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Liam Bennett
Energy System Data Regulation,
Ofgem.
By email only: digitalisation@ofgem.gov.uk

14th April 2023

Dear Liam,

RECCo response to: Updates to Data Best Practice Guidance, Digitalisation Strategy and Action Plan Guidance Consultation.

We welcome the opportunity to respond to this consultation. Our non-confidential response, appended to this letter, represents the views of the Retail Energy Code Company Ltd (RECCo), and is based on our role as operator of the Retail Energy Code (REC).

RECCo is a not-for-profit, corporate vehicle ensuring the proper, effective, and efficient implementation and ongoing management of the REC arrangements. We seek to promote trust, innovation, and competition, whilst keeping positive consumer outcomes at its heart. We are committed to ensuring that RECCo is an "intelligent customer", ensuring efficacy and value-for-money of the services we procure and manage on behalf of REC Parties.

Whilst we are not obliged under the licence framework to follow the Data Best Practice Guidance (DBPG), as we are fully supportive of the principle aims we have nonetheless embedded the principles within the REC, ensuring that any data access permitted pursuant to REC Schedule 12 is consistent with those principles. As signalled in our response to your Autumn 2022 Call for Input, we are in the early stages of work to fully assess and adopt the principles more broadly in our future work, the latest being our Open Data and Consumer Consents work.

Despite these DBPG, Strategy & Action Plan Guidelines not currently being targeted at energy licensees and market participants, they are likely to become a *de facto* standard; they should therefore be designed with sufficient regard to their whole-of-system adoption.

We fully agree with the agile approach, adapting guidance documents as and when changes in the industry require it and/or improvements are identified. This would include changes to help align interpretations and approaches, improve consistency for easier data transparency, interoperability and discoverability, and also extending Open Data Assets to include aggregated smart meter energy consumption data.

Delivering accessible, searchable data assets, to better inform more efficient planning, building, operation and flexibility trading on our networks, on our journey to net zero. We are supportive of the aspiration for wider adoption of the DBPG. However, the DBPG is currently focused heavily on distribution and network stability; we would welcome future consideration and analysis of how these data assets can have a direct impact upon and better support end-consumers, both in terms of energy efficiency measures and provision of flexibility. We support Ofgem's aspiration to move towards greater consistency and adoption of recognised standards. It will be particularly important to ensure that metadata is appropriately catalogued and transparent to all legitimate Users. We consider that there would be merit in moving towards a common, centrally held metadata catalogue, which would facilitate discoverability, whilst retaining existing ownership.

Company No. 10989875

As always, we are happy to discuss any of the points raised in this response. We particularly welcome Ofgem's engagement in our own Open Data and Consumer Consent project, which we expect to report on by this summer.

Yours sincerely,

Jon Dixon

Director, Strategy and Development

Chapter 2: Changes to the design approach of Data Best Practice Guidance

> **Q1. Do you agree with our proposal to implement a structural change to DBP Guidance, introducing intended outcomes for each principle? If not, how do you suggest we could clarify the aim of each principle?**

We are fully supportive of introducing intended outcomes to the Data Best Practice Guidance Principles, to help improve clarity and drive consistent interpretation by networks when they apply the principles to their data digitalisation standards and approach. Thus enabling more successful interoperability and discoverability of Open Data Assets to inform a clearer national energy system, and digitalised ecosystem view.

To ensure the central focus for each Principle is on the intended outcome, we suggest setting these in a more prominent position than outlined in the proposal, i.e. either before or immediately after each Principle, followed by the accompanying explanation, technique and example(s) used. All the information provided is intended to aid and inform the obliged parties, but the order often implies its importance even if unintentional.

Considering the evolution of this guidance, with a high likelihood of further evolution and extension, as the field of data and its use evolves (e.g., interoperability, accessibility, security etc) we recommend ensuring that these principles are designed with the whole market in mind, not just the current licensees.

> **Q2. What are your views on the proposed wording of our intended outcomes for each principle in DBP Guidance?**

Principle 1: Identify the roles of stakeholders of Data Assets

- We agree with the Data Custodian focus, as it covers Data Controller, including around meta data owner and data controller / processor roles.
- For clarity and completeness, we suggest the explicit inclusion and definition of meta data owners as part of this principle and intended outcomes. Responsible for the configuration management of the meta data associated with the energy market data item(s), with the authority to make decisions about their definitions, data quality, accessibility, retention, and classification requirements associated with its use.

Principle 2: Use common terms within Data Assets, Metadata and supporting information

- Whilst we concur with metadata definition, we suggest a defined, recognised split between metadata owners and data custodians. Using metadata terminology standards lays the foundation for harmonisation across data from different environments, easing data search and discovery, and can unlock the true value of the data, better enabling data-driven decision making.
- As we express in our observations for Principle 3, we tie this in with use of common standards and the publication of the metadata model centrally.

Principle 3: Describe data accurately using industry standard metadata

- We are fully supportive of the use of common standards. The use of a central place for networks to publish their derived data catalogues would further aid transparency, visibility and ease of discoverability for those who want to understand what data is available and its categorisation. For example, to set out a simplified view of the Retail Energy Code, its data specifications and ability to search by market scenario, RECCo provides an Energy Market Architecture Repository (EMAR) as the central repository publishing an accessible view of the retail energy data.

Principle 4: Enable potential Data Users to understand Data Assets by providing supporting information.

- We suggest the intended outcome and principle should be strengthened, to make this more impactful, such as:
  - specificity in its definition, around machine-to-machine communication, etc;
  - including standards for use and documentation, utilising "JSON object" payloads to send the data parties are interested in, over Representational State Transfer Application Programming Interface (RESTful APIs) (or event interfaces) and WebSocket architecture guidelines (depending on use).

Principle 5: Make Data Assets discoverable for potential Data Users

- Ensuring the Data Assets are discoverable is key; the issue we can see is how it is catalogued/published. We recommend Ofgem considers the questions further with industry, to overcome existing issues of discoverability. In our observations to Principle 3 we outline that we advocate the use of a central common standard and catalogue publication. We would be happy to engage with Ofgem and consider the potential use of our Electronic Data management System (EDMS) under EMAR for this purpose.

Principle 6: Learn and deliver to the needs of current and prospective Data Users

- We recommend explicitly including the need to identify end consumer needs, as well as potentially developing for their benefit.
- Delivery following an agile methodology, would allow the incremental development of discrete, focused, products and services. These can be delivered in an evidence-based, achievable timescales, concentrating on those use cases with the highest priority or importance to Data Users.

Principle 7: Ensure data quality maintenance and improvement is prioritised by Data User needs

- Data quality should apply equally to metadata and data. Therefore, we recommend including the requirement to develop and follow a data quality framework to document the initial assessment and ongoing maintenance of data quality.
- Under our recent Open Data and Consumer Consents (ODCC) work, we successfully developed a data quality framework, from the best practices and principles from metadata tools used across different industries, using common references from ICO and Ofgem. Using the framework to identify, assess and log potential data quality issues. With the ownership model, we have not only set out the data classifications in the data catalogue, but a metadata quality and governance framework in place to help us maintain the quality of the data. We will publish our report on this work by the summer.

Principle 8: Ensure Data Assets are interoperable with Data Assets from other data and digital services

- As we confirmed in our Call for Input response, this principle is important and potentially could benefit from being more highly promoted, via reordering.
- Additionally, we suggest strengthening this principle, in the way we have set out for Principle 4, with specificity for machine-to-machine communication in the definition and standards for use and documentation.

Principle 9: Protect Data Assets and systems in accordance with Security, Privacy and Resilience (SPaR) best practice

- Security by Design as a default might be better served by higher prominence for this principle, via reordering.

Principle 11: Treat all Data Assets, their associated Metadata and Software Scripts used to process Data Assets as Presumed Open.

- We suggest utilisation of metadata work to define the category of data and therefore support open data, i.e., open, opt-in/-out, etc. Where a metadata catalogue acts as an inventory housing descriptive and business-oriented information of value to the end users, i.e., consumers of the data. Another key principle, which might be better served by promotion higher up the order.

Chapter 3: Data Best Practice Guidance and Digitalisation Strategy and Action Plan Guidance scope and content

Q3. What are your views on our proposal to require the use of Dublin Core as the Metadata standard for companies obligated under DBP Guidance?
We support Open Data principles, for appropriate and legitimate use, with the adoption of clear, consistent, common standards and approach, so agree with the introduction of the requirement to use Dublin Core in the guidance.   When considering Dublin Core, designed to cover physical or digital assets, and actual data in use, we understand its introduction would provide a consistent industry standard, whilst allowing a desirable long-term, flexibility, that it might open up future uses across sectors, beyond energy, and/or geographic boundaries. As this standard may be new to parties, we believe there are significant training and support needs arising from the adoption of this standard. Not least as the documentation available is not intuitive, or written in accessible terminology to the uninitiated. We encourage Ofgem to factor this into the adoption timescales it determines, consult with parties about their needs and considers what support it could commission on behalf of industry to enable a smooth uptake and adoption. As we have noted already, we have already initiated work to develop a metadata catalogue describing data items and market messages across industry (REC's EDMS, published on EMAR). We believe this could play a part and be considered for use in the future landscape and would be happy to engage with Ofgem, and networks around the possibilities.

Q4. If you do not agree with this proposal, are there alternative Metadata standards that should be utilised by licensees instead?

We do not have an alternative metadata standard to propose for consideration.

Q5. If you are a licensee required to comply with DBP Guidance, can you provide a timescale for the implementation of the proposal to adopt Dublin Core as your Metadata standard?

The Retail Energy Code Company (RECCo) & Retail Energy Code (REC) are not currently obligated to follow the Data Best Practice (DBP) Guidance. However, we would be happy to consider Dublin Core as part of any wider adoption across the industry.

Q6. What are your views on our proposal to require the use of the Creative Commons Attribution Licence or the Open Government Licence as the standard open data licence for companies obligated under DBP Guidance?

Both licences appear to deliver the desired common standards. We have no particular view on which should be considered for adoption, though we note the following potential limitations we see in each licence.

The Open Government Licence (OGL) confirms that data can't be restricted to a particular purpose. Which if used for more personal information, would mean it was available for commercial and non-commercial use. This could create a data integrity issue, if it needs to be updated for accuracy.

Whilst the international Creative Commons Attribution Licence (CCAL) - notes that whilst restrictions on sharing are prohibited, it allows for the limiting of user access. For example, the data could be behind a portal, with access limited to particular users noting, however, once they have access, they can share what they want.

Q7. If you do not agree with this proposal, can you suggest alternative open data licences to be utilised as a common open data licence

We do not have an alternative open data licence to propose.

Q8. If you are a licensee required to comply with DBP Guidance, can you provide a timescale for the implementation of the proposal to adopt the Creative Commons Attribution Licence or the Open Government Licence as your open data licence

The Retail Energy Code Company (RECCo) & Retail Energy Code (REC) are not
currently obligated to follow the Data Best Practice (DBP) Guidance. However, we would expect that licensees will provide sufficient feedback to Ofgem to enable it to reach an appropriate evidence-based decision on any timescales.

Q9. What are your views on our proposal to require licensees to create and publish a Data Catalogue of their Data Assets

We fully support the introduction of a requirement to deliver a Data Catalogue. However, we feel an opportunity may be missed if Ofgem does not also require the central publication and maintenance of a Data Catalogue. Without a centralised data catalogue of Data Assets, engagement within sector and beyond could prove challenging and ineffectual; it could unnecessarily duplicate data users effort, whilst also increasing unhelpful complexity, driving inefficiencies when trying to assess and interpret the available data.

Building interoperability from the outset, removes frustrations, and increases understanding of the industry, with the aim to improve utilisation of content. A central repository has the added potential for efficiencies of scale, ease of discoverability, familiarity and ease use, leading to a consistent, overall data user experience.

For instance, our work on the Theft Estimation Methodology would have benefited greatly from a central repository of the relevant data. Our work, initiated in Autumn 2021, required numerous data requests, and discussions with various parties. We were hampered by challenges around data availability, access, and its subsequent provision. This resulted in around a year of delay, after which only a small subset of the data originally requested was made available for our analysis.

This could be a new, network procured and managed service, or alternatively we are happy to engage with Ofgem and industry to assess whether we might play a role on behalf of industry to deliver something under EMAR using our EMDS.

Chapter 4: Energy System Data and its application

Q10. Do you agree with our proposed position on treating aggregated smart meter consumption data as Energy System Data?

In principle we agree that aggregated smart data should be treated as Energy System data, where it is not attributable, or individually identifiable. Whilst the aggregation of usage data can facilitate the presumption of openness, this can also hinder its value. It may therefore provide greater flexibility for consumption data to remain available on the basis of legitimate interest, rather than wholly open.

Q11. What are your views on our position that this Data Asset should be published in a non-interoperable fashion by 14 October 2023, if the appropriate security controls are in place?

We have assumed that the appropriate security controls you reference are general security best practice to be used in developing controls when complying with relevant legislation. In most cases this would mean appropriate control identification and implementation, following an appropriate risk assessment

For clarity, is there a controls framework, or specific best practice, which Ofgem believe should be adhered to ensure control appropriateness for the publication of this data asset? Or are Ofgem considering this is at the discretion of publisher?

Q12. What are your views on our proposal that DNOs collectively determine an interoperable methodology by 28 February 2024, for publishing aggregated smart meter consumption data?

We have no view on the proposed date to determine an interoperable method, as we assume this date was derived from evidence of the work implications from those required to develop and deliver this.

We note the deadline for 28 February 2024 is for an interoperable methodology. It is not clear from the consultation at what point you expect its implementation and use. And if the required parties should be considering and factoring in other users' needs, to ensure it remains interoperable on a larger scale.

Q13. What are your views on our proposal that licensees treat Data Assets associated with flexibility market operation as Presumed Open?
We support the clarification around flexibility market operation as Data Assets, Energy System Data. It is in keeping with the precedent established under the legacy codes, and the presumed open data principle of the Energy Data Task Force, that licensees should treat Data Assets as Presumed Open, and the exceptions require justification.

Q14. Do you foresee any specific barriers to treating Data Assets associated with flexibility market operation as Open Data?
We see no barriers, but notwithstanding the requirement for DBP "Open Data Triage" required by the sole/joint Data Custodian/Controller, we believe there is merit in an industry Data Privacy Impact Assessment to consider the data sets involved.