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9th November 2022

Stephen Procter
A/Director Program and Market Development
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Re: Energy Savings Scheme – 2022 Rule Change Consultation Paper

Dear Mr Procter,

Thank you for this opportunity to provide feedback on the proposed 2023 ESS Rules.

Thanks also to Aarushi Kochhar for allowing an extension for the submission our feedback to 10th November 2022.

Please find our feedback detailed in the following pages.

Best Regards,



Dr Waven Pyke
MV Programs Manager
Northmore Gordon Environmental

| No. | Rule Reference | Proposed Change | NGE Feedback |
|-----|-----------------|--|--|
| 1. | Overall | NA | <p>With the numerous proposed rule changes, especially the development of Method Application for Non Routine Events & Adjustments, NGE's main concern has been and still is the lack of amendments allowed at audit stage.</p> <p>As for all rules, particularly complex technical rules, there will be circumstances where:</p> <ul style="list-style-type: none"> the rules do not exactly fit, and/or application of the rules is subject to interpretation, and/or application of the rules is inconsistent with basic principles of engineering <p>In these circumstances, it will be very risky for any ACP to proceed with PIAMV projects.</p> <p>The risk to the ACP can be significantly reduced if the audit process allows amendments and/or consultation with the auditor and/or IPART.</p> |
| 2. | ESS Rule 5.4(p) | <u>(p) installation of a solar photovoltaic system, except where this is used for solar irrigation pumping</u> | <p>NGE is most disappointed that solar PV is only permitted for irrigation pumping.</p> <p>There is a fundamental difference between RET LGCs and NSW ESCs: the RET LGCs scheme grants LGCs based on MWh generated, while NSW ESCs fuel switch under PIAM&V will grant ESCs based on MWh saved from grid.</p> <p>Solar Fuel switch under ESS PIAM&V will help stabilise the grid.</p> <p>If solar fuel switch is allowed across the board, ESS will promote the grid energy saving activities using Measurement and Verification to reduce the NSW businesses' reliance on grid.</p> <p>While other initiatives (such as LGCs) only promote electricity generation and do not care whether the generated electricity goes to the grid or gets used behind the meter.</p> |

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|--|---|--|--|--|---------------------------|----------------------------|-------------------------------------|--------------------|---|---|--|---|--|
| | | | More renewable electricity getting used behind the meter and less renewable electricity being exported to the grid will help stabilise our grid. | | | | | | | | | | |
| 3. | ESS Rule 5.4(q) | (a)(q) installation of a solar or heat pump water heater, except where these replace an electric or gas hot water heater, or are installed in a non-residential building. | The exception of “installed in a non-residential building” is not entirely clear. Perhaps the exceptions can be in an itemized list? | | | | | | | | | | |
| 4. | ESS Rule Equation 1 | Electricity Savings, and Gas Savings, Diesel Savings, Biofuel Savings, Biogas Savings, Biomass Savings and On-site Renewables Savings are the Electricity Savings, and Gas Savings, Diesel Savings, Biofuel Savings, Biogas Savings and On-site Renewables Savings respectively, in MWh, arising from each Implementation as calculated according to (as relevant): | The phrasing as it currently stands is unclear and confusing. | | | | | | | | | | |
| 5. | ESS Rule Table A22 | <table><tr><td colspan="2">Table A22: Minimum statistical requirements that must be met when using Regression Analysis (deleted)</td></tr><tr><td>Modelling Criteria</td><td>Minimum Requirement</td></tr><tr><td>t-statistic of Independent Variable</td><td>Absolute Value > 2</td></tr><tr><td>Adjusted R² (Adjusted Coefficient of Determination)</td><td>CV_{RMSE} < 0.2 for R² > 0.5</td></tr><tr><td>Coefficient of Variation of the Root Mean Square Error (CV_{RMSE})</td><td>CV_{RMSE} < 0.1 for R² < 0.5</td></tr></table> | Table A22: Minimum statistical requirements that must be met when using Regression Analysis (deleted) | | Modelling Criteria | Minimum Requirement | t-statistic of Independent Variable | Absolute Value > 2 | Adjusted R ² (Adjusted Coefficient of Determination) | CV _{RMSE} < 0.2 for R ² > 0.5 | Coefficient of Variation of the Root Mean Square Error (CV _{RMSE}) | CV _{RMSE} < 0.1 for R ² < 0.5 | <p>We strongly object to the introduction of these statistical requirements. Statistics experts have in recent times been moving away from using R² and CV_{RMSE} to determine “statistical significance”. See “Relaxing CV_{rmse} requirements for Option C M&V Regressions”, John Avina, published by EVO in last newsletter: https://evo-world.org/en/news-media/m-v-focus/903-m-v-focus-issue-no-10/1338-relaxing-cv-rmse-requirements-for-option-c-m-v-regressions¹.</p> <p>The accuracy factor already deals with the relative precision of the savings which is a function of the size of the savings and the relative precision of both baseline and operating models. Adding a CV_{rmse} requirement does not add any certainty to the savings estimate, just a limitation that would have eliminated at least two good projects that created a total of approximately 68,000 ESC.</p> <p>If OECC are concerned about the accuracy factor resulting from low R² models, then it would be more appropriate to adjust the accuracy factors as they exist or have a</p> |
| Table A22: Minimum statistical requirements that must be met when using Regression Analysis (deleted) | | | | | | | | | | | | | |
| Modelling Criteria | Minimum Requirement | | | | | | | | | | | | |
| t-statistic of Independent Variable | Absolute Value > 2 | | | | | | | | | | | | |
| Adjusted R ² (Adjusted Coefficient of Determination) | CV _{RMSE} < 0.2 for R ² > 0.5 | | | | | | | | | | | | |
| Coefficient of Variation of the Root Mean Square Error (CV _{RMSE}) | CV _{RMSE} < 0.1 for R ² < 0.5 | | | | | | | | | | | | |

¹ See also:

Mazzi, Eric, “Commentary on Article ‘Statistics and Reality—Addressing the Inherent Flaws of Statistical Methods Used in Measurement and Verification’”, International Journal of Energy Management, Volume 4, Issue 2, 2022

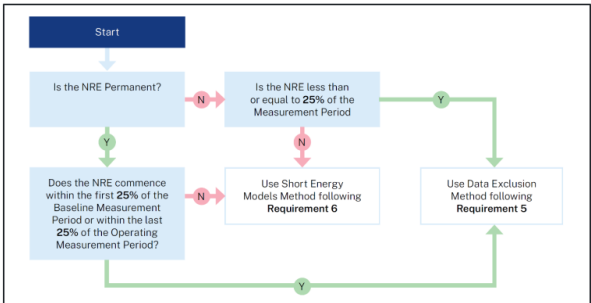
Avina, Jon, “Statistics and Reality—Addressing the Inherent Flaws of Statistical Methods Used in Measurement and Verification”, International Journal of Energy Management, Volume 4, Number 1, p. 35, 2022

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| | | | <p>sliding scale based on R^2 so that good projects are not unfairly eliminated. From a purely statistical perspective the application of accuracy factors based on savings relative precision is exactly how it should be done.</p> <p>A baseline model for an inefficient system will generally have a lower R^2 than the operating model for the efficient system, as efficiency is often related to matching the supply of energy to the need for heat or work.</p> <p>A daily model that has a high R^2 and relative precision can still have a relatively high CV_{rmse}. This indicates good projects could be unfairly eliminated.</p> <p>Example Project 1, significant gas saving, small additional electricity using equipment installed (hence no baseline model). Approx. 18,000 ESC created.</p> <p>Elect Operating model Adjusted R^2 0.66 CV_{rmse} 0.22 negative savings relative precision 2.1%</p> <p>Project does not comply, yet elect savings relative precision was 2.1%,</p> <p>Gas Baseline model Adjusted R^2 0.98, CV_{rmse} 0.06.</p> <p>Gas Operating model Adjusted R^2 0.86, CV_{rmse} 0.17.</p> <p>Gas savings relative precision 5.3%.</p> <p>This project could have been done using interactive savings for the electricity component, however the electricity use was clearly going to be related to production and as the electricity using equipment was newly installed, it made sense to include an electricity submeter. Hence using a regression model was the most precise method of forecasting the energy consumption/ savings.</p> <p>Example Project 2, heat recovery with three gas submeters used, and some unmetered use for other processes within the boundary. 78% reduction in gas consumption. 50,000 ESC created. Improvement of metering would have been time consuming, expensive, and unnecessary.</p> |

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| | | | <p>Baseline model Adjusted R² 0.75, CV_{rmse} 0.14.</p> <p>Operating model Adjusted R² 0.46, CV_{rmse} 0.37.</p> <p>Project does not comply, yet savings relative precision was 10%.</p> <p>If OECC feel they need to change the system for models where R² is below 0.5, our recommendation for those projects is to allow full certificate creation for relative savings precision of 10% or less and apply a sliding scale to models with savings relative precision greater than 10%.</p> <p>For example:</p> <p>Accuracy factor = 1 - (savings relative precision – 0.1)</p> <table><tr><th>Savings Relative Precision less than or equal to</th><th>Accuracy factor for R²<0.5</th></tr><tr><td>10%</td><td>100%</td></tr><tr><td>15%</td><td>95%</td></tr><tr><td>20%</td><td>90%</td></tr><tr><td>25%</td><td>85%</td></tr><tr><td>30%</td><td>80%</td></tr><tr><td>35%</td><td>75%</td></tr><tr><td>40%</td><td>70%</td></tr><tr><td>45%</td><td>65%</td></tr><tr><td>50%</td><td>60%</td></tr><tr><td>55%</td><td>55%</td></tr><tr><td>60%</td><td>50%</td></tr><tr><td>65%</td><td>45%</td></tr></table> | Savings Relative Precision less than or equal to | Accuracy factor for R ² <0.5 | 10% | 100% | 15% | 95% | 20% | 90% | 25% | 85% | 30% | 80% | 35% | 75% | 40% | 70% | 45% | 65% | 50% | 60% | 55% | 55% | 60% | 50% | 65% | 45% |
| Savings Relative Precision less than or equal to | Accuracy factor for R ² <0.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10% | 100% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15% | 95% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20% | 90% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25% | 85% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30% | 80% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 35% | 75% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 40% | 70% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 45% | 65% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 50% | 60% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 55% | 55% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 60% | 50% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 65% | 45% | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | | | | 70% | 40% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 75% | 35% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 80% | 30% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 85% | 25% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 90% | 20% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 95% | 15% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | 100% | 10% | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6. | ESS Rule 7A.5B | <p><u>7A.5B PIAM&V Method Application Requirements for Non- Routine Events and Adjustments</u></p> <p><u>(a) The Minister may, from time to time, by published order, make PIAM&V Method Application Requirements for Non-Routine Events and Adjustments.</u></p> <p><u>(b) PIAM&V Method Application Requirements for Non-Routine Events and Adjustments may complement and/or supplement the requirements of this clause 7AA; but must not be inconsistent with this Rule.</u></p> | The reference “7AA” is unclear as there is no such clause. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7. | ESS Rule 7A.7B1 | <p><u>7A5B1 Measurement Procedures to Adjust for Non-Routine Events</u></p> <p><u>For the purpose of satisfying clauses 7A.5 and 7A.5A, an Accredited Certificate Provider must use the PIAM&V Method Application Requirements for Non-Routine Events and Adjustments to identify and record any Non-Routine Events occurring within the Measurement Boundary and during any of the Measurement Periods; and</u></p> | The reference “7A.5A” is confusing as there is no such clause. Is it referencing 7A.5 (a)? | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8. | Energy Savings Scheme 2022 Rule Change Consultation Paper Table 5 | <table><thead><tr><th>Eligible Fuel</th><th>Certificate Conversion Factor</th></tr></thead><tbody><tr><td>Electricity</td><td>1.06</td></tr><tr><td>Gas</td><td>0.47</td></tr><tr><td>Diesel</td><td>0.47</td></tr><tr><td>Biofuel</td><td>0.21</td></tr><tr><td>Biogas</td><td>0.17</td></tr><tr><td>Biomass</td><td>0.08</td></tr><tr><td>On-site Renewables</td><td>0</td></tr></tbody></table> | Eligible Fuel | Certificate Conversion Factor | Electricity | 1.06 | Gas | 0.47 | Diesel | 0.47 | Biofuel | 0.21 | Biogas | 0.17 | Biomass | 0.08 | On-site Renewables | 0 | <table><thead><tr><th>Eligible Fuel</th><th>Certificate Conversion Factor</th><th>Compared to NGER Factors (t CO2/MWh)</th></tr></thead><tbody><tr><td>Electricity</td><td>1.06</td><td>0.73</td></tr><tr><td>Gas</td><td>0.47</td><td>0.1855</td></tr><tr><td>Diesel</td><td>0.47</td><td>0.25273</td></tr><tr><td>Biofuel</td><td>0.21</td><td></td></tr><tr><td>Biogas</td><td>0.17</td><td>0.023148</td></tr><tr><td>Biomass</td><td>0.08</td><td>0.00684</td></tr><tr><td>On-site Renewables</td><td>0</td><td></td></tr></tbody></table> <p>Conversion factors relate to MWh equivalent at the power station not emissions, and ESS was originally aimed at reducing energy consumption and minimizing transmission upgrade requirements. ESCs are not classed as carbon offsets.</p> | Eligible Fuel | Certificate Conversion Factor | Compared to NGER Factors (t CO2/MWh) | Electricity | 1.06 | 0.73 | Gas | 0.47 | 0.1855 | Diesel | 0.47 | 0.25273 | Biofuel | 0.21 | | Biogas | 0.17 | 0.023148 | Biomass | 0.08 | 0.00684 | On-site Renewables | 0 | |
| Eligible Fuel | Certificate Conversion Factor | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Electricity | 1.06 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gas | 0.47 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Diesel | 0.47 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Biofuel | 0.21 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Biogas | 0.17 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Biomass | 0.08 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| On-site Renewables | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Eligible Fuel | Certificate Conversion Factor | Compared to NGER Factors (t CO2/MWh) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Electricity | 1.06 | 0.73 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gas | 0.47 | 0.1855 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Diesel | 0.47 | 0.25273 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Biofuel | 0.21 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Biogas | 0.17 | 0.023148 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Biomass | 0.08 | 0.00684 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| On-site Renewables | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | | | <p>The electricity factor should remain at 1.06 to continue to drive reduction in electricity use regardless of emission factor of the grid, at least until coal power is finished.</p> <p>However, if the ESS has shifted to an emissions reduction tool with the aim of promoting electrification, then reducing the electricity factor will help drive fuel switching but will also reduce the incentive for efficient electricity use.</p> <p>Consideration could be given to different electricity factors for efficiency measures (ECMs) vs fuel switching projects (not ECMs).</p> <p>Please also provide:</p> <ul style="list-style-type: none"> • early indication when and if these emission factors will change • additional transparency on how these factors have been determined as there is no obvious correlation with NGER emission factors. |
| 9. | Method Application Requirements for Non-Routine Events and Adjustments | Figure 1 | <p>This figure is very confusing and is not laid out very well. Some points of confusion:</p> <ul style="list-style-type: none"> • Box “Can the root cause and the specific cause of the NREs be identified”: where is the path if the answer to this question is Yes? • there are four boxes containing “Is there another NRE that meets Requirement 2.1(a)?”: can this be made more efficient? • one of the boxes containing “Is there another NRE that meets Requirement 2.1(a)?”: has no other questions that feed into this box |
| 10. | Method Application Requirements for Non-Routine Events and Adjustments | “Permanent NRE” | <p>The current definition using the word “permanent” to define the phrase “Permanent NRE” is a poor selection of words.</p> <p>Please also provide more examples of temporary or permanent NREs.</p> <p>For example, a commercial building had significantly reduced occupancy during 2020 and 2021. Since early 2022, the building occupancy has been slowly increasing, but is still lower than the levels observed in 2019. There is currently no information available on anticipated future occupancy levels.</p> |

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| | | | <p>Is COVID a temporary or permanent NRE for this example? What additional information do we need to consider when deciding whether it is temporary or permanent?</p> <p>Please provide additional guidance on what information can be used by the ACP to attach the label of temporary NRE or permanent NRE to this example. Please also provide guidance on what evidence need to collected and provided to the auditor for determining and attaching the temporary or permanent label.</p> |
| 11. | Method Application Requirements for Non-Routine Events and Adjustments | <p>Requirement 3</p> <p>3.2 (d) (ii) The nature of the NRE as being temporary or permanent.</p>  <p>Figure 4: Flow chart illustrating the use of the Data Exclusion and Short Energy Models Methods.</p> | <p>For Data Exclusion Method, please provide further information on the significance of the temporary or permanent label as either option leads to the same outcome as per Figure 4.</p> |
| 12. | Method Application Requirements for Non-Routine Events and Adjustments | Requirement 6.3 and 6.4 | <p>For Short Energy Models Method, the two requirements 6.3 and 6.4 seem to provide more firm guidance on whether the label of temporary or permanent NRE should be applied.</p> <p>Can you include in the Method Activity that there is flexibility associated with attaching the label of temporary or permanent NRE as long as ACP do their best to ensure like-for-like comparison between the Baseline and Operating Periods?</p> |
| 13. | Method Application Requirements | Requirement 6.9 When creating Short Energy Models, an ACP must ensure that the ranges of the Independent | Please define “similar” as used in clause 6.9. |

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| | for Non-Routine Events and Adjustments | Variables values for the Baseline Energy Model and the Operating Energy Model are similar. | <p>During the Rule change presentation by OECC and IPART on the 18th October, the words “loose definition” and “common sense” was used to describe compliance to the “similar” requirement.</p> <p>Any attempt by an ACP to comply with this requirement presents an unacceptably and excessively high level of risk for the ACP. One person’s definition of “similar” and “common sense” may well be not the same as another person’s. It is also possible for the ACP, the MV Professional, and auditor to agree on “similar” and “common sense”, but for IPART to disagree and thus thwart all efforts up to this point.</p> <p>We urge OECC to:</p> <ul style="list-style-type: none"> • clarify the definition of “similar” in this application • as discussed under response Item 1, amend the audit guide to allow amendments during the audit process following consultation with the auditor and/or IPART. |

The answers to the specific questions laid out in Energy Savings Scheme 2022 Rule Change Consultation Paper are:

- Q1. No.
- Q2. Yes, mostly.
- Q3. No, not at this time.
- Q4. Yes. We support the change.
- Q5. Yes.
- Q6. Yes. However, we note that not all energy sources in the definition is available in the OEH Persistence Model. Please update the OEH Persistence model to include all the defined renewable fuels. As a first priority, please include hydro.
- Q7. 5.4(f) Yes.
- Q8. 5.4(g) Yes.
- Q9. 5.4(h) Yes.
- Q10. 5.4(j) Yes.
- Q11. 5.4(m) Yes.
- Q12. 5.4(n) Yes.
- Q13. 5.4(o) Yes.
- Q14. 5.4(p) No. See our response under Item 2 in the table above.
- Q15. Yes.
- Q16. None at this time.
- Q17. Yes.
- Q18. None at this time.
- Q19. Yes.
- Q20. Yes and no. The inclusion of NRE and NRA does provide more flexibility in one aspect, but does not in another. The absence of the rules prior to this change meant that ACPs had a high degree of freedom to apply NREs and NRAs. Though auditor approval was required for the applications. The new rules will require that all NRE and NRAs are only permitted when fitting specifically under one of the permitted methods.
The new rule does provide additional flexibility especially in circumstances around COVID and COVID impacted sites. In particular, but not limited to, allowance of data exclusion up to 25% and requiring only 4 times the number of observations to the number of independent variables.
- Q21. No. See our response under Item 5 in the table above.
- Q22. No. See our response under Item 5 in the table above.
- Q23. No. See our response under Item 5 in the table above.
- Q24. NGE suggests the following changes to the OEH Persistence Model:
- a. a dedicated file that contains only the Decay Factors would be significantly easier to use than a bloated file that uses extensive macros, and is very temperamental;
 - b. Decay factors to be in cells that are not 100% locked, and thus enable ACPs to select, copy, and paste the non-rounded numbers
 - c. inclusion of additional renewable energy sources (as mentioned in the response to Q6 above)
- Q25. Yes.
- Q26. Yes.
- Q27. Yes.
- Q28. No comment.
- Q29. Yes.

We would like to provide additional feedback on the IHEAB F1 activity – refrigerated display cases.

- 1) GEMS registrations, there are currently 2 standards that are applicable standard:
 - a. The Australian determination: Greenhouse and Energy Minimum Standards (Refrigerated Cabinets) Determination 2020
 - b. The New Zealand determination: Energy Efficiency (Energy Using Products) Amendment Regulations 2020 Schedule 2B

As you are aware GEMS is a joint initiative of the Australian and NZ governments and are harmonized. We ask that the wording the F1 activity be updated to allow products registered under either standard to be accepted.

- 2) We request that the rule be amended to explicitly include decommissioning of old fridges to be completed on a fleet level rather than only on an individual unit basis. For context, we are working with a fridge supplier who supplies to “corporate beverage” fleets – e.g. Coke, Asahi, etc. It is common practice in managing the fleets that new fridges are purchased and supplied to the tier 1 customers, the fridges removed from tier 1 (typically 3-5 years old) are redeployed to tier 2 customers, and the fridges removed from tier 2 customer are decommissioned (typically 8-10 years old). The net resulting 1-in, 1-out at a fleet level – with the oldest, most inefficient units being removed – but not on an individual installation level.
- 3) Co-payments, we are supportive of the current level of co-payments and would oppose any watering down of the requirement to facilitate the installation of small or low-cost units where it is questionable on the energy savings achieve or legitimate business need for these units. At the current price point, if a business really needs a smaller unit they should be able to acquire them at low cost. The focus of the ESS should be on making the largest gains with larger units, where there is a wider spread of energy efficiency for the units on the market, and incentive businesses to choose high efficiency models that will save more energy over their life.
- 4) We would ask that the factors used for determining the baseline, and hence the number of ESCs, be revised on the basis of the response to consultation from the previous ESS Rule – July 2021 – as under the current settings, brought in from Aug 2022, we have a number of premium suppliers where participating in the ESS is no longer viable, which has the perverse effect of further incentivising lower cost, lower efficiency units.