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NON-CONFIDENTIAL CONSULTATION RESPONSE

R0139 – ALIGNMENT OF MARKET MESSAGE D0225 'CONSENT TO SHARE FLAG' TO SUPPORT PSR DATA SHARING

On 26 January 2024 the Code Manager issued a consultation to industry to seek feedback on the Preliminary Change Report for R0139.

The purpose of this document is to consolidate the responses and for the Code Manager to answer any questions raised within those responses.

DOCUMENT VERSION	1.0
RESPONSE TYPE	NON- CONFIDENTIAL
DATE ISSUED	16/02/2024
RESPONSIBLE COMMITTEE	Technical Expert Committee
LEAD ANALYST	Holly Law

DATE CONSULTATION ISSUED	26/01/2024
RESPONSE DEADLINE	06/02/2024

Question 1:	Do you have any comments on the proposed solution?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
SSE Energy Supply Ltd (SSE Business Energy) (Energy Supplier)	We believe the proposed solution is complex to implement for industry and feel the most appropriate course of action would be to remove the data item in its entirety. The Lawful Basis for sharing the data does not need to be flagged as we would not share the information unless we had a Lawful Basis to do so. We also believe that amending the data item will not be a simple change for those that use this information and that by deleting it would be more suitable.	Following conversations with the Supplier, they are now more comfortable with the impacts of this change and agree is less complex than they originally believed it to be. The D0225 is a key data sharing flow within the industry. If we remove the data item, it would be a fundamental change with little to no benefit, which also has the risk of impacting a key Industry flow. This change was proposed on the back of discussion with Ofgem and domestic Suppliers, many suppliers have already implemented the change to their processes expecting the flow change to be delivered at a later date through a change proposal.

Question 2:	Do you expect there to be an impact on your systems and/or operational processes as a result of this change? If so, please provide details.	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
SSE Energy Supply Ltd (SSE Business Energy) (Energy Supplier)	Yes, we believe that we would have to review all data that is currently held with existing customers. As we believe that by changing the nature of the question, you change the answer.	Following conversations with the Supplier, they are now more comfortable with the impacts of this change. The question is changing from do you have explicit consent to share this data, to do you have a lawful basis for sharing this data, therefor we disagree that it would be necessary for you to review all data that you hold, as if you do not have explicit consent and that is the lawful basis on which you currently share data, then it would already be marked as no. Any flows sent until this change is implemented, can be assumed to be sent as per the current flow description.

Question 3:	Do you agree with the proposed implementation date and approach? If not, please provide rationale. Please note, OFGEM want this to be implemented as soon as feasibly possible due to its impact on the Data Sharing Project.	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
SSE Energy Supply Ltd (SSE Business Energy) (Energy Supplier)	No, we do not believe the April implementation is achievable. We would require at least 6 months lead time for this change to be implemented. However, as noted within Q1, deleting the data item could be achieved by April 2024.We believe this should not have been raised with an implementation date as close as is being proposed, as REC should be aware of other industry initiatives, this change could have been raised at the point the decision was made by the ICO to ensure there were no delays for other priority work. Any IT changes need at least a 6-month lead time. Due to the nature of the REC change process, we believe this impacts the lead time for these changes, which should be assessed. REC need to consider the impacts on market participants with urgent changes being proposed, for example, due to the request from Ofgem requiring this to be implemented as soon as possible, the IA could have been removed from this change which would have enabled industry to have a longer more acceptable lead time.	Following conversations with the Supplier, they are now more comfortable with an April date. This Change Proposal was raised on the back of Ofgem conversations with Domestic Energy suppliers, who were supportive of an implementation date of the 12th April 2024, as most have already changed their processes in preparation for the change to the D0225. We are only changing the title and description of the PSR flag, and we have had other parties tell us through Impact Assessment and Consultation that this would be a simple change to systems that would require 4 weeks' notice to implement. We are not asking parties to change their lawful basis for sharing data, only changing the name of the PSR flag so that it is broad enough to cover all lawful basis for sharing, including explicit consent and legitimate interests.

		An Impact Assessment was carried out with parties to understand what lead time was needed, how complex the change would be to implement and if the proposed implementation date of the 12th April would be achievable. The overall response from parties, including suppliers, was that this was not a complex change and the date of the 12th April would be achievable.

Question 4:	Would implementing the proposed solution incur any costs to your business? If so, please provide details	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
SSE Energy Supply Ltd (SSE Business Energy) (Energy Supplier)	Yes, we are unable to quantify our costs currently.	Noted.

Question 5:	Do you identify any benefits to your business through the implementation of the proposed solution?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
SSE Energy Supply Ltd (SSE Business Energy) (Energy Supplier)	Potentially, as a non-domestic only supplier, we are not obligated to follow this process however, we do follow the rules to ensure any customers deemed vulnerable within our customer base have the required support, where needed.	Following conversation with the supplier and after clarification, this change will only impact flows they receive from DNOs and pass on to their agents.

Question 6:	Do you have any other comments relating to this Change Proposal?	
RESPONDENT DETAILS	**RESPONSE**	**CODE MANAGER COMMENTS**
SSE Energy Supply Ltd (SSE Business Energy) (Energy Supplier)	As we have responded to in other questions, we believe that the removal of the data item is the most appropriate solution and will be easier to implement.	Noted, please see response above.