

Attn: Adrienne Costello

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

Date : 7th March 2014

## **Consultation CER /13/302**

### **Market Monitoring in the Electricity and Gas Retail Markets**

Dear Adrienne,

Electric Ireland welcomes the opportunity to respond to CER consultation (CER/13/302) Market Monitoring in the Electricity & Gas Retail Markets.

The following comments summarise key points captured in the detailed response document attached. ( Note: In our detailed response we have focussed only on questions related to suppliers).

- Electric Ireland firstly acknowledges the considered changes that have been made from the 2011 consultation.
- While some additional information has been given in relation to the justification for the revised requirements Electric Ireland remains concerned about the level of detail still being asked for. In particular we believe that the wide interpretation by CER of the legal basis for much of what is proposed is contrary to the spirit if not the content of the relevant legislation and further and that it represents an all embracing 'belts and braces' approach to regulation where no substantial problem with the Irish energy market operation has been indicated to justify the scale of monitoring now proposed.
- Electric Ireland believes that CER has not sufficiently acknowledged the scale of information that is currently available and published in the public arena which could be used to facilitate appropriate levels of scrutiny of market operations. The additional requirements for very detailed and highly commercially sensitive information, where no guarantees of data protection can be provided, are arguably unduly intrusive. It should be noted that where the regulator feels there are real questions or material breaches of license arising which require more detail CER is free to ask individual suppliers to provide data to answer such queries.
- Electric Ireland argue that the requirement for this very detailed additional data ( in particular as it relates to collection and publication of commercially sensitive

- information covering product level contract / consumption data, wholesale costs and the monetary value of arrears) may of itself act as a disincentive to market participation and innovation, where suppliers service and product offerings may in time be reduced to templated 'vanilla' offerings – contrary to the dynamic implicit in a market based deregulated markets

Electric Ireland supports the delivery of optimum levels of information and choice for customers in a deregulated energy market. We recognise that CER must facilitate changes to ensure that the market is delivering for customers and acknowledge that provision by suppliers of some additional data in some areas is justified in supporting delivery of these objectives. We respectfully request that CER exercise restraint in imposing new and questionable obligations on suppliers - maybe with unintended negative consequences, including a diluted competitive environment, customer apathy and incremental costs to be recovered from the full customer base - which may unnecessarily inhibit the industry and damage them in their ability to deliver best outcomes for energy end customers.

Regards,

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