Electricity Authority
via email
ccc@ea.govt.nz

23 January 2025

Dear Authority

Proposed Electricity Information Exchange Protocol – EIEP4A: Medically Dependent Consumer Information Consultation paper

Thank you for the opportunity to submit on the "Proposed Electricity Information Exchange Protocol – EIEP4A: Medically Dependent Consumer Information Consultation paper" ('Consultation'). Our responses to the Consultation questions are attached at Appendix A; please don't hesitate to contact me on 0212882276 or at jo.christie@mercury.co.nz if you have any queries.

Yours sincerely

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Appendix A: Mercury submission

Questions	Comments
Q1. Do you agree that introducing a regulated EIEP4A will address the issues with EIEP4 described above in 2.6?	Mercury does not agree with the proposal to introduce a regulated EIEP4A. The issues raised by the Authority at paragraph 2.6 of the Consultation could be resolved more efficiently by: i. Regulating existing EIEP4 to achieve the desired standardisation and consistency across the sector; ii. Making use of the Authority's transfer hub and the secure file transfer protocol mandatory to protect data from unauthorised access; iii. Requiring EIEP4 to be sent to distributors weekly to ensure that MDC information is kept up to date. We note Mercury currently sends EIEP4 files to most distributors monthly but that some distributors have already requested these weekly. This would not be a difficult transition. In our view, introducing a separate file transfer process to provide Medically Dependent Consumer (MDC) information that is limited to ICP number is not necessary or desirable. Existing EIEP4 can easily be adapted to ensure that it is fit for the purpose described at paragraph 2.8 of the Consultation. It contains MDC contact information that is necessary to enable a distributor to notify a customer in the event of a planned outage, and highly desirable in the case of an emergency. EIEP4 includes ICP identifier, customer name, address, contact phone number, Mercury account number and medical restriction type. In our view, all distributors should have this information regardless of whether they will be notifying MDCs of planned outages. The purpose for sharing this information would be to enable a distributor to contact MDCs on their network should an emergency arise. This would never be possible if a distributor only has the ICP information contained in EIEP4A. This does not seem ideal when one of the key objectives of the Consumer Care Obligations is to improve protection for MDCs. We appreciate the Authority's intention to protect consumer privacy by limiting the contents of EIEP4A to ICP information only. We believe however that regulating EIEP4 is safer for MDCs and more efficient for all parties. Most distributors are already receiving monthly EIEP4 files from Mercury and EIEP4A does not contain any new information. Subject to being satisfied with the purpose of sharing, updating the Default Distributor Agreement to include appropriate privacy provisions and ensuring that parties are using a secure file transfer (with supporting protocols), then any privacy risks can be adequately managed.

Q2. If you are a retailer or distributor, does limiting the data provided in the proposed EIEP4A to only medically dependant status at the ICP level meet your operational needs? If not, what additional data would you suggest?	Limiting the data provided in the proposed EIEP4A to medically dependent status at the ICP level alone would not meet distributors' operational needs. If distributors choose to notify MDC customers directly of any planned outage, they will not be able to do so unless retailers are providing them with regular EIEP4 files containing the requisite customer contact information. Regulating EIEP4 in the manner we have suggested above would obviate the need for EIEP4A.
Q3. Should the use of the EIEP transfer hub be mandatory?	Mercury would support making the use of the EIEP transfer hub mandatory. This would ensure that all data files are transferred using the hub's Secure File Transfer Protocol, protecting sensitive information from unauthorised access.
Q4. Do you agree with the objective of the proposed form? If not, why not?	Mercury does not agree that EIEP4A is required to achieve the objective identified. EIEP4 includes all the information required by EIEP4A plus additional information regarding a customer that is material and relevant to distributors to enable them to notify customers of planned outages and to contact MDCs in the event of an emergency
Q5. Have we identified all the main costs and benefits? If not, what are we missing?	The Authority should consider the potential cost to the personal safety of MDCs if distributor awareness of MDCs on their networks is restricted to an ICP number.
Q6. Do you agree the benefits of the proposed amendment outweigh its costs?	Mercury does not agree the benefits of the proposed amendment outweigh its costs. As discussed in our response to question 1 above, we do not agree with the value proposition and think that the same results can be achieved by regulating EIEP4A and making use of the Authority's transfer hub mandatory. The proposed EIEP4A would come at the cost of implementing a new process and there would be subsequent inefficiencies resulting from the duplication of effort and information between EIEP4 and EIEP4A.
Q7. Does the proposal adequately address privacy concerns? If not, what additional safeguards should be included?	As discussed in response to question 1, Mercury appreciates the Authority's privacy concerns however we believe that MDC safety should be paramount. The transfer of a regulated EIEP4 via the transfer hub should provide the necessary safeguards alongside retailer and distributor's own privacy and data protection measures.
Q8. Do you foresee any practical or technical challenges with implementing ICP-only data exchanges? If so, what mitigations would you propose?	ICP-only data exchanges should not be an issue provided retailers can continue to use their own unique customer account identifiers. The main issue lies with the duplication of effort and information which attaches cost and increases the risk of a data breach.
Q9. Do you agree the proposed amendment is preferable to the other options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objective in section 15 of the Electricity Industry Act 2010.	We do not agree that the proposed amendment is preferable to using existing EIEP4. We have set out our preferred option in response to question 1 above.