27 November 2020

Dr Kerry Schott AO
Independent Chair
Energy Security Board
COAG Energy Council Secretariat
John Gorton Building
King Edward Terrace
PARKES ACT 2600

Dear Dr Schott

Data Strategy Consultation Paper

Energy Queensland Limited (Energy Queensland) welcomes the opportunity to provide comment to the Energy Security Board in response to the *Data Strategy Consultation Paper*.

The attached submission is provided by Energy Queensland, on behalf of its related entities, including:

- Distribution network service providers, Energex Limited and Ergon Energy Corporation Limited;
- Regional service delivery retailer, Ergon Energy Queensland Pty Ltd; and
- Affiliated contestable business, Yurika Pty Ltd and its subsidiaries, including Metering Dynamics Pty Ltd trading as Yurika Metering.

Should you require additional information or wish to discuss any aspect of this submission, please contact me or Charmain Martin on 0438 021 254.

Yours sincerely

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Energy Queensland

Submission to the Energy Security Board

Data Strategy Consultation Paper

Energy Queensland Limited

27 November 2020

About Energy Queensland

Energy Queensland Limited (Energy Queensland) is a Queensland Government Owned Corporation that operates businesses providing energy services across Queensland, including:

- Distribution Network Service Providers, Energex Limited (Energex) and Ergon Energy Corporation Limited (Ergon Energy);
- a regional service delivery retailer, Ergon Energy Queensland Pty Ltd (Ergon Energy Retail); and
- affiliated contestable business, Yurika Pty Ltd (Yurika) and its subsidiaries, which includes Metering Dynamics Pty Ltd trading as Yurika Metering (Yurika Metering).

Energy Queensland's purpose is to 'safely deliver secure, affordable and sustainable energy solutions with our communities and customers' and is focused on working across its portfolio of activities to deliver customers lower, more predictable power bills while maintaining a safe and reliable supply and a great customer service experience.

Our distribution businesses, Energex and Ergon Energy Network, cover 1.7 million km^2 and supply 34,000GWh of energy to 2.25 million homes and businesses each year.

Ergon Energy Retail sells electricity to 738,000 customers in regional Queensland.

Energy Queensland also includes Yurika, an energy services business creating innovative solutions to deliver customers greater choice and control over their energy needs and access to new solutions and technologies. Yurika Metering is a registered Metering Coordinator, Metering Provider, Metering Data Provider and Embedded Network Manager. Yurika is a key pillar to ensuring that Energy Queensland is able to meet and adapt to changes and developments in the rapidly evolving energy market.

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1 Introduction

On 20 October 2020, the Energy Security Board (ESB) published the *Data Strategy Consultation Paper* (consultation paper) which sets out a new data strategy for the National Electricity Market (NEM). The need for a data strategy was a recommendation of the *Independent Review into the Future Security of the National Electricity Market, Blueprint for the Future*, published in June 2017, with the key aim being 'to enhance the availability of data that can support changes in the market, including data that can assist the use of [distributed energy resources] DER to reduce overall system costs and improve reliability and security'.[1]

The ESB's consultation paper seeks feedback on the proposed data strategy and key recommendations for reform which have been based on the need to address the following four pillar issues:

- Pillar 1: Needs today (fit-for-purpose data);
- Pillar 2: Framework (new data governance);
- Pillar 3: Capability (drive leadership, coordination and capability); and
- Pillar 4: Needs tomorrow (support change and adaptability).[2]

The ESB is seeking feedback by 27 November 2020 to enable recommendations to be provided to Energy Ministers in early 2021. Energy Queensland's comments are provided in sections 2 and 3 of this submission.

[1] Finkel et al, *Independent Review into the Future Security of the National Electricity Market, Blueprint for the Future*, June 2017, p. 143.
[2] Energy Security Board, *Data Strategy Consultation Paper*, October 2020, p. 4.

2 General comments

Energy Queensland welcomes the opportunity to provide feedback to the ESB on the issues raised in the consultation paper. We recognise that the energy industry is undergoing significant transformational change and that increasing levels of digitalisation will present opportunities for more efficient operation of the NEM and support greater choice and control for energy consumers in the future.

We remain supportive of reforms that will ensure Australia's energy market is fit-for-purpose and capable of accommodating the rapid increase in new technologies and the changing needs of the electricity system, market participants and customers. In doing so, it is critical that the proposed data strategy should efficiently and cost-effectively contribute to ensuring the future delivery of safe, secure, reliable and affordable electricity to our customers and the community while also managing challenges related to protection of commercially sensitive information, customer privacy and cyber security for data and digital technologies.

Energy Queensland acknowledges the stated need for a data strategy for the NEM and supports greater use and appropriate sharing of energy market data that balances community benefits with commercial considerations. We also support the development of a governance model that includes appropriate representation of consumer, industry, government and regulatory bodies whose focus will be to refine energy market data requirements that will lead to effective and efficient customer outcomes.

However, Energy Queensland has concerns regarding the ambitious and wide-ranging nature of the consultation paper that includes operational, tactical and strategic initiatives. When combined with a limited timeframe for response, we consider that stakeholders' feedback will necessarily be high-level and non-specific. We would therefore welcome greater clarity as to how the data strategy's scope will be further refined and prioritised and, in particular, how use-cases will be appropriately assessed to ensure achievement of key benefits and market transformation objectives without significantly increasing costs for market participants and customers. In further developing the data strategy and recommendations for reform, Energy Queensland would prefer that the primary focus should be on the strategic long-term framework and should not attempt to duplicate other projects, such as the Australian Energy Market Commission's (AEMC's) forthcoming review of the competition in metering framework. Similarly, as the use-cases for data are potentially very broad, the focus should be on a fit-for-purpose strategy that will ensure data sharing is appropriate for each dataset. For instance, operational or tactical data that is required for the operation of the network may have no value beyond the short-term operational needs of market participants and may not be appropriate for sharing.

Notwithstanding our concerns, Energy Queensland is particularly supportive of actions to address the barriers for cost-effectively accessing minimum data requirements for market participants that not only support an effective and efficient energy system but also balance commercial opportunities with minimum operational needs. For instance, while there has been considerable public discussion on distribution network voltages, this data was in the past generally collected on an 'as needed' basis by distribution network service providers (DNSPs) using temporarily installed data loggers to identify and resolve local voltage issues. While there are a range of smart metrology solutions capable of logging data (such as voltage data)

which may be available to DNSPs, there are a range of issues that must be resolved. For instance, data that is subject to privacy obligations may often only be used for a specified purpose and cannot be used for a broader range of network modelling and planning activities. The value of the data provided by different sources may also be of unknown quality which creates challenges in ensuring data applicability for various use-cases. While the data that was once available for use by networks was of a known quality, its value is now limited by a range of technical, commercial, legal, ring-fencing and privacy issues. Energy Queensland considers this situation demonstrates the complexity involved in creating commercial markets for services that are a minimum requirement for the safe operation of the networks and efficient transition to a renewable energy future. The removal of barriers to provide access to a minimum dataset at reasonable cost would enable identification of issues for proactive management and inform strategies to facilitate greater enablement of distributed energy resources (DER).

Energy Queensland is also supportive of working with research and other organisations to develop solutions and options for energy transition in a controlled and coordinated manner and which supports positive outcomes for customers. Energy Queensland's network businesses have for some time been actively engaging with research organisations, such as universities, to enable studies on a wide-range of issues. However, we caution that open access to network information has the potential to lead to misinterpretation of data and misleading results and will require contextual and analytical engagement, resulting in additional costs for network data providers.

In Energy Queensland's view, care must be taken to ensure that the data strategy:

1. ***Is focussed on efficiently and cost-effectively delivering fit-for-purpose information that is critical to achieving market transformation objectives and maximising the benefits of digitalisation in the long-term interests of energy consumers.***
    - The data strategy should not result in over-investment in capabilities to gather, store and analyse data that is not critical to the efficient operation of the NEM or might be 'nice to have' but could be underutilised.
    - The data strategy should also effectively manage the balance between information market development and minimum efficient, safe system operation.
    - Regulated businesses in particular are already subject to extensive information provision requirements. Energy Queensland is concerned that overstated or additional non-critical requirements may potentially result in higher compliance costs and increased electricity prices for customers.
2. ***Does not lead to regulatory over-reach by significantly expanding market bodies' powers to collect and share information.***
    - Energy Queensland is supportive of providing data to assist in regulatory oversight activities where there is a valid need and it is cost-effective to do so, but would be concerned by any proposed expansion of prescribed regulatory information provision requirements to include commercially sensitive information fundamental to the success of competitive businesses (such as margins), or network data that is not otherwise required for operational purposes.

- Energy Queensland therefore considers that further collaboration and consultation with market participants is required to assess the appropriateness of any proposed expansion of prescribed regulatory information provision requirements.

3. ***Is based on data needs that have been identified following robust collaboration with all energy stakeholders, including market bodies, industry participants, governments and consumer groups to ensure the needs of all stakeholders are addressed efficiently and cost-effectively and decisions are balanced and well-informed.***

    - Energy Queensland is concerned that extensive work has already been undertaken on the data strategy by the ESB and other market bodies without meaningful engagement with and input from key stakeholders to develop realistic objectives.

    - As previously noted, we consider that the ESB's initial focus should be on establishing a framework and governance model to advance the development of a sustainable, fit-for-purpose approach to energy market data gathering and information sharing.

4. ***Provides a clear strategy to protect ownership rights and use of commercially valuable data (for example metering data) and ensure that the use or disclosure of that data by trusted users or 'prescribed agencies' does not inadvertently cut across privacy, legal or cyber security issues.***

    - Care must be taken to ensure there are no unintended consequences or adverse impacts on market outcomes (such as competition) due to any erosion in data ownership rights or open access to data.

Our feedback on the questions raised in the ESB's consultation paper is provided in section 3 of this submission. We look forward to further engagement in the consultation process and are available to discuss this submission or provide further detail regarding the issues raised.

3 Specific comments

Energy Queensland provides the following comments on the questions raised in the consultation paper:

Section	Energy Queensland Comment
HIGH LEVEL QUESTIONS	
a) The strategy's coverage of the key issues for data reform in the energy sector - are there concerns un-addressed?	Energy Queensland's key concerns regarding the proposed data strategy and recommended reforms have been summarised in section 2 of this submission. Further commentary is provided below.
b) The strategy's framework and the proposed leadership arrangements to drive the change required - are there alternatives to make this transition more effective?	Energy Queensland considers that the proposed leadership arrangements should include appropriate representation from market participants, such as network service providers (NSPs), retail entities and metering coordinators (MCs), to ensure decisions are balanced and efficient and will assist in determining how the data strategy's framework can best be utilised to drive change.
c) Many recommendations to resolve specific data issues are initial proposals, requiring further detailed design, analysis of costs/benefits and development through usual processes. Early stakeholder views on design issues, evidence to support costs/benefits analysis or proposed alternatives are welcome.	Specific data issues should be subject to clear assessment of needs and demonstration of use-cases as well as robust cost-benefit-risk analysis and industry consultation through the usual processes to ensure outcomes that are in the long-term interests of energy consumers. Initiatives to resolve data issues will need to be assessed and developed on a case-by-case basis.
d) There is a great deal of reform under way and many interlinkages between recommendations and issues in this Strategy and ongoing workstreams. Are there further workstreams or interlinkages not identified which the Strategy should engage with?	Energy Queensland acknowledges that there are many reforms currently underway that will have linkages with the data strategy (for example, the Australian Government's Consumer Data Right and the AEMC's pending review of competition in metering). Energy Queensland reiterates the view that the ESB's focus should be on establishing the high-level framework and governance model, while specific reform initiatives continue to be managed by the relevant energy market bodies and subject to established consultation processes.

Section	Energy Queensland Comment
PILLAR 1: NEEDS TODAY – Fit-for-purpose data	
Question 1: Data gaps and priorities The list and scope of issues presented in this paper is extensive. Are there key data gaps that we have not identified? Do stakeholders have views on which data issues take priority? Will some of these data issues be resolved by existing processes? Do stakeholders support the recommended actions? Are there alternative options? Further detailed questions are proposed in Appendix A-C.	Energy Queensland suggests that the aim of the data strategy should be to establish: • a fit-for-purpose data framework (that addresses privacy, ownership and access issues) and takes into consideration the large array of data sources; and • a governance model (that has appropriate industry, consumer, government and market body representation) to identify data gaps that are likely to deliver the most cost-effective and efficient solutions to optimise consumer and market benefit, while avoiding the significant potential for misuse of data. In our view, greater collaboration is required to ensure that the data strategy is not inadvertently utilised to address energy market issues that would be more cost-effectively addressed by alternative mechanisms or other, industry-led initiatives. As a first step, Energy Queensland considers that reforms to provide clarity around data access and sharing (while also taking into consideration ownership of commercially valuable data) would provide immediate benefit to the market at low-cost. Consideration of the level of anticipated data transparency and level of aggregation is also needed. For instance, customers may want access to their interval data to enable comparison between retail tariffs. In our view, one priority is to resolve the issues relating to access to metering data at reasonable cost for use by DNSPs to manage voltage and transition to a renewable energy future. The contestability of data services has created an environment wherein commercial complexities and data ownership, security and privacy issues present a significant barrier to DNSPs obtaining and utilising this information. However, we note that this matter will likely be a focus for the AEMC in its forthcoming review into competition in metering and should therefore not be duplicated by the ESB.

Section	Energy Queensland Comment
	Another priority driven by Energy Queensland's retail business is the need for visibility of customer DER (including technology type and system size), which will become increasingly important as the NEM progresses towards a two-sided market. Energy Queensland considers it would be beneficial for the ESB to clearly articulate the use-cases, costs and benefits as well as the identity of the market body responsible for addressing activities identified in pillar 1. A separate consultation specifically relating to pillar 1 may assist the ESB (or other appropriate market body) to clearly identify actions and enable a focussed response.
PILLAR 2: FRAMEWORK – New data governance	
Question 2: Regulatory reforms Do stakeholders support the proposed reforms and guidelines, noting they require detailed design and would go be developed and undergo further consultation through usual processes? Further detailed PILLAR questions are proposed in the legal review at Appendix D – see below.	Energy Queensland is supportive of regulatory reforms to improve clarity with respect to data sharing, use, ownership and access rights. As noted earlier, the consultation paper is very wide-ranging and it is difficult to comment on all of the potential use-cases for data sharing. Therefore, we highlight that while removing barriers to access certain data will benefit customers and the community (such as voltage data for network operations), other data may be commercially sensitive and, in a competitive market, should be subject to protection (such as retail margins). As such, further work is required to identify the different use-cases, benefits and risks to manage the balance between commercially valuable data versus data that is of community benefit so as to ensure that use and / or disclosure of data does not inadvertently cut across ownership rights. For example, we note that there is lack of clarity with respect to ownership of metering data and which elements should be available for community benefit and which should be treated as a commercial commodity. We would like to highlight that in section 5.1 of the consultation paper, the ESB refers to low voltage (LV) data generated by various types of meter. In relation to advanced meters types 1–3, the ESB refers to 'meter owners' and gives the example of partnering with large supermarkets. This statement appears to be based on the mistaken premise that customers own the meters

Section	Energy Queensland Comment
	measuring their usage. Energy Queensland would like to clarify that the meters installed at customers' premises that generate the consumption data for NEM settlement purposes are in the majority of cases not owned by the customer, but rather by the metering provider (MP). The section on household advanced meters also appears to assume that the retailer owns and controls the use of non-NEM data generated by advanced meters, which again, is often not the case as the meter is owned by the MP and ownership of data will depend on commercial arrangements between the MP and the retailer. However, as noted previously, we anticipate that issues associated with metering data will be addressed by the AEMC in its forthcoming review of competition in metering.
PILLAR 3: CAPABILITY - Drive leadership, coordination and capability	
Question 3: Leadership and Coordination Is a Data Leadership and Coordination group the right approach to drive change? Are there alternatives within existing arrangements? Should it be limited to the core agencies or have a wider representation (for example the ACCC, representatives of Energy Ministers or consumers)? Is a collaborating group, with identified terms of reference and public deliverables to Energy Ministers, sufficient? Or is a more formal governance arrangement necessary? Is the DUG likely to be necessary and/or effective? Are there other alternatives to a formal reference group, such as	Energy Queensland considers that the Data Leadership and Coordination (DataLAC) group should include representatives from industry participants in addition to market bodies, government and consumer groups. As primary holders of energy data, it is important that market participants' extensive experience and expertise is leveraged to identify appropriate data collection, analytics and storage mechanisms and to highlight relevant costs and risks (particularly as the cost impacts of decisions will be incurred by participants and will ultimately flow through to customers). An approach that includes collaboration with industry participants will enable opportunities for better use and availability of data for the appropriate bodies, with the potential for various datasets to be utilised by numerous parties for a range of different purposes. As such, the costs and benefits of particular datasets, and the risks in using and sharing that data, must be understood and articulated by the DataLAC. Conversely, without industry participation, there is significant risk that the public benefits of future reforms will be overstated and the concerns regarding costs, particularly those likely to be incurred by the industry, will not be given appropriate consideration.

Section	Energy Queensland Comment
regular stakeholder engagement processes? What else is required to ensure wider stakeholder needs are met?	Energy Queensland supports the creation of a Data Users Group (DUG) as another vehicle for engagement. However, the DUG should not be viewed as a surrogate for broad public consultation which should form part of the reform process.
Question 4: Data visibility Should the DataLAC and DUG be tasked with curating/ managing a list of relevant data sets and activities? What could be done to ensure that this is helpful rather than a burden? Is a meta-portal worth considering? Could an existing site be expanded to play part of this role (such as one of the core agency sites, NEAR or AREMI)? How could this be resourced and funded?	Energy Queensland considers that a 'meta-portal' approach may introduce issues with respect to data integrity and suggests that clear use-cases need to be identified to determine the value that a meta-portal would provide. Data sources should be reliable, compliant, trusted and add business value. To achieve data integrity requirements, there will need to be a clearly defined governance strategy and processes. The accuracy and reliability of data will be critical and issues associated with market participants' liability for data integrity issues will need to be appropriately considered and addressed. Further, considerable resources and investment in systems will be required by market participants to gather data, confirm its accuracy and provide analytics and advice to reduce the risks of misinterpretation. Placing additional burdens on market participants, without demonstrable benefit to energy consumers, is of concern to Energy Queensland. For instance, the DER Register alone recently cost Energex and Ergon Energy Network approximately $2.5 million to implement and will require additional ongoing costs to maintain. Therefore, a collaborative approach with market participants to determine the most cost-effective approach is preferred. We also note that collection of vast quantities of commercially sensitive data presents a significant security risk for regulatory agencies who will need to ensure that information provided in confidence is appropriately protected. In relation to funding and resourcing, the electricity sector is experiencing a period of significant uncertainty, with retail businesses under pressure from a range of disruptive technologies combined with historically high levels of energy market reform and government intervention. While the costs of data collection and delivery are likely to be borne by market participants, we

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	consider that it would be appropriate for the parties who benefit from the availability of data enabled under the data strategy to share the costs.
Question 5: Data access and supporting resources How do we ensure that systems and analytical capabilities are available to support better data access? Who is best placed to support this capability? How do we ensure that stakeholders eligible for appropriate data access don't find resourcing a barrier? For access to outcomes from high-value AEMO datasets, does AEMO need specific obligations or support to ensure resourcing or prioritisation are not a barriers?	Energy Queensland considers that issues relating to data access and supporting resources should be explored through a collaborative approach with market participants. We also note that data security is of vital importance and, while the intent of the data strategy is to enable improved sharing of relevant data, it is incumbent upon regulatory agencies to protect commercially sensitive information from misuse or unauthorised access.
Question 6: Data impact and resourcing analytics How do we ensure that key research and analytical needs can be met, to maximise consumer outcomes? Who is the best party to support analytical services and build capability? Is this best undertaken internally by all parties or is some central or third-party expert capability advised?	While Energy Queensland is supportive of sharing data for research activities (and has done so in the past), experience has shown that caution is required with respect to providing raw data without context as it can lead to incorrect conclusions and flawed decision-making. Therefore, providing data for research purposes will require the data owner to commit resources to appropriately formatting and incorporating context into the data reports as well as to providing contextual engagement and communication where required. Past experience has also demonstrated that once research institutions receive data there is usually a large array of follow up questions and consultations in order for the organisation to fully interpret the data. Without due process control or value this could lead to extensive costs for providers and would ultimately be passed on to consumers. A clear framework as to how costs for analytical services can be recovered by the data owner will be required. We consider that a user-pays approach to cost recovery for this activity is appropriate.

Section	Energy Queensland Comment
PILLAR 4: NEEDS TOMORROW – Support change and adaptability	
Question 7: Proactive governance and forward review Do we need more proactive approaches or clear responsibilities to resolve forward-looking technical challenges in data? Whose responsibility should it be?	As technology evolves, more data will become available, but this data will not necessarily be accessible by market participants or customers. Therefore, proactive and agile approaches must be implemented to ensure future customer needs are met. Where a dataset can be compiled and used by multiple stakeholders, standardised data collection and access protocols will deliver cost-efficiency.
Question 8: Standards governance With the introduction of the proposed DER Standards Governance arrangements, DEIP processes and the new CDR standards body, many standards needs will be actively progressed. Will these arrangements likely support most ongoing needs for data standards? Are there gaps or wider issues which need to be considered?	While the sharing of data is intended to lead to better insights and assist in decision-making processes, data protection and security must play an integral role in the evolution of any proposed standards. Data security and monitoring processes, with relevant controls and governance to ensure conformity with privacy standards and safety against potential data leaks and cyber security attacks that target confidential data and information (including data relating to generation and distribution), will therefore be required.
Question 9: Adaptable arrangements Do stakeholders have views on how to ensure the design of Rules, guidelines and procedures consider the new data principles and the need to adapt more flexibly as technology and data requirements change? Do stakeholders think more detailed Rules guidance, as proposed by KWM, is necessary? Are there alternatives? Other processes have proposed a default to non-prescriptive approaches for certain types of Rules – is this workable in the case of data-related Rules?	The design of rules, guidelines and procedures must ultimately be based on an assessment of cost-benefit to consumers and take into consideration privacy and data security. Rules guidance should be provided around what data is permitted to be shared and in what context and, if necessary, for what purpose and by which entity. It is expected that the DataLAC, featuring industry representation, will provide advice on required rules, guidelines and procedure changes.

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Should the DataLAC have a role in providing advice on data issues and approaches in new Rules, guidelines and procedures? Could this be part of contributions in normal consultation processes or would it need a more formalised function (noting additional requirements may lengthen the time it takes to consider a Rule change)?	
Question 10: Energy data for research Are there energy data challenges for researchers not effectively represented in this paper? How are researchers' interests best represented in the DataLAC/DUG? Do they require specific representation in the group, a focused sub-group or leveraging of a wider existing process? Are there sufficient levels of interaction and engagement in the existing research community regarding these issues? If reforms proposed under Pillar 2 to allow more research access to data are progressed, would protected access to more real data be more useful than synthetic open data sets (as proposed in a range of ARDC ePlatforms)? Or do synthetic open datasets have alternative value through less constraints and sharing of tools? Current data portals for energy research data seem limited in their usability and visibility, with much useful research and data getting underleveraged. Are there examples in other sectors of better ways ensure research is visible, easier to navigate and integrate?	Energy Queensland acknowledges the opportunities for researchers to obtain new and reliable sources and forms of energy data to inform their research. While some of this research is likely to be of public interest or public benefit, we expect that researchers who seek to profit from their findings should be required to contribute to the costs of the collection and management of data. We also caution the open supply of data to research organisations without addressing risks associated with misinterpreted data or support costs which invariably arise as a result of supplying data to research organisations.

Section	Energy Queensland Comment
APPENDIX A: RETAIL TRANSPARENCY	
Question 11: Retail price reporting How will consumers benefit from keeping retail plans and costs hidden? Can you provide evidence around costs, barriers or benefits for linking digital retail plans to standing meter data?	Ergon Energy Retail is subject to price regulation determined by the Queensland Competition Authority (QCA) under a delegation from the Queensland Energy Minister. Ergon Energy Retail's tariff prices are publicly available and no incentives, such as price discounts, are offered. Ergon Energy Retail is restricted to offering retail services under the terms and conditions of standard retail contracts and its retail plans are publicly available.
Question 12: Streamlining price reporting What options exist to maximise retailer benefits in reducing reporting costs? Can you provide estimates / evidence of existing costs? Which elements of current price reporting arrangements are important to retain?	Ergon Energy Retail generally supports efforts to streamline its reporting to various regulatory agencies, both national and jurisdictional. While such an initiative could enable efficiencies, it is disingenuous to suggest that more efficient reporting will benefit retailers when the proposal includes significant increases in the quantity and breadth of information reporting. As the proposed new additional reporting requirements will undoubtedly increase costs for retailers, we consider further work is required to quantify the benefits and identify how associated costs will be recovered.
Question 13: Large energy user prices Can large energy users highlight challenges with contracting arrangements and options they face? Are large users' arrangements most effectively investigated working with retailers or large energy users?	As noted above, Ergon Energy Retail is subject to price regulation determined by the QCA under a delegation from the Queensland Energy Minister. Ergon Energy Retail's tariff prices for large customers and the terms of its standard retail contracts for large customers are publicly available. However, we note that energy contracts for large customers in particular are often bespoke and contain negotiated terms which are commercially sensitive. It is our view that publication of negotiated terms will disadvantage retailers and customers by eroding any competitive advantage obtained via negotiation.
Question 14: Contract market monitoring Contract markets are complex in their nature. What is needed to support the AER in developing the most effective form of contract	Ergon Energy Retail notes that the Australian Financial Markets Association (AFMA) collects and publishes data on contract markets for energy derivatives. We also note that AFMA and its members have agreed to continue collaborating with the Australian Energy Regulator and the AEMC on solutions to support transparency in the electricity over-the-counter derivatives market. However,

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market monitoring? Are there effective sources of information that have not yet to be included? Is 18 months an appropriate time for the AER to review and develop recommendations for forward monitoring arrangements?	given that this information is commercially sensitive and could substantially impact the commercial interests of counter-parties if obtained by competitors, it is imperative that protections are introduced to restrict the disclosure and use of that information. It is our view that this position should not be rushed.
Question 15: Retail margins If much more granular revenue and cost data is available to key agencies through the proposed reforms for price reporting and contract markets monitoring, do we also need retail reporting to expose retail margins? Could this be estimated through other data?	As noted, Ergon Energy Retail is subject to price regulation determined by the QCA under a delegation from the Queensland Energy Minister. As part of the price determination process, Ergon Energy Retail's retail margins are publicly available. However, in the context of deregulated competitive markets, Ergon Energy Retail is concerned by the proposed expansion of prescribed regulatory information provisions to include commercially sensitive information pertaining to the financial performance of competitive businesses. Further, many retail businesses are public companies and report this information via their annual reports. We are therefore uncertain whether there is a deficiency in existing arrangements that must be resolved. At a time when retail businesses are under pressure from a range of disruptive technologies and economic events, it is difficult to see how reporting retail margins would result in positive outcomes for retailers. We are concerned that reporting this information could embolden policy-makers to implement further commercial restrictions on participants which will adversely impact the ability of retailers to manage their businesses profitably. We also note that reporting this information is not required in other markets that capture a higher proportion of customers' expenditure.

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APPENDIX B: UNDERSTANDING CONSUMERS AND DEMAND	
Question 16: Access to meter data Can you provide wider discussion on the benefits or challenges in access to meter data for research and analysis? Can you provide alternative ways to capture similar insights?	While it is currently possible for NSPs to access certain data through third parties, additional costs would be incurred to collect, store and analyse that data. As such, a cost-benefit analysis would be required prior to implementation by NSPs. We note that there are a range of restrictions on the use of data that are outside the market participant's control. For example, where data is covered by privacy obligations it may only be possible for a market participant to use that data for a specific purpose which is the subject of the supplying parties' terms and conditions. If, in the case of a residential customer, the customer churns to another retailer, access to the data may need to be renegotiated with a different provider who has different terms and conditions. It must also be recognised that there are limits on the benefits that can be obtained from information available from advanced meters. As this data will not identify the types of end-use of energy, more detailed data to understand how customers are using energy will be required. Finally, the question of meter data access appears to overlap with the AEMC's pending competition in metering review. The treatment of metering data is also captured by the Consumer Data Right and will likely be considered as part of the review into privacy legislation.
Question 17: Gas metering Can you provide wider discussion on the benefits or challenges in improving gas demand transparency? Is gas data critical to understanding electricity demand, and well as total energy and gas demand?	Generally, the largest drivers of electrical demand are household heating and cooling (precluding any future growth in electric vehicle-driven demand). It is not considered that there is sufficient churn between use of gas and electricity for cooking or hot water to make this a primary driver for planning work.[3]

[3] https://www.talkingenergy.com.au/33323/widgets/238713/documents/165976.

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Can you provide alternative ways to capture insights into changes in gas demand? Can you provide evidence on costs/benefits to implement a gas meter dataset?	
Question 18: Vulnerable consumers Are there sources of data and research on vulnerable consumers and their challenges in the energy market that the Energy Ministers workstream may not have considered? Can wider recommendations proposed (such as Recommendation 1, Recommendation 6, Recommendation 8) some challenges for vulnerable consumer metrics?	Energy Queensland has no comment.
Question 19: Commercial consumers Can you provide evidence of cost and benefits in improving analysis of energy data in the commercial business sector? Are there opportunities in improving commercial energy use data which are not considered?	Energy Queensland has no comment.
APPENDIX C: VISIBILITY OF THE LOW VOLTAGE NETWORK AND DER	
Question 20: Overvoltage Is there further evidence or other studies of existing voltage levels and related consumer impacts that should be considered before undertaking further investigations? Which body in the energy sector would be most appropriate and effective to lead this work?	Energex and Ergon Energy Network treat any high voltage complaints seriously, with investigation and appropriate action. We do not consider that high voltages are systemic across our networks due to work undertaken to implement the 230V standard (AS 60038-2012 *Standard Voltages*). As such, further evidence would be required before investment in additional monitoring or other works is undertaken.

Section	Energy Queensland Comment
Given the role of jurisdictional regulators in network performance, how are these bodies best engaged?	
Question 21: Analytical capabilities to support DER integration Is the proposed collaboration to acceleration network analytics, datasets and tools workable? What barriers or concerns does it raise? Could most networks engage in this process? Who should lead this work and what is required to maximise its success?	Further clarity is required around anticipated costs and the legal framework by which data could be shared. For example, some meters collect voltage data, but it is not clear whether DNSPs can access this data without violating customer privacy. Access to data at low-cost would enable more proactive management of voltage. Further clarity would also be useful on whether DNSPs have the ability to utilise voltage data for a variety of purposes, potentially outside the original intent of the data collection. If voltage data is linked to a specific purpose only, it will limit its value.
Question 22: LV reporting What additional benefits, barriers or concerns does the proposal for LV network reporting requirement raise? Can you provide further evidence of benefits or costs to inform further consideration of this proposal?	Static export limits may vary at the distribution transformer level and with time due to changes in both the LV and medium voltage networks. Collecting and publishing this data would be a significant burden for DNSPs. It is also unclear what legal liability the DNSP would hold if commercial decisions were made on the basis of data that was inaccurate or out-of-date. It is also noted that the consultation paper discusses publication of export tariffs. Under rule 6.1.4 of the NER, DNSPs are not permitted to charge for export. As previously noted, it is anticipated that the commercial issues associated with procuring relevant data from advanced meters will likely be covered by the AEMC's review of competition in metering.
Question 23: LV visibility through metering Are these regarding additional metering reporting requirements workable? Can you provide supporting evidence of related costs or benefits to support further investigations?	Energy Queensland is actively involved in the development of dynamic operating envelopes (including appropriate standards) and LV state estimation projects. It is not clear that extremely granular LV data is crucial to enabling dynamic operating envelopes. A cost-benefit analysis is required to optimise the amount of data required to benefit customers seeking to export.

Section	Energy Queensland Comment
Is the problem of locating meters within the grid critical to resolve to support wider monitoring, coordination of DER or planning? Will processes developing dynamic operating envelopes and better network models either resolve it or identify it as a further problem? Are there additional issues or options that the AEMC should consider in their upcoming metering review?	
Question 24: DER identification and DERR Are there appropriately clear mechanisms to expand and evolve DERR coverage over time? Are there priorities in DERR data which need to be addressed? Are the gaps in DER data not captured in DERR of concern?	Any expansion of the DER Register, particularly additional data collection requirements for DNSPs, will represent additional costs and therefore should be subject to a cost-benefit analysis.
Question 25: Visible and manageable DER Are there particular data challenges in future market model designs which have not been recognised? Are there future areas in LV-DER data the Data Strategy should consider? In future models, are there considerations about the point of monitoring and control, or who manages data, that have not been raised or considered?	Ergon Energy Retail has no visibility of DER other than what customers have advised or if they are receiving a feed-in tariff. With the introduction of the wholesale demand response mechanism and the potential move to a two-sided market, it is imperative that retailers have visibility of customer DER. Energex and Ergon Energy Network also have concerns about visibility of DER that is participating in wholesale dispatch processes. The proposed two-sided market and the wholesale demand response mechanism may create significant power flow changes in the distribution networks which will further complicate network operations. As the future of the market is expected to be more dynamic, it may be necessary for DSNPs to have visibility of the potential load and generation changes in their respective networks.

Section	Energy Queensland Comment
Question 26: Data for EVs Is more support needed to progress EV issues? Are current voluntary DEIP processes sufficiently resourced to resolve current EV data challenges? What else could assist in ensuring these challenges are resolved? Are sufficient systemic resources and governance focused on managing emerging new technologies and challenges like EVs? Are we well-placed to respond in a timely way to future technologies?	DNSPs do not currently have access to electric vehicle data, except where the charger is of a size that necessitates a negotiated connection, or where the vehicle is capable of vehicle-to-building (VTB) or vehicle-to-grid (V2G) export. As such, any update to the DER Register requirements would require consideration of the mechanisms needed to obtain this data. Establishing a rich and unique electric vehicle-related dataset will underpin the response of DNSPs to the growing number of electric vehicles connecting to the distribution networks. A key data gap is the availability of registered garage addresses for electric vehicles (other than those with VTB/V2G capabilities that are required for the DER Register). Access to data from data holders outside energy regulation will be essential. In addition, retailers will require sight of the electric vehicle to tailor tariffs and products for the customer, particularly where the electric vehicle is capable of vehicle-to-grid export and is seeking a feed-in tariff for energy fed into the grid.
APPENDIX D: Preliminary Legal Report – King & Wood Mallesons / Galexia	
3.1 Selecting the appropriate framework 1. Are there other data sharing models or frameworks that should be considered? 2. Based on the above analysis, is the DAT Act the best framework to adapt for data sharing in the energy sector?	Energy Queensland has no comment.
3.2 Legal mechanism 1. Which is the preferred option for implementation of a new data sharing regime? 2. Should the ESB consider implementing changes proposed in option 2 (Improvements) while working through the details in option 3 (Overhaul)?	Amending existing energy laws (i.e. the National Electricity Law (NEL) and the NER) would be preferable to introducing a parallel regime. The disadvantage identified of dealing with existing data use and sharing rights could be overcome by a comprehensive review of the NEL and NER provisions relating to data access and sharing to provide greater clarity as to data ownership and who can use the data and for what purpose. These protections are vital to ensure the security of commercially sensitive information.

Section	Energy Queensland Comment
	Complementary to a new data sharing regime will be appropriate funding for information technology security for regulatory agencies and appropriate penalties and prosecution for misuse of data.
3.3 Design principles 1. Are there any other design principles that should be considered?	Energy Queensland has no comment.
3.3.1 Design Principle 1 – defining 'in-scope' datasets 1. How should in-scope or out-of-scope datasets be defined? 2. What incentives should be built into the regime to encourage energy market bodies to include more (rather than less) datasets in the sharing regime? 3. What processes and governance should apply to the addition or removal of in-scope datasets? 4. What are the consequences of removing an in-scope dataset for pre-existing users of those datasets?	Energy Queensland has no comment.
3.3.2 Design Principle 2 – determining the purposes for which data should or should not be shared 1. How should "purposes" be defined? 2. What purposes should be prohibited in the context of the energy sector? 3. How much flexibility is needed to expand or narrow these purposes in the future?	Energy Queensland has no comment.

Section	Energy Queensland Comment
3.3.3 Design principle 3 – determining who should have access to data 1. Is the categorisation into the three groups above appropriate? 2. What process should apply to adding new organisations into Groups 1 and 2? 3. Is authorisation or accreditation required to add new organisations into Groups 1 and 2? 4. What kinds of processes should apply to the removal of entities from Groups 1 and 2 or removal of their authorisation or accreditation? 5. Is it appropriate for Group 3 entities to be part of the sharing regime?	Energy Queensland has no comment.
3.3.4 Design principle 4 – determining how the Five Safes framework should be applied to sharing in-scope datasets 1. How can we best incentivise data sharing while balancing inherent risks? 2. If the Five Safes assessment is undertaken by the data holder, how can we incentivise that to be done in an efficient and timely manner and in a way that facilitates data sharing rather than discouraging data sharing? 3. Should the responsibility for conducting the Five Safes assessment rest with the data seeker or the data holder? 4. Should there be a charge payable to the data holder to compensate it for the cost of reviewing a request for data access?	Energy Queensland has no comment.

Section	Energy Queensland Comment
5. What happens if a data holder does not approve a Five Safes assessment undertaken by a data seeker? 6. Should there be a defence from liability for a data holder who releases a dataset if it is satisfied with a Five Safes assessment?	
3.3.5 Design principle 5 – dealing with outputs arising from shared datasets 1. What regime should govern intellectual property outputs arising out of research and development activities? 2. Should data-sharing parties be able to obtain commercial value from the intellectual property generated from the use of shared energy data? 3. Should outputs be able to be used for commercial uses and do those commercial uses need to be in the public interest? 4. Should accredited research institutions be subject to a condition of access to data that any outputs must be released as “open data” or under a creative commons licence? 5. How should use and compliance be monitored?	Energy Queensland has no comment.
3.3.6 Design principle 6 – determining how governance and risk should be managed for sharing of in-scope datasets 1. What is the appropriate governance structure for the regime? 2. How should risk and liability be shared or allocated?	Energy Queensland has no comment.

Section	Energy Queensland Comment
3. Are there any concerns with disclosures of data pursuant to a DSA being deemed to be disclosures authorised or required by law?	