



31 October 2018

Mr Wayne Poels
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
One National Circuit
BARTON ACT 2600

Email: helpdesk-obpr@pmc.gov.au

Dear Mr Poels

REGULATION IMPACT STATEMENT – OPEN CONSUMER ENERGY DATA

I am writing to certify that the *Open Consumer Energy Data: Applying a Consumer Data Right in the energy sector* report (the Report), together with its associated draft paper, was informed by a process and incorporated analysis equivalent to a Regulation Impact Statement (RIS) sufficient for the purposes of designating the energy sector to be subject to the Consumer Data Right (CDR).

The Report, prepared by HoustonKemp at the request of the Department of Environment and Energy on behalf of the Council of Australian Governments' Energy Council, has adequately addressed the required elements of a RIS. I am satisfied that the Report meets best practice, consistent with the *Australian Government Guide to Regulation*.

The Office of Best Practice Regulation has agreed that the measure will increase compliance costs in the energy sector by an average of \$9.9 million per year, on an annualised basis. A regulatory offset has not been identified (OBPR ID 22394). However, Treasury is seeking to pursue net reductions in compliance costs and will work with affected stakeholders and across Government to identify reductions where appropriate.

I do not, however, certify the Report for the purposes of the detailed design of how the CDR will be applied within the energy sector. The Australian Competition and Consumer Commission (ACCC) will separately be consulting on design options and seek the agreement of the Office of Best Practice Regulation on the final compliance cost of the application of the Consumer Data Right to the energy sector before the final decision point.

Should the Office of Best Practice Regulation have any further queries in relation to this matter, please contact [REDACTED]

Yours sincerely

Meghan Quinn
Deputy Secretary
Structural Reform Group