

Essential Services Commission
Level 37, 2 Lonsdale St
MELBOURNE VIC 3000

Submitted online.

25 October 2021

Making an Energy Retail Code of Practice

The Australian Energy Council ('AEC') welcomes the opportunity to make a submission to the Essential Services Commission's ('ESC') *Making an Energy Retail Code of Practice* Consultation Paper.

The Energy Council is the industry body representing 20 electricity and downstream natural gas businesses operating in the competitive wholesale and retail energy markets. These businesses collectively generate the overwhelming majority of electricity in Australia, sell gas and electricity to over ten million homes and businesses, and are major investors in renewable energy generation.

The AEC supports the intent of these administrative amendments to streamline the obligations in the Code of Practice and remove duplications across legal instruments. These amendments should have the effect of making compliance, and its monitoring and enforcement, more efficient and easier to follow. It is nonetheless important that due diligence is followed to ensure that even minor changes as proposed here do not have unintended consequences.

When making these administrative amendments, the AEC asks the ESC to give proper regard to:

- The status of the guidance notes in the current Code. It is not clear whether these guidance notes will be reviewed to align with the changing approach and where their focus will be for the new Code of Practice.
- Providing retailers with a period of grace should there be a need to amend their systems to reflect the changes. Some of these amendments, particularly as it relates to life support and disconnection notices, may require larger than anticipated retailer system changes. AEC members will provide further detail regarding their specific impacts.
- Clarify whether the greenhouse gas disclosure requirement applies to "all customers" or "customers that are not small customers". Noting that these amendments are administrative only, the AEC has concerns that extending greenhouse gas disclosure requirements to an additional class of customers represents a policy intent.

Finally, the AEC sees value in pushing out the new Code's commencement date to 1 July 2022 to enable a second round of review. Some retailers have noted errors in Annex A (the Draft Code of Practice) and performing an additional review will help ensure changes are represented accurately, both within the legal instrument and retailer systems, as well as giving the ESC reasonable time to consult on updating their guidance notes to better align with the Energy Fairness Plan.

Any questions about this submission should be addressed to [REDACTED], by email to [REDACTED] or by telephone on [REDACTED].

Yours sincerely,

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