



Department
of Energy &
Climate Change

Smart Metering Implementation Programme

Implementing the Energy Efficiency Directive provision for easy access to 24 months of daily/weekly/monthly/annual consumption data for consumers with smart meters

Consultation document

12 December 2012

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The consultation can be found on DECC's website:
<http://www.decc.gov.uk>

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Contents

Smart Metering Implementation Programme.....	1
General information.....	4
1 Background.....	6
2 Options for implementing the Directive provisions	10
Annex A	20

General information

Purpose of this consultation

This consultation will inform the Government's implementation of the Energy Efficiency Directive provision for domestic consumers to have easy access to 24 months of daily/weekly/monthly/annual historical consumption data where they have a smart meter.

Issued: 12 December 2012

Respond by: 6 February 2013

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Consultation reference: URN 12D/4460 – Smart Metering Implementation Programme: Implementing the Energy Efficiency Directive provision for easy access to 24 months of daily/weekly/monthly/annual consumption data for consumers with smart meters.

Territorial extent:

This consultation applies to the gas and electricity markets in Great Britain. Responsibility for energy markets in Northern Ireland lies with the Northern Ireland Executive's Department of Enterprise, Trade and Investment.

How to respond:

Your response will most useful if it is framed in direct response to the questions posed, though further comments and evidence are also welcome.

Responses to this consultation should be sent to smartmetering@decc.gsi.gov.uk no later than 6 February 2013.

Responses should be clearly marked "Smart Metering Implementation Programme: Implementing the Energy Efficiency Directive provision for easy access to 24 months of daily/weekly/monthly/annual consumption data for consumers with smart meters"

Hard copy responses should be sent to the address above.

Additional copies:

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Confidentiality and data protection:

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information legislation (primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

If you want information that you provide to be treated as confidential please say so clearly in writing when you send your response to the consultation. It would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded by us as a confidentiality request.

We will summarise all responses and place this summary on our website at www.decc.gov.uk/en/content/cms/consultations/. This summary will include a list of names or organisations that responded but not people's personal names, addresses or other contact details.

Quality assurance:

This consultation has been carried out in accordance with the Government's Code of Practice on consultation, which can be found here:

<http://www.bis.gov.uk/files/file47158.pdf>

If you have any complaints about the consultation process (as opposed to comments about the issues which are the subject of the consultation) please address them to:

DECC Consultation Co-ordinator

3 Whitehall Place

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1 Background

Context

1.1 The Energy Efficiency Directive (2012/27/EC)¹ includes provisions which relate to the roll-out of smart meters in Member States. This consultation considers options for the implementation of the Directive provision to provide domestic consumers with easy access to at least 24 months of daily/weekly/monthly/annual consumption data, where they have a smart meter.

Overall objectives of Directive

1.2 The European Commission published the draft EU Energy Efficiency Directive in June 2011 to replace the Energy Services Directive. The Directive was agreed in June 2012. It will enter into legal force before the end of 2012, and the implementation deadline is 5 June 2014. It now needs to be transposed into the UK regulatory framework.

EU framework for the roll-out of smart meters

1.3 The Energy Efficiency Directive alongside the Third Package (Directives 2009/72/EC and 2009/73/EC)² provide the European legislative framework for smart meters. The provisions in the Energy Efficiency Directive, summarised below, cross-refer to the earlier provisions in the Third Package. The majority of the Energy Efficiency Directive metering provisions apply to those smart meters rolled out in Member States in accordance with the Third Package. In Great Britain this covers smart meters which are compliant with the Smart Metering Equipment Technical Specifications (SMETS).

1.4 The Third Package requires Member States to undertake a cost benefit analysis for the roll-out of electricity and gas intelligent metering systems. Subject to the outcome, Member States are required to roll-out intelligent metering systems (with a target of completing the roll-out 10 years from the cost benefit analysis for intelligent electricity metering systems being carried out). In addition, Member States need to ensure that at least 80% of consumers have intelligent electricity metering systems by 2020.

1.5 The Government submitted cost benefit analyses for the roll-out of smart meters in Great Britain and Northern Ireland to the European Commission in October 2012.

Summary of Energy Efficiency Directive smart meters provisions

1.6 Articles 9-12 of the Energy Efficiency Directive set out requirements in relation to billing, heat and smart meters. Specifically in terms of smart meters, the Directive requires that:

- metering systems provide customers with information on actual time of use;

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0001:0056:EN:PDF>

² A package of EU legislation on European electricity and gas markets that entered into force on 3 September 2009 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0055:0093:EN:PDF> and <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0094:0136:en:PDF>

- the security of smart meters, data communication and privacy of consumers is ensured;
- meters can account for the electricity exported to the grid from a consumer's premises;
- if a consumer requests it, data of the electricity import and export is made available to them or a third party so they can compare deals;
- appropriate advice and information be given to consumers at the time of installation;
- meters shall enable accurate billing information based on actual consumption;
- consumers have the possibility of easy access to complementary information on historical consumption, which includes:
 - cumulative data for at least the three previous years or since the start of the supply contract if this is shorter. The data should correspond with the frequency of the consumer's bills
 - **detailed data according to the time of use for any day, week, month and year made available via the internet or the meter interface for at least the previous 24 months, or since the start of the supply contract if this is shorter;**
- consumers should have access to their consumption data in an appropriate way and free of charge;
- Member States shall take appropriate measures to promote and facilitate an efficient use of energy by small energy customers including domestic customers. These measures may include ways to engage consumers and consumer organisations during the roll-out of smart meters through communication of:
 - Cost effective and easy to achieve changes in energy use
 - Information on energy efficiency measures; and
- Member States shall lay down rules on penalties applicable in case of non-compliance

1.7 DECC is currently undertaking an exercise to assess whether additional regulation needs to be put in place to deliver the Directive provisions. We have identified that the provision to provide consumers with easy access to 24 months of daily/weekly/monthly/annual consumption data (highlighted in bold above) may require changes to the regulatory framework for the roll-out of smart meters.

1.8 Given that one of the options for delivery is the inclusion of additional capability in the smart metering system, we are consulting on implementation of this provision as soon as possible so that if additional functionality is needed it can be included in the second version of the Smart Metering System Technical Specifications (SMETS) and the Communications Hub Technical Specifications (CHTS).

1.9 Based on our initial assessment of the rest of the text, we do not expect to have to put additional requirements in place to deliver other smart meter provisions. DECC also is considering whether additional regulation is needed to deliver the provision to provide easy access to cumulative data for at least the three previous years, corresponding with the frequency of the consumer's bills, but this is not in the scope of the work of the Smart Metering Implementation Programme.

Scope

1.10 The Directive provisions on smart meters relate to domestic smart electricity and gas meters, but do not extend to the non-domestic sector.

1.11 The Directive requires that where a domestic consumer has a smart electricity and/or gas meter installed in accordance with the Third Package they have the right to easy access to at least 24 months of daily/weekly/monthly/annual consumption data. If a consumer has been

with their supplier for less than 24 months, then they have the right to access their data for the length of their supply contract.

1.12 The Directive applies to the roll-out of smart meters in the United Kingdom. This consultation focuses on the implementation in Great Britain. The Northern Ireland Executive (specifically the Department of Enterprise Trade and Investment) has responsibility for implementation in Northern Ireland as part of its wider devolved energy powers.

Timing

1.13 Since the agreement of the Directive at Energy Council, the Commission has been undertaking the legal process to finalise it.

1.14 The European Parliament ratified the Directive on 11 September 2012. The Directive was put forward for joint Parliament and Council signature on 22-26 October, and was published in the Official Journal of the European Union on 25 October. The Directive entered into legal force 20 days after it was published in the Journal and Member States now have 18 months to implement the Directive. The transposition deadline for Member States is 5 June 2014.

Broader policy context

1.15 The implementation of the Directive provision for consumers to have easy access to 24 months of daily/weekly/monthly/annual consumption data, needs to be considered in the wider data policy context in Great Britain. The Data Protection Act 1998 establishes a framework of rights and duties that are designed to safeguard personal data.

1.16 The Government's policy on data access and privacy in respect of smart metering is designed to address more specific questions about the choices consumers should have about smart metering, and the levels of energy consumption data that it is appropriate for suppliers and others to access to carry out essential functions connected to the provision of energy.

1.17 The Government's data access and privacy policy framework sits alongside the requirements of the Data Protection Act and does not intend to replace any of the existing statutory instruments which relate to data privacy. The Government consulted on a policy framework from April to June 2012³ and a response to that consultation is being published alongside this document⁴. The response document explains the ways in which consumers would be able to access their own energy consumption data – via the In-Home Display (IHD), via a consumer access device connected to the Home Area Network (HAN), or via their supplier.

1.18 The response document also confirms that a framework for supplier, network operator and third party access to data, based on the principle that consumers should have choice about who could access their data, apart from where this was required for regulated duties

³ DECC, Smart Metering Implementation Programme. Data access and privacy – consultation document <http://www.decc.gov.uk/assets/decc/11/consultation/smart-metering-imp-prog/4933-data-access-privacy-con-doc-smart-meter.pdf> (April 2012)

⁴ DECC, Smart Metering Implementation Programme: Data access and privacy - Government response to consultation http://www.decc.gov.uk/en/content/cms/consultations/cons_smip/cons_smip.aspx (December 2012)

and billing will be put in place. In particular, in respect of supplier access to data, the framework will:

- allow suppliers to access monthly (or less granular) energy consumption data, without customer consent, for billing and for the purposes of fulfilling any statutory requirement or licence obligation;
- allow suppliers to access daily (or less granular) energy consumption data for any purpose except marketing, with clear opportunity for the customer to opt out; and
- require that suppliers must receive explicit (opt-in) consent from the customer in order to access half-hourly energy consumption data, or to use energy consumption data for marketing purposes.

1.19 In the response to the consultation the Government also recognises the importance of enabling consumers easily to share their energy consumption data with third parties (such as switching sites), should they choose to. This would help deliver benefits to consumers and be important in promoting innovation and competition in the developing energy services market. The Government wishes to ensure that there are appropriate arrangements in place to facilitate third parties' transactions with consumers and with the Data and Communications Company (DCC), and that consumers are properly protected.

Midata

1.20 The Government launched its Consumer Empowerment Strategy, "Better Choices: Better Deals" in April 2011⁵. The midata project⁶ was launched as part of this strategy, to allow people to view, access and use their personal and transaction data in a way that is portable and safe. As part of this project energy suppliers have already agreed to give consumers access to their data in an electronic format they need to help switch suppliers. Five of the six largest suppliers have already or are just about to provide this information to their customers, with the sixth looking to implement by the middle of next year.

⁵ <http://www.bis.gov.uk/policies/consumer-issues/consumer-empowerment>

⁶ <http://www.bis.gov.uk/midata>

2 Options for implementing the Directive provisions

The EU Energy Efficiency Directive provides domestic energy consumers with smart meters with the right to have easy access to at least 24 months of daily, weekly, monthly and annual consumption data via the internet or through the meter interface where they have a smart electricity and/or gas meter installed in accordance with the Third Package Directives.

Providing consumers with access to 24 months of consumption data

2.1 To implement the Directive, the UK Government would need to put in place additional regulation to deliver any provisions which were not delivered by existing regulatory framework.

2.2 The Directive text (see Annex A) includes details on how consumers should be able to access their data. We need to ensure that our implementation options take these into account, and in particular, that consumers have 'easy access' to their data and that it is available over a 'meter interface' or via the 'internet'. In addition information needs to be provided free of charge, with no upfront cost to consumers.

Smart meters regulatory framework

2.3 A number of licence conditions are being developed to provide the regulatory framework to the roll-out of smart meters. These include a number of requirements that apply to access to consumption data.

Smart Metering Equipment Technical Specifications and Communications Hub Technical Specifications

2.4 SMETS⁷ (under the roll-out licence conditions) and CHTS (under the Data and Communications Company licence) define the minimum capabilities of smart metering equipment, including data storage capabilities. They currently require that smart metering systems have the capability to store 13 months of half hourly consumption data. Consumers can view this data on their IHD, can give permission to a third party to access the data or (where they have an appropriate access device) download it from their meter.

2.5 SMETS also requires that the meter has a daily read log which is capable of storing up to 14 daily reads of the total consumption register. This was included to facilitate accurate billing in instances where a consumer moves house without informing their energy supplier in advance.

⁷ SMETS: <http://www.decc.gov.uk/assets/decc/11/consultation/smart-metering-imp-prog/6425-smart-metering-equipment-technical-specifications-.pdf>.

SMETS 2 consultation: <http://www.decc.gov.uk/assets/decc/11/consultation/smart-metering-equipment-technical-specifications-2/6129-consultation-second-version-smets.pdf>

2.6 At the moment there is no requirement to store 24 months of daily/weekly/monthly/annual consumption data within the smart metering equipment.

Operational Licence Conditions (OLCs)

2.7 The proposed OLCs, which DECC consulted on in August 2012⁸, would require that energy suppliers make all consumption, export and tariff information held by the smart metering system available to domestic consumers over the HAN.

2.8 The OLCs would apply to smart meters operated by the installing supplier from the date of their installation and to any smart meters enrolled in Data Communications Company from the date they are enrolled. The OLC will apply to any domestic smart meter, including those not enrolled in DCC, from the end of 2019.

Data and Communications Company (DCC) Licence and Smart Energy Code

2.9 The DCC Licence requires the DCC to provide services to DCC users. This Licence should not need to be changed to deliver the Directive provision. The Smart Energy Code will define the services that must be available. These will be set out in the User Gateway Catalogue (UGC).

2.10 It is envisaged that the services requests required to support the implementation of the Energy Efficiency Directive provision would be included in the UGC and will therefore be made available to suppliers. The Smart Metering Implementation Programme is currently engaging with stakeholders to define the services the DCC will provide to service users from Go Live.

Data access and privacy policy framework

2.11 The Government's response to consultation on a framework for smart metering data access and privacy is being published alongside this document⁹, and a summary of the key elements of the framework is given in Chapter 1. The Government will lay the associated licence conditions in Parliament shortly.

Summary

2.12 Although the existing regulatory framework for the rollout of smart meters will enable the Directive provision to be implemented in part, we need to consider further regulatory changes that will enable full transposition of the Directive. Changes that may be needed to the regulatory framework are discussed further in para 2.47.

⁸ Smart Metering Implementation Programme: Consultation on the second version of the Smart Metering Equipment Technical Specifications - www.decc.gov.uk/en/content/cms/consultations/smets2cons/smets2cons.aspx

⁹ DECC, Smart Metering Implementation Programme: Data access and privacy - Government response to consultation http://www.decc.gov.uk/en/content/cms/consultations/cons_smip/cons_smip.aspx (December 2012)

Overview of approach

- 2.13 The Government is clear that the solution for implementing the Directive provision needs to be simple so that it can be easily understood by consumers, implemented by industry by the implementation deadline and effectively enforced. In developing the proposed approach below the Government has considered a range of criteria/impacts including the impact on consumers, the cost-benefit case for the roll-out of smart meters, the delivery of the Smart Metering Implementation Programme (e.g. development of SMETS), competition and the operation of the market
- 2.14 The Government's proposed position is set out below, followed by the rationale for this approach and the proposed approach to implementation.

Delivery of the Directive provision

Background

- 2.15 The Directive sets out how consumers should have easy access to their consumption data; via the 'meter interface' or via 'the internet'. In considering options for implementation, we have considered where the data might be stored, and options for accessing the data in the way.
- 2.16 In terms of where the data might be stored, the two main solutions are a) in the smart metering equipment or b) in suppliers' back office systems.
- 2.17 In terms of how consumers access that data, this can either be:
- via the 'meter interface', meaning that the information would need to be displayed to consumers (not specifically on the meter) for example on an IHD, on the meter display or the consumer downloading the data themselves onto a computer etc, via the HAN
 - via the 'internet' e.g. consumers accessing data through an internet portal or by email sent by their supplier
- 2.18 Following initial analysis the Government believes that providing access to the data via the IHD or on the meter itself is not practical, as it will not be easy for consumers to view 24 months of daily data in these ways because of the large number of data points and the size of the display. They were not therefore included in further options analysis.

Options for implementing the Directive provision

- 2.19 We have assessed a range of options as to how the Directive could be implemented. The main options were:
- A. Do nothing**
 - B. Capability added to smart metering equipment in SMETS 2 (for electricity) and the communications hub in CHTS (for gas) to store 24 months of daily consumption data**
 - C. Option B plus a general requirement on suppliers in licence condition to meet the Directive requirements**

D. Option B plus a requirement on suppliers to provide access to data via the internet, at the request of the consumer

Government position

- 2.20 Having considered the options against the criteria set out in para 2.13, the Government's current view is that **Option D** is the preferred option for implementation.
- 2.21 However, we recognise that there could also be merit in a less prescriptive approach for suppliers as set out in **Option C**, and therefore would also welcome views on this option.
- 2.22 We see no reason why the obligation to provide consumers with easy access to 24 months of daily/weekly/monthly/annual consumption data should not also apply to consumers with SMETS 1 meters. It would be for suppliers to decide how best to comply with the obligation, however, we would not expect the capability to store 24 months of daily data to be added to SMETS 1 smart metering systems.

Rationale

Option A

- 2.23 We considered whether the existing technical and regulatory framework was sufficient to deliver the Directive provision, i.e. a '**do nothing**' approach.
- 2.24 SMETS currently requires that 13 months of half hourly data is stored in the meter and CHTS will require that it is stored in the communications hub for gas meters. The proposed OLCs would require that consumers are able to access this data over the HAN (where the meter is enrolled in the DCC or in any event by the end of 2019).
- 2.25 Although it would be possible for consumers to download their half hourly data directly from their meter via the HAN, they may need to purchase or be given a 'consumer access device' to be able to do this.
- 2.26 Furthermore, the consumer could only access a maximum of 13 months worth of historic data at one time: they would need to download the rest of the data in a further 11 months to give them the full 24 months. They also would have to permanently store their own data to have access to the full 24 months.
- 2.27 Overall we therefore felt that this would not provide consumers with 'easy access' to their data.

Option B

- 2.28 We then considered adding the capability to SMETS 2 electricity meters and communications hubs to store 24 months of daily consumption data. Including the capability in SMETS 2 electricity meters and communications hubs as standard would increase the options available for how the data is stored and accessed.
- 2.29 Suppliers would also be free to store the data in their back office systems (in line with existing legislative requirements on data access and storage), if the consumer permitted them to do this, or they could pull it from the meter and provide it to consumers over the internet.

- 2.30 Consumers may also be able to access their data if they were provided with or had purchased a consumer access device, but would not have to be given one by their supplier.
- 2.31 Including the data in SMETS 2 electricity meters and communications hubs would enable consumers without the internet to access their consumption data, as they could download it to a computer (e.g. using a consumer access device). They could also allow third parties to access the data.
- 2.32 There were a number of uncertainties around this option, including the potential costs, the impact on the Data and Communications Company (DCC) and whether it fully implements the Directive provision.
- 2.33 Following a Request for Information, stakeholders indicated that the cost of additional memory was unlikely to be significant (although they did indicate that if there were other additional cumulative requests for additional memory, at some point manufacturers may face an upgrade cost to a large memory device which would have an effect on costs). There may be some small additional costs from testing of functionality and interoperability.
- 2.34 In terms of the DCC, the impact would depend on how consumers accessed the data. If they were downloading it themselves then there would be no impact on DCC services. If the supplier was pulling data from the meter to provide to the consumers over the internet then it may increase the amount of data being transmitted. However, given that only a small proportion of consumers are likely to ask for this data from their supplier (in addition to, for example, what is displayed on the IHD and the feedback consumers are likely to receive as a matter of course with bills), and an even smaller number are likely to ask for frequent updates, delivering this requirement should not have a significant impact on DCC services.
- 2.35 By only including the capability to store 24 months of daily data in meters in SMETS 2 and CHTS and not putting any additional requirements in place as to how consumers would access their data, we would be relying on the Operation Licence Conditions to provide consumers with access to their data. Although this would enable consumers to have access to the data on their meter over the HAN, however, this is unlikely to guarantee easy access to all data for all consumers.
- 2.36 **Given the benefits of this option and limited impacts it appears prudent to include the capability to store 24 months of daily data in SMETS 2 electricity meters and communications hubs.**
- 2.37 However, under this option, access to data for consumers may not be straightforward, so we have also considered two further options which included requirements on suppliers to provide access to consumers' data.

Option C

- 2.38 Option C would place a general requirement on suppliers to deliver the Directive provision in addition to the inclusion of the capability to store the data in SMETS and CHTS. This would effectively involve copying out the Directive text into the supply licence, allowing suppliers to decide how their consumers access their data.
- 2.39 For consumers this would mean that they would be able to access their data in one or more of the following ways, depending on the solution their supplier opted for:

- over the internet or via email from their supplier

- downloaded from the meter using a consumer access device (this may need to be provided by the supplier free of charge if they are not offering the consumer an alternative means of accessing their data)

2.40 This approach may be more attractive to some suppliers as they would not have to provide internet/email access to data if they do not wish to do so. However, with the 'midata' initiative many suppliers are already developing electronic and internet based solutions for sharing data and information with consumers.

2.41 In addition, there may be increased risks in terms of consumer experience, particularly on change of supplier, if the gaining supplier operates a different system to the incumbent. Finally, if a supplier did not offer access over the internet, they would need to ensure that the consumer was able to download their data from their meter free of charge. Providing devices so that consumers can download data may result in increased costs for suppliers.

Option D

2.42 Option D would also place a general requirement on suppliers to deliver the Directive provision, but would specify a requirement to provide data via the internet. It would also make clear that data would only need to be provided at the request of the consumer (rather than as a default for all consumers).

2.43 This option would mean that consumers would be guaranteed access to their data (on request) over the internet or via email. They could also download the data on the meter directly if they had a consumer access device (for their personal use or for provision to a third party).

2.44 Overall Option D was identified as the **preferred option** because:

- it provides a universal approach, meaning that it will be easier for consumers to understand how to access their data under the Directive provision, and ensuring a consistent approach on change of supplier;
- consumers could also choose alternative solutions for accessing the data in their meter, (e.g. using a consumer access device or through a third party). This would mean that they could also access their data whenever they wanted, rather than waiting for their supplier to collect up 24 months of data following their request;
- it does not appear to have a significant impact on suppliers' costs, or a disproportionate impact on small suppliers, because they would either already be intending to develop internet based data (e.g. as a result of midata) or be able to provide information by email; and
- it does not create any significant additional burdens on DCC services beyond those already being developed. The Government does, however, need to ensure provision of daily reads in the final DCC services definition if this becomes a core requirement

Excluded options

2.45 We also considered, and ruled out the following options:

- a general requirement on suppliers to implement the Directive provision (without an accompanying change to SMETS and CHTS); and

- a requirement to store 24 months of daily data in SMETS 2 and CHTS and a requirement to ensure that consumers can download their data from their meter free of charge, if they wish to (e.g. by providing them with a consumer access device).

2.46 These were ruled out for the following reasons:

OPTION	REASON
A general requirement on suppliers to implement the Directive provision	<p>Whilst the direct transfer of the Directive provision into regulation is Government good practice, it was felt that this option was unlikely to deliver the best policy outcome. Leaving implementation completely open would increase the risks around consumer experience, as well as for suppliers and the wider Programme.</p> <p>This is primarily because the capability to store 24 months of daily data would not be included in SMETS 2 electricity meters and communication hubs as standard, and therefore on change of supplier a gaining supplier may inherit a consumer without the necessary meter functionality, and therefore have to provide data over the internet, when they would have otherwise not have intended to, or may have to replace the meter. This may increase suppliers costs.</p>
A requirement to store data in SMETS 2 and CHTS and a requirement to ensure that consumers can download their 24 months of daily data from their meter free of charge, if they wish to (e.g. through providing them with a consumer access device)	This option relies on the availability of consumer access devices so that consumers can download their data. In addition the Government is not putting requirements in place regarding the functionality of consumer access devices, which means that it cannot be guaranteed that they would provide the information required to meet the Directive. Suppliers might also need to provide consumer access devices free of charge, which would increase their costs overall.

Regulatory changes required

2.47 To implement **Option C** or **D** the following regulatory changes would be required:

Option	Regulatory changes	Timing
C	<p>General obligation included in suppliers' licence conditions – e.g. as a direct copy out of the Directive text</p> <p>Supplier licence condition also needs to:</p> <ul style="list-style-type: none"> - refer to information being provided to consumers on request and for free; and - oblige suppliers to inform consumers that 24 months of daily data is available to them and that they need to request that it is made available to suppliers for this purpose <p>DCC core services need to include the provision of data that relates to daily periods (if suppliers plan to pull data from the meter to provide to consumers over the internet). This will be set out in the Smart Energy Code</p> <p>Also add capability to SMETS 2 and CHTS</p>	<p>Either lay licence condition in summer 2013, with it coming into force on 5 June 2014, or lay licence condition in summer 2014</p> <p>Ahead of DCC go live</p> <p>Spring 2013 – would be included in SMETS 2 (final version late 2013) and CHTS</p>
D	<p>General obligation is included in suppliers' licence condition – e.g. as a direct copy out of the Directive text, but without referring to the possibility of providing data over the 'meter interface'</p> <p>Supplier licence condition also needs to:</p>	<p>Either lay licence condition in summer 2013, with it coming into force on 5 June 2014, or lay licence condition in summer 2014</p>

	<ul style="list-style-type: none"> - refer to information being provided to consumers on request and for free; and - oblige suppliers to inform consumers that 24 months of daily data is available to them and that they need to request that it is made available to suppliers for this purpose <p>DCC core services need to include the provision of data that relates to daily periods (if suppliers plan to pull data from the meter to provide to consumers over the internet). This will be set out in the Smart Energy Code</p> <p>Also add capability to SMETS 2 and CHTS</p>	<p>Ahead of DCC go live</p> <p>Spring 2013 – would be included in SMETS 2 (final version late 2013) and CHTS</p>
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2.48 Subject to responses to consultation we would either include any necessary changes to licence conditions in the tranche of the Smart Metering Implementation Programme regulatory framework (these would be switched off until 5 June 2014), which is due to be laid in Parliament in May 2013, or alternatively the conditions could be included in the tranche in late Spring 2014 just ahead of the transposition deadline. It would be important to ensure that any potential regulatory changes were consistent with other aspects of the smart metering regulatory framework, including the data access and privacy framework.

Technical specifications changes

2.49 The preferred option for implementing the Directive provision includes adding the capability to record data in SMETS 2 meters (for electricity) and communications hubs (for gas).

2.50 The implementation of 24 months of daily storage will be detailed in SMETS and CHTS in terms of additional storage and data items.

2.51 The Government is preparing to notify the second version of technical specifications (SMETS 2) and will include draft requirements related to the storage of 24 months of daily data in the specifications on a provisional basis. Subject to the outcome of this consultation, these requirements would be confirmed and supplemented by similar requirements in CHTS in the Spring.

Implementation and enforcement

2.52 The regulatory framework for the implementation of this provision will need to be in place at the Directive implementation deadline on 5 June 2014. Consumers will need to be able to access this data from their SMETS 2 meter and CHTS communications hub, or request that their supplier start collecting it, from this point forward.

2.53 The preferred option for delivery will require suppliers to handle and process consumers' data. This would need to be done in accordance with the data access and privacy policy framework for smart meters and any other applicable legislation. In particular, consumers should be able to ask their supplier to collect 24 months worth of daily data purely for the purpose of feeding this back to the consumer (in line with the Energy Efficiency Directive provision) – separately from any choices the consumer might make about supplier access to daily consumption data for other purposes.

- 2.54 In addition, the Government’s assessment of the Directive is that suppliers would not need to collect data for all consumers on the assumption that they may ask for it at some point in the future, but should ask consumers if they wished for the data to be collected. The supplier would pull the data from the meter following the request. If they were planning to collect it in their back office systems they could only do so following a consumer’s request.
- 2.55 Consumers with SMETS 2 smart meters would also be able to download their data directly from their smart meter although they would also need to allow the meter to accumulate data if it has been installed for less than 24 months.
- 2.56 For consumers with SMETS 1 meters, suppliers would only start collecting their data in their back office systems on request. They would have to wait for their supplier to accumulate data following their request to receive the full complement of information.
- 2.57 Where a supplier was providing data to the consumer over the internet, rather than waiting for 24 months to collect data, suppliers could ask consumers if they wanted the previous 13 months of half hourly data stored on their meter/communications hub to be downloaded/pulled from the meter first, and then daily data be collected for a further 11 months, to total 24 months. However, they will need to ensure that this is done in line with any requirements in the Data Access and Privacy policy framework regarding supplier access to half hourly data.
- 2.58 As with all other licence conditions, Ofgem would be responsible for monitoring and, where appropriate, enforcing compliance.

Consultation Question

1.	Do you agree with the preferred option for delivering the Directive provision and the analysis of options? Are there any additional benefits or risks that need to be considered?
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Consultation Question

2.	Do you agree that including the capability in SMETS 2 meters as standard is a sensible approach?
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Consultation Question

3.	How important is it that there is a consistent approach for consumers accessing data across all suppliers, versus suppliers having the flexibility to decide how consumers can access data?
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Consultation Question

- | | |
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| 4. | Do you agree with the consideration of the costs of the different options? Are you able to provide any further assessment of the potential incremental costs of the options, particularly i) providing access to daily data over the internet or via email, ii) adding the capability to SMETS 2 meters? |
|----|---|

Consultation Question

- | | |
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| 5. | Do you agree with how we propose to make changes to licence conditions and SMETS 2? |
|----|--|

Consultation Question

- | | |
|----|--|
| 6. | Are there any other considerations that have any implications for the best option to implement the Energy Efficiency Directive provision? |
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Annex A – Relevant text in the Energy Efficiency Directive

Article 9 (2)

Meters installed in accordance with Directives 2009/72/EC and 2009/73/EC shall enable accurate billing information based on actual consumption. Member States shall ensure that final customers have the possibility of easy access to complementary information on historical consumption allowing detailed self-checks.

Complementary information on historical consumption shall include:

- (a) cumulative data for at least the three previous years or the period since the start of the supply contract if this is shorter. The data shall correspond to the intervals for which frequent billing information has been produced; and
- (b) detailed data according to the time of use for any day, week, month and year. These data shall be made available to the final customer via the internet or the meter interface for the period of at least the previous 24 months or the period since the start of the supply contract if this is shorter.**

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