

<p>PART A – REPORT RECOMMENDATION 1: All metering data from or about residential meters should be handled throughout the Advance Metering Infrastructure (AMI) system in accordance with the National Privacy Principles (NPPs), in order to safeguard it against potential abuse, better control future secondary usage by unregistered third party participants, and to more clearly demonstrate to customers and the public that the industry is committed to privacy.</p>		
<p>Question a) How will each respondent ensure that metering data from smart meters is protected from potential abuse?</p>		
STAKEHOLDER	SUBMISSION	STAFF SUMMARY
<p>CitiPower and Powercor</p>	<p>CPPC have a published privacy policy and a Privacy Officer.</p> <p>CPPC smart meters and associated communications networks have been developed to prevent unauthorised access. The security system “incorporate varying levels of encryption” and digital certificates to ensure only authorised users can access the meters.</p> <p>Access to data will be restricted and security processes and staff security checks are mandatory.</p> <p>Metering data, whether collected from accumulation meters or smart meters, is protected through having internal procedures as well as existing regulations, such as under its licence, deemed contract and Electricity Distribution Code</p>	<p>Distributors have processes in place to ensure metering data are handled in accordance with the NPPs. All Distributors:</p> <ul style="list-style-type: none"> • encrypt the metering data • restrict access to data to only authorised staff and • use digital certificates to ensure only those authorised staff can access the data <p>Jemena and United Energy also set the HAN connectivity to “idle” as the default state and their infrastructure is accredited to ISO27001 Security Governance.</p>
<p>Jemena</p>	<p>The following measures have been implemented to protect smart meter metering data:</p> <ul style="list-style-type: none"> • data in transit are encrypted and digital certificates are used to ensure only authorised users can access the meters • only authorised staff can access metering data • setting the smart meter HAN connectivity to “idle” as the default state until the customer request connection and the customer’s request and identity has been verified by the customer’s Retailer • Jemena’s Privacy Statement is available on its website <p>Further, as an AEMO accredited metering data provider, Jemena has processes to review IT security procedures, including review of audit logs, staff training and password</p>	<p>Jemena and United Energy also set the HAN connectivity to “idle” as the default state and their infrastructure is accredited to ISO27001 Security Governance.</p>

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	<p>controls to IT systems.</p> <p>Jemena’s AMI infrastructure is accredited to ISO27001 Security Governance.</p>	
SP AusNet	<p>Its security controls include tamper detection, encryption, digital certificates to authenticate meters to SP AusNet’s network, and network data and traffic management tools. A central monitoring system records usage of metering data and access to information in systems containing metering data from smart meters.</p> <p>SP AusNet also undertakes risk assessments to identify any weakness and establish appropriate controls to mitigate the risk. The smart meter infrastructure has also been tested for security defects by its IT group and an independent third party.</p>	
United Energy	<p>United Energy’s framework for protecting smart meter metering data from potential abuse includes:</p> <ul style="list-style-type: none"> • role based access to metering data • data in transit are encrypted and digital certificates are used to ensure only authorised users can access the meters • setting the smart meter HAN connectivity to “idle” as the default state until the customer request connection and the customer’s request and identity has been verified by the customer’s Retailer • notifying customers of United Energy’s privacy principles • all staff employment contracts have confidentiality and privacy provisions <p>Further, as an AEMO accredited metering data provider, United Energy has processes to review IT security procedures, including review of audit logs, staff training and password controls to IT systems.</p> <p>United Energy’s AMI infrastructure is accredited to ISO27001 Security Governance.</p>	
Question b) How will each respondent control future secondary usage of metering data from smart meters by unregistered third parties?		
CitiPower and Powercor	Processes are in place to ensure responses to lawful requests complies with privacy and confidentiality obligations	CPPC’s submission advises that processes are in place to ensure that the provision of

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Jemena	<p>Customers would be required to sign terms and conditions for access to metering data. These terms and conditions ensure the customer provides consent .</p> <p>Customers, who choose to share HAN data with unregistered third parties, would be advised to enter into third party contracts to ensure personal information is disclosed only for authorised purposes.</p>	<p>metering data complies with its privacy and confidentiality obligations, but does not indicate what these processes are.</p> <p>Nevertheless, its response to question a) indicates the security measures it has in place to protect smart meter metering data from potential abuse.</p>
SP AusNet	<p>If third party providers are being used as part of the delivery mechanism for secondary or primary usage of data, SP AusNet’s contractual relationship with the third party would require the third party to comply with the NPPs and their compliance would be monitored by SP AusNet.</p> <p>However, if SP AusNet is providing data to a registered participant as a result of its regulatory obligations, such as providing metering data to the customer’s Retailer, then secondary usage of that data is outside of SP AusNet’s control.</p>	<p>Other Distributors’ submissions to this question offer different views:</p> <ul style="list-style-type: none"> • Jemena would advise customers to enter into a contract with the unregistered third party • SP AusNet’s contract with registered third party providers require their compliance with the NPPs, which would then be monitored • United Energy would ensure that an agreement with unregistered third party is in place so that their attention can be brought to United Energy’s privacy principles
United Energy	<p>United Energy will ensure that an agreement is in place with an unregistered third party requiring access to a customer’s metering data so that the third party is aware of the privacy principles. If required, the customer’s consent will also be obtained.</p>	

Part A – PIA REPORT RECOMMENDATION 2: Privacy Policies of Distribution Businesses (DBs) and Retail Businesses (RBs) should be reviewed and updated to describe each organisation’s commitment to the NPPs, including explanations of why smart metering data is collected, how it is used, under what circumstances is it disclosed, and the range of regulatory and operational safeguards that protect it.

Question c) Whether each respondents existing privacy policy has been updated to demonstrate commitment to the NPPs, including explanations of why smart metering data is collected, how it is used, under what circumstances is it disclosed, and the range of regulatory and operational safeguards that protect it?

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	<p>CPPC’s existing privacy policy already covers metering data.</p> <p>CPPC also has a dedicated page for smart meters advising customers about such things as how smart meters read and transmit consumption data and the accuracy of the meters.</p>	<p>All Distributors consider smart meter metering data to be no different from accumulation meter metering data.</p> <p>Therefore, their privacy policies have not been updated to explain smart meter metering data. In most cases, the definition of Personal information does not include metering data and the Privacy Policy contains no mention of smart meters or metering data.</p> <p>However,</p> <ul style="list-style-type: none"> • Jemena’s online portal terms of use explain its collection use and disclosure of smart meter data and • CPPC has a website informing customers about smart meters (http://www.powercor.com.au/SmartMeters/) • United Energy’s Privacy Policy makes specific reference to smart meters and compliance with the Privacy Act and NPPs.
Jemena	<p>Jemena’s privacy statement explains in general terms how it will protect the privacy of customer’s personal information.</p> <p>Smart meter metering data is no different to data collected manually from interval meters or accumulation meters in relation to the application of the NPPs. Therefore, Jemena’s privacy statement does not make reference to smart meter metering data.</p> <p>Nevertheless, Jemena has an online portal that requires customers to acknowledge that they have read the terms of use and this terms of use explains Jemena’s collection, use and disclosure of smart meter data.</p>	
SP AusNet	<p>SP AusNet’s existing Privacy Policy has been prepared in accordance with the NPPs and it is unnecessary to include details specifically to address smart metering data.</p> <p>There are sections within the Privacy Policy that directly or indirectly addresses the collection, use, disclosure and protection of smart meter data; particularly sections 3, 4 and 6.</p>	
United Energy	<p>United Energy’s privacy policy explains the safeguards in place to protect the privacy of customers.</p> <p>Smart meter metering data is no different to data collected manually from interval</p>	

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	meters or accumulation meters in relation to the application of the NPPs. Smart meter metering data, or any metering data, without a personal identifier is not considered private information.	Most Distributors’ Privacy Policies are easy to locate on their Distributor’s website.
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Question d) Provide a copy of the relevant sections of the privacy policy as evidence to support the response to (c).

CitiPower and Powercor	Provided	
Jemena	Provided	
SP AusNet	Provided	
United Energy	Provided	

Part A – PIA REPORT RECOMMENDATION 3: Even though details of how third party services and Home Area Networks (HANs) will operate remain sketchy, it would be appropriate at this stage for RBs’ and DBs’ Privacy Policies to anticipate the sharing of data beyond their businesses and circumscribe access to metering data. Note that this action should satisfy the ESC’s call for “privacy principles” to be developed before In-Home Displays (IHDs) are deployed.

Question e) The circumstances in which each respondent would share information with third parties and how this will be reflected in Privacy Policies.

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	Sharing information with third parties would only occur if it satisfies one of the exemptions under the Privacy Act. The use or disclosure of personal information will only occur for the primary purpose of collection.	Distributors appear to be cautious about sharing information with third parties: <ul style="list-style-type: none"> • CPPC would only use or disclose customer’s personal information only if it is related to the primary purpose of collection • personal information is collected by Jemena and United Energy through their respective online portal and shared with the customer’s Retailer. This is made clear to the customer when they register to use the online portal • Jemena and United Energy would only share metering data with another party in accordance with the legislation and with the customer’s selected third party provider after obtaining that customer’s consent
Jemena	<p>When a customer binds internet-connected HAN devices or services to the smart meter, the customer may inadvertently provide consumption data to third parties. For example, a HAN device may collect and store meter data which is then exported to an externally-hosted third party value adding service provider. It is, therefore, important for the customer to understand who holds the metering data and for what purpose it is held and how customers can opt-out.</p> <p>Jemena does collect customer’s personal information when the customer registers to use its online portal. However, Jemena informs customers, through the terms of use, that the information would be shared with Retailers.</p> <p>Jemena would only share metering data with another party in accordance with legislation and will only share information with a customer’s selected third party with the customer’s explicit informed consent.</p> <p>However, while Jemena is trialling IHDs and its online portal, Jemena is not providing any information to the customer’s selected third party.</p> <p>Nevertheless, it is possible for customers to download their metering data through the portal and share this with any third party.</p>	
SP AusNet	Currently, the Distributor’s role in relation to HANs is to provide the meter interface as detailed in the AMI Functionality Specification and provide the infrastructure capability	

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	<p>for sending and receiving messages to and from the HAN. In that regard, SP AusNet’s response to Question 1 explain the security measure used.</p> <p>Nevertheless, once the meter sends the data to the IHD or any HAN device, the Distributor cannot reasonably control the use and access of that data by a third party.</p>	
United Energy	<p>United Energy would only share metering data with parties other than United Energy service providers in accordance with legislation and will only provide information to the customer’s selected third party with the customer’s consent.</p> <p>United Energy has an online portal that customers can register to use. Through this registration process, United Energy will be collecting customer’s personal information. However, customers are advised of this in the terms of use. As the customer’s Retailer is required to verify the customer’s details as part of the registration process, United Energy will be sharing personal information with the customer’s Retailer.</p> <p>While United Energy is trialling IHDs and its online portal, United Energy will not provide any information to the customer’s selected third party.</p> <p>Nevertheless, it is possible for customers to download their metering data through the portal and share this with any third party.</p>	
<p>Question f) Any constraints to, or unforeseen outcomes arising from, sharing information with third parties.</p>		
CitiPower and Powercor	<p>While industry is still considering these issues, existing laws determine the sharing of information with third parties.</p> <p>It should be noted that the operating model for HAN is still maturing.</p>	<p>Jemena, SP AusNet and United Energy advise that after the meter sends the data to the IHD or HAN device, they could not control how the customer use the data or to whom the customer discloses the data.</p> <p>Jemena notes what it believes is a regulatory constraint requiring approval by the Customer’s Retailer before a customer</p>
Jemena	<p>Submission does not explicitly address this question, but identifies the low probability of the new occupant accessing the previous occupant’s metering data. Therefore, Jemena requires the customer to notify it when vacating the premise. Jemena also has a process to alert it of changes to Retailers and when de-energisation occurs.</p>	

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SP AusNet	It notes that the Zigbee protocols have no concept of data access start date. Therefore, all data in the meter at the time the HAN first accesses the meter interface will be available for retrieval by the HAN. It will only be the HAN functionality which restricts the retrieval or display of this data.	can access or be provided their meter data [National Electricity Rule 7.7(a)(7).
United Energy	Submission does not explicitly address this question, but identifies the low probability of the new occupant accessing the previous occupant’s metering data. Like Jemena, United Energy requires the customer to notify it when vacating the premise and has a process to alert it of changes to Retailers and when de-energisation occurs.	SP AusNet believes that data is available to be retrieved through the HAN and can only be restricted from the HAN functionality. Jemena and United Energy does not believe that a new occupant would be able to access the previous occupant’s data because they require notification from customers if they vacate the premise and they have processes in place that will alert them of change in Retailer or if there is de-energisation.

Part A – PIA REPORT RECOMMENDATION 4: The industry should adopt and promote an Opt-In policy of not putting metering data to any secondary purposes without express customer consent.

For the avoidance of doubt, and to maximise consumers’ sense of control, such secondary uses should include even those that seem reasonably related to the primary purpose for collection, such as the provision of efficiency advice. The industry should ensure that consent to secondary uses is always freely given, is not conditional, and is never bundled into acceptance of an electricity supply contract.

The AMI Policy Committee should review any suggested exceptions to the Opt-In that might be put forward by Registered Participants, and if agreed, officially specify them.

Question g) The level of industry support for adopting an Opt-in policy.

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	Submission does not address the question. CPPC considered the current privacy regime and regulatory instruments adequately deals with the secondary use of metering data.	There is no clear consensus from Distributors on supporting an Opt-in policy. Only Jemena has expressed support for this policy. SP AusNet states that it is currently using an Opt-in approach to customers’ data in its IHD trials. United Energy does not believe an Opt-in policy is necessary if the data has been aggregated and de-identified.
Jemena	Supports an opt-in policy.	
SP AusNet	Whether an opt-in approach to the use of metering data for secondary purposes will depend on conditions set out in the NPPs and the NPP is not prescriptive in distinguishing primary and secondary uses of data. SP AusNet is currently using the “Opt-in” approach for customers’ data, whether for secondary or primary purpose, in its IHD trial.	
United Energy	Submission does not address the question. However, United Energy suggests that an opt-in policy should not apply where the data becomes aggregated and de-identified.	

Question h) The likely costs of adopting an Opt in policy

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	No comment.	Only Jemena believes the costs of implementing the Opt-in policy would be minimal. When the customer accepts Jemena’s online portal terms of use, the
Jemena	The costs may be minimal. As an example, when the customer accepts Jemena’s portal terms of use as part of the registration process, the customer consents to the use and	

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	provision of personal information for specified purposes.	customer consents to the use and provision of personal information for certain specified purposes. United Energy believes that some of the costs include resourcing and time to obtain and monitor the provision of consent from customers. SP AusNet considers it difficult to quantify the costs.
SP AusNet	The likely costs are difficult to quantify without understanding which secondary uses require an opt-in approach.	
United Energy	Submission does not make specific comments on this question, but United Energy believes that there may be costs in terms of resourcing and time to obtain and monitor the provision of consent from customers.	

Question i) Whether there are secondary uses for metering data that should be utilised without requiring a customer’s consent to be obtained

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	Secondary uses of metering data should be in accordance with the existing requirements under the Privacy Act and other regulatory instruments.	Customer’s consent is not required if the metering data is to be: <ul style="list-style-type: none"> • aggregated and de-identified (Jemena) or • provided to Government for policy development and consumer protection work (United Energy) CPPC and SP AusNet believe that this is
Jemena	A customer’s consent may not be obtained if the customer’s data is aggregated with other customers’ data and de-identified. Under this circumstance, individual customers remain anonymous. Jemena supports the reports suggestion that consent to secondary uses of metering data is always given, is not conditional and not be a condition in accepting an electricity supply contract.	

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For the avoidance of doubt, and to maximise consumers’ sense of control, such secondary uses should include even those that seem reasonably related to the primary purpose for collection, such as the provision of efficiency advice. The industry should ensure that consent to secondary uses is always freely given, is not conditional, and is never bundled into acceptance of an electricity supply contract.

The AMI Policy Committee should review any suggested exceptions to the Opt-In that might be put forward by Registered Participants, and if agreed, officially specify them.

SP AusNet	This is currently determined by the NPPs and SP AusNet considers these adequate as a basis for determining whether customer consent is needed for the use of smart meter metering data.	determined by existing privacy legislation. United Energy also suggests that industry should agree on the meaning of secondary use to ensure there will be consistent application.
United Energy	An industry wide position on what is secondary purpose would assist in ensuring a consistent application and interpretation of primary purpose and secondary purpose. It should not be necessary to obtain customer’s consent if the data is provided to government for policy development and consumer protection measures and where the use is related to the primary purpose and the customer could reasonably expect the use of their information.	

Part A – PIA REPORT RECOMMENDATION 6: As and when DBs and RBs implement new databases as part of the AMI adoption, they should take care to keep raw metering data (keyed by National Meter Identifier alone) separate from all other identifiable customer records in order to mitigate against ready re-identification. In general it is essential that teams implementing, configuring and maintaining databases are fully aware of the NPPs and the broad legal definition of Personal Information, to help them avoid inadvertent privacy problems.

Question j) How each respondent will ensure that raw metering data will be kept separate from all other identifiable customer records?

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	CPPC’s meter management system does not store identifiable customer records, other than the NMI	CPPC only has NMI information in its system.
Jemena	Submission did not answer this question	SP AusNet and United Energy keeps the metering data separated from other customer information.
SP AusNet	<p>While interval meter data is stored with the NMI and can be associated with the address of the premise within the same system, customers’ name and contact details are not included in the interval meter data files.</p> <p>Nevertheless, to fulfil SP AusNet’s market service obligations, staff can access meter data and the customer and site details, although in separate views. Access is restricted only to specific staff that are required to process the business’s market service obligations.</p> <p>SP AusNet consider it unnecessary to separate the data through database structure and segregation of staff duties as it would be costly, inefficient and not significantly improve the protection of customers’ private information.</p>	In the case of SP AusNet, the metering data and customer information can be viewed separately, but is restricted to certain staff.
United Energy	Raw smart meter metering data is stored in IT systems that are separated from the IT system used for billing.	

Question k) How each respondent will ensure that all relevant staff will be made aware of the NPPs and how compliance will be monitored?

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	Privacy policy awareness training is available to staff via eLearning. In 2008, all staff undertook privacy awareness training and new staff receive privacy training as part of	Staff and subcontractors are made aware of the NPPS via training (CPPC and Jemena)

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	the induction process.	or in their contract with the Distributor (SP AusNet and United Energy).
Jemena	All Jemena staff have to attend compulsory privacy training with annual refreshers. Jemena requires its subcontractors to comply with privacy obligations and store customer data securely. Access to metering data and identifiable customer records are restricted to staff who need it for their roles. Each staff have unique accounts that will ensure audit trails are identifiable. Jemena’s IT systems have audit logs of activities, including identifying staff who have accessed data. The audit logs are reviewed internally every quarter and regularly audited by AEMO.	United Energy also submitted that staff are issued unique accounts that allows their access to be logged and audited.
SP AusNet	Before staff and contractors are granted system and security access, they are required to read and sign their acceptance to comply with SP AusNet policies.	
United Energy	Subcontractors are required to comply with privacy obligations and store customer data securely. Staff contracts contain confidentiality and privacy requirements. Access to metering data and identifiable customer records are restricted to staff who need it for their roles. Therefore, staff dealing with customer complaints and EWOV cases are likely to be granted access to customer name, NMI, network billing data and aggregated consumption data. Each staff have unique accounts that will ensure audit trails are identifiable. All IT systems have audit logs of activities, including identifying staff who have accessed data. The audit logs are reviewed internally every quarter and regularly audited by AEMO.	

Part A – PIA REPORT RECOMMENDATION 16: Require that small Retail Businesses that might otherwise fall below the Small or Medium Enterprise (SME) criterion for the Privacy Act expressly opt in to the NPPs with the Office of the Privacy Commissioner.

Question 1) Under certain circumstances, a business with an annual turnover of less than \$3 million is exempt from compliance with the Privacy Act. However, they may elect to opt in to the NPPs. Lockstep has recommended that energy Retailers with the exemption be required to “expressly opt in” to the NPPs. Should this be a requirement as part of the business authorisation process, under NECF?

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	This is a Retailer issue	Only Jemena and United Energy supported the proposal that exempt Retailers be required to opt-in to the NPPs. CPPC and SP AusNet consider it a Retailer issue and did not express support or otherwise.
Jemena	All market participants should apply the NPPs to protect customers and other related parties. This would ensure consumers are protected across the entire market.	
SP AusNet	This is a Retailer issue	
United Energy	To protect customers, all market participants and third parties/service providers should be required to apply the NPPs.	

Part A – PIA REPORT RECOMMENDATION 17: Consider industry-wide minimum security policy settings for protecting interval data against misuse, including the following possibilities:

- DBs should quarantine all data containing customer names from raw interval data
- DBs and RBs should audit log all access by users to interval data
- Retained interval data aged between two and seven years should be subject to more limited access rights than more recent data that might be needed to resolve billing issues.

Question m) Lockstep's recommendation that retained interval data aged between two and seven years should be subject to more limited access rights.

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	The recommendation contradicts clause 7.11.3(a)(2) of the National Electricity Rules, which requires that metering data in its original form collected from the metering installation be archived in an accessible format for 7 years.	Distributors advise that they have obligation to make data aged between 2 and 7 years available to the market and does not appear to support Lockstep's recommendation. In any case, implementation of this recommendation would need to come from the AEMC, which can make direct changes to the NER. Otherwise, the Commission can make a rule change request to the AEMC, but any change will be ultimately determined by the AEMC.
Jemena	Jemena should have unlimited access to metering data for network planning and management purposes.	
SP AusNet	Interval data aged between 2 and 7 years are subject to the obligation that it be made available to the market as recent interval data. Therefore, no additional restrictions should be placed on the use of this data. Also, as data age, they become a less relevant indicator of customer characteristics and so controls for longer term data are unnecessary.	
United Energy	Access to any data, whatever its age, is subject to review of audit logs, password access and role based security.	

Question n) Who should have access rights to the archived interval data?

CitiPower and Powercor	Staff who need the data to carry out their functions are granted access to both current and archived data.	
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Jemena	This should be restricted to the relevant customer or the customer’s representative with clear consent. However access to any archived data would incur costs.	
SP AusNet	The same people who have access rights to recent data should also have access to archived data.	
United Energy	United Energy has not commenced archiving smart meter metering data due to its newness; however, access to any archived data requires a formal IT request.	

Part A – PIA REPORT RECOMMENDATION 19: In order to give consumers access to their interval data (as required by the Access & Correction Principle NPP 6), protocols should be developed for providing data in standard forms such as Excel spread sheets.

Question o) When customers request access to their metering data, in what format, for example, Excel spread sheet, is the data currently being provided to customers?

STAKEHOLDER	SUBMISSION	STAFF ASSESSMENT
CitiPower and Powercor	Customer data is made available in various formats, including Excel spreadsheets.	Distributors provide metering data in various formats including CSV files, Excel spreadsheets, graphical format or plain text.
Jemena	Data is currently being provided as a CSV file, Excel spreadsheet, in graphical format or plain text. Customers should be able to choose the format.	
SP AusNet	Interval metering data is provided in a CSV format, consistent with the industry standard NEM12 or NEM13 file formats, which is compatible with Excel.	
United Energy	Data is currently being provided as a CSV file, Excel spreadsheet, plain text or as a graphical user interface (trends and bar graphs). The format of the data will change for each individual customer and customers should be allowed the flexibility to choose the appropriate format.	

Question p) Is it practicable for metering data from smart meters to be provided in a format accessible for customers, such as in an Excel spread sheet?

CitiPower and Powercor	See its response to (o)	Based on their submissions to the question above, smart meter metering data can be provided as Excel spreadsheets or downloaded as raw data. However, SP AusNet does not deal with customers directly when it is related to requests for metering data.
Jemena	Jemena assists customers by providing a simple and intuitive web portal view or an email format using graphical representation of energy data. Nevertheless, customers can choose to download the raw data	
SP AusNet	All enquiries for meter data are directed to the FRMP as SP AusNet is unable to determine whether the person is entitled to that data. If SP AusNet is required to provide the data, all reasonable steps would be taken to identify the recipient. As this is	

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	a very manual process, SP AusNet only handles a small number of customer requests for metering data.	
United Energy	Customers are provided with a simple and intuitive web portal view or an email format using graphical representation of energy data. Customers are also given the option to download the raw data.	
Question q) How does each respondent propose assisting customers to interpret this data?		
CitiPower and Powercor	Currently, the customer data provided is readily understood by most customers and this should not be different for smart meter metering data. However, customers usually contact Retailers with a query about their invoice and therefore Retailers may need to consider developing appropriate tools to assist their customers.	
Jemena	Updates to the portals will include more analytical tools and alternative views of energy data. Jemena will create more intuitive and simpler views that an average person can understand.	
SP AusNet	The NEM12 or NEM13 file formats include a header row detailing the content of each cell. If the customer requires more assistance, the NEM12 or NEM13 specification can be provided.	
United Energy	The portal and privacy policy lists contact details for customers with queries.	

Part A – PIA REPORT RECOMMENDATION 21: Protocols will need to be developed for preventing old occupants from still having access to and/or control over the HAN after they vacate premises. Ideally, when a smart meter’s customer changes, there should be an automatic unbinding of devices from the HAN, and the access code for establishing a HAN on that meter should be changed. It may be prudent to amend the NECF or NER to legislate these measures.

Question r) When a smart meter’s customer changes, there could be an automatic unbinding of devices from the HAN, and the access code for establishing a HAN on that meter should be changed. How would such a protocol be implemented?

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	<p>The industry operating model for HAN devices is still maturing.</p> <p>CPPC supports mandatory unbinding of a HAN device when a customer moves out of the premise. The process of unbinding should be managed by the customer’s Retailer submitting a request to the Distributor. Once the HAN device is unbound, all security certificates to the meter would be terminated and no longer valid. When a new customer moves into the premise, the HAN device can be reconnected by contacting the Retailer.</p>	<p>Distributors seem to have differing views about the role of Retailers in a process for unbinding devices from a HAN.</p> <p>Jemena and United Energy require customers to notify them directly when they move out or change Retailers.</p>
Jemena	<p>The web portal being trialled by Jemena requires the customer to notify Jemena if they move out or change Retailers. Jemena also monitors the B2B Gateway transactions to monitor customer movements.</p> <p>Jemena already automatically unbinds HAN devices if there has been a final read at the NMI or if there is a de-energisation.</p>	
SP AusNet	<p>All data in the meter when the HAN first accesses the meter interface can be retrieved by the HAN. It will only be through the HAN functionality that retrieval or display of this data can be restricted.</p> <p>The industry is currently working with AEMO to review B2B processes to improve the quality of data exchanged, including the notice of a move-out to instigate the unbinding of a HAN device.</p>	
United Energy	<p>United Energy’s web portal requires the customer to notify it if they move out or change Retailers. United Energy systems also automatically unbinds HAN devices if</p>	

Part A – PIA REPORT RECOMMENDATION 21: Protocols will need to be developed for preventing old occupants from still having access to and/or control over the HAN after they vacate premises. Ideally, when a smart meter’s customer changes, there should be an automatic unbinding of devices from the HAN, and the access code for establishing a HAN on that meter should be changed. It may be prudent to amend the NECF or NER to legislate these measures.

	there has been a final read at the NMI or if there is a de-energisation.	
Question s) Who should be responsible for this task?		
STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	The customer should initiate the process of unbinding and the Retailer should be responsible thereafter.	Distributors think it is the Retailers responsibility to advise them of the need to unbind devices from the HAN following advice to them from the customer about moving out [and a change in Retailer?] These responses seem to conflict with earlier views provided in response to question r) above.
Jemena	Retailers should be responsible for this task as they have the relationship with customers. B2B market rules should also require Retailers to notify Distributors of all move-ins and move-outs so that the Distributor can bind or unbind HAN devices.	
SP AusNet	The Retailer should have obligations to inform the service provider of a HAN device and the Distributor responsible for unbinding the device.	
United Energy	To ensure that unbinding occurs when a customer moves out, the Retailer should be responsible for notifying the Distributor of a move-out as they have the relationship with the customer.	
Question t) Current Victorian regulations require a Notice to be provided to new occupants after de-energisation, advising them of their need to contact a Retailer. Could the existing Notice be amended to assist in meeting this recommendation?		
CitiPower and Powercor	In principle, CPPC would support the proposal to amend the notice. The information provided to the customer should be generic regardless of whether the HAN device has previously been connected or not.	
Jemena	Notices cannot always be relied upon. Jemena also notes that an outcome of the ESC smart meter review is that a notice to the new occupant is no longer required where the disconnection occurred remotely	

Part A – PIA REPORT RECOMMENDATION 21: Protocols will need to be developed for preventing old occupants from still having access to and/or control over the HAN after they vacate premises. Ideally, when a smart meter’s customer changes, there should be an automatic unbinding of devices from the HAN, and the access code for establishing a HAN on that meter should be changed. It may be prudent to amend the NECF or NER to legislate these measures.

	and the Distributor’s 24-hour telephone number is displayed on the meter.	
SP AusNet	The Distribution Code currently does not require a notice for remote de-energisation. The new occupant or the Distributor would not be aware of any bound HAN devices. Not all de-energisation is associated with a move-out.	If the Distributor has to unbind the HAN device, the Distributor should know whether the premise has any bound devices.
United Energy	An outcome of the ESC smart meter review is that a notice to the new occupant is no longer required where the disconnection occurred remotely and the Distributor’s 24-hour telephone number is displayed on the meter. It is not efficient to require a Notice be provided to a new customer.	Why is it not efficient?

STAFF SUMMARY

CitiPower and Powercor support the provision of a generic Notice irrespective of whether the HAN device has been previously connected or not while the three other Distributors do not for the following reasons:

- Notices cannot be relied on
- Notices are no longer required where the disconnection occurred remotely and the Distributor’s 24-hour telephone number is displayed on the meter
- A Distributor would not know if there were devices bound to a HAN

Part A – PIA REPORT RECOMMENDATION 22: When the BPPWG comes to develop business processes and protocols for HAN activation, it should enact the Opt-In policy of Recommendation 4 above (to be confirmed) that all secondary uses of metering data shall be subject to express consent. Further, the BPPWG should consider enforceable requirements that data is handled across all HANs in accordance with the NPPs.

Question u) The appropriate mechanism for ensuring compliance with the proposed enforceable requirements.

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	Any secondary use of metering data is sufficiently protected under the Privacy Act and other regulatory instruments. Therefore, CPPC does not believe an Opt-in policy is necessary.	Distributors believe that there are already sufficient protections for secondary use of smart meter data, including licensing and other regulatory obligations that they observe the Privacy Act. They in turn would require this of parties they contract with, as well as obtain customer consent to such arrangements. Not all think the Opt-In approach to customer consent is necessary. Submissions from Distributors did not canvass options for enforcing compliance with privacy principles by third party providers with whom customers directly enter a contract for data services.
Jemena	If Jemena is required to provide data to a third party, Jemena would first require the account holder’s explicit informed consent.	
SP AusNet	SP AusNet will contribute to the development of industry processes and protocols for HAN activation and data handling that are consistent with the NPPs.	
United Energy	Response to this issue is already covered above.	

Part A – PIA REPORT RECOMMENDATION 23: If in future individuals within a household enter into third party contracts relating to use of smart meter data, such contracts should be signed by both the individual and the main electricity account holder.

Question v) The benefits (or otherwise) of adopting this proposal.

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	<p>Implementation of this recommendation will be difficult.</p> <p>Individuals who reside in a particular household may change, particularly for rental properties. It is unclear how the third party provider would deal with a situation where the individual who signs the contract subsequently leaves.</p> <p>It should also be noted that the deemed electricity distribution contract is between the Distributor and the electricity account holder. Therefore, CPPC would have records only of that person and not of any other individuals residing in the premise.</p>	<p>The proposition to allow individuals within a household to enter into a third party contract relating to the use of smart metering data is seen as being difficult to implement.</p> <p>Distributors see the metering data as the personal information of their customer/account holder. They think that the account holder could give access to another household member.</p> <p>SP AusNet does not see itself having any responsibility with respect to the proposal.</p>
Jemena	<p>This is a matter for the customer to decide. Nevertheless, Jemena supports advice being provided to customers recommending that they enter into third party contracts to ensure their personal information is not disclosed to unauthorised parties. However, such a requirement would be difficult to monitor.</p>	
SP AusNet	<p>SP AusNet does not believe it has any responsibilities related to this proposal.</p>	
United Energy	<p>The electricity account holder should be the party responsible for confirming access rights.</p> <p>Other individuals wishing to grant third party access to smart meter metering data should be required to receive confirmation from the account holder.</p>	

Part A – PIA REPORT RECOMMENDATION 24: The ESC should amend the wording of its decision to refer to Privacy Policies or Codes, rather than “Privacy Principles” because the latter term has a technical meaning in legislation.

This recommendation does not require specific information from industry however submissions in relation to this matter are encouraged.

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	Submission did not address this matter	Distributors provided no comment on this question.
Jemena	Submission did not address this matter	
SP AusNet	Did not comment on this recommendation	
United Energy	This is a matter for the ESC to consider	

Part B – PIA REPORT RECOMMENDATION 8: Consideration should be given to clarifying what meter data may be (or should be) disposed of after seven years. From a privacy perspective, unless there is a clear reason to retain fine grain interval data at each participant, it should be destroyed, or aggregated to the greatest reasonable extent.

Question a) Can you see any adverse consequences for customers or the business in destroying smart meter interval data after 7 years?

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	Historical metering data is used for long term network planning and CPPC opposes any destruction of smart meter metering data after 7 years. The existing NPP 4.2 requirements to destroy or de-identify information no longer required for its primary purpose should be adequate to protect customers’ privacy and personal information.	Distributors’ submissions are in agreement that historical metering data is required for network planning and management, and to respond to EWOV enquiries. Most Distributors believe that it should be the business’s discretion to decide whether the data is retained after 7 years.
Jemena	There should be no adverse consequences for customer if smart meter data are destroyed after 7 years. However, it is standard practice for Distributors to use historical metering data for network planning and management and should continue. It should be the business’s discretion as to whether the data is retained after 7 years.	
SP AusNet	Historical interval metering data is used to improve network planning, understand long term demand trends and respond to EWOV enquiries. Metering data older than 7 years are stored only with the NMI (and addresses in some cases).	
United Energy	Network assets and planning occur over a longer timeframe than 7 years. As long as a business is complying with legislation and provided that the personal information is de-identified or destroyed, it should be the business’s discretion to determine whether the data should be retained or destroyed.	

Part B – PIA REPORT RECOMMENDATION 14: In order to boost consumer confidence in the security of the system, DPI should consider commissioning an independent Threat & Risk Assessment (TRA) of any new online portals. We note that very recent regulatory developments in California have raised security standards for smart meters, with new requirements coming to conduct regular security audits [19].

Question b) How do you provide information to customers about your privacy policy and their rights and obligations? Please provide a copy of your notification.

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	CPPC’s Privacy Policy is available on its website. Further, CPPC’s Customer Charter makes reference to its privacy obligations. Customers are provided with the Customer Charter upon connection, request and no less than once every 5 years.	<p>All Privacy Policies are available through the Distributor’s website as a minimum. Other documents contain privacy references:</p> <ul style="list-style-type: none"> • Customer Charter [CPCC] • Terms for use of their Portals [Jemena’s and United Energy] • Electricity supply contracts [Jemena and United Energy] • Smart meter installation information [SP AusNet]
Jemena	<p>Customers are advised of Jemena’s privacy policy through its website, in agreements (such as the terms of use for the Portal) and its electricity supply contracts.</p> <p>Also, NECF deemed distribution contract with the customer refers to compliance with all relevant privacy legislation.</p>	
SP AusNet	The privacy policy is available on the SP AusNet website. SP AusNet also provides customers with information about their smart meter prior to the installation and this information advises customers about the security of their information (an excerpt was included in the submission).	
United Energy	<p>Customers are advised of its privacy policy through the website, in agreements (such as the terms of use for the Portal and its electricity supply contracts).</p> <p>Also, NECF deemed distribution contract with the customer refers to compliance with all relevant privacy legislation.</p>	

Part B – PIA REPORT RECOMMENDATION 15: Consider developing a common skeletal layered Privacy Notice that all organisations involved in AMI can use as a basis for their own notices, setting out the industry’s regulatory protections, the reasons and uses for smart meter data collection, and the controls that consumers have over how meter data is used.

Question c) Do you consider there could be any benefit in having a standard approach to notifying customers of their privacy rights and obligations? If so, how should that common approach be developed?

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	Existing legislation and regulatory instruments already require Distributors to comply with their privacy obligations, to not disclose customer information to any other person unless the customer has provided consent in writing.	Distributors are in agreement that existing practice of notifying customers about their privacy rights (through making the privacy policy available on their website and through their customer charter) is currently adequate for smart meter metering data. There is some support for a standardised approach, but also concern that this could restrict retail innovation. Any such approach should be completed on a national basis.
Jemena	There is benefit in having a standard approach to notifying customers of their privacy rights and obligations. However such a standard approach should be developed by AEMO as part of the NSMP.	
SP AusNet	A standard approach to notifying customers of their privacy rights might offer customers a consistent experience across network boundaries and between Retailers, but it would restrict innovation in retailing activities.	
United Energy	United Energy’s current practice of notifying customers about their privacy rights (such as, through making its privacy policy available on its website) is sufficient.	

Part B – PIA REPORT RECOMMENDATION 20: In order to boost consumer confidence in the security of the system, DPI should consider commissioning an independent Threat & Risk Assessment (TRA) of any new online portals. We note that very recent regulatory developments in California have raised security standards for smart meters, with new requirements coming to conduct regular security audits.

Question d) Briefly described your security processes on web sites/portals. What is your approach to data security?

STAKEHOLDER	SUBMISSION	STAFF SUMMARY
CitiPower and Powercor	<p>Its approach to data security includes:</p> <ul style="list-style-type: none"> • undertaking risk assessments during the requirements gathering stage of web portal development • security network architecture • independent third party security assessor performs a post-implementation security review • ongoing review of risks after systems are implemented • an internal audit committee oversees the security of business systems 	Those Distributors providing online portals are taking care with data security. Jemena and United Energy cite the use of ISO standard ISO 27001
Jemena	The standard, ISO27001 Information Security Management Systems, has been implemented to ensure security governance of the systems and staff.	
SP AusNet	Currently, SP AusNet does not provide customers with access to metering data via an online portal. However, any portals to be introduced would undergo thorough risk assessments and penetration testing before being rolled out.	
United Energy	The standard, ISO27001 Information Security Management Systems, has been implemented to ensure security governance of the systems and staff.	