

10 July 2007

**National Gas Market Development Plan
Bulletin Board Business and Data Requirements
Submission by EWN Publishing
On the June 2007 Consultation Paper**

To: ["john.savage@vencorp.vic.gov.au"](mailto:john.savage@vencorp.vic.gov.au)

Dear John Savage

I write to add a contribution to rules on gas data access from the perspective of the general public; that includes media, consultants and end-users and all interested parties – that is, *gas data users*.

I do hope the outcome – of your process - meets the objective of “transparency” (as required under the objectives of this process). Therefore, I would argue, the Bulletin Board must:

- provide wider access to data by the general public; and
- set a maximum amount of data in the public domain;
- provide more data, not less, in emergencies; as an open data system provides the ability for the public to manage emergencies, and for the media to report in ways which can contribute to solutions.

I note the supplier submissions oppose gas-data access, to the public on the grounds it is not in the interest of suppliers; and the jurisdictions propose a closed data system for emergencies.

For example the NEM does not shut down in emergencies; its systems report the details of those emergencies, and that enables market responses.

Ministerial control over energy emergency data contradicts the principle of a market.

In the interest of balance, and considering the various MCE objectives, for example, “fair..transparent, and ...meeting environmental objectives”, I would suggest these approaches;

- a simple web-based start;
- use of ftp and csv file access, to start with;
- data of supply, delivery *and* compressor points;
- volume and pressure data;
- provision of five years of historic data;
- free to the public;
- central data development costs met by a levy on gas users;

- fair balance of large and small data users and suppliers in the data service development process. (it appears, this does not, now exist)
- separation of gas users, from gas data users (**a new concept**);
- **no costs for internal gas supplier data development billed to users - as a gas market players' "business as usual" approach must be to know what gas it has, and where it is, in real time);**
- **a principle that the consumer owns consumer data;**
- **consumers get enforceable access to own data in a standard form and timing.**

In your considerations, I suggest the debate set free-flowing data as a commodity, separated from gas itself.

Data acts as enabler of public good, competition, fairness and innovation, and, within these principles, I note:

Markets need data to work and *consist* of data:

Gas data users may not be gas users.

Increased gas and gas data may provide an environmental good.

If this process allows suppliers to control flow and terms and price of data - that's a form of data oligopoly and to some degree, may point to a "data cartel".

Limited data reduces innovation, limits environmental good (more gas use) and increases costs.

The ACCC has set some precedents in the data area.

I note submissions, so far, show the trend that gas data-owning parties oppose wide data access to the public.

The data-owning parties also control the operators. The same parties also control the Gas Market Leaders Group.

They all work under the MCE. The objectives for the process require "transparency", but the submissions, in general, oppose "transparency".

The process manager, VENcorp – also acts a player in the data market.

In this data debate we can observe a typical early-stage approach in an opening market. Over time, data - must and will - move into the public domain.

The current debate on the BB deals with the *pace* of data release, and

In this current process we see the incumbent suppliers use data oligopoly market power to retain control.

It's a typical pattern. In this stage of a market I have learned to expect – responses to public requests for data, met with anger, and ‘how–dare-you-report-that-way,’ righteousness.

Example: For example, that was my experience in the past week in my data requests to various gas supply parties relating to the Moomba line pack event in mid June. This impacted the national electricity market price, and 400 gas users. The operator (GMC) would provide no information to my data requests, on the basis it did not like the way *Gas Week* had reported a (qualitative) issue. The suppliers would provide no information, the Minister would provide no information.

This illustrates market where suppliers and politicians control data. That refusal leads to a loss of public information about an issue of high public interest.

As gas data moves into the public domain - and as supplier and operator bodies face increased public analysis, - a new and more diplomatic culture will tend to come into play.

However, that process – of cultural change - takes time.

At the start of the National Electricity Market, I made a similar contribution, on public data access and the view was supported by the ACCC.

However, it took one year and 72 communications with (the operator) NEMMCO, and the intervention of the regulator, (then, NECA) to get the operator to release the data in the form requested (ftp).

In the end, wider public access to electricity data resulted, and at a lower cost, (as NEMMCO sold data access at about \$100,000pa, and we offered it at \$4500pa).

So an incumbent culture of “industry control” in my experience can sustain a culture, which resists change, despite changes to rules. The operator and the regulator can sometimes share the same culture.

In the end, innovation and data services competition was enabled – to a degree - and costs were lowered.

The wider community – and many other small data firms - were empowered, through an increased understanding of the market.

I note NEMMCO is proposed as the operator. A party must then have the power to enforce supplier provision of public access; and that party needs to

sit independent of operators and suppliers, empowered to act in the public interest, and widely for “gas data users”, as well as gas suppliers and users.

I do hope the process meets the objective of “transparency” (as required under the objectives of this process). Therefore I would argue, the Bulletin Board must provide wider access to data by the general public and set a maximum amount of data in the public domain.

Yours Sincerely

Laurel Fox Allen
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cc. *Energy Daily*