



Commission for Energy Regulation

An Coimisiún um Rialáil Fuinnimh

Market Monitoring in the Electricity & Gas Retail Markets Consultation Paper

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Commission for Energy Regulation

An Coimisiún um Rialáil Fuinnimh

*The Commission for Energy Regulation,
The Exchange,
Belgard Square North,
Tallaght,
Dublin 24.*

www.cer.ie

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Abstract: The CER has consulted on a new electricity and natural gas retail market monitoring framework, with a range of market indicators to be collected from suppliers and network operators. This Consultation details the outcome of that process and accordingly presents an updated framework for final comment.

Target Audience:

This paper is for the attention of all stakeholders in the retail electricity and natural gas markets and any interested parties.

Responding to this Paper:

Responses to this Consultation should be returned by email, post or fax and marked for the attention of Adrienne Costello at the Commission for Energy Regulation, the Exchange, Belgard Square North, Tallaght, Dublin 24 or acostello@cer.ie.

The CER intends to publish all submissions received. Respondents who do not wish part of their submission to be published should mark this clearly and separately enclose it in an Appendix stating the rationale for not publishing this part of the response.

Related Documents:

([CER/12/081](#)) Electricity and Natural Gas Supplier Handbook, published on 15th June 2012.

([CER/11/221](#)) Consultation paper on Market Monitoring in the Electricity & Gas Retail Markets, published on 16th December 2011.

([E10-RMF-27-03](#)) ERGEG Final Guidelines of Good Practice on Indicators for Retail Market Monitoring for Electricity and Gas, published on 12th October 2010.

For further information on this Consultation Paper, please contact **Adrienne Costello** (acostello@cer.ie) at the CER.

Executive Summary

The functions of the CER with regard to monitoring are clearly stipulated in legislation. New requirements with regard to market monitoring are stipulated in the European Union's 3rd *Energy Package* which describes a new framework for the development of the internal electricity and gas markets. These requirements have been transposed into national legislation under S.I. No. 450 of 2010¹ and S.I. No. 630 of 2011². Section 9 subsection 1 (da) of the Electricity Act, 1999 now requires the CER:

“To monitor the level and effectiveness of market opening and the development of competition in the supply of electricity and gas to final customers, which shall include but is not limited to monitoring-

- (i) Final tariffs charged to domestic customers including those on prepayment systems,*
- (ii) Rates of customer switching between licensed electricity and gas suppliers,*
- (iii) Disconnection and de-energisation rates,*
- (iv) Charges for, and the execution of, maintenance services,*
- (v) Complaints by domestic customers,*
- (vi) Any distortion or restriction of competition in the supply of electricity and gas to final customers,*
- (vii) Whether the development and operation of competition in the supply of electricity and gas is benefitting final customers,*

While monitoring of the stipulated indicators is required, legislation specifically states that monitoring is not limited to these areas. In addition, the following subsection places a much broader requirement in terms of monitoring on the CER:

“(db) to take any actions which the Commission, on foot of the monitoring has determined to be necessary in order to -

- (i) prevent a distortion or restriction of competition in the supply of electricity and gas to final customers*
- (ii) that final customers are benefitting from competition in the supply of electricity and gas.”*

On 16th December 2011, the CER published a consultation paper which proposed an enhanced market monitoring framework— see [CER/11/221](#) ‘Market Monitoring in the Electricity and Gas Retail Markets’. Best practice guidelines were used as the building blocks for the framework (ERGEG guidelines). In addition to these best practice guidelines, the CER took into account the specifics of the Irish retail markets; leading to a tailored framework for this jurisdiction.

¹ European Communities (Internal Market in Electricity) Regulations 2010

² European Communities (Internal Market in Natural Gas and Electricity) Regulations 2010

This second consultation paper outlines the CER's proposals with regard to the indicators that it proposes to collect from suppliers and networks to form a new market monitoring framework which is designed to provide an effective view of competition in electricity and gas retail markets (as required under legislation).

In this consultation, the CER has reviewed the framework in light of the key issues raised in the responses to the consultation. While there was recognition among respondents of the importance of developing a robust market monitoring framework and of the benefit of collecting all the proposed indicators, the responses to the consultation centred on a number of key concerns: the granularity of the data; the cost to implement (although no respondent provided information on the likely cost); confidentiality and commercial sensitivity. Having carefully considered all the responses received, this paper presents an updated framework for comment. The updated framework sees a significant reduction in the level of detail that will be required so that the burden on industry is minimised. In particular, the CER has reviewed the necessity of each indicator and also the frequency at which data submissions were being requested. With regard to the concerns relating to commercial sensitivity, the CER has clarified its position with regard to the publication of the data. In this respect, the CER has identified exactly what will and will not be published and is of the view that this should alleviate most concerns regarding confidentiality. The CER has also outlined its requirements with regard to potential FOI requests.

The CER welcomes final comments from stakeholders on the proposals. Respondents are welcome to comment on all aspects of the proposals; however, the CER considers that the focus should be on:

- Any alternative suggestions.
- The time to implement changes and what would be required with regard to implementation.
- The CER would also request that respondents clearly outline any rationale for concerns they may have. For example if a respondent perceives a proposed indicator to be commercially sensitive, the CER would request that the exact reasons for these concerns be detailed in their response.

The CER may host one workshop with industry to clarify any questions before the deadline for submissions.

The CER will develop a final decision on a new market monitoring framework based on the responses received to this consultation paper. It is envisaged that a final decision will be published in Q2 2014.

The discussion on implementation of the final decision will take place after the publication of the decision document.

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1.0 Introduction

1.1 The Commission for Energy Regulation

The Commission for Energy Regulation ('the CER') is the independent body responsible for overseeing the regulation of Ireland's electricity and gas sectors. The CER was initially established and granted regulatory powers over the electricity market under the *Electricity Regulation Act 1999*. The enactment of the *Gas (Interim) (Regulation) Act 2002* expanded the CER's jurisdiction to include regulation of the natural gas market, while the *Energy (Miscellaneous Provisions) Act 2006* granted the CER powers to regulate electrical contractors with respect to safety, to regulate natural gas undertakings involved in the transmission, distribution, storage, supply and shipping of gas and to regulate natural gas installers with respect to safety. The *Electricity Regulation Amendment (SEM) Act 2007* outlined the CER's functions in relation to the Single Electricity Market (SEM) for the island of Ireland. This market is regulated by the CER and the Northern Ireland Utility Regulator (UR). The CER is working to ensure that consumers benefit from regulation and the introduction of competition in the energy sector.

1.2 Purpose of this Paper

The CER is required under legislation "*to monitor the level and effectiveness of market opening and the development of competition in the supply of electricity and gas to final customers*" and is required, on foot of this monitoring, to take any action deemed necessary to

- "(i) prevent a distortion or restriction of competition in the supply of electricity to final customers, or*
- (ii) ensure that final customers are benefiting from competition in the supply of electricity",*

These requirements stem from the 3rd Package of European energy legislation and were transposed into Irish law by S.I. No. 450 of 2010 and S.I. No. 630 of 2011 (the S.I.s covering electricity and gas, respectively). In this context, the CER reviewed its current market monitoring activities and on 16th December 2011 CER published a consultation paper proposing an enhanced market monitoring framework – see [CER/11/221](#), 'Market Monitoring in the Electricity and Gas Retail Markets'. The proposed framework set out the data to be collected from suppliers and network operators and was designed to provide the CER with an effective view of competition in electricity and gas retail markets (as required under legislation). To this end, best practice guidelines were used as the building blocks for the framework (ERGEG guidelines). In addition to the best practice guidelines, the CER took into account the specifics of the Irish retail markets; leading to a tailored framework for this jurisdiction.

In developing this second consultation paper, the CER has considered fully all comments received to the 2011 consultation³ and has revised the framework with the aim of refining the proposals (in terms of the amount of data to be collected and the breakdown to be provided) while maintaining the required degree of oversight of market conditions to ensure the CER can readily identify any market issues and take any necessary action in the interest of customers (as required under legislation). The updated framework presented in this paper also includes a small number of new proposed elements to the indicators, which are associated with market developments since the time the 2011 consultation paper was published. In this regard, the CER would also note that, while this paper sets out the indicators that are proposed to be collected from suppliers and network operators on an on-going basis, ad hoc requests for information will continue to be required (though to a lesser extent than would have been the case). In addition, as market conditions and dynamics change over time, there may be a necessity to gather new or altered indicators in the future.

In presenting the data to be collected under the enhanced market monitoring framework, this consultation paper also shows the collected data that the CER intends on publishing on a regular basis – also identifying where it will be published on a supplier basis, aggregated etc. The CER welcomes final comments from stakeholders in relation to the proposals in this paper. The CER will hold one workshop on the consultation prior to the end of the consultation period.

1.3 Comments Received

The CER received 15 submissions to the 2011 Consultation Paper (CER/11/221). Submissions were received from the following organisations or individuals:

- Airtricity
- Bord Gáis Energy
- Bord Gáis Networks
- Competition Authority
- Electric Ireland
- Endesa Ireland
- Energia
- ESB Networks
- Irish Business And Employers Confederation (IBEC)
- National Consumer Agency (NCA)
- National Electricity Association of Ireland (NEAI)
- Phoenix Energy
- PrePayPower
- Sustainable Energy Authority of Ireland (SEAI)
- Vayu

³ The 2011 consultation refers to CER/11/221 'Market Monitoring in the Electricity and Gas Retail Markets'.

All responses received are published alongside this paper and key points raised by respondents on each indicator are detailed in Appendix 2.

1.4 Structure of this paper

- **Section 2.0** Key Comments from 2011 Consultation

This section addresses the key comments raised in the responses to the 2011 consultation.

- **Section 3.0** Proposed Market Monitoring Indicators

This section outlines the CER's proposals with regard to the data it proposes to collect as part of a new market monitoring framework.

- **Section 4.0** Conclusions and Next Steps.

This section identifies the next steps.

1.5 Responding to this Paper

After reviewing in full the responses to the consultation, the CER has outlined its proposals with regard to the new market monitoring framework and outlined the data that it proposes to collect from stakeholders. Respondents are welcome to comment on all aspects of the consultation; however, the CER considers that the focus should be on:

- The identification of any alternative suggestions. The CER is committed to collecting data contained under each heading in this consultation document. However, the CER welcomes any suggestions from respondents in relation to alternative, less impactful ways of collecting these data with the same level of quality/detail.
- Implementation considerations - The estimated time to implement changes, with details on what is required in order to implement the proposed indicators.
- The CER would also request that respondents clearly outline any rationale for concerns they may have. For example if a respondent perceives a proposed indicator to be commercially sensitive, the CER would request that the exact reasons for these concerns be detailed in their response.

The CER will host one workshop with stakeholders before the end of the consultation period. The focus of this workshop will be to provide clarity with regard to any questions on the proposals. Any general comments on the proposals should be put into the response to the consultation document.

Interested parties are invited to comment on the issues raised in this consultation paper by **close of business 28th February 2014**.

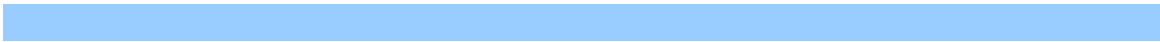
As responses will be published in full on the CER's website, respondents should include any confidential information in a separate Annex.

Submissions on this paper should be forwarded, preferably in electronic format to:

Adrienne Costello

Commission for Energy Regulation
The Exchange, Belgard Square North,
Tallaght,
Dublin 24.

Email: acostello@cer.ie



2.0 Key Comments from the 2011 Consultation

2.1 Introduction

This section addresses general comments raised by respondents. These comments do not apply to any one indicator but are overarching comments on the proposals in general. They relate to:

- the proposals extending beyond the requirements of legislation and ERGEG best practice guidelines,
- the need to apply the principles of Better Regulation when designing the market monitoring framework;
- the need to preserve commercially sensitive information; and,
- the cost burden of implementing the proposals.

These comments are discussed in turn in this section.

2.2 Legislation & ERGEG Guidelines

Some respondents to the consultation paper considered that the proposed indicators extend beyond the requirements in legislation and those set out in the ERGEG Guidelines. Some respondents also suggested that the CER should not extend its market monitoring activities beyond what is currently in place. In this regard, it was stated that the CER should rely on its powers to carry out investigations for any additional information that it might consider necessary and as a consequence of this fact, the CER should seek information on an as needed basis.

The functions of the CER with regard to monitoring are clearly stipulated in legislation. New requirements with regard to market monitoring are stipulated in the European Union's 3rd Package which describes a new framework for the development of the internal electricity and gas markets. These requirements have been transposed into national legislation under S.I. No. 450 of 2010⁴ and S.I. No. 630 of 2011⁵. Section 9 subsection 1 (da) of the Electricity Act, 1999 now requires the CER:

“To monitor the level and effectiveness of market opening and the development of competition in the supply of electricity and gas to final customers, which shall include but is not limited to monitoring-

(viii) Final tariffs charged to domestic customers including those on prepayment systems,

⁴ European Communities (Internal Market in Electricity) Regulations 2010

⁵ European Communities (Internal Market in Natural Gas and Electricity) Regulations 2010

- (ix) *Rates of customer switching between licensed electricity and gas suppliers,*
- (x) *Disconnection and de-energisation rates,*
- (xi) *Charges for, and the execution of, maintenance services,*
- (xii) *Complaints by domestic customers,*
- (xiii) *Any distortion or restriction of competition in the supply of electricity and gas to final customers,*
- (xiv) *Whether the development and operation of competition in the supply of electricity and gas is benefitting final customers,*

While monitoring of the stipulated indicators is required, legislation specifically states that monitoring is not limited to these areas. In addition, the following subsection places a much broader requirement in terms of monitoring on the CER:

“(db) to take any actions which the Commission, on foot of the monitoring has determined to be necessary in order to -

- (i) prevent a distortion or restriction of competition in the supply of electricity and gas to final customers*
- (ii) that final customers are benefiting from competition in the supply of electricity and gas.”*

With regard to the CER duties in the area of market monitoring, the CER’s power to request information from licensed suppliers and network operators in both electricity and gas are clearly set out in the Electricity Regulation Act 1999 and the Gas (interim) Regulation Act 2002, respectively. A corresponding condition is present in the electricity and natural gas supply licences.

In light of the changes to legislation and the developments in the gas and electricity markets over the past few years, the CER reviewed its current market monitoring activities. On 16th December 2011 CER published a consultation paper proposing an enhanced market monitoring framework – see CER/11/221, ‘Market Monitoring in the Electricity and Gas Retail Markets’. The proposed framework set out the data to be collected from suppliers and network operators and was designed to provide an effective view of competition in electricity and gas retail markets (as required under legislation). The proposed market monitoring framework was developed to ensure that the CER has an adequate view of the conditions of the retail markets which will allow the CER to identify whether any action is needed, in light with its legislative duties. To this end, best practice guidelines were used as the building blocks for the framework (ERGEG guidelines). In addition, the CER took into account the specifics of the Irish retail markets; leading to a tailored framework for this jurisdiction.

As stated, the CER has used the ERGEG guidelines as the template for the proposed market monitoring indicators, with the majority of proposed indicators coming from these guidelines. The CER notes that the list of indicators in the ERGEG guidelines was not definitive or exhaustive. It was highlighted in the guidelines that while the indicators referred primarily to domestic customers, the scope could be expanded to include small and medium businesses at the

discretion of the NRAs. The CER has a duty to ensure all customers are benefiting from competition - this includes both domestic and business customers. The CER considers that data should be collected on all market segments for some indicators but has reviewed the necessity of this breakdown for all proposals. In addition, there are elements specific to the Irish retail markets that need to be considered and accounted for to provide an effective view of the retail markets and processes that are in place, e.g. debt flagging, payment plans.

While not all the indicators proposed in the consultation are identified in legislation, the CER considers that it is necessary to monitor these metrics in order to comply fully with the requirements of legislation, which specifically states that the CER is not limited to monitoring the specified indicators. It is the CER's duty to monitor the indicators specifically identified but to also monitor market conditions to ensure that there is no restriction or distortion to competition in the supply of electricity or gas and to ensure that competition is benefitting final customers. In order to effectively do this, the CER considers it necessary to collect the data proposed here.

The CER considers that other indicators not specifically referenced in legislation or in the ERGEG guidelines, such as retail margins and arrears, are necessary to collect as part of the market monitoring framework as they are complementary to other indicators and will provide the CER with the necessary information to effectively ensure customer protection. In relation to arrears, this indicator, reviewed in conjunction with others, will help determine whether or not the assistance provided to customers to help them better manage their bills is effective. This is of key importance in terms of ensuring customer protection. With regard to retail margins, the CER sees the value in assessing margins to determine the level of competition in the retail market. Margin is a key competitive outcome for suppliers. Data on margins will improve transparency as to market conditions and provide clear insight as to movements therein. The CER also acknowledges the importance of not assessing margins in isolation but in conjunction with other complimentary indicators. In assessing indicators in conjunction with one another rather than in isolation, greater insight will be gained on market conditions. This is the case in general for all indicators contained in the retail market monitoring framework and the CER emphasises that all relevant indicators will be considered when assessing the different aspects of the market.

The CER considers that the indicators set out are necessary to monitor on an on-going basis but notes that the CER will continue to request other data as the need arises (though be it to a lesser extent).

2.3 Confidentiality

Most suppliers who responded to this consultation raised concerns over commercial sensitivity, particularly in relation to two indicators – margins and

arrears. The CER does not intend to publish any information that it deems as commercially sensitive. In this regard, the CER highlights Section 13 of the Electricity Regulation Act, 1999, pertaining to the prohibition on unauthorised disclosure of information. It states:

“In expressing information to be confidential, the Commission shall have regard to the requirement to protect information of a confidential commercial nature”

In terms of what is confidential information, legislation states:

“confidential information” means that which is expressed by the Commission to be confidential either as regards particular information or as regards information of a particular class or description”.

The CER is required to adhere to these requirements in all aspects of its work, including the publication of information under its market monitoring activities. In this document the CER has clearly identified what it proposes will be published and in what format (anonymised, aggregated etc.). Where the CER is minded to publish information beyond that listed in this document, the CER will engage with relevant parties prior to publication and will consider any representations made when deciding whether or not information is confidential. It is also worth noting that the CER has proposed a de minimis threshold so that the confidentiality of customers associated with smaller suppliers is preserved. While the CER has identified what it will publish, it is at the discretion of the CER to publish this data.

Some respondents had suggested that an obligation to submit certain data may not be in line with particular suppliers' current contractual arrangements. The CER considers that any contracts existing between suppliers and third parties which have obligations regarding the release of certain data should facilitate the regulatory requirements placed on the supplier as well as developments in this framework.

In relation to Freedom of Information (FOI) requests, there were concerns in the responses to the 2011 consultation that some submitted commercially sensitive information may be released under Freedom of Information (FOI) legislation. The CER is obliged to comply with the requirements of the Freedom of Information legislation, which has provisions for information that is considered commercially sensitive.

2.4 Better Regulation

A number of consultation responses referred to the need to apply the principles of Better Regulation when designing the market monitoring framework. These principles include: necessity, effectiveness, proportionality, transparency, accountability and consistency.

The CER acknowledges the importance of the principles of better regulation and their applicability to all aspects of the CER's work. These principles have been

considered in developing the framework and a table showing how each indicator meets the principles is presented in Appendix 3.

2.5 Costs, Impact Assessment and Timelines

A number of respondents to the 2011 consultation stated that they could not determine the costs of implementing the reporting requirements set out in the consultation paper, within the timelines of the consultation. All comments on costs stated that the proposals would increase costs to IT systems and system processes and some supply companies stated that it was likely that these costs would be passed through to consumers. A number of respondents noted that there was a lack of impact assessment with the proposed indicators.

The CER, in effectively fulfilling its duties (as described in legislation), strives to minimise the burden on industry. This was considered in developing the market monitoring framework presented in this paper. The CER, in developing the proposals, used best practice guidelines as the building blocks for the framework (ERGEG guidelines) and each indicator was assessed under the principles of better regulation.

The CER is of the opinion that the proposals put forward provide effective sight to the CER as to market conditions and will allow the CER to take action where necessary to prevent any distortion or restriction of competition in the supply of electricity and natural gas to final customers ensuring that final customers are benefiting from competition. The CER is cognisant that the proposed market monitoring framework will require some degree of system changes (and potential associated costs). At the same time, the CER would consider that the adoption of the proposals would reduce the time and effort involved in answering ad hoc information requests (which will become less frequent than would be the case if the current market monitoring processes were maintained). This should be of operational benefit to suppliers and network operators. Additional operational benefits should emanate from placing a defined format on data submissions. These are benefits that will be maintained but the CER does acknowledge that there will inevitably be initial costs in adapting to any new market monitoring framework. On the matter of costs, no respondent to the 2011 consultation provided specific information as to the magnitude of these costs. However, the CER would suggest that any costs should be somewhat limited as the CER would be of the view that some of the indicators to be submitted under the proposed framework may already be collated by suppliers.

Although the CER has strived to minimise the burden of the proposals on suppliers and network companies, and the CER considers that all the proposed indicators are necessary to fulfil its legislative duties to monitor the market, the CER would welcome any suggestions from respondents in relation to alternative, less impactful ways of collecting these indicators with the same level of quality/detail. If respondents consider the cost too great to implement any

proposed indicator in that form, the CER would require information on this in the response to the consultation. The CER also expects that respondents would suggest alternative methods of producing the proposed indicator.

2.6 Use of Data

Some consultation responses raised concerns with regard to the analysis of data provided. In particular, suppliers raised concerns regarding how the data would be presented and some concerns were raised with regard to the interpretation of data on certain indicators.

The CER considers that the retail market indicators identified here are complementary to one another and, as discussed above, no indicator will be analysed in isolation. In assessing indicators in conjunction with one another rather than in isolation, greater insight will be gained as to market conditions. The CER's retail market reports assess all retail indicators and take account of trends in all indicators.

The market monitoring activity of CER involves both qualitative and quantitative analysis. The quantitative analysis is in the form of retail market reports that examine the data inputs currently provided by networks. This will be extended to include the new indicators. These reports will continue to be produced but with the new market monitoring indicators, which will allow for a more robust commentary. The qualitative analysis involves the production of the Annual Consumer Survey. The CER would like to point out that it will continue to conduct its Annual Consumer Survey, which collects data from customers directly and includes information on customer satisfaction. This Consumer Survey also allows specific questions to be included that are premised on current market conditions (for example, feedback from particular cohorts of consumers, trends in complaints etc which may lead to a specific areas of investigation). The CER recognises the value in considering the findings of the Consumer Survey in conjunction with the information collected under the wider market monitoring framework.

3.0 Proposed Market Monitoring Indicators

3.1 Introduction

This section presents the metrics that are proposed to form the new market monitoring framework (see Appendix 1 for a list of consultation questions). The responses to the 2011 consultation were considered fully and changes have been made to a number of metrics (see Appendix 2 for a summary of responses). For each indicator the CER has briefly outlined what was proposed in the 2011 consultation paper. The CER has also identified clearly the reasons as to any changes to the original proposal (which took account of the responses to the 2011 consultation).

This section also includes the practical / procedural considerations with the adoption of each indicator, including:

- the frequency at which data on each indicator should be submitted;
- the breakdown of each indicator to be submitted (e.g. will it align with breakdowns used by other organisations such as SEAI); and,
- clarification with regard to the detail that will/will not be published.

The proposed indicators are structured in the following format:

Indicator	Unit	Categories	Provider	Reporting	Publication
Name of indicator	The unit of measure: •Number, •Customers, •Consumption (MWhs) •Etc.	<ul style="list-style-type: none"> •The <u>Category</u> of customers to be reported: Domestic, Domestic PAYG, Small business/IC, Medium business/FVT, LEU/RTF, All categories – refers to all the above separately reported. •Whether data has to be provided for both <u>gas and electricity activities</u>. •If the detail on <u>suppliers</u> is to be provided. 	Whether networks or suppliers are to provide the data reports.	<p>The regularity at which data reports are to be submitted to CER: Monthly; Quarterly; Annual.</p> <p>Identifies if monthly, quarterly/ annual breakdown of data is required</p>	Identifies where all data may be published or identifies where certain data will not be published.

The following details the CER's proposals for each indicator. Stakeholders are invited to comment on the proposed indicators.

3.2 Market Segmentation

As part of the 2011 consultation, the CER reviewed the market segmentation for both electricity and gas. The categories currently used by the CER, while different in electricity and gas, provide consistency with historical data. Alongside these categories, SEAI submit to Eurostat (and publish) data on gas and electricity prices twice yearly using data which is required to be submitted by all suppliers. These data have become one of the main references for historical price movements in Ireland and for comparison with other European countries. The SEAI data is broken down into different consumption segments for domestic and industrial and commercial customers and is more detailed than that currently used by the CER.

3.2.1 Electricity and Gas Market Segmentation

To provide for a greater link between data collected and a customer's consumption level and to allow for easy comparison with Eurostat data, the 2011 consultation paper proposed a number of options as to how data is segmented – see appendix 1 for more details. In summary, the options proposed for electricity were:

- Option 1 - DUoS Categories (current segmentation of data submitted to CER)
- Option 2 - Eurostat Customer Categories
- Option 3 - Combined DUoS & Eurostat Categories

The paper also proposed the following three options in relation to the segmentation of the gas market:

- Option 1 - Regulated tariff Categories (current segmentation of data submitted to CER)
- Option 2 - Eurostat Customer Categories
- Option 3 - Adjusted Eurostat Categories

The CER proposed the above options for comment in the 2011 consultation paper and also invited requests for alternative categories.

CER's Proposal

With regard to option 1, the CER acknowledges that the adoption of this option would result in the least cost and impact to IT systems and processes for all parties involved in the submission of data to the CER as this is the current method of market segmentation in electricity and gas. Option 1, as noted in the consultation paper, would also allow for ease of comparison with historical data. The drawback with option 1 is in the comparison with other EU markets and in understanding the changes in the Irish prices for each of the segments as reported to Eurostat. In addition to this, the domestic market categories under option 1, do not offer the same level of insight (urban, rural, 24 hour and day-night meters) into consumers groups as with consumption categories.

Options 2 and 3 overcome the drawbacks of Option 1 and the CER acknowledges that the merits of each include comparability and coherence with prices reported at EU level. However the CER recognises that this option would likely impact on operation costs for suppliers and network companies and would require significant system changes. Option 3 would require even greater levels of system changes. In addition, if the Eurostat breakdown (which does not match the CER's current breakdown) was adopted, the ability to examine historical trends would be hindered.

The CER proposes to continue with the current method of segmentation (option 1) but with the addition of PAYG customers as a subset of the domestic category in both gas and electricity. Given the increase in the number of customers with PAYG meters and the importance of this support in assisting those in difficulty, the CER considers it important to distinguish these customers in the data. Unless stated otherwise, PAYG refers to the PAYG meters that have been installed free of charge by ESNB and BGN for those in financial difficulty (but including the lifestyle choice meters in gas). The PAYG category refers to the customers that remain on prepayment mode and have not reverted to credit mode.

The CER also proposes that network companies provide a breakdown of customer numbers and consumption annually in the Eurostat breakdown. Such data will assist the CER in understanding the proportion of customers that are in each price category. The CER believes that the adoption of such will provide sufficient breakdown of data, while maintaining the ability to compare data to that collected from the CER's market monitoring activities to date. Continued analysis against historical data will assist the CER in identifying trends and in doing so provide greater insight as to how competition is developing. The CER also notes that the option avoids potentially substantive system changes and reduces the administrative burden on the industry than alternative options proposed in the 2011 consultation paper.

The CER also proposes a change to the naming of the market segments in gas. The following table identifies the current breakdown and the proposed naming convention:

Current Breakdown	Definition	Proposed CER Naming Convention for Segment
Residential	Non business customers	Domestic
Industrial and commercial	Sites with a supply point capacity of below 3,750kWh and consumption level below 73,000kWh of gas annually	Small business
FVT eligible	Sites with a supply point capacity of above 3,750kWh and consumption level above 73,000kWh of gas annually	Medium business
RTF eligible	Sites with an annual consumption of between 5.5GWhs and 264 GWhs.	Large business

The measurement of each segment will remain the same as above and reports can be submitted to the CER as above. However, in published reports the CER will refer to the segments under the new naming convention. The main reason for changing the naming convention is for ease of reference. The new naming convention, however, will not mean that comparison of data pertaining to 'domestic', 'small business', 'medium business' and 'large business' will be possible between electricity and gas as the definition of these segments varies. The CER would request that respondents ensure that the proposed naming convention accurately reflects the type of customer within each category.

Consultation Proposals

Consultation Proposal 1.

The current methodology of segmentation (option 1) will continue to be required and data will be collected based on this segmentation. It is proposed that domestic PAYG customers will form a separate subset of the domestic category.

The current methodology of segmentation (option 1) will continue to be required and data will be collected based on this segmentation. It is proposed that domestic PAYG customers will form a separate subset of the domestic category.

Consultation Proposal 2.

Networks will be required to submit customer numbers and consumption in gas and electricity based on Eurostat bands by supplier once a year.

Consultation Proposal 3.

The CER proposes to report on gas market segments under the following naming conventions:

- Domestic
- Small business – instead of the current IC market
- Medium business – instead of the current FVT market
- Large business – instead of the current RTF market.

Consultation Questions:

Question 1 - Respondents are invited to comment on the proposals presented for the electricity and gas market segmentation? Respondents are also invited to suggest alternative market categories.

Question 2 - Respondents are invited to comment on the proposal on Networks submitting data based on Eurostat bands once a year? Respondents are also invited to make alternative suggestions.

Question 3 – Is the proposed naming convention for the gas market segments accurate? The CER would request that respondents ensure that the proposed naming convention accurately reflects the type of customer within each category.

3.3 Market Condition & Network services

This section outlines the CER's proposals in relation to the market condition and network services indicators. These indicators should indicate how well services or mechanisms in the market function, for example switching and connections etc. ERGEG identifies that well-functioning mechanisms should help a well-structured market to deliver beneficial outcomes which in turn leads to high levels of customer satisfaction. In addition, these indicators provide an indication of the level of customer engagement with the market.

3.3.1 Switching Rates and Switching Process

Monitoring of switching is explicitly required in legislation. Switching refers to the number of customers changing supplier in a given period. The switching rate is a key indicator of the level of customer engagement within the market, the ease of the switching process and the level of competition between suppliers in the marketplace. A high switching rate (which counts all switches in the period be they attributable to a customer that has switched multiple times in the period or just once) indicates a high level of customer engagement.

Unique switching refers to a customer that switched only once in a period (that is it does not take into account multiple switches by customers). It is important to know if customers switched once or more than once as it is reflective of the actual level of switching. If total switching is comprised primarily of customers that switched more than once, this may be indicative of a degree of customer inertia in the market.

When a switch is not completed (times out or is cancelled), this is considered a failed switch. Together with delayed switches, this indicator would provide information on whether the switching process is operating effectively for customers. A delayed switch is one which is completed outside of the recommended timeframe to complete a switch. The 3rd Package requires that switches requested by customers are completed within 3 weeks. The CER proposed in the 2011 consultation paper that a delayed switch will occur when:

- A switch with a customer read – over 3 weeks of the MRSO/GPRO receiving the request from the supplier.
- A switch with a scheduled read – over 2 weeks of the scheduled read.

The 2011 consultation document proposed collecting monthly data on the switching rate and unique switching rate in both gas and electricity and also data on the switches requested, completed on time, failed switches and delayed switches, by supplier and customer category (see appendix 1). The consultation proposed that reports on delays, failed switches, requests and switches completed on time be submitted on a quarterly basis.

CER's Proposal

As switching is specifically required to be monitored in legislation, the CER intends to continue and to expand its collection of switching data. Switching is a

key indicator of customer engagement and competition in the market. Switching was a key criterion for the deregulation of the domestic market in electricity (and now in gas) and it is necessary that the CER continues to monitor the situation. It is also important for the CER to monitor the switching process to ensure that it is working for customers.

The CER proposes to maintain the indicators as set out in the 2011 consultation paper, with the replacement of unique switching with an indicator on repeat switching. While switching rates will inform on the number of switches, it is necessary to expand the indicators in the 2011 consultation to ensure that the CER has adequate effective oversight of market activity and so that the effectiveness of the process can be monitored.

With regard to switches completed on time, the CER proposes not to collect this data as originally proposed as it is of the view that this can be deduced from the other indicators (requests, completed, delayed and failed switches). The CER considers that to adequately monitor the switching process, requests, delays and failed switches are required. While information on the reasons for failed and delayed switches are important in explaining trends in such data, the CER considers that, in the first instance, data on the total failed and delayed switches will be collected and that the reasons can be collected on an ad hoc basis as the need arises. The CER still sees the value of collecting delayed and failed switching data which will offer insight as to the switching process.

The switches completed indicator is proposed to be the same as the current measure and will include data on total switching and gains/losses by supplier. The CER proposes to report all customer categories (i.e. domestic, PAYG⁶, small, medium and large business). Given the increase in the number of customers with PAYG meters, the CER considers that it is important to distinguish these customers in its market monitoring data. With regard to the FVT and RTF segments in gas, the CER considers its duty is to ensure that all customers are protected and therefore requests that BGN investigate how to upgrade its systems so that such data can be collected.

The CER is also proposing that suppliers provide data on the number of dual fuel⁷ customers that switched, either one account or both, and on the reasons for failed switches. The dual fuel customers who switched would be identified by the losing supplier. CER currently does not receive this data, however, given the number of such customers and the number of dual fuel offers, the CER considers it important to collect such data on this cohort of customer.

The CER also proposes that networks provide a figure for the proportion of completed switches where a change of legal entity (CoLE) occurred (suppliers will not be required to provide this breakdown for dual fuel switching). This figure will provide the CER with more detailed information on switching and will impact on the interpretation of the switching figures and feed into the repeat switching

⁶ I.e. the meters provided free of charge by networks

⁷ In this context, a dual fuel customer is a customer who has both gas and electricity accounts with the same supplier.

indicator. At present, Bord Gáis Networks' systems treat all change of supplier requests as a change of legal entity. As such Bord Gáis Networks do not know if an actual change of legal entity has occurred or not. Only the gaining supplier, who has asked the customer, knows whether a change of legal entity has occurred or not. Nevertheless, the CER proposes to gather this data from both networks and proposes that networks investigate how to capture this data.

The repeat rate will show exactly how many customers are driving the rates on change of supplier. The CER will be able to then derive a figure for unique switching. Repeat switching is important in determining if there is a degree of customer inertia in the market. In establishing the number of repeat switchers, it is proposed that a proxy will be used. This proxy will examine the MRPNs/GPRNs associated with each switch. Where a MPRN/GPRN is associated with more than one switch, the MPRN/GPRN will be counted as a repeat switcher. The CER acknowledges that in some instances this will not represent the same customer as a different customer may have moved into a site. The CER proposes that this data should only reflect repeat switching by the same customer and to account for this, the CER proposes measuring repeat switching based on the same MPRN/GPRN but excluding sites where there is a CoLE associated with the switch.

With regard to the frequency of reports, the CER proposes that reports on switches requested and completed switches be submitted on a monthly basis - aligning with the current practice of submitting monthly data on completed switches. Given that the estimation of repeat switchers may be more of a manual exercise, the report on repeat switching is proposed to be annual. The CER's Consumer Survey will continue to be undertaken and can be used to provide qualitative information on repeat switchers and also on the customers that do not switch (such questions were included in previous surveys). Data on delayed and failed switches are proposed to be submitted on a quarterly basis (with a monthly breakdown). In order to maintain consistency and comparability the CER proposes that all customer categories (including domestic, PAYG, small business, medium business and large business) are reported.

The CER proposes to publish all data except in the case of the number of failed/delayed switches *per supplier* as there may be multiple reasons for a failed/delayed switch. However, the CER proposes to collect the data on the number of switching delays and failures by supplier. The analysis of the trends in the number of failed and delayed switches will determine if further investigation on the reasons for failed/delayed switches is required.

These indicators are considered appropriate under the principles of better regulation, see appendix 3.

Consultation Proposals

Consultation Proposal 4

The CER is proposing the switching indicators outlined in the table below.

Indicator	Unit	Categories	Provider	Reporting	Publication
Switches Requested	Number of requests.	<ul style="list-style-type: none"> •Electricity & Gas. •Supplier. •All customer categories: domestic, PAYG, small business, medium business & large business. 	Networks.	Monthly.	All.
Switches completed	<ul style="list-style-type: none"> •Total Number of switches. •Gains/losses by supplier. •Proportion of total that were also a CoLE (only networks to provide). 	<ul style="list-style-type: none"> •Electricity & Gas. •Supplier. •All customer categories: domestic, PAYG, small business, medium business & large business. 	<ul style="list-style-type: none"> •Networks. •Suppliers - dual fuel customers switching. 	Monthly.	All.
Repeat Switching Rate	Number of times customer has switched in a year based on GPRN/MPRN (excluding CoLE).	<ul style="list-style-type: none"> •Electricity & Gas. •All customer categories: domestic, PAYG, small business, medium business & large business. 	Networks.	Annual (no requirement to provide monthly/ quarterly breakdown)	All.

Indicator	Unit	Categories	Provider	Reporting	Publication
Delayed Switches	<ul style="list-style-type: none"> •Total number of delayed switches. •Number falling into each week band. 	<ul style="list-style-type: none"> •Electricity & Gas. •Supplier. •All customer categories: domestic, PAYG, small business, medium business & large business. •Bands (2-3; 3-4; 5-6 Weeks etc). 	Networks.	Quarterly (monthly breakdown required).	All, except supplier detail.
Failed Switches	Total number of failed switches.	<ul style="list-style-type: none"> •Electricity & Gas. •Suppliers. •All customer categories: domestic, PAYG, small business, medium business & large business. 	Networks.	Quarterly (monthly breakdown required).	All, except supplier detail.

Table 1 Switches Completed, Requested, Repeat Switching & Delayed Switches

Consultation Question:

Question 4 - Respondents are invited to comment on the whether the indicators outlined for measuring switching are sufficient and if not, what other methodology could be used?

3.3.2 Renegotiations

The 2011 consultation paper suggested the collection of data on renegotiations, contracts expired and defaulting to the standard tariff. ERGEG defines a renegotiation as changing to a new contract with the existing supplier (excluding the automatic renewal of a current contract). Data on renegotiations complements that collected on switching and helps provide a more complete picture of customer engagement and the options open to customers.

Contracts expired refers to the number of contracts that expired in a period.

Defaulting to standard refers to the number of customers that defaulted to the supplier's standard tariff on completion of their contract period. Defaulting to the standard tariff shows whether customers are engaging with the market and if they are aware of the possibility of defaulting to the standard rate. The consultation

document proposed the collection of data from suppliers on a quarterly basis (reports to contain data on each month in the quarter) on the number of renegotiations, contracts expired, and the number defaulting to standard tariffs in electricity and gas by all customer categories (see appendix 1).

CER's Proposal

The CER proposes to maintain two of the three indicators set out in the 2011 consultation paper, the indicator on renegotiations and on defaulting to the standard tariff (which refers to the standard rate that each supplier charges). The CER will not require data on contracts expired to be submitted as it considers that the other two indicators are sufficient.

Renegotiations refer to the renegotiation of a contract by any customer with existing supplier, no matter how long the customer is with a supplier. The collection of data on renegotiations complements the switching data and gives a more complete picture of customer engagement. While in some instances the renegotiation of a contract may be initiated by suppliers, the CER considers that this will still be an indicator of engagement. If customers are found not to be engaging with suppliers, this could potentially indicate an issue in the market (and may require further investigation). While renegotiations is not specifically identified in legislation, the CER agrees with ERGEG's suggestion that it is beneficial to collect data on renegotiations in order to get a complete picture of customer engagement. Such an indicator can be linked to the CER's duty of customer protection and renegotiations are necessary in showing the options that are available to customers.

Defaulting to the standard tariff shows whether customers are engaging with the market and if they are aware of the possibility of defaulting to the standard rate. The defaulting indicator will assist the CER in determining if actions need to be taken to ensure that customers are better informed.

In order to maintain consistency and comparability, the CER proposes that for both indicators data on domestic, domestic PAYG (financial hardship) and small businesses are reported. The CER feels that data on households only would limit the complementary nature that this data provides to the data on switching, which is currently published for all business categories, including those currently classified as Large Energy Users in electricity. While the reporting of this information would enhance market transparency and would be in line with current switching reporting, the CER proposes that no data on medium or LEUs (FVT and RTF in gas) be collected as such businesses tend to have key account managers, which the customer interacts with frequently.

The 2011 consultation had proposed that the data be submitted on a quarterly basis with a breakdown by month. While the CER strives to keep the administrative burden on the industry to a minimum, the indicators proposed in this section are complementary to the principle customer engagement indicator of customer switching (which will be collected on a monthly basis) and the CER considers that the data on renegotiations should be submitted monthly but

proposes that data on defaulting to the standard tariff should be submitted per quarter (with a monthly breakdown).

Finally, the CER proposes the publication of all data submitted, except at supplier level. The appropriateness of these indicators under the principles of better regulation is detailed in appendix 3.

Consultation Proposals

Consultation Proposal 5.

The CER is proposing that suppliers submit information on renegotiations, as outlined in the table below.

Indicator	Unit	Categories	Provider	Reporting	Publication
Renegotiations	<ul style="list-style-type: none"> •Number of renegotiated contracts. •Number of customers renegotiating. 	<ul style="list-style-type: none"> •Electricity & Gas. •Domestic, PAYG & Small business/IC. 	Suppliers.	Monthly.	All, except supplier detail.
Defaulting to Standard Tariffs	Number of customers defaulting to standard tariff.	<ul style="list-style-type: none"> •Electricity & Gas. •Domestic, PAYG & Small business/IC. 	Suppliers.	Quarterly (with monthly breakdown).	All, except supplier detail.

Table 2 Renegotiations & Defaulting to Standard Tariffs

Consultation Question:

Question 5 - Respondents are invited to comment on the proposals outlined for measuring renegotiations. Is there any other methodology that could be used?

3.3.3 Connections

Connections refer to new sites registered and sites that are reconnected/reenergised. Connections of customers to the electricity and gas networks, respectively, are part of the customer's interaction and experience with the market.

The CER currently receives data from both Network companies on the number of new connections/registrations. The 2011 consultation paper proposed the collection of data on the average time to connect and the range of times to connect. The proposal under this indicator was to use data from ESBNs annual performance report and to request data from Gaslink, as connections are currently not separately reported in the their annual performance report. The consultation document suggested the collection of data on the annual average

time to connect and the range of times to connect across customer categories (see appendix 1). It also suggested 5 connection segments.

CER's Proposal

The CER proposes to maintain the indicators as set out in the 2011 consultation paper, with a change to the reporting format. To ensure completeness, the CER has included all indicators that are to be collected including the currently collected metric on new connections. However, the CER has introduced a variable on the proportion of new connections that are regarded as reconnections to provide a more complete and accurate picture of the nature of connections (a more detailed indicator on reconnections is included in the disconnections area). The CER has reviewed the definition of time to connect and has now proposed a range of times to connect rather than connection segments detailed in the consultation paper.

Not only is data on new connections an indicator of market activity, it is also an indicator of the awareness of customers to the fact that they have a choice of supplier to connect with. The time to connect is an important metric to examine the process and how it might affect customer experience in the market.

Although ESNB reports some variables in their annual report, after further consideration the CER proposes that data be submitted from both electricity and gas networks. This will ensure consistency with regard to the data inputs received from both networks. Data on new connections will be required to be submitted on a quarterly basis (with a monthly breakdown) and data on the average time to connect will be required annually.

With regard to the time to connect, the CER proposes that connections are broken down as follows – connections completed in: 0-10 days; 11-15 days; 16-20 days; 21-25 days; 26-30 days; and 30+ days. The CER will not require the breakdown of the time to connect indicator by supplier.

The CER proposes that the data is broken down into all customer categories: domestic, PAYG, small business, medium business and large business.

The CER is proposing the publication of all data.

Consultation Proposals

Consultation Proposal 6.

The CER is proposing the collection of data on new connections, average time to connect and reconnect, and the range of times to connect and reconnect. The table below provides more information on the specific requirements.

Indicator	Unit	Categories	Provider	Reporting	Publication
New connection/registrations	<ul style="list-style-type: none"> •Number of new registrations. •Proportion that are reconnections. 	<ul style="list-style-type: none"> •Supplier. •All customer categories: domestic, PAYG, small business, medium business & large business. 	Networks.	Quarterly (with monthly breakdown).	All data.
Average time to Connect	Average number of days.	<ul style="list-style-type: none"> •All customer categories: domestic, PAYG, small business, medium business & large business. 	Networks.	Annual (monthly/quarterly breakdown not require).	All data.
Range of times to Connect	Number of connections falling into each day range.	<ul style="list-style-type: none"> •All customer categories: domestic, PAYG, small business, medium business & large business. •Times to connect: 0-10 days; 11-15 days; 16-20 days; 21-25 days; 26-30 days; and 30+ days. 	Networks.	Annual (monthly/quarterly breakdown not require).	All data.

Table 3 New Connections, Time to Connect & Time to Reconnect

Consultation Question:

Question 6 - Respondents are invited to comment on whether the proposals outlined for measuring connections and time to connect are sufficient. Respondents are also invited to make alternative suggestions.

3.3.4 Repairs

Legislation states that the charges for and the execution of maintenance services are monitored. ERGEG supports the idea of defining quality of service obligations for repairs and the 3rd package requests that the time taken by networks to make repairs is monitored. This indicator is part of the measurement of quality of service experienced by customers and will identify instances of interruptions to customer supply.

Under the proposal in the 2011 consultation paper, existing reporting by the electricity and gas networks would be utilised in the retail market monitoring reports. For electricity the measures include Customer Minutes Lost (CML) and Customer Interruptions (which measure the average time to complete repairs carried out by ESB Networks) and in gas the restoration of gas supply by the end of the following day after notification.

CER's Proposal

The CER proposes to maintain the 2011 consultation proposals to report on repairs annually as it does not consider it necessary to report on a more frequent basis. Should the need arise for more frequent reporting, for example where other indicators suggest that there is an issue with repairs; the CER will notify all relevant stakeholders.

While data is published in Networks annual performance reports, both of which are published before the end of the following year, the CER proposes that networks submit the data on repairs in January or February of the following year.

Consultation Proposals

Consultation Proposal 7.

The CER is proposing to collect the following indicators in January /February of the following year:

- Electricity: Average Customer Minutes Lost (CML) & Customer Interruptions (CIs).
- Gas: Restoration of gas supply by the end of the following day following Notification.

Consultation Question:

Question 7 - Respondents are invited to comment on whether the proposals outlined for monitoring repairs are sufficient. Respondents are also invited to make alternative suggestions.

3.3.5 Disconnection Rates and PAYG Installs

Disconnections refer to the act of interrupting supply of electricity or gas to a site. Monitoring of disconnections is explicitly required under legislation and some data is already collected by the CER.

Disconnections highlight the number of customers that have, among other things, fallen into financial difficulty and have, despite customer protection measures already in place, had supply to their premise turned off. Currently the CER publishes data on disconnections for non-payment of account (NPA).

At present, the CER receives data from ESB Networks on the number of NPA electricity disconnection and from Bord Gáis Networks on all disconnection categories which include both NPA and non-NPA disconnections (credit locks, disconnect meters, DMs, and street isolations, CTSR, in gas). In relation to gas disconnections, all credit locks are NPA but the other categories (DMs and CTSRs) include both NPA and non-NPA disconnections. To identify the NPA disconnections, the CER regularly sends a list of gas disconnect meters and gas street isolations to all suppliers to identify which relate to NPA. Suppliers are also asked to validate all the electricity and gas NPA disconnections. Only data on NPA disconnections are published. The 2011 consultation document suggested the collection and publication of data for the following categories:

- Electricity
 - D01 (de-energise, not NPA related);
 - D02 (de-energise, NPA related); and,
 - D03 (de-energise, unmetered).
- Gas:
 - Service lock;
 - Safety lock;
 - Credit lock;
 - Disconnect Meter;
 - Disconnect Meter-NPA;
 - Street Isolation; and,
 - Street Isolation-NPA etc.

The 2011 consultation paper suggested collecting data from networks on the number of disconnections, vacant premises disconnected and prepayment meters on a monthly basis broken down by supplier, all customer categories and disconnection category (see appendix 1).

CER's Proposal

Legislation specifically states that disconnections are to be monitored. Suppliers are required to treat disconnections as a last resort and must provide customers with assistance to manage their bills (as stipulated in the Supplier Handbook). The CER already monitors disconnection levels to ensure that disconnections are minimised and to identify if additional safeguards / assistance are needed. The CER publishes the data it collects per supplier. It is the CER's responsibility to

ensure that customers are protected and that disconnections are a last resort. There are a number of measures in place to ensure disconnections of customers in difficulty are minimised and the CER must monitor the market to ensure that such measures are effective.

The CER proposes to collect data on NPA-specific disconnections, the time to reconnect and PAYG meters. In addition, it is proposed that data be submitted on the geographic location of both disconnected sites and sites with PAYG meters installed. Such information will assist the CER in determining if there are certain hotspots for disconnections/PAYG meters and will also help in ensuring that the allocation of network resources meets demand. The CER proposes that the geographic breakdown is at county level but with city details as follows: Dublin City North, Dublin City Central, Dublin City South, Cork City, Limerick City, Galway City and Waterford City.

The CER notes that the safety team in the CER already collects data on safety related disconnection / locks and as such the CER does not propose to include these in this retail marketing framework. This is to avoid duplication. With the safety aspects covered elsewhere, the CER considers that the data on disconnection should focus on NPA and as such the CER proposes to only collect data on disconnections due to NPA. This would require the same level of reporting as currently by ESNB but updated reporting in gas to just include NPA disconnections. The CER proposes that reports in gas are appropriately updated to include just NPA disconnections.

While the CER is requesting NPA disconnection data by supplier, the CER proposes that the billed supplier associated with each disconnection be provided, along with the identification of the current supplier. In some instances currently, the data that the CER receives can associate a disconnection with a supplier that did not request the disconnection. This occurs if a customer switches supplier after being disconnected. Data on the billed supplier will alleviate this issue and will assist in the data validation process. The CER also proposes that the current supplier be identified so that the extent of this issue is known.

As to vacant premises, the CER currently estimates vacant premises based on the length of time that disconnected properties remain without electricity/gas. The CER considers that it is important to monitor the length of time it takes to reconnect properties that have been disconnected. The CER wants to ensure that customers that have difficulty in paying bills are not choosing to remain disconnected. It is proposed that this data be submitted on a quarterly basis. The CER proposes to continue to collect data on the time to reconnect (which is measured by the time between the date of disconnection and the date of reconnection). The CER will collect this data from networks and requests that both ESNB and Bord Gáis Networks submit data on the time to reconnect disconnected properties (NPA only) by MPRN/GPRN.

The CER proposes that data on reconnection excludes sites where there was a change of legal entity on reconnection. This measure will show how long a specific disconnected customer remains without gas/electricity. In other words,

this site may have had a certain customer at the time of disconnection but there may have been a change of legal entity at the time of reconnection. The data to be submitted will cover the disconnections that occurred during the quarter six months before the reporting quarter, e.g. a report submitted in Q3 2014 will show the reconnection times of disconnections that were completed in Q4 2013. The CER considers that it is imperative that it has clear sight of exactly the extent to which, and how, customers are being affected by disconnections. The CER proposes that this data be submitted for the domestic category only (excluding PAYG customers).

As the proposed indicator on reconnections will only measure how long credit customers remain without electricity/gas, the CER proposes that data on 'self-disconnection' of customers with PAYG meters (both lifestyle choice and financial hardship) also be provided. It is important for the CER to monitor if such customers are still having difficulty even with a PAYG meter installed. The CER considers that while such information could be derived through consumer surveys, raw data is necessary to accurately monitor the situation on a regular basis. The CER welcomes suggestions in the responses to this consultation on how to measure this. It will be important to capture the number of self-disconnections, how long customers may remain without electricity /gas and how often certain customers self-disconnect (i.e. do the same customers self-disconnect on a regular basis?).

The CER proposes to continue to collect data on the number of PAYG meters installed in a period. The CER also proposes that networks provide data on the number of PAYG customers reverting to credit meters in a period with the inclusion of a supplier breakdown. It is necessary for the CER to ensure the effectiveness of the PAYG initiative and to ensure that it is working for customers.

As to how the disconnections data will be broken down, the CER proposes that all customer categories be reported. This is in order to maintain consistency and comparability. The CER also proposes that this data be submitted to the CER on a monthly basis. The CER would be proposing the publication of the full granularity of data.

Currently, the CER circulates disconnection data to suppliers to validate. This process will continue to be required as part of the new market monitoring framework.

Consultation Proposals

Consultation Proposal 8

The CER is proposing the indicators on NPA disconnections, time to reconnect and PAYG meters outlined in the table below

Consultation Proposal 9

The CER proposes to monitor the level of self-disconnection among PAYG customers.

Indicator	Unit	Categories	Provider	Reporting	Publication
NPA Disconnections	Number of customers disconnected (at GPRN/MPRN level).	<ul style="list-style-type: none"> •Electricity & Gas. •Suppliers (billed & current). •All customer categories: domestic, small business, medium business & large business. •Geographic location. 	Networks	Monthly.	All data.
Time to Reconnect	Number of reconnected sites by MPRN/ GPRN, excluding where there was a CoLE on reconnection	<ul style="list-style-type: none"> •Electricity & Gas. •Domestic customers. •Date of disconnection & reconnection •GPRN/MPRN 	Networks	Quarterly.	All data.
Self-disconnection of PAYG customers	<ul style="list-style-type: none"> •Date of last vend. •Amount of last vend. •Consumption at site. •Sites in emergency credit. •Other? 	<ul style="list-style-type: none"> •Domestic PAYG (lifestyle choice & financial hardship). 	Networks / suppliers.	Monthly.	All data, except supplier detail.
PAYG Meters for financial hardship	•Number of free PAYG meters installed ⁸ .	<ul style="list-style-type: none"> •Electricity & Gas •Suppliers. •Domestic •Geographic location 	Networks	Monthly.	All data.

⁸ Includes both financial hardship and lifestyle choice meters in gas. It will be important to distinguish between the two types.

Indicator	Unit	Categories	Provider	Reporting	Publication
PAYG customers reverting to Credit	•Number of PAYG customers reverting from PAYG to credit meter.	•Electricity & Gas. •Suppliers. •Domestic PAYG – including lifestyle choice & financial hardship.	Networks.	Monthly.	All data, not supplier detail.

Table 4 Disconnections, Vacant Premises Disconnected and PAYG Meters

Consultation Questions:

Question 8 - Respondents are invited to comment on whether the proposals outlined for monitoring disconnections, reconnections and PAYG meters are sufficient. Respondents are also invited to make alternative suggestions.

Question 9 – Respondents are invited to make suggestions on how to measure self-disconnections of PAYG customers.

3.3.6 Debt flagging

Debt flagging sees a flag being raised where a customer that requests to switch supplier has a debt above a certain amount. This feature is applicable to all but the largest customers⁹. The debt flagging process which sees the new supplier being able to choose to cancel or proceed with a switch on receipt of a debt flag does not apply where there is a change of legal entity (CoLE).

The 2011 consultation paper suggested the collection of data from networks on the number of debt flags raised, change of supplier (CoS) requests rejected, CoLE and debt flags not issued due to CoLE on a monthly basis by supplier and all customer categories.

CER's Proposal

The CER considers it important to continually monitor the effectiveness of the debt flagging process and requires data to do such. The CER proposes to maintain some of the indicators as set out in the 2011 consultation paper, debt flags raised and cancelled.

The CER proposes not to collect data on the debt flags not issued due to CoLE (as described in the 2011 consultation). It should be noted that the CER is proposing to collect the Change of Legal Entity related CoS requests as part of the switching indicator described earlier.

⁹ Revised thresholds for the debt flagging process are outlined in the CER's information paper [CER/13/135](#) Debt Flagging Review June 2013.

To ensure consistency in measurement, the CER has added another unit, debt flags as a proportion of total CoS requests for the period. The CER proposes that all customer categories be reported but proposes that customers with PAYG meters (for financial hardship reasons) be reported as a separate subset of domestic customers. At present the CER does not receive data on debt flags from ESNB directly but proposes that such data is submitted by both networks to ensure consistency. CER proposes that data be submitted on a quarterly basis (with a monthly breakdown) and the publication of the full granularity of data, with the exception of the supplier detail.

The appropriateness of these indicators under the principles of better regulation is examined in Appendix 3.

Consultation Proposals

Consultation Proposal 10.

The CER is proposing the debt flagging indicators outlined in the table below.

Indicator	Unit	Categories	Provider	Reporting	Publication
Debt Flags raised	<ul style="list-style-type: none"> •Number of debt flags raised. •Proportion of total CoS requests for the period. 	<ul style="list-style-type: none"> •Electricity & Gas. •Suppliers (losing). •All Customer Categories: domestic, PAYG, small business & medium business. 	Networks.	Quarterly (with monthly breakdown).	All data, except supplier detail.
Debt Flagged Change of Supplier requests cancelled & accepted	<ul style="list-style-type: none"> •Number of requests received. •Number accepted •Number cancelled. 	<ul style="list-style-type: none"> •Electricity & Gas. •Suppliers (gaining). •All Customer Categories: domestic, PAYG, small business & medium business. 	Networks.	Quarterly (with monthly breakdown).	All data, except supplier detail.

Table 5 Debt Flagging and Change of Legal Entity

Consultation Question:

Question 10 - Respondents are invited to comment on whether the proposals outlined for measuring debt flagging are sufficient. Respondents are also invited to make alternative suggestions.

3.4 Market Structures

This section includes a set of indicators that show the configuration or features of the market that drive market outcomes.

3.4.1 Market Share and Active Suppliers

Market share data provides information on the size of the market by market segment, in terms of customer numbers and consumption, or the share that each supplier has within each market segment. The trend in market share has been a factor that has been considered in the decision to deregulate electricity and gas markets¹⁰. It is of paramount importance that CER continues to monitor market share across all market segments to ensure the effectiveness of competition and the options available to customers.

The indicator on active suppliers measures the number of suppliers that are active in a market (i.e. that are actively seeking domestic or business customers). This indicator allows suppliers to state which market segments they are active in, regardless of the number of customers that they have. This would also enhance the awareness of other stakeholders of the number of suppliers active in each market and is an indicator of market development.

The consultation document suggested the continued reporting of customer numbers and consumption by supplier and customer segment but on a more frequent basis (monthly), see appendix 1. The paper also proposed the collection of monthly information from suppliers on whether or not they are active in particular segments of the gas and electricity markets.

CER's Proposal

The CER proposes to collect data on market share and on the markets that suppliers are active in. Market share will continue to be measured based on share of consumption and customer numbers for each market segment.

The CER is proposing a new unit for the number of vulnerable customers as currently the CER does not receive information on these customers. The CER is required to ensure that all customers are protected and, to do this effectively, needs to be aware of the market structure that relates to all cohorts of customers. Following on from the proposal on market segmentation (see section 3.2); the CER will request that Networks provide data on an annual basis on the number of customers and consumption, by supplier, broken down by each Eurostat consumption band.

As part of the analysis of the market share data, the 2011 consultation paper proposed to use concentration ratios to measure market power (see question 13 of the consultation. Concentration ratios are a set of indicators that are used to

¹⁰ One condition in relation to deregulation was a threshold in terms of market share, consumption or customer numbers depending on market

measure market power in different industries. The CER will measure market concentration using the Herfindahl-Hirshman index and the concentration ratio.

With regard to active suppliers, the CER has changed the reporting period for this indicator to quarterly as it considers this is a reasonable frequency to capture new activity. The CER proposes to collect active supplier data direct from suppliers as it considers that collecting data from networks would not capture a supplier that is seeking customers in a market segment or the entire market, but as of yet has not obtained any. In addition, it does not identify those suppliers who have a number of customers but are not seeking additional customers. The CER also proposes that suppliers identify whether they are offering lifestyle choice prepayment options.

In order to maintain consistency and comparability the CER proposes that all customer categories (market segments) be reported. CER proposes monthly reporting of market share data and quarterly reporting of active supplier. The CER is proposing the publication of the full granularity of data in these indicators.

Consultation Proposals

Consultation Proposal 11 and 12.

The CER is proposing the market share indicators outlined in the table below.

Indicator	Unit	Categories	Provider	Reporting	Publication
Market Share	<ul style="list-style-type: none"> •Customer numbers. •Consumption 	<ul style="list-style-type: none"> •Electricity & Gas. •Suppliers. •All customer categories: domestic (vulnerable customers to be reported separately), Small, medium business & large business. •Eurostat bands. 	Networks.	<ul style="list-style-type: none"> •Monthly. •Customer numbers & consumption based on Eurostat bands annually. 	All data .
Active Suppliers	<ul style="list-style-type: none"> •Yes/No. 	<ul style="list-style-type: none"> •Electricity & Gas. •All customer categories: domestic, PAYG (lifestyle choice), small, medium & large business. 	Suppliers.	Quarterly (with a monthly breakdown)	All data.

Table 6 Market Share & Active Suppliers

Consultation Questions:

Question 11 - Respondents are invited to comment on the whether the proposals outlined for measuring market share are sufficient. Respondents are also invited to make alternative suggestions.

Question 12 - Respondents are invited to comment on the proposal to collect information from suppliers on the market segments they are active in.

3.5 Retail Market Outcomes

ERGEG defines retail market outcome indicators as those which intend to capture the key elements of the customer's experience, i.e. the prices and choices in the market. Retail market outcomes can also help in identifying whether or not open and/or deregulated markets are delivering for customers.

3.5.1 End-User Prices, Diversity of Tariffs & Contracts and Price Spread

The 2011 consultation suggested the collection of information on the diversity of tariffs that households and business customers can avail of and the tariffs that customers are on (including the number of customers availing of each tariff or contract). This is a measure of the options available to customers, the choices customers are making and, alongside other indicators, is a key indicator of competition. Related to this, the CER suggested the calculation of the price spread. Price spread highlights the gap between the cheapest and most expensive tariffs available to households and the potential savings that are available to customers. The 2011 consultation paper also suggested the collection of data on end-user prices. It was proposed that end-user price is the average rate per customer category. This would be calculated using data submitted on revenues, customer numbers and consumption. The diversity of contracts, end-user price and price spread were suggested by ERGEG to be collected for household customers.

The consultation paper proposed collecting data from suppliers on a quarterly basis on the diversity of contracts. It was proposed that data reports contain a monthly breakdown of data. Sub-elements of this indicator were the description of the tariff, the number of customer numbers on the tariff (separating vulnerable customers), demand, the rates charged (variable & fixed) and the payment method used for electricity, gas and dual fuel market segments for all customer categories.

The consultation paper also suggested the collection of monthly data from suppliers on end user prices by customer category including data on customer numbers, consumption and revenues on a quarterly basis. It was proposed that the price spread would be calculated by CER using data received from suppliers.

CER's Proposal

The CER is of the view that data on the diversity of contracts, end user price and price spread are fundamentally important as indicators of competition and of the options available to customers. The CER considers it necessary to continuously monitor the level of customer engagement and the choices that are made. Without such information, the CER cannot determine if customers are benefitting from the competitive markets that exist currently. The CER considers that it is important not to monitor end prices in isolation and is of the view that it is necessary to analyse price component and contract information alongside price data to ensure that trends can be interpreted accurately.

The CER proposes to maintain the indicators in the 2011 consultation paper but with slight changes.

While the SEAI does collect data on end user prices semi-annually, the CER considers that it is important to know the average prices in the current CER market segmentation (which differs from the SEAI segmentation). The CER proposes that data be provided by suppliers, on a quarterly basis, on revenues, demand and customer numbers to determine an average price. The CER proposes that revenues, consumption and customers be submitted for all segments (domestic, PAYG, small business, medium business and large business). The CER will calculate average price using the breakdown provided by suppliers. The current practice of submitting average price data to SEAI on Eurostat bands will continue.

With regard to the diversity of contracts, the CER is aware that there is a wide-range of tariffs available and is seeking data on each tariff that is offered by suppliers. The CER acknowledges that ERGEG suggest collecting information on diversity of contracts for household customers only but also note that ERGEG suggest that individual regulators may also want to expand all their indicators to small and medium businesses. With regard to Large Energy Users, the CER accepts that such customers are generally in a better negotiating position with suppliers than smaller customers and generally have a key account manager assigned to them. The CER therefore has limited the proposed customer categories to just domestic and small business (IC in gas). The CER understands that even by limiting the number of customer categories, not all contracts will be captured by this measure due to the fact that there are a number of customised contracts in existence which are more difficult to monitor or measure. The CER recognises that larger customers are likely to have bespoke plans and are likely to have key account managers with which they liaise with on a regular basis. To take account of this, the CER proposes to collect information only where there are multiple customers availing of the same plan. The inclusion of customer numbers and volume for each tariff type allows the CER greater insight into the market and the choices customers make.

With regard to the data on diversity of contracts for domestic customers, the breakdown of FEA/FGA is not included in the proposal as the CER considers that

any issues that relate to this cohort of customers will be identified through the Annual Consumer Survey. The CER currently does not collect or receive information on the plans that vulnerable customers are on. The Supplier Handbook states that suppliers are required to ensure that all registered vulnerable customers are on the most economic tariff for their chosen payment method (i.e. not penalised due to remaining on a legacy tariff). It is of great importance that the CER regularly monitors the rates that such customers are charged. In addition, given the increase in the number of customers with PAYG meters, the CER is proposing that the tariffs available for PAYG and vulnerable customers are also identified.

It is proposed that the details of security deposits, contract terms and penalties associated with each tariff, if applicable, be identified. This will give the CER a more complete description of each tariff and how each differs from others. This should help alleviate concerns raised regarding the interpretation of this data and will allow for more detailed qualitative analysis rather than just based on price alone. In general terms, the CER also considers it important to be aware of the number of legacy tariffs that are in existence and is proposing that suppliers identify all the legacy tariffs that some of their customers may be on (and the proportion of customers on each). The CER is of the view that deriving information on the diversity of tariffs from supplier websites is not sufficient as there is no information on the legacy tariffs that might exist. The CER defines legacy tariff as one which is not available to new customers or to customers wishing to change tariff with the existing supplier.

The CER is proposing that suppliers submit reports quarterly as the CER is of the view that changes to tariffs are not likely to take place more frequently. The CER has developed a draft sample form that suppliers will be asked to fill on a regular basis. The categories are described in this form which is attached in Appendix 4 (along with sample forms for all other supplier indicators). The form is developed to ensure consistency of data inputs across suppliers.

With regard to confidentiality, the CER is not proposing to publish confidential information (see section 2.3 earlier). The CER proposes that aggregated data only be published (e.g. the number of plans available, the proportion of customers on standard plans, payment methods available, etc.).

With regard to price spread, the CER will calculate this based on the information received from suppliers for domestic and small/IC business customers. Data will be published at an aggregated level.

In summary, the CER proposes to report on end user price, contract diversity and price spread. The CER proposes that data on the diversity of contracts for domestic customers and small businesses (in gas IC) be reported. However, the CER proposes that the data on end-user prices be broken down into all market segments. The CER proposes quarterly reporting. The CER is proposing to publish general commentary on what is available to customers without identifying suppliers. The appropriateness of these indicators under the principles of better regulation is examined in Appendix 3.

The CER would emphasise the importance of presenting price comparison information in a form that is clear and easily accessible can potentially address the issues facing some inert customers. The Supplier Handbook provides guidance to suppliers in this respect. In addition, the CER has in place a price accreditation framework for price comparison websites. It is worth noting that since the consultation paper was published, the CER has accredited two price comparison websites¹¹ and there is a process in place for the rollout of smart meters in both the electricity and gas markets. While some customers may choose to be inactive, the CER believes that informing the customer as to the savings that customers can make may encourage a greater level of customer engagement. The CER acknowledges that customers also see value in non-monetary aspects of their contract and considers that the Annual Consumer Survey also captures such information.

Consultation Proposals

Consultation Proposal 13.

The CER is proposing the collection of data on the diversity of tariffs as described in the table below.

Consultation Proposal 14.

The CER is proposing the collection of data on end-user prices.

Consultation Proposal 15.

The CER is proposing to calculate the price spread between the most expensive and cheapest tariffs by supplier and across the market.

¹¹ Bonkers.ie and Uswitch.ie.

Indicator	Unit	Categories	Provider	Reporting	Publication
Diversity of Contracts	<ul style="list-style-type: none"> •Tariff/ contract name. •Description¹² •Customer Nrs •Consumption. •Actual Rates (unit charges, standing charges, services charges, etc). •Payment method used. •Security deposit required (yes/no). •Penalty clauses. •Legacy plan (yes/no & number of customers on such plans). •Annual average bill. 	<ul style="list-style-type: none"> •Electricity & Gas & Dual fuel plans. •Name of tariff offered. •Domestic (separate PAYG customers and vulnerable customers) & Small Business/IC. 	Suppliers.	Quarterly (monthly breakdown not required).	General commentary, not supplier detail.
End user price	<ul style="list-style-type: none"> •Customer numbers. •Consumption (MWhs). •Revenues. 	<ul style="list-style-type: none"> •Electricity & Gas. •All categories 	Suppliers.	Quarterly (monthly breakdown not required).	General commentary, not supplier detail.
Price Spread	<ul style="list-style-type: none"> •Highest price. •Lowest price. •Difference. 	<ul style="list-style-type: none"> •Electricity & Gas & Dual fuel Tariff offered. 	Calculated by CER using information on end user price and diversity of contracts.		All data, not supplier detail.

Table 7 Diversity of Contracts, End-User Prices & Price Spread

¹² Includes PAYG tariffs. Includes standing charge and unit rate and any additional benefits associated with the description of the Tariff and if Green.

Consultation Questions:

Question 13 - Respondents are invited to comment on the whether the proposals for monitoring the diversity of tariffs are sufficient. Respondents are also invited to make alternative suggestions.

Question 14 - Respondents are invited to comment on the whether the proposals for monitoring end user prices are sufficient. Respondents are also invited to make alternative suggestions.

Question 15 - Respondents are invited to comment on the whether the proposals for monitoring price spread are sufficient. Respondents are also invited to make alternative suggestions.

3.5.2 Retail Margins

Retail margins of energy companies reflect the return on their investment and can be an indicator of the state of competition in various markets. The collection of data on retail margins is to be examined alongside other indicators to give a complete overview of competition in the market. The publication of data on retail margins (and the other components of end price) promotes competition by ensuring continuous competitive pressures on prices in the retail market. This will ensure an appropriate level of transparency in the market. The CER has access to data on certain components that comprise final price; however does not have any information on some elements, such as supply costs or retail margins. The publication of retail margin data, even at aggregate level, will allow for comparison with the margins of companies in other jurisdictions and markets. Information on the retail margin is also of significant importance to ensure that the prices charged are fair and that customers are protected and benefiting from competition (in line with the CER's legislative duties).

The consultation document proposed the collection of data from suppliers on a quarterly basis on a number of indicators on the retail activity of suppliers including: revenues, generation, transmission use of system charges (TUoS), distribution use of system charges (DUoS), public service obligation levy (PSO), supply costs, suppliers depreciation and amortisation (D&A), supply margin (earnings before interest and tax) and VAT. The proposal was to breakdown each component to all customer categories.

CER's Proposal

The CER has considered carefully the comments from respondents and proposes to maintain the indicator as set out in the consultation with the addition of a number of elements as discussed below, but has reduced the publication frequency and has clarified the CER's position regarding publication. The CER has taken into account the responses to the consultation and proposes a breakdown of domestic (with PAYG separated out) and non-domestic (total for all

business segments) categories as the CER considers that it is necessary to monitor all market segments.

Legislation stipulates that the CER is required to monitor final tariffs and to monitor whether the development and operation of competition is benefitting final customers. In addition, the CER is required to monitor to identify any distortion or restriction of competition in the market. As part of the CER's assessment of this, it is necessary that the CER has information on margins and the components comprising final price. The CER must maintain effective sight of market activity to ensure that prices are fair and reasonable and that there is transparency in the market. As to margins, the CER wishes to highlight that it is not suggesting that margins should be at a particular level. The CER understands that varied corporate strategies and performance will result in different margin levels. The objective of the indicator is to inform the CER as to how competition is developing through the analysis of the components that comprise end-user price.

The CER considers that it is important not to monitor any indicator in isolation and the CER will assess margin information alongside other indicators, such as end-user price and the more qualitative indicator of diversity of contracts, as part of the process of examining if competition is benefitting customers. The CER is of the view that it is necessary to analyse other information alongside price data to ensure that trends can be interpreted accurately. The CER would stress that it does not deem it prudent to wait until market issues to arise before collecting data on this key indicator. The CER notes that ERGEG considers that assessing retail margins based on end-user prices and wholesale prices could be an insightful ad-hoc extension to the end-user price indicator. While data on retail margins may not be collected in the same format in other EU markets, this does not undermine the case for collecting such data.

The CER notes that currently analysis is conducted in the CER on generator profitability, which is published once a year. The proposed retail market monitoring proposes extending such analysis into the retail market. In doing so, it is considered important to look at all supplier costs, including their cost of generation. The CER has extended the generation element of the indicator since the 2011 consultation to include: SMP purchases, transfer cost of vertically integrated companies, other non-SMP purchases, capacity payments, contracts for difference payments, fuel and other hedging and total generation (to comprise all the aforementioned elements plus any components not detailed here). This breakdown is proposed to alleviate concerns with regard to the interpretation of data and to ensure that the CER has all the information it requires to undertake an accurate assessment of the data. For example, the CER accepts that there is difficulty in gaining an accurate picture of margins as they rely on hedging strategies and therefore the CER proposes to collect detail on hedging. To ensure that the data submitted by suppliers is reported in as uniform a manner as possible, the CER has proposed and clearly outlined costs categories against which the data must be presented. These costs will be considered for all suppliers, whether they are subject to ringfencing requirements, are vertically integrated, etc. The CER will be aware of whether a supplier is vertically

integrated or not and whether they are subject to ringfencing, and in its analysis of the collected data, the CER will consider these facts. In order to provide greater insight as to the impacts of these arrangements it is proposed that the information to be submitted detailing generation costs will now also identify the ‘transfer cost of vertically integrated companies’ which refers to the price a vertically integrated retail company pays for services / products (financial or otherwise) from the related generation arm of the company. The CER will verify and assess all data submitted against other available data sources – such as supplier’s annual reports and the CER’s generation profitability studies.

The CER acknowledges that some data is contained in annual accounts, however, does not consider the annual accounts sufficient as the different customer categories are not reported separately. The CER also acknowledges the case that estimates, such as those published by Ofgem, could be used in Ireland but believes that actual data provides a firmer base from which to assess the state of competition in the retail market. The CER does not want to derive an incorrect estimate on any one suppliers’ margin or on the components that make up a suppliers’ final price. The CER notes that Ofgem not only estimate margins but also collect and publish data by supplier on their retail margins – this is reported in percentage profit terms¹³. The CER is not proposing at this time to publish data to this level of detail. The Ofgem data is calculated based on information contained in Consolidated Strategic Statements that suppliers are required to submit annually. These statements detail the cost and revenue information for the supply (broken down by domestic and non-domestic), and generation arms of energy companies in Great Britain. Suppliers in Great Britain are also required to publish these reports.

With regard to the CER’s powers to collect information from licenced companies, the CER may call on any information that it requires to fulfil its statutory functions, which include ensuring that competition is benefiting all customers and that competition is neither restricted nor distorted. This is reflected in the conditions of the electricity and natural gas supply licences. The case that the costs of implementing the requirements under this indicator is excessive and would result in tariff increases for customers, as with all the other indicators, has not been made with any evidence. The CER does not anticipate onerous monitoring and validation of the data requirements and would welcome more detailed submission from suppliers on how this would impact them and also welcomes proposals on other alternative indicators that would deliver the same objective.

To mitigate against the possibility of data requirements acting as a barrier to entry, the CER has included a de-minimis threshold for reporting on indicators (with the exception of the customer satisfaction indicators). Any potential entrant to the market will know the potential costs that it may face and the possible profit margin. It is the view of CER that the publication of retail margins will increase transparency and therefore reduce barriers to entry.

¹³ Ofgem, 2013, Factsheet 118: Understanding the profits of the large energy suppliers, 11 April 2013.

With regard to the publication of data collected under this indicator, the CER proposes to publish it in an aggregated, percentage format without the identification of any supplier. Where specific investigations arise, the CER reserves the right to consider publication at a greater level of detail but would be cognisant of its aforementioned duties. The CER considers that the publication of data on retail margins at an aggregate level would increase transparency in the market to the benefit of customers and new and existing suppliers. The CER is required to adhere to these legislative requirements in all aspects of its work, including the publication of information under its market monitoring activities.

With regard to any potentially commercially sensitive data, the CER would highlight Section 13 of the Electricity Regulation Act, 1999, pertaining to the prohibition on unauthorised disclosure of information. It states:

“In expressing information to be confidential, the Commission shall have regard to the requirement to protect information of a confidential commercial nature”

and in terms of what is confidential information it states:

“confidential information” means that which is expressed by the Commission to be confidential either as regards particular information or as regards information of a particular class or description”.

The CER would also note that it is obliged to comply with the requirements of the Freedom of Information legislation, which has provisions for information that is considered commercially sensitive. The CER considers that any contracts existing between suppliers and third parties which have obligations regarding the release of certain data should facilitate the regulatory requirements placed on the supplier as well as developments in this framework.

In summary, the CER proposes to maintain the indicators as set out in the consultation paper with the addition of sub indicators under generation, including capacity, SMP, the transfer cost of vertically integrated companies and the hedging positions of supply companies. The CER proposes that suppliers identify all the cost categories that comprise prices. If any component is not identified here, the CER proposes that suppliers identify such categories in the ‘other’ area. The CER proposes the domestic category be reported and propose to separate out PAYG customers. The CER proposes that suppliers group all the business categories into one ‘non-domestic’ category. CER proposes that suppliers submit reports to the CER on an annual basis aligned to the tariff year but that the CER will publish annually on an aggregate, percentage basis for each customer category. This should alleviate any concerns with regard to commercial sensitivity. No supplier will be identified or identifiable.

The appropriateness of these indicators under the principles of better regulation is examined in Appendix 3.

The CER notes that twice a year suppliers are required to submit data to SEAI on the breakdown of price based on the Eurostat bands into the following components: network costs, supply and energy costs and taxes and levies. The CER wishes to highlight that the CER data requests do not affect any other

requirements on suppliers. The data that is currently submitted to SEAI will continue to be required.

The CER would like to highlight again that no indicator in this market monitoring framework will be analysed in isolation. The CER would also highlight that it does not consider it appropriate to wait until there is a perceived evidence of anti-competitive behaviour in the market before collecting this information. By collecting and assessing information on retail margins and on the other components of price, along with other indicators, the CER is better able to monitor to identify any restrictions or distortions to competition in the market, as required in legislation. The data will provide richer information than is already held as to the cost base of suppliers, which ultimately influences end prices. In this regard, it should be noted that price is a key market outcome for customers, who rank it highest in their reasons to switch¹⁴. This highlights the importance of collecting data not only on margins but also the other costs components.

Consultation Proposals

Consultation Proposal 16.

The CER is proposing the retail margin indicators as outlined in the table below.

Indicator	Unit	Categories	Provider	Reporting	Publication
Revenues	€ 000	•Domestic (separate out PAYG). •Non-domestic).	Suppliers.	Annual.	Annual. Aggregate for each customer category. No supplier detail.
Commodity – gas Generation – electricity Broken down by: •SEM pool purchases(total purchases at SMP) •Contracts for difference payments •Capacity costs •Fuel & other hedging •Transfer cost of vertically integrated companies •Other non-SMP purchases (e.g. interconnector) •Total generation	€ 000	•Domestic (separate out PAYG). •Non-domestic.	Suppliers.	Annual.	Annual. Aggregate for each customer category. No supplier detail.

¹⁴ CER Consumer Survey 2013.

Indicator	Unit	Categories	Provider	Reporting	Publication
TUoS	€ 000	•Domestic (separate out PAYG). •Non-domestic .	Suppliers	Annual.	Annual. Aggregate for each customer category. No supplier detail.
DUoS	€ 000	•Domestic (separate out PAYG). •Non-domestic .	Suppliers	Annual.	Annual. Aggregate for each customer category. No supplier detail.
PSO/ Carbon tax	€ 000	•Domestic (separate out PAYG). •Non-domestic.	Suppliers	Annual.	Annual. Aggregate for each customer category. No supplier detail.
Supply Costs (excl D&A)	€ 000	•Domestic (separate out PAYG). •Non-domestic.	Suppliers	Annual.	Annual. Aggregate for each customer category. No supplier detail.
Suppliers D&A ¹⁵	€ 000	•Domestic (separate out PAYG). •Non-domestic .	Suppliers	Annual.	Annual. Aggregate for each customer category. No supplier detail.
Supply Margin (EBIT) ¹⁶	€ 000	•Domestic (separate out PAYG). •Non-domestic.	Suppliers	Annual.	Annual. Aggregate for each customer category. No supplier detail.
VAT	€ 000	•Domestic (separate out PAYG). •Non-domestic.	Suppliers	Annual.	Annual. Aggregate for each customer category. No supplier detail.
Total costs	€ 000	•Domestic (separate out PAYG). •Non-domestic.	Suppliers	Annual.	Annual. Aggregate for each customer category. No supplier detail.

Table 8 Retail Margins

¹⁵ Depreciation and Amortisation

¹⁶ Earnings Before Interest & Tax

Consultation Question

Question 16 - Respondents are invited to comment on the proposals for retail margins. Respondents are also invited to make alternative suggestions.

3.5.3 Arrears and Payment Plans

The number of customers in arrears is an important indicator in the context of market monitoring. Data on arrears shows the number of customers facing difficulty in paying their bills and will be used to inform customer protection policy. Data on the number of customers in arrears will provide information on the likelihood of a change in the demand for PAYG meters, number of payment plans and in disconnections, and will be an indicator of the effectiveness of the initiatives in place to support customers in difficulty.

The consultation paper proposed collecting data on a quarterly basis (broken down by month) from suppliers on the number of customers in arrears, the total value of the arrears and the number of customers on payment plans

CER's Proposal

While arrears are not identified in the ERGEG guidelines or in legislation, legislation states that the CER's market monitoring activity is not limited to the areas identified. The CER can collect other market monitoring data that it considers to be important in order to determine if customers are benefitting from competition and to identify any distortion or restriction to competition. As identified earlier, the CER's powers to collect information from licenced companies have been previously identified as the market monitoring functions under SI 450 of 2010 and SI 630 of 2011 and as described in supply licences.

As stated in the 2011 consultation paper, the CER considers that information on arrears and payment plans can inform customer protection policy and together with the indicator on disconnections (and PAYG meter installs) gives a clearer picture of the number of customers facing difficulty. The number of customers in arrears and with bad debt can impact on the tariffs suppliers offer, requiring larger deposits and possibly having an impact on all tariff rates. Information on arrears and payment plans is vital to inform customer protection policy, and taking this into account, the CER proposes to also include an indicator on the number of customers breaking payment plans.

The CER notes that some suppliers publish information on arrears on an ad hoc basis. However, the CER sees the value in collecting data on arrears in a standardised format and on a regular basis from all suppliers. This will ensure comparability and will allow for accurate assessments of the number of customers in arrears.

The CER proposes to maintain the indicators as set out in the 2011 consultation paper however proposes a change in relation to the publication of the data and a

number of other small alterations. For the arrears indicator, the CER proposes that all customer segments be reported, and that PAYG customers in arrears be identified separately. It is proposed that data on the domestic category alone for the payment plan indicator. CER proposes quarterly reporting (containing a monthly breakdown) as it does not consider that changes in the figure will necessitate more regular reporting. While the CER is not proposing very detailed information (in comparison to other jurisdictions), it is of the view that such is sufficient to assist the CER in ensuring that customers are protected and to evaluate the situation with regard to the number of customers in difficulty.

The CER does not propose to publish any information that it would regard as commercially sensitive (see section 2.3). The CER proposes to publish data on an aggregated basis and maintains that the publication of this data provides more transparency to potential new suppliers. The CER proposes the publication of an overall percentage of customers that are in arrears and on payment plans in each market segment, without identifying suppliers.

The appropriateness of these indicators under the principles of better regulation is examined in Appendix 3.

Consultation Proposal

Consultation Proposal 17.

The CER is proposing the arrears and payment plan indicators as outlined in the table below

Indicator	Unit	Categories	Provider	Reporting	Publication
Arrears	<ul style="list-style-type: none"> •Customer Nrs. •Total Value (€000). 	<ul style="list-style-type: none"> •Electricity & Gas •Debt days¹⁷ •All customer categories: domestic, PAYG, small business, medium & large business. 	Suppliers.	Quarterly (with a monthly breakdown).	Aggregate, not supplier detail.
Payment plans	<ul style="list-style-type: none"> •Number of customers on payment plans. •Number of customers breaking payment plans. 	<ul style="list-style-type: none"> •Electricity & Gas. •Domestic. 	Suppliers.	Quarterly (with a monthly breakdown).	Aggregate, not supplier detail.

Table 9 Arrears

¹⁷ The number of days customer is in debt: <30 days, < 60 days, < 90 days, > 90 days.

Consultation Question:

Question 17 - Respondents are invited to comment on the proposals outlined for measuring arrears. Respondents are also invited to make alternative suggestions.

3.5.4 Contract Breakage Penalties

Contract breakage penalties relate to the penalties that are applied to customers that exit from a contract before a specified duration. It may indicate whether or not customers are fully aware of all the terms and conditions associated with contracts. The CER's Consumer Survey will further assist in determining this level of awareness. If a large number of customers are affected by penalties, this could also indicate that there are better deals available, even after a penalty has been applied. Such information is necessary in ensuring that there are no issues relating to customer awareness and to support the CER in its customer protection duty.

The consultation paper proposed the collection of monthly information from suppliers on a quarterly basis on the number of customer that incurred penalties and the total value of penalties.

CER's Proposal

The CER considers that there is value in collecting information on contract breakage penalties, however, proposes to only collect data on the number of customers charged penalties and not the value of penalties as proposed in the 2011 consultation. This indicator will show the number of customers incurring penalties when they exit a contract early and the level of this indicator will help determine if further investigation is required. The CER proposes annual reporting as it does not consider that more regular reporting is required. In conjunction with this indicator, the CER will use the Consumer Survey to help determine if customers are fully aware of all the terms associated with contracts that they enter and also as to why customers may be exiting contracts early.

Consultation Proposal

Consultation Proposal 18.

The CER is proposing to collect data on the number of customers that incur penalties when they exit contracts early.

Indicator	Unit	Categories	Provider	Reporting	Publication
Penalties applied to customers	•Number of customers incurring penalties	•Electricity & Gas •All customer categories: domestic, PAYG, Small business, medium business & large business.	Suppliers	Annual (with monthly breakdown)	Aggregate, not supplier detail.

Table 10 Contract Breakage Penalties

Consultation Question:

Question 18 - Respondents are invited to comment on the proposals outlined for measuring contract breakage penalties. Respondents are also invited to make alternative suggestions.

3.6 Customer Satisfaction

Customer satisfaction relates to the experience of customers in the energy market. The level of customer satisfaction is a key indicator in trying to assess whether competition is delivering not only cost benefits, but improved service and quality. The indicators proposed in this section help build a picture of the level of customer satisfaction.

3.6.1 Customer Complaints

The monitoring of customer complaints is specifically required in legislation. Complaints measure the outcome for customers in the market and in particular the level of customer satisfaction. It is defined by ERGEG as the expression of a customer's dissatisfaction and that every complaint regardless of form (letter, email, phone call or in person) should be taken into account.

The 2011 consultation paper proposed the collection of monthly data from suppliers and networks on a quarterly basis on the number of customer complaints by complaint category and customer category (see appendix 1).

CER's Proposal

The CER considers that data on complaints from supplier companies is of value and would allow for a more robust analysis of the level of customer satisfaction. In addition, the CER would like to emphasise that the monitoring of complaints is specifically required in legislation. Supplier and network data would complement

the data that is gathered through the CER's Annual Consumer Survey, and the monitoring of complaints received by the CER's Energy Customer Team (both of which will continue to be produced).

The CER proposes to maintain the indicator as suggested in the 2011 consultation document, however has reduced the level of detail that will be required. With regard to the definition of complaints in the consultation paper, the subcategories identified varied from those identified in the ERGEG proposals and were considered more applicable to the Irish market. In this consultation, the complaint subcategories have been reduced significantly and align with the breakdown defined by CER. It is proposed that if further investigation/detail is required, the CER will contact suppliers/networks as the need arises.

To clarify, the CER is requesting data on all complaints received, not on the outcome of the complaint investigation (i.e. whether valid or not). The CER proposes the publication of data across subcategories and market segments. The CER proposes quarterly reporting (with a monthly breakdown) of complaints by all customer categories. However, the CER still considers that all forms of complaint must be recorded (i.e. email, phonecall, etc.) because all represent a form of customer dissatisfaction.

The CER understands that system changes will be required to implement this proposal and implementation will be considered after a decision is published. However, it is considered that the reduction in the detail proposed here (in comparison to the 2011 consultation) will decrease the level of system changes required.

Consultation Proposal

Consultation Proposal 19.

The CER proposes the customer complaints indicator as identified in the consultation paper and in table below.

Indicator	Unit	Categories	Provider	Reporting	Publication
Customer Complaints	Number of complaints.	<ul style="list-style-type: none"> •Complaint Categories (see below). •Electricity & Gas. •All customer categories: domestic, PAYG, small, medium & large business. 	<ul style="list-style-type: none"> •Suppliers. •Networks. 	Quarterly (with monthly breakdown).	All.

Table 11 Customer Complaints

Complaint categories:

Network Categories	Supplier categories
Estimated Meter Readings	Billing Issue
Customer Service Issues	Payments (i.e. Charges, direct debit, price, refunds, deposits)
Billing Issues	Meter Issues
Meter Issues	Customer Service Issues
Quality of supply/interruption to supply	Marketing/Sales Issues
Siteworks Charges	Account Issues
Other Issues	Switching Issues
	Other Issues

Consultation Question:

Question 19 - Respondents are invited to comment on the proposals for monitoring customer complaints. Respondents are also invited to make alternative suggestions.

3.6.2 Customer Enquiries

An enquiry is described as a request for information or advice. The collection of information on customer enquiries is identified as an important area for monitoring in the ERGEG guidelines. Coupled with other indicators, enquiries can identify if there might be issues relating to market processes for customers that require further investigation.

The consultation proposed the collection of monthly data from suppliers on a quarterly basis on the number of customer enquiry categories, including: billing, payment, marketing/sales/customer service, credit control, PAYG, account issues, customer charter (see appendix 1).

CER's Proposal

The CER considers that the main aim of this indicator is to identify any areas where further steps may be necessary to improve the information available to the customer so that they easily understand their options and rights. To identify these areas, the CER would require sight not only of the level of queries but also on the areas that they pertain to. The CER does however note that system changes would likely be required to provide the breakdown of enquiries (as had been suggested in the 2011 consultation). Cognisant of such, the CER proposes to utilise its consumer survey (which is statistically representative) to identify the areas for which most customer queries arise. The CER will thus only require suppliers to submit the overall number of enquiries that they have received – to be submitted on a quarterly basis (with a monthly breakdown).

Consultation Proposal

Consultation Proposal 20.

The CER proposes the indicator on customer enquiries as outlined in the table below.

Indicator	Unit	Categories	Provider	Reporting	Publication
Customer Enquiries	Total number of enquiries.	•Electricity & Gas. •All customer categories: domestic, PAYG, small, medium & large business	Suppliers.	Quarterly (monthly breakdown).	Aggregate, not supplier detail.

Table 12 Customer Enquiries

Consultation Question:

Question 20 - Respondents are invited to comment on the proposals for monitoring customer enquiries. Respondents are also invited to make alternative suggestions.

3.7 Other Proposals

In the 2011 consultation paper, the CER outlined a number of other potential areas for market monitoring (barriers to entry, wholesale market liquidity, and innovation) and requested feedback from respondents as to the value in reporting these. The CER considers these as important but suggested in the consultation paper that these indicators be implemented at a later stage. However, it is important to note that messages relating to each of the suggested indicators can be derived from the analysis of the information that will be submitted as part of the new market monitoring framework.

CER's Proposal

The CER considers that, while these measures are of interest, it is not necessary to monitor them specifically. With regard to the 'wholesale market liquidity' indicator, this is already monitored on an ongoing basis by the CER and therefore the analysis of wholesale market liquidity as part of the retail market monitoring framework is not required.

The CER proposes not to develop indicators on these specific proposals but will use indicators that are proposed in the market monitoring framework to derive

key messages on these areas. However, given the importance of these indicators, the CER may undertake analysis on an ad hoc basis.

Consultation Proposal

Consultation Proposal 21.

The CER will not actively monitor the additional identified areas of market monitoring.

Consultation Question:

Question 21 - Respondents are invited to comment on the CER's proposal not to actively monitor barriers to entry, wholesale market liquidity, and innovation.

3.8 Reporting

3.8.1 De Minimis threshold for Suppliers

The 2011 consultation document proposed a de minimis threshold for reporting so that small suppliers are not disproportionately affected by the new data requirements and that no customer is identifiable. CER suggested exempting suppliers with market shares of less than 1% of consumption in the previous quarter, with the exception of the customer satisfaction indicators (customer complaints and enquiries).

CER's Proposal

CER is proposing a de-minimis threshold for reporting on all indicators with the exception of the customer satisfaction indicators (customer complaints, enquiries, and the customer charter and codes of practice). All suppliers with market shares of less than the thresholds in particular market segments will not be required to report on the indicators identified in the retail market monitoring framework, with the exception of the customer satisfaction indicators.

Since the 2011 consultation paper was published, the CER has only reported on electricity suppliers with less than 1% share of consumption in a specific market segment (domestic as a whole, including PAYG). The CER does not consider that the threshold in electricity should be higher than 1% of the market as suppliers with 1% shares are significant suppliers. For example, currently 1% of MWhs in the domestic electricity market is over 230,000 MWhs. The CER also proposes to introduce a minimum customer number threshold of 4 customers in electricity to ensure customer confidentiality. This means that any supplier with a market share of less than 1% of MWhs or having less than 4 customers will not be required to submit data reports and will not be reported by CER until either threshold has been reached.

The CER proposes that the threshold in gas be 1% of customers. The CER considers customer numbers a more appropriate measure from which to determine reporting requirements in gas.

With regard to the retail margin indicator, the 1% threshold will apply so that suppliers with 1% share in any segment (domestic, small business, medium business or large business) will be required to submit margin data on the domestic category or non-domestic as appropriate.

Consultation Proposal

Consultation Proposal 22.

De minimis thresholds of 1% of consumption or 4 customers in electricity and 1% of customers in gas will be introduced. Suppliers with market share of less than the threshold will not be required to submit monitoring data (with the exception of market satisfaction indicators) to the CER until the threshold is reached. The CER will not report data for suppliers with market shares of less than the threshold for any indicator. Data for these suppliers will be included in an 'others' category for the indicators that the CER has data for such suppliers.

Consultation Question:

Question 22 - Respondents are invited to comment on whether the de minimis threshold is reasonable. Respondents are also invited to make alternative suggestions.

3.8.2 Data Collection and Data Analysis

The 2011 consultation identified two further questions with regard to reporting, data collection and data analysis. These questions will be considered as part of the decision on implementation.

3.8.3 Customer Charter and Codes of Practice Reporting

The consultation document stated that suppliers will be required to submit an annual report setting out their compliance with the CER's Natural Gas and Electricity Supplier's Handbook. The Natural Gas and Electricity Supplier's Handbook sets out the CER's requirements for suppliers in the areas of customer charters, marketing and sign up, billing, disconnection, PAYG, complaints handling, vulnerable customers and terms and conditions of supply to household customers.

No respondent commented on this area. The CER has now slightly altered the detail that must be contained in the report as follows:

1. Details of how customers are made aware of the existence of the supplier's Codes of Practice and Customer Charter.

2. A short statement setting out how the supplier is meeting the CER's guidelines in relation to Codes of Practice and the Customer Charter.
3. Details on internal systems designed and implemented to ensure that Vulnerable Customers are on the most economic tariff available for their chosen method of payment.
4. Details of the supplier's services that have met the requirements of universal design.
5. Details of any initiatives taken to reduce the number of customer disconnections.
6. Details of any measures taken to assist customers with budgeting for their energy use (excluding individually negotiated measures).

Audits on the compliance with the codes of practice will continue to be required and as has been the case to date, the CER will notify suppliers of when such audits will take place. This qualitative data will contribute to the CER's market monitoring.

4.0 Conclusions and Next Steps

This consultation paper sets out the CER's proposals with regard to the indicators that will form part of a new market monitoring framework. These proposed indicators take account of the responses to the 2011 consultation and key market developments since then.

The CER requests that all responses to this consultation paper be submitted before 28th February 2014. The CER is looking for final comments on the proposed indicators. Of particular importance with regard to responses are:

- The identification of any alternative suggestions. The CER is committed to collecting data contained under each heading in this consultation document. However, the CER welcomes any suggestions from respondents in relation to alternative, less impactful ways of collecting these data with the same level of quality/detail.
- Implementation considerations - The estimated time to implement changes, with details on what is required in order to implement the proposed indicators.
- The CER would also request that respondents clearly outline any rationale for concerns they may have. For example if a respondent perceives a proposed indicator to be commercially sensitive, the CER would request that the exact reasons for these concerns be detailed in their response.

The CER intends to meet with stakeholders at one workshop prior to the end of the consultation period. The purpose of the workshop will not be to discuss the validity or otherwise of the indicators but to provide any clarity on the proposed indicators. Comments and responses to the consultation are to be set out in the responses to the consultation.

Responses are invited on the proposals set out in this consultation paper by 28th February 2014. After the consultation period closes, the CER will review responses and publish a final decision paper. Implementation discussion and decision will occur after the publication of the decision. It is envisaged that a decision will be published in Q2 2014.

As responses will be published in full on the CER's website, respondents should include any confidential information in a separate Annex.

Submissions on this paper should be forwarded, preferably in electronic format to:

Adrienne Costello

Commission for Energy Regulation
The Exchange, Belgard Square North,
Tallaght,
Dublin 24.

Email: acostello@cer.ie

Appendix 1 – List of 2011 Consultation Proposals

Question 1 and 2: Market segmentation

Electricity Segmentation

Option 1 – Existing DUoS categories

In electricity, the tariff categories used when Electric Ireland's prices were regulated, were based on distribution connection categories, as shown in the table below.

Market Segment	DUoS Group
Domestic	DG1-1
	DG1-2
	DG2-1
	DG2-2
Small Business	DG5
Medium Business	DG3
	DG4
	DG6
Large Energy Users	DG7
	DG8
	DG9
	DG10
	Tuos

Option 2 – Eurostat Customer Categories

The Eurostat categories for electricity customers provide an alternative to those identified above. The table below outlines the different groups and subcategories with the Eurostat approach.

Business Category	Eurostat Code	Annual Consumption (MWhs)
Residential	DA	< 1
	DB	1 - 2.5
	DC	2.5 - 5
	DD	5 - 15
	DE	>=15
Business	Band - IA	<20
	Band - IB	20 - <500
	Band - IC	500 - <2,000
	Band - ID	2,000 - <20,000
	Band - IE	20,000 - <70,000
	Band - IF	70,000 - <=150,000

Option 3 – Combining DUoS and Eurostat Customer Categories

A third approach was to combine the previous two options. This would require each of the 4 Domestic DG categories to be subdivided into the 5 Residential Eurostat categories (DA-DE) and each of the other 9 DG groups (DG3-10 & TUoS) subdivided into the 6 Business Eurostat categories (Band IA-IF). The approach would have up to 74 categories.

Gas Segmentation

Option 1 – Historical BGE Tariff categories

In the gas market, the existing gas market categories, and tariff categories used when Bord Gáis Energy was fully under price regulation, was based on meter type and consumption bands.

Market Segment	Tariff Category
Domestic	NDM Residential
Small Business	NDM Industrial & Commercial <0.073 GWhs consumption
Medium Business	NDM Industrial & Commercial 0.073 - <5.5 GWhs consumption
Large Energy Users	Fuel Variation Tariff (FVT)
	Regulated Tariff Formula (RTF)
	Above RTF not Power Generation.

Option 2 – Eurostat Customer Categories

The Eurostat categories for electricity customers provide an alternative to those identified above. The table below outlines the different groups and subcategories with the Eurostat approach.

Business Category	Eurostat Code	Annual Consumption (GJ)
Residential	D1	< 20
	D2	20 - <200
	D3	>=200
Business	Band - I1	<1,000
	Band - I2	1,000 - <10,000
	Band - I3	10,000 - <100,000
	Band - I4	100,000 - <1,000,000
	Band - I5	1,000,000 - <=4,000,000

Option 3 – Modified Eurostat Customer Categories

A third approach for consideration was one where there are more Domestic categories than within the Eurostat approach. This was worth considering because the majority of domestic customers fall into D2. Therefore subdividing

this band into 3 smaller categories would provide more information of the range of domestic consumption.

Business Category	Eurostat Code	Annual Consumption (GJ)
Residential	D1	< 20
	D2a	20 - <80
	D2b	80 - <140
	D2c	140 - <200
	D3	>=200
Business	Band - I1	<1,000
	Band - I2	1,000 - <10,000
	Band - I3	10,000 - <100,000
	Band - I4	100,000 - <1,000,000
	Band - I5	1,000,000 - <=4,000,000

Question 3: Switching

Indicator	Unit	Period	Categories	Provider	Reporting
Switching Rate	Number	Monthly	Electricity & Gas Supplier & Customer Group	MRSO/GPRO	Monthly
Unique Switching Rate	Number	Monthly	Electricity & Gas Supplier & Customer Group	MRSO/GPRO	Monthly

Question 4: Delays in Switching Process

Indicator	Unit	Period	Categories	Provider	Reporting
Switches Requested	Number	Monthly	<ul style="list-style-type: none"> Electricity & Gas Supplier Customer Group 	MRSO/GPRO	Quarterly
Switches completed on time	Number	Monthly	<ul style="list-style-type: none"> Electricity & Gas Supplier Customer Group Bands (0-1; 1-2; 2-3 Weeks) 	MRSO/GPRO	Quarterly
Delayed Switches	Number	Monthly	<ul style="list-style-type: none"> Electricity & Gas Supplier Customer Group Bands (2-3; 3-4; 	MRSO/GPRO	Quarterly

			5-6 Weeks etc)		
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Question 5: Failure to fulfil the switch

Indicator	Unit	Period	Categories	Provider	Reporting
Failed Switches	Number	Monthly	<ul style="list-style-type: none"> Electricity & Gas Suppliers Customer Categories 	MRSO/ GPRO	Quarterly

Question 6: Renegotiations

Indicator	Unit	Period	Categories	Provider	Reporting
Renegotiations	Number	Monthly	<ul style="list-style-type: none"> Electricity & Gas Customer Categories 	Suppliers	Quarterly
Contracts expired	Number	Monthly	<ul style="list-style-type: none"> Electricity & Gas Customer Categories 	Suppliers	Quarterly
Defaulting to Standard Tariffs	Number	Monthly	<ul style="list-style-type: none"> Electricity & Gas Customer Categories 	Suppliers	Quarterly

Question 7: Connections

Indicator	Unit	Period	Categories	Provider	Reporting
Average time to Connect	Days	Annual	<ul style="list-style-type: none"> Gas Customer Categories 	Gas DSO	Annual
Range of times to Connect	Days	Annual	<ul style="list-style-type: none"> Gas Customer Categories Connection segments (0-20%; 21-40%; 41-60%; 61-80%; 81-100%) 	Gas DSO	Annual

Question 9: Disconnection Rates

Indicator	Unit	Period	Categories	Provider	Reporting
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Disconnections	Number	Monthly	<ul style="list-style-type: none"> • Electricity & Gas • Suppliers • Customer Categories • Disconnection Categories 	DSOs	Monthly
Vacant Premises disconnected	Number	Monthly	<ul style="list-style-type: none"> • Electricity & Gas • Suppliers • Customer Categories • Disconnection Categories 	DSOs	Monthly
Prepayment Meters	Number	Monthly	<ul style="list-style-type: none"> • Electricity & Gas • Suppliers • Customer Categories 	DSOs	Monthly

Question 10: Debt Flagging

Indicator	Unit	Period	Categories	Provider	Reporting
Debt Flags raised	Number	Monthly	<ul style="list-style-type: none"> • Electricity & Gas • Suppliers (losing) • Customer Categories 	DSOs	Monthly
Change of Supplier requests rejected	Number	Monthly	<ul style="list-style-type: none"> • Electricity & Gas • Suppliers (gaining) • Customer Categories 	DSOs	Monthly
Change of Legal Entity (CoLE)	Number	Monthly	<ul style="list-style-type: none"> • Electricity • Suppliers • Customer Categories 	DSO	Monthly
Debt flags not issued due to CoLE	Number	Monthly	<ul style="list-style-type: none"> • Electricity • Suppliers (gaining) • Customer Categories 	DSO	Monthly

Question 11: Market share

Indicator	Unit	Period	Categories	Provider	Reporting
Market Share	<ul style="list-style-type: none"> Numbers Demand 	Monthly	<ul style="list-style-type: none"> Electricity & Gas Suppliers Customer Categories 	DSOs	Monthly

Question 12: Active suppliers

Indicator	Unit	Period	Categories	Provider	Reporting
Active Suppliers	<ul style="list-style-type: none"> Yes/No 	Monthly	<ul style="list-style-type: none"> Electricity & Gas Customer Categories 	Suppliers	Monthly

Question 14: Retail Margins

Indicator	Unit	Period	Categories	Provider	Reporting
Electricity					
Revenues	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Generation	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
TUoS	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
DUoS	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
PSO	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Supply Costs (excl D&A)	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Suppliers D&A ¹⁸	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Supply Margin (EBIT) ¹⁹	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
VAT	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly

¹⁸ Depreciation and Amortisation

¹⁹ Earnings Before Interest & Tax

Gas					
Revenues	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Commodity	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Transmission	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Distribution	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Supply Costs (excl D&A)	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Suppliers D&A	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
Supply Margin (EBIT)	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly
VAT	€ 000	Quarterly	Customer Categories	Suppliers	Quarterly

Question 15: Diversity of tariffs & contracts

Indicator	Unit	Period	Categories	Provider	Reporting
Diversity of Contracts	<ul style="list-style-type: none"> Tariff/ contract Description^{20,21} Customer Nrs Vulnerable Customer Nrs Consumption Rates (Variable & fixed) Payment method used 	Monthly	<ul style="list-style-type: none"> Electricity & Gas & Dual fuel Tariff offered Customer Categories 	Suppliers	Quarterly

²⁰ Include PAYG Meters and

²¹ Include any additional benefits associated with the description of the Tariff

Question 16: End-User Prices

Indicator	Unit	Period	Categories	Provider	Reporting
End user prices	<ul style="list-style-type: none"> • Customer Nrs • Demand • Revenues 	Monthly	<ul style="list-style-type: none"> • Electricity & Gas • Customer Categories 	Suppliers	Quarterly

Question 18: Arrears

Indicator	Unit	Period	Categories	Provider	Reporting
Arrears	<ul style="list-style-type: none"> • Customer Nrs • Total Value (€000) • Nr on Payment plans 	Monthly	<ul style="list-style-type: none"> • Electricity & Gas • Debt days • Customer Categories 	Suppliers	Quarterly

Question 19: Penalty Clauses

Indicator	Unit	Period	Categories	Provider	Reporting
Penalties applied to Customers	<ul style="list-style-type: none"> • Customer Nrs • Total Value (€000) 	Monthly	<ul style="list-style-type: none"> • Electricity & Gas • Customer Categories 	Suppliers	Quarterly

Question 20: Customer complaints

Indicator	Unit	Period	Categories	Provider	Reporting
Customer Complaints	<ul style="list-style-type: none"> • Numbers 	Monthly	<ul style="list-style-type: none"> • Complaint Categories* • Electricity & Gas • Customer Categories 	Suppliers	Quarterly

Question 21: Customer enquiries

Indicator	Unit	Period	Categories	Provider	Reporting
Customer Enquiries					
Billing	Numbers	Monthly	• Electricity & Gas Customer Categories	Suppliers	Quarterly
Payment	Numbers	Monthly	• Electricity & Gas Customer Categories	Suppliers	Quarterly
Marketing/ Sales/ Customer Service	Numbers	Monthly	• Electricity & Gas Customer Categories	Suppliers	Quarterly
Credit Control	Numbers	Monthly	• Electricity & Gas Customer Categories	Suppliers	Quarterly
PAYG Metering	Numbers	Monthly	• Electricity & Gas Customer Categories	Suppliers	Quarterly
Account Issues	Numbers	Monthly	• Electricity & Gas Customer Categories	Suppliers	Quarterly
Customer Charter	Numbers	Monthly	• Electricity & Gas Customer Categories	Suppliers	Quarterly
Other	Numbers	Monthly	• Electricity & Gas Customer Categories	Suppliers	Quarterly

Appendix 2 - General Comments on 2011 Consultation

General comments

Legislation & ERGEG Guidelines

Some respondents considered that the proposed indicators extend beyond the requirements in legislation and the indicators set out in the ERGEG Guidelines. Some respondents also suggested that the CER should not extend its market monitoring activities beyond what is currently in place. In this regard, it was stated that the CER should rely on its powers to carry out investigations for any additional information that it might consider necessary and as a consequence of this fact, the CER should seek information on an as needed basis.

Confidentiality

Most suppliers who responded to this consultation raised concerns over commercial sensitivity, particularly in relation to two indicators – margins and arrears. A number of respondents stated that the publication of this information would undermine competition and could commercially disadvantage them as well as deter new entrants. It was also suggested that the submission of some information could have implications for confidentiality agreements that suppliers have with lenders and other organisations. Endesa Ireland and Vayu also raised concerns over the movement of CER staff directly into supply companies. Endesa Ireland noted that under S.I. 640 of 2011 “*confidentially of commercially sensitive information*”²² needs to be preserved. Further to this Endesa Ireland stated that, even if CER did not publish some submitted commercially sensitive information it may be released under Freedom of Information (FOI) legislation. They also suggested the establishment of an agreement between the CER and industry participants on the submission of data.

Better Regulation

Bord Gáis Energy, IBEC and NEAI referred to the need to apply the principles of Better Regulation when designing the market monitoring framework. These principles include: necessity, effectiveness, proportionality, transparency, accountability and consistency.

Costs and impact assessment

A number of supply and network companies stated that they could not determine the costs of implementing the reporting requirements set out in the consultation paper, within the timelines of the consultation. All comments on costs stated that the proposals would increase costs to IT systems and system processes and some supply companies stated that it was likely that these costs would be passed through to consumers. A number of respondents noted that there was a lack of impact assessment with the proposed indicators and the difficulty in

²² SI 640 of 2011, Section 40, subsection (2)(n), replacing Section 9 subsection (6)(b) of the 1999 Act (any decisions taken by it shall be fully reasoned and justified and shall be publically available while preserving the confidentiality of commercially sensitive information.)

striking an appropriate balance between collecting sufficient information and raising costs for suppliers was raised by the NCA.

Timelines

A number of respondents felt that the timelines outlined in the consultation were unreasonable given the range of information that is required. NEAI suggested that the CER should hold discussions with energy suppliers and the network companies on the proposed indicators and data requirements. Airtricity called for a two phase consultation, 1) outlining the range of options and 2) refining the proposals. A number of suppliers, Airtricity, Vayu and Bord Gáis Energy, sought an extension to the consultation.

Bord Gáis Energy, Vayu and NEAI also maintained that there should be a phased approach to implementation, with some requirements being delivered quite quickly, and others requiring considerably more time. Some respondents also noted existing regulated related work that is currently ongoing, such as intraday trading, East-West interconnector and the resources that these take up.

Responses to Consultation Proposed Indicators

Question 1 and 2: Market segmentation

Overall, option 1 for both markets was preferred by the majority of respondents as it is the current reporting methodology and would therefore have the least impact on existing processes and systems. The general comments of those opposed to option 2 and 3 in gas and electricity revolved around the changes involved and the costs to implement. In electricity, Electric Ireland stated that the additional costs required to report on the breakdown suggested in option 2 would likely impact on customer prices. Two respondents, SEAI and the NCA, indicated a preference for option 2 in electricity and 3 in gas.

Electricity

In electricity, Electric Ireland highlighted that option one is the basis for which the industry currently reports and would have the least impact to existing processes and systems. Their systems would not support reporting as required under Option 2, although acknowledging that they report twice yearly as required by Eurostat. The changes required by option 2 would be the deployment of additional resources and modification and rebuilding of existing processes and systems, an expense that Electric Ireland states would likely impact on customer prices.

Energia and Bord Gáis Energy also considered that option 1 is the most appropriate, as it is the approach that is already the basis for reporting. Energia stated that option 2 would have a high impact on suppliers with required changes to IT systems and that option 3 was considered overly complex.

NEAI stated that for some technical performance indicators, such as outages, customer categories based on consumption (option 2 or 3) do not provide any

gains. This may lead to unnecessary changes to market systems and delay work already in the queue. They suggested mapping Eurostat categories onto the most likely DUoS group, which will provide an approximation at far less cost.

ESBN emphasised that DUoS group classifications are fundamental for Central Market Systems (CMS) as it is the basis for billing use of system charges and is considered a good measure of cost to serve customers. They stated that a system rebuild would be required to account for Eurostat categories. ESBN stated that the Eurostat categories are not useful for a number of indicators such as: time to connect; switches completed on time or the number of failed switches, especially as they fall outside the DSO's Service Level Agreement (SLA). However they recognised the merit of Eurostat categories when comparing to other countries and for switching and disconnection rates. ESBN suggested the continuation of the monthly reports using DUoS categories, while providing switching and disconnections data broken down by Eurostat categories quarterly and a breakdown of all customers by Eurostat categories annually. They stated that option 3 would place too great a burden on all participants.

Two respondents indicated their preference for option 2. NCA and SEAI stated that option 2 allows for comparability with other EU member states. SEAI stated that this would allow for the combining of statistics and indicators in a coherent and reliable manner. SEAI welcomed the proposed increased frequency for the publication of average price data, quarterly as opposed to their collection on a semester basis. They suggested that any data collected should allow for aggregation into semesters as required under the Price Transparency Directive. SEAI also recognised the merit in continuing the historical DUoS categories and suggest an alternative to option 3, the reporting of both options 1 and 2 separately (involve reporting on 24 categories as opposed to 74).

Endesa Ireland suggested that ESBN carry out any aggregation of data and that suppliers should not have to carry out any reprocessing. If the Eurostat categories were selected, Endesa Ireland, suggested using the DUoS categories for a time to allow for continued comparison with data collected to date under the old segmentation approach. Endesa Ireland also suggested that participants be given sufficient time to make the transition to Eurostat categories, if that option is selected. They noted that option 3 was not pragmatic.

Gas

In relation to gas, Bord Gáis Networks noted that the code of operations defines gas point classification as: Large Daily Metered (LDM) $\geq 57,500,000\text{kWh}$; Daily Metered (DM) $5,550,000 < 57,500,000\text{kWh}$; Non-Daily Metered (NDM) $> 5,550,000$. They suggested splitting NDM customers into: Medium Large $73 \text{ kWh} < 5,550,000 \text{ kWh}$ and Medium Small $< 73 \text{ kWh}$. Similar to the case in electricity, Bord Gáis Networks stated that any attempts to add granularity or new criteria to market segments would result in significant changes to market processes including the code of operations, IT, GTMS and reporting systems. They also highlighted the need to consider compatibility with Northern Ireland (in a future CAG environment) and also with Great Britain.

No respondent stated a preference for option 2 and a number of respondents mentioned difficulties with adopting it (and also with option 3). Bord Gáis Networks noted that option 2 could not work because a single business category (Band I3) crosses two IT systems for the DM and the NDM parts of the gas market.

Two respondents, NCA and SEAI, indicated a preference for option 3. The NCA considered that this was the most appropriate category to use as 95% of domestic customers fell under a single category (D2) under option 2. They suggested that this would further enhance the data published by SEAI.

SEAI stated that option 3 was their preferred option out of the three presented but that it is too coarse an alteration to the Eurostat bands and they have suggested two alternatives, which would capture different types of dwellings, identified in their submission. The first breaks the residential segment into six categories based on annual consumption and the second breaks residential into five categories.

Question 3, 4 and 5: Switching Rates and Switching Process

In relation to switching rates, four respondents, ESBN, Electric Ireland, Endesa Ireland and Bord Gáis Energy, were in favour of the indicators proposed. Endesa Ireland noted that there was greater granularity than that proposed in the ERGEG guidelines but considered the proposals reasonable.

With regard to the proposal to collect data on the customers that switched once in a period (unique switching), Bord Gáis Networks stated that the GPRO would have difficulty in establishing the number of repeat switchers versus unique switchers, as this is not system configured indicator. They also noted that all changes of shipper (CoS) are treated as changes of legal entity (CoLE) in their systems and posed the question as to what the impact of an actual CoLE is on the figures. The NCA suggested the inclusion of repeat switchers, as it would add to the overall assessment of switching. Energia expressed interest in the unique switching indicator.

In relation to delayed switches, three respondents, Electric Ireland, Endesa Ireland and ESBN, were supportive of the proposals. Endesa Ireland suggested that categorising delayed switches by supplier is not useful and that it may be inferred that responsibility for the delay lies with the supplier. They also called for the reasons for delayed and failed switches to be collected.

Bord Gáis Networks questioned the appropriateness of the delayed switching indicator, as a delay can occur at any point from when a customer signs a contract with a supplier to the time it is entered onto the GPRO systems. Bord Gáis Networks wanted to know if CER track and report the level of complaints on delays in switching.

In relation to failed switches, PrePay Power, Endesa Ireland and Electric Ireland were in favour of the proposals. ESBN suggested reporting on switches that have timed out rather than switches that have failed. They highlighted that switches

automatically time out if a read cannot be obtained or a connection agreement is outstanding. They noted that switches waiting for meter works will never time out until the MRSO prompts the supplier for access or to cancel the switch which ESBN maintained are not failed switches and are outside their control. They also proposed the use of debt flagging figures on objections and cancellations as an indicator of failed switches.

In relation to failed switches, Bord Gáis Networks noted that their systems require a change of supplier (CoS) to be completed within 21 days to comply with European standards but with a meter reading cycle of 60 days a failed switch can occur in spite of following the rules. They also questioned what statistical standard would be used when a failed switch is down to an incorrect meter read.

Endesa Ireland proposed that customers who experienced a failed switch be monitored to see if they were discouraged from switching.

Question 6: Renegotiations

Three respondents were in favour of these proposals, NCA and Endesa Ireland. The NCA welcomed the inclusion of this indicator and suggested that this may incentivise customers to approach their existing supplier for a better deal. They also suggested distinguishing between customers in arrears. Endesa Ireland suggested that these indicators to be limited to household customers, in line with the ERGEG guidelines.

Energia considered that the introduction of these indicators would introduce costs on suppliers in order to systemise the information. They stated that more clarity was required in relation to the definition of 'defaulting to standard tariff' and also in relation to what exactly a 'standard tariff' is. Energia suggested that within these indicators there should be an ability to capture where customers go at the end of a contract (e.g. do they switch, or move house).

PrepPayPower suggested that renegotiations can involve more than this indicator is proposing to measure, such as a customer trying to reduce their supply or the supplier trying to segment their customer base. They indicated that this type of product development and marketing does not impact the market and should remain within the company. Electric Ireland and PrepPayPower considered that further discussions were needed on the details of these indicators before collecting the data.

Question 7: Connections

Three respondents, Endesa Ireland, ESB Networks and Electric Ireland, agreed with the proposal.

Bord Gáis Networks requested clarification on the range of times to connect and they also wanted to clarify that four charter commitments covered connections:

1. Siteworks and domestic meter appointments with 5 days
2. Domestic & small commercial quotations issued within 7 days

3. Domestic lay service appointment within 4 weeks of payment
4. A commitment on keeping appointments

They mentioned that they report on appointment granting and issuing quotations on a monthly basis to the CER.

Endesa Ireland suggested that the total number of connections be recorded including the time taken and the number of reconnections.

Question 8: Repairs

No respondent had any objection to the indicators selected for repairs. The NCA, however, felt that annual reporting was out of sync with the other indicators and suggested quarterly publication. Bord Gáis Networks noted that they report internally on this indicator on a monthly basis.

Question 9: Disconnection Rates

There were a number of differing views among respondents in relation to the specific elements of the disconnections indicator. Electric Ireland supported the indicators. Endesa Ireland questioned the usefulness of publishing disconnections by supplier, as long as the disconnections code of practice is being followed. They highlighted that the ERGEG guidelines suggest reporting the total number of disconnections and also the relative number initiated by suppliers versus the DSO. Endesa Ireland requested clarity on the disconnection categories.

In their responses to the consultation, Bord Gáis Networks and ESB Networks both stated that they cannot determine if a premise is vacant. Although Bord Gáis Networks stated they could identify if a GPRN was deregistered but that it would involve considerable work building a report for this.

Energia suggest that it would be useful to collect data on 'Long Term No Access' sites as this is a contributing factor to debt and disconnection issues.

Question 10: Debt flagging

Three respondents, PrePayPower, ESB Networks and Electric Ireland supported the indicators in this proposal.

Endesa Ireland maintained that suppliers should not be identified in debt flagging as this information is commercially sensitive. They also suggested not to include categories with small numbers of customers as suppliers may be identifiable.

Bord Gáis Networks again noted that all CoS are treated as CoLEs in their systems, and these cannot currently be separated. They did not see the benefit in applying further resources in this area, when debt flagging is only utilised in less than 1% of CoS transactions.

Question 11 and 12: Market Share and Active Suppliers

Regarding market share, four respondents, ESBN, Electric Ireland, Bord Gáis Energy and Bord Gáis Networks stated their support for this indicator. Bord Gáis Networks noted that there is a disconnect between the reported customer numbers and the consumption by supplier, because customer numbers are reported for the end of the quarter. They suggested the use of Annual Quantities (AQs), which, although an estimate, would be more reflective of the point in time.

In relation to active suppliers, all respondents gave their support for this indicator. A number of suppliers suggested that networks should provide this information based on networks having information on active customers. Endesa Ireland suggested that the requirement for suppliers to complete a market assurance process should be a sufficient indication of a supplier's activity in a market. The NCA suggested that the CER's website should be updated with this information, together with up-to-date contact details of all active suppliers.

Question 13: Market Concentration

Endesa Ireland supported the proposals and noted that it followed the ERGEG Guidelines. Electric Ireland highlighted the importance of commentary around these measures, such as that all markets segments are open etc, in order to avoid misleading interpretations. PrePayPower stated that this information as well as the trading focus of each business is available on each supplier's website, therefore making this indicator redundant.

The Competition Authority noted that concentration ratios are initial screening devices in competition assessment and they do not make any inference to the strategic behaviour of market participants. They stated that other industry characteristics need to be considered such as the threat of entry, upstream generators, the degree of vertical integration and the presence of concentrated LEUs. The Competition Authority stated that analysis of market structures alone would not provide a reliable means of determining anti-competitive behaviour.

Question 14: Retail Margins

The CER notes that the majority expressed their objections to the proposals presented in the consultation paper as to retail margins. At the same time, the NCA stated their preference for data on retail margins to be collected and, at a minimum, separately for domestic and commercial customers and ideally with further granularity for different customer categories. They noted that in order to gain the benefits from data collection a standardised approach to cost allocation was needed.

SEAI highlighted the requirements under EU Gas and Electricity Price Transparency Directive (2007/394/EC) for Ireland to report annually on the following components: energy and supply costs; network costs and non-recoverable taxes, by each consumer band. SEAI stated that since this directive

came into force, Ireland has not been compliant with these requirements. SEAI suggested that these parameters should be collected at a minimum. They suggested that more detailed information should allow aggregation into the requirements of the Directive.

Phoenix Energy considered that the proposals go beyond the requirements outlined in the 3rd Package. They felt that reporting should be annual and strongly object to the publication of individual suppliers' margins. PrePayPower stated that energy companies annual reports, which are audited, would be sufficient and suggested that suppliers without generation should be exempt as their costs are transparent.

A number of respondents highlighted that this indicator was not part of the ERGEG guidelines (Energia, Bord Gáis Energy and Electric Ireland). Electric Ireland maintained that they could find no evidence of this information being required in any other EU market. They indicated that this would result in considerable IT costs and impact on processes and result in tariffs increases for customers. Electric Ireland also believed that overseeing supplier adherence to the rules and requirements within suppliers would be difficult for CER to monitor and to validate. Electric Ireland felt that as a ringfenced standalone company this adds further complexity and would make reliable comparison impossible. Endesa Ireland stated that they do not assess their margins in this manner and would be forced to change their financial practices in order to comply with these requirements.

A number of respondents, Bord Gáis Energy, Electric Ireland, Endesa Ireland and Energia noted the approach to reporting on margins adopted by Ofgem. Bord Gáis Energy stated, that 6 years after price deregulation, Ofgem initiated a supply probe following public concerns over competition and this took 2 years to complete and included extensive consultation. They suggested that this contrasts with the Irish market, which has only recently seen price deregulation and there are currently no public concerns over competition. Electric Ireland noted observation by Ofgem that the allocation of costs across segments is difficult, as there is no common standard used by all companies. Endesa Ireland suggested that the Ofgem approach of estimating a supplier's margin is more appropriate to Ireland, given the greater level of transparency in the SEM.

Bord Gáis Energy disputed the legal basis on which CER is requesting this information. They were of the view that SI 450 of 2010 allows for the collection of cost information following the identification of a problem in the market and that this only applies to ESB. Electric Ireland also noted that the enabling legislation did not mention retail margins. A concern over the commercially sensitive nature of this information was raised by a number of respondents. Electric Ireland suggested that this arises when publishing margins below what is currently provided to interested parties. Bord Gáis Energy stated that they consider this information commercially sensitive and that the CER does not have the powers to publish this information and that section 13 of the 1999 Act only relates to criminal matters. They also noted that under section 27 of the Freedom of Information Act, financial and commercially information is exempt from

publication and they believe that retail margins falls into this. Bord Gáis Energy suggested that publication of this information would contravene obligations between suppliers and bondholders and credit rating agencies. Endesa Ireland stated that no information on margins should be published, even in aggregate, due to its commercially sensitive nature.

Bord Gáis Energy maintained that publishing information on retail margins would hamper competition and would act as a barrier to entry. They also noted CER's comments in the decision on deregulation of the electricity market, that "*Should the Commission find that the market is in danger of suffering from anti-competitive behaviour and that the voluntary solutions to the problem offered by the relevant supplier(s) are inadequate, the Commission will act to ensure consumers and competition are protected*". They stated that the CER has not provided any evidence of anti-competitive behaviour or sought any voluntary solutions from suppliers.

The Competition Authority questioned whether the benefits would outweigh the costs. They stated that in theory margins can provide insight into competition, with price convergence one outcome from effective competition. They noted that in the short term, retail margins are likely to diverge due to a number of reasons including different hedging strategies and different allocations of costs and assets. They suggested that high profit margins could be the result of superior performance and punishment a supplier for this would be antithetical to the competitive process. On the other hand, the Competition Authority noted low profits could be used as a means to deter entry. Given the difficulty in the accurate measurement of retail margins, they questioned the value of this requirement.

Question 15, 16 and 17: Diversity of Tariffs & Contracts, End-User Prices and Price Spread

Six respondents commented on the diversity of tariffs/contracts indicator. The NCA welcomed the proposal and suggested that consumers would benefit from more frequent reporting, such as on a monthly basis. They stated that cost comparison websites provide the best solution to providing useful and meaningful information to consumers.

PrePayPower noted that only Electric Ireland knows which of their customers are on the Free Electricity Allowance (FEA). They also requested further consultation on demand and customer categories.

Electric Ireland maintained that they could not comment on these proposals without further detailed evaluation of some of the data requirements to include more precise definitions of some of the data requirements, e.g. Electric Ireland was uncertain if 'demand' referred to consumption or MIC, and also if 'rates' referred to actual or average rates. They felt that, depending on the measurement option taken, the granularity of data could render the outputs meaningless. They noted that contracts offered to business customers are

commercially sensitive and publication, even in aggregate could provide information on customers. They suggested providing this information to the CER on a confidential basis without the intention to publish

Endesa Ireland highlighted that ERGEG only suggested collection of this information for household customers and that the CER should take this information from suppliers' websites and promotional material. They also noted that ERGEG proposed the monitoring of the number of tariffs and did not mention the number of customers or their category type. Endesa Ireland indicated that for small suppliers this requirement may infer the price a specific customer pays for electricity and therefore compromising their commercial position. Finally they questioned whether customers served under the supplier of last resort should constitute a separate category in contract terms and tariffs offered.

Endesa Ireland and Energia both highlighted issues in relation to the collection of data on businesses. They considered that this information would be meaningless or unworkable, as many contracts are bespoke and variable, and change on a regular basis. Energia stated that business tariffs/contracts change on weekly basis to reflect changes in commodity markets and this would make it difficult to assess this information. Energia considered that data on vulnerable and FEA customers should already be collected elsewhere so this would lead to duplication.

It was the Competition Authority's view that the objective of monitoring tariffs is to identify trends with a view to anticipating any future deterioration in the effectiveness of retail competition and in the competitiveness of prices. They noted that since deregulation, electricity suppliers have been governed by competition law, which constrains dominant suppliers from price discrimination. In the case of inert customers, the Competition Authority suggested presenting price comparisons that are clear and accessible. With regard to active customers, they stated that the CER should not take any interventions which would discourage active customers from seeking better deals even if there are legitimate concerns of excessive tariff proliferation. They also noted that market power can be reduced through policies to increase elasticity or responsiveness of customers through demand side measures such as price comparison websites and smart meters.

In relation to price spread, Endesa Ireland agreed with the proposal as it followed the ERGEG guidelines. Electric Ireland also accepted this proposal but requested that it is accompanied with commentary explaining the differences between the various tariffs. Bord Gáis Energy noted that customers could choose to be inactive and that this proposal suggested that by not switching, customers were being disadvantaged. PrePayPower highlighted that customers make choices based on value that can often be non-monetary. They suggested that two contracts could have the same price but very different terms and conditions and these differences can render this indicator unusable.

With regard to end user prices, Electric Ireland agreed with the proposal. PrePayPower suggested that monthly tariff updates are excessive when the

market has annual or semi-annual tariff changes. They considered that the current obligation on suppliers to contact customers and to publish tariff changes on their website should be sufficient. They also called for more consultation and workshops on this indicator. Endesa Ireland considered the proposal as excessive and out of step with the ERGEG guidelines, by seeking customer numbers, demand and revenue by customer category. Energia considered that a full assessment of existing supplier reporting requirements be undertaken before implementing such a measure as similar information is already submitted by suppliers to CSO and SEAI.

The Competition Authority cautioned against the use of averages by customer segments, which can be misleading because customers consume different volumes and the costs of providing customers services.

Question 18: Arrears

The majority of respondents to this question did not agree with the proposal, in particular in relation to the level of detail required. The NCA expressed their support for the indicator and suggested expressing the monetary value of arrears as a percentage of annual usage by customer category.

In general those opposed to the indicator cited concerns regarding the commercial sensitive nature of the proposals (Vayu, Endesa, Energia, Bord Gáis Energy, PrePayPower). Electric Ireland agreed with the principle of having an indicator on arrears at levels currently provided but not with the granularity proposed. They stated that detailed guidelines were needed to ensure a valid comparison across suppliers. They felt that the publication of values and profiles (30, 60, 90 days) could create commercial and brand risks for suppliers, leading to reduced confidence in credit providers and higher capital and operating costs. Electric Ireland and Bord Gáis Energy noted that this indicator is not included in the ERGEG guidelines and is not explicitly mentioned in legislation so questioned why the data was being sought. Electric Ireland were not aware that this information was sought in any other European market and raised two potential negative outcomes that may result from the publication of this data, including the cherry picking of customer segments by potential competitors and reluctance of new entrants to the market depending on the overall state of the economy.

Bord Gáis Energy stated they do not believe this is a useful indicator of retail market outcomes and this of little relevance to the CER, who they perceive should only have concern over the rules that govern a supplier's relationship with customers in arrears. Bord Gáis Energy maintained that if this information was made public it would be potentially destabilising to their business and should only be provided to the CER if there is a sound and legal basis for doing so. They stated that requesting this data to inform customer protection policy was not a sufficient case.

Endesa Ireland considered this proposal inappropriate. They stated that this data should not be collected or published by the CER and that in some circumstances customers may be inferred from the data. They also stated that this information

can be damaging to suppliers and impact on the cost of capital, damaging the whole market.

Question 19: Penalty Clauses

There were varied views among respondents with regard to penalty clauses. NCA stated that more detail may need to be added in order to understand why people are exiting contracts early.

Electric Ireland suggested that this was a reasonable proposal but that system changes would be required. They also emphasised that CER would need to provide commentary in publishing the figures.

PrePayPower noted that the priority, appropriateness and enforcement of customer care policy is a choice made by management and is therefore an internal managerial issue. Bord Gáis Energy was not sure how beneficial this measure would be in monitoring retail market outcomes.

Endesa Ireland did not agree with the proposal as it does not consider it appropriate for the CER to monitor the number and value of penalty clauses. They stated that this is not supported by the 3rd Package and that it casts doubt over the concept of freedom to contract. They stated that as clauses are included in customer contracts at the outset, customer failure to meet contract terms is not reflective of the supplier.

Energia suggested that it is not clear why this metric is required. They stated that customers may break contracts in order to avail of alternative better offers even with a penalty applied.

Question 20: Customer Complaints

Most respondents consider that the definition of complaints is too wide and that the collection of such data would require significant system changes. Endesa Ireland considers that the proposals impose a burden on suppliers but accept that it is included in ERGEG and should be implemented.

Vayu, while understanding that the proposal follows ERGEG guidelines, do not think the results will deliver valuable messages. Energia considers that a complaint can be valid or invalid and that more guidance is required on a working definition to ensure it is reasonable and robust.

Electric Ireland questions the necessity for changes in this area. They consider the proposals excessive, particularly the wide ranging subcategories. The NEA considers that the definition of complaint is too wide and would deliver meaningless results. PrepPayPower suggests that more consultation and a separate workstream be established and suggests a broader approach using existing methods used by CER. They state that the market will always show publically the companies with the poorest customer satisfaction.

Bord Gáis Energy has no issue with the indicator but wanted to know how CER proposes to ensure common reporting across suppliers and suggested that

active monitoring of compliance would be required. NCA considered that the indicators outlined in the consultation paper are sufficient. They also highlighted the importance of continuing to produce the Annual Consumer Survey.

Question 21: Customer Enquiries

A number of respondents considered this requirement too wide, onerous and impractical to implement in its current form (NCA, Endesa Ireland, Bord Gáis Energy, Vayu, Phoenix, and Electric Ireland). Endesa Ireland and Electric Ireland considered that the proposal will impose a large administrative burden on suppliers. Energia considered that it would be difficult to conceive of the benefit that such granular information would provide against the cost to implement. Energia also noted that the CER can from time-to-time request additional information from suppliers which can balance the burden of regulation with the fulfilment of CER's role in the market.

PrePayPower considered that the CER market research should pick up trends. Phoenix considered that the proposals are unduly onerous and they strongly object to the application to business customers. They stated, that fundamental to the service offered to larger customers, is the development of effective open relationships through continuous communication.

Question 22: Other proposals

Electric Ireland considered that more information was required; however, they supported information that delivers greater transparency and value to customers. Endesa Ireland stated that the measures set out are of interest to the market but does not consider it necessary to monitor them specifically. PrePayPower considered the level of market monitoring is at risk of introducing a new barrier to entry.

Vayu considered that that these other indicators are fundamental to market structures and should be included in the framework.

Question 24: De minimis threshold

Those that responded to the question agreed to the introduction of a de minimis threshold (Endesa Ireland, Electric Ireland, Phoenix Energy and PrePayPower).

Prepay Power suggested that 1% of consumption is too low considering that some proposals in the consultation would have a disproportionate impact on smaller suppliers. Phoenix Energy and Endesa Ireland also considered that it should be substantially higher. Endesa Ireland suggested that a threshold of 10% in a market segment would be more effective, and Phoenix suggested that a 5% market share or fewer than 5 customers would be useful.

Appendix 3 – Adherence to Principles of Good Regulation

The Government White Paper on Regulating Better defined the following six principles of good regulation:

- **Necessity** – Is this regulation necessary? Can we reduce red tape in this area? Are the rules and the structures that govern this still valid?
- **Effectiveness** – Is the regulation properly targeted? Is it going to be properly complied with and enforced?
- **Proportionality** – Are we satisfied that the advantages outweigh the disadvantages of the regulation? Is there a smarter way of achieving the same goal?
- **Transparency** – Have we consulted with stakeholders prior to regulating? Is the regulation in this area clear and accessible to all? Is there good back-up explanatory material?
- **Accountability** – Is it clear under the regulation precisely who is responsible to whom and for what? Is there an effective appeals process?
- **Consistency** – Will the regulation give rise to anomalies and inconsistencies, given the other regulations that are already in place in this area? Are we applying best practice developed in one area when regulating other areas?

The following table outlines each proposed indicator and how each adheres to the principles of Better Regulation.

	Necessity	Effectiveness	Proportionality	Transparency	Accountability	Consistency
Overall Market Monitoring Framework	CER required to monitor effectiveness of market opening & development of competition. Current indicators to continue to be collected but new indicators required to comply with legislation and ensure robustness.	CER's powers to request information outlined in licences. Each indicator will assist the CER assess competition & investigate if customers are benefitting.	This is a second consultation paper which has taken account of the views in the responses to the 2011 paper. Respondents did not provide alternative suggestions but will be given an additional opportunity to provide alternative suggestions.	This is a second consultation paper which has taken account of the views in the responses to the 2011 paper. Workshops with industry have been undertaken. Data will be published (with some limits) & analysed by CER.	Data is to be received from networks & suppliers. Analysed objectively by CER and published (with some limits).	Some indicators currently reported and other indicators added for robustness. ERGEG best practice guidelines referenced when developing the framework.

Indicator	Necessity	Effectiveness	Proportionality	Transparency	Accountability	Consistency
Switching indicators	Required by legislation. Currently collect some data. New indicators requested for robustness. Competitiveness indicator.	Provides clear & simple measures of consumer activity & competition. Help identify if there may be an issue.	Supported by respondents- no alternative suggestions.	Consulted on. Publication of data by the CER.	Data received from networks. Analysed objectively by CER & published.	Same as current reporting, with added indicators for robustness.
Renegotiations	ERGED indicator. Necessary to effectively monitor customer engagement. CER duty to protect customers. Competitiveness indicator. indicator.	Complements the switching data to give a more complete picture of customer engagement. Data to be submitted by all suppliers.	Supported by respondents. No alternative suggestions that would achieve same goal. Quarterly reporting in CER.	Consulted on. Publication of data (with some limits) by the CER.	Data received from suppliers. Analysed objectively by CER & published.	Provides a more complete picture of cust engagement. Suppliers don't submit data at present but CER does not perceive there to be a large burden associated with the requirement.
Connections	ERGED indicator. Currently collect some data. necessary to monitor activity in the markets. Indicator of market activity, customer awareness & protection.	Measures connections & time to connect. Monitor new activity in the market & service provided to customers.	Supported by respondents. Quarterly publication by CER.	Consulted on. Publication of data by the CER.	Data received from networks (suppliers). Analysed objectively by CER & published.	Consistent with current reporting. Few pieces of additional data required.
Repairs	Required by legislation. Already published by networks. CER duty to protect customers.	Measures customer interruptions to the supply of electricity/gas. Already reported.	Supported by respondents.	Consulted on. Analysis of data by the CER.	Data published by networks.	Consistent with current reporting.
Disconnection rates	Required by legislation. Currently collect some data. Necessary to inform customer protection policy.	Data on NPA disconnections by customer & geographic area, PAYG meters. Inform customer protection policy.	In line with current reporting. Publication and internal reporting.	Consulted on. Publication of data by the CER.	Data received from networks. Analysed objectively by CER & published.	Consistent with current reporting. Few pieces of additional data required.
Debt flagging	Monitor debt flagging process. Currently collect some data. Necessary to	Indicators on debt flags raised, debt flagged CoS	In line with current reporting. Publication and	Consulted on. Publication of data (with some	Data received from networks. Analysed	Consistent with current reporting. Few pieces of additional data required.

Indicator	Necessity	Effectiveness	Proportionality	Transparency	Accountability	Consistency
	monitor effect of initiative.	rejected. Monitors effectiveness of process	internal reporting.	limits) by the CER.	objectively by CER & published.	
Market share	Required by legislation. Currently collect some data. Key competition indicator & necessary to describe market.	Measured by customer numbers, consumption, active suppliers. Key competition indicator.	Supported by respondents. Publication and internal reporting.	Consulted on. Publication of data by the CER.	Data received from networks (suppliers). Analysed by CER & published.	Consistent with current reporting. Few pieces of additional data required.
Retail margins	Legislation requires CER to monitor end-user prices. ERGEG states monitoring of retail margins is useful & at discretion of NRAs. Necessary for CER to understand the composition of final prices & the reasons for price changes which impact on final customers.	Data on revenue, generation, TUos, DUoS, PSO, supply cost, retail margin. Necessary for CER to understand the composition of final prices & the reasons for price changes which impact on final customers.	Already reported by suppliers in regulated accounts but not by customer category, no perceived significant extra burden. No alternative suggestions that would achieve same goal. Publication and internal reporting.	Consulted on. Publication of data (with some limits) by the CER. Proposed standard form to be developed for all suppliers to fill.	Data received from suppliers. Analysed objectively by CER & aggregate data published.	Support other indicators in providing CER with a complete picture of competition. Suppliers don't submit data at present but CER does not perceive there to be a large burden associated with the requirement.
Diversity of tariffs, contracts, price spread	Legislation requires CER to monitor end-user prices. Key measure of customer options & competition. Breakdown suggested allowing for accurate robust analysis & comparison, not just focusing on actual rates.	Includes tariff description, customers, price spread. Key measure of customer options & competition.	Already reported to some extent by suppliers on websites, no perceived significant extra burden. No alternative suggestions that would achieve same goal. Publication and internal reporting.	Consulted on. Publication of aggregate data by CER. Proposed standard form to be developed for all suppliers to fill.	Data received from suppliers. Analysed objectively by CER & aggregate data published.	Suppliers don't submit data at present but CER does not perceive there to be a large burden associated with the requirement. Support other indicators in providing CER with a complete picture of competition.
End user	Legislation requires CER to	Measured by	Already reported	Consulted on.	Data received	Support other indicators in

Indicator	Necessity	Effectiveness	Proportionality	Transparency	Accountability	Consistency
prices	monitor end-user prices. Key measure of customer options & the prices that are being charged. Informs customer protection policy.	average end-user price. Key measure of customer options & the prices that are being charged. Informs customer protection policy.	by suppliers to SEAL, no perceived significant extra burden. No alternative suggestions that would achieve same goal.	Publication of aggregate data by CER. Proposed standard form to be developed for all suppliers to fill.	from suppliers. Analysed objectively by CER & aggregate data published.	providing CER with a complete picture of competition. Suppliers don't submit data at present but CER does not perceive there to be a big burden associated with the requirement
Arrears & payment plans	Help identify reason for trends in other indicators. Informs customer protection policy. Necessary given increase in number of customers in arrears. Ensure processes in place are working for customer.	Measured by the number of customers in arrears and in payment plans, including the number breaking payment plans. Provide necessary input into customer protection policy.	Necessary to inform CER customer protection policy, No perceived significant burden as suppliers are already aware of the number of customers in arrears. Publication and internal reporting.	Consulted on. Publication of aggregate data by CER. Proposed standard form to be developed for all suppliers to fill.	Data received from suppliers. Analysed objectively by CER & aggregate data published.	Support other indicators in providing CER with a complete picture of competition. Suppliers don't submit data at present but CER does not perceive there to be a large burden associated with the requirement. Publication, aggregate only.
Penalty clauses	Competition measure. CER duty to ensure customer awareness and protection.	Number of customers affected. Key measure of customer choices.	Publication and internal reporting.	Consulted on. Publication of aggregate data by CER. Proposed standard form to be developed for all suppliers to fill.	Data received from suppliers. Analysed by CER & aggregate data published.	Confidential data not published, aggregate only.
Customer complaints	Required by legislation. Need for breakdown to allow for meaningful analysis.	Number of complaints broken into subcategories. Measures outcome for customers & engagement, competition.	Necessary to inform customer protection policy. Publication & internal reporting.	Consulted on. Publication of aggregate data by CER. Proposed standard form to be developed for all suppliers to fill.	Data received from suppliers. Analysed by CER & aggregate data published.	Consistent with what is required in legislation. Support other indicators in providing CER with a complete picture of competition.

Indicator	Necessity	Effectiveness	Proportionality	Transparency	Accountability	Consistency
Customer enquiries	ERGEG indicator. Important to gauge the trend in the level of customer engagement.	Measured by total number of customer enquiries (no breakdown). Measures outcome for customers & engagement	Necessary to inform CER customer protection policy. No subcategories required to be reported. Publication and internal reporting.	Consulted on. Publication of aggregate data by CER. Proposed standard form to be developed for all suppliers to fill.	Data received from suppliers. Analysed objectively by CER & published.	Consistent with CER's role of monitoring development of competition. Suppliers don't submit data at present but CER does not perceive there to be a large burden with the requirement.

Appendix 4 – Draft Supplier Forms

Draft example suppliers reporting forms:

Renegotiations

"supplier"		Electricity			Gas	
"Year" "month"	Domestic	PAYG	Small business	Domestic	PAYG	Small business
Number of Renegotiated contracts						
Defaulting to standard						

Active Suppliers

"quarter, year" "supplier"	Electricity					
"Active in market (y/n)"	Domestic (DG 1&2)	Domestic PPM	Small business (DG 5)	Medium business (DG 3, 4 & 6)	LEU (DG 7-10)	Dual Fuel
Mth 1						
Mth 2						
Mth 3						

"quarter, year" "supplier"	Gas					
"Active in market (y/n)"	Domestic	Domestic PPM	IC	FVT	RTF)	Dual Fuel
Mth 1						
Mth 2						
Mth 3						

Retail margins

“supplier”	Retail Margins - electricity (a)		Retail Margins - gas (b)	
	Domestic	Non-domestic	Domestic	Non-domestic
“year” Financial year				
Revenue, € (all forms)				
Generation/commodity costs, €				
<div>SEM pool purchases</div> <div>Transfer cost of vertically integrated companies (total cost associated with purchases from related generation companies)</div> <div>Capacity Payment Mechanism (total capacity charges paid)</div> <div>Other non SMP purchases</div> <div>Contracts for Difference (total cost associated with directed, PSO & non-directed)</div> <div>Fuel and other hedging</div> <div>Total generation</div>				
TUoS costs, €				
DUoS costs, €				
Supply costs (excluding depreciation & amortisation), €				
PSO/carbon tax , €				
Suppliers depreciation & amortisation, €				
Supplier margin (earnings before interest and tax), €				
VAT, €				

Diversity of contracts –separate forms for gas, electricity, and domestic and small business/IC

“Year” “quarter”	Rate information					Features						Customers & consumption				Avg Bill
	Unit rate, ex VAT	Annual SC, ex VAT	Service charge	Other Charge	Specify if highest /lowest tariff	Contract term	Direct debit (y/n)	Ebill	Dual fuel	Penalty clause	Other (please specify)	Total customers	Vulnerable	PAYG	Total mWh	Avg annual bill
Name of plan – specify if legacy																
Name #1																
Name #2																
Name #3																
Name #4																
Name #5																
Average contract	Average	Average		Average	Na	Na	Na	Na	Na		Na					

Arrears

"supplier"	Electricity (a)					Gas (b)				
"year" "quarter"	Domestic	PAYG	Small business	Medium business	LEU	Domestic	PAYG	IC	FVT	RTF
Total value										
Number of customers in arrears										
<i>Customers in arrears for >30 days</i>										
<i>Customers in arrears for >60 days</i>										
<i>Customers in arrears for >90 days</i>										
Customers on payment plans										
Number breaking payment plans										

Customer complaints

Supplier form

"supplier"	Customer complaints – number of complaints		
"quarter, year"	"Month 1"	"Month 2"	"Month 3"
Total complaints			
Domestic customer			
Small business			
Medium business			
LEU			
Domestic, of which:			
<i>Billing</i>			
<i>Payment (i.e. charges payment direct debit, price, refunds)</i>			
<i>Marketing/ Sales</i>			
<i>Customer Service</i>			
<i>Credit Control</i>			
<i>Metering issues</i>			
<i>Account Issues</i>			
<i>Switching issues</i>			
<i>Other</i>			
Small business, of which:			
<i>Billing</i>			

<i>Payment (i.e. charges payment direct debit, price, refunds)</i>			
<i>Marketing/ Sales</i>			
<i>Customer Service</i>			
<i>Credit Control</i>			
<i>Metering issues</i>			
<i>Account Issues</i>			
<i>Switching issues</i>			
<i>Other</i>			
Medium business, of which:			
<i>Billing</i>			
<i>Payment (i.e. charges payment direct debit, price, refunds)</i>			
<i>Marketing/ Sales</i>			
<i>Customer Service</i>			
<i>Credit Control</i>			
<i>Metering issues</i>			
<i>Account Issues</i>			
<i>Switching issues</i>			
<i>Other</i>			
Large business, of which:			
<i>Billing</i>			
<i>Payment (i.e. charges payment direct debit, price, refunds)</i>			
<i>Marketing/ Sales</i>			
<i>Customer Service</i>			
<i>Credit Control</i>			
<i>Metering issues</i>			
<i>Account Issues</i>			
<i>Switching issues</i>			

Customer enquiries

	Customer enquiries					
"supplier"	Electricity			Gas		
"quarter, year"	"Month 1"	"Month 2"	"Month 3"	"Month 1"	"Month 2"	"Month 3"
Total complaints						
Domestic customer						
PAYG						
Small business /IC						
Medium business /FVT						
LEU /RTF						