

**Bord Gáis Energy Response**  
**Market Monitoring in the Electricity and Gas Retail Markets**  
**Consultation Paper/13/302**

## **1.0 Introduction**

Bord Gáis Energy (BG Energy) has reviewed CER Consultation Paper 13/302 on “Market Monitoring in the Electricity and Gas Retail Markets”. We also attended the recent CER workshop on this issue and made detailed comment on the Market Monitoring Consultation Paper (11/221) in February 2012. We welcome the CER’s proposals in Consultation Paper 13/302 to reduce some of the monitoring and reporting requirements (from those proposed in the earlier paper). Similarly, we recognise that the CER does have certain powers to carry out retail market monitoring under EU and Irish legislation and we have no issue with most of the proposals in the consultation paper. However, we still have serious and significant objections to the CER’s proposal to monitor retail margins and customer arrears information. There is in our belief no basis in law for these powers despite attempts by the CER to outline these within the Consultation Paper, at the workshop in December 2013 and in their response to our questions following the workshop. Similarly, we believe there is no justification for requesting such information when no competitive concerns have been raised about the operation of the retail market by the CER. Indeed, the provision of such information could fundamentally undermine the competitive nature of the retail market when it is still in its infancy.

We note that the CER proposes to issue a Decision Paper by Q2 2014. We would ask the CER to recognise that Suppliers will have significant, costly and time-consuming changes to make their customer information, billing and reporting systems to comply

with the majority of the monitoring requirements. We would ask the CER to note that it will take Supply companies some time to become compliant (possibly up to one year) and realistic timescales must be allowed. Similarly, once agreed, the changes will need to be properly impact-assessed from a technical perspective within Supply companies and may need to be refined as we proceed. We would ask that the CER makes implementation an organic process and works with Suppliers to get reasonable monitoring and reporting requirements that work in practice for Suppliers without adding to our cost to serve.

## **2.0 Commercially Sensitive Information**

BG Energy has previously stated its concerns regarding the provision of commercially sensitive information to the CER and then the potential by the CER to publish it. We consider our retail margins and arrears information to be commercially sensitive information which, if provided (and published in an individual or aggregated format), could influence competitors' future conduct. This information is highly commercially sensitive and fundamentally affects the value of our business. We strongly reject that this should be provided to CER and this should most certainly not be made public at the CER's discretion.

In response to our and other Suppliers' concerns in CER 13/ 302, the CER states that it does not intend to publish any information that it deems as commercially sensitive and then highlights Section 13 of the Electricity Regulation Act 1999. This section is wholly irrelevant as it is only related to information obtained by members of staff in the course of their work for the Commission. Its purpose is to provide protection to entities dealing with the CER in respect of potential misuse of confidential information by staff members. It defines "confidential information" *solely* in respect to this section. It does not define confidential information held generally by the commission as a legal entity.

Indeed, the CER has an obligation in legislation to *preserve* confidential information. In carrying out its functions, the CER must act under s.9 (6)(b) Electricity Regulation Act 1999 as inserted by Reg.40(2)(n) of S.I 630/2011:

*(b) any decisions taken by it shall be fully reasoned and justified and shall be publicly available while preserving the confidentiality of commercially sensitive information.*

Clearly this provides that confidential material as requested in this consultation could not and should not be published.

### **3.0 Response to 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.*

- BG Energy is in agreement with this proposal and we agree that Option 1 should be pursued.

*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.*

- BG Energy have no material disagreement with this proposal but would suggest that perhaps in an Irish context, there are more useful metrics that could be pursued e.g. Publication of information by DG Bands in electricity or RTF, FVT, I&C & Residential in gas. Such a metric would be readily understandable to the various market segments and Market Participants in the Irish market. It may also be the case that the Networks companies already have reporting of certain headings broken down along these lines so the costs of implementation may also be lower.

*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.*

- BG Energy is in agreement with this proposal.

*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?*

- BG Energy is in agreement with this proposal.

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

- The CER proposes to monitor “re-negotiations” and when a customer “defaults to the Standard Tariff”. The CER states “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.”
- We note that the CER proposes to monitor this across the residential and small business market. While this indicator may be useful in the business market where there are many different types of contracts available and customers are generally actively managed, it will not be particularly insightful in the residential market. Customers are currently offered high introductory discounts for up to 2 years and at the end of this period they will move onto a standard tariff. Most Suppliers would not then offer a further discount to existing

customers. Customers would need to change Supplier to avail of a further discount on the standard rate.

- It should also not be portrayed that “defaulting to the standard rate” is negative. Suppliers’ standard rates are competitive. Customers will have received double digit introductory discounts for up to 2 years. These introductory discounts are not always cost-reflective as they are keenly priced to attract customers.
- We would therefore argue that this indicator is only used in the Business market.

*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.*

- BG Energy is in agreement with this proposal. However we would argue that the Average Time to Connect and the Range of Times to Connect should be reported quarterly and not yearly as proposed. This will provide greater insight and it is easier to develop and propose changes more responsively.
- Respondents are invited to make alternative suggestions. Disconnections have become a topic of industry debate in recent times. Disconnection times and success rates are surprisingly missing from the monitoring proposals. We believe their inclusion would inform debate and decision making in this area on an on-going basis. We call for their inclusion in statistics.

*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.*

- BG Energy is in agreement with this proposal.

*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.*

- BG Energy are in general agreement with this proposal. However given the level of industry discourse on disconnections of late, we believe it's worthwhile to include the time taken to disconnect (as well as reconnect) from receipt of the market message by the Network company. We also believe it would be worthwhile to include statistics on the number of disconnection requests received by the Network company in any given month versus the number of disconnections completed. Much debate has taken place in recent months on the topic disconnections and it is apparent that there are significant gaps in available information. This opportunity should not be missed.

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

- BG Energy does not think this is possible with the current PAYG technology/payment monitoring systems. Moreover, without insight as to why the “self-disconnection” has occurred, the data provided will be meaningless. For example, the customer may have run out of credit in error and then quickly topped-up again. Similarly, a customer may have decided to stop using gas or electricity at certain times through an active choice. This is most likely with gas PAYG meters as many customers simply do not use gas during the Summer months. This cannot count as a “self-disconnection” as it has been an active choice. The situation can also arise in electricity e.g. a holiday home or a rental property between lettings.
- We believe the only realistic means of measurement is to adopt the approach taken in Northern Ireland by the Consumer Council's “In Control” Report. We

would also note that if RoI consumers were to respond in a manner similar their NI counterparts, the findings would go some way towards alleviating consumers concerns on PAYG.

*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.*

- BG Energy is in agreement with this proposal.

*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.*

- BG Energy is in agreement with this proposal.

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

- BG Energy is in agreement with this proposal.

*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.*

- BG Energy is in agreement with this proposal.

*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.*

- BG Energy is largely in agreement with this proposal. We have a concern in that End User Price applies at “All Categories”. It is not helpful or appropriate to compare prices of a supplier offering a very few bespoke contracts to Large Energy Users with another supplier offering significantly more contracts to Large Energy Users. This will merely lead to irrelevant comparisons and discord between suppliers and LEU customers which will likely be without foundation. Any price comparisons made should be limited to mass market consumers.

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

- BG Energy would question why this is necessary. The CER accredits price comparison websites such as Bonkers.ie. The CER should point to these websites as the basis for this monitoring. It should not be necessary to replicate this when these websites are clear and un-ambiguous.

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

Bord Gáis Energy strongly rejects the CER proposals to monitor the retail margins of Supply companies. We have repeated this view several times to the CER in our response to CER 11/ 221, during the CER-led workshop and in bilateral discussions. We maintain this view and continue to voice our concerns about it for several reasons:-

## 1) No Legal Basis

- The CER has stated in reply to Suppliers' questions about its legal authority to conduct retail margin monitoring that this legal authority is found in Article 37(1)(i) Directive 2009/73/EC. This was transposed under Reg. 40(2) S.I 630/2011. The Statutory Instrument and most importantly, the Directive, do not provide for this function. Retail margins are clearly beyond the objective of the Directive, and this interpretation lacks the universal application of EU law. The CER is referring to the legislation in an imprecise way to create an essentially limitless realm of powers – we believe *the monitoring of retail margins is ultra vires for the CER*.
- The EU Directive<sup>1</sup> and Statutory Instrument<sup>2</sup> give clear direction as to what should be monitored. It provides 8 areas under which monitoring is to be conducted. Although monitoring “is not limited” to these areas, this cannot possibly create a limitless list of new, *unwritten* functions. If the action is not stated in legislation it cannot provide the CER with a new and unique power not currently provided for in our legal system.
- References are made to the monitoring of **prices** in the Natural Gas Directive:
  - Wholesale Prices at 41(i) - “*monitoring the level of transparency, including of wholesale prices, and ensuring compliance of natural gas undertakings with transparency obligations*”
  - Household Prices at Article 41(j) “*prices for household customers*”.
- Similarly, the interpretive note from the EU Commission on Directive's 2009/73 and 2009/72<sup>3</sup> is clear on the criteria to be analysed in conducting monitoring. The note states:

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<sup>1</sup> 2009/73/EC

<sup>2</sup> S.I 630/2011

<sup>3</sup> DIRECTIVE 2009/72/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC

*“Part of the monitoring work that will have to be carried out by the national regulatory authority is in relation to its examination of supply prices to determine whether or not they are consistent with Article 3 of the Electricity and Gas Directives i.e. whether they are the minimum necessary to protect consumers, vulnerable or otherwise, while not inhibiting effective competition in the market (Article 37(1)(o) of the Electricity Directive, Article 41(1)(o) of the Gas Directive)”<sup>4</sup>.*

While we accept that monitoring of prices is reasonable and there is a clear legal basis for it, we completely refute that this extends to monitoring retail margins.

The routine monitoring of retail margins in a fully competitive market is a distinct and new power that is not provided to the Central Bank, Financial Regulator or Director of Corporate Enforcement. It is simply un-precedented in a fully competitive market where no competition concerns have been raised.

## **2) Competition Concerns**

- A regulatory framework which proposes that Suppliers operating in a deregulated, fully competitive market should provide detailed retail margin information is inappropriate having regard to the objectives of fostering and promoting competition.
- The Irish retail energy markets are at an early stage of development. Seeking and publishing retail margin information for all Suppliers will inevitably hamper the development of a competitive market. The CER is trying to encourage new entrants to the Gas and Electricity retail market – *monitoring and publishing independent Suppliers’ retail margins at such an early stage of market development will hamper the development of the market and will not*

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<sup>4</sup> Commission Staff Working Paper, Interpretive Note on Directive 2009/72/EC Concerning Common Rules for the Internal Market in Electricity and Directive 2009/73/EC Concerning Common Rules for the Internal Market in Natural Gas. Retail Markets, 22 January 2010.

*encourage new entrants. In addition, the volume, nature and sensitivity of information being requested in this consultation could impose such a heavy regulatory burden on a potential new entrant to make them reconsider their entry into the Irish Energy market altogether.*

- The CER has not stated that it has any concerns about the competitive nature of the retail energy markets. Therefore, why is it seeking margin information at this stage? In fact, in 2009, VaasaETT Utility Customer Switching Research Project (UCSRP)<sup>5</sup> stated the following:

*“In 2009, nearly 21% of all electricity customers in the Republic of Ireland switched Supplier.” In world rankings, Ireland came second only to Victoria in Australia out of 36 markets that were examined in relation to “World Switching Rankings in 2009”.*

- Clearly, competition in the Irish retail markets is flourishing with no competitive concerns being raised. The publication of retail margin information could hamper the development of the market by undermining confidence in the market and discouraging new entrants.
- As stated by the CER in the consultation paper, the Competition Authority itself has questioned the value of monitoring retail margins. They have stated that high or low profits are not effective indicators of a market being competitive or not. Similarly, the CER states in the consultation paper “Given the difficulty in the accurate measurement of retail margins, they [the Competition Authority] questioned the value of this requirement.”<sup>6</sup> The Competition Authority has also highlighted a further issue here – the difficulty in accurately measuring retail margins yet the CER proposes to seek this information and potentially draw conclusions and comparisons from it.

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<sup>5</sup> World Energy Retail Rankings Report 2010

<sup>6</sup> CER/13/302 page.77

- The Competition Act 2002 at s.4(1) prohibits “...*concerted practices which have as their object or effect the prevention, restriction or distortion of competition*” This is conducted by preventing *inter alia* price fixing and the limit or control of production or markets. Yet, the CER views the monitoring of *possible* distortion or *possible* restriction on competition as *gaining* the power to seek retail margins. The interpretive note of the Natural Gas Directive refers to working with the Competition Authority and financial regulators. Why in turn has this power not been conferred on other regulatory authorities such as the Competition authority or the Financial Regulator in the prevention of a *possible* distortion of competition?
- The CER’s interpretation of the Directive is incompatible with EU competition law. Articles 101-102 have their procedures outlined in Regulation 1/2003. Competition Law allows for the use in article 18 (of Regulation 1/2003) of “all necessary information” which is a phrase broader than that in the Gas Directive of using all “relevant information”. Yet, Competition Law does not afford a function to routinely monitor retail margins by either the EU Commission or the Competition Authority.
- The CER states in the paper “*It is the view of CER that the publication of retail margins will increase transparency and therefore reduce barriers to entry.*”<sup>7</sup> There is no explanation as to how the publication of retail margins will increase transparency and reduce barriers to entry. Indeed, we would argue that this will increase barriers to entry as new entrants will look very unfavourably on entering a seemingly competitive market in which they have to routinely provide their margins to the Regulator. The only logic to requesting retail margins is that a company (in a fully competitive market) could be punished for being commercially successful.

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<sup>7</sup> CER/13/302 page.45

### 3) No Parallels Throughout the EU

- The CER states itself in the consultation paper that “*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.*”<sup>8</sup> This indicates the power to monitor retail margins is not within the EU Directive in the first place.
- The CER highlights the example of the GB market where Ofgem publishes retail margin data. We would ask CER to note that Ofgem conducted a “Supply Probe” in response to competition concerns that the retail market in GB was not working effectively and excess profits were being taken by Suppliers. Similarly, The GB wholesale market is a bilateral market while the Irish market is a pool with a transparent, published pool price. There is far greater obfuscation in the GB market with regards to wholesale prices especially given that all of the “Big 6” Suppliers also self-supply to a significant extent. It is absolutely clear what the wholesale cost for power is in the Irish market with the published pool price and the fact that the level of vertical integration is far lower.
- Moreover, Ofgem does not get its legal authority to seek retail margins from the EU Directive’s market monitoring functions and nor does it claim to. It gets these powers via the Enterprise Act 2002 and other UK national legislation unrelated to the EU Directive and the market monitoring functions.
- We would also ask the CER to note that Ofgem *assumes* Supplier retail margins from the regulated accounts – it does not seek these directly from Suppliers. This is completely unprecedented in a fully competitive market (which is working well) and runs counter to the principles of a competitive market.

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<sup>8</sup> CER/13/302 page.44

#### 4) ERGEG Guidelines

- ERGEG does not propose that retail margins (or arrears reporting) are one of its 18 Indicators for retail market monitoring. We are assuming that it is ERGEG's view that collecting retail margin information is not necessary in the ordinary course of events for market monitoring. We would propose that ERGEG's 18 market indicators provide a sensible and reasonable approach to retail market monitoring under the Third Directive and should be used by the CER as a basis for its monitoring.
- As we and other Suppliers have noted previously, the monitoring of retail margins is not included within ERGEG's Guidelines for market monitoring. ERGEG state "for retail margins, there is a need to undertake a complex estimation exercise, since some cost items may not be directly observable"<sup>9</sup>.
- ERGEG is clearly stating that the monitoring and analysis of retail margins is highly complex and multiple costs need to be taken into account in the calculation.
- The CER's references to ERGEG in the consultation paper in no way substantiate their legal claim to seek retail margin information. ERGEG refers to retail margins in their Indicators paper as being assessed "*based on end-user prices and wholesale prices*"<sup>10</sup>. Even in their Status Review paper, ERGEG sees the monitoring of retail margins as "*other ways*"<sup>11</sup> outside the set indicators. This refers to non-legislative regulatory methods. It is not referenced to EU legislation or any legislative option. In this respect ERGEG makes reference to countries using "other ways" or "indicators" to measure retail market outcomes. For example, they make reference to Ireland and the CER's use of market confidence surveys.

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<sup>9</sup> Ibid.

<sup>10</sup> Final GGP on Indicators for Retail Market Monitoring Ref: E10-RMF-27-03 2010

<sup>11</sup> Status Review of the implementation of the ERGEG GGP on indicators for retail market monitoring as of 1 January 2012

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

As previously stated, BG Energy has serious concerns about the formal monitoring of arrears information of Suppliers for the following reasons:-.

- The proposed disclosure and publication of arrears information would unreasonably prejudice the commercial position of the supplier and produce anti-competitive effects. BG Energy can see no reason why arrears information provides a useful indicator of retail market outcomes which surely must be focused on prices, contracts and service available to customers. We also note that ERGEG does not state this as one of their 18 indicators for a retail market monitoring framework.
- Arrears information is highly sensitive for Suppliers and if made public could be seriously detrimental to our business interests and potentially de-stabilise the business.
- CER states in the Consultation Paper that “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.”*”

This is a very worrying reinterpretation of the functions of the CER. The Commission may only act within the powers given to it by the legislator. As with request for retail margins, the use of the term *“market monitoring activity is not limited to the areas identified”* cannot be used to justify any action the CER wishes to take.

- The power to measure arrears is seen by the CER as a *“tailored framework for this jurisdiction”*. As noted above, the CER refers to the lack of legislation on arrears and yet have gained a function. The term *“not limited to”* cannot mean limitless - the CER is bound by other terms in law.

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

- BG Energy is in agreement with this proposal.

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

- BG Energy welcomes the reduction in the complaint sub-categories and the level of detail required.
- The categories in the proposal are very general, with little explanation as to the types of complaint included within each category. For instance, only the “Payments” category gives any indication of what is included. It would be useful to define what is meant by each category. For example, “Meter Issues” could cover a multitude of issues. We need to ensure that all Suppliers and Networks Operators are reporting to the same definition. For example, the category of “Meter Issues” needs to be separated out. A wide range of complaint types could be classified under this heading, including, but not limited to the following:
  - Meter mix-ups
  - Long-term estimations
  - Long-term no-access
  - Meter reading quality
  - Prepayment meter issues
  - AQ/SPC issues
  - Failure to meet SLA’s with regard to meter reads
  - Timeswitch issues

- Network Complaint Categories - we do not understand what “Billing Issues” would entail from a Bord Gáis Networks perspective as these complaints are currently being resolved by BG Energy and other gas Suppliers.
- Networks Complaints Categories – we note that the category of safety complaints is not provided for within the Consultation. We are assuming that safety complaints will continue to be captured within the Safety Framework for the Networks companies and will not be captured as part of this monitoring exercise. The CER should clarify the position with regard to the monitoring of safety complaints.
- The “Other Issues” category is not required. There is a risk that a multitude of various complaint types could be classified under this heading, inhibiting analysis. This category is too broad to create confident compliance and would be contrary to the principles of Better Regulation. Specific complaint categories must be developed only.
- “Meter Issues” Category – We disagree that Suppliers should have a category called “Meter Issues”. Suppliers do not own the meters and should not be responsible for resolving customer complaints about meters. We do accept that we could have a category called “Meter Reading” issues as Suppliers can enter meter reads for a customer and there may be issues with this.
- “Marketing / Sales Issues” category should be split into separate categories.
- 2 New Categories should be added - “Prepayment Meter Issues” and “Credit Management Issues”.
- Measurement of Networks Complaints - in practice, it will not be possible to measure networks complaints as there is no market message in place. There is

no independent and formal method of recording complaints. This must be resolved before this is taken forward in order that Suppliers have confidence in the networks complaints figures.

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

- We welcome the reduction in reporting on “enquiries” and the removal of the various categories of enquiry from the previous consultation paper. The previous proposals would have been impossible to monitor with over 1 million calls received by our call centres annually.
- However, we would question the usefulness of collecting a total number of “enquiries” from each Supplier *quarterly*. (We are assuming “enquiries” means number of calls received by us into our call centres). Our call centre levels remain fairly steady throughout the year and submitting a quarterly number of calls would give very little insight into “enquiries” and could be fairly meaningless. We can provide annual figures for total number of enquiries for all of our call centres.
- We note that ERGEG do not actually refer to “enquiries” in their Final Guidelines. However, it is referred to in their Status Review. They define this “as a request for information or advice”. They also see this as encompassing “one-off research projects, e.g. surveys or focus groups, could add significant value as an addition to the NRA’s routine monitoring in this area”. We would argue that the CER would get a much better insight on “enquiries” by use of customer surveys as are currently in use.

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

- BG Energy is in agreement with this proposal. As with the monitoring of retail margins and arrears, we do not believe that monitoring these areas was justified in law. It is curious to note that if the CER previously believed it had the legal powers to monitor these areas, why can it suddenly now drop them as proposed monitoring indicators? The same must be done with the monitoring of retail margins and customer arrears.

### **3.0 Conclusion:**

As the CER will have noted, BG Energy is in agreement with the majority of its monitoring proposals and we accept that a system of monitoring will be need to be put in place. However, we still have serious objections to the proposals to monitor retail margins and customer arrears information. This information is critical to a Supplier's business and, as such, is highly commercially sensitive. The CER should not request or publish this data lightly and without a firm legal basis. We simply cannot see a legal basis for the CER requesting this information. Similarly, the CER has expressed no concerns about the competitiveness of the energy retail markets in Ireland yet it proposes to request retail margin information as a matter of course. Not only does the CER have no legal authority to do this in our opinion but it may de-stabilise a competitive market that is functioning well. Indeed, the Competition Authority itself could not see any benefit in monitoring retail margins. We do not support the proposal to monitor retail margins or arrears information and want them removed from the Final Decision Paper.

The monitoring requirements set out in the paper will require extensive changes to our IT systems. This will take significant time and resources. We would ask that the CER allows sufficient time with realistic timescales. It is also important that the CER works with Suppliers on this to measure progress as we proceed through implementation. Some proposals will require refinement once a full impact assessment is done and there will be many operational queries throughout the process.