

UR's Best Practice Framework Programme

Comments from NIE Networks

15 September 2023

NIE Networks welcomes the opportunity to comment on the Utility Regulator's (UR) Consultation paper on Best Practice Framework (BPF) Code of Practice for Consumers in Vulnerable circumstances. Our comments to the consultation and to the consultation questions are set out below.

We reaffirm our support and commitment to the UR's Consumer Protection Programme and to the protection of customers in vulnerable circumstances through its BPF. We believe that the BPF is to be welcomed and agree that this is the best way forward to help deliver meaningful and tangible outcomes for customers in vulnerable circumstances.

In response to the consultation questions:

Question 1:

Do you agree that where this document has an impact on the groups listed, those impacts are likely to be positive in relation to equality of opportunity for utility consumers in NI?

We agree that the groups listed target the most vulnerable groups in society. We therefore believe that the proposals will have a positive impact in relation to equality of opportunity for these groups.

Question 2:

Do you have comments on any of the UR proposed decisions set out in section 2? Please clearly state in your response which decision your comments relate to.

Whilst it may be difficult to identify which customers meet the definition as this will potentially be wide ranging and at times subjective, we will apply the UR's definition of vulnerability.

We may need to consider how we manage customers defined as vulnerable under the new definition but would only perhaps deemed vulnerable for a vulnerable time i.e. financial hardship etc.

Question 3:

Do you have comments on the UR's proposal on industry working groups as set out in Section 3? Please clearly state in your response which aspect of the proposal that your comments relate to.

More clarification is required on the industry groups formation and operation. If the industry group is associated with CDA (retail market design forum), it will have to align with the retail market design change process for any system changes. The 6-month timeline for implementation is therefore not feasible even with the pre-determination of the industry group ToR before the decision paper is published.

If the industry group is to be considered as a different group entirely, it will take some time to design the ToR and industry procedures. Any retail market design changes which are identified through the industry group must still be progressed through the CDA forum as per

the Market Registration Code and therefore will be subject to the same time constraints as outlined above. Significant collaboration will be required both within the specific industry group and across the industry groups to ensure that categories are interoperable. If data sharing must be implemented on a cross industry basis, we may be impacted by the readiness of other industries. It is therefore not feasible that all procedures, market design changes and system development will be complete within the 6- month timeframe.

Consideration will be required as to whether we need to draft specific industry Accession agreements (similar to Market Registration Accession Agreements) for existing and any new future suppliers entering the market or if it is assumed that this system will be classified as a retail market system and will fall into the remit of the Market Registration Code when implemented. The agreements will ensure that all suppliers agree to adhere to the industry procedures.

3.6- Expectation on industry to form working groups and develop detailed work procedures that will comply with CoP.

Given the scope of the procedures could impact a significant number of teams within NIE Networks the resourcing and co-ordination both internally and externally would be viewed as particularly challenging. NIE Networks would need appropriate time to assess this which again would be challenging given the UR's tight implementation timelines.

Until the procedures are well established within Industry this could also pose a significant resource commitment early on and then resourcing and co-ordination will be required on a continued basis as the procedures are subject to an ongoing review process as well as potential ad-hoc reviews which may be instigated by the UR or other independent bodies (e.g. CCNI see section 3.18).

Clarity is also needed on how CoP procedures might impact existing Retail Market Procedures and Codes of Practice (i.e. NIE Networks De-energisation Code of Practice)

3.11- Supportive of accurate up to date Vulnerable Customer information which would be beneficial for Market Services carrying out their role e.g. Supplier of Last Resort.

If it is proposed that NIE Networks carry out the role of principal Customer Care Register administrator, then this will require more resourcing and success is critically dependent on information supplied by Suppliers.

Clarity will also be needed on the data sharing methodology particularly as the goal is to move to a single all industry Utility Customer Care Register i.e. concern around Electricity industry methodology that isn't compatible with Gas Industry.

All this work will need to be undertaken with the Data Protection team's supervision – potentially significant resource drain on them.

3.13 – Consideration will need to be made on whether this will be via the current retail market messaging system or if an alternative transfer mechanism/system is required. If this is the case, procurement will be required which will not be feasible within the 6-month period. Consideration and agreement should also be reached on how the cost of the system will be managed across DNO and Suppliers.

3.17 – data sharing mechanism may be more complex to agree if we need to consider cross

industry sharing.

3.18- UR state that they will not have an approval role for working group developed procedures. Clarity would need to be determined on escalation/final decision mechanisms if agreement cannot be achieved within the working group – is the expectation that UR will be involved in working groups Terms of Reference development?

Also need to understand Licence impacts if initial working procedures aren't agreed and implemented.

Question 4:

Do you have any comments on the UR proposed decision as set out in Section 4?

We support the measures as set out in Section 4.

Question 5:

Do you have any comments on any of the UR proposed decisions set out in Section 5? Please clearly state in your response (using the measure number) which decision your comments relate to.

Principle 3 Measure 1 (3.1)

Measure 3.2 – 2 potential options – enhance current market systems (TIBCO and SAP ISU) or procure a new system. Our RP7 plans include a new customer engagement platform which would hold all this information but this is not planned until later in RP7 period. Either option would not be feasible to deliver full compliance within 6-month timeframe. Under both options, the market design changes would have to be processed through CDA and as with any market system would require significant supplier testing.

Principle 3 Measure 2 (3.2)

There is a risk of creating confusion for customers if NIE Networks are actively promoting the care register- communication would need to clearly state customers should engage with their Supplier.

Principle 3 Measure 4 (3.4)

May impact on market messages i.e. 013 MM Data Code 41- Customer Service Special Needs, 97- Medical Equipment

Principle 4 Measure 1 (4.1)

5.117- we need to consider adding on new fields to capture the different areas of vulnerabilities, the current list is quite limited and currently being updated using the 'other' field which wouldn't be suffice moving forward.

5.118/5.119 – it will take time to understand if systems are compatible – it will take significant development to get a single industry customer care register

Principle 4 Measure 3 (4.3)

We need clarification on which company should be contacting customers or is this a collaborative approach with other companies?

5.138 – We do not record the preferred method of contact at present and current contact details can currently be updated by Suppliers through CoS or CoLE processes. We may need to create a separate field within the market systems which only can be updated by ourselves (after consideration of GDPR)). Our RP7 IT & Digital Plan includes provision for storing preferred communication channels but it is likely that we will need an interim solution to meet the required timelines.

Principle 5 Measure 1 (5.1)

Appendix 2 states that this measure only applies to Suppliers so unclear if NIE Networks need to comment.

However, the wording “take all reasonable steps to not disconnect a customer” potentially conflicts with NIE Networks De-Energisation Code of Practice whereby under clause 4.3 NIE Networks will not de-energise a domestic property that is observed to be occupied.

It would be beneficial to obtain clarity on what constitutes “all reasonable steps” and what happens when there are potential conflicts between exiting codes of practice and the Vulnerable CoP. The assumption would be that the Vulnerable CoP takes precedence as it will be a driven by a licence condition but would be useful to get clarity.

May be a requirement to review Retail Market procedures to ensure alignment with this measure.

Principle 8 Measure 1 (8.1)

5.253 – there is recognition that the data sharing methodology is complex however, a 6-month timeline is not feasible to have all requirements of the CoP fully implemented Principle 9 Measure 1 (9.1)

Happy to support this measure but as there is no clarity on the form and level of detail required for these returns.

Principle 10 Measure 1 (10.1)

Will this research be co-ordinated through the working groups?

Question 6:

Do you have comments on the UR’s proposal on the new structure for registering consumers in vulnerable circumstances as set out in Section 6? Please clearly state in your response which aspect of the proposal that your comments relate to.

How does UR propose for the register to operate? (CDA equivalent?)

If so, consideration needs to be given to timeframes and resourcing due to the fact that the market requirements will need amended across the Industry.

Market procedure changes are not quick fixes and require sign off from all the industry areas.

How does the communication between Suppliers and NIE Networks work particularly, for CoS and CoLE?

Complexity in setting up a new system from scratch- design, market procedure and implementation- 6 months window not feasible and doesn’t align.

Definition- we need to understand all the range of services that we need to comply with.

We need significant underpinning of what is required- who has the overall say- the UR?

What is expected in Phase 1, Phase 2, and Phase 3?

6.34 – clarification that NIE Networks should also be able to update register through customer contact centre

6.40 – not all Suppliers may offer the same range of services. The industry group will need to establish a consistent service list or the single register to avoid any issues during a Change of Supplier process. If the services must be listed as a Supplier based service list, the system will be more complex to operate and maintain.

Question 7:

Do you have comments on the URs proposed licence conditions as set out in Section 7? Please clearly state in your response which aspect of the proposal that your comments relate.

We agree with the proposed licence conditions above.

Question 8:

Do you have comments on the URs proposal compliance and monitoring as set out in Section 8? Specifically, we seek comments on stakeholders preferred monitoring option(s). Please clearly state in your response which aspect of the proposal that your comments relate to.

We are in support for suggested method of reporting regarding regular REMM submissions.

Question 9:

Do you have any comments on the URs proposed timelines for implementation as set out in Section 9? Please clearly state in your response which aspect of the proposal that your comments relate to.

It is not feasible to implement system changes within proposed timelines. If the ToR is only agreed at the date of publication of the decision paper, there is still significant discussion required to draft industry procedures and agree the system requirements, align with the retail market design process and then implement and test the system. There is a major concern over our ability to be compliant by the time the licence modification comes into effect.

The UR expect full implementation of principles under the Vulnerability CoP 6 months from the publication of the final decision paper estimated to be **Autumn 2023**. This is a challenging timeline given the anticipated level of change the CoP introduces.

There is an expectation by the UR that parties should begin preparing to implement CoP principles prior to publication of final decision (e.g. formation of working groups – page 107) so that processes can be expedited. This is challenging as clarity is needed on a number of areas.

Further to this given the potential level of resource required to implement and maintain the CoP within NIE Networks across a number of teams no reference within the consultation is made to how the cost incurred by adopting the CoP is recovered. This would need to be understood.

Ongoing Market impacting projects: What is the priority? Currently there are projects ongoing as follows:

- Plastic cards online replacement solution
- Secure meters seamless move between production and DR environments for prepayment infrastructure
- New Suppliers/Market Entry
- Keypad Bluetooth (one visit)
- Tibco Database upgrade
- Market website upgrade
- MIC Exceptions calculations

The main point of concern relates to the timeline of 6 months for implementation for the industry procedures and implementation of a single customer care register for the electricity industry. Even with the proposal to start industry discussions prior to the decision paper publication, there is insufficient time to be fully compliant with all principles outlined in the consultation.

9.6- It is not feasible to implement system changes within proposed timelines. If the ToR is only agreed at the date of publication of the decision paper, there is still significant discussion required to draft industry procedures and agree the system requirements, align with the retail market design process and then implement and test the system. There is a major concern over our ability to be compliant by the time the licence modification comes into effect.

Whilst we are happy to participate in forums to take the Best Practice Framework forward, we would welcome further discussions with the UR regarding how to practically apply the UR definition of vulnerability.

We also would like to highlight a potential issue around the quality of the customer data across the electricity industry. The implication of this would take considerable time and resource.