

Representation - Draft Modification Report 0593

Provision of access to Domestic Consumer data for Price Comparison Websites and Third Party Intermediaries

Responses invited by: **5pm on 09 February 2017**

To: enquiries@gasgovernance.co.uk

Representative:	Gavin Anderson
Organisation:	EDF Energy
Date of Representation:	09/02/16
Support or oppose implementation?	Qualified Support
Relevant Objective:	d) Positive

Reason for support/opposition: Please summarise (in one paragraph) the key reason(s)

EDF Energy has been supportive of the CMA Order (ECOES/DES) and supports the intention to allow PCW's access to DES in order to address the weak domestic customer response identified by the CMA.

We offer qualified support of the modification as despite fully supporting its intent we are concerned, based on discussions at industry workstreams, about the ability of the Agency to deliver the requirements of the Order (and modification) by putting in place reasonable access requirements that can be robustly monitored to ensure that the information is used appropriately.

Implementation: *What lead-time do you wish to see prior to implementation and why?*

In assessing whether it is appropriate to implement this modification we believe it is necessary to understand whether Xoserve are able to deliver the requirements laid out in the legal text.

We would welcome understanding in more detail what monitoring arrangements would be put in place for PCW's and how their access would be limited to only domestic.

Impacts and Costs: *What analysis, development and ongoing costs would you face?*

Under the new FGO arrangements, from 1st April shippers could be exposed to any costs that Xoserve incur as a result of potentially not having appropriate controls in place to ensure that where access is granted to a PCW they are meeting the reasonable access conditions required.

Legal Text: *Are you satisfied that the legal text will deliver the intent of the Solution?*

We agree with the detail of the modification that would provide access to PCW's akin to that offered to a supplier. Notwithstanding this, we note that this level of access could also give access to Non-domestic data and potentially significantly more detailed information than PCW's require to enable customer switching.

Modification Panel Members have requested that the following questions are addressed: *Remove Section if no questions*

Q1: To inform Panel's consideration of self-governance, views are requested as to whether respondents believe that releasing these data items represents a material impact on competition between, or commercial arrangements for, Shippers or Transporters. Please provide evidence to support your response.

We believe that this modification would, intentionally, have a material impact on Consumers and competition within the industry. Given our qualified support and concerns set out above we do not believe that self-governance is appropriate and would welcome the change being sent to the Authority for decision.

Are there any errors or omissions in this Modification Report that you think should be taken into account? *Include details of any impacts/costs to your organisation that are directly related to this.*

No

Please provide below any additional analysis or information to support your representation

None