



EREGG Public Consultation on GGP for Retail Market Monitoring Evaluation of Responses

**Ref: E10-RMF-27-03a
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INFORMATION PAGE

Abstract

On 16 April 2010, CEER launched a public consultation on Draft Guidelines of Good Practice on Indicators for Retail Market Monitoring (Ref: E09-RMF-14-04). The draft GGP outlined a number of proposals which aim to provide Member States and national regulators with a framework for effective retail market monitoring, against the backdrop of the requirements of the European Commission's 3rd Energy Package.

This document accompanies the final GGP and provides the evaluation of responses to the public consultation on the Draft Guidelines of Good Practice on Indicators for Retail Market Monitoring which includes at Annex 3 a list of the respondents and an evaluation of the responses received.

Target audience

National Regulatory Authorities (NRAs), the Agency for the Cooperation of Energy Regulators (ACER), energy suppliers, traders, gas/electricity customers, gas/electricity industry, consumer representative groups, network operators, Member States, academics and other interested parties.

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Treatment of confidential responses

In the interest of transparency, ERGEG

- i) will list the names of all respondents (whether confidential or not) or, alternatively, make public the number (but not the names) of confidential responses received;
- ii) requests that any respondent requesting confidentiality submit those confidential aspects of their response in a “confidential appendix”. ERGEG will publish all parts of responses that are not marked confidential.

For further information on ERGEG's rules, see ERGEG Guidelines on Consultation Practices.

Related documents

CEER/EREG documents

- “EREG Public Consultation Paper on Draft Guidelines of Good Practice on Indicators for Retail Market Monitoring”, April 2010, Ref. E09-RMF-14-04 http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_CONSULT/CLOSED%20PUBLIC%20CONSULTATIONS/CUSTOMERS/GGP%20retail%20market%20monitoring/CD/E09-RMF-14-04_Draft%20GGP-IRMM_PC_16-Apr-10.pdf
- “EREG Final GGP on Customer Complaint Handling, Reporting and Classification Ref.E10-CEM-33-05,” 10 June 2010
http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_CONSULT/CLOSED%20PUBLIC%20CONSULTATIONS/CUSTOMERS/Customer%20Complaint%20Handling/CD/E10-CEM-33-05_GGP-ComplaintHandling_10-Jun-2010.pdf
- “National Reports 2009”, ERGEG
http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_PUBLICATIONS/NATIONAL_REPORTS/National%20Reporting%202009
- “EREG 2009 Status Review of the Liberalisation and Implementation of the Energy Regulatory Framework,” Ref. C09-URB-24-03, December 2009
http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_PUBLICATIONS/NATIONAL_REPORTS/National%20Reporting%202009/C09-URB-24-03_ReviewReport2009_10-Dec-09.pdf
- “CEER 4th Benchmarking Report on Quality of Electricity Supply 2008,” December 2008, Ref. C08-EQS-24-04
http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_PUBLICATIONS/CEER_EREG_PAPERS/Electricity/2009/C08-EQS-24-04_4th%20Benchmarking%20Report%20EQS_10-Dec-2008_re.pdf
- “EREG Status Review of End-User Price Regulation as of 1 July 2008,” March 2009, Ref. E08-CPR-21-05
http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_PUBLICATIONS/CEER_EREG_PAPERS/Customers/Tab/E08-CPR-21-05_End-UserPrices_11%20Mar%202009.pdf

External documents

- Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive

2003/54/EC.

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0055:0093:EN:PDF>

- Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators
<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0001:0014:EN:PDF>
- Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 4/50 concerning common rules for the internal market in gas and repealing Directive 2003/54/EC.
<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0094:0136:EN:PDF>
- Interpretative note on directive 2009/72/EC concerning common rules for the internal market in electricity and directive 2009/73/EC concerning common rules for the internal market in natural gas - the regulatory authorities, 22 January 2010
http://ec.europa.eu/energy/gas_electricity/interpretative_notes/doc/implementation_notes/2010_01_21_the_regulatory_authorities.pdf
- Interpretative note on directive 2009/72/EC concerning common rules for the internal market in electricity and directive 2009/73/EC concerning common rules for the internal market in natural gas - retail markets, 22 January 2010
http://ec.europa.eu/energy/gas_electricity/interpretative_notes/doc/implementation_notes/2010_01_21_retail_markets.pdf
- The Consumer Markets Scoreboard: 2nd edition, European Commission DG Health and Consumers, January 2009,
http://ec.europa.eu/consumers/strategy/docs/2nd_edition_scoreboard_en.pdf
- The Consumer Markets Scoreboard: Monitoring consumer outcomes in the Single Market, European Commission DG Health and Consumers, January 2008,
http://ec.europa.eu/consumers/strategy/sec_2008_87_en.pdf

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EXECUTIVE SUMMARY

ERGEG considers that following full market opening on 1 July 2007, it is important to monitor the development of the EU energy retail markets. Currently, indicators vary across countries and there is no comprehensive approach. Furthermore, the duty of National Regulatory Authorities (NRAs) to monitor the level and effectiveness of market opening and competition at wholesale and retail levels has been significantly strengthened by the 3rd Package¹.

In view of a need to develop national monitoring activities, ERGEG produced a Public Consultation paper on draft Guidelines of Good Practice (GGP) on indicators for retail market monitoring.

These GGP suggested 19 indicators in four related categories, as summarised in Table 1. The draft GGP was open to public consultation from April - June 2010 and the outcome of the consultation has been processed according to ERGEG public consultation procedures. This document presents ERGEG's evaluation of the responses received, which have been taken into account in the final GGP.

ERGEG finds, from the answers received, that there is support and understanding for retail market monitoring among the stakeholders. Furthermore, there is general support for the suggested set of indicators in relation to content and frequencies. ERGEG finds that out of the 28 stakeholders responding to the public consultation document, the vast majority believes that out of all the indicators, only *one* (retail margin) should be left out. Since the retail margin indicator seems to be very difficult to implement, ERGEG has decided to take that indicator out of the final set of suggested indicators.

¹ The 3rd Package proposals for the European Internal Market in Energy were finally adopted on 13 July 2009 and include 5 legislative acts, which can be viewed at: <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2009:211:SOM:EN:HTML>

In this report, where we refer to Articles in the 3rd Package in relation to gas, we are referring to Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas, and where we refer to Articles in the 3rd Package in relation to electricity, we are referring to Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity.

Background

ERGEG produced a Public Consultation paper on draft Guidelines of Good Practice (GGP) on indicators for retail market monitoring for three main reasons:

1. Full opening of the European energy markets took place in July 2007 and remains a recent event. Effective methods are needed for market monitoring to ensure that competition is developing for the future and providing desirable outcomes for consumers today.
2. National Regulatory Authorities' (NRAs') duties to monitor the retail market have been strengthened by the 3rd Package adopted by the European Council in 2009. Directives 72/2009 and 73/2009 require that the designated authority shall have the duty to monitor the level and effectiveness of retail market opening and competition at wholesale and retail levels (Article 37 (electricity) and Article 41 (gas)). As a result, ERGEG believes there is a need to develop GGP which support the implementation of new monitoring duties.
3. The Citizen's Energy Forum of 2009 called for ERGEG to develop indicators for the switching process and continue to monitor best practice.

ERGEG developed 19 indicators that were divided into four different areas; customer satisfaction, retail market outcomes, market structure and market condition and DSO services. These four areas describe the energy market.

Category	No.	Indicator / Measurement
Customer satisfaction	1	Customer complaint <i>Number of customer complaints by category</i>
	2	Customer enquiries <i>Number of customer enquiries by category</i>
	3	Customer information <i>Is there a reliable price comparison website available for customers?</i>
Retail market outcomes	4	End-user prices <i>End-user price for typical household customer</i>
	5	Retail margin <i>Retail margin for typical household customer</i>
	6	Price spread <i>Price spread on comparable products for typical household customer</i>
	7	Diversity of contracts (offers) <i>Number of current offers to typical household customer</i>
	8	Regulated end-user prices <i>Percentage of customers eligible to receive a regulated end-user price</i> <i>Percentage of eligible customers supplied under regulated end-</i>

Category	No.	Indicator / Measurement
		<i>user prices</i>
Market structure	9	Number of suppliers <i>Number of active suppliers that are selling electricity and/or gas to household customers across the same market</i>
	10	Market concentration <i>Market shares by consumption and/or number of customers</i>
	11	Branding <i>For DSOs that are part of a vertically-integrated undertaking, what percentage has separate branding from the supply branch?</i>
Market condition and DSO services	12	Switching rates <i>Number of switches for household customers as a percentage of customer numbers</i>
	13	Renegotiations <i>Number of renegotiated contracts for household customers</i>
	14	Delays in switching process <i>Number of delayed switches</i>
	15	Failure to fulfil the switch <i>Number of failures in relation to the total switching rate</i>
	16	Connections <i>Average time until connection</i>
	17	Repairs <i>Average time until repair</i>
	18	Disconnection rates <i>Relative number of disconnections</i>
19	Maintenance services <i>Is there a charge for execution of maintenance services? Average time taken for execution of maintenance services Average charge for execution of maintenance services</i>	

Table 1: Draft indicators for retail market monitoring, as in consultation document

Objective and purpose of this paper

On 16 April 2010, CEER launched a public consultation on Draft Guidelines of Good Practice on Indicators for Retail Market Monitoring (Ref: E09-RMF-14-04). The consultation ended on 16 June 2010. It presented the following questions:

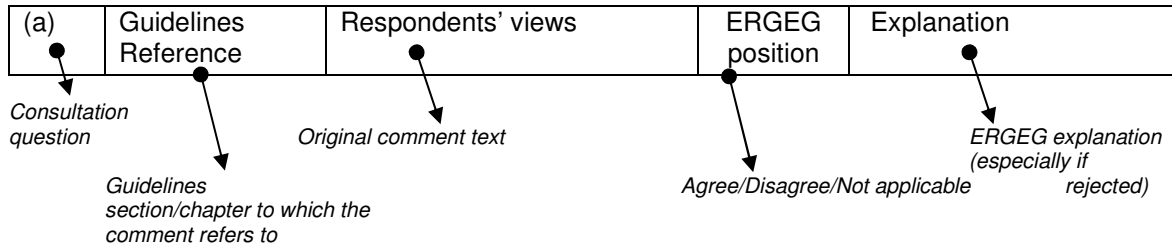
- (a) Should any indicators be left out of the final recommendations?
- (b) Are any indicators not present?
- (c) Should any indicators be measured differently?
- (d) In light of national circumstances, among other things, are suggested frequencies for collection appropriate and feasible?

(e) Is there any indicator for which the results should be published in a non-aggregated form?

28 responses were received from stakeholders. The purpose of this paper is to evaluate the comments received, and indicate where changes have been made to the Draft Guidelines. A list of the respondents and an evaluation of the responses is contained in Annex 2 of this document.

1 Analysis of responses

ERGEG has evaluated the responses provided in the public consultation, principally in terms of applicability and consistency. For each comment, the following evaluation template has been used:



Additionally, where comments were provided which were not attributed to a specific consultation question, ERGEG has used best judgement to suitably categorise these comments.

Comments with which ERGEG agrees are reflected in the Guidelines of Good Practice on Indicators for Retail Market Monitoring, E10-RMF-27-03.

2 Outcomes of the Public Consultation

2.1. Revised suggested indicators for retail market monitoring

EREG finds that out of the 28 stakeholders responding to the public consultation document, the vast majority believes that out of all the indicators, only *one* (retail margin) should be left out. Further EREG notes that many stakeholders suggested that some of the suggested indicators should be further elaborated so that more detailed levels should be monitored. Regarding the question on measurement of indicators, quite a few comments related to the level of detail for categories for complaints and enquiries. Furthermore it was highlighted that the *cause* for certain values received from measuring indicators, on price and switching for example, should be looked into at greater depth. Regarding the question on frequency of collecting the indicators, many stakeholders expressed that the frequencies suggested were sufficient. However, some commented that frequencies should be annual for all, more frequent than suggested for some and that half a year would be a sufficient timeframe for others.

Following full analysis and consideration of the consultation responses received, EREG's Final GGP recommends **18 indicators for retail market monitoring**, as summarised in Table 2.

Category	No.	Indicator	Frequency	Data Source
Customer satisfaction	1	Number of customer complaints by category	At least annually	Suppliers, DSOs and relevant 3 rd party bodies
	2	Number of customer enquiries	At least annually	Suppliers and/or DSOs and/or relevant 3 rd party bodies
	3	Is there a reliable price comparison website available for customers?	At least annually	Research
Retail market outcomes	4	End-user price for typical household customer	Quarterly, if feasible	Research / Suppliers
	5	Price spread on comparable products for typical household customer	At least annually	Research / suppliers
	6	Number of available contracts to typical household customer	At least annually	Research/suppliers
	7	Percentage of customers eligible to receive a regulated end-user price Percentage of eligible customers supplied under regulated end-user prices	At least annually	Research / suppliers
Market structure	8	Number of active suppliers that are selling electricity and/or gas to household customers across the same market	At least annually	NRA
	9	Market shares by number of customers and consumption	At least annually	Suppliers / DSOs
	10	What percentage of customers is served by a DSO that has separate branding from the supply branch of its vertically-integrated undertaking?	At least annually	Customer research

Category	No.	Indicator	Frequency	Data Source
Market condition and DSO services	11	Number of switches for household customers as a percentage of customer numbers	Quarterly, if feasible	Suppliers / DSOs
	12	Number of renegotiated contracts for household customers as a percentage of customer numbers	At least annually	Suppliers / DSOs / customer surveys
	13	Number of delayed switches	At least annually	DSOs
	14	Number of failures in relation to the total switching rate	Quarterly, if feasible	Suppliers / DSOs
	15	Average time between a connection being requested by a customer and completed	At least annually	DSOs
	16	Average time until repair	At least annually	DSOs
	17	Relative number of disconnections	At least annually	DSOs
	18	Is there a charge for execution of maintenance services? Average time taken for execution of maintenance services Average charge for execution of maintenance services	At least annually	Relevant maintenance providers

Table 2: ERGEG's recommended indicators for retail market monitoring

2.2. Considerations

ERGEG considers it important, in light of the responses received, that the following comments are taken into account when interpreting the GGP:

- Not all of the suggested indicators have been designed to make cross-country comparisons at this time. ERGEG considers that certain indicators could be further developed to enable cross-country comparison.
- ERGEG does not intend for the recommended indicators in the GGP to be a definitive and exhaustive list. The recommendations often indicate where other considerations could be taken into account, and wider data collection is encouraged if this would be valuable;
- Measurement of the indicators is also not intended to replace qualitative understanding of the market; and
- ERGEG does not intend that measurement of the indicators requires duplication of monitoring activities which are already performed – provided that the insights presently delivered are sufficient, and ultimately permit comprehensive monitoring.

2.3. Next steps

The outcomes of the public consultation responses will be reflected in the final Guidelines of Good Practice on Indicators for Retail Market Monitoring, E10-RMF-27-03, which is published alongside this document. The GGPs will provide an informed basis on which the development and functioning of retail energy markets can be evaluated and assessed. It should be noted that the focus is to monitor the processes in which a customer interacts with the energy markets. Thus the indicators cover not only areas of the competitive energy market but also those areas of the monopoly market where a customer interacts with a service provider.

Annex 3 – Evaluation of responses

Responses received

Responses were received from the following organisations:

Organisation	Abbreviated name
<u>European level:</u>	
BEUC, the European Consumers' Organisation	BEUC
Eurelectric	-
Eurogas	-
European Energy Ombudsman Group	EEOG
European federation of local energy companies	CEDEC
GEODE	GEODE
<u>National level:</u>	
AK Wien	AK
Bord Gais Energy	-
Bundesverband der Energie - und Wasserwirtschaft	BDEW
Bundesverband Neuer Energieanbieter	BNE
Consommation Logement et Cadre de Vie	CLCV
Consumer Focus	-
Czech Gas Union	-
EDF	EDF
EDF Energy	EDFE

Organisation	Abbreviated name
Edison	-
Electricite Reseau Distribution France	ERDF
Eni Gas and Power division	ENI
E.ON	-
Iberdrola	-
Le mediateur national de l'energie	MNE
Liander	-
Scarsi (Individual)	-
Scottish and Southern Energy	SSE
Swedenergy	-
The Association of Austrian Electricity Companies (Osterreichs Energie)	OE
Verband Kommunalen Unternehmen e.V.	VKU
Verbraucherzentrale Bundesverband e.V.	VZBV

Table 3: List of respondents to the public consultation, by category

Evaluation of responses

ERGEG finds that out of the 28 stakeholders responding to the public consultation document, the vast majority believes that out of all the indicators, only *one* (retail margin) should be left out. Further, ERGEG notes that many stakeholders suggested that some of the suggested indicators should be further elaborated so that more detailed levels should be monitored. Regarding the question on measurement of indicators, quite a few comments related to the level of detail for categories for complaints and enquiries. Furthermore it was highlighted that the *cause for* certain values received from measuring indicators, on price and switching for example, should be looked into at greater depth. Regarding the question on frequency of collecting the indicators, many stakeholders expressed that the frequencies suggested were sufficient. However some commented that frequencies should be annual for all, more frequent than suggested for some and that half a year would be a sufficient timeframe for others.

Consultation Question 1: Should any indicators be left out of the final recommendations?

Indicator No.	Respondents' views	ERGEG's position	Explanation
1	One respondent thought that measuring customer complaints separately from enquiries was unworkable due to the significant data requirements, and possible data protection issues.	Noted	ERGEG recognises that there will be quite a workload for stakeholders, initially, when setting up the necessary administrative procedures. ERGEG has consulted on the collection of customer complaints data as part of its work to produce Advice on Customer Complaint Handling, Reporting and Classification ² . Further, the review of current practice undertaken for the production of the draft GGP showed that collection of separate, and classified, customer complaint data – to a reasonable level of granularity and robustness, was workable.
2	Nine respondents thought that the customer enquiries indicator should be removed. Reasons cited included the cost and difficulty of data collection, and the fact that it is not required for collection by the 3 rd Package. 21 respondents did not express this concern.	Noted	ERGEG recognises that there will be a increased workload for stakeholders, initially, when setting up the necessary administrative procedures. ERGEG considers that concerns regarding the administrative burden can be addressed by adjusting the identified sources of data

² E10-CEM-33-05

Indicator No.	Respondents' views	ERGEG's position	Explanation
	However, there was also suggestion that it could be amended – by specifying the source of collection (not DSOs), and more clearly defining a 'customer enquiry'.		collection, and confirming that the classification of enquiries is suggested only.
3	Three respondents thought that the customer information should be removed. Reasons cited included that it is not required for collection by the 3 rd Package, and that internet use is not always widespread. Numerous suggestions were made for alternative methods of collection.	Agree	ERGEG recognises that concerns about a lack of widespread internet use are potentially valid. However, ERGEG finds that the suggested indicator would give insight and is feasible.
4	One respondent thought that the end user price indicator should be removed, because data is already published by Eurostat.	Disagree	<p>This represents a misunderstanding of the GGP – data already captured for Eurostat is included for completeness, and is not intended to suggest that work should be duplicated.</p> <p>Further, ERGEG considers that it is important for Member States to monitor end-user prices at a point in time, and over time, for the reasons set out in the GGP.</p>
5	Half of respondents thought that the typical retail margin for a supplier should not be measured. Concerns included the difficulty of reliably and accurately assessing the margin and the difficulty of interpreting results given that low margins are not necessarily a feature of effective competition. Further, one respondent suggested that this could be considered 'back-door' regulation. Another respondent pointed out that assessment of this indicator is not required under the 3 rd Package.	Agree	<p>ERGEG recognises the value of the retail margin indicator as a means of potentially assessing the strength of competition in the retail market. Comparing the retail margin between products can also support identification of where suppliers may be cross-subsidising activities.</p> <p>However following the Consultation, ERGEG is minded that currently identified methodologies often involve significant assumptions and as a result, calculation of the retail margin may not be sufficiently accurate to allow conclusions regarding the strength of competition to be drawn. Further, collection of the required data, and</p>

Indicator No.	Respondents' views	ERGEG's position	Explanation
			formulation of the assumptions, may be especially time consuming. As a result, ERGEG has decided not to recommend assessment of the retail margin as part of ongoing monitoring activities, though we recognise that individual NRAs may choose to collect this information – and that estimating retail margin could be a useful extension to the end-user price indicator.
6	One respondent thought that this indicator did not have a clear aim in mind.	Agree	ERGEG agrees that this needs to be clarified
7	Two respondents thought that the diversity of offers should not be monitored because monitoring is not required by the 3 rd Package, and the administrative burden can therefore not be justified.	Disagree	It is important to understand the diversity of products which the market is offering to consumers – the products on offer are a key market outcome. ERGEG also considers that the administrative burden of this indicator will be placed primarily on NRAs themselves, who, via ERGEG, support its inclusion.
8	One respondent thought that the percentage of customers eligible for/receiving regulated end-user prices should not be monitored because it is not required by the 3 rd Package. However numerous respondents expressed support for this indicator, believing that the existence of regulated end-user prices is a key reason for underdeveloped retail markets.	Disagree	ERGEG considers that monitoring not explicitly required by the 3 rd Package could still deliver valuable insights, as outlined in the GGP.
9	One respondent thought that the number of suppliers should not be monitored because it is not required by the 3 rd Package.	Disagree	
10	Two respondents thought that market concentration should not be included as an indicator because it (i) is	Disagree	

Indicator No.	Respondents' views	ERGEG's position	Explanation
	not required by the 3 rd Package and (ii) involves market sensitive data.		
11	Eight respondents thought that branding should not be monitored. Reasons presented included that since non-confusing branding is a requirement of the 3 rd Package, the indicator itself should be obsolete. Other respondents considered that it does not deliver insights into the competitiveness of the market. One respondent thought that this indicator should be removed until NRAs have fully researched and understood consumers' degree of knowledge of the activities of the companies, and so can put the results in context.	Noted	ERGEG considers that it would not be self-evident to NRAs that branding met the requirements of the 3 rd Package, and therefore even if implementation of the 3 rd Package resulted in improvements – these would have to be monitored.
12	Two respondents thought that this indicator was difficult to interpret alone, and noted that switching rates were the result of a variety of factors which did not always indicate the effectiveness of competition.	Agree	ERGEG agrees that none of the indicators can be adequately interpreted in isolation; however this is not sufficient reason for the removal of an indicator.
13	Six respondents thought that renegotiations should not be one of ERGEG's recommended indicators. Reasons cited included that renegotiations are not necessarily indicative of the existence of customer engagement and competition if you cannot separate renegotiations initiated by a customer and a supplier. One further respondent commented that the information gleaned from this indicator would be marginal. However some respondents felt that this indicator required clarification, rather than removal – see below.	Agree partly	ERGEG finds that a renegotiation, however initiated, shows customer activity. ERGEG considers that respondents' concerns can be addressed by clarifying the indicator, rather than through removal.
14	Five respondents thought that delays in switching	Noted	ERGEG considers that delays in switching will need to be

Indicator No.	Respondents' views	ERGEG's position	Explanation
	could be removed as an indicator – since it doesn't necessarily indicate that the market isn't working well. Several respondents highlighted that the cause of delays is important, rather than the number.		monitored following implementation of the 3 rd Package, and further, that if the results of this indicator provide an indication that there are many delays, it is then necessary to consider the cause. However, monitoring the number of delays is a sufficient filter in the first instance.
15	Seven respondents thought that failures to switch should be removed as an indicator. The reasons cited included that such failures could only be the result of genuine mistakes, rather than any systematic malfunctioning in the market. Others argued that this indicator is already captured as a category of complaints data, and further that without reasons the data is open to misinterpretation.	Noted	It is ERGEG's opinion that failures to fulfil the switch, if monitored both as a rate and with reasons, is a useful indication of whether and why an interface with the customer (i.e. the switching process) is failing – and this is not captured through complaints data. ERGEG is also mindful that one of the aims of the GGP is to put forward indicators on switching, as requested at the Citizens' Energy Forum in 2009.
16	Six respondents thought that connection times should not be included as an indicator in the GGP. Of these, the majority gave the reason that it is not relevant to monitoring retail market functioning and is already covered under DSO/DNO quality of service monitoring.	Noted	ERGEG's intention is to produce a comprehensive GGP which encourages wide monitoring activities and supports the fulfilment of the monitoring duties set out in the 3 rd Package. While these are not retail indicators in a direct sense, they may well have an impact on consumers' perception, and experience, of market functioning.
17	Six respondents thought that repair times should not be included as an indicator in the GGP. The reasons given were the same as for exclusion of indicator 16 – i.e. that this indicator does not deliver insights into retail market functioning. One respondent thought that this indicator was actually an insight into the organisational skills of the particular DNO, rather than the health of the market.	Noted	Where indicators are currently monitored for other purposes (e.g. in the case of some DSO reporting for quality of service obligations) they can be considered alongside other indicators more usually considered for retail market monitoring in order to deliver multi-dimensional insights.
18	Six respondents thought that disconnection rates should not be included in the GGP. The reasons given were the same as above.	Noted	
19	Six respondents thought that maintenance services	Noted	ERGEG plans to address concerns about duplication, and to strengthen the arguments for inclusion of indicators 16-

Indicator No.	Respondents' views	ERGEG's position	Explanation
	should not be included in the GGP. The reasons given were broadly the same as above. One respondent thought it wasn't clear what 'maintenance services' referred to.		19 in the text.

Consultation Question 2: Should any indicators be added?

Category	Respondents' views	ERGEG's position	Explanation
Customer satisfaction	<p>While there was broad support for the focus on indicators which related to customers' experience, some respondents felt that customer satisfaction could be better measured. Suggestions were:</p> <ul style="list-style-type: none"> (i) Rate of answers to customer complaints (ii) Time of treatment of a complaint (iii) Customer satisfaction surveys (iv) Existence or not of a code for supplier behaviour (v) Presence of ecological indicators/ supply of energy (fuel mix) information (vi) Availability of information about the complaint process (vii) Presence of reliable price comparison information (viii) Is there free information on consumer 	Noted	<p>ERGEG considers the suggestions, in general, to be useful but feels they are quite detailed sub-indicators that might be encompassed by the suggested ones. ERGEG encourages NRAs and ACER to do more in depth studies on each of the indicators suggested but does not consider this level of detail feasible at this point.</p> <p>ERGEG wishes to comment on each of the suggestions as follows:</p> <ul style="list-style-type: none"> (i) and (ii) add administrative burden without a clear justification (iii) is already suggested in the report as an additional means of gathering insights, but that regular use could be costly (iv) Does not indicate whether or not the code is successfully improving market functioning (v) Assumes that these present value to all consumers (vi) Is important, but indicators about complaints numbers and categories (indicator one) can also help us

Category	Respondents' views	ERGEG's position	Explanation
	<p>rights?</p> <p>(ix) Is there separate information related to DSO and supplier processes and own duties?</p> <p>(x) Are there well-functioning and cost-effective dispute tools organised by suppliers?</p> <p>(xi) Are customer education initiatives being taken forward?</p> <p>(xii) What are the outstanding payment intervention demands made by suppliers as a percentage of their customers?</p>		<p>gain overlapping insight</p> <p>(vii) Is captured in indicator three</p> <p>(viii) Does not indicate whether or not this is leading to improved market functioning</p> <p>(ix) This information has to be provided to consumers according to Article 45 (ED) of the 3rd Package, so monitoring its provision would not deliver extra insight into market functioning</p> <p>(x) The existence of such tools does not deliver significant insight into market functioning</p> <p>(xi) These initiatives are valuable, but their success, rather than their existence, is important for market functioning</p> <p>(xii) There are many causes of late payment – this is a very indirect indicator of customer satisfaction</p> <p>Further, ERGEG recognises that some of these indicators (e.g. (i), (vi), (viii), (ix) and (x) relate to duties (not monitoring duties) which arise in the 3rd Package. For example, Art. 3 (9)(a)(ED) requires that electricity suppliers provide information to consumers concerning the rights and means of dispute settlement – this relates to (vi) and (x). How these will be met is therefore a matter for national implementation. The GGP are not intended as a means of monitoring compliance with the 3rd Package.</p>
Retail market outcomes	One respondent suggested that unfair contract conditions for vulnerable customers should be monitored.	Noted	While individual NRAs may wish to monitor this in a qualitative way, ERGEG does not consider that this is a quantitative indicator of retail market functioning.
Market	Two respondents had some considerations for the assessment of market share. One argued that Member	Agree (partly)	ERGEG agrees that market shares should be considered according to the market structure which exists in the

Category	Respondents' views	ERGEG's position	Explanation
structure	<p>States should consider market fragmentation in their Member State – and the other argued a related point – that assessments of market share should be assessed for different market segments.</p> <p>One respondent argued that insufficient unbundling of DSOs should also be assessed (and that this was not captured under indicator 11). In addition, it was suggested that competition in the metering market should be assessed.</p> <p>Several respondents also suggested the following (related) indicators:</p> <ul style="list-style-type: none"> (i) Barriers to entry (ii) Liquidity in the wholesale market, (One respondent suggested monitoring hourly concentration indices). <p>Finally, two respondents argued that the indicators to capture market structure do not give an adequate insight into possible strategic interaction between the players. One suggested that the frequency and size of price changes could be monitored.</p>		<p>individual Member State. For example, if the market is regionally fragmented – this should be taken into account.</p> <p>ERGEG agrees that unbundling should be specifically monitored – this does have broad application across Member States but is not a focus of this paper. ERGEG recognises that national metering responsibilities vary according to different market designs, but ERGEG does not have an opinion on this.</p> <p>ERGEG agrees that poor liquidity in the wholesale market can affect the ability for small suppliers to enter the retail market and can affect the effective functioning of competition in the retail market. ERGEG recognises the relationship between wholesale and retail prices. ERGEG also agrees that other barriers to entry (e.g. regulatory requirements) can affect competition in the retail market. However ERGEG suggests that these are considerations to be measured in the event that the market concentration indicators reflect high concentration, and other indicators suggest that this is leading to poor market functioning.</p> <p>ERGEG agrees that strategic interaction between players is an important determinant of market outcomes which may not be fully captured by considering only the static market structure. However ERGEG considers that this should form part of an ongoing qualitative assessment and narrative of the market, the importance of which has been</p>

Category	Respondents' views	ERGEG's position	Explanation
			strengthened in the text.
Market Condition and DSO Services	<p>Several respondents suggested that indicator eleven (switching levels) should be further developed; given it is a key indicator of consumer engagement with the retail market. The suggestions received were:</p> <ul style="list-style-type: none"> (i) Number of customers that switch as a result of door-to-door sales / Indicator to capture the quality of switching (ii) Percentage of consumers who have never switched (iii) Percentage of consumers who have switched more than once (iv) Length of time of disconnection (v) Technical errors in switching (vi) Constraints on switching 	Agree (except vi)	<p>(i-iv) ERGEG agrees that the quality of switching decisions, and the number of customers who have ever/never switched (plus further factors such as the length of time of disconnections) could be periodically assessed as part of any deeper market investigation, and this suggestion is reflected in the text.</p> <p>(v-vi) ERGEG considers these indicators are already captured in the present text (indicators 13 and 14).</p> <p>(vii) ERGEG agrees that broadly considering market outcomes is important – and further, ERGEG considers that smart meters have the ability to positively affect consumers' engagement with the market and ultimate outcomes. ERGEG considers that smart meters facilitate improved market outcomes (e.g. through enhanced consumer engagement) but their penetration is not in itself evidence of the well-functioning of the market.</p>
	<p>Further, one respondent suggested the following indicator, and another respondent expressed general support for including indicators which evaluate the changes brought about by smart metering systems.</p> <ul style="list-style-type: none"> (vii) Number of smart meters installed <p>Finally, several respondents suggested new indicators to capture the quality of DSO services:</p> <ul style="list-style-type: none"> (viii) Do quality of service schemes exist, and 		Agree (except viii)

Category	Respondents' views	ERGEG's position	Explanation
	<p>are consumers aware of them?</p> <p>(ix) Number of annual appointments planned and respected</p> <p>(x) Number of requests for interventions, connections and repairs</p> <p>(xi) Number of power failures</p> <p>(xii) Average time to meet supplier and client requests</p> <p>(xiii) Number of compensated customers</p> <p>(xiv) Number of customers in debt to their supplier / average debt and debt ratios</p>		<p>(xiv) ERGEG considers that these are important considerations in order to better capture actual consumer outcomes – however ERGEG does not consider that debt levels are the result of numerous factors, and are an indirect means of assessing energy retail market outcomes.</p>

Consultation Question 3: Should any indicators be measured differently?

Indicator	Respondents' views	ERGEG's position	Explanation
1	<p>There was disagreement among respondents about which bodies should be the source of this data, and which were the more reliable sources. One suggested that the data collected from different sources (e.g. suppliers and third parties) should be analysed separately.</p> <p>Further, several respondents expressed concern that the suggested complaints classification was unduly onerous and difficult to apply.</p> <p>Finally, several respondents highlighted the value of considering the results of customer survey work.</p> <p>One respondent commented on the importance of categories, given the unequal nature of complaints (e.g. disconnection vs. inaccurate billing).</p> <p>One respondent also commented that complaints should be separated by geographic area.</p>	<p>Agree</p> <p>Noted</p> <p>Agree (already reflected in GGP)</p> <p>Agree</p>	<p>Following the overview of current practice carried out prior to producing the draft GGP, ERGEG believes that considering data from a range of sources offers necessary flexibility. ERGEG agrees that the source should be specified, but it does not intend to limit the possible range of sources.</p> <p>ERGEG considers that comments on the complaints classification framework have been fully assessed as part of ERGEG's consultation on the Draft Guidelines for Customer Complaint Handling and Classification and as such will not be considered further here.</p> <p>ERGEG maintains that in-depth customer survey and focus group work can deliver valuable insights and should be considered on an ad-hoc basis but is too costly and potentially wide-ranging for inclusion in the GGP.</p> <p>ERGEG believes that the current categories enable this delineation.</p>

Indicator	Respondents' views	ERGEG's position	Explanation
		Noted	ERGEG agrees that additional granularity on complaints data is valuable, but considers that this could represent an undue administrative burden if it was the basis of a general recommendation. This could be part of the suggested in depth surveys that ERGEG suggests in relation to this indicator.
2	<p>Two respondents expressed concern that applying a classification system to customer enquiries could be unduly onerous and would not deliver useful insights. One respondent suggested that a flexible classification system would allow for better evaluation of the links between enquiries/complaints and problems with the functioning of the market.</p> <p>Two respondents suggested that third party bodies (e.g. the 'point of contact' for consumers required by the 3rd Package) were the appropriate source for this indicator, not DSOs or suppliers.</p> <p>One respondent suggested that this indicator should be considered in relation to the total number of customers.</p>	<p>Agree</p> <p>Not applicable</p> <p>Agree</p>	<p>ERGEG considers that allowing flexible classification systems is one way in which the administrative burden of the GGP can be reduced, without unduly compromising on the insights the GGP will deliver.</p> <p>Following the overview of current practice carried out prior to producing the draft GGP, ERGEG considers that considering data from a range of sources offers necessary flexibility to monitoring activities. ERGEG agrees that the source should be specified, but it does not intend to limit the possible range of sources.</p>
3	Ten respondents had comments on the measurement of this indicator. These fell into two broad categories:	Agree	

Indicator	Respondents' views	ERGEG's position	Explanation
	<ul style="list-style-type: none">(i) Price should not be the only information on offers provided to consumers(ii) It is important that any comparison website is truly reliable – this should be defined <p>One respondent highlighted that this indicator did not take into account the 'digital divide' – not all consumers will have access to the internet.</p>		
4	<p>One respondent commented that end-user prices should be considered inclusive of VAT.</p> <p>Four respondents highlighted that data on end-user prices is already collected by Eurostat, and expressed concern that data collection efforts would be duplicated. However several others commented that further analysis on end-user prices should be carried out, taking into account the range of contracts on offer and the limitations of an 'average price'.</p> <p>One respondent commented that end-user prices should be calculated for different payment types and usage categories. A further respondent requested that this indicator was calculated separately for vulnerable and low-income consumers.</p> <p>One respondent commented that end-user prices need to be broken down as far as possible in order to</p>	<p>Disagree</p> <p>Agree</p> <p>Agree</p>	<p>ERGEG believes that considering the price without VAT is more insightful.</p> <p>It was never ERGEG's intention to encourage duplicated effort where this does not deliver additional insights.</p> <p>ERGEG agrees that the calculation of end-user prices for specific customer groups (e.g. vulnerable customers) can be insightful. However ERGEG believes that this could be captured as an extension of the calculation of end-user price, at the discretion of each NRA.</p>

Indicator	Respondents' views	ERGEG's position	Explanation
	allow meaningful comparison across Member States.	Agree	ERGEG agrees that any comparisons drawn should be as accurate as possible. However the indicators suggested by the GGP are not designed for cross-country comparisons, though ERGEG recognises that in some instances (including indicator four) they may currently be used for this purpose.
5	<p>One respondent considered that efficiency could be better measured using a benchmarking approach.</p> <p>One respondent commented that retail margin should be calculated for different products, in order to assess cross subsidies.</p>	Disagree	<p>Benchmarking requires that price and cost data are both available, and comparable. The availability of this data is likely to vary significantly between Member States. Further, it is difficult to know what the benchmark would be applied to in order to deliver valid insights. Applying within-country benchmarking would lead to poor insights into efficiency if the sample group was small and all parties exhibited low efficiency. However applying an international benchmark requires that different regulatory regimes and national circumstances are accounted for.</p> <p>ERGEG does not agree, in light of the number of responses in favour of the removal of this indicator, that it should be recommended to be calculated for different products.</p>
6	Several respondents highlighted concerns with the comparability of products used to calculate price spreads.	Agree	It was ERGEG's opinion that insights can be delivered through comparing different products that are nonetheless 'comparable' - e.g. different payment methods for the same contract. 'Comparable' in this sense does not always mean 'the same'. Comparing prices for 'the same' and 'comparable' products offers two different types of insight. The first arguably indicates the strength of competition, and the second allows outcomes for different types of

Indicator	Respondents' views	ERGEG's position	Explanation
	<p>One respondent expressed concern that benchmarking price spreads would present a risk to product design innovation.</p> <p>One respondent commented that this indicator should include price spreads for high and low consuming users.</p>	<p>Not applicable</p> <p>Not applicable</p>	<p>customer to be monitored. However ERGEG agrees that suggesting calculation of price spreads between the same and different contracts may cause confusion in the GGP. ERGEG has therefore refined this indicator to require at least calculation of a price spread on comparable products, though it recognises that individual Regulators may choose to calculate prices for different types of contract.</p> <p>The GGP does not require that price spreads are benchmarked.</p> <p>ERGEG considers that consumption level can be reflected in the definition of a typical household.</p>
7	<p>Several respondents requested greater clarity on what constitutes a 'different contract'.</p> <p>One respondent highlighted that the diversity of contracts should be considered with specific reference to vulnerable consumers.</p> <p>A further respondent recommended that this indicator is considered alongside a qualitative narrative of the types of contract available.</p>	<p>Agree</p>	<p>ERGEG will clarify the indicator in the GGPs.</p>
8	<p>Three respondents argued that the end-user price regulation indicator should also take indirect regulation into account – i.e. where the NRA</p>	<p>Disagree</p>	<p>ERGEG does not consider that the presence of social tariffs, or other indirectly regulated tariffs designed to ensure better outcomes for specific consumer groups, is</p>

Indicator	Respondents' views	ERGEG's position	Explanation
	<p>influences product design (for example through social tariffs).</p> <p>A further respondent believed it was important to distinguish regulated prices required for public service obligation needs.</p> <p>Finally, one respondent commented on the positive role that end-user prices can play in ensuring that vulnerable customers are adequately protected. A further respondent requested that this indicator is calculated separately for vulnerable and low-income customers.</p>	<p>Agree</p> <p>Noted</p>	<p>likely to have the same damaging effect on competition that end-user price regulation has. Monitoring indirectly regulated tariffs would also impose a significant administrative burden and data would not be readily available.</p> <p>ERGEG will clarify this in the GGPs.</p> <p>The main reason for collecting this indicator is to ascertain the extent to which the existence of regulated prices may be distorting the competitive market – the outcomes for vulnerable groups can be assessed in depth separately, e.g. as an extension of the price spread indicator, or following wider monitoring activities.</p>
9	<p>Several respondents echoed the requirement of the GGP that this indicator considers active suppliers only.</p> <p>Several respondents suggested that the customer numbers of the suppliers should also be considered.</p> <p>One respondent suggested that parent companies should be traced, and a further respondent suggested that whether the supplier is vertically integrated should be considered.</p>	<p>Agree</p> <p>Agree</p> <p>Agree</p>	<p>Already reflected in the text.</p> <p>Captured by the market shares by number of customers and consumption indicator.</p> <p>ERGEG agrees with the relevance of looking at the relationship of suppliers and the vertically integrated company. However this could be considered to be used at</p>

Indicator	Respondents' views	ERGEG's position	Explanation
			a secondary level when monitoring this indicator.
10	There was some disagreement about the level at which market concentration should be captured (i.e. regional, national or by EU region).	Noted	<p>ERGEG agrees that some clarification in the text may be required to highlight the intention that market share is calculated for the relevant market.</p> <p>Further, ERGEG will clarify in the text that these indicators are not designed for cross-country comparisons, whilst recognising that some are currently used for this purpose.</p>
11	<p>Three respondents believe that this indicator should capture 'customer confusion' rather than if there is separate branding, in order to better meet the requirements of the 3rd Package.</p> <p>One respondent thought that this indicator did not sufficiently capture the importance of DSO unbundling.</p> <p>One respondent thought it could be worth collating information on the number of households served by a DSO owned by transmission operators.</p>	<p>Noted</p> <p>Disagree</p> <p>Not applicable</p>	<p>ERGEG is of the opinion that capturing customer 'confusion' is highly subjective, and that the suggested indicator allows confusion to be interpreted from more objective original data – i.e. whether consumers can distinguish between the branding.</p> <p>This is not the intention of the indicator, which is to address a specific 3rd Package requirement.</p> <p>ERGEG does not consider that this measurement would have a clear link to the requirements of the 3rd Package.</p>
12	Several respondents felt that a clearer definition of 'switching' is necessary. To this end, one respondent highlighted that a customer moving house should not be considered a switch.	Agree	ERGEG agrees that the definition of switching should be clear – however it recognises that some suppliers may have difficulty distinguishing customers' moving house and incidentally changing supplier, from customers who actively engage in the market. ERGEG therefore suggests that such a distinction is drawn, subject to systems capabilities.

Indicator	Respondents' views	ERGEG's position	Explanation
13	<p>One respondent highlighted that this indicator should be considered as a percentage of the total number of customers.</p> <p>Several respondents requested that 'renegotiations' were better defined.</p>	Agree	
14	<p>Several respondents requested that a 'delay in switching' is more precisely defined.</p> <p>One respondent suggested that reasons behind the delay are taken into account.</p>	<p>Agree</p> <p>Agree</p>	<p>ERGEG considers that the definition of the three-week switching period will be nationally defined according to each Member State's implementation of the 3rd Package.</p> <p>ERGEG agrees that the reasons for delays are very important and encourages in depth surveys to this end.</p>
15	<p>One respondent suggested that this indicator is captured in terms of the total number of switches.</p> <p>Two respondents presented conflicting views on cataloguing the reasons the switch failed – one felt this was important and the other believed it wouldn't be possible.</p>	Agree	This is already reflected in the text (number of failures in relation to the total switching rate delivers the same insight).
16	<p>Two respondents requested greater clarity on how this should be measured – e.g. start and end points, and whether measurement would be in working days.</p> <p>One respondent highlighted the possibility that results could be distorted by those close to existing</p>	<p>Agree</p> <p>Not applicable</p>	

Indicator	Respondents' views	ERGEG's position	Explanation
	networks.		
17	<p>One respondent felt that this indicator should be considered following publication of CEER's 4th Benchmarking Report on Quality of Electricity Supply. The same respondent suggested measurement in hours.</p> <p>One respondent felt that it was important to collect the nature of the fault.</p> <p>Several respondents believed that SAIDI or CAIFI indexes could provide better insights.</p>	<p>Not applicable</p> <p>Agree</p> <p>Agree</p>	<p>ERGEG believes that this information is captured by suggestions for the indicator regarding relative number of disconnections.</p> <p>ERGEG considers that this indicator could be collected alongside SAIDI and CAIFI indices in Member States where these are collected.</p>
18	<p>One respondent highlighted that where this indicator is already collected by another body, no additional burden should be introduced for the NRA.</p> <p>A further respondent highlighted that disconnection and interruption have different causes and should be considered separately.</p> <p>One respondent highlighted that this indicator should be captured for vulnerable and non-vulnerable customers.</p>	<p>Disagree</p> <p>Agree</p> <p>Disagree</p>	<p>This indicator is derived from monitoring requirements in the 3rd Package, therefore it is important that the NRA has access to the data, even if it is already collected by another body.</p> <p>ERGEG considers that, while this level of granularity would be helpful in enabling Regulators to better monitor outcomes for vulnerable consumers – it considers that the administrative burden of this classification could be significant. As a result, while this will not be recommended</p>

Indicator	Respondents' views	ERGEG's position	Explanation
			in the GGP, Regulators could aim to assess this (e.g. via survey work) on an ad hoc basis.
19	<p>One respondent believed that SAIDI or CAIFI indexes could provide better insights.</p> <p>A further respondent highlighted that a distinction should be made between gas and electricity.</p>	<p>Noted</p> <p>Agree</p>	<p>ERGEG considers that this indicator could be collected alongside SAIDI and CAIFI indices in Member States where these are collected.</p> <p>ERGEG notes that this is reflected in the text.</p>

Consultation Question 4: In light of national circumstances, among other things, are suggested frequencies for data collection appropriate and feasible?

Indicator	Respondents' views	ERGEG's position	Explanation
All	<p>Several respondents expressed support for the frequencies of collection suggested, and believed that all timeframes were appropriate and feasible. However the same number of respondents felt that annual collection was sufficient for all indicators.</p> <p>Two respondents expressed the view that frequencies should be at the discretion of individual Member States in order to best suit varying circumstances.</p> <p>Respondents also had specific comments on frequency for some of the indicators, as detailed below. Taken as a whole, these seem to express a general preference for annual collection of the majority of indicators.</p>	Not applicable	
3	One respondent believed that customer information (as measured by the availability of reliable price comparison sites) should be measured in real time.	Disagree	ERGEG believes that real-time monitoring would be time consuming, and unnecessary given the expected low frequency of change for this indicator.
4	One respondent expressed concern at the high workload required for quarterly collection, and another suggested twice per year (to be aligned with Eurostat's collection) plus ad-hoc monitoring as prices change.	Noted	ERGEG believes monitoring end-user prices quarterly is more insightful, though the final recommendations will suggest that annual collection is the backstop frequency, to allow for national circumstances which may inhibit more frequent monitoring.
5	One respondent suggested collection two to three times per year, based on experience in a particular Member State. Another believed quarterly collection	Noted	ERGEG appreciates this indicator is potentially difficult to measure – so does not believe that suggesting greater frequencies of calculation reflects an

Indicator	Respondents' views	ERGEG's position	Explanation
	would be useful for comparability.		appropriate balance of insights and administrative burden.
7	One respondent suggested that frequency should be no greater than 2-3 times per year to limit costs.	Agree	Reflects draft recommendation.
10	Two respondents highlighted that annual collection was sufficient.	Agree	Reflects draft recommendation.
12	Three respondents highlighted that annual collection was sufficient.	Noted	ERGEG considers that this is a key indicator, and that rates vary at different times of year, or in response to specific events (e.g. price changes). While ERGEG's recommendation is to monitor this as feasible, quarterly collection seems appropriate.
14	Three respondents highlighted that annual collection was sufficient.	Noted	ERGEG believes that quarterly monitoring (especially given recommended quarterly monitoring of switching rates) would be more insightful and would allow for any concerns to be raised more quickly, and assessed in the context of the quarterly switching rate. However ERGEG recommends that this is a long term goal.
17 - 19	One respondent highlighted that annual collection was sufficient.	Agree	Reflects draft recommendation.

Consultation Question 5: Is there any indicator for which the results should be published in an un-aggregated form, thus naming the individual energy company?

Indicator	Respondents' views	ERGEG's position	Explanation
All	<p>Nine respondents expressed support for aggregated data only – with concerns expressed about the market sensitivity of certain information, and the potential incentive that non-aggregated publication could give companies to manipulate their statistics.</p> <p>However, one respondent did express support for 'naming and shaming' where the issues concerned company performance.</p> <p>Respondents also had comments on specific indicators, as detailed below.</p>	Noted	<p>ERGEG does not believe that there has been sufficient positive response to the question to support a recommendation that indicators are published in an un-aggregated form. However, ERGEG recognises that more granular data may be published, if this is considered to be valuable and further is within the terms of the agreement under which it was collected.</p>
1	Two respondents believe that this indicator should be published for each supplier.	Noted	
4-6	One respondent considered that these indicators should be published on a non-aggregated basis.	Noted	
9-18			

General Comments

Indicator	Respondents' views	ERGEG's position	Explanation
All	Several respondents highlighted the importance of not using the indicators as a means of comparison between Member States, given different national circumstances.	Agree	Not all of the suggested indicators have been designed to make cross-country comparisons at this time. ERGEG considers that certain indicators could be further developed to enable cross-country comparison.
All	Several respondents stressed the need to ensure that ERGEG's recommendations ensured that the insights delivered by each indicator were balanced against the administrative costs of measurement.	Agree	This was a key consideration for ERGEG when developing the draft recommendations.
All	Several respondents felt that the GGP should not recommend collection of any indicators which do not have a firm foundation in the 3 rd Package.	Disagree	The aim of the GGP is to provide a comprehensive basis for assessment of market functioning, and ERGEG considers that its focus should therefore be broad, provided that its recommendations are not unduly onerous.
All	Several respondents requested that measurement of indicators was, as far as possible, aligned with current practice and/or based on already existing data.	Noted	It was never ERGEG's intention to recommend that efforts of data collection and monitoring are duplicated, and the methods of collection are intended to allow flexibility to accommodate current practice – provided that this delivers the same degree of insight.
All	<p>A couple of respondents highlighted the importance of NRAs considering links between indicators.</p> <p>One respondent highlighted the difficulty of interpreting the outcome of any indicator, given the links between market participants (e.g. DSOs and suppliers).</p>	Agree	ERGEG strongly agrees that no indicator should be considered in isolation, and has suggested possible 'connected' indicators to consider in many cases.
All	Several respondents were concerned that the scope of the indicators was unclear.	Noted	Given that, unless specified otherwise, the indicators are not being suggested as a means of making cross-country

Indicator	Respondents' views	ERGEG's position	Explanation
			comparisons, it is not necessary to define scope beyond the current specification – that the indicators apply to those customers nationally deemed to be protected under Annex 1 (and Article 3) of the 3 rd Package.
All	One respondent highlighted that NRAs may find additional indicators (or periodic in-depth market reviews) insightful, and should not be limited to collection of the recommended indicators in the GGP.	Agree	This is reflected in the draft GGP.
All	One Respondent requested that the indicators are also monitored for district heating.	Not applicable	District heating falls outside of ERGEG's scope.

Annex 1 – CEER and ERGEG

The Council of European Energy Regulators (CEER) is a not-for-profit association in which Europe's independent national regulators of electricity and gas voluntarily cooperate to protect consumers' interests and to facilitate the creation of a single, competitive, efficient and sustainable internal market for gas and electricity in Europe. CEER acts as a preparatory body for the European Regulators' Group for Electricity and Gas (ERGEG).

ERGEG is the European Commission's formal advisory group of energy regulators. ERGEG was established by the European Commission, in November 2003, to assist the Commission in creating a single EU market for electricity and gas. ERGEG's members are the heads of the national energy regulatory authorities in the 27 EU Member States.

The work of CEER and ERGEG is structured according to a number of working groups, composed of staff members of the national energy regulatory authorities. These working groups deal with different topics, according to their members' fields of expertise.

This report was prepared by the Retail Market Functioning Task Force of the Customer Working Group.

Annex 2 – List of abbreviations

Term	Definition
ACER	Agency for the Cooperation of Energy Regulators (the Agency)
CAIFI	Customer Average Interruption Frequency Index
CEER	Council of European Energy Regulators
CR	Concentration Ratio
DG	Directorate General (of the European Commission)
DSO	Distribution System Operator
ERGEG	European Regulators' Group for Electricity and Gas
GGP	Guidelines of Good Practice
HHI	Herfindahl-Hirschman Index
MS	Market Share
N	No
NRA	National Regulatory Authority
SAIDI	System Average Interruption Duration Index
Y	Yes