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Price comparison tools and third-party intermediary platforms: shortcomings and recommendations

Eurelectric recommendations

February 2026

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We cover the entire industry from electricity generation and markets to distribution networks and customer issues. We also have affiliates active on several other continents and business associates from a wide variety of sectors with a direct interest in the electricity industry.

We stand for

The vision of the European power sector is to enable and sustain:
- A vibrant competitive European economy, reliably powered by clean, carbon-neutral energy
- A smart, energy efficient and truly sustainable society for all citizens of Europe

We are committed to lead a cost-effective energy transition by:

investing in clean power generation and transition-enabling solutions, to reduce emissions and actively pursue efforts to become carbon-neutral well before mid-century, taking into account different starting points and commercial availability of key transition technologies;

transforming the energy system to make it more responsive, resilient and efficient. This includes increased use of renewable energy, digitalisation, demand side response and reinforcement of grids so they can function as platforms and enablers for customers, cities and communities;

accelerating the energy transition in other economic sectors by offering competitive electricity as a transformation tool for transport, heating and industry;

embedding sustainability in all parts of our value chain and take measures to support the transformation of existing assets towards a zero carbon society;

innovating to discover the cutting-edge business models and develop the breakthrough technologies that are indispensable to allow our industry to lead this transition.

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Customers and Retail Services Committee
Working Group Retail Market Design
Working Group Customers & New Services

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KEY MESSAGES

Price comparison tools (websites or apps) are essential for helping consumers compare electricity offers and choosing a supplier and tariff. Consumers want to rely on clear, accurate, and trustworthy information when using these tools, but the reliability and transparency of these vary. That is why the tools need to be designed with these aspects in mind to ensure consumers can effectively compare different electricity contract offers.

Unclear distinctions partly exist between pure (independent) comparison tools and third-party intermediary platforms that also earn commissions through switching services integrated into the tool. This blurred line creates transparency issues, especially when sponsored offers are not clearly labelled or when ranking criteria are not sufficiently disclosed.

Some shortcomings identified in comparison tools and third-party intermediary platforms and recommendations:

- unclear differentiation in the legal framework between comparison-only tools and platforms that also facilitate supplier and contract switching;
- partly insufficient transparency around their business models, sponsorships, and ranking criteria for offers;
- risks of dark or deceptive design patterns favouring commission-based offers;
- lack of clear rules for commercial tools compared to independent, regulator-supervised ones;
- need for clear labelling and transparent explanation of sponsored offers to warrant fair treatment of supplier offers in the search results and switching phase;
- careful implementation of the calculation method of the index price for dynamic price offers and of its display in the tool;
- all operators to disclose whether they are independent or commercial.

The Commission should consider and scrutinise these aspects in the Digital Fairness Act (2026) and use existing legislation - such as the Digital Markets Act and the Digital Services Act - to rectify them.

I. General Comments

Price comparison tools (herein referred to as 'comparison tools') offered through websites and apps are an important and valuable way for consumers to compare electricity tariffs and offers. They help customers make informed choices and decisions during the pre-contractual stage of the customer journey and increase visibility of the retail market. Customers want to rely on clear, accurate, and trustworthy information when using these tools as this is essential for choosing a supplier and tariff that matches their needs and preferences. The tools therefore need to be designed with these aspects in mind to ensure different electricity contract offers can be effectively and easily compared. These conditions need to be equal across all comparison tools to support a competitive market environment.

Eurelectric's customer survey conducted in 12 Member States showed that 31% of customers switched suppliers between June 2022 and June 2024. While most stated that they signed up to their new contract directly with the new supplier (60%), some also signed up via comparison websites (8%). In these cases, customers signed up through websites that not only provide an interface to compare offers, but in addition provide a commission-based service to switch suppliers through their website.

It is therefore important to distinguish between platforms that only provide comparison services and those that additionally act as third-party intermediaries, offering commission-based supplier and contract switching service directly through their platform (both typically websites or apps).

In practice, the line between these two business models is sometimes blurred, namely when private entities operate an independent comparison tool based on a trust mark and at the same time offer integrated, commission-based supplier switching services. This raises questions as to how customers are guided towards these offers.

In general, there is room to improve consumer protection in both comparison tools and third-party intermediary platforms, particularly regarding transparency and the clarity of information. We have identified common shortcomings in both business models that affect consumers:

- it might not always be clear to consumers whether they are using a comparison tool or a platform with third-party intermediary services;
- it might be unclear whether the comparison tool used is independent or not;
- the business model is not always transparent, particularly in terms of financing and sponsoring;
- while sponsored or advertised offers are a legitimate feature of commercial tools, they are not always sufficiently labelled, explained, or highlighted, which can affect unaware consumer' decision-making.

In the following discussion Eurelectric presents a regulatory assessment of the shortcomings observed and give recommendations to improve these.

II. Regulatory assessment and shortcomings

Comparison tools

Article 14 of the Electricity Directive sets minimum requirements that comparison tools must comply with. We have observed the following issues:

- Neither Article 14 nor other legislation provides a definition of what a 'comparison tool' is, which creates uncertainty about the types of tools to which Article 14 applies.
- Based on paragraph 1a, the most likely interpretation is that the article only refers to *independent* comparison tools that may be operated by NRAs, other public bodies, or private entities supervised by a public body (for example through a trust mark or accreditation scheme).
- Based on this interpretation*, non-independent* tools (i.e. commercial, sponsored, or funded tools) do not appear to be subject to any specific requirements.

Third-party intermediary platforms

As mentioned above, intermediary platforms not only provide services that help consumers compare electricity tariffs and offers, but also facilitate switching electricity contracts and suppliers through their platform. While this is a valid business model and may simplify the switching process for consumers, it also presents challenges:

- The existing regulatory framework only targets traditional energy suppliers; by contrast, third-party platforms offering switching services are not subject to the same regulatory requirements.

- A particular grey zone exists when a private entity operates an independent comparison tool platform under a trust mark awarded by a public authority and simultaneously offers commission-based supplier switching services.

  Such platforms may favour product offers for which they receive a commission when the consumer signs up through their platform. For instance,
  - by prominently displaying or promoting the product in the comparison results or in drop-down menus within the switching process;
  - by pre-selecting or pre-filtering such products on sections of their websites initiating the switching or sign-up process.

  Such dark patterns (or deceptive design patterns) could influence customers' decision-making and product selection, thereby raising concerns about the clarity and transparency of the information provided to consumers.

III. Regulatory and design recommendations

Regulatory recommendations

Commercial comparison tools reach a large number of consumers in many Member States, that independent tools might never reach, and are often more innovative in their design and functionality than their independent counterparts. Nevertheless, we still consider it necessary to scrutinise regulatory shortcomings relating to commercial

comparison tools and third-party intermediary platforms and to make adjustments to existing national or EU legislation.

Accordingly, we recommend the following actions to address the shortcomings listed in the previous section:

- The Commission should clarify what constitutes a comparison tool in the Citizens' Energy Package. This would avoid misinterpretations across Member States and help to clearly distinguish comparison tools from third-party intermediary platforms.

- National regulators must urgently implement Article 14 of the Electricity Directive and provide consumers with at least one independent comparison tool.

- National regulators should subject operators of commercial comparison tools to the requirements that apply to independent tools, namely:
    - disclosing the criteria on which the comparison and the results are based, e.g. how the results are ranked;
    - using plain and unambiguous language;
    - providing an effective procedure for reporting incorrect information on published offers.

  Compliance with these and other requirements could be ensured, for example, through a separate verification or accreditation scheme for commercial tools.

- All operators must prominently indicate whether they are operating an independent or non-independent, commercial comparison tool.

- Any operator offering a comparison tool service and/or supplier switching services must disclose their commercial partnerships by clearly indicating when product offers are sponsored or paid for by suppliers. For example, by labelling such offers as 'advertisement', 'promoted', or 'sponsored'. In addition, the operator must disclose the conditions under which such arrangements are granted, for instance in an 'info icon or box' revealing further information. This ensures transparency for consumers and fair competition among suppliers, while allowing comparison tools to maintain their business model.

- Similarly, certain product offers have important caveats and may entail specific risks. For instance, an offer with variable or dynamic price elements requires the customer to adjust their consumption behaviour in order to reap savings, given that prices are pegged to fluctuating wholesale market prices. This might not be fully understood by customers and therefore needs to be properly and concisely explained on comparison websites and in supplier switching interfaces (see also the see section on transparency and accuracy below).

- In the context of supplier switching services, it must be ensured that operators fulfil the right of consumers to receive clear, a priori and comprehensive information on the terms and conditions of the contract before signing it. For instance, as suppliers do, operators must provide a summary of pre-contractual information as set out in

Article 11a of the EU Electricity Directive. In addition, the customer must explicitly consent to switching and to signing a specific offer.

- Dark and deceptive patterns should be identified and sanctioned by consumer protection authorities based on existing EU and national legislation, including, for example, the Digital Services Act.

Design recommendations

In the following, we refer to both independent and non-independent tools unless specified otherwise.

- Visibility and Tool Performance

    - Independent comparison tools should be actively promoted through energy bills as foreseen in Article 14. In addition, NRAs and/or the operators of these tools could promote them on their websites and through public campaigns.

    - The performance and usability of independent tools must be regularly monitored. This includes aspects such as search engine functionality, the way offers are displayed, and the responsiveness and speed of the tool or website.

- Transparency and Accuracy

    - Disclose the algorithm or logic used for price simulations.
    - Implement a process that ensures offers are regularly updated, ideally with direct links to the suppliers' websites.
    - Sponsored or advertised offers must be clearly labelled in the search results, for instance as 'advertisement', 'promoted', or 'sponsored'.
    - Clearly label all offers (e.g. as fixed, variable, or dynamic). To this extent:

        - The difference between a fixed price offer and a dynamic price offer must be clearly evident. For the latter, the price is usually indicated as an index price based on different calculation methods and will vary depending on market conditions (see next point). It should therefore also be clearly conveyed that the price of dynamic price offers can change over time and may differ from the (lower) index price initially indicated, and therefore cannot be taken as a basis for the final bill.

        - Information on dynamic price offers should include details regarding the calculation method or formula used for the index price displayed. While this is current practice in some Member States, we do not regard it as worthwhile to base the index price on an annual forecast, given that it is not possible to accurately and reliably forecast future spot market prices, which may mislead consumers. Instead, using the average spot price of the previous months is more sensible, as this is based on actual historic prices, although this approach does not provide clarity on future prices either. For illustration, it may be useful to add a feature to the comparison tool that lets users

calculate their consumption based on the past spot price (last month(s) or year, etc.).

- Coverage and Innovation

    - Comparison tools should evolve to reflect innovation – such as dynamic pricing, bundled services, energy sharing schemes, energy efficiency solutions – and not limit visibility to the cheapest offers alone. Accordingly, comparison tools must not penalise innovation or new market models through their result rankings.

    - Filtering options should be as complete as possible and allow comparisons based on contract type, service features (e.g. green or bundled offers), pricing details (e.g. discounts), and consumer profiles.

IV. How to implement the recommendations

Some existing consumer protection legislation already deals with the issues discussed. Notably, Directive (EU) 2019/2161, known as the 'Omnibus Directive', adopted in 2019, aims to strengthen consumer rights in the digital world. It enhances the legal framework governing unfair digital practices and improves transparency for consumers using online platforms. It places greater responsibility on operators regarding the presentation of offers, consumer reviews, discounts, and online contract terms. In addition, the Digital Markets Act and the Digital Services Act were adopted, with the latter explicitly banning the use of dark patterns and restricting unfair commercial practices by online platforms.

In view of the existing legislation, we advise against introducing new EU legislation to correct the shortcomings identified. Instead, the starting point should be the existing legislation mentioned, and amendments should be proposed through the Digital Fairness Act (DFA) (2026). At the same time, the Commission should verify in its impact assessment for the DFA the possibilities of harmonising consumer protection and removing unnecessary overlaps in provisions across different legislation.

As the severity of the shortcomings mentioned likely differs between Member States, we encourage national regulatory authorities and consumer protection agencies to enforce existing legislation. For instance, where necessary and not yet done so, they could implement a supervisory framework (e.g. separate trust mark scheme) whereby the NRA or another designated body oversees the operators of commercial comparison tools and third-party intermediary platforms and their compliance with the rules. This would uphold their integrity and ensure they operate transparently and in a competitive manner.

Meanwhile, until the publication of the DFA, the Commission should clarify in the Citizens' Energy Package the understanding of article 14 and recommend best practices for the design and implementation of independent comparison tools.

Eurelectric pursues in all its activities the application of the following sustainable development values:

Economic Development

- Growth, added-value, efficiency

Environmental Leadership

- Commitment, innovation, pro-activeness

Social Responsibility

- Transparency, ethics, accountability

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