



EnergyAustralia

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Dear ICRC

ICRC's Consumer Protection Code Review

EnergyAustralia welcomes the opportunity to make this submission for the issues paper on the review of the ICRC Consumer Protection Code. EnergyAustralia is one of Australia's largest energy companies with around 2.6 million electricity and gas accounts in NSW, Victoria, Queensland, South Australia, and approximately 12,000 customers in the Australian Capital Territory. We also own, operate and contract an energy generation portfolio across Australia, including coal, gas, battery storage, demand response, wind and solar assets, with control of over 4,500MW of generation in the National Electricity Market (NEM).

Power of Choice metering reforms have given new roles and responsibilities for retailers, metering co-ordinators, metering providers, meter data providers, and distributors. In general, we support customers receiving payments to offset financial impacts caused by poor reliability or service. However, unlike distributors, retailers operate in a competitive market and already have a strong incentive to provide a high level of service to retain customers.

Distributors still manage network infrastructure and therefore conduct many more operations that require outages affecting customers on a broad scale and for prolonged periods. Customers should receive financial recognition when duration, frequency, or notice, exceed a reasonable level. Retailers conduct individual customer outages for short periods of time for the purposes of metering works often at the requirement of the customer. As the scenarios involved are very different and there are already rules/requirements for retailers protecting customers under the National Energy Retail Rules (NERR)¹, we believe that Guaranteed Service Level (GSL) payments should not be considered for retailers.

One area that is not specifically covered under the NERR that would increase protection of customers is retailer Wrongful Disconnection Payments. Wrongful disconnection can occur from administrative error, incorrect site information, or from incorrectly following a retailer's disconnection process. These are all items that are not the responsibility of the customer and as such we understand the consideration of a Wrongful Disconnection Payment. We

¹ NERR: (59C) Retailer interruption to supply, (56C) Information on timeframes for installing electricity meters, and (19) Complaints and dispute resolution.

recommend that the Commission closely monitor the number of wrongful disconnections caused by retailers, to determine the scope of the problem, prior to making any recommendations.

The Issues Paper highlighted that the Commission is aware that customers had not received the applicable GSLs they were entitled to, due to not being aware and therefore not applying. EnergyAustralia therefore suggest that the Commission adopt the approach of other jurisdictions in that GSL payments are applied when a service level parameter is triggered, and not reliant on customer application.

EnergyAustralia is constantly looking to improve how we notify and inform customers. Our only reservation is the impact prescriptive information can have on our customer's ability to completely understand the information they receive. We request the Commission carefully consider the impacts prescriptive information can have on customer experience and the risk of information overload.

In regard to customer concessions the Issues Paper advises that during stakeholder discussions concerns were raised regarding the expiration of customer concessions without prior notice to the customer. We are very supportive of the ACCC's recommendation to COAG to improve concessions schemes, in particular the removal of the requirement for consumers to reapply for concessions. We believe that a national approach would work best; however, we are open to beneficial changes made by the Commission, while ensuring retailers obligations under the ACT Government are considered.

The Commission advises that the Code does not currently have any requirement on a distributor to attend a customer's property if that customer advises that their assets are potentially not operating correctly. We believe that the current obligations of the NERR² is sufficient to address these concerns, as they allow a retailer to request inspection on behalf of a customer.

If you would like to discuss this submission, please contact Travis Worsteling [REDACTED]
[REDACTED].

Yours sincerely

Sarah Ogilvie
Industry Regulation Leader

² NERR: (29)(5) If the small customer requests that, in reviewing the bill, the meter reading or metering data be checked or the meter tested: (a) the retailer must, as the case may require:
(i) arrange for a check of the meter reading or metering data; or
(ii) request the responsible person or metering coordinator (as applicable) to test the meter