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Consultation Paper – Improving Product and Consumption Information Exchange

Utilities Disputes | Tautohetohe Whaipainga is New Zealand's leading provider of independent dispute resolution services for consumers and providers in utilities. Utilities Disputes operates the mandated Energy Complaints Scheme (ECS).

The purpose of the ECS is to ensure that any person who has a complaint about a retailer or distributor has access to an independent process for resolving it.¹ The ECS has seen complaints increase by 500% in the last 5 years and in 2025-2026 it received 12,505 complaints and 12,413 queries, a 67% increase in complaints on the previous year. We are receiving higher levels of complaints than this time last year and expect the recent trend of increased complaints to continue. Utilities Disputes is a not-for-profit company and there is no charge for a consumer to make a complaint.²

We welcome the opportunity to comment on the consultation paper, *Improving Product and Consumption Information Exchange - Proposals for New and Updated Standards (Information Exchange Paper)*. The Electricity Authority (EA) is asking for comment on:

- Electricity Information Exchange Protocol (EIEP) 14B – a standardised form for retailers to provide information about a consumer's electricity plan.
- EIEP 13A & 13B – standardised forms for providing consumption data.

Draft Information Exchange Protocols

1. Utilities Disputes regularly uses a consumer's consumption data and plan information to resolve complaints. One of the common issues we encounter is that this information is not normally presented in an accessible format for either Utilities Disputes or the consumer.³ Access to clear and accessible consumption data would help both consumers and providers to resolve difficulties much earlier, often within the provider's internal complaint's process. Therefore, getting these consumer data

¹ For electricity see 95 & sch 4 cl 1 of the Electricity Industry Act 2010.

² We deliver dispute resolution schemes covering electricity, gas, water, and telecommunications. In telecommunications we offer the government mandated scheme for considering complaints about the laying of fibre on shared property and a voluntary telecommunications scheme which is not an industry dispute resolution scheme under part 7 of the Telecommunications Act 2001. We also offer a voluntary water complaints scheme.

³ See also Utilities Disputes, *Code Amendment Omnibus Four*, 15 October 2024, pg. 2, [sub.](#)

settings right will not only help the consumer adopt new products and services, but also make the consumer's usage and plan less opaque and more accessible. This may have a flow on effect in areas such as switching rates, which have been historically low.

2. Utilities Disputes therefore has taken an active interest in the development of the EIEPs and in related projects about consumer access to data.⁴ Frontier Economics in its report *Review of Electricity Market Performance*, also highlighted the importance of data accessibility, particularly consumption data:

Currently retailers are required to give customers their usage data within five working days for no fee. This means that customers cannot get instant access to their usage data. This is data that could be used to identify market offers that would save the customer the most money. In the 2018 Electricity Price Review there was a recommendation that the Electricity Authority give retailers six months to agree on a quick and simple procedure for processing customer requests for consumption data, and if that does not occur, it should impose a procedure. We understand that this recommendation has not been implemented. We can see no good reason why this important change has not been made.⁵

3. We have previously emphasised the benefits and possibilities of AI for data analysis. However, the benefits of data analysis and collection need to flow in both directions between provider and consumer. Just as industry participants will use data to create new products; the consumer should have ready access to their data to make informed choices. We therefore do not think the consumer should have to pay a significant cost for the collation of their own data for standard information.⁶ Such is the pace of AI development it is also not clear how long consumers will need the prolonged assistance of third parties to supply additional services of aggregation and assessment.⁷
4. We therefore support the *Information Exchange Paper's* renewed emphasis on the individual consumer accessing their data especially this comment:⁸

⁴ See *Improving Access to Electricity Product Data*, 18 November 2025, [sub](#); *Enabling Consumer Mobility by Improving Access to Electricity Product Data*, 12 August 2025, [sub](#); *Code Amendment Omnibus Four*, 15 October 2024, & *Our Future is Digital*, 10 July 2025, [sub](#).

⁵ Frontier Economics, *Review of Electricity Market Performance*, 23 May 2025, pg. 77.

⁶ See *Improving Electricity Billing in New Zealand*, 12 November 2025, pgs. 3-5, [sub](#). See also *Our Future is Digital*.

⁷ See discussion *Our Future is Digital*, pg.4.

⁸ The EA had appeared to primarily emphasise the role of third parties in receiving a consumer's data: "The Authority agrees that data standards must ultimately deliver benefits for consumers. However, we note that one of the purposes of the EIEP14s proposal is that creating standards for product data will allow third party innovators to make this data consumer friendly as part of their business models." *Proposed Code Amendments to Improve Access to Electricity Product Data*, 8 October 2025, para 4.52 (italics not in the original).

To make informed choices about affordable options for electricity, consumers need ready access to consistent and clearly understandable information about the electricity plans available to them, their current plan, and their consumption.⁹

5. In preparing the drafts the EA held a series of workshops and some consultation with stakeholders which will help ensure a successful roll out of the EIEPs. However, the input of ordinary consumers is not evident in the paper. Nor is it clear if consumer testing has confirmed consumers will be able to understand and interpret data from the EIEPs. Even with the appendices to the *Information Exchange Paper*, we are not sure the ordinary consumer could make an assessment.
6. The EA may have already completed, or be planning, consumer testing of the EIEPs. If not, we recommend testing the EIEPs with consumers before they are finalised. Consumer testing accompanied by consumer surveying will increase the likelihood that consumers can effectively access and use their data. It may also indicate to the EA any obstacles consumers may have in sharing their information and engaging with accredited requestors. Factoring in and repeating such outreach throughout implementation would appear necessary to the success of this project, especially if we are to learn from the Australian experience where uptake of the Consumer Data Right (CDR) has not yet met expectations.¹⁰
7. Utilities Disputes supports the EA's initiative but wishes to highlight the importance of community outreach and engagement for its success. In our view, sustained consumer engagement is more likely to achieve the objectives of the data request provisions in Part 11 of the Electricity Industry Participation Code 2010, and the CDR vision of efficient markets enabled by improved consumer access to data.

Next Steps

Thank you for the opportunity to comment on the *Information Exchange Paper*. If you have any questions, please at the first instance contact me at: [REDACTED]

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⁹ *Information Exchange Paper*, para 2.3 for example see pg 3, paras 2.3, 3.5, 4.1-4.2, 4.6-4.9, Q 2.

¹⁰ See for example Australian Banking Association, *Consumer Data Right Strategic Review*, July 2024, https://www.ausbanking.org.au/wp-content/uploads/2024/07/CDR-Strategic-Review_July-2024.pdf