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## **ERGANZ SUBMISSION ON PROPOSALS FOR AN ELECTRICITY SECTOR CONSUMER DATA RIGHT**

The Electricity Retailers' and Generators' Association of New Zealand ('ERGANZ') welcomes the opportunity to provide feedback on MBIE's consultation paper, 'Proposals for an electricity sector consumer data right' from July 2025.

ERGANZ is the industry association representing companies that sell electricity to Kiwi households and businesses. Collectively, our members supply almost 90 per cent of New Zealand's electricity. We work for a competitive, fair, and sustainable electricity market that benefits consumers.

### **Executive Summary**

Our members support policy settings that let consumers and accredited third-party services use data confidently to understand, manage, and reduce electricity costs, and to participate in new digital services. We therefore support MBIE's proposal to designate the electricity sector under the Customer and Product Data Act 2025 (CPD Act), subject to the design choices set out in this submission to maximise benefits and minimise duplicated cost.

This submission builds on our previous ERANZ submission (October 2024), which encouraged policymakers to align with the Electricity Authority ('the Authority') workstreams, exclude derived data, and minimise re-work through common standards. Those themes remain relevant to an efficient and effective electricity CDR.

The CPD Act provides the right economy-wide framework for safe, standardised data sharing. An electricity designation can unlock practical benefits for consumers (faster switching, better plan selection, tailored demand-response, and easier use of in-home technologies), provided the scope and standards are tightly aligned with sector regulation and existing Authority initiatives. We support MBIE's intention to use standardised, machine-readable APIs and near-instant delivery of designated data.

## **Designating the Electricity Authority as a data holder**

We recommend adding the Electricity Authority to the list of designated data holders, in a limited, clearly defined role that reflects the enormous wealth of data the Authority already collects and will hold under its Retail Market Monitoring notices. From 2025, retailers must provide the EA with monthly customer-level datasets for domestic and small-business customers (account, billing, tariff, half-hourly metering and related fields). That means the EA will soon hold very large volumes of individual-level electricity data, updated monthly. In our view, the CDR should recognise this reality and allow consented, secure access to those specific classes of data via the Authority even if retailers remain the primary holders.

Designating the Authority in this way would lower integration costs, provide one high-quality interface for the tables it holds, speed up innovation for consumers, and improve auditability and rate-limiting across the ecosystem; without displacing retailers' front-line responsibilities to customers. Guardrails should include strict role separation from the Authority's regulatory functions and scope limitations to the specific datasets covered by its clause 2.16 notice.

## **Align fully with EIEP14 and limit scope to generally available tariffs**

ERGANZ agrees with MBIE's proposal to align with the EA's EIEP14 work on product and tariff data and to scope product data to generally available tariffs only. EIEP14 already defines how retailers respond to third-party requests for generally available plans, and the EA's current consultation proposes replacing the voluntary EIEP14 with a regulated, modular suite of protocols to improve standardisation and comparability. Using that body of work as the single technical source of truth for tariff data will avoid parallel builds and confusion, and it will deliver immediate utility for consumers and accredited requestors.

Limiting the initial scope to generally available plans (rather than bespoke or negotiated arrangements) is also pragmatic. It captures the vast majority of consumer use-cases for comparison and switching while keeping commercial sensitivities out of scope at the outset.

## **Identification, verification and consent**

MBIE notes that electricity customers do not always use online retailer accounts, and suggests this could limit the feasibility of login-based verification methods. We question the relevance of limiting login-based verification for a regime that is, by design, online and data-driven. Consumers are accustomed to authenticating with credentials (and increasingly multi-factor credentials) when authorising access to sensitive data across sectors. In electricity, a layered approach can combine:

- Retailer login (web or app) plus one-time passcodes;
- Federated identity (e.g., RealMe or other Digital Identity Services Trust Framework-accredited providers); and
- Resilient "no-account" paths where needed (e.g., name + ICP/account number + one-time passcode to a verified contact channel).

The standard should set principles and performance outcomes (explicit consent, strong security, identity verified within five minutes) and permit multiple equivalent methods—including

credential-based login flows—rather than discounting them because some customers currently do not use portals. That approach preserves security, speed and usability for the majority of use-cases, while leaving inclusive alternatives for others.

## **Fees**

MBIE proposes 12 free requests per consumer per year and caps charges for additional requests, including potential exemptions for “vulnerable” customers. In practice, defining “vulnerability” for fee purposes would be highly complex to administer and potentially contentious. It would require ongoing verification by retailers or third parties, and risks inconsistent treatment across similar customers. That complexity would increase compliance costs and could delay access for those the exemption seeks to help.

More importantly, is the question of how this proposal on fees relates to the recent Authority decision. The Authority published ‘Code amendment omnibus four: decision paper’<sup>1</sup> on 1 May 2025 and state in paragraph 5.21:

*“From 1 June 2026, retailers must not charge for providing responses.”*

This would appear to preclude retailers from charging for this service in several months’ time anyway. Is it possible for MBIE to clarify how this is proposed to work in practice for retailers?

## **Support for Utilities Disputes Limited**

ERGANZ supports MBIE’s proposal to designate Utilities Disputes Limited (‘UDL’) as the scheme for electricity CDR disputes. UDL is already embedded in the sector, widely recognised by consumers, and has the specialist processes and expertise to handle electricity matters efficiently. Using a single scheme avoids duplication and reduces confusion.

## **Implementation and alignment**

ERGANZ recommends MBIE and the EA collaborate on the technical standards and data dictionaries once, then reuse them across various Electricity Code and CDR obligations. On product data, that means proceeding with the EA’s proposed upgrade path for EIEP14; on customer data, it means mapping CDR fields directly to the tables the EA has specified for retail market monitoring where they overlap. Where MBIE intends to go further than the EA’s current scope, we suggest staged inclusion to avoid “rip-and-replace” builds.

Designating the Authority as a data holder for the datasets it collects under clause 2.16 would also help standardise interfaces and lower aggregate sector costs, while preserving retailer primacy and customer relationships. A carefully scoped gateway with clear role separation would provide a single, secure path for accredited requestors to access consented data, with consistent rate-limiting, logging and breach management.

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<sup>1</sup> Electricity Authority, [https://www.ea.govt.nz/documents/7190/Omnibus\\_4\\_decision\\_paper\\_MCZz3wp.pdf](https://www.ea.govt.nz/documents/7190/Omnibus_4_decision_paper_MCZz3wp.pdf)

## Conclusion

ERGANZ supports the designation of the electricity sector under the CPD Act and encourages MBIE to lock in two practical choices that will make the regime work for consumers from day one:

- Add the Electricity Authority as a designated secondary data holder or gateway for the specific customer-level datasets it already collects and holds under clause 2.16.
- Align product-data standards fully with EIEP14 and scope them to generally available tariffs, so comparison services are accurate and low-cost to build.

If MBIE also mirrors the EA's "free after 12 months" charging settings, there will be no need for complex, hard-to-administer fee exemptions, consumers will simply have access to their data, as of right. And if UDL is designated as the disputes scheme, consumers will know exactly where to go if anything goes wrong.

ERANZ would like to thank MBIE for considering our submission.

If there are any outstanding questions or a need for further comments, please let me know.

Yours sincerely,

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