

Best Practice Framework

Proposals: Code of Practice for Consumers in Vulnerable Circumstances

Power NI Response

7 September 2023

Introduction

Power NI welcomes the opportunity to provide further input to the Best Practice Framework programme recently published by the Utility Regulator (UR). Power NI has engaged throughout the development of the Best Practice Framework and is committed to continuing proactively working in this area.

Power NI is surprised at the level of detail and prescription which the UR has taken forward into this consultation. Both the high-level principles and required measures provide a set of detailed requirements for industry to meet, presenting the view that the UR have reached a 'minded-too' position. Power NI has concerns about the lack of flexibility which appears to be being given or the opportunity to consider feedback, considering a Licence Condition will be implemented to ensure compliance.

As the UR is aware, Power NI is a customer centric supplier and goes to significant lengths to support customers who are in vulnerable circumstances. This is a commitment which is central to Power NI's ethos and culture. Practical support measures are something Power NI have been offering customers for many years, so feel confident in being able to deliver the majority of what the UR are asking, however it is however important to highlight again the limitations Power NI has in its ability to help. Power NI is not a medical or welfare support organisation. Staff are not medical or financial experts and cannot provide physical assistance. Often a referral to other organisations is, despite best intentions, the most Power NI as an electricity supplier can do. In that context, Power NI strongly believes it is important to remind the UR that it is unreasonable to look to suppliers to fill a societal support gap and the UR must be realistic about the expectations as to the support which should, and could be, provided by suppliers and their staff.

The UR's wish to formalise a more standard approach across all suppliers will extend some of these measures, which Power NI already offer, to all utility customers. While laudable from one perspective, in mandating this approach, Power NI would be concerned that this erodes suppliers like Power NI's proposition of being customer centric and being inclusive of all customers and their needs. As Power NI, due to regulatory restriction, is unable to differentiate on price, this limits the operation of the market and restricts competitive differentiation.

Power NI already complies with the existing regulatory requirement to treat each customer individual mindful of their specific circumstances and it is unclear why the UR is minded to layer on an existing and potentially contradictory requirement. Power NI feel that this is an example of over regulation when existing requirements already recognise and address the customer need. It is also important to note that service levels are key to the business operation of a supplier. It is how a supplier is managed and when standards fall or an issue occurs customer sentiment, media attention etc. is such that it will be reflected in metrics such as Trustpilot and in a competitive market, switching. Poor service will lead to market share erosion and financial consequences to the business, this is irrespective of regulatory metrics, monitoring or requirements.

Implementing such prescriptive requirements, particularly the changes proposed for the Customer Care Register will involve significant effort in resources and cost to fully implement, costs which will ultimately be passed to consumers.

Power NI remain committed to customer service and positively engaging with the UR to develop appropriate and effective support measures for customers. Power NI commends the UR's determination to improve support for vulnerable customers and would urge the UR to consider responses reasonably with a view to implement amendments as considered necessary.

Specific Questions

Within the Consultation Paper a number of specific questions were posed:

Consultation 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?

Power NI response:

No specific response.

Consultation 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.

Power NI response:

UR Definition of Vulnerability

Power NI has already adopted the UR's definition of vulnerability, with all frontline staff briefed and general vulnerability training provided to help them feel confident in being able to identify vulnerable customers as best they can, and this will continue to form the basis of staff vulnerable customer training.

Despite using this definition, Power NI still maintain the view that the identification of vulnerable circumstances will be extremely challenging for a supplier. Power NI note the UR view that "all customers should be provided specific protections and/or services they require for the duration of their vulnerable circumstances". Whilst Power NI agree, it is important for the UR to recognise that many customers may be classed as vulnerable at some point in their lives, and vulnerability will be transient or circumstantial which can be short term or long term. This type of vulnerability continues to pose a significant challenge for an electricity supplier, for example due to a particular event or change in a customer's circumstance, understandably contacting their electricity supplier is potentially the 'last thing on a customer's mind'. This can make ensuring customer records are kept relevant and up to date difficult. Suppliers will be relying on the customer to engage with them to advise of changes to circumstances which can be difficult.

Typically, unless explicitly informed; a supplier may only know the name of the individual registering, the address, consumption information and preferred payment method. This information offers limited insight into the customers' circumstances or potential vulnerability, particularly if the customer is not forthcoming in providing information around their circumstances.

Regardless of whether a customer identifies as vulnerable, Power NI will continue to offer the same high standard of service to all customers, with all customers treated equally and fairly.

Mandatory Code of Practice

Whilst Power NI welcome a Code of Practice to support customers in vulnerable circumstances, Power NI have concerns around the measures being required rather than a minimum standard and believe it should be less prescriptive, more pragmatic and focussed on principles and outcomes for the customer. Power NI believes this places further regulatory burden on suppliers and that this erodes Power NI's proposition of being customer centric and being inclusive of all customers and their needs. As Power NI, due to regulatory restriction, is unable to differentiate on price, this limits the operation of the market and restricts competitive differentiation.

Consultation Question 3: Do you have comments on the URs 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

Power NI response:

Given that there are industry groups already operational within the market, Power NI are not supportive of the requirement for additional industry working groups to be implemented.

Well established industry groups are already operational in the form of the Central Design Authority Board (CDA) and Electricity Retail Industry Group (ERIG) which provides a forum for all participants operating within the supply market in Northern Ireland and are monitored in a way that is suitable for the market, in a fair and transparent manner. Both groups also operate with the UR as a member and, given the UR proposals outlined, it would be remiss of the UR to take a back seat and not take a leadership role in the implementation of its own proposals.

Power NI would urge the UR make better use of existing industry groups in place via the CDA or ERIG to allow matters to be discussed, as ultimately given the significant changes required, both these groups will be required to assist in implementation.

Deliverables

Industry groups are being asked to develop and implement a complex set of procedures and processes in order to develop a Code of Practice and Customer Care Register. Power NI are

concerned about the approach the UR are suggesting and the proposed lack of engagement within the industry groups from the UR. Power NI believe the UR should be providing clear leadership in the development of the best practice framework and that there is a requirement for them to be included within the industry working groups and shape the deliverables expected from industry.

Power NI believe that if the UR expect certain deliverables or outcomes then more elements should be mandated to ensure it achieves their required outcomes and meets the licence conditions required. For example, inviting options for who should take the lead role with regards to holding customer information is just one example of where this could lead to more delays in reaching decisions. Instead, the UR should be clearer in mandating these elements in order to make progress.

Operation

The UR suggest that industry working groups should seek independent views from other parties like ICO to assist in development of proposals. On a complex piece of work such as this, Power NI would urge the UR to engage with the ICO on this process, with the aim of being the conduit between industry and the ICO. This is a complex industry, and each supplier will have their own data protection requirements and internal processes to navigate. Power NI would encourage the UR to engage with the ICO to carry out an impact assessment to ensure what is being asked is viable within the regulatory constraints of data protection.

Power NI have seen experience within the ROI market of implementing data sharing agreements, which seen the CRU take the lead with the ICO on behalf of the market to develop a suitable agreement which took several years to develop and finalise. Power NI also have experience of putting together a Keypad Heads of Agreement with suppliers. Again, this took time to reach agreement on due to the diverse nature of how each supplier operates and working within their own internal processes. The UR should be mindful that this request to develop working groups and begin sharing data will take time and is unlikely to be implemented within the timeframe that UR is proposing for the licence condition to be fully operational.

Again, the operation of these industry groups raises concerns about the UR role and the approach of overseeing the groups and decisions at arm's length. Given the importance of what the UR wishes to achieve, it makes more sense to have a visible active role within industry groups.

The requirement for industry groups to begin before a final decision paper has been published also supports Power NI view that this paper feels like a more minded too position, with little scope for further input. Regardless of any industry groups being implemented, any changes that will be required to implement this new Customer Care Register will require approval from the CDA and cannot avoid market changes, hence the suggestion to make use of these groups already in operation.

Consultation Question 4: Do you have comments on the UR proposed decision set out in section 4?

Power NI response:

No response.

Consultation Question 5: Do you have 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.

Power NI response:

Power NI have comments on several proposed decisions as outlined below. The measures outlined present a comprehensive and challenging framework that Power NI are being asked to implement, particularly given the limitations on the ability to help. Power NI would urge the UR to consider this feedback in advance of a final decision paper.

Principle 1

1.2) Obtaining the BS ISO 22458: 2022 Consumer Vulnerability standard is recommended to all companies (but not required). The BS ISO standard will be aligned to the CoP requirements, so will evidence (for those companies who obtain it) compliance with a number of the CoP requirements.

Power NI's commitment to these standards and the broad spectrum of support we offer, has recently been independently assessed. Power NI is now one of only 9 companies and the only electricity supplier in Northern Ireland who currently has achieved ISO 22458 (an Inclusive Service Kitemark). This replaces BS18477 which Power NI previously achieved in 2021 and 2022. This ISO standard demonstrates that Power NI works to try and understand the impact of customer vulnerability and provide an inclusive and flexible approach to address it.

Given the cost-of-living crisis and customers struggling with their own personal circumstances, this Kitemark has never been more important, and Power NI would urge the UR to align the CoP with these standards where possible.

1.3) All companies should have a specialist vulnerability team or person (dependent on the size of the business) within the appropriate part of the business to champion innovative strategies for the treatment of consumers displaying signs of vulnerability (including the use of inclusive design principles). This vulnerability team should include a staff member at a senior level and will represent, mentor and oversee the company's work on vulnerability.

Power NI has begun to adopt such an approach due to its internal drive to enhance its customer support programme and have a CSR team in place which aims to be this focus point for Power NI – championing new ideas, process improvements, accessibility, inclusive design etc.

Principle 2

2.2) All companies to remove call duration targets for vulnerability and affordability themed calls

All organisations who operate a Contact Centre will measure call duration, this is critical to understanding demand and adequately resourcing the business operation. However, no contact centre will terminate a call because the call is lasting too long.

All Power NI staff receive a programme of training called Ennovate, which provides tools to help understand the customers concerns, spend time investigating this and providing appropriate support. The focus of calls remains on providing good customer service and quality of interaction, regardless of the customers circumstances. Whilst Power NI do not target staff on talk time, there is a requirement to be mindful of all our customers, especially when we cannot identify vulnerable customers waiting in line to speak to a member of the team.

The measure also appears contradictory in terms of the monthly contact centre performance stats that the UR have been requesting to monitor suppliers' levels of customer service. The focus of this monthly report has been on service level, average handling time, average wait time etc. Power NI are under no illusion that if performance of the contact centre fell below what is an acceptable standard there would be significant consequences in terms of customer sentiment, the operation of the business and customer retention. These are key business management aspects and are carefully managed irrespective of regulatory mandate.

It is impossible to remove call targets for certain groups when suppliers don't know what is coming down the line and Power NI view this measure as being unnecessary and would urge the UR to consider amending to provide some degree of flexibility.

2.6) All companies to provide a phone number for consumers that will not incur a premium rate charge, alongside providing other avenues for customer contact that are free of charge (to include as a minimum a call back option).

Power NI offer customers a local rate number for customers to get in touch, as well as a range of online contact methods including email, social media and Power NI app.

Power NI are not supportive of a call back option being mandated for suppliers to implement and it should be down to each individual supplier to decide what best suits their operations.

Power NI prides itself on managing its customer contact options extremely well. Even given the challenges faced over the last year, Power NI resourced accordingly and ensured calls were dealt with swiftly, with customers able to speak to a member of the team within a matter of minutes.

As service levels are key, a call back option would put unnecessary pressure on contact centre resources, with Power NI's preference to focus on supporting the customer when they get in touch by providing a lower waiting time and faster speed to answer.

Principle 3

3.1) Provide the applicable customer care register holder with the relevant and lawful details (required for the customer care register), of any domestic customers who are of pensionable

age, disabled or chronically sick [medical care register], or are represented by the UR's vulnerability definition, and who wish to be included on the list.

Power NI currently has a Customer Care Register in place and make customers aware during a call with Power NI of the register should they wish to be included.

Power NI welcomes the UR engaging with the ICO on proposals to ensure there are no data protection or GDPR issues identified.

While a customer may meet the UR's vulnerability definition, they cannot be added to Power NI's Care Register without their prior consent. Also, as the vulnerability definition is so broad and needs to allow for temporary vulnerability, Power NI will need to implement new internal processes to ensure GDPR requirements are met, and system configuration requirements based on the final decision paper.

3.5) All companies to use best endeavours during any customer interaction to proactively identify when someone is experiencing a potentially vulnerable period and make contact with them to establish if they are need of support.

Power NI has limited information to help in the identification of a potentially vulnerable period in a customer's life. Limited to name, address, date of birth and amount of electricity consumed, this information offers limited insight into the customers' circumstances or potential vulnerability, so it is difficult to proactively identify if someone is experiencing a vulnerable circumstance without the customer getting in contact. Staff have received the latest Ennovate training programme which provides them with the skills and support to help identify customers who may need extra support.

Power NI has had many difficult interactions with customers who have various vulnerabilities including medical and financial and who have effectively been left to fend for themselves. Changes to benefits, care in the community and other causes of vulnerability affect domestic customers and it is unreasonable to ask suppliers to fill a societal shortcoming. Power NI can only act on information provided by the customer, and whilst all reasonable endeavours will be made to ensure assisting and identifying those customers it also relies on the customer engaging.

Whilst Power NI will use all best endeavours during customer interactions to identify someone who falls into this category, it is unreasonable to put the onus on suppliers to proactively make contact with a customer to establish if they are still in need of support. It is also not clear what support the UR feels that the energy supplier can provide over and above what Power NI already offer.

If a customer is in debt, for example, Power NI have a dedicated Payment and Accounts Resolution (PAR) team who will contact them to discuss their individual circumstances and agree an appropriate repayment plan that is suitable for both the customer and Power NI. However, it will be extremely difficult for Power NI to identify a customer facing a potentially vulnerable phase without self-declaration or information from the customer, particularly if they are continuing to pay their bill on time and there is no issue with their account.

Continued promotion of the message for customers to get in contact if experiencing difficulty is the only way to encourage these customers to engage, therefore Power NI would be

unsupportive of the need to make contact with customers to establish if they are in need of support without a customer instigating initial contact.

3.6) *Take all reasonable steps to ascertain whether an occupant of a domestic property and/or the bill payer falls within the scope of eligibility to be added to the customer care register, and if eligible add the consumer to the customer care register (subject to their consent).*

As Power NI has highlighted throughout this response, not all customers who fall within these definitions make themselves known to Power NI or are included within the Customer Care Register. While as an energy supplier Power NI can make the customer aware of the services on offer, Power NI cannot be making assumptions without customers coming forward and making us aware. Staff are trained to ask on all registration calls and will also use key phrases and training that they have received to question and prompt if a customer would benefit from being added to the register.

Principle 4

4.1) *All companies will have an adequate Data System that is interoperable with industry systems used for customer care registers and will support the inputting, holding and maintaining of an adequately detailed consumer profile with regards the customer's specific support needs.*

Power NI already hold a Customer Care register which records the general vulnerability type and if they require communications in an alternative format or if they have an appointed carer. The requirement to register needs based vulnerability will involve Power NI having to complete its own internal changes and a number of additional steps to ensure it remains GDPR compliant.

The UR requirement to have compatible data systems across industry and for suppliers to upgrade or amend current systems to align with new system requirements is an extremely challenging ask both from a Power NI perspective and industry specifically in the proposed timescales.

Whilst the UR have stated that requirements for the new register should be decided through the industry working groups, Power NI would welcome the UR providing more leadership regarding requirements of what they expect, cognisant of what information a supplier has and recognising that system development is both costly and takes time to implement.

Power NI note that costs can be recovered through applicable price controls, which ultimately passes costs back to the customer in what is already a challenging time for customers. Power NI would urge the UR to consider what they feel necessary versus the costs required to implement such significant changes.

4.2) *Ensure that the customer care register holds sufficient information (in line with existing Data Protection legislation) on the needs or requirements of the domestic customers who are considered vulnerable due to age, disability or chronic illness [medical customer care register] and/or mental health status or other reason covered under the definition of vulnerability.*

Asking suppliers to hold sensitive information particularly regarding health status continues to be a concern for Power NI. Power NI is obligated to comply with the conditions within the UK

Data Protection Act 2018, therefore must have a legal basis to process additional customer data.

Information must also be gathered for a defined purpose, which should be related to the services that Power NI provide to its customers. Unless Power NI have a specific service available to customers or it will trigger a process for that customer, Power NI should not be gathering extensive information about a person's health. For example, it is legitimate for Power NI to gather information on a person's vision (with their consent) to provide services such as Large Print Bills, Braille Bills, and other similar services.

Power NI has also discussed at length internally recording temporary needs – Power NI only need to hold what is relevant to service an electricity account and therefore need to complete a review internally to establish what is achievable within the remit of GDPR legislation.

Principle 5

5.1) *Take all reasonable steps to not disconnect a customer who has not paid their bill and is of pensionable age, disabled or chronically sick and lives alone and who are represented by the vulnerability definition or only with other persons who are of pensionable age, disabled, chronically sick or under the age of 18, or with a dependent aged under 5 years and who are represented by the UR's vulnerability definition.*

Power NI has a non-disconnection policy regardless of customer circumstances, so this measure is not relevant.

5.2) *Take reasonable steps to avoid disconnecting the supply to premises where a bill has not been paid and include an occupant who is of pensionable age or disabled or chronically sick or under the age of 18, or with a dependent aged under 5 years and who are represented by the UR's vulnerability definition during any winter period, that is to say, a period beginning with 1 Oct in any year and ending 31 March in the following year.*

Power NI has a non-disconnection policy regardless of customer circumstances, so this measure is not relevant.

Principle 7

7.3) *All companies will use best endeavours to proactively identify consumers who are at risk of self disconnecting and provide advice and support/financial assistance where appropriate.*

This is very challenging and Power NI struggle to understand how the UR intend on asking suppliers to monitor and report on this. It is difficult for Power NI to use internal data to identify consumers who are at danger of self-disconnection without more information or acknowledgement from the customer that they are having difficulty with payments. Power NI do analyse non vending reports, but often find these customers don't engage or are non-vending for a variety of reasons.

Power NI has continued work in the area of self-disconnection over the last number of years with limited success. Many of the customers who have been contacted by phone and SMS have not engaged, making it difficult to understand their reasonings for this.

Over the last year Power NI has offered a large number of hardship vendors to customers in danger of self-disconnecting who have made contact and allowed Power NI to work with them to put a plan in place to prevent the issue from reoccurring. Power NI have also increased emergency credit from £1 to £3 which will go some small way to help customers and hopefully prevent them falling into self disconnection.

It is important to note again that if customer is not forthcoming in providing information around their circumstances the actions a supplier can take are limited and would welcome further discussion with the UR on how they intend to monitor this given the complexities this presents.

7.4) Target consumers with a PPM debt on or over a specified amount (£200) and provide an incentive to engage to discuss debt repayment that will include a package of support measures (e.g., warm handover to organisation who can carry out a benefit entitlement check).

Power NI's processes surrounding debt recovery is focussed on customer engagement, recognising specific circumstances, and reaching a mutually agreed and reasonable solution. In line with Power NI's commitments under Codes of Practice, this requirement still appears to be unnecessary. In debt scenarios Power NI makes several attempts to speak with the customer prior to the installation of the PPM to agree on a reasonable repayment rate and it would be detrimental to leave engagement until debt had accumulated to a specific amount. As part of this process customers are offered a warm handover to support partners if necessary and in agreement with the customer.

All customers with a debt balance on their prepayment meter will receive correspondence at least twice per year, the customer will be sent a Balance Statement Letter to advise them of the amount remaining to pay via their PPM. The customer will also receive a Keypad Annual Statement Letter, this provides the customer with an outline of their usage for the past year. Both letters advise the customer to contact Power NI if they are struggling to pay and we will try to find a payment solution to suit their circumstances.

In line with the Energy Charter introduced last year, Power NI reduced the maximum recovery rate to 20%, making repayment rates lower for all customers. The need for additional contact with customers who owe more than £200 would then appear to be unnecessary, and there would be no reason to believe that these customers would need more assistance than, say, a customer who owes £100 at a 10% repayment rate. This is specific to each customer and their individual circumstances. These discussions are best had when the meter is installed/prior to installation and are already covered under existing COP requirements.

Power NI would question the UR as to what Power NI would be expected to do differently to engage with a customer at this level of debt. Power NI believe this measure to be unnecessary and it should be removed.

7.5) *Do not disconnect a customer for debt if they are actively engaging with their Supplier.*

Power NI has a non-disconnection policy regardless of customer circumstances, so this measure is not relevant.

Principle 8

8.1) *All companies to establish, implement and maintain effective data sharing methodologies to enable the effective use of consumer data by any relevant party licenced to convey/supply gas or distribute/supply electricity or supply water to the domestic consumer's premises under the Gas Order, Electricity Order, and or the Water and Sewerage*

The UR has clearly stated "we acknowledge the development and implementation of a data sharing methodology will be a complex task" so it appears contradictory that the UR would seek to impose a regulatory licence condition on suppliers without first allowing the opportunity to explore the topic in greater depth to understand the complexities involved.

The UR again recommends an industry working group be established to develop a common data sharing methodology. It is unclear how this would work with the current market setup. Again as Power NI highlighted, experience in other projects has shown that this is complex and the timeframe for delivery could be up to two years depending on requirements. It would appear to make the most sense to use existing infrastructure and agreements already in place, e.g., market messaging although this would likely necessitate a schema change by all suppliers. It's also important to note that data is currently linked at MPRN level, not person, so this would need to be explored further if using market messaging and how personal information is shared.

Given the wide definition of vulnerability, this creates a significant danger that another supplier will record a customer as being in a vulnerable situation that differs from Power NI's view of a vulnerable situation. The UR also need to be mindful that when a customer provides this information to Power NI with the understanding that it will be used to manage their electricity account, it is not intended that this information will be shared with other organisations when they switch suppliers. Some of the information in these profiles may be quite sensitive, and the customer may not want to share it with the new supplier. The information in their "customer profile" could also be no longer relevant for the management of their electricity supply.

Principle 9

9.1) *All companies to submit returns to the Authority which demonstrate compliance with the Code of Practice for consumers in vulnerable circumstances. The returns will provide evidence of compliance with the both the high-level principles and the required measures.*

9.2) *As part of their return, all companies must report on actions taken to increase awareness of the customer care registers (this will be tracked by the UR through the UR's annual domestic consumer insight tracker survey), and on the operation, outcomes and future review arrangements for their activities under the Code.*

Power NI demonstrates compliance of licence conditions and CoP, with regular reporting to UR but has concerns over further levels of reporting required.

The current reporting regime is already complex with multiple monthly reporting requirements in place via quarterly and annual REMM reports with ad hoc additions requested throughout the year.

Power NI would urge the UR to consider the regulatory burden additional reporting puts on suppliers, as irrespective of any monitoring or reporting, poor service will have consequences for the business financially and through market share. Power NI would ask the UR to streamline reporting to ensure information requested is useful and of relevance to both the UR and suppliers.

- 9.3) *In the case of disconnection of a domestic property maintain, for at least six months or where a complaint has been made six months after the complaint has been resolved, a record and evidence of the steps taken to ascertain whether the occupants include persons who are of pensionable age or disabled or chronically sick or minors (aged 0-5 years old) or are represented by the UR's vulnerability definition. This evidence must be provided to the Authority on request.*

As previously stated, Power NI has a non-disconnection policy regardless of customer circumstances.

Principle 10

- 1) *All companies to conduct research and engagement with consumers in vulnerable circumstances, to include those on customer care registers (every two years at a minimum). A copy of the final research report must be submitted to the Authority and a public version made available.*
- 2) *All companies to publish an accessible version of the returns submitted to the Authority on compliance with the Code of Practice for consumers in vulnerable circumstances on their own websites. These returns will also be published on the Authority's website.*

Whilst Power NI appreciate the UR ask around gauging effectiveness of suppliers' services, Power NI still seek further clarification from UR on what exactly the ask is here.

Power NI would again note that customers in vulnerable circumstances, and certainly those on the Care Registers, are notoriously difficult to engage with and efforts to date have resulted in poor engagement. Bearing in mind that these customers would be classed as vulnerable, then questioning them unnecessarily could lead to confusion or upset in what could already be a difficult period they are experiencing.

Also given the requirement to already contact these customers at least once within a two-year period, this seems like a further unnecessary ask.

Power NI would propose that research be carried out by third party sector and remain independent of suppliers.

Consultation Question 6: Do you have comments on the URs 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.

Power NI response:

Power NI accepts the move to a more joined up approach towards a customer care register for all customers and whilst it should provide a better customer experience, Power NI still have concerns on a number of aspects.

New Structure / Number of Care Registers

Whilst a new customer care register may provide a better outcome for the customer in the long term, reaching this stage is not straightforward and Power NI has concerns around the UR belief that this new register will be developed, implemented, and maintained via industry working groups. As previously discussed, given the lack of UR direction, oversight and input into these groups Power NI feel this could lead to decision making being hindered and delays in moving forward.

Whilst the UR wish is for the register to be held and maintained by one company, Power NI believe the UR should be mandating who should have responsibility for maintaining this and not providing a suggestion on who they think could potentially take control. Given the complex nature of this register it makes sense for this new register to be held at DNO level given they are the Common Services Provider for the NI market and already hold the MPRN data for all domestic households in NI. Leaving it open to alternative suggestions or other companies to 'volunteer' could add to the complexities of data sharing and system requirements.

Two Tiers of Care Register

Implementing a two-tier type of register will involve significant changes to how Power NI have been registering customers, with the existing register requiring updated and reviewed to ensure it is capturing the right information on a needs-based approach before the process of working with industry to streamline it into one register begins.

Consultation 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 to.

Power NI response:

Power NI would remind the UR of the regulatory burden suppliers are already under and introducing further licence conditions and reporting procedures puts suppliers under more pressure in what has been an extremely challenging period for the energy industry. Power NI would highlight the requirement on procedures. As previously mentioned, the requirement for these procedures, which are to be established by industry working groups which have no leadership from UR would be a cause for concern. Power NI feel if procedures are going to form part of the licence condition, then UR need to be leading this and mandating more elements if necessary.

Consultation 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.

Power NI response:

As previously highlighted Power NI already demonstrate compliance of licence conditions and COP through REMM and ad hoc reporting. Given the requirements Power NI are now being asked to implement and monitor, the additional reporting has the potential to be challenging, depending on the outcome of the decision paper.

On review of the monitoring options, Power NI would be supportive of the UR belief that the best approach would be through retrospective compliance reports through the existing and well-established REMM reporting framework. In considering amendments to REMM to allow for this additional reporting, Power NI would again urge the UR to review and consider reporting in the round and look to streamline where possible and ensure data requested and submitted is of benefit to all parties involved.

Consultation Question 9: Do you have 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.

Power NI response:

Whilst Power NI already have a number of the required measures in place, there is still considerable work to be done particularly with regards to the implementation of the new Customer Care Register and the significant demands this will put on IT resources both internally and across the market. Anything that requires system changes, contacting large volumes of customers or impacts on data protection are not things that can usually happen quickly and, given the potential changes needed to be put in place and resource to do so in both time and cost, it will be difficult to meet the proposed timelines.

Power NI would propose that the UR separate each element within the Best Practice Framework and assign more achievable implementation dates - e.g.

- **Code of Practice** – As the UR is aware, Power NI prides itself on its ability to support customers through a number of ‘best practice’ schemes already operational to support vulnerability. Given that Power NI already have many measures in place, and the scope to deliver is relatively within Power NI’s control, a requirement to have these elements implemented by mid-2024 would appear to be more realistic.
- **Customer Care Register** – Given the significant amount of work required, data protection requirements and ongoing IT projects already underway, this would be challenging to deliver within the required deadline. Aside from internal IT resources, as previously mentioned, the UR need to consider that this will require schema

changes which based on previous experience, could take up anywhere from 18 to 24 months to implement.

By separating the requirements, Power NI believe this would give the UR the best opportunity to ensure that the Best Practice Framework is implemented effectively and meets the required objectives. Maintaining the timescales as is would be naive and unrealistic.

Overall, the Best Practice Framework will require significant resources, cost and time to implement and maintain measures outlined within this framework, some of which even given Power NI's experience and current programme of support for vulnerable customers will still be challenging to achieve.