

Consultation Response**iGT095VV: Provision of access to Domestic Consumer data for Price Comparison Websites and Third Party Intermediaries**

Responses invited by: 08 Sep 2017

Respondent Details

Name: Kirsty Dudley

Organisation: E.ON

Support Implementation ☐

Qualified Support ☒

Neutral ☐

Do Not Support ☐

Please briefly summarise the key reason(s) for your support / opposition

We recognise development of this modification has varied and it is now in a position where the solution can be delivered; Xoserve/CDSP however now needs to deliver a technical solution which is in line with DPA/GDPR, although the PIA goes towards providing comfort there is still more development work required for it to be a robust solution with mitigated DPA risks which is also compliant to the CMA order.

Self-Governance Statement

Do you agree with the Modification Panel's determination with respect to whether or not this should be a self-governance modification?

We do agree that it requires Authority consent.

Please state any new or additional issues that you believe should be considered

Our answers to the Ofgem questions are:

- 1) Whether Shippers and Suppliers are Data Controllers in this context and the implications of this data disclosure as well as any mitigating actions that should be taken
We would view Xoserve/CDSP as the Data Controller for this solution.
- 2) How PCWs and TPIs will have their access to data restricted (contractually or otherwise), including for access to non-domestic supply point data which is not permitted by the proposed modifications
We do not have access to the detailed information and are therefore unable to respond to this question – this answer will need to be completed by Xoserve/CDSP
- 3) What provisions are in place to ensure consumer consent will be positive informed consent
We are unable to answer this question but we do believe that provisions should be put in place for compliance and regular monitoring for the solution.
- 4) Any implications and mitigating actions that should be taken in the context of the changes to Xoserve's governance and funding arrangements as a result of FGO and the forthcoming implementation of the GDPR
We recognise the modifications are to allow permissions but the lack of answers regarding the requirements of DPA/GDPR is a concern for the effective functioning of the new DSC arrangements. This potentially introduces risk to Shippers/Suppliers/Transporters and should be tackled as a matter of urgency.

Relevant Objectives

How would implementation of this modification impact the relevant objectives?

Objective D is impacted as the implementation of this modification facilitates the CMA order and also effective competition in the gas market.

Impacts and Costs

What development and ongoing costs would you face if this modification was implemented?

The costs of this modification should be covered by the Gas Transporters as required by the CMA order. We are unclear of our costs at this time as this information has not been forthcoming from the Xoserve/CDSP. Additionally costs need to be transparent for the solution so additional clarity is required.

Implementation

What lead time would you wish to see prior to this modification being implemented, and why?

The implementation of this modification should be aligned with the delivery of the technical solution by the Xoserve/CDSP and also the UNC equivalent modification.

Legal Text

Are you satisfied that the legal text will deliver the intent of the modification?

We have no comments on the legal text.

Further Comments

Is there anything further you wish to be taken into account?

NA

Responses should be submitted by email to IGTUNC@gemserv.com