

Representation - Draft Modification Report 0593V

Provision of access to Domestic Consumer data for Price Comparison Websites and Third Party Intermediaries

Responses invited by: **5pm on 08 September 2017**

To: enquiries@gasgovernance.co.uk

Representative:	Tahera Choudhury
Organisation:	Xoserve
Date of Representation:	08/09/17
Support or oppose implementation?	Support
Relevant Objective:	d) Positive

Reason for support/opposition: Please summarise (in one paragraph) the key reason(s)

Xoserve support the implementation of this modification, as this modification would create the relevant permissions within Uniform Network Code to enable the release of data to PCWs. This permission is essential to enable Xoserve to comply with the, CMA DES Order 2016.

Implementation: *What lead-time do you wish to see prior to implementation and why?*

Xoserve believe implementation should be immediately after an Authority decision has been made, as this would facilitate compliance with the CMA DES Order 2016 as soon as possible.

Impacts and Costs: *What analysis, development and ongoing costs would you face?*

There are no Xoserve costs associated with this permissions modification

Legal Text: *Are you satisfied that the legal text will deliver the intent of the Solution?*

No comment

Modification Panel Members have requested that the following questions are addressed:

Q1: To inform Panel's consideration of the varied modification, views are requested as to whether you agree that Ofgem's sendback questions have been addressed in the revised modification.

The Ofgem questions and our answers are provided below;

Q1) Whether shippers and suppliers are data controllers in this context and the implications of this for data disclosure as well as any mitigating actions that should be taken.

N/A

Q2) 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.

The attached, PWC access to data – Solution description for Modification 0593 – 095 workgroup report, details how PCWs access to data will be restricted inclusive of the restrictions to non-domestic supply point data.

Contractual obligations also set out access conditions for PCWs.

Q3) what provisions are in place to ensure consumer consent will be positive informed consent, and

Contractual obligations set out conditions to ensure PCWs have actively obtained consumer consent.

Q4) 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

Not specifically for this permissions modification.

However The Modification 0593 – 095 workgroup report provides details on GDPR compliance in reference to the technical solution.

Are there any errors or omissions in this Modification Report that you think should be taken into account? *Include details of any impacts/costs to your organisation that are directly related to this.*

None

Please provide below any additional analysis or information to support your representation

Please find attached the Industry PIA and supplementary document - PWC access to data – Solution description for Modification 0593 – 095 workgroup paper.



Mod Panel 0593-095
- PCW access to data



Mod 0593-095 PIA
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