

28 February 2018

Submissions  
Electricity Authority  
PO Box 10041  
Wellington 6143

**By email only to:** [submissions@ea.govt.nz](mailto:submissions@ea.govt.nz)

Tēnā koe

### **Multiple Trading Relationships Consultation Paper**

I am pleased to provide a submission on the Multiple Trading Relationships Consultation Paper. The paper describes a desired future state for the electricity sector where consumers are able to have multiple trading relationships with agencies within the electricity sector. For example, a consumer with solar panels could buy electricity from one retailer and sell their excess generation to another retailer. In addition the consumer could engage a load aggregator to manage use of their appliances remotely (eg heat pump).

The Electricity Authority want to make it easier for consumers to have these multiple trading relationships and are, in part, concerned that data protectionism may be constraining some of the innovation that could occur.

I am supportive of consumer choice and industry innovation. It is my understanding that these multiple trading relationships will be consumer driven and the majority of information disclosures will occur with consumer agreement. As I noted in my public statement on the bulk disclosure of smart meter data in May 2017<sup>1</sup>, electricity sector agencies who collect personal information (ie Installation Control Point (ICP) level data) are responsible for ensuring compliance with the Privacy Act 1993 ('the Act'). This includes responding in a timely manner to any requests for information under information privacy principle 6 of the Act to assist consumers to engage in multiple trading relationships.

I would be concerned if the electricity sector viewed the Privacy Act as a barrier to sector innovation. The Act is technology neutral and principles based, and allows individuals to consent to collection, use, access and disclosure of personal information. Each agency who collects personal information has obligations under the Act to manage personal information appropriately, these obligations should not be considered barriers to innovation.<sup>2</sup>

---

<sup>1</sup> <https://www.privacy.org.nz/assets/Uploads/Open-letter-to-retailers-and-distributors-re-smart-meters-A504260.pdf>

<sup>2</sup> <https://www.privacy.org.nz/news-and-publications/guidance-resources/a-quick-tour-of-the-privacy-principles/>

I am supportive of the Electricity Authority's goal to engage both the industry and the public in a discussion on this important topic.

Should you have any questions about my submission please direct them to:

Sophie Richardson (Policy Advisor) – [Sophie.richardson@privacy.org.nz](mailto:Sophie.richardson@privacy.org.nz)

Naku, na

A handwritten signature in blue ink, consisting of a large loop followed by a series of connected strokes that end in a small hook.

John Edwards  
**Privacy Commissioner**