



CEER

**Council of European
Energy Regulators**

Fostering energy markets, empowering **consumers**.

2022 Update on Guidelines of Good Practice on Comparison Tools

Public Consultation

**Customer Empowerment Work Stream
of
Customers and Retail Markets Working Group**

**Ref: C21-CEM-142-06
23-12-2021**

INFORMATION PAGE

Abstract

On 23 December 2021, CEER launched a public consultation on Guidelines of Good Practice on Comparison Tools which outlines 20 recommendations aiming to align with the requirements established in EU legislation as well as to enable their sound development in the future, as a function of market innovation, while ensuring consumers' best interests.

All stakeholders such as energy suppliers, traders, prosumers, electricity and natural gas customers, electricity and natural gas industry, customer representative groups, network operators, Member States, academics and other interested parties are invited to respond to the public consultation.

Target audience

Energy suppliers, traders, gas/electricity customers, gas/electricity industry, consumer representative groups, network operators, Member States, academics and other interested parties. [insert/delete as appropriate]

How to respond to this consultation

Deadline: **17 February 2022**

Interested parties (e.g. regulators or their associations, consumer bodies, companies) are invited to participate in the public consultation via a dedicated online questionnaire_on LimeSurvey: <https://ceersurveys.limequery.org/298894?lang=en>. No login is required.

Treatment of confidential responses

All responses except confidential material may be published on the website www.ceer.eu.

In the interest of transparency and in accordance with the General Data Protection Regulation (GDPR), CEER:

- i. will list the names of the organisations that have responded but anonymise the personal data of any individual (such as members of the public) that has contributed.
- ii. requests that any respondent who does not wish their contribution to be published, to indicate this preference when submitting their response via the online questionnaire. CEER will publish elements of all responses that are not marked confidential on the CEER website: www.ceer.eu

This CEER public consultation is carried out in line with the Guidelines on [CEER's Public Consultation Practices](#).

If you have any queries relating to this paper / or to the online consultation, please contact:
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Related documents

CEER Documents

[CEER Guidelines of Good Practice on Comparison Tools in the New Energy Market Design](#), 20 December 2017, Ref. C17-CEM-107-04.

[CEER Guidelines of Good practice \(GGP\) on Price Comparison Tools](#), 10 July 2012, Ref. C12-CEM-54-03.

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1 Introduction

Comparison Tools (CTs) are an important aspect of the energy markets as they can empower energy consumers, to the extent that they deliver a clear and trusted service that provides additional and relevant information to consumers so that they can choose the best offer to fit their needs. In this regard, CEER is seeking feedback on the ongoing update of its guidelines of good practice on CTs.

The purpose of the consultation paper is to present a preliminary review of the Guidelines of Good Practices (GGP) on Price Comparison Tools initially published by CEER in July 2012 and updated in 2017. These GGP included a set of 16 recommendations on how comparison tools can function efficiently and effectively to the benefit of energy customers. The proposed 2022 Update of GGP on Price Comparison Tools reinforces and enhances the recommendations already issued, aiming to align them with the requirements established in EU legislation as well as to enable their sound development in the future, as a function of market innovation, while ensuring consumers' best interests.

Thus, the present consultation paper invites stakeholders to submit their views and suggestions on the proposed revisions to the GGP.

The target audience for this consultation paper includes energy suppliers, traders, prosumers, electricity and natural gas customers, electricity and natural gas industry, customer representative groups, network operators, Member States, academics and other interested parties.

The call for consultation responses will close on **17 February 2022**.

2 Questions to the stakeholders

In this public consultation, CEER presents its updated/new 20 recommendations giving stakeholders the opportunity to comment on the draft proposals. The updates take into account the adoption and entry into force of the recast Electricity Directive 2019/944¹, which includes specific provisions regarding comparison tools, as well as the continuing technological and market evolution of the energy sector. Whilst the emergence of innovative business models and digital information tools can help to empower consumers to engage with the energy market, it must be ensured that they provide an accurate, reliable, and accessible service.

In line with its public consultation practices, the responses received will be discussed within CEER and if feasible taken into account to enhance the final guidelines of good practice.

Updates and new recommendations are marked in **blue** and **bold**, respectively.

¹ [Directive \(EU\) of the European Parliament and of the Council on common rules for the internal market for electricity and amending Directive 2012/2017 \(EU\), of 5 June 2019](#)

Updated CEER recommendations		Relevant provision in recast Electricity Directive 2019/944	Comments
I	Independence of the tool		Is this recommendation sufficient? Please share your suggestions and comments.
1 UPDATED	Any comparison tool (CT) must be independent of energy supply companies, giving the user a non-discriminatory overview of the market. The provider of a comparison tool should show all information in a clear, simple and consistent way.	Article 14 (1)(a): The tools (...) shall be independent from market participants and ensure that electricity undertakings are given equal treatment in search results	
2 UPDATED	Ensuring the reliability of CTs is crucial to protecting and empowering customers. The best way to achieve this goal can be efficiently defined at national level, taking into account the maturity and competitiveness of both the comparison market and the energy market, and could be implemented with the active role of NRAs or other public bodies. NRAs or another public body may also decide to establish their own reliable CT service where no private service exists or to complement commercial CTs and may consider ways to promote the service to customers.	Article 14 (1): Customers shall be informed of the availability of such tools in or together with their bills or by other means. Article 14(2): The tools (...) may be operated by any entity, including private companies and public authorities or bodies. Article 14(3): Member States shall appoint a competent authority to be responsible for issuing trust marks for comparison tools that meet the requirements.	

	Information about the availability of CTs should be found on consumer bills or by other means, making it possible for the consumers to easily find and access the CTs.		
3 ALL NEW	When offering new services like automated switching, CTs must ensure that such business models are in line with existing consumer rights. Moreover, these new services imply a higher need for transparency, as the service provider has more information than the consumer and relevant contractual relations with suppliers need to be clear for consumers. This is increasingly relevant in situations where the CT signs contracts on behalf of the consumer, which should also fit with the preferences of the consumer. The consumer should be informed in advance before automatic switching takes place and must agree to the switch.		
II	Transparency		
4 UPDATED	CTs should disclose the way they operate, their funding and their owners/shareholders, in order to provide the customer with transparent information on the impartiality of their advice. This information should be presented in a clear way to customers before the results of the comparison simulation are shown.	Article 14(1)(b): The tools (...) shall clearly disclose their owners and the natural or legal person operating and controlling the tools, as well as information on how the tools are financed.	

	Advertisement(s) and/or sponsored products should be clearly identified and separated from the comparison results.		
III	Exhaustiveness		
5 UPDATED	<p>CT coverage of the market should be as complete as practicable. If the information presented does not offer a complete overview of the market, the CT should clearly state this before showing the results of the comparison simulation – if feasible, also naming the missing supplier(s) – as well as on the comparison results screen.</p> <p>All prices and products covered by the CT and available to the customer on the basis of general selection criteria (e.g. the area where the supply is located, or a given customer segment) should be shown as a first step in the comparison results screen.</p>	Article 14(1): Member States shall ensure that at least one tool covers the entire market. Where multiple tools cover the market, those tools shall include, as complete as practicable, a range of electricity offers covering a significant part of the market and, where those tools do not completely cover the market, a clear statement to that effect, before displaying results.	
IV	Clarity and comprehensibility		
6 ORIGINAL	<p>Costs should always be presented on the primary output screen in a way that is clearly understood by the majority of customers, such as total cost on a yearly basis or on the basis of the unit kWh-price. Any discounts should be clearly described, specifying when those discounts end; discounts which are subject to conditions or restrictions should be clearly separated from total cost estimation.</p>		

	<p>CTs should clearly indicate that prices shown as a total cost are an estimation, as they are based on historic or estimated consumption and on price information available at present. The same warning should be indicated where a CT offers an estimation of potential savings that might be obtained by switching to listed offers.</p> <p>Access to additional information on cost details (e.g. unit prices, cost components...) and on the methodology used for total cost or potential savings estimation should also be made available to customers.</p>		
<p>7 ORIGINAL</p>	<p>Fundamental characteristics of all products should be presented on the first page of the result screen, adopting appropriate graphic or hypertext solutions to facilitate visibility and comprehension. This information should refer both to price (for example, fixed or floating price; time of use or flat price...) and to other fundamental features (for example, main contractual terms, bundled services or products, origin of energy production...).</p> <p>Explanations of the different characteristics should be available as second-level information to help the customer understand their options.</p>		

<p>8 UPDATED</p>	<p>CTs should offer additional information on the listed offers, in case the consumer wishes to use such information to help them choose the best offer to suit their needs. Where additional information based on subjective parameters is offered (for example, customer reviews, the CT's own rating or a rating adopted from a third party, a value-for-money assessment, etc.), the CT should clearly disclose the nature of the information, the parameter used and the origin of the underlying data, in order to favour customer awareness. Pre-settings of the search tool must be clear for and adjustable by the consumer. When offering any results in a “Position 0”², the selection criteria must be clear for the user.</p>		
<p>V</p>	<p>Correctness and Accuracy</p>		
<p>9 ORIGINAL</p>	<p>Price information used in the comparison should be updated as often as necessary to correctly reflect prices available on the market. CTs should rectify without delay any incorrect information on published offers. In order to achieve this, they should provide a quick and effective procedure allowing any interested party to report incorrect information.</p>	<p>Article 14(1) (e) and (g): The tools (...) shall provide accurate and up-to-date information and state the time of the last update; they shall provide an effective procedure for reporting incorrect information on published offers.</p>	
<p>VI</p>	<p>User-friendliness</p>		

² That is, promoting an offer before the first placed ranking.

<p>10 UPDATED</p>	<p>Customers should be allowed to introduce their consumption data in a simple and friendly manner. In addition, CTs should offer help through default consumption patterns or, preferably, using a tool that calculates the approximate consumption, based on information available to and that can be easily provided by the user.</p>	<p>Article 14(1)(d): The tools (...) shall use plain and unambiguous language.</p>	
<p>VII</p>	<p>Accessibility</p>		
<p>11 UPDATED</p>	<p>To ensure an inclusive service, at least one additional communication channel (other than the internet) for accessing a comparison should be provided, free of charge or at minimal cost. This channel should take into account all the digitally excluded persons who are excluded by choice or by default. For example, comparison information could be made available via local authorities, citizen information offices, consumer associations or other bodies. Also, customers with disabilities (e.g. visual and/or hearing impairment) must not be left behind and should have access to a comparison tool. In this regard, CTs could provide integrated accessibility options such as sound amplifiers, magnification tools and features to increase the font sizes as well as colour correction for colour blindness, voice accessibility for the blind and the visually impaired consumers. Whenever possible, CTs should adapt to the continuing development of technological devices (smart phones, tablets, new gadgets...) in order to be accessible for customers in the widest variety of forms with the same level of accuracy.</p>	<p>Article 14(1)(f): The tools (...) shall be accessible to persons with disabilities, by being perceivable, operable, understandable and robust;</p> <p>Article 14(1)(par. 2): Member States shall ensure that at least one tool covers the entire market.</p>	

12 ORIGINAL	Online comparison tools should be implemented in line with the Web Accessibility Guidelines (WCAG) and should ensure that there are no barriers to overcome to access the comparison.	Article 14(1)(f): The tools (...) shall be accessible to persons with disabilities, by being perceivable, operable, understandable and robust;	
VIII	Customer empowerment		
13 UPDATED	CTs should offer navigation tools such as filtering or alternative ranking functionalities, based on fundamental features of listed products, helping customers to select the best offers for them. The default ranking should be based on price criteria. CTs should be transparent about the criteria on which navigation tools are based. Where navigation tools are based on subjective parameters (for example, customer reviews, the CT's own rating or a rating adopted from a third party, a value-for-money assessment, etc.) , CTs should clearly disclose the nature of the parameter and the origin of the underlying data, in order to favour customer awareness.		
14 ORIGINAL	CT providers should consider how best to empower customers to use their service and make appropriate choices for their needs. Background information on market functioning, on market issues such as price developments, and links to useful independent sources of information may be provided to help the customers.		

<p>15 UPDATED</p>	<p>CT providers should ensure that all the information provided to customers is clearly written and presented. Using consistent or standardised terms and language within and across CTs can help to enable understanding. When offering information on the source of energy, CTs should enable the consumer to assess this information in an easy way.</p>	<p>Article 14 (1d): The tools (...) shall use plain and unambiguous language.</p>	
<p>16 ALL NEW</p>	<p>It must be transparent for consumers which personal data are used by the CT to provide its services and which data are shared with third party companies. The access to data should be limited to necessary data that will ensure the smooth operation of the CT. Consumers must have the final choice of sharing their data with CT and/or third parties. The consumer must actively agree to the use and sharing of their personal data. Data protection rules must be taken into account and privacy has to be ensured.</p>	<p>Article 14 (1h): The tools (...) shall perform comparisons, while limiting the personal data requested to that strictly necessary for the comparison.</p>	
<p>IX</p>	<p>Dynamic market developments</p>		

<p>17 UPDATED</p>	<p>CTs should be open to innovation in order to adapt to and reflect the evolution of the energy market: implementation of smart metering, electric vehicles, new pricing models and new business models (demand response, prosumer, aggregators...); thereby helping consumers to become active players in the energy market. If the CT has the ability to compare new business models, such as aggregation or bundled offers that are part of the energy retail market, it should offer the same quality of comparison as for supply services. CTs must easily provide a means of distinguishing between energy and non-energy elements (and explain what these mean in the context of the offer).</p>		
<p>18 UPDATED</p>	<p>CTs should adapt to the development and deployment of smart meters, being able to process data from them and provide customers with more accurate comparisons and analysis depending on their consumption habits and, in general, on the circumstances that may affect the results of the comparison. The use of smart meter data should be limited to the individual comparison and data protection in line with the existing legal requirements, which must be ensured by the CT.</p>		

<p>19 ALL NEW</p>	<p>As dynamic electricity price contracts must be included in CTs, the level of quality of the comparison should be at least the same as for conventional offers. Moreover, the level of information about dynamic electricity price contracts needs to be higher, given that the consumer may not have experience with the pros and cons of these offers.³ CTs could complement suppliers' information about these types of contracts, as it is difficult to compare between dynamic offers and other standard offers. In this regard, before showing the results, CTs should ask whether the consumer would like to compare a dynamic price offer or a standard offer.</p>	<p>Article 14(1): Member States shall ensure that at least household customers, and microenterprises with an expected yearly consumption of below 100 000 kWh, have access, free of charge, to at least one tool comparing the offers of suppliers, including offers for dynamic electricity price contracts.</p> <p>Article 11(2): Member States shall ensure that final customers are fully informed by the suppliers of the opportunities, costs and risks of such dynamic electricity price contracts, and shall ensure that suppliers are required to provide information to the final customers accordingly, including with regard to the need to have an adequate electricity meter installed.</p>	
<p>20 ALL NEW</p>	<p>In addition to providing a fair and reliable comparison, CTs should inform consumers about different energy efficiency, social care and other public (energy-related) schemes that are being promoted by public bodies/authorities, to the extent possible.</p>		

³ A consumer search of dynamic price contracts on a CT should, as a minimum, ensure that the CT meets all other CT recommendations which apply to a conventional offer, as well as any additional level of quality for a dynamic electricity price contract search.

	<i>GENERAL ADDITIONAL COMMENTS – please add any relevant comments that are not on a specific GGP here</i>		
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Annex 1 – CEER

The Council of European Energy Regulators (CEER) is the voice of Europe's national energy regulators. CEER's members and observers comprise 39 national energy regulatory authorities (NRAs) from across Europe.

CEER is legally established as a not-for-profit association under Belgian law, with a small Secretariat based in Brussels to assist the organisation.

CEER supports its NRA members/observers in their responsibilities, sharing experience and developing regulatory capacity and best practices. It does so by facilitating expert working group meetings, hosting workshops and events, supporting the development and publication of regulatory papers, and through an in-house Training Academy. Through CEER, European NRAs cooperate and develop common position papers, advice and forward-thinking recommendations to improve the electricity and gas markets for the benefit of consumers and businesses.

In terms of policy, CEER actively promotes an investment friendly, harmonised regulatory environment and the consistent application of existing EU legislation. A key objective of CEER is to facilitate the creation of a single, competitive, efficient and sustainable Internal Energy Market in Europe that works in the consumer interest.

Specifically, CEER deals with a range of energy regulatory issues including wholesale and retail markets; consumer issues; distribution networks; smart grids; flexibility; sustainability; and international cooperation.

CEER wishes to thank in particular the following regulatory experts for their work in preparing this report: Stefan Arent, Yuriy Bilen, Pamela Boeri, Christelle Heng, Markus Lechner and Mladena Pavlova.

More information is available at www.ceer.eu.

Annex 2 – List of abbreviations

Term	Definition
CEER	Council of European Energy Regulators
CTs	Comparison tools
GGP	Guidelines of Good Practice
NRA	National Regulatory Authority

Table 1 – List of Abbreviations