

5 May 2023



Ms Anna Collyer
Energy Security Board

By email: info@esb.org.au

Dear Ms Collyer,

ESB – Data Strategy Initial Reforms – Draft Legislation – Consultation Paper

Origin Energy appreciates the opportunity to provide a submission in response to the Energy Security Board's (ESB) Data Strategy Initial Reforms Draft Legislation (draft legislation).

Origin is concerned that the open nature of the Class B Bodies means that there are increased risks that data is incorrectly provided, data security is compromised and the costs to consumers of allowing the access outweighs the benefits. The framework needs to give consumers confidence that their data is being used and managed in a secure way and the costs of allowing third party access provides them with benefits.

The draft legislation proposes to expand the National Electricity Law (NEL) and National Gas Law (NGL) to allow two additional categories of prescribed bodies (described as Class A Bodies and Class B Bodies) to request AEMO data. These changes are focussed on better enabling Regulators, Governments, and research bodies to access consumer data held by AEMO to make more informed policy decisions.

While we support the access of AEMO data by Governments and Regulators (ie Class A Bodies), we remain concerned with the range of public research and university bodies (ie Class B Bodies) that could potentially seek access to data held by AEMO. The definition of Class B Bodies is so broad that it appears that any body or person linked in some way to a university or research centre could apply to access AEMO data. The broadness of the credentials to access AEMO data by Class B Bodies is a concern because of: 1) the undefined level of data they could request; 2) system security to receive the data; and 3) costs to consumers in performing these functions.

The scope of AEMO data that can be shared with Class B Bodies should be limited to a clearly defined data set. The energy sector has not been provided with any detail of the data sets that could form part of the data sharing arrangements. Rather, there has been a high-level discussion that AEMO's initial data sets could be related to meter data and Distributed Energy Resources (DER) data.¹ However, it is not clear what products or services fall within the DER data category or the level of data that that Class B Bodies could access. We believe considerable work still needs to be undertaken to define the data sets before approving that these bodies have access to the data.

We also feel that data security has not been afforded sufficient consideration. There does not appear to be any technical standards for the transfer of data between AEMO and third parties; rather the format of the data transfer will be as agreed between parties. This is inconsistent with the data sharing arrangements that have been developed through the Consumer Data Right (CDR) framework where there are strict security credentials and standards for the transfer of data.

Finally, there are no requirements in the legislative framework to require cost benefit analyses to be conducted to determine whether the benefits outweigh the costs in AEMO developing and extracting data for third parties. This is particularly concerning for a non-standardised request for data which may require significant resources and time to scope and extract the data requested by the third party. When data is requested to be extracted for research purposes, the third party should be required to qualitatively demonstrate that the use of the data will provide a public benefit. It is noted that the costs

¹ Energy Security Board, Data Services Delivery Model – Consultation Paper, December 2022, p25.

of these functions will be worn by consumers through market fees and the greater these costs, the more consumers will pay through energy prices.

For these reasons, Class B Bodies should be limited to clearly defined Bodies. There should not be general, discretionary provisions that allow AEMO to decide if and how much data they are able to share with the with Bodies.

Origin would welcome the opportunity to work with the ESB to further develop the data sharing framework and develop a framework that provides benefits to consumers.

If you have any questions regarding this submission, please contact Caroline Brumby in the first instance on (07) 3867 0863 or caroline.brumby@originenergy.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sean Greenup', with a large, stylized flourish at the end.

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