

CEER

**Council of European
Energy Regulators**



Fostering energy markets, empowering **consumers**.

**CEER Draft Handbook on Harmonised
definitions of retail market metrics**

Evaluation of Responses

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1. Introduction

In the “Bridge to 2025,” regulators place energy consumers at the centre of their policy considerations. CEER’s 2020 vision for the European Union’s consumers defined in detail the approach of placing customers first: by providing a reliable supply at an affordable price, through simple to use services and in a way that protects consumer interests and empowers them to participate in the market.

In 2015 CEER published the Position Paper on well-functioning retail markets. This Position Paper builds on the Bridge to 2025 and the CEER-BEUC 2020 Vision. In addition, the paper addressed and complemented the issues raised by the European Commission’s Retail Communication “Delivering a New Deal for Energy Consumers,” published in July 2015. We thus seek to establish common criteria to assess the functioning of our retail markets as a first step in developing a roadmap for securing competitive, reliable, and innovative retail energy markets to the benefit of consumers by 2025. The Position Paper introduced a framework to evaluate the functioning of a retail energy market, whilst taking into account the current stage of the market’s development.

As a first step in the process of preparing a draft roadmap to well-functioning retail energy markets, CEER has developed a handbook, which contains the metrics introduced by the Position Paper and their respective definitions.

Following the informal consultation on the Position Paper and a series of closed workshops¹, CEER has taken into account the feedback received from stakeholders², which is reflected in the public consultation version of the Handbook. CEER held a public consultation for interested stakeholders. The 9-week consultation period ended on 19 September 2016 and following the input, CEER prepared this evaluation of responses.

The respondents to the public consultation were asked to answer the questions as stated below.

1. Do you agree with the approach to measuring the metric taken in the current version of the draft Handbook?
2. How would you measure the metric?
3. What would be the best source for the metric (multiple choice):
<ul style="list-style-type: none"> a. Consumer survey b. Regulated companies c. Competitive retailers d. Others (verified PCTs, consumer associations, etc.)
4. Is this data available or could it be made available within your organisation?
5. How can NRAs ask you for data in a way that would minimise administrative work?

¹ Held with the supporters of the [CEER-BEUC 2020 Vision](#), academics, the European Commission and ACER.

² CEER would like to thank ANEC, BEUC, CEDEC, CCP, Citizens Advice, DECO, Eurelectric, Eurogas, Pricewise and VZBV for the written feedback they have provided.



6. Comment (please focus your comments on issues related to data collection)
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Table 1: Public Consultation Questions

In total, 14 stakeholders responded to the public consultation³. Not all of the respondents answered every question.

2. Executive summary

In general, the stakeholders agree with the approach CEER is taking when defining the metrics. We have received many useful comments to improve the definitions, which we have incorporated in the handbook.

As a result the definitions of 14 metrics were changed.

For example, additional questions were added to the quantification of metric 3 (Percentage of consumers connected to “bundled” DSOs), metric 5 (Number of common standards for consumer data and for DSO-supplier contracts or the existence of a national data hub) and metric 13 (Availability of explicit demand response offers), as a result of suggestions from the public consultation.

Also, we have not prescribed a certain quantification of metric 16 (Percentage of consumers trusting the energy market) and metric 25 (Percentage of suppliers using minimum standards for key information in advertising and bills), since the definition of both metrics need more consideration. For both metrics we encourage NRAs to explore the approach that is most suitable to the national circumstances.

We have considered some responses to be out of scope, or less useful at this time. We have explained these in the tables in section 3.

The collection of data was an important area within this public consultation. We received many suggestions to minimise the administrative burden, while still receiving useful data. We incorporated these suggestions into the handbook.

CEER also received an offer from a pan-European organisation to help to collect data in an efficient manner. We appreciate this proposal and will gladly follow-up on this.

Finally, CEER acknowledges the fact that the handbook and its metrics are dynamic by nature. Legislation evolves, as well as national circumstances. This means that CEER will have to review the metrics periodically and update or change metrics and/or definitions when necessary.

³ The respondents are CERA, CEDEC, EDF, EDSO for Smart Grids, Eurelectric, EUROGAS, European consumer voice in standardisation, Gaz Réseau Distribution France (GRDF), GEODE, NEON, REScoop.eu, Smart Energy Demand Coalition, Swedenergy and ZSE Energia, a.s.



3. Responses from stakeholders

3.1. General Comments

Several stakeholders replied with similar, general, remarks to the public consultation.

Many stakeholders stressed the fact that the administrative burden should be minimised. CEER agrees with this viewpoint and has included a section on minimising the administrative burden in the handbook.

Furthermore, some stakeholders replied that it should be important to include different customer categories (e.g. residential, commercial/administrative and industrial) in the metric, as well as differentiating between consumers with and without smart meters. CEER also considers it important to assess metrics specified by the relevant markets. NRAs should consider the relevant market when assessing every individual metric. In the handbook we have included a section on how to specify the relevant market.

Stakeholders mention the frequency of monitoring. They stress that NRAs should carefully consider the frequency of monitoring metrics, both from the perspective of relevance and the impact on the administrative burden.

CEER is, as stated above, aware of the administrative burden involved with collecting and assessing data and agrees that NRAs should be careful when choosing the frequency of monitoring.

It was, for instance, suggested that CEER should prioritise a number of key metrics as ‘must-have’ – that is, necessary to evaluate the performance of retail markets. We think however, that all metrics in the CEER position paper on well-functioning retail markets are equally important in order to fully assess the well-functioning of the energy retail market.

Another proposal was the inclusion of an additional ‘must-have’ metric, namely “Complexity of the regulatory framework.” We agree that the complexity of the regulatory framework is an important aspect of well-functioning retail markets. We consider it part of possible barriers to entry and have therefore included it in the metrics under Key property II: Low market entry barriers.

It was remarked that it would be helpful to benchmark the performance of the energy sector vis-à-vis other consumer markets (e.g. telecommunications, postal service, banking, etc.).

CEER agrees that it would be interesting to benchmark the performance of the energy sector with other consumer markets. However, at this moment this exercise is outside of CEER’s scope.



3.2. Response per question

Question	Stakeholder comments	CEER views
Metric 1: Herfindahl-Hirschman Index (HHI)		
Approach to measuring the metric	The vast majority of respondents agree with the approach. Most of the respondents add that the HHI on its own is not a good indicator for market functioning. It should be accompanied by other indicators such as the number of suppliers.	CEER welcomes the support for the approach. CEER agrees that the HHI alone is not a good indicator for well-functioning retail markets. All metrics should be assessed in conjunction with each other.
Best source	Almost all respondents pointed out that both regulated companies and retailers are the best sources to collect data. A few pointed out other parties (NRAs, ombudsmen, PCTs) as well. One respondent added that DSOs will have information on customers by volume, but this will not give insight into the competitive market. Supply companies are better positioned to give snapshots on products uptake, such as dual fuel, but then information required should remain at a practicable level, and not lead to unnecessary costs being incurred.	CEER recognises that suppliers may be better positioned to have data on the competitive market.
Availability of data	A few respondents said that their organisation or company has the data required to assess the HHI.	
Minimising administrative work when asking for data	All respondents stressed the fact that it is important to minimise the administrative burden. Some respondents added that any additional reporting requirements on energy companies will have a cost that is ultimately borne by the customers. Some suggestions to minimise this burden:	See General comments section (3.1)



Question	Stakeholder comments	CEER views
	<ul style="list-style-type: none"> • Combine it with the other annual survey/data request by the NRA; • The demanded data sets should be well defined (markets, segments,...) and this definition should remain like that for a reasonable amount of time; • NRAs should use their existing information as well as information collected by ACER or other bodies (such as the European Commission, Eurostat or national statistical offices); • NRAs should use clear and well-structured Excel sheets and/or online questionnaires; • NRAs should contact suppliers and discuss the requirements in order to tailor information collection as far as possible to companies' resource possibilities; 	
<p>Metric 2: Time needed and cost of accessing well-functioning wholesale markets and licencing/balancing regimes</p>		
<p>Approach to measuring the metric</p>	<p>All respondents agreed with the approach taken to measuring the metric, but in several cases they also indicated the need for a better explanation of what cost and time requirements should be included (e.g. whether these include administrative fees only or also IT investments and staff resources). Two respondents suggested that the metric could be rephrased as the “legal and regulatory steps with the associated timeframe to gain access to energy procurement in a national or regional wholesale market”. The importance of both national and regional dimensions in measuring the metric was also highlighted.</p> <p>Other respondents stressed the importance of capturing the financial rules that characterise the access to wholesale markets, for example on bank deposits, and identifying whether these are applied to all market participants in the same proportionate way.</p> <p>Another respondent observed that the metric is essentially about licencing and balancing rules, and hence closely related to the</p>	<p>CEER welcomes the support for the approach.</p> <p>CEER recognises the need for further clarifying the exact scope of this metric, which should be focused on the time and cost associated with administrative and financial rules to access wholesale markets and licencing/balancing regimes. The metric should also specify whether such rules differ at national and regional levels. CEER considers that measuring entry IT investment and staff resources costs incurred by individual suppliers would be beyond the intended scope of the metric.</p>



Question	Stakeholder comments	CEER views
	implementation of Third Energy Package rules.	
Best source	<p>The majority of respondents advised that retailers would be the best source of data for this metric, but some also mentioned regulated companies. Two respondents stated that NRAs should have access to such information as part of their basic market monitoring. One respondent mentioned TSOs and Power exchanges and another mentioned cooperatives and consumer associations. One respondent pointed out that, while national authorities should have the information on timing and direct costs such as licensing fees, companies could provide a more qualitative assessment of balancing costs.</p>	<p>CEER agrees that market participants could provide a more qualitative assessment of balancing, licensing and other access costs.</p>
Availability of data	<p>Most respondents did not consider the question as applicable to them and only three respondents indicated that the data would be or could be made available within their organization.</p>	
Minimising administrative work when asking for data	<p>Several respondents suggested that NRAs should combine their knowledge of regulatory and legal entry processes with some kind of data requests from market participants through annual surveys/discussions/questionnaires. One respondent added that NRAs should ensure that the burden of surveys does not become excessive, so less important questions should be removed if new, more relevant ones are introduced.</p> <p>Another respondent stated that, where possible, NRAs should use their existing information as well as information collected by ACER or other bodies such as the EC, Eurostat or national statistical office. It also noted that any additional information requests will have a cost (regulated companies may accept it more easily as they will be allowed to recover such costs through the network tariff, while energy suppliers may be less inclined to accept additional requirements as they could end up further eroding their operational margins). It was also advised that issuing clear and well-structured Excel sheets, online-questionnaires and</p>	<p>CEER welcomes the suggestion to combine NRAs' knowledge of regulatory and legal entry processes with information provided by market participants regarding their actual entry experience.</p> <p>See General comments section (3.1)</p>



Question	Stakeholder comments	CEER views
	criteria would help minimise administrative work.	
Metric 3: Percentage of consumers connected to “bundled” DSOs		
<p>Approach to measuring the metric</p>	<p>Half of respondents agreed with the approach taken for this metric, while the other half disagreed.</p> <p>Among those in agreement, one respondent suggested that the metric should include a clearer definition of bundled DSOs. More specifically, the suggestion referred to the difference between DSOs that are part of a vertically integrated group, but are legally and functionally separated, and DSOs that are exempt from complying with unbundling rules under the third package. Other respondents advocated the inclusion of different customer categories (residential, commercial/administrative and industrial).</p> <p>A few respondents noted that this metric may be relevant especially if it focuses on DSOs exempted from the Third Package requirements, but caution should be applied when analysing the data from such a metric as the DSO landscape is very varied across the EU.</p> <p>Different reasons for disagreement were pointed out. Two respondents argued that the metric is irrelevant and unclearly defined, as each country has to fulfil the unbundling rules in the Third Package. In particular, it was highlighted that only the existence of DSOs with bundled suppliers and the minimum standards for exemption are relevant questions, while the percentage of connected customers would be more complex. It was suggested that it would be more practical to determine the availability of alternative suppliers in the bundled DSOs’ areas.</p> <p>One respondent considered that the metric could be misleading and suggested the introduction of a distinction between bundled DSOs/suppliers that are dominant market players and those that</p>	<p>In response to the comments requiring a clarification of the metric, CEER would like to reiterate that this is focused on the existence of customers connected to exempt bundled DSOs and not on other aspects of the third package requirements on unbundling.</p> <p>With this metric CEER does not assume that customers connected to exempt bundled DSOs may not benefit from the same services or could be less satisfied than others. It only recommends that the proportion of these customers be monitored and eventually examined further by individual NRAs if there are signs of market malfunctioning. In this respect, CEER agrees with the suggestion to include an additional question on the existence of active rival suppliers in the bundled DSOs’ areas. On the other hand, the addition of more detailed questions seems an excessive burden and is beyond the scope of this metric.</p>



Question	Stakeholder comments	CEER views
	<p>are not. Another respondent argued that the approach implicitly assumed that customers connected to unbundling-exempt DSOs would potentially not benefit from the same services as customers connected with unbundled DSOs. As an alternative, it was suggested to measure the number of suppliers with bundled DSOs in a given area and then ask customers about their degree of satisfaction.</p> <p>Finally, another respondent who disagreed with the approach indicated that the metric should include some measure for the level of unbundling of “historical DSOs” and mentioned, as examples, the level of common ownership between the DSO and the supplier and the cultural/knowledge aspects of the workforce of the “historical DSO” (e.g. asking if an employee that has moved to the supplier department still refers to themselves as working for the DSO).</p>	
Best source	Almost all respondents indicated that regulated companies would be the best source of data for this metric. One respondent suggested carrying out “unbiased quantitative interviews with the workforce of the historical bundled companies”.	As indicated above, the addition of “quantitative interviews with the workforce of the historical bundled companies” seems an excessive burden and is beyond the scope of this metric.
Availability of data	Most respondents did not consider the question as applicable to them and only two respondents indicated that the data would be or could be made available within their organization.	
Minimising administrative work when asking for data	Most respondents indicated ways that would minimise administrative work for this metric along the same lines suggested for metric 2.	See General comments section (3.1)
Metric 4: Percentage of consumers with regulated energy prices		



Question	Stakeholder comments	CEER views
Approach to measuring the metric	<p>Almost all respondents agreed with the approach taken to measuring the metric. The disagreement concerned the description of regulated prices and social tariffs as “distortive”. The following question was suggested as an alternative “Are regulated prices temporary (in badly functioning markets) and/or are regulated social tariffs supporting specific categories of vulnerable consumers? Can they therefore be justified as social tariffs?”</p> <p>Among other respondents, who agreed with the approach, some changes were also proposed. In particular, two respondents suggested the inclusion of a more detailed list of the different forms of price regulation and the indication of the number of customers under each of them. One respondent asked for the removal of the statement “regulated energy prices distort competition in the market and may prevent new actors from entering a market”, on the grounds that the indicator should be defined and analysed in an objective way.</p>	<p>CEER welcomes the support for the approach.</p> <p>CEER recognises that, in certain situations, temporary regulated prices and/or social tariffs may be needed to support vulnerable customers. The metric questions can be made slightly more detailed to accommodate a clearer distinction across the different forms of price regulation and the indication of the number of customers under each of them.</p> <p>CEER will retain the description of regulated prices as distortive of competition as this represents the main rationale for monitoring this metric.</p>
Best source	<p>Most respondents identified retailers as the best source for the collection of the data for this metric. Some also mentioned price comparison tools.</p>	
Availability of data	<p>Some respondents did not consider the question as applicable to them and only two respondents indicated that the data would be or could be made available within their organization. Several respondents noted that, as suggested by CEER, NRAs already gather the information, which is used within the ACER-CEER annual market monitoring report.</p>	
Minimising administrative work when asking for data	<p>Most respondents indicated ways that would minimise administrative work for this metric along the same lines suggested for metric 2.</p>	<p>See General comments section (3.1)</p>



Question	Stakeholder comments	CEER views
Metric 5: Number of common standards for consumer data & for DSO-supplier contracts or the existence of a national data hub		
<p>Approach to measuring the metric</p>	<p>All respondents agreed with the approach taken to measuring the metric, except for one, that argued in favour of including a different set of questions, i.e. “Do DSOs make the data accessible for third parties in a neutral way? Is data made available when requested by third parties with consent of the customer? If so, how?”.</p> <p>Among the respondents in agreement with the approach, a few made comments or suggested increasing the coverage of the metric. One respondent considered that the metric should not only measure access to data but also specify to what kind of data, and capture whether the sharing of the common standards was allowed during the system deployment phase (according to the respondent the absence of the latter could cause unfair disadvantages to small companies that may not be able to adapt their systems quickly enough).</p> <p>Two respondents advocated a clearer definition of what is meant by access to data and by range of standards, to ensure common understanding across stakeholders. Another respondent observed that the new metering technology will need to offer high levels of privacy protection and thus proposed the addition of the “Number of complaints about privacy and security issues”.</p> <p>One respondent indicated that the definition of this metric is especially important for consumers to access consumption data from different parties. It was suggested that this metric should be linked with metric 18 on the percentage of consumers with access to online historic consumption information, to verify if common standards also apply to this data.</p> <p>Finally, one respondent provided a reminder that the situation regarding data hubs is very different across EU member states:</p>	<p>CEER welcomes the support for the approach.</p> <p>CEER considers that by monitoring the existence of procedures containing common standards for consumer data and DSO-supplier contract or data hub NRAs should be able to form an initial assessment of whether the system in place gives all suppliers, including new entrants, access on equal and non-discriminatory terms. This should reveal whether there is scope for DSOs to act in non-neutral ways.</p> <p>CEER recognises that the metric can be made more precise by adding a question on the kind of data the common standards refer to, including in particular the online historic consumption information covered by metric 18, to verify if common standards also apply to this data. CEER also considers it useful to include a few more details on the data hub organisation (e.g. who runs it and to what extent it relies on explicit customer consent for data sharing with third parties).</p>



Question	Stakeholder comments	CEER views
	<p>in some member states a data hub is implemented and run by various different parties, in others the explicit agreement by the customer is needed, that their data can be given to third parties.</p>	
<p>Best source</p>	<p>The majority of respondents suggested that regulated companies would be the best source of the data for this metric, but a significant minority also suggested retailers as a source. Two respondents indicated that a survey including third party service providers may reveal the hurdles faced by new entrants to offer innovative services using data.</p>	
<p>Availability of data</p>	<p>Some respondents did not consider the question as applicable to them and only two respondents indicated that the data would be, or could be, made available within their organization.</p>	
<p>Minimising administrative work when asking for data</p>	<p>Most respondents indicated ways that would minimise administrative work for this metric along the same lines suggested for metric 2.</p>	<p>See General comments section (3.1)</p>
<p>Metric 6: Availability of time-of use metering, and where applicable, additional fee paid by the consumer to be able to have time-of-use prices vs. traditional metering</p>		
<p>Approach to measuring the metric</p>	<p>Almost all respondents agreed with the approach taken to measuring the metric.</p> <p>Two respondents highlighted the importance of distinguishing the availability of time-of use metering by customer segment (household, commercial and industrial). Two other respondents suggested additional questions concerning how these meter installations are financed, the average national cost for each meter type and which party owns them. To ensure comparability across countries including a definition of installation cost was also</p>	<p>CEER welcomes the support for the approach</p> <p>This metric focuses on understanding whether customers can easily access meters that will allow them to be active in the market through some kind of demand response or flexibility scheme. Given this purpose, CEER does not share the view that the metric should contain additional details on how these meter installations are financed and what the overall installation</p>



Question	Stakeholder comments	CEER views
	<p>recommended.</p> <p>Several respondents mentioned the need for considering more sophisticated real-time metering separately, for which the timeframe should be linked to the market settlement period, and one reminded that many countries are still in the process of rolling out smart meters.</p> <p>Finally, one respondent observed that the question of whether there is an additional fee to install these meters and its quantification could be problematic. The concern was that making this metric publicly available could distort the call for tenders for installing smart meters, i.e. bidders could demand higher fees.</p>	<p>costs at the national level are (this aspect will in any case form part of the national energy policy background that individual NRAs will take into account).</p> <p>CEER welcomes the suggestion to add more details in the meter questions on the separation between simpler and more sophisticated time-of-use meters, such as meters for which the timeframe should be linked to the market settlement period.</p> <p>Regarding the concern around the publication of fees that customers may have to pay for the installation of these meters, it will be up to individual NRAs running their self-assessment to decide on any commercial sensitivity issues. The Handbook itself recommends metrics for monitoring purposes, not necessarily for publication.</p>
Best source	Most respondents indicated that data can be sourced from both retailers and regulated companies. One respondent stated that metering can affect both and it might depend on the EU member state which actor is better suited to provide the data.	
Availability of data	Some respondents did not consider the question as applicable to them and only two respondents indicated that the data would be or could be made available within their organization.	
Minimising administrative work when asking for data	Most respondents indicated ways that would minimise administrative work for this metric along the same lines suggested for metric 2.	See General comments section (3.1)



Question	Stakeholder comments	CEER views
Metric 7: Correlation between wholesale and retail energy prices		
<p>Approach to measuring the metric</p>	<p>Almost half of the respondents agree with the approach. The majority of respondents think that the metric is relevant, important and positive as a principle.</p> <p>One respondent argues that the ACER/CEER Market Monitoring Report (MMR) already provides useful data on this. Several respondents argue that the share of the energy component in the total retail price must be made clearer.</p> <p>Some respondents argue that the approach may be less precise than more complex methodologies tailored to nationally specific circumstances.</p> <p>Some of the same respondents claim that the approach is too detailed and that the collection of monthly price data would be a costly exercise.</p> <p>One respondent mentions that different hedging costs and sourcing strategies creates a divergence in how costs are passed on, depending on the customer's pricing scheme. Several respondents argue that hedging and trading costs should not be taken into account when calculating the wholesale price.</p> <p>One respondent highlights that wholesale price data should include financial electricity derivatives for comparison with 2 or 3 year fixed price contracts.</p>	<p>CEER acknowledges the concern the respondents have raised. However, CEER believes the current methodology has the necessary level of detail, while at the same time offering some degree of flexibility in the assessment. It strikes a balance between a breakdown of price structures and the granularity and frequency of the data reported. By offering this flexibility it should address the concerns of the respondents. The most detailed suggested approach to this metric allows countries to go beyond the approach of the ACER/CEER MMR, by recognising that wholesale price signals are passed on to consumers in different ways, depending on the consumer's pricing scheme for the energy component.</p> <p>CEER questions that some respondents criticise the methodology for lack of complexity, while at the same time being concerned about the level of reporting. This seems contradictory.</p> <p>CEER already agrees with the respondents saying that the energy component is only one part of the energy bill. Therefore, to make this explicitly clear, CEER has already recommended under key property 3 to present a break-down of price components in the retail price.</p>
<p>Best source</p>	<p>Almost all respondents believe competitive retailers are the best</p>	<p>The views of the respondents are in line with</p>



Question	Stakeholder comments	CEER views
	source of data for this metric. One respondent mentions that CEER should first use NRAs' regular reports. Others also mention statistical bureaus and PCTs.	CEER's suggested sources of data in the handbook.
Availability of data	One respondent reports that this could be made available. Answers in this section are largely lacking.	
Minimising administrative work when asking for data	Many respondents are concerned about creating an excessive administrative burden. Respondents suggest that CEER should make clear priorities, assess the possibilities of companies to provide data and to use a consistent approach across several years. Several respondents mention that the collection of data should be combined with annual reporting to the NRAs, as well as with information collected by CEER/ACER. One respondent, representing several energy companies, was happy to assess the possibility of collecting data currently not collected at the national level. One respondent, also representing several energy companies, suggested that NRAs make contact with individual suppliers to tailor data collection to companies' resource possibilities.	See General comments section (3.1) CEER sees the reporting of retail prices per contract type as desirable, enabling a detailed assessment of the correlation with wholesale markets. This is because, as mentioned, the inherent price-risk structures of different contract types have different levels of correlation to wholesale markets. To accurately assess the correlation, different price structures could be used for comparison.
Metric 8: Mark-up between wholesale and retail energy prices		
Approach to measuring the metric	<p>Almost half of the respondents agree with the approach. Several respondents provide identical answers to the ones addressed under metric 7.</p> <p>One respondent says the metric should include the type of costs faced by suppliers relative to their size, for example if smaller suppliers are disadvantaged in balancing markets.</p> <p>Some respondents claim that consumers are not only interested in price, but also in additional products that are valued individually.</p>	CEER believes it would be difficult to account for disadvantages in the mark-up faced by smaller suppliers. Moreover, the methodology does not include balancing costs in its calculations. The question of fair access to balancing markets should be addressed by the metric on market entry barriers.



Question	Stakeholder comments	CEER views
		<p>Bundled products can be a difficult aspect of these calculations. However, creating a methodology that accounts for bundled products is not feasible, as the bundling often consists of services or products with individual value to consumers, which is not possible to price in eurocents/kWh.</p> <p>CEER has brought back text in the metric description regarding the fact that mark-ups are not precisely comparable to final margins.</p>
Best source	<p>Most respondents believe competitive retailers are the best source of data for this metric. One respondent mentions that CEER should first use NRAs' regular reports. Others also mention statistical bureaus and PCTs. Responses are mainly identical to those received for metric 7.</p>	<p>The views of the respondents are in line with CEER's suggested sources of data in the handbook.</p>
Availability of data	<p>Two respondents report that this could be made available. Answers in this section are largely lacking.</p>	
Minimising administrative work when asking for data	<p>See responses received for metric 7.</p>	<p>See General comments section (3.1)</p>
<p>Metric 9: Availability of a variety of pricing and billing options</p>		
Approach to measuring the metric	<p>Most respondents agreed with the approach taken to measuring the metric.</p> <p>The two respondents in disagreement indicated that the approach could lead to confusion, as it is not clear whether it refers to offers available in the market or at the individual supplier level. It also highlighted that not all products may be offered with the same billing options and that in some cases the existence of various billing options may be mandatory. It was indicated that this could</p>	<p>CEER welcomes the support for the approach.</p>



Question	Stakeholder comments	CEER views
	<p>highlight areas for innovation in the future. As a practical suggestion it was suggested that the question could take the form of a matrix with two entries for each product and supplier.</p> <p>One respondent in disagreement also proposed that metrics 9, 10, 11, 12 and 13, as well as metric 6, could be brought together under a single metric which could read as: “availability of a variety of pricing and billing options, online offers and value-added services (including time varying rates such as time-of-use or dynamic pricing; explicit demand response; services for self-generation; services for electro-mobility, etc.)”.</p> <p>Among respondents agreeing with the approach there were also several suggestions for improvement.</p> <p>One respondent indicated that a number of factors affecting retailers’ decision of what products to offer should be considered, such as: legal requirements (e.g. the presence of price regulation), the network conditions, the different levels of flexibility for portfolio management, balancing and congestion management and the fact that customers in a given country might have very specific preferences, e.g. avoid floating contracts, prefer fixed-price contracts. It was suggested that the metric should be clearly specified along these lines, so to ensure a reasonable data evaluation.</p> <p>One respondent highlighted the need for adding a viability dimension to the metric, i.e. offers for which the necessary systems are not in place should not be taken into account. They also suggested the inclusion of additional questions such as the number of customers on the different types of tariffs and the level of information provided with the offer (e.g. real monthly consumption data).</p> <p>Another respondent observed that a distinction should be introduced between pricing offers that encourages smart</p>	<p>This metric aims to capture the variety of pricing and billing options available to customers in a given market. It does not require detailed monitoring of the offers at each supplier level, although CEER recognises that this would be a very useful piece of complementary information that NRAs may want to pursue to understand the different pricing and product strategies followed by different suppliers (e.g. some may target a segment of customers with specific preferences and therefore offer a narrow choice of pricing and billing methods tailored for that segment) as well as any other regulatory or market constraints.</p> <p>CEER understands the rationale of the proposal to integrate metrics 9 to 13 under a single metric. However, keeping these as separate metrics will allow NRAs to better focus on the different areas of offers that may be available in the market. In any case, all these metrics belong to the same key property IV “A range of offers, including demand response” and should be analysed very closely with each other. On the other hand, metric 6 refers to meter availability, not offers, and belongs to key property II (“Low market entry barriers”).</p>



Question	Stakeholder comments	CEER views
	<p>reactions to market price fluctuations on an hourly/short-term or more long-term basis and repetitive dynamic pricing types based on standard patterns rather than market price movements.</p> <p>One respondent stated that the added-value of monitoring this metric on a regular basis is not clear. However, it also suggested it may be worthwhile building an initial picture and checking it again if market circumstances, including number of new entrants, change.</p>	<p>CEER welcomes the suggestion to add a viability dimension to the metric, i.e. offers for which the necessary systems are not in place should not be taken into account, as well as the possible inclusion of additional questions such as the number of customers on the different types of tariffs and the level of qualitative information provided with the offer.</p>
Best source	<p>Most respondents indicated retailers as the best source for collecting the data. Some also indicated regulated companies and price comparison websites. One respondent observed that ACER/CEER's MMR already provides an overview of the main pricing options for most MSs, based on information from price comparison websites.</p>	
Availability of data	<p>Several respondents indicated that the information is either available or could be made available, whereas the majority did not respond or considered that the question was not applicable to them.</p>	
Minimising administrative work when asking for data	<p>Several respondents indicated ways that would minimise administrative work for this metric along the same lines suggested for metric 2.</p>	<p>See General comments section (3.1)</p>
Metric 10: Availability of value added services for implicit demand response and self-generation		
Approach to measuring the metric	<p>All respondents agreed with the approach taken to measuring the metric and recognized the importance this new monitoring area.</p>	<p>CEER welcomes the support for the approach.</p>



Question	Stakeholder comments	CEER views
	<p>A few respondents expressed the view that this is a developing area, which should be kept under observation but it might be difficult to specify all different kinds of services in a multiple choice question. It was recommended that open qualitative questions should be used to identify existing value-added services. Another suggestion was the separation of valued added services for implicit demand response and self-generation into two different metrics.</p> <p>A couple of respondents asked for a clarification on what exactly are the "value added services for implicit demand response" and one focused on the need for a clear distinction between predefined time-of-use pricing and market-based hourly or shorter-term pricing (it was also suggested that this should be complemented with an assessment of the effect of this engagement in terms of capacity (MW) available, and volumes (MWh) delivered; the example of the exercise carried by the Australian Energy Market Operator was mentioned).</p> <p>One respondent recommended that the metric specifies (1) which percentage of customers by category (industrial, commercial, household) makes use of these services, and (2) what the average gain is for these customers (for example as a percentage of the bill).</p>	<p>CEER shares the view that this metric looks into a developing market area and that it might be difficult to specify all different kinds of services in a multiple choice question. For this reason the metric contains category "other" within the multiple choice list, which will allow NRAs to add any other services that may not be included in the given list.</p> <p>Regarding the feedback on the creation of a separate metric for self-generation offers, CEER considers that it is not necessary, as the two indicators are conceptually related to demand response and both focus on measuring the availability of market arrangements that make it possible. Some of these arrangements could contain a mix of similar features and it may make sense for the NRA to collect the information through the same questionnaire.</p>



Question	Stakeholder comments	CEER views
	<p>Finally, another respondent provided examples of the range of value-added services that suppliers can offer to their customers, including some that are directly related to the energy delivery (e.g. remote action which avoids onsite intervention, but also self-services through the internet) and others that contribute to energy bill reduction (optimisation, energy efficiency, provision of in-home displays, visualisation of consumption and comparison with peers, energy audits, home insulation, installation and commissioning of the distributed generation equipment, solutions for self-consumption as well as feed-in etc). It was also highlighted that suppliers can go beyond energy, offering bundled packages, which include home security services, telecoms, etc. and are moving more and more towards becoming full service providers.</p>	
Best source	<p>Most respondents indicated that retailers would provide the best source of information. In particular, it was suggested that a survey to retailers and energy service companies could be used as a start to find out more information about these services. A respondent also indicated that consumer associations or market surveys could help to inform what third party services are available.</p>	
Availability of data	<p>Two respondents indicated that the information is either available or could be made available, whereas the majority did not respond or considered that the question was not applicable to them.</p>	
Minimising administrative work when asking for data	<p>Several respondents indicated ways that would minimise administrative work for this metric along the same lines suggested for metric 2.</p>	See General comments section (3.1)
Metric 11: Availability of online offers		
Approach to measuring the metric	<p>Almost all respondents agreed with the approach taken to measuring the metric.</p>	CEER welcomes the support for the approach.



Question	Stakeholder comments	CEER views
	<p>The respondent that disagreed argued that the metric is not relevant due to the existence of consumers in certain communities who cannot access offers online for a variety of reasons, including lack of financial means, knowledge or trust in the online world.</p> <p>A few respondents in agreement with the approach observed that the questions are drafted assuming that the capacity of consulting and signing the offers online depend on the customer, whereas the aim should be to understand if offers are made available online. Therefore, they proposed the following alternative drafting: “Are offers comparable online? Can offers be signed up online?”. Additionally, the use of multiple choices was suggested to explain cases where offers may not be available online (e.g. because it requires a specific type of meter and in-house intervention, a credit check is required, etc.) and to list ways how online contracts are subscribed (e.g. through price comparison websites, through the supplier website, etc.).</p>	<p>CEER welcomes the feedback aimed at clarifying that the focus of this metric should be on whether the market can make offers and contracts available online, and not so much on the customers’ ability to consult and sign these offers online. CEER will include all aspects of the customer journey, such as online subscription of contracts, type of billing and customer service</p>
Best source	<p>Most respondents indicated that retailers would provide the best source of information. One respondent also mentioned verified price comparison websites as the most efficient source.</p>	
Availability of data	<p>A couple of respondents indicated that the information is either available or could be made available, whereas the majority did not respond or considered that the question was not applicable to them.</p>	
Minimising administrative work when asking for data	<p>Several respondents indicated ways that would minimise administrative work for this metric.</p>	<p>See General comments section (3.1)</p>
<p>Metric 12: Availability of contracts guaranteeing the origin of energy</p>		



Question	Stakeholder comments	CEER views
Approach to measuring the metric	<p>All respondents agreed with the approach taken to measuring the metric.</p> <p>One respondent emphasised the need for accurate disclosure of information on the source and environmental impact of energy generation in order for consumers to make informed choices. However, two other respondents observed that the definition of the metric is possibly too detailed and that a general question on the availability of contracts guaranteeing the source to be from wind, water or solar would be sufficient.</p> <p>One respondent highlighted the need for clarifying what is meant by “bio”, “fossil” and “specific plant”. It was also suggested that the metric should consider the specificities of the gas market and especially of those of the biomethane market (the example was given of the register kept in France which traces the origin of the biomethane produced within the French territory and certifies it through a "Guarantee of Origin" system).</p>	<p>CEER welcomes the support for the approach. The feedback provided on this metric reveals contrasting views on the level of detail to be covered by this metric. CEER recognises that the list of guarantees for energy sources currently drafted may be too detailed in relation with conventional fuels. On the other hand, it may require a slightly more precise specification for guarantees related to renewable sources.</p>
Best source	<p>Most respondents indicated that retailers would provide the best source of information. Two respondents mentioned price comparison websites and one respondent pointed out independent certification bodies (such as AIB).</p>	
Availability of data	<p>Two respondents indicated that the information is either available or could be made available, whereas the majority did not respond or considered that the question was not applicable to them.</p>	
Minimising administrative work when asking for data	<p>Several respondents indicated ways that would minimise administrative work for this metric.</p>	<p>See General comments section (3.1)</p>
<p>Metric 13: Availability of explicit demand response offers</p>		



Question	Stakeholder comments	CEER views
<p>Approach to measuring the metric</p>	<p>All respondents agreed with the approach taken to measuring the metric.</p> <p>One respondent argued that explicit demand side response is just one type of value added services that suppliers and other market players can offer to customers and, as such, it could be covered under metric 10.</p> <p>Another respondent suggested that the definition of the explicit demand response offers should be more precise. In particular, it referred to the inclusion of products with direct access to the trading market or access via an intermediary. It also pointed out that the availability of such products generally depends on the existence of economic benefits (for instance, if expected income on the balancing market is low, the offer of flexibility products tends to be uninteresting) and on regulatory arrangements (for example, the presence of agreements on interruptible loads typically reduce the availability of explicit flexibility offers).</p> <p>One respondent proposed the inclusion of an additional measure to identify whether the consumer has a smart meter or not, so that a comparison can be made to establish whether this makes a difference.</p> <p>Finally, one respondent stressed that this metric is essential to assess the realisation of demand side flexibility potential in Europe. They generally supported the proposed quantification. Nevertheless, while they considered the metric based on capacity (MW) contracted appropriate for market mechanisms essentially based on availability (balancing and ancillary services, and system adequacy mechanisms), they suggested the use of volume (MWh) of flexibility sold into the market annually for the wholesale market and some reserves market where energy is traded. They also highlighted that, for certain products, the reporting on capacities could be complemented with data on the</p>	<p>CEER welcomes the support for the approach. As indicated in the response to comments on metric 9, CEER considers that it is appropriate to keep this metric separate from others that, within the same key property, assess the availability of a range of offers including demand response. In this case the metric is aimed at products that involve an explicit remuneration for the flexibility that customers provide to the market. In this respect it is quite different from products involving implicit demand response and/or other services.</p> <p>CEER welcomes the feedback on additional features and specifications aimed at improving the quantification of the metric.</p>



Question	Stakeholder comments	CEER views
	<p>number of activations or with additional information on the length of the concerned products, describing how long the flexibility is available for. It was also suggested that these indicators should include a comparison with the total size of the product or market in question, in order to provide figures on the market share of demand side flexibility.</p>	
<p>Best source</p>	<p>Most respondents advised that the best source of information for this metric would be provided by regulated companies. Several respondents explicitly mentioned TSOs and DSOs.</p> <p>One respondent indicated that information should be provided by different entities according to the use of flexibility and the related main market body:</p> <ul style="list-style-type: none"> • For balancing and reserves markets, such figures should be provided by TSOs, as this is already required by European regulation (article 17 of Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets) • For local system support services, data should be provided by DSOs. • The assessment of data availability on wholesale markets is more challenging. It may require reporting by different market actors, based on clear rules protecting sensitive information. <p>It was also suggested that, as this is a market that is developing and NRAs may not have started to monitor it yet, a survey to retailers and energy service companies could be a good start.</p>	<p>CEER appreciates the advice on the different entities that may provide the information depending on the use of the flexibility.</p>
<p>Availability of data</p>	<p>One respondent indicated that the information could be made available, whereas the majority did not respond or considered that the question was not applicable to them.</p>	
<p>Minimising administrative work</p>	<p>Several respondents indicated ways that would minimise administrative work for this metric.</p>	<p>See General comments section (3.1)</p>



Question	Stakeholder comments	CEER views
when asking for data		
Metric 14 : Percentage of consumers knowing they can switch supplier		
Approach to measuring the metric	<p>The vast majority of respondents agree with the approach. One respondent mentions that it would be wise to assess if consumers know that they can choose another supplier, another contract with the same supplier or deliberately stay with their current contract and supplier.</p> <p>One respondent mentions that the formulation “the place where I live” in the first question might be misleading as it refers both to a geographic area and housing conditions.</p> <p>One respondent suggests to ask direct questions, such as “are you aware that you can choose your supplier”.</p>	<p>CEER welcomes the support for the approach. CEER welcomes this suggestion and addresses this issue under metric 21.</p> <p>CEER appreciates the suggested change and has changed the question to “the geographic area where I live”.</p> <p>CEER understands the approach, but we fear that the suggested approach introduces a bias in the answers, as most people would spontaneously answer that they are aware, even if it’s very unclear to them.</p>
Source of data and how to minimize administrative work	The vast majority of respondents agree that the source of data should be a consumer survey. A few respondents mention the regulated companies and some the suppliers (in most cases, aside with the customer survey).	See General comments section (3.1)
Metric 15: Percentage of consumers who know that DSOs are responsible for continuity of supply and, where applicable, metering		
Approach to measuring the metric	<p>The vast majority of respondents agree with the approach.</p> <p>One respondent underlines that, while these questions are intended to measure the proper understanding of the DSOs’ role by the consumers, there is no explicit reference to DSOs in the questions.</p>	<p>CEER welcomes the support for the approach. The decision of using indirect questions, without explicitly mentioning the DSOs, has been made on purpose to avoid any bias in the answer that would result from suggesting the proper answer.</p>
Source of data and how to minimize administrative work	The vast majority of respondents agree that the source of data should be a consumer survey. One respondent mentioned that the customer survey should be performed by the NRAs. Two respondents mention consumer associations as a possible	See General comments section (3.1)



Question	Stakeholder comments	CEER views
	<p>source of data. There is no mention of regulated companies or suppliers.</p> <p>Two respondents mention that NRAs should rely on existing national surveys. Another respondent mentions that in their member state, a similar survey is already performed by the national independent ombudsman.</p> <p>A respondent suggests that each NRA should discuss their requirements with suppliers in order to tailor information collection as far as possible to companies' resource possibilities. (Although suppliers are never mentioned as a relevant source of data for this metric).</p>	
<p>Metric 16: Percentage of consumers trusting the energy market</p>		
<p>Approach to measuring the metric</p>	<p>The majority of the respondents agree with the approach. But, some explicitly disagree.</p> <p>Respondents mention that some questions may lead to misleading conclusions, such as:</p> <ul style="list-style-type: none"> • trust is a subjective term that could be replaced by the term "confidence"; • consumers' perception may not align with facts; • competition is not the only driver behind price change; • trust in the market and trust in the market actors should be distinguished. <p>Some respondents suggest alternative criteria:</p> <ul style="list-style-type: none"> • satisfaction with product / services (with their current supplier) • level of complaints <p>Some respondents suggest alternative questions:</p> <ul style="list-style-type: none"> • "Does the supplier treat customers fairly?" 	<p>CEER acknowledges the complexity of this metric.</p> <p>Considering the wide extend of possibilities to address these topics, CEER has defined the quantification of this metric and refers to the pilots for further examples.</p>



Question	Stakeholder comments	CEER views
	<ul style="list-style-type: none"> • “Does the supplier provide clear and helpful information?” • “Does the supplier charge a fair price?” • “Does the supplier treat complaints fairly?” <p>Several respondents underline that the answers should allow a larger range of expression than yes or no, like “completely trust”, “tends to trust”, “tends not to trust”, “distrust”.</p> <p>One respondent suggests distinguishing between customers with and without smart meters in the results.</p> <p>Considering the digitalisation of the sector, one respondent suggests to assess customers trust in market participants in charge of data handling.</p> <p>One respondent points out that all of the questions should benchmark the energy sector against other sectors.</p> <p>Regarding comparisons, one respondent points out that in well-functioning markets, well informed customers may have higher expectations and more channels to direct their dissatisfaction.</p>	
<p>Source of data and how to minimize administrative work?</p>	<p>The vast majority of respondents agree that the source of data should be a consumer survey. More specifically, some respondents mention consumer associations, ombudsmen, consumer authorities or EU current scoreboard as a possible source of data (one or two quote each). There is no mention of regulated companies or suppliers.</p> <p>A respondent suggests that each NRA should discuss their requirements with suppliers in order to tailor information collection as far as possible to companies’ resource possibilities. (Although suppliers are never mentioned as a relevant source of data for this metric).</p>	<p>See General comments section (3.1)</p>
<p>Metric 17: Percentage of consumers having access to at least one independent and verified price comparison tool</p>		



Question	Stakeholder comments	CEER views
<p>Approach to measuring the metric</p>	<p>The vast majority of respondents agree with the approach. One opposes to it.</p> <p>One respondent mentions that the independence assessment could depend on whether PCTS:</p> <ul style="list-style-type: none"> • disclose their relations with energy suppliers • disclose potential fees they receive following switches • do not discriminate, neither directly (different fees) or indirectly (by technical constraints). <p>One respondent mentions that the certification could rely on:</p> <ul style="list-style-type: none"> • a code of conduct • a verification performed by NRAs, statutory customers, ministries, or external auditors <p>One respondent mentions that PCTs' exhaustiveness should be assessed.</p> <p>Several respondents mention that the price should not be the only comparison criteria. Among the additional criteria, they mention:</p> <ul style="list-style-type: none"> • the quality of service • the main product feature • the complaints handling procedure • the customer service • the billing options • the switching and customer commitment <p>Several respondents mention that the primary driver for access to a PCT is the level of broadband connection.</p> <p>One respondent suggests distinguishing between customers with and without smart meters in the results.</p>	<p>CEER welcomes the support for the approach. CEER appreciates the suggestions that were made by the respondents. CEER recently published a Public Consultation on the Guidelines of Good Practice (GGP) on Comparison Tools in the new Energy Retail Market Design. As a result of this, the GGP on Comparison Tools will be updated.</p> <p>The metrics in the Handbook will be aligned with the forthcoming CEER update of the GGP on PCTs.</p> <p>These remarks rely on a misunderstanding of the metric. Therefore it should be improved by mentioning that "having access to a PCT requires that consumers could actually find at least one alternative offer from an alternative supplier for his connection point."</p>
<p>Source of data and</p>	<p>Most respondents agree that the source of data should be a</p>	<p>See General comments section (3.1)</p>



Question	Stakeholder comments	CEER views
<p>how to minimize administrative work</p>	<p>survey. Others mention PCTs (4 quotes), consumer associations, ombudsmen, and NRAs (2 quotes each).</p> <p>Two respondents mention that NRAs should rely on existing national surveys.</p> <p>A respondent suggests that each NRA should discuss their requirements with suppliers in order to tailor information collection as far as possible to companies' resource possibilities. (Although suppliers are never mentioned as a relevant source of data for this metric).</p>	
<p>Metric 18: Percentage of consumers having online access to historical data</p>		
<p>Approach to measuring the metric</p>	<p>The vast majority of respondents agree with the approach.</p> <p>A number of respondents mention the 3 years retention period for historical consumption data as an issue:</p> <p>One respondent mentions that in some MSs, the legal requirement for retaining historical consumption data is less than 3 years.</p> <p>Some respondents point-out that, in some cases, the DSO / supplier does not own 3 years of data and suggests that if the customer is in the portfolio for less than 3 years, the data available should cover the whole period starting from entry into the portfolio.</p> <p>One respondent mentions the difficulties of maintaining 3 years of data when introducing new IT systems.</p> <p>One respondent suggests distinguishing between customers with and without smart meters in the results.</p> <p>One respondent mentions that this data should be analysed along with metric 5 on data standards.</p> <p>One respondent mentions that consumers should have access to</p>	<p>CEER welcomes the support for the approach</p> <p>CEER thinks that operators should be encouraged to go beyond minimal requirements, unless legal requirements forbid it explicitly. Moreover, the three years retention period is in line with the Energy efficiency directive (2012/27/EU), article 11.</p> <p>This request is already taken into account in the current metric definition.</p> <p>When changing to a new IT-system the metric could also put the emphasis on operators who make the effort of converting data from a former system to a new one.</p> <p>If this is part of the relevant market in the particular member state, NRAs should indeed consider calculating this separately for smart meters.</p> <p>Having a common standard for data exchange is</p>



Question	Stakeholder comments	CEER views
	<p>online consumption data which respects the minimum requirements of billing information (EED – Directive 2012/27/EU, annex VII 1.2 b “comparisons of the final consumer’s current energy consumption for the same period in the previous year, preferably in graphic form”).</p>	<p>clearly a plus. But metrics should be calculated separately to properly identify where the issues come from.</p> <p>The directive should definitely be implemented in practice, but the metric is addressing a slightly different topic, which is the possibility of accessing the data online.</p>
<p>Source of data and how to minimize administrative work</p>	<p>Half of the respondents mention regulated companies as the relevant source of data and some respondents mention suppliers (with some overlap). Different market designs might explain this dispersion.</p> <p>Some mention PCTs, consumer associations and aggregators / energy service companies (one quote each).</p> <p>One respondent mentions that collecting data over 4 categories depending on the data granularity is excessively burdening.</p>	<p>Data collection on 4 categories is important for the metric.</p> <p>See General comments section (3.1)</p>
<p>Metric 19: percentage of consumers having access to a standardized supplier switching process (and its duration)</p>		
<p>Approach to measuring the metric</p>	<p>The vast majority of respondents agree with the approach.</p> <p>One respondent mentions that this metric should take into account that part of the delay is related to incomplete data.</p> <p>One respondent mentions the need for the implementation of a switching process on the DSO’s side.</p> <p>Two respondents mention that where smart meters are not rolled out, the metric should take into account the average time before validated data is transferred to the supplier.</p>	<p>CEER welcomes the support for the approach</p> <p>It is suggested that the duration is calculated starting from the time when all correct required data is provided to the regulated company.</p> <p>To some extent, the metric will indeed measure the impact of such a process, along with other drivers.</p> <p>The metric will indeed measure the time required for data transfer, along with other drivers.</p>



Question	Stakeholder comments	CEER views
	<p>One respondent suggests monitoring good practice elements and investigating further on timing.</p> <p>One respondent mentions the limits related to legal cool-off period under certain jurisdictions.</p> <p>One respondent considers that, the main driver in this metric is the level of smart meter deployment, the metric reveals more regarding the level of smart meter implementation than proper market functioning.</p> <p>One respondent mentions that the metric should also measure the ease of access to switching process.</p>	<p>Assessing this metric would indeed lead to more insight about good practice elements.</p> <p>The delays related to cool-off periods might indeed appear in the metric results, which the NRA should take into account.</p> <p>To some extent, the metric will indeed measure the impact of smart meter deployments, along with other drivers.</p> <p>To some extent, the metric will indeed measure the impact of such a process, along with other drivers. But, the ease of access should also be addressed, at least partially, through metric 5 on data exchange standards.</p>
<p>Source of data and how to minimize administrative work</p>	<p>Half of the respondents mention regulated companies as the relevant source of data and some respondents mention suppliers (with some overlaps). One respondent mentions NRAs.</p> <p>Two respondents mention that NRAs should rely on existing national surveys.</p> <p>A respondent suggests that each NRA should discuss their requirements with suppliers in order to tailor information collection as much as possible to companies' resource possibilities. (Although suppliers are never mentioned as a relevant source of data for this metric).</p>	<p>See General comments section (3.1)</p>
<p>Metric 20: Supplier switching rate</p>		
<p>Approach to measuring the metric</p>	<p>All respondents agree with the approach.</p> <p>Several respondents voice their agreement with measuring renegotiations as part of this metric. There is agreement that</p>	<p>CEER welcomes the support for the approach.</p>



Question	Stakeholder comments	CEER views
	<p>automatic roll-overs should be excluded when measuring this.</p> <p>One respondent suggests identifying whether the consumer has a smart meter, to see whether this causes a change in behaviour.</p> <p>One respondent questions why there is no measure of consumers choosing to remain with their current supplier.</p>	<p>It is possible, if desirable, to define a relevant market separately on the basis of customers that have a smart meter, enabling separate assessments for this group. This feeds into the more general approach to relevant markets in the paper.</p> <p>CEER believes that a measure of consumers choosing to remain with their supplier could be relevant. This could be measured through survey data, together with the survey data metrics (14 and others)</p>
Best source	<p>Almost all respondents believe regulated companies are the best source of data for this metric. A few respondents believe competitive retailers are the best source. One respondent believes that a consumer survey is the best source.</p> <p>Four respondents also mention that data hubs would be a good source of data, where available.</p>	<p>The views of the respondents are in line with CEER's suggested sources of data in the handbook.</p>
Availability of data	<p>Some respondents explicitly state that they can make data available. Answers in this section are largely lacking.</p>	
Minimising administrative work when asking for data	<p>One respondent highlights that suppliers' IT-systems may not be able to distinguish between product changes and technical changes, when measuring the internal switching rate. Therefore, the respondents argue consumer surveys would be the best source for this metric.</p> <p>One respondent says to make it part of another annual survey. Another says that, where possible, CEER should use existing information collected by ACER and other bodies. Another says that information should be tailored to companies' resource possibilities. Another says to use a consistent approach across several years.</p>	<p>See General comments section (3.1)</p>



Question	Stakeholder comments	CEER views
Metric 21: Percentage of inactive consumers		
Approach to measuring the metric	<p>Half of all respondents agree with the approach.</p> <p>One respondent disagrees with inactive consumers being “with the incumbent/default supplier/supplier of last resort on a standard contract”, arguing that these customers may be perfectly happy being there. Another respondent questions how to capture those that have moved house, ended up on a standard contract and remained there because they are satisfied. Moreover, default products may have evolved.</p> <p>One respondent argues that it will be necessary to define what “actively searching” for better deals means, in order to ensure comparability. The same respondent suggests to refer only to “supplier of last resort”, per the electricity directive, and not to “default supplier”.</p> <p>One respondent says it will be difficult to check whether consumers have searched for better deals or not.</p> <p>One respondent suggests including the level of people turning to the ADR/Ombudsman for help.</p> <p>One respondent suggests including the historical attitude of the consumer.</p>	<p>CEER agrees and will amend the description of the metric, changing the definition of the contract type for inactive consumers from “incumbent/default supplier/supplier of last resort on a default contract” to simply “consumers on a default contract”. This enables national flexibility in adapting to this metric. This is meant to capture the contract the consumer ends up with if the consumer does not make a choice in the market.</p>
Best source	<p>The majority of respondents believe regulated companies and/or competitive retailers are the best source of data for this metric. Half of the respondents believe consumer surveys are the best source of data.</p> <p>Other respondents mention consumer organisations, ADR/Ombudsmen and PCTs.</p>	<p>The views of the respondents are in line with CEER’s suggested sources of data in the handbook.</p>
Availability of data	<p>A few respondents explicitly state that they can make data available. Answers in this section are largely lacking.</p>	



Question	Stakeholder comments	CEER views
<p>Minimising administrative work when asking for data</p>	<p>Respondents suggest to make data collection part of annual surveys, use existing information provided by the industry, have clear and well-structured excel sheets and online questionnaires and to have a dialogue with the industry.</p>	<p>See General comments section (3.1).</p>
<p>Metric 22: Percentage of prosumers</p>		
<p>Approach to measuring the metric</p>	<p>The majority of respondents agree with the approach.</p> <p>One respondent says that the metric should take into account national requirements for being a prosumer.</p> <p>One respondent argues that the metric should reflect the degree of urbanisation, i.e. people living in multi-dwelling accommodation. The same respondent believes the word prosumer can be defined in a broader way, also including storage technologies and electric vehicles that can provide energy to the grid.</p> <p>Two respondents propose a new definition of prosumer.</p> <p>One respondent also wants to see a measure of the share of customers that receive subsidies through network tariffs, as well as dedicated self-consumption schemes.</p> <p>Several respondents mention that prosumers are not the only consumers participating in the energy transition in Europe, and that this also applies to those owning production entitlements, purchase GOs and similar.</p> <p>One respondent suggests that the term prosumer should also include consumers involved in demand response tariffs and programmes. Demand response should be considered as active participation in the energy transition.</p>	<p>CEER welcomes the support for the approach</p> <p>CEER believes that by stating that prosumers are calculated as “the share of consumers registered as prosumers” we are providing a degree of national flexibility, in terms of how to measure prosumers.</p> <p>CEER has enabled the member states themselves to define what constitutes a prosumer or not, this should ideally also include consumers in multi-dwelling accommodation, although this will be up to the member states. In the metric text, CEER will encourage that the member state also includes these consumers in the calculation.</p> <p>CEER agrees and will attempt to clarify the description of the metric and the definition of a prosumer, in line with the feedback received. CEER will also generally be more inclusive with reference to consumers’ participation in the energy transition.</p>



Question	Stakeholder comments	CEER views
Best source	<p>The majority of respondents believe regulated companies are the best source of data for this metric.</p> <p>One respondent mentions a federation of cooperatives as a potential source.</p>	<p>CEER's view is that the national definition will also be influential in defining the source of data for prosumers. If there is a national register, this is naturally a key source.</p>
Availability of data	<p>Some respondents explicitly state that they can make data available. Answers in this section are largely lacking.</p>	
Minimising administrative work when asking for data	<p>Respondents suggest to make data collection part of annual surveys, use existing information provided by the industry, have clear and well-structured excel sheets and online questionnaires and to have a dialogue with the industry.</p>	<p>See General comments section (3.1)</p>
Metric 23: Time between notification to pay and disconnection for non-payment		
Approach to measuring the metric	<p>The vast majority of the respondents agree with the approach. A few respondents did not, because it is a regulated metric and does not provide key information to market functioning. They add that CEER should be cautious when collecting and interpreting data from different countries about disconnection rates. There are rules or circumstances at national level which may have an impact on disconnection rates. One respondent also emphasises this. They conclude that disconnection therefore is an important tool for companies to manage credit risk, and there are cases of non-payment which are not linked to any vulnerability or poverty issue.</p> <p>Finally, one respondent states that a qualitative approach to information on timing coupled with the suggested proxy of disconnections by the DSO per request of supplier would seem more practical.</p>	<p>CEER welcomes the support for the approach.</p> <p>CEER thinks that a metric should be measured regardless of whether it is a regulated metric. The level of protection against disconnections due to non-payment is, as CEER has stated in the Position paper, a very important metric to monitor. Furthermore, as mandated by the 3rd Package, the number of disconnections should be monitored.</p> <p>CEER agrees that the interpretation of the outcome is very important. The result should be used as a signal to find out more about the actual problem and circumstances.</p> <p>CEER stresses the point that the handbook is used by NRAs to assess their own national market. CEER does not aim to compare or benchmark data from different member states with each other.</p>



		CEER has already included an alternative in the handbook in case the regulated company (DSO) does not know the exact reason for a disconnection: as a proxy the total amount of disconnections by the DSO per request of the supplier can be assessed.
Best source	Most respondents state that the data should be collected from regulated companies and/or competitive retailers. One respondent adds that consumer organisations, social organisations, and ADR/Ombudsmen could be a source of data.	In addition to DSOs and competitive retailers, CEER welcomes the suggestion to add ADR/Ombudsmen as an additional source for data as well.
Availability of data	Two respondents, respond that data could be made available through their organisation.	CEER welcomes the suggestion by the respondents.
Minimising administrative work when asking for data	Some suggestions from the respondents to minimise this burden: <ul style="list-style-type: none"> • Combine it with the other annual survey/data requests by the NRA • NRAs should contact suppliers and discuss the requirements in order to tailor information collection as much as possible to companies' resource possibilities. 	See General comments section (3.1)
Metric 24: Percentage of disconnections due to non-payment		
Approach to measuring the metric	<p>A vast majority of the respondents agree with the approach.</p> <p>One respondent suggests including pre-payment meters. Another respondent proposes to add a measure to identify: 1) the number of disconnections; 2) restrictions of supply; 3) switches to prepayment due to non-payment, made using remote functionalities.</p> <p>One respondent points out that the number of consumers at risk may be higher than those effectively disconnected (saved at the last minute).</p>	<p>CEER welcomes the support for the approach.</p> <p>CEER thinks that a metric should be measured regardless of whether it is a regulated metric. The level of protection against disconnections due to non-payment is, as CEER has stated in the Position paper, a very important metric to monitor. Furthermore, as mandated by the 3rd Package, the number of disconnections should be monitored.</p>



	Other responses are in line with those made for metric 23.	<p>CEER agrees that the interpretation of the outcome is very important. The result should be used as a signal to find out more about the actual problem and circumstances.</p> <p>CEER stresses the point that the handbook is used by NRAs to assess their own national market. CEER does not aim to compare or benchmark data from different member states with each other.</p> <p>CEER has already included an alternative in the handbook in case the regulated company (DSO) does not know the exact reason for a disconnection: as a proxy the total amount of disconnections by the DSO per request of the supplier can be assessed.</p>
Best source	Most respondents state that the data should be collected from regulated companies and/or competitive retailers. One respondent adds that consumer organisations, social organisations, and ADR/Ombudsmen could be a source of data.	In addition to DSOs and competitive retailers CEER welcomes the suggestion to add ADR/Ombudsmen as an additional source for data as well.
Availability of data	A few respondents state that data could be made available through their organisation.	CEER welcomes the suggestion by the respondents.
Minimising administrative work when asking for data	<p>Some suggestions from the respondents to minimise this burden:</p> <ul style="list-style-type: none"> • Combine it with the other annual survey/data requests by the NRA • NRAs should contact suppliers and discuss the requirements in order to tailor information collection as far as possible to companies' resource possibilities; 	See General comments section (3.1).
Metric 25: Percentage of suppliers using minimum standards for key information in advertising and bills		



<p>Approach to measuring the metric</p>	<p>Half of the respondents agree with the approach. The other half does not agree, and disagrees with the metric as a principle.</p> <p>However, one respondent adds that if the objective of this metric is to reveal the importance of existing regulation on advertising and billing, it can be included in CEER's handbook. The approach would need to be made country specific since suppliers have to comply with national standards on advertising and consumer protection.</p> <p>Also, one respondent states that CEER seems to be taking a purely quantitative approach to measuring such standards. This is dangerous, because effective regulation should be determined by the quality. It is important to evaluate the effectiveness of such standards.</p> <p>One respondent underlines that the issue is too complex to be incorporated in one metric, and perhaps proceeding on this should await eventual clarity at policy level. National legislation and examination of online and paper bills should yield the required information.</p> <p>Other respondents add that existing legislation should be the starting point for this metric, because there is already a lot of legislation (e.g. Consumers Rights directive, Unfair Commercial Practices directive, Unfair Contract Terms directive, Alternative Dispute Resolution directive, etc.) and sectoral (3rd Electricity directive, Energy efficiency directive).</p> <p>One respondent that does agree suggests centring this metric on the information arriving to the consumers, not only the percentage of suppliers providing information.</p>	<p>CEER understands the concerns that respondents may have with this metric. It is not CEER's intention to introduce a new regulatory framework. The minimum standards for key information in advertising and bills should be based on existing legislation, such as the Annex 1 of the 2009 Directive. We will also take into consideration the proposed revision of the EC Electricity and Gas Directives.</p> <p>The quantitative approach is merely a starting point for an NRA to assess this metric. The interpretation of the outcome is very important. The result should be used as a signal to find out more about the actual problem and circumstances.</p> <p>At this point CEER has changed the quantification of the metric and suggests that NRAs will explore the possibilities to assess this metric in such a manner that it suits national circumstances.</p>
<p>Best source</p>	<p>The respondents who agree with the metric state that suppliers and/or regulated companies are best equipped to provide information.</p> <p>A couple of respondents say that consumer organisations and/or ADR/Ombudsmen could also be a source of information.</p>	<p>In addition to DSOs and competitive retailers, CEER welcomes the suggestion to add consumer organisations and/or ADR/Ombudsmen as additional sources of data as well.</p>



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Availability of data	A few respondents say that consumer organisations and/or ADR/Ombudsmen could also be a source of information.	CEER welcomes the suggestion by the respondents.
Minimising administrative work when asking for data	Respondents express their concern regarding the increase of the administrative burden.	See General comments section (3.1)



4. Conclusions and Recommendation

In general, the stakeholders agree with the approach CEER is taking when defining the metrics. We have received useful comments which we have incorporated in the handbook. We consider some responses to be out of scope, or less useful at this time.

As a next step, NRAs are invited to use the handbook in 2017 to self-assess their national market. The self-assessments may have a regional focus to examine the scope of the potential for retail market integration at regional level (e.g. NordREG). To fully grasp the development of the market over time we advise to repeat the assessment within a reasonable timeframe. NRAs themselves are best equipped to evaluate the most appropriate timeframe. We also advise taking into account the administrative burden for stakeholders (suppliers, DSOs, etc.) when collecting the data needed to assess the metrics. In 2017 CEER will offer guidance to NRAs on the process of self-assessment, which may include organising training sessions for NRAs. This will be done on a supply and demand basis.

Finally, CEER acknowledges the fact that the handbook and its metrics are dynamic by nature. Legislation evolves, as well as national circumstances. This means that CEER will have to review the metrics periodically and update or change metrics and/or definitions when necessary.



Annex 1 – List of abbreviations

Term	Definition
ACER	Agency for the Cooperation of Energy Regulators
BEUC	Bureau Européen des Unions de Consommateurs (European Consumer Organisation)
CEER	Council of European Energy Regulators
DSO	Distribution System Operator
GGP	Guidelines of Good Practice
HHI	Herfindahl-Hirschman Index
MS	Member State
NRA	National Regulatory Agency
PCT	Price Comparison Tool
SME	Small and Medium-sized Enterprise
TSO	Transmission System Operator

Table 2 – List of Abbreviations



Annex 2 – List of Respondents

	Organisation	Respondent's activity / interest
1	ANEC	European consumer voice in standardisation
2	CEDEC	Association of local energy companies
3	CERA	National Regulatory Authority
4	EDF	Supplier
5	EDSO for Smart Grids	DSO association
6	EURELECTRIC	Union of the Electricity Industry
7	EUROGAS	DSO and supplier association
8	Gaz Réseau Distribution France (GRDF)	DSO
9	GEODE	DSO association
10	NEON	National Energy Ombudsmen Network
11	REScoop.eu	Supplier
12	Smart Energy Demand Coalition	Association of retailers and aggregators
13	Swedenergy	Energy industry association
14	ZSE Energia	Retailer



About CEER

The Council of European Energy Regulators (CEER) is the voice of Europe's national regulators of electricity and gas at EU and international level. CEER's members and observers (from 33 European countries) are the statutory bodies responsible for energy regulation at national level.

One of CEER's key objectives is to facilitate the creation of a single, competitive, efficient and sustainable EU internal energy market that works in the public interest. CEER actively promotes an investment-friendly and harmonised regulatory environment, and consistent application of existing EU legislation. Moreover, CEER champions consumer issues in our belief that a competitive and secure EU single energy market is not a goal in itself, but should deliver benefits for energy consumers.

CEER, based in Brussels, deals with a broad range of energy issues including retail markets and consumers; distribution networks; smart grids; flexibility; sustainability; and international cooperation. European energy regulators are committed to a holistic approach to energy regulation in Europe. Through CEER, NRAs cooperate and develop common position papers, advice and forward-thinking recommendations to improve the electricity and gas markets for the benefit of consumers and businesses.

The work of CEER is structured according to a number of working groups and task forces, composed of staff members of the national energy regulatory authorities, and supported by the CEER Secretariat. This Evaluation of Responses paper was prepared by the Strategy and Communications Task Force of CEER's Customers and Retail Markets Working Group.

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More information at www.ceer.eu.