

To the kind attention of **Ditte Juul Jørgensen**
Director General DG ENER
European Commission

cc:

Paula Pinho, Director, Just Transition, Consumers, Energy Efficiency and Innovation (DG ENER.B)
Adela Tesarova, Head of Unit, Consumers, Local Initiatives, Just Transition (DG ENER.B.1)

Brussels, 25 June 2021

Dear Director General,

The European business associations we represent are convinced that a cost-effective decarbonisation can be achieved only if all consumers are enabled to actively participate to the clean energy transition by flexibly adapting their energy consumption, on-site renewable generation and energy storage capacity (including electric vehicles). This requires immediate action at EU level through different initiatives, notably the development of all Implementing Acts on interoperability requirements and procedures for access to energy data.

The current exponential development in automation, digitalisation, new IoT technologies in end-user sectors and data-driven energy services requires the definition of an harmonised framework at EU level, consistent with the Electricity Market Design.

We welcome the involvement of stakeholders in the preparation of proposals for Implementing Acts through the Smart Grid Expert Group 1 (EG1), which met since early 2020. We are committed to this effort and we urge the inclusion of market players in the composition of the next Editorial Team for the draft Implementing Act on data required for Demand Response, to be launched in autumn 2021.

Although valuable developments have been achieved within EG1, we would like to highlight the following recommendations in view of the official drafting of the Implementing Acts by the European Commission:

- smart meters are a relevant source of data along with sub-meters. A narrow focus limited to smart meters would not contemplate all market opportunities that can be provided through other sub-metering data to activate demand-side flexibility. Relevant energy data from both devices should be equally considered in all Implementing Acts to ensure the fast deployment of new cross-sectorial services, based on consumers' consent;
- data from sub-metering is specifically relevant for incentives-driven (explicit) demand response schemes. In this light, it is crucial that the Implementing Act on data required for Demand Response contemplates relevant energy data from both smart meters and sub-meters to ensure a comprehensive coverage of both price-driven and incentives-driven demand response schemes. The expected increase in demand response participation in all electricity markets, directly and/or indirectly through aggregators, is a remarkable evolution that should be addressed in this Implementing Act;
- to ensure transparency and equal treatment among TSOs & DSOs, market players and consumers, ACER should be appointed as the most competent and neutral EU authority to regularly update, with the technical support of relevant stakeholders and standardisation bodies, the Core Reference Model to reach a minimum level of interoperability/data access, monitor progress of national practices and issue recommendations to Member States, in cooperation with the European Commission. This role is a natural expansion of ACER's competence in monitoring market designs and arbitrate together with the European Commission.

Consumer empowerment is a key element of the Electricity Market Design that Member States are implementing in a timid way, with strong delays. To support the increased 55% GHG emissions effort in 2030, data-related policies must be developed to ensure the development of prosumer business models.

We are at your disposal for any clarification you may need.