

Treasury  
Langton Crescent  
Parkes ACT 2600

Submitted via email: [CDRRules@treasury.gov.au](mailto:CDRRules@treasury.gov.au)

9 September 2024

### **Consumer Data Right Rules: consent and operational enhancement amendments**

The Australian Energy Council ('AEC') welcomes the opportunity to make a submission to Treasury's consultation on the Consumer Data Right Rules: consent and operational enhancement amendments consultation ('CDR Rules Consultation').

The Australian Energy Council is the peak industry body for electricity and downstream natural gas businesses operating in the competitive wholesale and retail energy markets. AEC members generate and sell energy to over 10 million homes and businesses and are major investors in renewable energy generation. The AEC supports reaching net-zero by 2050 as well as a 55 per cent emissions reduction target by 2035 and is committed to delivering the energy transition for the benefit of consumers.

### **Exempting energy trial products from the CDR**

While the AEC supports having an exemption process, we believe the limiting clauses – a 12-month period and no more than 1,000 customers – is too narrow to encourage proper product and service innovation. The energy sector is undergoing a significant energy transformation from fossil fuels to renewables, which is seeing the supply of electricity become less centralised. Part of this shift towards a two-way energy flow involves the mass uptake of Consumer Energy Resources (e.g. solar panels, batteries, and electric vehicles) and there are major reforms underway to facilitate the orchestration of these technologies.

Retailers will be central to this orchestration, through delivery of things like the rollout of smart meters, community batteries, tariff innovation (e.g. to encourage load shifting and demand management) and Virtual Power Plant ('VPP') demonstrations.

Some of these products are already undergoing trials and tend to require greater parameters than what is proposed here to see meaningful results. To give a couple of examples:

- AGL's [VPP Trial in South Australia](#) went for five years with the rollout to 1,000 residential and business customers occurring across multiple years.
- Retail and network [Demand Response Trials](#) only occur over a handful of days but cover thousands of customers (e.g. a 10 day trial in the linked report had over 2,800 participating customers).

It is expected that the reach and scale of these trial products will only grow overtime alongside greater uptake of CER and demand from policymakers for efficient orchestration to lower costs and emissions.

Noting this context, the AEC suggests Treasury increase the exemption arrangements to a trial length of five years and 5,000 customers.

**Nominated representatives**

The AEC has some concerns with the proposed requirement on data holders to “offer an online process for allowing online administrators to be appointed as nominated representatives”. If this requires data holders to build a new online mechanism linked to the CDR, it is likely to incur significant implementation costs with the benefits to customers marginal, noting the very low number of business account holders requests for CDR to date.

The AEC recommends that Treasury clarify in the rules that “online” can mean an online form, which will enable data holders to leverage their existing billing systems at much lower cost.

Any questions about this submission should be addressed to Rhys Thomas, by email [Rhys.Thomas@energycouncil.com.au](mailto:Rhys.Thomas@energycouncil.com.au) or mobile on 0450 150 794.

Yours sincerely,

**Rhys Thomas**

Policy Manager

Australian Energy Council