rationale	SECAS Response
EON	Large Supplier	-	-	
OVO	Large Supplier		We will absolutely incur costs as will need to make the appropriate system and process changes, but until the solution is further defined and costs outlined we don't know what this will be.	
Smart Meter Assets 1 Limited	Other SEC Party	No		
Utilita	Large Supplier	£100k-£250k	Process and system changes would need to be made to allow us to utilise the new flag. If the flag can only be set via SSI these costs may increase due to the additional manual intervention required.	

Question 8: How long from the point of approval would your organisation need to implement MP169?

Question 8				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party		N/A	
British Gas	Large Supplier	-	Not yet assessed.	
EDF	Large Supplier	12 months	Any system change is likely to require at least a 12-month lead time.	
Electricity North West Limited	Network Party	6 to 12 months	Refer to our response to Q6	
ENGIE	Small Supplier	This is a confidential response.	This is a confidential response.	
EON	Large Supplier	6 months minimum	To implement changes highlighted in Q6	
OVO	Large Supplier		Unknown	
Smart Meter Assets 1 Limited	Other SEC Party	N/A		
Utilita	Large Supplier	4 – 6 Months	This would allow us adequate time to consider the process changes required, cover development and testing	

Question 8				
Respondent	Category	Response	Rationale	SECAS Response
			time, as well as develop and roll out training to customer contact staff.	

Question 9: Do you believe that MP169 would better facilitate the General SEC objectives?

Question 9				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	No view		
British Gas	Large Supplier	Yes	-	
EDF	Large Supplier	No	In our view this Modification has a negative impact on SEC Objective (a) as it negates the value of smart metering that the SEC should be seeking to deliver. It is not efficient to operate smart meters in 'restricted' mode as none of the benefits of smart functionality are being achieved.	
Electricity North West Limited	Network Party	No	In absence of clarity and evidence on the issue this proposal is seeking to resolve we are unable to agree the proposed solution better facilitates the SEC objectives and the proposed solution would removes all functionality for Electricity DNO when consumer concerns about data privacy have been by their Ofgem agreed Data Privacy Plan.	
ENGIE	Small Supplier	Yes	We agree with the assessment against SEC Objectives in the modification report.	
EON	Large Supplier	Yes	We agree that this potentially will facilitate the installation of more smart-capable devices but equally could decrease the amount of full smart meters.	

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Question 9				
Respondent	Category	Response	Rationale	SECAS Response
OVO	Large Supplier	Yes		
Smart Meter Assets 1 Limited	Other SEC Party		Objectives A and G as set out in the Mod report.	
Utilita	Large Supplier	No	We believe that the restricted flag is opposed to General SEC Objective (a), as these devices are not operating as smart devices. Additionally, this works against Objective (e), as meters operating in this mode will necessitate work arounds to future projects that rely on a fully functional smart device.	

Question 10: Do you believe there will be any impacts on or benefits to consumers if MP169 is implemented?

Question 10				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	No view		
British Gas	Large Supplier	Yes	It will allow a smart meter to be installed in a property (future proofing the property for future occupants), even if the current occupant is a Smart refuser. I presume that customers will be able to ask to have the flag applied retrospectively (for example if they move into a property with a Smart meter that they do not want). In a way this is a benefit to customers. However if it is promoted to consumers as an option (ie to switch off their smart functionality) and taken up more widely, it will reduce some of the benefits that Smart was meant to deliver.	
EDF	Large Supplier		This change will prevent the wider benefits of smart metering from being achieved and will delay the progression of net zero. There is also no evidence that the proposed solution is one that consumers would be happy with, as there would still be communication with their smart meter. There is a	

Question 10				
Respondent	Category	Response	Rationale	SECAS Response
			significant risk that a costly change will be made with no benefit.	
Electricity North West Limited	Network Party	No	We are unable to answer this question in absence of clarity and evidence on the issue this proposal is seeking to resolve. Refer to our response to Q1.	
ENGIE	Small Supplier	Yes	This modification will benefit customers who initially refuse a Smart meter but potentially change their minds later, and, if there is no change to the original customer's position, subsequent customers in the property who wish to have a meter in Smart mode, as in either case a Smart meter in Restricted mode will already be in situ and can easily be converted to smart mode.	
EON	Large Supplier	Yes	There are potentially a number of benefits to this modification, if it leads to customers agreeing to have a smart meter fitted. • Greater flexibility in managing whether they want smart or not, • more stock availability in transitioning from legacy meters, • newer and potentially more accurate meters, • less back-office work in reporting recertification statuses and testing accuracy as it moves into the IST programme.	

Question 10				
Respondent	Category	Response	Rationale	SECAS Response
OVO	Large Supplier	Yes	This will allay the fears of customers who don't want a smart meter for privacy reasons or prefer to be in control of providing readings. This solution gives an option to some consumers who do not wish to have a Smart Meter installed.	
Smart Meter Assets 1 Limited	Other SEC Party	Yes	This will allow benefits (non-consumer related) to be delivered and it will enable immediate switch to full smart on Change of Tenancy without the need to change the meter.	
Utilita	Large Supplier	Yes	Outside of the obvious impacts on customers who choose to have their meter operate in this mode, there could be additional impacts on customers who move into properties where previous occupants have used this mode and are not aware of the functionality; These customers would naturally assume their smart meters functioned normally and not in a restricted mode, which could lead to billing errors, complaints etc down the line when the error is discovered.	

Question 11: Noting the costs and benefits of this modification, do you believe MP169 should be approved?

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
Alt HAN Co	Other SEC Party	No view		
British Gas	Large Supplier	Yes	The PIA costs are extremely high. I think a decision needs to be taken once the final impact assessment costs are available. On balance I think this should be approved however, to help Smart move forwards.	
EDF	Large Supplier	No	In our view this modification proposal is counterproductive to a successful smart rollout and factually incorrect in its assessment that a customer has the right to reject a smart meter – and we can therefore not support it.	
Electricity North West Limited	Network Party	No	Refer to our response to Q1.	
ENGIE	Small Supplier	Yes	This modification will address a significant anomaly in the current arrangements and will enable the installation of a greater number of Smart meters, as customers with concerns about Smart metering should be more receptive to accepting Smart meters in Restricted mode as opposed to retaining traditional meters, and in situations where traditional meters are faulty, it will avoid the potential installation of traditional meters as a “quick fix”.	

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
EON	Large Supplier	No	We are supportive of the intention of this modification but would further like to understand the numbers of customer refusals to enable an informed decision to be made. There is a big risk this could be implemented at high cost and customers could still refuse a smart meter	
N3rgy	Other SEC Party	No	If the Smart Meter is installed and the customer does not consent to any organisation (including the supplier) collecting their data, the minimum obligation on the consumer is to allow a meter read (single read) once every 3 months. No other personal data will be shared from that meter without the explicit consent from the consumer. Furthermore, if the supplier wishes to offer an “enhanced privacy” service to their customer, they already have the ability to make an agreement with the consumer to only take a single reading once each year (for example), or never and rely on the consumers submitted readings (if they feel this is appropriate). The only other possibility for an organisation taking data without the consumers permission is the Energy Network. This would take place where they have a privacy plan approved by Ofgem which allows them to read all smart meters and then aggregate the data collected for network management purposes. Although no personal data is used by the Energy Network in this scenario, personal data is extracted from the meter for the purpose of	

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
			aggregation. A simple way to protect against this is for the supplier to notify the DNO the preferences of the consumer once established and for the DNO to accept this notice and exclude the meter from any action. If desired, the supplier could easily monitor any communications with that meter, and report exceptions to the ICO, as part of their enhanced privacy service to the consumer. I believe, to satisfy the business requirement for this modification, I believe no technical or regulatory change is required to achieve this and therefore I reject the modification.	
OVO	Large Supplier	No	We are still getting contacts from external parties stating that a “Smart as dumb” solution is all possible, even from the DCC leadership team. Until there is any form of solution that is not seen as Suppliers avoiding their obligations and enabling non compliance, we are left with an incredibly expensive part solution to a problem not of our creation. This solution does give us an option for installing smart meters where they might not be viewed favourably by the customer, but it is very expensive for what it is delivering, i.e. a part solution.	

Question 11				
Respondent	Category	Response	Rationale	SECAS Response
			It seems that we are being forced down this route with no other option, which has resulted in a solution that is then too costly to justify.	
Smart Meter Assets 1 Limited	Other SEC Party	Yes		
Utilita	Large Supplier	No	We do not believe that the solution presented is an adequate one that resolves all of the issues surrounding customers refusing to have a smart meter installed and presents additional complications and potential points of failure in the smart metering environment, some of which may not be realised until future innovations are stymied by the changes made here. We reiterate that we recognise the issue is a valid one, however we feel more work needs to be done in developing a comprehensive solution that also mitigates other customer concerns that are not data privacy based.	

Question 12: Any other comments

Question 12			
Respondent	Category	Response	SECAS Response
Alt HAN Co	Other SEC Party	We note the solution ensures that the HAN is established via the install and commission process, this is particularly important for communications to the GSME. In the event that Alt HAN is necessary in a premise for establishing the HAN then we would expect a Supplier would install Alt HAN when commissioning the meters to ensure that communications to the GSME are established and that the HAN capability is available in the event the customer changes their mind or a Change of Tenancy occurs. Careful consideration will need to be given by Suppliers to explain to the customer who has 'refused' a smart meter why they need the Alt HAN devices to establish communications to the GSME.	
British Gas	Large Supplier	If the flag can be ticked retrospectively, should it also be extended to enrolled SMETS1 meters?	
EDF	Large Supplier	-	
Electricity North West Limited	Network Party	The issue refers to other reasons a customer may refuse to install a Smart Meter or subsequently have the smart meter functionality discontinued. Going forward, all meters will be smart by design. Addressing consumer concerns regarding smart meters by other means is a more appropriate solution Have other less costly and disruptive and more appropriate options been considered by the proposer such as Suppliers publishing a Data Privacy Plan (as per the	

Question 12			
Respondent	Category	Response	SECAS Response
		current requirement on Electricity Distribution Network Operators - DNOs). Ofgem's open letter to DNOs on their privacy pans for access to smart meter data can be found here . This option would fall outside the scope of the SEC.	
ENGIE	Small Supplier	This is a confidential response.	
EON	Large Supplier	There is an emerging risk with legacy PPM stock and although dismissed in the modification report, we do think this would present an opportunity to have a restricted mode for smart prepayment and this should be explored further.	
OVO	Large Supplier	-	
Smart Meter Assets 1 Limited	Other SEC Party	-	
Utilita	Large Supplier	No further comments.	