

9th meeting of the Citizens' Energy Forum

London, 30-31 May 2017

Conclusions

1. The Clean Energy for all Europeans Package

The Forum:

- Supports to a very large extent the European Commission's future-oriented retail market proposals and the comprehensive chapter dedicated to consumer empowerment and engagement in the 'Clean Energy for All Europeans' Package.
- Recognises that the proposals resonate with a number of recommendations made by this Forum in previous years, notably regarding barriers to market entry, ensuring more choice and better information and strengthened protection for consumers, including the possibility for vulnerable consumers and the energy poor to get involved in the energy market.

2. Encouraging active consumers

On empowering consumers to make better choices in the market the Forum:

- Recognises the impact of market design on the way consumers exercise their rights and the need to create inclusive retail energy markets that provide benefits to all consumers, including non-active ones.
- Emphasises that easy to understand, comparable and transparent information – through essential information on bills, improved pre-contractual and contractual information, and free of charge access to a reliable comparison tool that is certified – is key to consumer engagement.
- Calls on Member States to ensure that switching processes are easier, shorter (aiming towards switching within 24 hours by 2025) and smoother and that the provisions on contract termination fees provide adequate clarity on when such fees are justified.
- Calls for strong provisions on bundled offers and on regulators to monitor the development of those offers, inter alia to ensure that they do not represent a barrier to switching.
- Invites Member States to ensure that Obligation Schemes and Alternative Measures under the Energy Efficiency Directive improve the housing stock of all consumers and especially the energy-poor. Recognises the need to have a more energy efficient building stock, including energy use at home, to have innovative financing and to remove legal obstacles to renovation of older building stock, and consider measures to drive behavioural change among consumers including through the availability of energy advice.
- Welcomes the establishment of an EU Energy Poverty Observatory to guide Member States' reporting on energy poverty incidence and measures, and invites them to share information on best practices.

On the role of the new energy technologies and data management for the consumers the Forum:

- Recalls the benefits of smart meters for switching, precise and fast billing, data portability, dynamic price contracts and energy services, enabling better network management and fault detection.

- Supports the Commission's proposal that consumers should be able to access and control their data free of charge near real time, requests that data management procedures provide consumers with an oversight of who uses their data and calls for clarity on the responsibilities of National Regulatory Authorities and data protection authorities to enforce this in a consistent way.
- Recalls that principles of privacy by design and by default, avoidance of customer lock-in and priority for aggregated over individual data should be applied in the smart energy system.
- Calls for the creation of an accessible, usable and interoperable data ecosystem with the aim to allow all eligible market actors to have non-discriminatory and transparent access to data according to their specific role and purpose. Emphasises that the goal must be to create value for consumers, to lower energy system costs and to better inform public policy making.
- Calls for information to consumers about what switching to dynamic price contracts entails, in order for them to decide if it suits their needs and enable them to save on their energy bills.
- Underlines the importance of efficient data management and transparent procedures and rights for access to data, which is well reflected by proposals on interoperability in the Clean Energy Package.

On engaging consumers in demand response, smart-consumption and self-generation through new products and services the Forum:

- Shares the Commission's ambitious proposals to create a level playing field for self-generation, self-consumption, storage and sale of electricity by removing administrative and market barriers to active consumers and to incentivise the use of demand side flexibility without penalising non-engaged users.
- Supports the proposed right of consumers to request a smart meter and a dynamic price contract under the Clean Energy Package, which will link retail and wholesale market prices, improve price signals and enable consumers to respond to them, and enable new business models to develop. Stresses the importance of clarity, simplicity and automation to make participation in demand response easy for consumers.
- Calls on the appropriate national authorities to update the regulatory frameworks to keep pace with technological changes in the market and to ensure a fair and cost-reflective contribution to network charges by active consumers whilst taking into account the overall benefits they bring to the energy system.
- Supports the extension of existing consumer protections to all third party intermediaries in the Clean Energy Package, including to new energy service providers such as aggregators.
- Calls on MS to ensure that independent ADR schemes are available to address consumer complaints in the energy market, including on bundled offers, new products and service providers such as aggregators, and expresses its opinion that the mandatory dispute resolution as established under the 3rd energy package is maintained.

On the role of local energy communities in the energy transition the Forum:

- Supports the Commission's proposal granting each citizen a right to be a member of a local energy community as a way of participating collectively in the energy market and being rewarded for it. Stresses the importance of keeping such membership optional.

- Recognises the role of local energy communities in fostering public acceptance of renewable energy, mobilising private capital towards achieving the EU renewables target, and facilitating the up-take of new energy services and energy efficiency measures, empowerment, local economic, social and environmental benefits.
- Notes, however, that the Commission's proposals on energy communities contain a number of concepts that need to be further clarified, including the intertwining definitions of renewable energy communities and local energy communities, on how these relate to DSOs and local energy companies and how local energy communities are distinct from traditional commercial energy companies.
- Supports removing barriers, including the administrative and market ones, for local energy communities and integrate them fully in the energy market noting that all relevant regulations shall apply to them according to the activity they carry out.
- Underlines that to ensure solidarity local energy communities should contribute in a fair and cost-reflective way to network charges taxation and levies. Cross subsidisation should be avoided.
- Recognises that National Regulatory Authorities will have an important role in overseeing local energy communities and ensuring that they are able to emerge and develop on equal, non-discriminatory terms.

3. The future of retail energy markets

The Forum:

- Calls on the European Parliament as well as on Member States to swiftly advance on legislative proposals under the 'Clean Energy for All Europeans' package while ensuring future energy markets are more secure, cleaner, inclusive and affordable for all consumers.
- Emphasises the need for an effective implementation and enforcement of the Clean Energy Package to ensure that European consumers do not face any undue barriers or delays as regards their rights to be key players in the energy transition through better-functioning retail energy markets.
- Calls for enhanced cross-sectoral cooperation between regulatory agencies to address more effectively challenges related to energy markets that combine initiatives by suppliers from different sectors and are therefore supervised by different regulatory authorities.