

**UNC Workgroup 0593 / iGT095 Minutes**  
**Provision of access to Domestic Consumer data for Price**  
**Comparison Websites and Third Party Intermediaries**  
**Thursday 27 April 2017**  
**at Elexon, 350 Euston Road, London NW1 3AW**

**Attendees**

Bob Fletcher (Chair)	(BF)	Joint Office
Mike Berrisford (Secretary)	(MB)	Joint Office
Andy Clasper	(ACI)	National Grid Gas Distribution
Andrew Margan	(AM)	British Gas
Andy Miller*	(AMi)	Xoserve
Angela Love*	(AL)	ScottishPower
Carl Whitehouse	(CWh)	first:utility
Chris Warner	(CW)	National Grid Gas Distribution
Colette Baldwin	(CB)	E.ON Energy
Dan Simons	(DS)	MRASCo
David Addison	(DA)	Xoserve
David Mitchell*	(DM)	Scotia Gas Networks
David Reilly	(DR)	Ofgem
Fraser Mathieson	(FM)	Scotia Gas Networks
Hilary Chapman	(HC)	Scotia Gas Networks
John Welch	(JW)	npower
Kelly Docherty	(KD)	British Gas
Kish Nundloll	(KN)	ES Pipelines
Mark Jones*	(MJ)	SSE
Nikki Rozier*	(NR)	BUUK Infrastructure
Rachel Bird*	(RB)	Gemserv
Rachel Hinsley	(RH)	Xoserve
Richard Pomroy	(RP)	Wales & West Utilities
Shanna Key*	(SK)	Northern Gas Networks
Steve Ladle	(SL)	Gemserv
Steve Mulinganie	(SM)	Gazprom
Steven Britton	(SB)	Cornwall
Tahera Choudhury*	(TC)	Xoserve

\* via teleconference

Copies of all UNC meeting papers are available at: <http://www.gasgovernance.co.uk/0593/270417>

The UNC Workgroup Report is due to be presented at the UNC Modification Panel by 20 July 2017.

**1.0 Introduction to Joint Governance Workgroup Meeting and Review of Minutes**

BF welcomed all to this second combined 0593/iGT095 Workgroup meeting.

**1.1. Review of Minutes (23 March 2017)**

The minutes of the previous meeting were approved.

## 2.0 Consideration of Ofgem Specific Issues

### 2.1. Xoserve Update Report for the April Workgroup Meeting

AMi provided a brief update explaining that it was felt that a discussion with the CMA was warranted which might offer alternative approaches to the solution and might be reflected in the Privacy Impact Assessment development below.

### 2.2. Modification 0593 Workgroup – Privacy Impact Assessment document

Opening, AMi explained that he is not proposing to undertake further development of the (draft) Privacy Impact Assessment (PIA) document at this meeting as he believes the Workgroup also needs to consider any potential non domestic site impacts before doing so, at which point SK also advised that she has also been discussing the matter with Ofgem (A Wallace) who will be talking to the Competition Market Authority (CMA) to ascertain whether or not they (the CMA) would provide further clarity on the order which might allow development of an alternative solution.

Several Workgroup attendees voiced their concerns around an apparent lack of industry transparency behind the proposed discussions between Xoserve and the CMA and questioned whether this truly represents Shipper views accurately enough – in short both governance and transparency are major ongoing concerns which have been raised previously.

AMi reminded those in attendance that the CMA proposals have already been published in the public arena and that the modification was raised in order to satisfy the CMA order and that everything that has happened since has been in the public domain.

When asked, AMi confirmed that Xoserve is currently awaiting a response from the CMA on their request for a meeting. When asked if it would be possible to invite a Workgroup (Shipper) representative to the proposed meeting with the CMA, AMi indicated that he would not have a problem with this and added that perhaps the invite should include the two Proposers as this would be beneficial – the consensus of the Workgroup was that this was a good suggestion. AMi confirmed that he would provide the meeting details to the various invited parties (including CB, NR, SK, AMi, TC and Martin Baker) in due course.

When asked, DS confirmed that development of the equivalent electricity market PIA had preceded following the finalisation of the CMA order, and before the solution was fully developed. BF warned that care is needed when comparing the gas model directly with the electricity version.

AMi suggested that should the CMA indicate that they are 'relaxed' about the proposed alternative solution to provide access to the data required, then Xoserve could in theory, provide a workable solution within a few days of such indication, and as a consequence, the modification(s) could continue 'as-are' from a domestic data provision perspective. When asked, AMi confirmed that it is the CMA order that is specifying the specific access and use of DES and that Xoserve's aim is to attempt to get the CMA to agree to a change to the order from a DES based solution, to a requirements based solution which might use DES data but without direct access.

When asked if Xoserve could provide more clarification around the alternative (non DES based) solution and whether or not it actually satisfies the industries aspirations, AMi explained that this interim solution entails a telephone based Xoserve service provision in accordance with the permissions specified in the modifications, suggesting that a longer term enduring system solution could then be considered post Project Nexus implementation. AMi went on to explain that unfortunately because the current CMA order proposes access to DES as a solution, Xoserve does not have the luxury to develop a more suitable interim solution. However, he would like the Workgroup to note that whatever data items are identified within the modification, Xoserve would be able to provide these to a requesting party. Furthermore, DES is only a 'window' into the Xoserve Data Warehouse and any alternative telephone based solution would simply

access the same data items anyway. AMi went on to point out that whilst the DES system is a 24/7 solution, the alternative telephone based solution would only operate during normal business hours. The Workgroup consensus suggested that few, if any parties, would utilise the telephone based service as it is not flexible enough.

When it was suggested that should the Workgroup point out to the CMA that their original DES based solution is flawed, they (the CMA) would rightly ask why it has taken so long to point this out, AMi explained that Xoserve has already raised its concerns with both Ofgem and the CMA and that the CMA have acknowledged this in their 'original' order solution is not supported by the industry. In short, Xoserve are proposing to utilise the 'change in circumstance' clause within the CMA order to trigger further discussions on this matter with the CMA.

At this point, SL voiced his concern that the Workgroup appears to have made little meaningful progress since the March meeting and requested that an update should be provided at the May Workgroup meeting with the aim being to make a decision on development of an appropriate PIA at that same meeting.

When asked whether or not there has been a formal Change order raised for the proposed (alternative) telephone solution, AMi advised that once the meeting with the CMA has clarified the position around the alternative solution (or not, as the case may be), Xoserve would then look to develop the supporting Change order which would be subject to the normal DSC Change Management governance mechanisms.

Some parties suggested that in essence, it feels perverse that the Workgroup would consider delivering a solution that no one actually would want or utilise, simply to meet its obligation under the CMA order.

It was noted by those in attendance that the modifications are still needed in order to satisfy the CMA order on the grounds that it is a Code permissions related order. BF suggested that the Workgroup would need to make a decision at the May meeting regardless of the outcome of the CMA / Xoserve meeting.

### 3.0 Development of Supplemental Report

BF advised that as the Workgroup is currently scheduled to report back to the July 2017 Panel, the last opportunity to sign off the Workgroup Supplemental Report would be at the June 2017 meeting.

### 4.0 Review of Outstanding Actions

**0301:** MRASCo (DS) to ascertain whether or not a (redacted if necessary) copy of the Electricity Privacy Impact Assessment (PIA) and user access criteria could be shared with the Workgroup, and whether there has been any PwC involvement (inc. assessing MRASCo's role as data controller).

**Update:** DS confirmed that having spoken with the MRASCo Board, they (the Board) have indicated that whilst they would be happy to share their experience, they would not be happy to share the information itself with the gas market. **Closed**

**0302:** MRASCo (DS) to ascertain whether or not a copy of the assessment process (criteria) for new user parties (PWCs/TPIs) wishing to access MRASCo data and systems (inc. the audit/control provisions in place once agreement is in place and actual take up numbers) can be shared with the Workgroup.

**Update:** DS explained that similar to action 0301, the Board would not be happy to provide copies of the assessment process information, as this is deemed to be commercially sensitive in nature.

When asked, DS provided a brief explanation of the public / non public access control document aspects (i.e. the initial application is a public document, whilst the actual access agreements are not). In essence, the access agreement is the same as the ECOES equivalent.

Some parties suggested that as the CMA Order implies equal access to both the electricity and gas market information, Price Comparison Websites (PwC's) might rightly voice their concerns at an apparent lack of parity across the two market sectors. Responding, DS added that PwC's would have access to the electricity market information in May 2017, and to date, five (5) PwC's have signed up to access the data.

When asked, DS confirmed that he would be happy to assist the gas market side to develop its PIA in due course. **Closed**

**0303:** Reference the 'Conducting privacy impact assessments code of practice' document - Xoserve (AMi) to provide an initial (gas market) 'strawman' paper based on the document for consideration at the April Workgroup meeting.

**Update:** BF pointed out that the 'strawman' paper has been provided and would be considered in more detail at the forthcoming May Workgroup meeting. **Closed**

**0304:** All parties to consider Shipper/Supplier Data Controller aspects and provide views at the April 2017 Workgroup meeting.

**Update:** It was noted that whilst no views have been provided so far, some parties are working on their respective responses with a view to providing them in due course. **Carried Forward**

**0305:** Northern Gas Networks (SK) to approach the ICO to discuss privacy aspects and provide feedback at the April 2017 Workgroup meeting.

**Update:** It was noted that a link has been provided and published under today's Workgroup papers. **Closed**

**0306:** Xoserve (AMi) to consider what would be required for any consumer consent agreements and provide a view at the April 2017 Workgroup meeting.

**Update:** When AMi questioned whether or not this is really an outstanding Xoserve action, CB reminded everyone present that this is about Xoserve granting access to data following consumer consent and relates specifically to what solution Xoserve would be putting in place. AMi suggested that in that case, it could take the form of a simple consumer 'tick box' based solution.

DS advised that on the electricity side, this forms part of the initial terms of access (audit) requirements. DA also suggested that whilst the solution is similar to the SPAA Schedule 23 elements, it would depend on the actual solution that we end up with (i.e. contractual based or not) and perhaps Xoserve should look at what MRASCo have utilised. **Carried Forward**

## 5.0 AOB

None.

## 6.0 Next Steps - timetable

Subject to receiving responses to the outstanding action items, the Workgroup would look to:

- Consider and respond to the Ofgem questions;
- Develop/complete the Workgroup Final Modification Report - Supplemental Report.

## 7.0 Diary Planning

Further details of planned meetings are available at: [www.gasgovernance.co.uk/Diary](http://www.gasgovernance.co.uk/Diary)

Workgroup meetings will take place as follows:

Time/Date	Venue	Workgroup Programme
10:30 Thursday 25 May 2017	Consort House, 6 Homer Road, Solihull B91 3QQ	<ul style="list-style-type: none"> <li>• Standard Agenda items</li> <li>• <i>Other – to be confirmed</i></li> </ul>

**Action Table (27 April 2017)**

<b>Action Ref</b>	<b>Meeting Date</b>	<b>Minute Ref</b>	<b>Action</b>	<b>Owner</b>	<b>Status Update</b>
0301	23/03/17	2.0	To ascertain whether or not a (redacted if necessary) copy of the Electricity Privacy Impact Assessment (PIA) and user access criteria could be shared with the Workgroup, and whether there has been any PwC involvement (inc. assessing MRASCo's role as data controller).	MRASCo (DS)	Update provided. <b>Closed</b>
0302	23/03/17	2.0	To ascertain whether or not a copy of the assessment process (criteria) for new user parties (PWCs/TPIs) wishing to access MRASCo data and systems (inc. the audit/control provisions in place once agreement is in place and actual take up numbers) can be shared with the Workgroup.	MRASCo (DS)	Update provided. <b>Closed</b>
0303	23/03/17	2.0	<i>Reference the 'Conducting privacy impact assessments code of practice' document - Xoserve (AMi) to provide an initial (gas market) 'strawman' paper based on the document for consideration at the April Workgroup meeting.</i>	Xoserve (AMi)	Update provided. <b>Closed</b>
0304	23/03/17	2.0	To consider Shipper/Supplier Data Controller aspects and provide views at the April 2017 Workgroup meeting.	All parties	<b>Carried Forward</b>
0305	23/03/17	2.0	To approach the ICO to discuss privacy aspects and provide feedback at the April 2017 Workgroup meeting.	Northern Gas Networks (SK)	Update provided. <b>Closed</b>
0306	23/03/17	2.0	To consider what would be required for any consumer consent agreements and provide a view at the April 2017 Workgroup meeting.	Xoserve (AMi)	<b>Carried Forward</b>