



ATA Advocacy Grant – Project No. #436

Consumer Representation on the National Stakeholder Steering Committee for the National Smart Meter Program

Final Report

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Contents

1.0	Introduction	3
2.0	Project #436 Objectives	4
2.1	Project Outputs - Application.....	4
2.2	Project Outputs - Delivered.....	5
3.0	Project Issues	6
3.1	General Issues	6
3.2	Consumer HAN / DLC Principles Paper	7
3.3	NSSC / NSMP Transition Issues	8
4.0	Project Costs and Expenses	10
4.1	Salaried Position.....	10
4.2	In-Kind Contribution.....	11
4.3	Project Expenses	11

Appendices

Appendix A: Consumer HAN / DLC Principles Paper

Appendix B: Project Expenses – April to June 2011

1.0 Introduction

The National Stakeholder Steering Committee (NSSC) of the National Smart Meter Program (NSMP) was established by the Ministerial Council on Energy (MCE) to lead the development of the technical, operational and regulatory aspects of the smart metering framework, and build MCE's cost benefit analysis of smart metering to inform future policy decisions.

The NSSC provided leadership to the NSMP working groups which were the means by which stakeholders participated in the development of the National frameworks for smart metering

- the Business Requirements Working Group
- the Business Processes and Procedures Working Group
- the Pilots and Trials Working Group
- the Regulations Working Group
- the Testing Frameworks Working Group

NSSC membership was defined in the NSSC Terms of Reference and comprised an independent chair, voting and non-voting members. Over the past two years, the NSSC comprised:

- four members selected by the Energy Networks Association;
- four members selected by the Energy Retailers Association of Australia; and
- one member selected by the National Consumer Roundtable on Energy.

The NSSC acted as the final decision making body prior to NSMP recommendations being submitted to MCE SCO for final determination. All of the recommendations of each of the NSMP Working Groups and other Work Streams were subject to review and determination by the NSSC.

Until June 2010, the Australian Council of Social Service (ACOSS) filled the role of consumer representative on the National Stakeholder Steering Committee (NSSC) of the National Smart Meter Program (NSMP). Effective 30 June 2010, ACOSS resigned its role as the NSSC consumer representative.

Project #436 sought grant funding to support ATA as the replacement consumer representative on the NSSC for the 2010/11 financial year. Given ATA's significant presence on a number of NSMP Working Groups during 2009 and 2010 and our level of technical capacity, ATA was a natural choice to replace ACOSS in this role. ACOSS maintained a role as Alternate representative during the 2010/11 grant period.

2.0 Project #436 Objectives

The objectives for Project #436 were:

- That consumer issues, as deemed relevant and appropriate by participant organisations on the National Consumer Roundtable on Energy, are raised and given full consideration by the NSSC;
- That this first objective extends to the explanation and articulation of issues addressed through the NSMP Working Groups, as well as issues highlighted by the NSSC where consumer input and feedback is sought; and
- As one of nine voting positions on the NSSC, that this role provided a conduit to the Roundtable to directly influence outcomes of the NSMP at its highest level.

2.1 Project Outputs - Application

The specific outputs articulated in the ATA grant application for Project #436 were:

- Attendance, participation and advocacy at 11 monthly meetings of the NSSC through the 2010/11 financial year, held alternately in Sydney and Melbourne (half day allowance per meeting);
- Attendance, participation and advocacy at out-of-session meetings and teleconferences, approximately one to two per month, as required (half day allowance per meeting);
- One full day per month (11) allowed for preparation and follow-up tasks for NSSC monthly meetings and out-of-session meetings, including substantial reading material and response to email communication prior to and following meetings;
- Consultation with the National Energy Consumer Roundtable participants and consumer representatives on NSMP Working Groups (4 hours allowed per NSSC meeting) on issues where consumer feedback is sought or that are promoted by Consumer Roundtable participant organisations;
- Travel time to and from Sydney NSSC meetings (ATA's Consumer Representative was based in Melbourne). No travel time was claimed for Melbourne meetings;

2.2 Project Outputs - Delivered

ATA can confirm that as part of the deliverables of Project #436, the following outputs were achieved:

- Attendance at ten formal meetings of the NSSC (six Sydney, four in Melbourne);
- Attendance at six formal out-of-session meetings with NSSC members;
- Participation in at least twelve teleconferences of the NSSC;
- Facilitation of nine separate meetings with consumer advocates; a representative of electricity retailers and three separate leaders of the NSMP; to develop and finalise the *Consumer Principles Paper for Home Area Networks and Direct Load Control*, which was presented to the NSSC at their April meeting for noting and discussion and consideration by SCO.
- Attendance at three NSMP workshops as an NSSC member.

Table 1 below contains both the delivered output and the intended output under our grant application for Project #436, for comparison:

Table 1: Projected v Actual Output for Project #436

Project Deliverable	Projected Output	Delivered Output
Attendance at NSSC Formal Meetings	11 mtgs	10 mtgs ¹
Preparation for NSSC Meetings	for 11 mtgs	for 10 mtgs
Participation in Teleconferences	0	12 – 14 mtgs
Participation in Formal Out-of-Session Meetings	0	6 mtgs
Consumer Organisation Consultations	44 hours	Approx. 80 hours

ATA considers that whilst a slightly smaller number of formal meetings were prepared for and attended over the grant period, this was more than offset by the teleconferences, out-of-session meetings with NSSC members, and the significant facilitation requirements of the Consumer HAN / DLC Principles Paper.

¹ Two of these were the initial National Energy Industry and Consumer Forum (ICF) meetings.

3.0 Project Issues

3.1 General Issues

Consumer issues were raised and championed throughout the course of the grant period, at NSSC formal meetings, out of session meetings, teleconferences and correspondence between relevant NSSC members.

Consumer issues were raised as part of the following responsibilities of the NSSC:

- The primary task of the NSSC of guiding the NSMP Working Groups (of which ATA is the one continuing, contributing consumer representative) of the NSMP, including:
 - the Business Requirements Working Group (completed during the final reporting period of Project #436);
 - the Business Processes and Procedures Working Group (transferred to the IEC/RMEC during the final reporting period of Project #436);
 - the Pilots and Trials Working Group (transferred to the ENA during the final reporting period of Project #436);
 - the Regulations Working Group (largely completed during the first reporting period of Project #436).
 - The Testing Frameworks Working Group.
- Additional to documents detailed in previous progress reports², the final bodies of work of various advice to MCE SCO, including:
 - The development of a schedule to the *Access and Contestability Principles*³ for the delivery of smart meter services;
 - The development and definition of the new service provider role of *Customer Functions Service Provider* (not publically available).

² All NSSC documents can be found at: <http://share.aemo.com.au/smartmetering/Pages/NSSC.aspx>

³ Access and Contestability Report can be found at: <http://share.aemo.com.au/smartmetering/Document%20library/NSMP%20access%20and%20contestability%20principles%20and%20release%20notice%20-%2010%20May%202010.pdf>

Access and Contestability Schedule can be found at: <http://share.aemo.com.au/smartmetering/Document%20library/NSMP%20access%20and%20contestability%20principles%20-%20schedule%20B%20-%20policy%20principles%20v0.61.pdf>

3.2 Consumer HAN / DLC Principles Paper

Aside from actual meeting attendance and contribution, the most significant piece of work to be coordinated and delivered by ATA as part of Project #436 is the Consumer Principles Paper on Home Area Network (HAN) and Direct Load Control (DLC).

This issue is of significant interest and concern to consumers, particularly in the event of any mandated meter rollout, and the ATA commenced consultations with the Consumer Roundtable early in the grant period, with a view to preparing a formal document for NSSC and SCO consideration. The ATA ultimately consulted with consumer organisations in Melbourne, Sydney and Brisbane in regards to this paper.

The preparation of the final document, involved considerable consultation with Consumer Roundtable member organisations, along with industry representatives and NSMP Workstream Leaders. As such, the document took significant resources from within ATA to manage both the consultation and technical input, and which was shared between ATA's funding under this project, along with partial funding under Project #407 for the 2010/11 period.

As part of the development of the paper, the ATA facilitated the following meetings during the grant period:

- 7th December (Melbourne, at PWC);
- 14th December (Melbourne at PWC);
- 27th January (Melbourne, at ATA);
- 15th February (Sydney, at PIAC);
- 22nd February (Brisbane, at QCOSS);
- 7th April (with Peter Egger, then current BPPWG Workstream Leader);
- 2nd June (with AGL, as member of the ERAA);
- 3rd June (with Shaun Dennison, current BPPWG Workstream Leader);
- 9th June (with Harry Kohler, former NSMP Program Director).

The April meeting of the NSSC saw the ATA present the final version of the Principles Paper to the Committee for noting and discussion, along with a successful recommendation for consideration by SCO. The Paper was well received by all parties.

Importantly, the principles were soon adopted by the BPPWG as a guiding document their work (which include the development of service levels as well as 27 new and amended business to business procedures), and by the Department of Resources, Energy and Tourism (DRET) in their current *Consumer Protection and Safety Review*.

Also of significant note is that the delivery of the final version to the NSSC and SCO has seen the Electricity Networks Association (ENA) advocating to DRET and the Victorian Department of Primary Industries (DPI) to demote the status of the consumer principles.

Having now garnered detailed feedback from industry and government on the first version of the principles, ATA will be revising the final version of this report, in further consultation with Consumer Roundtable organisations, with a view to releasing a subsequent version (V2.0) for submission to the Department of Resources, Energy and Tourism's (DRET) *Consumer Protection and Safety Review*, in the latter half of 2011.

The current Final Version (V1.0) of the Consumer Principles for HAN and DLC paper is contained within **Appendix A**.

3.3 NSSC / NSMP Transition Issues

Through our role on the NSSC, the ATA was directly involved with transition arrangements for a number of NSMP Working Groups, along with the NSSC itself, post their closure during various stages in 2011. Advocacy output in this regard included:

- Inputting into the arrangements for the handover of incomplete or continuing NSSC deliverables, along with the transition to the National Energy Industry and Consumer Forum, post the formal closure of NSSC at the end of April 2011.

Beyond April, the NSSC continued meeting as the Smart Meter Industry and Consumer Reference group. ATA remained on this group as per our current NSSC member role, until the end of August 2011, to guide the transition and assist to establish other consumer representatives.

Significantly, ATA successfully negotiated that consumer representation on the ICF be increased to four members, achieving parity with retailers and distributors, and assisted new consumer reps from ACOSS, CALC, CUAC and QUT to be established. ATA also contributed to the drafting of the new 'Charter' for the group, participating in a number of phone meetings between June and August.

- Negotiating governance arrangements for the BPPWG, from being a Working Group of the NSMP to becoming an advisory body of the Information Exchange Committee / Retail Market Executive Committee.

As the IEC/RMEC did not have consumer representation, this has required input into the development of the BPPWG's revised terms of reference to ensure that, for example, identified consumer issues were reported directly to SCO (as well as IEC/RMEC) to ensure that these issues are dealt with transparently. ATA were able to ensure that new consumer representatives would not be precluded from joining the group.

- Negotiating governance and membership arrangements for the PTWG from being a Working Group of the NSMP to becoming a Reference Group of the Energy Networks Association for the purposes of annual reporting of smart meter pilots and trails to SCO.

Through pushing for the preservation of the governance arrangements of the PTWG, ATA were able to ensure that consumer representatives would be given similar status to industry representatives on this group in terms of voting rights and access to raw data, and that new consumer representatives would not be precluded from joining the group.

- As representative of the Consumer Roundtable for the NSSC, ATA (along with NSSC alternate ACOSS) continued to advocate to DRET throughout the second half of the project period to implement the stalled *Consumer Protection and Safety Work Stream*.

This work stream had been intended to pick up on unresolved consumer protection issues identified in the NSMP. In response, DRET undertook to progress a *Consumer Protection and Safety Review (CPSR)*.

On March 9th 2011, ATA facilitated a workshop at ATA's offices in Melbourne in which DRET representatives presented their progress on the CPSR. It was attended by ten consumer advocates as well as representatives of Victoria's Department of Primary Industries (DPI).

ATA continues to liaise with DRET, providing guidance on various consumer issues in relation to the review.

- ATA also communicated frequently with DRET representatives to raise consumer concerns regarding 'post-NSSC' transition arrangements for the above and related matters, particularly in relation to the work of the BPPWG.

4.0 Project Costs and Expenses

The budget for Project #436, as contained in ATA’s original proposal, was as follows:

Main cost components	Time involved, e.g. in days	Amount \$ excl GST	Source
NSSC monthly and out-of-sessions meeting attendance	11 full days @ 7.5 hours / day	7,012.50	Advocacy Panel
Meeting preparation & response to material	11 full days @ 7.5 hours / day	7,012.50	Advocacy Panel
Consultation with Consumer Roundtable and consumer reps on NSMP Working Groups	4 hours per meeting (11 mtgs)	3,470	Advocacy Panel
Travel time (Sydney meetings)	4 hours x 6 meetings	1,320	Advocacy Panel
<u>Expenses:</u> Travel expenses* for Sydney NSSC meetings	\$750 x 6 meetings	4,500	Advocacy Panel
*Expenses include return flights, meals and accommodation where necessary			
Total Cost \$		23,315	

Essentially, the total project budget was \$23,315 (exc. GST), which comprised 100% funding by the Advocacy Panel. The travel expense allowance was a maximum figure and required justification by the ATA during each reporting period throughout the 2010/11 year.

4.1 Salaried Position

To deliver the advocacy output, ATA hosted a 0.1 FTE salaried position from 1 July 2010 until 30 June 2011. This 0.1 FTE salaried position was undertaken primarily by Mr Craig Memery, with support from Mr Damien Moyse, for the duration of the grant period.

4.2 In-Kind Contribution

In our original application, the ATA was successful in acquiring a waiver for in-kind contribution on the basis that:

- the outcome of the project was considered to be of benefit to the majority of consumers (ATA was to be the sole representative of up to 10 million electricity consumers on the industry dominated Steering Committee);
- additional expenditure by the Panel was justified by the expected benefits of the project (i.e. to ensure gains at the Working Group level were not vetoed at the Steering Committee); and
- the ultimate benefits of the project are long term (smart metering is set to be an important part of electricity network management for the next decade).

4.3 Project Expenses

Tax Invoices are contained in **Appendix B** of this report for all expenses incurred during the final reporting period (i.e. 1st April to 30th June 2011). Previous reporting period expenses have been included and invoiced with previous period reports.

The following expenses are items where the tax invoice has been lost or not provided to ATA, but have been included within the expenses in the final project invoice:

ITEM – DESCRIPTION - MEETING

- *Taxi fare, \$16.10 inc. GST – for travel from Sydney airport to ACOSS, Redfern, tax invoice lost – June 11th, Sydney.*
- *Meals, \$28.62 inc. GST – tax invoice lost – June 11th, Sydney.*
- *Taxi fare, \$62.16 inc. GST – taxi from City to Airport for meeting at Airport, tax invoice lost – June 2nd, Melbourne.*

Appendix A

Consumer Principles for Home Area Networks and Direct Load Control

Version 1.0

These principles have been developed through extensive consultation with various members of the National Energy Consumer Roundtable. As such, this document is intended to represent the views of energy consumers based on our best understanding of smart metering at this time.

Scope

These principles apply both to the period of a exclusivity of delivery of smart meter services (the “mandated rollout” scenario) and to the ensuing “post-mandate” period.

Most of the principles will apply generally to the “non-mandate” scenario, however the Roundtable acknowledges that due to the uncertainty over what a “non-mandate” scenario looks like, the principles may need to further refined to fit that context. The roundtable welcomes the opportunity to further explore the context of a “non-mandate” scenario.

Document status

Version 1.0 of this document should be considered final for the purposes of the NSSC, BPPWG, and IEC/RMEC and progressing the work of the NSMP from April 2011.

Endorsement of the document by consumer stakeholders, for the purposes of release to MCE SCO, is still pending, and is expected in time for the NSSC meeting of 20th April.

Recent changes

In the latter stages of editing these principles, numerous wording changes have been made to ensure consistency with the language more recently used in the National Smart Meter Program working groups, particularly the Business Processes and Procedures Working Group.

Also during this process, changes of substance have mean made, by the author, to some principles. These changes reflect where

- In one case consumers had not previously reached an agreement on a principle, and the author has put forward a recommendation which has been verbally accepted by stakeholders
- One principle has been added to complement the above change
- Some ‘placeholder’ principles are now explicated
- In some cases our understanding has simply evolved, and this learning has allowed a principle to be refined (and in one case removed)
- A position arrived at in the NSSC or BPPWG has altered the way we need to express a principle
- Importantly, discussion with NSMP workstream leaders identified a need for greater detail or disambiguation of some principles to allow them to be applied



As such these changes are yet to be noted by most members of the Roundtable. Though extensive, the author is confident that these changes will be accepted by consumer stakeholders as a matter of course, as they are in the best interest of consumers. Hence the changes are unlikely to effect any pledges of endorsement made by consumers based on earlier versions of the document.

On behalf of the Roundtable, the author wishes to thank MCE SCO and the NSSC for the opportunity to provide this input into the development of smart meter frameworks. It has been the experience of industry and consumers alike that as the landscape continues to change and we learn more about smart metering, so our understanding continues to evolve. We look forward to the future opportunities to engage in the discussion around smart meters.



Consumer Policy Principles for the Utility HAN and DLC

1. Appropriately authorised representatives, including family members, administrators and financial counsellors, must be able to act on behalf of account holders with respect to utility HAN and DLC contracts and services.
2. The onus will be placed on new/potential financially responsible market participant (frmp), customer function service provider (cfsp) or authorised third parties to ensure that the account holder (or the representative of the account holder) is capable of providing explicit informed consent.
3. The HAN shall be based on an Open Interface Standard supporting consumer HAN devices from multiple manufacturers.
4. HAN devices sold in or imported to Australia will be certified according to the relevant technical standards consistent with the HAN Open Interface Standard and relevant technical and safety standards.
5. The consumer may choose to cede management of the Utility HAN or specific consumer HAN devices on the Utility HAN to an authorised party (on the provision of explicit informed consent (“opt-in” rather than “opt-out”), typically as part of a contracted service.
6. A consumer will be responsible for registration and deregistration of their consumer HAN devices (i.e. in home display, domestic appliances) on the HAN interface enabled by their smart meter.
7. Consumers will be provided with secure facilities for the registration and deregistration of consumer HAN devices. Secure facilities must only be provided by an authorised party who is accredited by AEMO.
8. A consumer may register their consumer HAN devices without those devices being associated with a contract with any party (For example, a consumer may purchase the device from a retail electronics outlet.)
9. Any information stored on a meter relating to a consumer is confidential. The appropriate NEM Procedures will be developed and implemented to ensure these requirements are met.
10. On move-out the outgoing consumer may choose to modify the list of consumer HAN devices registered on a Utility HAN.
11. A CFSP, AEMO, or potentially another authorised party will exclusively retain standing data for registered HAN devices at a property for the duration of the period between a move out and a move in, and this data will be released to authorised parties only when the incoming customer has provided explicit informed consent to for that authorised party.
12. On move-in the incoming consumer may choose to modify the list of consumer HAN devices registered on a Utility HAN.
13. A consumer will have the right to, real time access to all types of metered data (such as electricity, water, and gas) for an IHD or other HAN device via the HAN interface at no cost.
14. A consumer may authorise their metered data to be provided to any authorised third party, via a secure HAN device.

15. No consumer will be required to involuntarily place any appliance on direct load control via the Utility HAN.
16. When a new consumer moves into a premises where a consumer appliance was previously on direct load control via the Utility HAN, the new consumer will have the right to have reset or modify all settings relating to the device including direct load control without payment of compensation to any party.
17. A consumer may, with explicit informed consent, allow a third party to send messages to an IHD or other HAN devices via the Smart Meter Infrastructure (SMI) and Utility HAN without visibility of the message content to the FRMP or Distributor.
18. Authorised third parties will be required to register with AEMO and/or CFSPs to undertake a contractual agreement that they will abide by the NSMP Procedures which govern the use of the facility.
19. Where supported by legislation, a person who is the representative of an emergency service may use the Utility HAN to send emergency messages to a community of customers provided that the person does so directly through a Registered Participant, or a third party accredited system. The person must abide by the NSMP Procedures which govern the use of the facility.

Consumer Utility HAN Device Registration and Deregistration

These principles define how the registration and deregistration of a consumer device by a consumer should be designed.

Consumer HAN Device Registration

1. All consumers will be provided with accessible facilities to register and deregister consumer HAN devices, without charge.
2. The consumer may register certified consumer HAN devices of their choosing.
3. Consumer HAN devices must be registered against the correct smart meter, and unauthorised access by any other devices will be prevented.
4. The registration information for consumer HAN devices and other utility meters or utility devices will be preserved as standing data against the NMI.
5. The registration information for consumer HAN devices is confidential
6. The consumer will be provided with a facility to provide consent to one or more market participants or third parties to access all or a subset of the consumer's HAN devices.
7. Any contract entered into in granting access to a consumer's HAN device must include a cooling-off period during which the consumer can withdraw their consent without penalty.
8. Any consent granted will be revoked when the consumer moves out, changes retailer or revokes their consent. The revocation itself will not be subject to contract conditions.
9. While a consumer may incur a penalty for early cancellation of a contract within a contract period, this will not affect their right to withdraw consent and will be reflective of the true cost to the business of this early cessation of the contract.

Move Out

10. When a consumer moves out of a property the consumer will have the right to deregister any consumer HAN devices they plan to remove from the property. Any other consumer



HAN devices will remain registered, however the communication between consumer HAN devices and the smart meter will be disabled via the SMI.

11. On a move out, the standing data associated with the HAN devices of that NMI remains confidential information until a new customer moves in.

Move in

12. On a move in any existing standing data can be released to potential authorised parties only when the incoming customer has provided explicit informed consent to that specific party.
13. On a move in, the preserved standing data associated with the HAN devices of that NMI becomes confidential information once a consumer enters into a contract for the supply of electricity to the property.
14. When a consumer moves into a property they will have the right to access the standing data that has been preserved against that NMI.
15. When a consumer moves into a property they have the right to register or deregister any existing consumer HAN devices on that NMI.
16. Market participants will not modify the list of registered HAN devices around move-out, and move-in events without consumer consent.

Change in Retailer

17. When a consumer changes retailer, any consent granted to the previous retailer will be revoked. The list of registered HAN devices will be maintained as standing data. The consumer can establish consent with the new retailer for the Consumer HAN devices registered on the Utility HAN.

Meter replacement

18. When an electricity meter is replaced, the list of consumer HAN devices registered will be maintained and the setting and operation of the device will not be required to be changed by the consumer.

Confidential Information

20. Access to confidential registration information will be restricted to authorised parties that are required to facilitate the customer service function, based on explicit informed consent.
21. Market participants and authorised third parties may need to handle HAN device registration data and other confidential consumer information in the course of facilitating a customer service function. The market participant must not use that information for any other purpose and must protect the confidentiality of that information.

Consumer Access to Energy Data via the Utility HAN

These principles apply to an In-Home-Display and equally to any other device that allows the consumer to access real time energy consumption information directly from the Smart Meter via the Utility HAN.

22. Meter data available directly from the smart meter will be made available to registered HAN devices without limitation and without any additional charges.
23. While NER Chapter 7 rules govern the handling of metering and energy data, this data is considered confidential customer information.



24. Historical interval data represents a signature of a consumers usage patterns and may indicate personal details or behavioural traits. As such it is important to prevent unauthorised access to this data.
25. The HAN technology standards, security protocols and business procedures will together ensure that unauthorised HAN devices are not able to access a consumer's metering data stored in the smart meter or other registered and authorised HAN devices.
26. On a move-in there will be a means for the incoming consumer to prevent devices that belong to the previous consumer from continuing to read consumption data from the smart meter. This implies the incoming consumer may deregister a consumer HAN device.
27. The HAN shall also support communication of metering data from any embedded generation and sub-metering of end-use devices and controlled circuits.

Consumer Access to Tariff and Billing Data via the Utility HAN

These principles apply to an In-Home-Display and equally to any other device or system that allows the consumer to access, evaluate and respond to energy, tariff and price data from the Smart Meter via the HAN.

1. Tariff information is based on a contract between the retailer and consumer and is classified as confidential information.
2. Upon request a consumer must be given ongoing access to their retail tariff data via the Utility HAN. Whenever tariff or other cost details change they will be routinely loaded to the smart meter, in line with the regulated notification requirements to customers.
3. On a move-in, or with a change of retail product or retailer, the consumer may request their retailer to load their tariff information.
4. Based on the consumer request the retailer will arrange for the tariff information to be loaded into the smart meter. The retailer has an obligation to provide such a service whether or not the consumer HAN device has been provided by the retailer.
5. All cost and related billing data made available to a consumer HAN device will be accurate to the extent that it reflects what appears on a consumer's bill, with only immaterial inaccuracies.
6. At the time of move-out or change of retailer tariff information will be removed (cleared) from the smart meter.
7. Tariff information will be automatically loaded into a smart meter on installation of replacement smart meter.

Confidential Information

8. Those parties that are required to facilitate the transfer and loading of tariff information in to the smart meter must not use that information for any other purpose and must protect the confidentiality of that information.

Messaging from market participants and other third parties to the consumer via the Utility HAN



These principles apply to an In-Home-Display and equally to any other device that allows the consumer to receive text messages from market participants or third parties via the Utility HAN. (principles for larger messages and advertising will need to be further considered, because the capability to send these messages may add significant overhead to the SMI).

1. With the exception of

- a. messages from emergency services (where supported by legislation)
- b. messages from an authorised party with whom a consumer has a contract
- c. notices of disconnection

any messaging by any third party to the consumer over the Utility HAN requires explicit informed consent to be established in advance (“opt-in” rather than “opt-out”).

2. With the exception of messages from emergency services (where supported by legislation), consumers will be provided with an automated facility, via the utility HAN, to opt-out of receiving messages from any individual party, including authorised parties with whom that consumer has a contract

3. Where supported by legislation, a person who is the representative of an emergency service may use the Utility HAN to send emergency messages to a community of customers provided that the person does so directly through an authorised party, or a third party accredited system. The person must abide by the NSMP Procedures which govern the use of the facility.
4. Whether an individual message is general in nature or consumer specific, the data is considered confidential consumer information, excluding emergency services messages.
5. On a move-out any messages will be removed (cleared) from the smart meter, and any consent to messaging services granted by the outgoing consumer will be revoked and will not transfer to the new consumer.
6. Those market participants and authorised third parties that are required to facilitate the transfer and communication of messages and information to the smart meter must not use that information for any other purpose and must protect the confidentiality of that information.

Direct Load Control of Consumer Appliances

These principles apply to a consumer appliance where the consumer has entered into direct load control contract with an authorised party. These principles are an addition to the Consumer HAN Device Registration and Deregistration Principles. These principles relate to the load control management, including but not limited to schedules and load control switch actions that may be applied to a consumer appliance on direct load control via

- A Controlled Load Contactor / Relay located on the meter
- The Utility HAN
- Any other technology for Direct Load Control

1. The consumer may cede control of a specific device for direct load control on the Utility HAN or CLC/R to an authorised party, with explicit informed consent. The default position for DLC of any consumer appliance will be “opt-in” rather than “opt-out”.



2. The consumer may opt out of direct load control during or at the completion of the direct load control contract period.
3. Any contract entered into in granting consent to control a consumer's device must include a cooling-off period during which the consumer can withdraw their consent without penalty.
4. The DLC appliance settings for consumer HAN devices will be preserved and maintained as standing data against the NMI or until the device is deregistered by the customer.
5. The DLC appliance settings for consumer HAN devices are confidential information.
6. The consumer will be provided with a facility to provide consent to one or more authorised parties for the purpose of DLC at any one time.
7. The consumer may provide consent to access all or a subset of the consumer's HAN devices for DLC..
8. Any consent granted for direct load control of an appliance will be revoked when the consumer moves out, provides explicit informed consent to another authorised party to operate that device, or otherwise withdraws their consent, regardless of contract conditions. For example, while a consumer may incur a penalty for cancelling a contract within a contract period, this will not affect their right to withdraw consent.

Move Out

9. When a consumer moves out of a property that consumer has the right to deregister any devices on direct load control that they intend to remove from the property. Any other devices on direct load control will remain registered.
10. On a move out, the standing data associated with devices on direct load control of that NMI is no longer confidential information solely for the purposes of informing the incumbent customer of the status of DLC devices.

Move in

11. When a consumer moves into a property they will have the right to access the standing data that has been preserved against that NMI. Any market participant or authorised party may access that preserved standing data on request from that consumer.
12. On a move in, the preserved standing data associated with devices on direct load control on that NMI becomes confidential information once a consumer enters into a contract for the supply of electricity to the property.
13. Prior to commencement of a new retail contract associated with a move in, the new FRMP is required to disclose to the consumer all information preserved in standing data regarding registered DLC devices associated with that NMI.
14. When a consumer moves into a property they have the right to register or deregister any devices on direct load control on that NMI.
15. Parties will not modify the list of registered HAN devices on direct load control around move-out, and move-in events without consumer consent.

Change in Retailer

16. When a consumer changes retailer, any explicit informed consent granted to the previous retailer will be revoked. The list of registered HAN devices on direct load control will be maintained in the market systems. The consumer can establish consent with the new retailer or other authorised party for .

Meter replacement



17. When an electricity meter is replaced, the list of devices on direct load control registered against that NMI will be maintained.

Confidential DLC Appliance Settings Information

18. Access to confidential consumer DLC appliance settings information will be restricted to the authorised parties required to facilitate the direct load control, based on explicit informed consent.
19. Market participants may need to handle confidential consumer information in the course of facilitating a customer service function for direct load control. In such a case, the market participant must not use that information for any other purpose and must implement processes that protect the confidentiality of that information.

