

18 November 2025

Electricity Authority consumer.mobility@ea.govt.nz

Improving Access to Electricity Product Data

Utilities Disputes Limited (Utilities Disputes) operates the Energy Complaints Scheme which is the statutory mandated complaints resolution scheme for resolving complaints about electricity and gas retailers and distributors.¹ Utilities Disputes resolved 20,936 consumer complaints and queries last year and we are projected to resolve over 28,124 this year.²

We are a not-for-profit and our service is free to consumers. We are experts at resolving utility complaints as we operate consumer dispute resolution schemes for water, telecommunications, and broadband providers.

We draw on this perspective to reemphasise briefly some of our comments to the Electricity Authority (EA) about its proposals to introduce the electricity Consumer Data Right (CDR).³ The EA's most up to date proposal is in the paper: *Proposed Code Amendments to Improve Access to Electricity Product Data (Improve Product Data Paper)*.

Access to Data: The Ordinary Consumer

Utilities Disputes continues to support the proposals and the codification of plans. Codification is likely to allow for the easy identification of plans both for retailers, third parties such as accredited requestors, and consumers. As noted by the EA working out an effective codification system will be key.⁴ We recently supported the EA's proposal to place on the consumer's bill the name of their plan and its code.⁵

UDL's Submission

We recommended in our previous submission that any policy analysis include a focus on enabling the ordinary consumer to have direct access to their information and in a format that is readable.⁶ The EA acknowledges this submission but emphasises that third parties will take on the task of making data consumer-friendly (see emphasis):

¹ See s 95 & schedule 4, cl 1, Electricity Industry Act 2010; s 43E Gas Act 1992.

² Utilities Disputes (UDL) voluntary telecommunications scheme is not an industry dispute resolution scheme under part 7 of the Telecommunications Act 2001. At present it has one member.

³ See UDL, *Enabling Consumer Mobility by Improving Access to Electricity Product Data*, 12 August 2025.

⁴ *Improve Product Data Paper*, 8 October 2025, paras 4.30-4.32.

⁵ See EA, *Improving Electricity Billing in New Zealand*, 8 October 2025, para 3.20.

⁶ See *Enabling Consumer Mobility by Improving Access to Electricity Product Data*, paras 16-19 [UDL - Enabling consumer mobility submission.pdf](#) See also UDL, *Code Amendment Omnibus Four*, 15 October 2024.

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.**

Code amendments to compel retailers to provide product data upon requests (discussed below) would also allow consumers to request information about product data in a prescribed format. We are also consulting on ways to improve billing so that consumers - either directly or via trusted third parties - have access to clear and consistent product data that makes comparing offers simpler and more reliable.

We are working closely with Daylight, our delivery partner for the Authority-funded comparison and switching platform, to design a next-generation service that is more intuitive, accessible, and provides greater consumer usability. This platform will incorporate plain language, digital accessibility, and an inclusive design, ensuring it works for consumers regardless of their level of digital literacy or energy knowledge.⁷

We note the proposed Electricity Industry Participation Code (EIPC) amendments to make it easier to request data. However, these amendments appear to be about synchronising the EIPC with the CDR process, in terms of EIPC documents and method of exchange.⁸

The current 11.32G requires retailers to provide information only on generally available tariffs, upon request by a person (which can include a comparison website provider). The proposed amendment would broaden what is captured by this clause so that plans that are still active in the market (but may not be “generally available”) are also required to be provided on request. It also extends to product identifier codes so that retailers are also required to provide, on request, the product identifier codes associated with their plans.

We are also proposing to amend 11.32G to compel retailers to comply with the procedures and any relevant EIEP, published by the Authority. This would ensure that the exchange of data is made via the standardised method prescribed in the EIEP14s that would be designed in consultation with the industry.

We are also proposing to remove the ability of a retailer to charge for requests for this data if the request is in a different format to what the retailer normally uses.⁹

⁷ *Improve Product Data Paper*, paras 4.52-4.54 (emphasis not in the original). The EA’s summary of this aspect of UDL’s submission is at para 4.51: “Some submitters, including Utilities Disputes and individual consumers, emphasised that the proposed standards were written largely for third-party users, rather than for consumers directly. They noted that consumers also need to be able to understand and use product data in ways that reduce search effort and improve transparency. This was seen as particularly important for disengaged or vulnerable consumers, who often struggle to navigate complex plan information.”

⁸ See 11.32A *passim* Electricity Industry Participation Code (EIPC).

⁹ See *Improve Product Data Paper*, paras 6.5-6.7 (emphasis not in the original).

Free Access to Readable Data

Under the EIPC it is largely free for the consumer to make a request for information.¹⁰ What an accredited requestor might charge a consumer for its services appears unclear, although charges may be minimal.¹¹ The EA will likely have a better understanding of what fees a consumer may pay to an accredited requestor.

However, we remain of the view that the ordinary consumer, should be able to access their data in a direct and readable way, rather than having to rely on an accredited requestor. We have advised the EA that having to go a third-party to get readable information about their bills may not be considered an advancement by consumers.¹² We also think consumers will be similarly unenthusiastic about *having to take up* an accredited requestor's services to receive readable consumption data, and data about plans. The recent Frontier report also highlights that consumer access to data is a longstanding issue that needs addressing:

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.¹³

Therefore, we ask the EA to look again at this issue of the ordinary consumer having direct access to readable data. It may be matter of providing clarification and/or more information. If the EA is relying on third-parties to do this work, then some further consultation with consumers groups seems appropriate. Especially as consumers, in the world of digitalisation, should have easy and direct access to their information to assess new products; in the same way retailers can aggregate data and create new business products from their customers data.¹⁴

Because of our concerns that consumers have direct access to readable data, we repeat our submissions that consumer testing of the CDR electronic system and the EIEP documents

¹⁰ See 11.32B, 11.32G EIPC; see also redrafts Appendix A *Improve Product Data Paper*.

¹¹ See in respect of banking regulations not in force, <https://www.legislation.govt.nz/act/public/2025/0014/latest/secondary.aspx?sds=aa&sdr=1&sda=1>. See commentary MinterEllisonRuddWatts, "The Customer and Product Data Act Comes into Force," 2 May 2025, <https://www.minterellison.co.nz/insights/the-customer-and-product-data-act-comes-into-force> Fees may be minimal, but they may also increase for associated services.

¹² UDL, *Evolving Multiple Retailing and Switching*, 29 July 2025, pg. 9.

¹³ Frontier Economics, *Review of Electricity Market Performance*, 23 May 2025, pg. 77.

¹⁴ See UDL, *Improving Electricity Billing in New Zealand*, 12 November 2025, pgs. 3-5; 11-12.

appears required.¹⁵ As the EA seeks to integrate the consumer viewpoint into its decision-making, it may need to have regular consumer testing of these types of work products.¹⁶

Conclusion

Thank you for the opportunity to comment on the *Improve Product Data Paper*. If you have any questions, please contact me at:

Paul Byers -Legal and Policy Officer | Pou Ture Me Nga Kaupapahere

¹⁵ See UDL, *Enabling Consumer Mobility by Improving Access to Electricity Product Data*, paras 24-27; and *Improving Electricity Billing in New Zealand*, para 18. See *Improve Product Data Paper*, paras 5.25 & 6.10.

¹⁶ See UDL, *Improving Electricity Billing in New Zealand*, para 18, fn. 21.