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# Compliance & Performance Reporting Guideline – version 7

Final decision

16 February 2022

Corrigendum 27 April 2022

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Final decision

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# Contents

<b>Chapter 1 - Executive summary</b>	<b>2</b>
Commencement	3
Our final decision	3
Table 1 - Summary of changes between draft decision and final decision	3
The purpose of regulatory reporting	7
The role of self-reported breaches in promoting transparency and trust	7
Reforms to regulatory obligations	8
Our consultation process	8
Stakeholders' submissions	9
Structure of this document	10
<b>Chapter 2 - Classification of type 1 obligations</b>	<b>12</b>
Draft decision proposal	12
Stakeholders' views	12
Our response and final decision	12
<b>Chapter 3 - Classification of type 2 obligations</b>	<b>13</b>
Classification of previous type 1 obligations as type 2 obligations	13
Draft decision proposal	13
Stakeholders' views	13
Our response and final decision	13
Approach to disconnections	14
Draft decision proposal	14
Our response and final decision	16
Approach to categorisation of individual breaches	17
Notice and reporting requirements	17
Guaranteed service level payments	17
Other breaches that could be reclassified as reportable only when a material adverse breach occurred	18
<b>Chapter 4 - Material adverse breaches and removal of type 3 breaches</b>	<b>20</b>
Draft decision proposal	20
Stakeholders' views	20
Our response and final decision	21
<b>Chapter 5 - Type 2 breaches reported within 30 calendar days</b>	<b>24</b>
Draft decision proposal	24
Stakeholders' views	24
Our response and final decision	25
<b>Chapter 6 - Quarterly and annual reports</b>	<b>27</b>
Draft decision proposal	27
Stakeholders' views	27
Our response and final decision	27



<b>Chapter 7 - New voltage performance reporting indicator</b>	<b>29</b>
Draft decision proposal	29
Stakeholders' views	29
Our response and final decision	29
<b>Chapter 8 - New arrears performance indicators</b>	<b>32</b>
Draft decision proposal	32
Stakeholders' views	32
Our response and final decision	32
<b>Chapter 9 - New best offer performance indicators</b>	<b>34</b>
Draft decision proposal	34
Stakeholders' views	34
Our response and final decision	34
<b>Chapter 10 - Updates to performance indicator template</b>	<b>35</b>
Draft decision proposal	35
Stakeholders' views	35
Our response and final decision	35
<b>Chapter 11 - Unplanned outages reporting</b>	<b>36</b>
Draft decision proposal	36
Stakeholders' views	36
Our response and final decision	36
<b>CORRIGENDUM Chapter 12 - Guaranteed service level reporting</b>	<b>37</b>
Draft decision proposal	37
Stakeholders' views	37
Our response and final decision	37
<b>Chapter 13 - Commencement date and transitional period</b>	<b>38</b>
Draft decision proposal	38
Stakeholders' views	38
Our responses and final decision	39
<b>Annexure A: Definitions for performance indicators</b>	<b>41</b>
Proposed new definitions	41
<b>Annexure B: Changes to performance indicators including new voltage performance reporting indicators</b>	<b>42</b>
Proposed modifications to existing performance indicators – energy retailers	42
Proposed additions to performance indicators – energy retailers	59
Voltage performance	71
<b>Annexure C – updated type 1 and type 2 obligations</b>	<b>74</b>
Type 1 breaches – energy retailers	74
Type 2 breaches – energy retailers	77
Type 1 breaches – energy distributors	99
Type 2 breaches – energy distributors	105
<b>Annexure D: updated reporting guideline version 7</b>	<b>110</b>

# Chapter 1 - Executive summary

This document outlines the commission's final decision on changes to reporting obligations contained in the Compliance and Performance Reporting Guideline (**reporting guideline**).

Under section 23A of the Electricity Industry Act 2000 and section 33 of the Gas Industry Act 2001 and specified licence conditions, energy licensees are required to comply with the reporting guideline. Our aims in regulating compliance are that we require reporting entities to know their regulatory obligations, self-monitor and report breaches of regulatory obligations and promptly respond to rectify breaches.

The reporting guideline outlines compliance reporting obligations and performance indicators for energy retailers and distribution reporting entities. Reporting entities must report any potential or actual breach that has occurred, or a breach that is reasonably likely to occur. Reporting entities must also report on their performance.

The commission actively monitors self-reported breaches. It is one of our many tools that serves several purposes including the promotion of compliance. We also draw on external intelligence as part of our compliance monitoring, which includes market intelligence from whistleblowers, consumer complaints and enquiries, market intelligence and other regulatory bodies such as the Energy and Water Ombudsman (Victoria). The requirement to self-report enables the commission to identify potential compliance issues and trends, including the timely identification of potentially systemic issues that may impact consumer confidence or trust in the energy market.

We have adopted a risk-based approach to compliance reporting requirements under the reporting guideline. This aligns with the commission's energy compliance and enforcement policy. This approach aims to incorporate the potential level of impact and risk of harm to consumers and the broader energy retail market, and the extent to which an immediate response from the commission is required to monitor compliance and take enforcement action. Similar risk-based approaches are adopted by other regulators, including the Australian Energy Regulator.

We were conscious to reduce the regulatory burden on reporting entities and streamline the reporting process where possible, while maintaining our risk-based approach to the reporting guideline.

Executive summary

This final decision details the changes to the classification and timeframes of compliance reporting and performance reporting obligations for reporting entities. Our final decision maintains the balance between obligating reporting entities to provide the commission with essential data and limiting the regulatory burden industry may face in reporting breaches and performance measures to the commission.

## Commencement

The updated reporting guideline commences on 1 March 2022.

Between 1 March 2022 and 30 June 2022 (inclusive), a transitional period exists. Reporting entities have the option of either reporting compliance breaches that occur between 1 March 2022 to 30 June 2022 inclusive (**the transitional period**) using version 6 of the reporting guideline's obligations and clause references or the updated reporting guideline (version 7) during the transitional period.

From 1 July 2022 onwards, all reporting entities must report compliance breaches using the updated reporting guideline (version 7).

The commission's enforcement framework was recently amended by the Essential Services Commission (Compliance and Enforcement Powers) Amendment Act 2021. From 1 December 2021, compliance with the Compliance and Performance Reporting Guideline is a civil penalty requirement. As a result, a failure to comply with this guideline itself may result in enforcement action, including potential penalties.

## Our final decision

The table below sets out the changes we have made between the draft decision and our final decision.

**Table 1 - Summary of changes between draft decision and final decision**

Decision	Status	Description
Type 1 breaches are time sensitive critical risks	Modified	Type 1 breaches are reserved for time-sensitive breaches where there is a threat to life or safety. We have added family violence clause 150(4) of the Energy Retail Code of Practice to type 1.

Executive summary

The majority of breaches are type 2	Modified	<p>The previously reported type 1 breaches, except where specified, now become type 2 breaches.</p> <p>The classification of type 2 breaches that we set out in our draft decision paper are retained. We have added new reporting requirements to reflect prohibitions on save and win back offers, door-to-door sales and cold-calling that came into force on 1 January 2022. We have removed clause 5.5.2D of the Electricity Distribution Code (version 13) from type 2, and only require a single report for wrongful disconnections.</p>
Removal of type 3 breaches and introduction of material adverse breaches	Unchanged	Type 3 breach classifications have been removed. We have introduced material adverse breaches. These are any breach, irrespective of their classification, that will have a material adverse impact on consumers or the Victorian Energy market must be reported as soon as practicable.
Retailers and distributors must report type 2 breaches within 30 calendar days	Unchanged	Type 2 breaches must be reported within 30 calendar days of being detected. 'Nil' breach report are not required.
Retailers and distributors are no longer required to submit quarterly type 1 reports but will continue to submit annual reports	Unchanged	Reporting entities do not need to submit quarterly type 1 breach reports. We have retained annual reporting of all breaches for both retailers and distributors. Nil reports are required for annual reports.
Administrative change to retailer breach report template	New	We have included a new column in the breach reporting template requesting confirmation, if known, that an affected customer is experiencing vulnerability. This is an optional reporting measure that should be based on the information available to the retailer at the time of the breach report. This has been included to clarify the breach detail requested in the existing template and reduce inefficiencies and requests for further information which impose a burden on regulated entities.
Additional voltage performance reporting indicator	New final decision	We consulted with distributors and the Department of Environment, Land, Water and Planning ( <b>DELWP</b> ) in October and

	regarding voltage performance	November 2021 in January 2022 and have added voltage performance reporting to the reporting guideline.
Retailers must report on new arrears indicators	Modified	<p>We proposed to require three types of arrears indicators, that were collected during the coronavirus reporting period, to continue being reported. These include missed bills, deferred payments, and other debt where a customer is not engaged in a payment plan are included in the updated reporting guideline.</p> <p>Upon further analysis of our voluntary reporting and the payment difficulty review data request, we have decided that other debt be reported into two categories based on the level of arrears (less than \$300 and greater than/equal to \$300). We chose the \$300 band as it represents the threshold for potential disconnections for non-payment when customers owe \$300 or more with their retailers, as stated in the Energy Legislation Amendment (Energy Fairness) Bill 2021.</p>
Retailers must report on new best offer performance indicators	Unchanged	We included new performance indicators on best offer messages for small business and the potential savings for residential and small business consumers.
Administrative updates to the performance indicators template	Unchanged	We adopt our draft decision that the reporting template will take the form of a flat file.
Distributors to report when unplanned outage started	New final decision regarding timing of reporting	We received and accepted a submission to change reporting of unplanned outages to be included in the reporting period when the outage started. We updated the unplanned outages reporting to require the data be included in the reporting period when the outage started.
Distributors to report guaranteed service level on financial year basis	Corrigendum – see chapter 12	The reporting period for guaranteed service level reporting be by financial year, with the due date on 31 October each year.



Commencement date – regulatory reporting	Unchanged	The compliance reporting requirements under the reporting guideline will commence on 1 March 2022 and include transitional arrangements for the period 1 March 2022 to 30 June 2022 (inclusive). These arrangements permit limited compliance reporting (as under version 6 of the reporting guideline) while the industry updates its systems.
Commencement date – performance reporting	Unchanged	The performance reporting guideline will commence on 1 July 2022, except for the voltage performance reporting requirement which will commence on 1 March 2022.

## The purpose of regulatory reporting

Regulatory reporting is essential to give us accurate and timely data. This informs our market monitoring, compliance and enforcement functions. The commission is required to report on the performance of retailers, and their compliance with their obligations, under our legislation.<sup>1</sup>

The two types of reporting obligations energy retailers and distributors report on are:

- **Compliance reporting** – gas and electricity reporting entities must report to us when they have potentially breached Victoria’s energy rules. We set out the reporting timeframes and type of information that must be reported to us.
- **Performance indicators** – gas and electricity retailers are required to report to us data on their performance in terms of market share, customer service and their support for consumers facing payment difficulty. Electricity distribution reporting entities are required to report to us data on unplanned outages, guaranteed service level payments and embedded generation connection timeframes. We use this data to monitor and report on the energy market. The Victorian Energy Market Report is one way we report on how the energy market is performing.

We aim to update the reporting guideline (including its associated templates and documents published on the commission’s website) regularly, so that it contains all relevant compliance reporting obligations and performance indicators to support our monitoring of licensees. As the commission reviews its codes as part of the transition to these being ‘codes of practice’ made under Part 6 of the Essential Services Commission Act 2001 consequential reviews of the reporting guideline will likely be required.

## The role of self-reported breaches in promoting transparency and trust

Obligations in the regulatory framework aim to protect consumers, maintain integrity, and promote trust in the Victorian energy market. This is because the community expects that regulators, including the commission, are vigilant and act upon data and potential breaches when necessary.

One of the tools that the commission uses to maintain a transparent and trusted Victorian energy market is monitoring compliance with legislation, licence conditions, and codes and guidelines through self-reporting potential or actual breaches. We expect reporting entities to provide as much

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<sup>1</sup> The reporting guideline outlines the performance indicators specified in section 54W(a)(i) and (b) of the Essential Services Commission Act 2001 (these are on disconnections, reconnections, and on ‘any other indicators for the performance of an energy retailer the commission determines’). The ‘compliance and enforcement reports’ specified in section 54V of the Essential Services Commission Act 2001 is the Victorian Energy Market Report and its corresponding updates.

detail as possible about the breach, its root cause, the harm that may have resulted, and the steps that have been or will be taken (including proposed timings) to remedy the situation.

The requirement to self-report may mean a matter is still under investigation by the reporting entities. This must not prevent prompt self-reporting of the facts as they stand while taking steps, in a timely manner, to determine the full extent of the issue and remedy the situation.

This information helps identify potential:

- individual instances of non-compliance that informs potential compliance and enforcement action
- patterns of non-compliance by individual licensees that informs an assessment of that licensee's overall compliance
- patterns of non-compliance across the sector that informs an assessment of whether particular obligations are understood across the industry.

## **Reforms to regulatory obligations**

Several regulatory reforms and legislative changes have been applied in the Victorian energy market in the prior 2 years, including:

- strengthened protections for life support consumers that came into effect between 2 January 2020 and 1 July 2020
- rules to make energy contracts clear and fair that came into effect on 1 July 2020
- requirements for retailers to support consumers making utility relief grant applications that came into effect on 1 October 2020
- changes to the back-billing rules that came into effect on 1 January 2021
- updated customer protections relating to communicating planned outages and the guaranteed service level scheme that came into effect between 1 January 2021 and 1 July 2021, and
- changes to prohibitions on save and win back offers, door-to-door sales and cold-calling, reflecting policy decisions that came into effect on 1 January 2022.

We have made changes to the reporting guideline to include these regulatory reforms.

## **Our consultation process**

On 9 December 2020, we held an industry forum, attended by 53 industry stakeholders (gas and electricity distributors and retailers, and representatives from industry organisations) to consult on a targeted update to the reporting guideline, with a focus on the reporting of potential breaches relating to recent reforms in 2020. We also proposed to introduce new performance indicators for

Updating timeframes and other requirements

electricity distributors, as outlined in our final decision on Electricity Distribution Code (version 13) customer service standards.

On 1 July 2021, we published version 6 of the reporting guideline which contained those new performance indicators and in response to stakeholder feedback, committed to an in-depth review of compliance reporting rather than a targeted one.

As part of our review of compliance reporting in 2021, we then published proposed draft decisions to update the reporting guideline on 13 September 2021 (**draft decision**) and consulted on our draft decision in October. During the consultation period, we held a stakeholder information session on 5 October 2021, attended by over 100 energy industry and community stakeholders (**stakeholder forum**). At this session, our chairperson and commissioner Bhojani explained how we intended to approach the proposed changes to our energy compliance and enforcement function more broadly. Staff also discussed our proposed Energy Retail Code of Practice changes in more detail and answered stakeholder questions. Submissions closed on 25 October 2021.

### Stakeholders' submissions

We received stakeholder feedback in the form of 14 written submissions, with two from consumer representatives, nine from retailers and three from distributors.

We thank the following stakeholders for their submissions:

- AGL<sup>2</sup>
- AusNet Services (**AusNet**)<sup>3</sup>
- CitiPower/Powercor/United Energy (**CitiPower**)<sup>4</sup>
- Consumer Action Law Centre (**CALC**)<sup>5</sup>
- EnergyAustralia<sup>6</sup>

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<sup>2</sup> AGL (AGL), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 22 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-AGL-20211022.pdf>.

<sup>3</sup> AusNet Services (*AusNet*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-AusNet-20211025.pdf>.

<sup>4</sup> CitiPower/Powercor/United Energy (*CitiPower*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, [https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Citipower%20Powercor%20United%20Energy-20211025\\_0.pdf](https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Citipower%20Powercor%20United%20Energy-20211025_0.pdf).

<sup>5</sup> Consumer Action Law Centre (*CALC*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 21 October 2021, [https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Consumer%20Action%20Law%20Centre-20211021\\_0.pdf](https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Consumer%20Action%20Law%20Centre-20211021_0.pdf).

<sup>6</sup> EnergyAustralia (*EnergyAustralia*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-EnergyAustralia-20211026.pdf>.

Updating timeframes and other requirements

- Jemena<sup>7</sup>
- Meridian Energy/Powershop (**Powershop**)<sup>8</sup>
- Momentum Energy (**Momentum**)<sup>9</sup>
- Origin Energy (**Origin**)<sup>10</sup>
- Red Energy/Lumo Energy (**Red Energy**)<sup>11</sup>
- Shell Energy<sup>12</sup>
- Simply Energy<sup>13</sup>
- Tango Energy (**Tango**)<sup>14</sup>
- Victorian Council of Social Service (**VCOSS**).<sup>15</sup>

## Structure of this document

Following this Chapter 1, this document is structured as follows:

- **Chapters 2 to 6** – our final decisions in response to stakeholder feedback regarding our compliance reporting draft decision.

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<sup>7</sup> Jemena (*Jemena*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Jemena-20211025.pdf>.

<sup>8</sup> Meridian Energy/Powershop (*Powershop*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Meridian%20and%20Powershop-20211025.pdf>.

<sup>9</sup> Momentum Energy (*Momentum*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Momentum%20Energy-20211025.pdf>.

<sup>10</sup> Origin Energy (*Origin*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Origin%20Energy-20211025.pdf>.

<sup>11</sup> Red Energy/Lumo Energy (*Red Energy*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Red%20Energy%20Lumo%20Energy-20211025.pdf>.

<sup>12</sup> Shell Energy (*Shell*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Shell%20Energy-20211025.pdf>.

<sup>13</sup> Simply Energy (*Simply Energy*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Simply%20Energy-20211025.pdf>.

<sup>14</sup> Tango Energy (*Tango*), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 22 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-Tango%20Energy-20211022.pdf>.

<sup>15</sup> Victorian Council of Social Service (VCOSS), submission to Essential Services Commission 2021, CPRG review: Draft Decision, 25 October 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/cprg-submission-VCOSS-20211025.pdf>.

Updating timeframes and other requirements

- **Chapters 7 to 12** – our final decisions in response to stakeholder feedback regarding our performance reporting draft decision, including a new section in Chapter 7 regarding voltage performance reporting that we consulted with distributors on separately.
- **Chapter 13** – commencement timeframes for both compliance reporting and performance reporting obligations.

The following annexures accompany this final decision:

- **Annexure A** – definitions for performance indicators
- **Annexure B** – changes for performance indicators including new voltage performance indicators
- **Annexure C** – updated type 1 and type 2 obligation categories
- **Annexure D** – reporting guideline version 7

## Chapter 2 - Classification of type 1 obligations

### Draft decision proposal

We proposed that only time-sensitive obligations would be classified as type 1 breaches to reflect the potential or actual risk of critical harm to consumers and the need for an immediate response. These include life-support related obligations and family violence obligations where there is a threat to life or safety involved.

### Stakeholders' views

The majority of stakeholders supported our draft decision.<sup>16</sup> CALC and AGL also acknowledged that our proposed approach was consistent with the Australian Energy Regulator and the National Energy Customer Framework.<sup>17</sup>

EnergyAustralia proposed that we include clause 150(4) of the Energy Retail Code of Practice within our updated type 1 breaches<sup>18</sup> because this relates to identifying safe communication methods for customers and forms a key part of family violence protections.<sup>19</sup>

### Our response and final decision

Our final decision maintains our draft decision position, with the addition of clause 150(4) as a type 1 breach as it involves the potential threat to life and safety. These breaches must be reported within 2 days of detection.

#### Final decision 1: type 1 breaches are time sensitive critical risks

Time-sensitive breaches where there is a threat to life or safety are designated type 1 breaches in the reporting guideline, including clause 150(4) of the Energy Retail Code of Practice.

These breaches must be reported within 2 days of detection.

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<sup>16</sup> AusNet, pp. 1-2; CitiPower, p. 1; Jemena, p. 1; Powershop, p. 2; Momentum, p. 1; Origin, p. 1; Shell Energy, p. 1; Simply Energy, p. 1; Tango, p. 1.

<sup>17</sup> CALC, pp. 1-2; AGL, pp. 2-3.

<sup>18</sup> This is currently clause 106G(4) of the Energy Retail Code (Version 21).

<sup>19</sup> EnergyAustralia, p. 1.

# Chapter 3 - Classification of type 2 obligations

## Classification of previous type 1 obligations as type 2 obligations

### Draft decision proposal

We proposed to classify the majority of obligations as type 2, including many that were previously classified type 1 on the basis that a breach of most customer protections is serious, but do not necessarily require an immediate response (within two business days).

### Stakeholders' views

Three stakeholders supported our approach.<sup>20</sup>

Origin supported our proposal to create a line item for each clause of an obligation to simplify reporting processes.<sup>21</sup> AGL questioned this proposal, preferring a single reference in the reporting guideline. It said that a line item for each clause would require time, considerable expense and resources to implement, and there is no 'commensurate improvements for consumers'.<sup>22</sup>

AGL also sought further information about our risk-based assessment and the rationale behind the proposed changes.<sup>23</sup>

Four stakeholders considered that there were too many type 2 obligations.<sup>24</sup> Stakeholders noted the difference in proposed number of reporting obligations between the commission and the Australian Energy Regulator and that a large number of type 2 breaches may undermine the original rationale for removing the type 3 category.<sup>25</sup>

### Our response and final decision

Our risk-based approach to compliance and enforcement aims to incorporate the potential level of impact and risk of harm to consumers and the broader energy retail market, and the extent to

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<sup>20</sup> Jemena, p. 1; Shell Energy, p. 1; Simply Energy, p. 1.

<sup>21</sup> Origin, p. 1.

<sup>22</sup> Ibid.

<sup>23</sup> AGL, p. 2.

<sup>24</sup> CitiPower, p. 2; EnergyAustralia, p. 2; AGL, pp. 2-3; Tango, pp. 1-2.

<sup>25</sup> Tango, pp. 1-2; EnergyAustralia, p. 2; AGL, p. 2.



which an immediate response from the commission is required to monitor compliance and take enforcement action. This aligns with the commission's energy compliance and enforcement policy.

We acknowledge the difference in the number of obligations compared to previous versions of this reporting guideline, and to other jurisdictions. However, our starting premise that compliance reporting should occur in relation to all obligations unless there are cogent reasons not to do so. This approach enables us to be an active and responsive regulator that can promote and enforce compliance within appropriate timeframes. The addition of new obligations otherwise arises from recent reforms. We maintain our decision to have separated lines for subclauses to enable ease and accuracy of reporting.

We also note that reporting entities will have longer periods of time to respond to most breaches under our proposed regime. All breaches, except the most serious included in our proposed type 1 obligation category, will be required to be reported within 30 days, instead of the 2 days that previously applied to many obligations that have been reclassified as type 2. We consider this change will reduce the regulatory burden by allowing additional time for entities to conduct further investigations and provide the commission with more detailed and accurate breach reports. This will limit the likelihood of further requests for information from the commission due to the limitations on the provision of information in short timeframes.

Our final decision includes prohibitions on save and win back offers (section 40EA of the Electricity Industry Act and section 48DA of the Gas Industry Act), door-to-door sales and cold-calling (section 40EB of the Electricity Industry Act and section 48DB of the Gas Industry Act) as a type 2 breach, reflecting policy decisions that came into effect on 1 January 2022.

We have also decided to make an administrative change to the retailer reporting template by including an optional request to provide information, if known, about the potential for an affected customer to be experiencing vulnerability. This information will allow us to understand the potential impact and severity of a breach. We have included this request to minimise the administrative need for further information requests from retailers as part of our breach assessments. We consider this will ease the overall regulatory burden by reducing the need for additional requests for information. This is an optional reporting measure that should be based on the information available at the time of the breach report.

## **Approach to disconnections**

### **Draft decision proposal**

Our draft decision proposed that potential or actual wrongful disconnections must also be reported within 30 calendar days of detection. The proposed decision included any disconnections referred

to the Energy and Water Ombudsman (Victoria) (**EWOV**) or dispute resolution processes referred to the commission, even where the disconnection has not yet been determined as wrongful.

Consistent with the current approach, wrongful disconnection payments were proposed to be batch-reported by the last business day of the month following the payment being made to the customer.

Several stakeholders suggested that we should remove the separate monthly report for wrongful disconnections payments, as the reporting period for wrongful disconnection breaches now broadly aligns with type 2 breaches that are reportable within 30 days of detection.<sup>26</sup>

Many stakeholders felt that there should be no change to the current wrongful disconnection process,<sup>27</sup> particularly regarding the reporting of ‘potential’ wrongful disconnections that may be subject to an EWOV process.<sup>28</sup> The concerns raised were around the potential administrative burden, double-counting of breaches and also the risk of reporting complaints that were not later considered wrongful disconnections.<sup>29</sup> AGL submitted that our proposal would blur a distinction between complaints and compliance reporting.<sup>30</sup>

Origin, Simply Energy and Red Energy sought clarity about what constitutes a ‘potential’ wrongful disconnection.<sup>31</sup> Origin submitted that it would be beneficial for the commission to include guidance on how reporting entities should provide potential information when reporting, and what further information the commission expects in closing potential breaches, especially if no actual breach occurs.<sup>32</sup>

Conversely, CALC submitted that disconnection breaches should fall under the type 1 category.<sup>33</sup> Its rationale for this was that many consumers are at home during the coronavirus pandemic, and the significant impact for health and safety and risk mitigation that disconnections could pose for those consumers.<sup>34</sup>

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<sup>26</sup> Powershop, p. 3; AGL, pp. 2-3.

<sup>27</sup> Powershop, p. 3; AGL, pp. 2-3.

<sup>28</sup> Powershop, p. 3; Momentum, p. 2; AGL, pp. 2-3; Tango, p. 2.

<sup>29</sup> Powershop, p. 3; Momentum, p. 2; AGL, pp. 2-3; Tango, p. 2.

<sup>30</sup> AGL, pp. 2-3.

<sup>31</sup> Origin, p. 2; Simply Energy, p. 2; Red Energy, p. 2.

<sup>32</sup> Origin, p. 2.

<sup>33</sup> CALC, pp. 2-3.

<sup>34</sup> CALC, pp. 2-3.

## Our response and final decision

The current reporting guideline includes a requirement for any potential or actual wrongful disconnections referred to EWOV or dispute resolution processes to be referred to the commission. Our draft decision clarified that EWOV complaints could be considered potential breaches. However, it is not our intention to capture unsubstantiated complaints. Instead, we require reporting entities to undertake an assessment of whether a particular complaint is a potential breach and report to us if an incident is assessed as such. This would include potential wrongful disconnections that would reasonably and objectively be seen as a credible complaint from a consumer. The requirement to notify the commission of potential breaches is a general principle and applies to any potential breach that may have occurred, regardless of any consumer complaint.

It is important to clarify in this regard that reporting of potential wrongful disconnections is required even if a dispute managed by EWOV is settled based on commercial considerations. Settlement of customer disputes does not relieve a retailer from making a compliance assessment and reporting both potential and actual wrongful disconnections to the commission.

We expect reporting entities to report breaches in the manner required in the reporting guideline using the prescribed templates. If a breach does not turn out to be an actual breach following further assessment by the retailer, we encourage the reporting entity to notify us.

We have considered CALC's submission and maintained our position to make disconnections a type 2 obligation. We acknowledge that disconnections may have a significant impact for health and safety and risk consumers who are at home during the coronavirus pandemic. We note the coronavirus pandemic protections in place, including the standing advice published on our website during 'stay at home' restrictions together with regular disconnections reporting, provide the commission with oversight of retailers' approaches.<sup>35</sup>

We have also included columns Z and AA in our retailer reporting template, to allow wrongful disconnections to be reported in the same structured template as all other breaches. This removes the need for separate, monthly wrongful disconnection payment reports and addresses stakeholders' concerns.

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<sup>35</sup> Essential Services Commission, Standing advice – Supporting customers through the ongoing impacts of the coronavirus pandemic, 23 June 2021, <https://www.esc.vic.gov.au/sites/default/files/documents/letter-to-energy-retailers-and-distributors-update-on-disconnections-advice-June-2021-20210623.pdf>.

## Approach to categorisation of individual breaches

We have responded to CitiPower and EnergyAustralia's review of the proposed reporting guideline classifications<sup>36</sup> by grouping this feedback into the categories below.

### Notice and reporting requirements

We proposed to include notice and reporting requirements as type 2 breaches in the updated reporting guideline.

CitiPower submitted that several notice subclauses related to planned interruptions are likely to have only moderate or low impacts upon customers.<sup>37</sup>

We consider the provision of information about the reason for the interruption and potential for an interruption to be cancelled or rescheduled is important context for customers. It can affect the decisions they make, and we consider it appropriate we are notified of all breaches in a timely way, therefore, our final decision remains unchanged.

### Guaranteed service level payments

We proposed to include guaranteed service level payments in the reporting guideline as a type 2 breach.<sup>38</sup>

CitiPower and EnergyAustralia both submitted that guaranteed service level payment clauses should not be reportable<sup>39</sup> and be captured by the requirement to report only material adverse breaches.<sup>40</sup> EnergyAustralia submitted that clause 80(1) of the Energy Retail Code of Practice, which requires retailers to apply guaranteed service level payments within 10 business days, should not be reportable, on the basis that customer impact is likely to be minimal.<sup>41</sup>

Guaranteed service level payments are a key consumer protection. We consider timely reporting of any breaches allows our response to be effective and timely, therefore our final decision remains unchanged.

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<sup>36</sup> CitiPower, pp. 4-5; EnergyAustralia, pp. 3-6.

<sup>37</sup> Electricity Distribution Code (version 13), clauses 5.5.2(c)-(e); CitiPower, pp. 2-3.

<sup>38</sup> Electricity Distribution Code (version 13) clauses 6.1.1, 6.2, 6.3.1, 6.3.2 and 6.3A; Energy Retail Code of Practice proposed clause 80(1).

<sup>39</sup> Electricity Distribution Code (version 13), clauses 6.1.1, 6.2, 6.3.1, 6.3.2, 6.3A; Energy Retail Code, clause 80(1).

<sup>40</sup> CitiPower, pp. 2-3; EnergyAustralia, pp. 3-6.

<sup>41</sup> EnergyAustralia, pp. 3-6.

Updating timeframes and other requirements

## Other breaches that could be reclassified as reportable only when a material adverse breach occurred

Our proposal classified many obligations as type 2 obligations. These, relevantly,<sup>42</sup> include:

- Electricity Distribution Code (version 13) – clause 9.1.12, which requires distributors to provide access to multi-lingual services to meet the reasonable needs of its customers.
- Energy Retail Code of Practice – clause 114(1) regarding a retailer’s obligation to give notice to a customer of specific matters, within 5 business days of receiving notification that it has become the financially responsible retailer for a small customer because of a customer transfer.

CitiPower and EnergyAustralia submitted that multiple clauses should not be classified as type 2 breaches,<sup>43</sup> but should only be reported if there was a material adverse breach, as the likelihood of significant harm was low.<sup>44</sup>

Our draft decision type 1 and type 2 categories intend to place the onus on reporting entities to report breaches that may either lead to harm to consumers, and/or compromise the integrity of the energy market more broadly. The type of breach we consider is a material adverse breach is further explained in Chapter 4. We maintain our position set out in the draft decision to capture significant or moderate potential harms in the type 2 obligation category as it is important for the commission to allow consumers to participate in a transparent energy market where they can have confidence that breaches are taken seriously, and the market is committed to protecting their financial and health and safety wellbeing.

We provide the following examples to illustrate why we have identified a need to have a broad range of type 2 breach categories. For example, clauses 5.5.2G and 5.5a.3 of the Electricity Distribution Code (version 13) are record-keeping obligations that underpin the delivery of important customer protection provisions. If the records are incomplete, we consider future investigation of breaches of the related consumer protections may be potentially compromised. We consider this warrants these matters being include as type 2 obligations.

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<sup>42</sup> Electricity Distribution Code (version 13) clauses 5.5.2G, 5.5a.2, 5.5a.3 and 5A.7.1; Energy Retail Code of Practice proposed clauses 26(2)(b), 40(3)-(12), 50(1)-(2), 68(1)-(2), 82(1), 146(2)-(7) and ‘payment difficulty or family violence protections’, described at EnergyAustralia, p. 3.

<sup>43</sup> ‘Payment difficulty or family violence protections’, EnergyAustralia, p. 2; Electricity Distribution Code (version 13) clauses 5.5.2(c)-(e), 5.5.2B, 5.5.2G, 5.5.2I, 5.5a.3; Energy Retail Code clauses 40(3)-(12), 50(1)-(2), 68(1)-(2), 82(1), 99(1), 114(1).

<sup>44</sup> CitiPower, pp. 2-3; EnergyAustralia, pp. 3-6.

Updating timeframes and other requirements

Additionally, clauses 5.5a.1 and 5.5a.4 of the Electricity Distribution Code (version 13) and clause 114(1) of the Energy Retail Code of Practice are vital for the functioning of the Victorian energy market. Our decision to classify these as type 2 breaches gives the commission oversight where customers are not given sufficient or adequate notice that is required for consumer protection. This allows us to engage with distributors and retailers to minimise any potential customer harm and remediate the conduct. Providing notice of transfers is mandatory, and reporting promotes transparency and continuity of communication that is likely to benefit consumers' experience within the Victorian energy market.

Similarly, clause 9.1.12 of the Electricity Distribution Code (version 13) remains a type 2 breach because this provision is essential for customers who do not communicate using English as their primary language. It provides the opportunity for culturally and linguistically diverse consumers to communicate and engage with distributors equally, providing access to services for all consumers.

### **Final decision 2: the majority of breaches are type 2**

The previously reported type 1 breaches, except where specified, now become type 2 breaches.

# Chapter 4 - Material adverse breaches and removal of type 3 breaches

## Draft decision proposal

We proposed to remove type 3 obligations and their associated 12-month reporting requirement. We also proposed to require licensees to self-report any potential or actual breaches that may give rise to a material adverse impact on consumers or the Victorian energy market as soon as practicable ('material adverse breaches').

## Stakeholders' views

The majority of stakeholders were supportive of removing the type 3 breach category.<sup>45</sup>

CALC, CitiPower and Jemena supported our proposal to require self-reports of material adverse breaches,<sup>46</sup> although Jemena noted the potential for 'interpretation variances'.<sup>47</sup> CALC suggested that we could specify a date by which material adverse breaches should be reported.<sup>48</sup>

Powershop submitted that we were requiring a subjective judgement as to what is a material adverse breach,<sup>49</sup> and Tango requested that we provided clearer guidance on the definition of 'material adverse impact'.<sup>50</sup>

Both Tango and EnergyAustralia asked how the material adverse breach requirement is intended to operate alongside the reporting requirements for type 1 and type 2 breaches.<sup>51</sup> EnergyAustralia stated that the terms used for type 2 breaches ('moderate impact or harm to consumers') are terms that have a lower threshold than material adverse breaches.<sup>52</sup> Tango made submissions regarding possibilities of duplication, suggesting that any breach that may cause a material adverse impact

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<sup>45</sup> Simply Energy, p. 1; Shell Energy p. 1; CALC, p. 3; AGL pp. 1-2.

<sup>46</sup> CALC, p. 3; CitiPower, p. 1 and 2; Jemena, pp. 1-2.

<sup>47</sup> Jemena, p. 1.

<sup>48</sup> CALC, p. 3.

<sup>49</sup> Powershop, p. 2.

<sup>50</sup> Tango, p. 2.

<sup>51</sup> Tango, p. 2; EnergyAustralia, p. 2.

<sup>52</sup> EnergyAustralia, p. 2.

appears to be covered by type 1 requirements.<sup>53</sup> It suggested that one possible solution would be to narrow our proposed type 2 categories and for the 'blanket requirement' for all other material adverse impacts unrelated to type 1 or 2 breaches to be reported within 30 calendar days of detection.<sup>54</sup>

## Our response and final decision

The removal of a type 3 reporting category has resulted in some breaches being no longer reportable where we considered reporting to be an unnecessary burden. We were conscious to reduce the regulatory burden on reporting entities where possible, and streamline the reporting process, while maintaining our risk-based approach to the reporting guideline.

There has been a need to reclassify some former type 3 obligations. These were predominately recording keeping rules which we consider need to be reportable as they underpin the function of many important consumer protection provisions, including explicit informed consent. The commission's approach is based upon its risk-assessment that breaches that pose a significant or moderate risk will fall into a type 2 category.

In response to CALC's suggestion to include a specified period within which material adverse breaches must be reported by, we consider it is the responsibility of reporting entities to assess when a material adverse breach has occurred and report it as soon as practicable. There may be instances where type 1 and type 2 breaches may need to be reported earlier than their reportable period if they have a material adverse impact on consumers or the Victorian energy market.

In response to submissions requesting further clarity about the definition of a 'material adverse breach' and its interaction with type 1 and 2 breaches, we provide some additional examples of what constitutes a material adverse impact below. A breach that has a material adverse impact is one involving actual or likely harm (including but not limited to financial, physical, emotional, or psychological harm) to consumers that is significant. What is significant is ultimately a matter of judgement. However, as a general principle, the commission would consider breaches that would impact a large number of consumers to be materially adverse. Additionally, a breach could also be a material adverse breach if it affects a small number of customers, or even an individual customer, where is actual or a high likelihood of physical or mental harm.

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<sup>53</sup> Ibid.

<sup>54</sup> Ibid.



### Example 1

If a distributor plans an interruption involving a significant number of customers and fails to notify the affected customers of the date and details of the planned interruption or causes an outage outside of the planned boundary, this situation may give rise to a material adverse breach that may affect a large number of customers who experience stress, frustration and potential economic and medical harm. The instance becomes even more significant if life support customers are affected.

### Example 2

Templates are generally used for large numbers of customers (sometimes a retailer's entire customer base) and errors in templates have the potential to impact very large numbers of customers who may be provided incorrect billing information or be incorrectly informed as to their consumer protection entitlements. Errors of this kind may lead to material adverse breaches.

### Example 3

A material adverse breach may arise where a retailer has breached a clause which does not have a type 1 or 2 reportable breach attached to it, for example, clause 47(2) of the Energy Retail Code of Practice. Clause 47(2) requires retailers to include required information in a written disclosure statement that must include or be accompanied by a copy of the market retail contract. If a retailer fails to include this information within the template of its market retail contract, then the retailer has potentially breached its obligations. If the omission of this written disclosure statement was only identified months later, this could result in a widespread breach. This is a material adverse breach as a large number of consumers may have been denied their right to receive transparent and clear information from their energy retailer.

Breaches described in examples 1 and 2 may be reportable sooner than the 30 calendar days prescribed under type 2, if it would have a material adverse impact. Similarly, from example 3, a breach that is not reportable as a type 1 or 2, may need to be reported as soon as reasonably practicable if it would have a material adverse impact on consumers or the Victorian energy market.

Powershop suggested that we utilise education rather than enforcement as retailers and distributors get used to applying material adverse breaches.<sup>55</sup> Our compliance and enforcement approach is risk-based. We take a proportionate approach using a range of tools to address contraventions of the code including education and guidance and an enforcement response. By using a proportionate response to each breach we assess, we can deliver pragmatic outcomes for

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<sup>55</sup> Powershop, p. 2.

consumer protection and assist reporting entities in minimising the risk of repeated non-compliance.

### **Final decision 3: Removal of type 3 breaches and introduce material adverse breaches**

The type 3 classification of breaches is removed.

Any breach, irrespective of its classification otherwise, that will have a material adverse impact on consumers or the Victorian energy market must be reported as soon as practicable.

# Chapter 5 - Type 2 breaches reported within 30 calendar days

## Draft decision proposal

We proposed that retailers and distributors must report type 2 breaches within 30 calendar days of detection rather than the 6 month period that currently applies to type 2 breaches.

## Stakeholders' views

Six stakeholders supported our approach.<sup>56</sup> Simply Energy submitted that the shorter timeframe is 'reasonable' given the reclassification of many type 1 breaches to type 2.<sup>57</sup> AusNet broadly supported our proposal but noted that some companies may find it difficult to comply.<sup>58</sup> Jemena submitted that our proposed rolling date for compliance reporting may cause issues for some reporting entities, because it is not structured as a set date format.<sup>59</sup>

Four stakeholders did not support our approach and submitted that our final decision should align with the Australian Energy Regulator's 90 day timeframe.<sup>60</sup> Tango, AGL and Origin submitted this would make reporting entities' workloads more manageable and allow for corporate sign-off.<sup>61</sup>

AGL, CitiPower and Tango submitted that reporting at the end of each month would be preferable, in line with the current reporting regime for wrongful disconnections.<sup>62</sup> CitiPower submitted that our timeframe would be difficult to implement.<sup>63</sup> It stated that internal monitoring and administrative tasks would be negatively affected and reporting entities would have to invest resources into complying with our timeframes that could be utilised in other areas of their businesses.<sup>64</sup>

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<sup>56</sup> AusNet, p. 1; Jemena, p. 2; Powershop, p. 2; Momentum, p. 2; Simply Energy, p. 1; CALC, p. 2.

<sup>57</sup> Simply Energy, p. 2.

<sup>58</sup> AusNet, p. 1.

<sup>59</sup> Jemena, p. 2.

<sup>60</sup> EnergyAustralia, p. 2; Tango, p. 2; Origin, pp. 1-2; AGL, pp. 3-4.

<sup>61</sup> Tango p. 2; AGL, pp. 3-4; Origin, pp. 1-2.

<sup>62</sup> AGL, pp. 1 and 3-4; Tango, p. 2; CitiPower, p. 2.

<sup>63</sup> CitiPower, p. 2.

<sup>64</sup> CitiPower, p. 2.

Shell Energy stated that we should be ‘cautious about the change’.<sup>65</sup> It requested clarity as to whether reporting entities must provide reports every 30 days regardless whether a breach occurs (that is, whether ‘nil’ breach reports would be required).<sup>66</sup>

### Our response and final decision

Regarding Origin, AusNet and Jemena’s responses, we acknowledge that reporting entities will need to have resources to meet these updated reporting timeframes. We have implemented a transitional period (see Chapter 13) in part to give entities sufficient time to start preparing for these changes. However, we currently require entities to submit rolling reports for type 1 breaches within 2 business days, and the reclassification of many obligations from type 1 to type 2 constitutes a material relaxing of the reporting timeframes for these obligations. Further, we consider that fixed monthly reporting would either introduce a short period for reporting breaches occurring towards the end of a month or otherwise a ‘lag’ in the reporting cycle.

The proposed reporting timeframes provide the commission with a robust and appropriate collection of breach reports and data to proactively direct and perform its compliance and enforcement activities. The timely collection of information is vital to minimise the risks of evidence and knowledge of events being compromised from the passage of time, if breach reports are not submitted within 30 days.

The commission acknowledges that its timeframe differs from the Australian Energy Regulator and other jurisdictions, but our proposed timeframe will allow us to maintain a high-quality performance and compliance reporting regime, and promote the interests of Victorian consumers and their trust in the energy market.

Our approach is modelled on the approach by the Australian Securities and Investments Commission (ASIC) to regulate financial services breach reporting. ASIC have released public statements that its rationale for the 30-day timeframe was to address concerns about the quality and timeliness of its breach reporting.<sup>67</sup> We note that the royal commission into financial services also recommended<sup>68</sup> a narrow reporting timeframe of 30 calendar days for ‘reportable situations’ where a licensee has breached a ‘core obligation and the breach is significant’ be included in

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<sup>65</sup> Shell Energy, p. 2.

<sup>66</sup> Ibid.

<sup>67</sup> ASIC, 21-235MR ASIC publishes guidance on breach reporting, 7 September 2021, [21-235MR ASIC publishes guidance on breach reporting | ASIC - Australian Securities and Investments Commission](#).

<sup>68</sup> ASIC, 21-235MR ASIC publishes guidance on breach reporting, 7 September 2021, [21-235MR ASIC publishes guidance on breach reporting | ASIC - Australian Securities and Investments Commission](#).

legislation.<sup>69</sup> We have adopted a similar approach as the quality of information diminishes with the passing of time. We identify this as a plausible risk if we did implement a timeframe longer than 30 days.

Additionally, reporting entities will not be required to submit 'nil' reports under the updated reporting guideline and our proposed updates to the reporting guideline allow reporting entities to report type 2 breaches within 30 days, reducing the administrative burden and producing timely reports as many of these breaches were previously type 1 breaches.

The commission also acknowledges submissions requesting us to consider additional time may be necessary for corporate sign-offs. We have addressed this concern by only requiring formal sign-off on the annual breach report rather than quarterly reporting (see Chapter 6).

**Final decision 4: Retailers and distributors must report type 2 breaches within 30 calendar days**

Type 2 breaches must be reported within 30 calendar days of being detected.

'Nil' breach reports are not required.

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<sup>69</sup> [Financial Sector Reform \(Hayne Royal Commission Response\) Bill](#), schedule 11, section 912D.

## Chapter 6 - Quarterly and annual reports

### Draft decision proposal

We proposed removing the requirement to submit a quarterly type 1 summary report signed by the CEO or Managing Director.

We proposed that retailers must still submit an annual summary report signed by the CEO or Managing Director containing all type 1 and type 2 breaches and a summary of other breaches identified throughout the year, including material adverse breaches. They will also need to submit a nil compliance report in instances where the licensee has no breaches to report for a relevant annual reporting period.

### Stakeholders' views

Four stakeholders supported our draft decision;<sup>70</sup> Shell Energy stated it was a 'positive step' in reducing burden on energy reporting entities overall.<sup>71</sup>

CALC submitted that quarterly reports should be retained because they help keep reporting entities accountable to consumers' rights and promote transparency and trust in the energy market.<sup>72</sup>

At the stakeholder forum, CitiPower provided feedback that the annual reporting requirement should apply to distributors as well as retailers in table 1.2 of the draft reporting guideline.

### Our response and final decision

This final decision clarifies that the requirement for annual reporting and related template applies to both retailers and distributors.

We acknowledge CALC's view that transparency and trust in the energy market is critical. We do not believe that removing the quarterly reporting requirement for type 1 breaches will diminish trust in the market. The annual reporting requirements, together with the requirements for reporting entities to self-report breaches under our updated reporting guideline are a key tool the commission uses to foster a transparent and trusted energy market in Victoria. We use these reports to monitor compliance with legislation, licence conditions, and codes and guidelines. The

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<sup>70</sup> Powershop, p. 2; Simply Energy, p. 1; Jemena, p. 2; Shell Energy, p. 2.

<sup>71</sup> Shell Energy, p. 2.

<sup>72</sup> CALC, p. 3.

rationale for removing the quarterly report was to reduce unnecessary duplication of reporting obligations and reduce the regulatory burden on reporting entities.

**Final decision 5: Retailers and distributors are no longer required to submit quarterly type 1 reports but will continue to submit annual reports**

Reporting entities will no longer be required to submit quarterly type 1 breach reports under the updated reporting guideline.

Annual reporting of all breaches is retained for both retailers and distributors.

Nil reports are required for annual reports.

# Chapter 7 - New voltage performance reporting indicator

## Draft decision proposal

The draft decision did not include a proposal for additional voltage performance reporting. We have separately consulted electricity distributors and Department of Environment, Land, Water and Planning about including within the reporting guideline a performance reporting indicator to capture distributors' compliance with clauses 4.2.1 and 4.2.2 of the Electricity Distribution Code (version 13).

## Stakeholders' views

Stakeholders were supportive of the inclusion of this requirement in the reporting guideline.<sup>73</sup> Distributors provided feedback about the reporting period being aligned with the Distribution Annual Planning Report and other drafting changes. The Department of Environment, Land, Water and Planning provided feedback that we should clarify that we are requesting data from the low voltage network and include a range within overvoltage and undervoltage reporting.

## Our response and final decision

Higher-than-nominal voltage levels are a cause for concern. Network constraints may curtail the export of distributed energy resources, such as solar, to the distribution network. Lower-than-nominal voltage levels may lead to customer appliances not operating correctly due to insufficient voltage (an indirect observation of this can be incandescent lights dimming or flickering). We require distributors to report to us, on a quarterly basis, their level of compliance with the voltage limits.

We have included in the final decision the following requirement for distributors:

### Voltage performance data

This data must be provided to the commission on a quarterly basis, by the end of the month following the end of the reporting period.

Distributors must submit the report in the form of the graph and table with raw data using the performance indicators below.

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<sup>73</sup> DELWP, CitiPower, Jemena and AusNet.



The data should be provided at a network level, that is, a single % value for each distributor, separately for overvoltage and undervoltage.

This performance reporting requirement will take effect from 1 March 2022, with data for the first reporting period required to be submitted to the commission by the end of March 2022.

Ref.	Indicators	Distributors are required to report the following data
VCD01	Distributor	The name of the distributor.
VCD02	Reporting period	The reporting period aligns with the Electricity Distribution Code (EDC) – schedule 1, Table 6 quarterly reporting period (e.g., December 2021 to February 2022) to be reported in the month following the reporting period (e.g., March 2022).
VCD03	Voltage performance	<p>Using advanced metering infrastructure (AMI) data<sup>1</sup> measured every 10 minutes, obtained for each week (Sun-Sat)<sup>2</sup> in the reporting period, and excluding only supply interruptions, provide:</p> <ol style="list-style-type: none"> <li>The percentage of total AMI NMIs that fell below 216V for more than 1% of time.</li> <li>The percentage of total AMI NMIs that fell above 253V for more than 1% of time.</li> <li>The percentage of total AMI NMIs, where each individual AMI NMI fell below 216V for more than 1% of time, and above 253V for more than 1% of time.<sup>3</sup></li> <li>The percentage of total AMI NMIs that experienced voltage values that fell below 207V for two consecutive time intervals.</li> <li>The percentage of total AMI NMIs that experienced voltage values that fell above 260V for two consecutive time intervals.</li> <li>The percentage of total AMI NMIs, where each individual AMI NMI fell below 207V for two consecutive time intervals, and above 260V for two consecutive time intervals.</li> </ol>
		Note 1: The above calculations should be based on all AMI data to which the distributor has access. For AMI NMIs with more than one voltage channel (e.g., three-phase), report only the average phase-to-neutral voltage channel.

		Note 2: Starting the first Sunday of the reporting period.
		Note 3: The phase-to-neutral steady state nominal voltage reference is 230V, the V1% and V99% voltage values as set out in the Australian Standard 61000.3.100 are 216V and 253V respectively.

### **Final decision 6: Additional voltage performance reporting indicator**

The reporting guideline will include a performance indicator for voltage performance.

# Chapter 8 - New arrears performance indicators

## Draft decision proposal

We proposed including new performance indicators, largely based on the same indicators used in the voluntary reporting of customer debt during the coronavirus pandemic.

We proposed that retailers report on three new types of arrears indicators that were reported during coronavirus reporting: missed bills, deferred payments, and other debt where a customer is not engaged in a payment plan.

## Stakeholders' views

CALC and Simply Energy supported the addition of the new arrears measures that were reported during the coronavirus reporting period.<sup>74</sup> EnergyAustralia submitted that if the new arrears indicators were added into the reporting guideline, they should be made consistent with the coronavirus reporting.<sup>75</sup>

Tango submitted that the additional arrears indicators were provided voluntarily during the coronavirus pandemic but the commission should undertake a further assessment of existing indicators, proposing that we should only change indicators every three to five years.<sup>76</sup>

Powershop submitted that although the additional arrears indicators were useful during the pandemic, we should revert back to the original payment difficulty framework measures.<sup>77</sup>

## Our response and final decision

We acknowledge that this reporting was useful during the beginning of the coronavirus pandemic throughout 2020. We consider ongoing reporting of other debt and deferrals data will give us a more complete picture of customer debt, rather than relying only on the previous debt measures under the payment difficulty framework, particularly as the impacts of coronavirus continue to affect the community.

In response to Tango's comment about only changing indicators every three to five years, we acknowledge that reporting changes require additional work. However, when new industry rules

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<sup>74</sup> CALC, p. 3; Simply Energy, p. 2.

<sup>75</sup> EnergyAustralia, p. 9.

<sup>76</sup> Tango, p. 3.

<sup>77</sup> Powershop, pp. 2-3.

are introduced or updated, we need to monitor and review effectiveness of these rule changes and will therefore need to adapt the reporting requirements accordingly.

Upon further analysis of the voluntary reporting and the payment difficulty review data requests, we have decided to split other debt into two categories (less than \$300 and greater than/equal to \$300). In 2020-21 approximately 70 per cent of accounts with arrears were not receiving assistance and owed less than \$300. In some instances, these customers only owed a few dollars. To capture the level of arrears more accurately for these accounts we have decided to split this indicator into two categories. We chose the \$300 band as it represents the threshold for potential disconnections for non-payment when customers owe \$300 or more with their retailers, as set out in the Energy Legislation Amendment (Energy Fairness) Bill 2021. We believe this strikes a balance between additional reporting burden for retailers and usefulness of this indicator.

#### **Final decision 7: Retailers must report on new arrears indicators**

Three types of arrears indicators collected during the coronavirus reporting - missed bills, deferred payments, and other debt where a customer is not engaged in a payment plan are included in the updated reporting guideline, with other debt to be reported into two categories based on the level of arrears.

# Chapter 9 - New best offer performance indicators

## Draft decision proposal

We proposed to include additional performance indicators on best offer messages for small business and the potential savings for residential and small business consumers. We already have performance indicators on the best offer messages for residential customers and anticipate the proposed measures for small business and the potential savings will mirror the existing indicators.

## Stakeholders' views

CALC and VCOSS supported the inclusion of additional indicators on best offer messages for small business, as well as potential savings for residential and small business customers.<sup>78</sup> Conversely, Powershop, Simply Energy, Origin and EnergyAustralia expressed concern about the usefulness of the additional best offer messages indicators.<sup>79</sup>

## Our response and final decision

We acknowledge feedback about including small business customers and also the dollar and percentage savings of best offer notices. However the commission considers that without this information it would not know the distribution of the potential annual savings for customers if they engage with their retailer, particularly business customers.

### **Final decision 8: Retailers must report on new best offer performance indicators**

New performance indicators on best offer messages for small business and the potential savings for residential and small business consumers are included in the updated guideline.

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<sup>78</sup> CALC, p. 3; VCOSS, p. 1.

<sup>79</sup> Powershop, pp. 2-3; Simply Energy, p. 2; Origin, p. 2; EnergyAustralia, pp. 6-7.

# Chapter 10 - Updates to performance indicator template

## Draft decision proposal

We proposed an administrative update of the performance indicators reporting template to take the form of a flat file, removing the need for manual completion of the existing formatted template.

Prior to our draft decision we held discussions with retailers during the July 2021-August 2021 period on the proposed changes to the performance reporting measures outlined in this draft decision, including a new reporting template.

## Stakeholders' views

All stakeholders supported the new format of the reporting template.

No stakeholder submissions were unsupportive of the format of the new template.

## Our response and final decision

We adopt our draft decision as our final decision.

### **Final decision 9: Administrative updates to the performance indicators template**

We adopt our draft decision that the reporting template will take the form of a flat file.

# Chapter 11 - Unplanned outages reporting

## Draft decision proposal

Version 6 of the reporting guideline included measures on unplanned outages. Unplanned outages are currently reported in the period the outage ends.

Although these measures were not included in our draft decision, we received feedback from distributors to amend the reporting date to be the outage start date to align with the Australian Energy Regulator's performance reporting criteria.

## Stakeholders' views

We received feedback from CitiPower to amend the reporting so that unplanned outages are recorded in the reporting period the outage started.

## Our response and final decision

We accepted the proposal and have amended the reporting guideline to include the outage start date for unplanned outages in the reporting period.

### **Final decision 10: Distributors to report when unplanned outages started**

We updated the unplanned outages reporting to require the data be included in the reporting period when the outage started.

# CORRIGENDUM

## Chapter 12 - Guaranteed service level reporting

### Draft decision proposal

Version 6 of the reporting guideline included measures on guaranteed service levels in a financial year basis with the due date on 31 October of each year.

This final decision is seeking to align the reporting period with the updated reporting by distributors of financial year data, audited and reported by the end of October of each year. This is also consistent with the Australian Energy Regulator (AER)'s Regulatory Information Notices (RIN) 31 October reporting period.

### Stakeholders' views

Stakeholders requested that the reporting period align with the AER after our final decision was published. This preference accords with our draft decision.

### Our response and final decision

This final decision specifies when we want to receive the distributors' fully audited data.

#### **Final decision 11: Distributors to report guaranteed service level on financial year basis**

The guaranteed service level reporting is to be reported after every financial year, due on 31 October of each year.



# Chapter 13 - Commencement date and transitional period

## Draft decision proposal

We proposed that the new reporting guideline would commence at the same time that the Energy Retail Code of Practice will take effect in early 2022. However, we proposed transitional arrangements until 1 July 2022 that would allow compliance breach reporting under the existing reporting guideline while industry updates its systems.

We proposed that the new performance reporting measures will commence from 1 July 2022.

## Stakeholders' views

### Compliance reporting requirements

Five stakeholders submitted that we should begin implementing the updated reporting guideline on 1 July 2022 and not have a transitional period, to provide a clear date with certainty on which reporting entities must comply with the reporting guideline.<sup>80</sup> AGL and Powershop noted that implementing these changes will take time and resources and requested that we provide further clarification on our expectations of reporting entities' conduct in the transitional period.<sup>81</sup> Red Energy also requested that the commission release another draft of the reporting guideline and proposed Energy Retail Code of Practice before both documents are finalised, in order to 'provide confidence...that these two crucial documents are aligned'.<sup>82</sup> Shell Energy also notes that our proposed timeframes are short, despite the 'scale of change in the market' and challenges that may be experienced due to the ongoing coronavirus pandemic.<sup>83</sup>

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<sup>80</sup> AGL, p. 5; EnergyAustralia, pp. 7-8; Powershop, p. 3; Red Energy, p. 1; Shell Energy, p. 2.

<sup>81</sup> AGL, p. 5; Powershop, p. 3.

<sup>82</sup> Red Energy, p. 1.

<sup>83</sup> Shell Energy, p. 2.

## Performance reporting requirements

EnergyAustralia expressed concern on the implementation date of the new reporting guideline and reporting template and sought for the implementation for performance reporting to commence on 1 October 2022 (with the first submission of data due on 31 January 2023).<sup>84</sup>

## Our responses and final decision

### Compliance reporting requirements

We acknowledge that implementing changes to account for the updated reporting guideline will take time and resources for reporting entities. We have included a transitional period to provide reporting entities time to prepare their internal systems, while continuing to report using the current obligations, breach categories and guidelines up to 30 June 2022.

During the transitional period, we will accept reporting entities using the clause number of breaches as they appear in version 6 of the reporting guideline during the transition period. From 1 July 2022, reporting entities must comply with the updated reporting guideline and report using the clause numbering in the updated reporting guideline (version 7) reflecting the numbering in the Energy Retail Code of Practice that will commence on 1 March 2022.

The aim of the transitional period is to not impose any additional regulatory burden as reporting entities update their reporting systems to comply with the reporting guideline from 1 July 2022 onwards. Retailers may essentially continue with their current practices up until 1 July 2022, limiting reporting to compliance breaches where an equivalent obligation as in force before 1 March 2022 was required to be reported under version 6 of the reporting guideline.

For instance, a retailer must report a breach of clause 30 of the Energy Retail Code of Practice as it is equivalent to clause 19 of the Energy Retail Code as in force immediately before the commencement of the Energy Retail Code of Practice on 1 March 2022, and version 6 of the reporting guideline requires that breach to be reported. From 1 July 2022 onwards, the retailer must report the breach under clause 30 of the Energy Retail Code of Practice.

Our final decision is that the transitional period commences from 1 March 2022 to align with the commencement of the Energy Retail Code of Practice. The updated reporting guideline will commence on 1 July 2022.

We reiterate the recent changes in the commission's enforcement options and increased penalties under Part 7 of the Essential Services Commission Act 2001 following the commencement of the

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<sup>84</sup> EnergyAustralia, p. 7

Essential Services Commission (Compliance and Enforcement Powers) Amendment Act 2021. From 1 December 2021 compliance with the Compliance and Performance Reporting Guideline became a civil penalty requirement. As a result, a failure to comply with this guideline itself may result in enforcement action, including potential penalties. This includes increased penalties for a failure to comply with reporting obligations in the Compliance and Performance Reporting Guideline as a civil penalty requirement from 1 December 2021. This regime will also apply to the new reporting guideline when its provisions commence. Given the importance of providing the commission with accurate and timely reports and performance data, we will consider closely future enforcement action.

### **Final decision 12: commencement date and transitional period – compliance reporting**

The compliance reporting requirements under the reporting guideline will commence on 1 March 2022 and include transitional arrangements for the period 1 March 2022 to 30 June 2022 (inclusive). These arrangements permit compliance reporting (as under version 6 of the reporting guideline) while the industry updates its systems.

### **Performance reporting requirements**

In response to EnergyAustralia's submission, we acknowledge work required to update the reporting to accommodate the additional measures. However, we believe that it is important to capture the entire financial year for these indicators and maintain our draft decision position for performance reporting to commence on 1 July 2022.

We have worked with the distributors in developing the voltage performance indicator and we consider they can have their systems ready to report on the first quarter data (December 2021, January 2022, February 2022), effective on 1 March 2022 and reportable by the end of March 2022.

### **Final decision 13: commencement date – performance reporting**

The performance reporting guideline will commence on 1 July 2022, except for the voltage performance reporting requirement which will commence on 1 March 2022.

# Annexure A: Definitions for performance indicators

## Proposed new definitions

Proposed addition	Proposed definition	Justification for addition
<b>Payment deferral</b>	An amount due for which the payment date has been extended beyond the due date or put on hold.	This has been an important measure during 2020 and 2021 to understand the full extent of customer debt. We proposed to continue collecting this measure.
<b>Other debt</b>	An amount of arrears that a residential or small business customer owes – where the customer is not included in the customers receiving payment assistance or in the customers who have deferred payment, reported as at the end of the month.	This has been an important measure during 2020 and 2021 to understand the full extent of customer debt. We proposed to continue collecting this measure.
<b>Missed bill</b>	A bill that was not paid or not paid in full by the due date	This has been an important measure during 2020 and 2021 to understand the full extent of customer debt. We proposed to continue collecting this measure.
<b>Pro-rata usage</b>	A proportionate allocation of electricity or gas usage for customers over the 12-month period. For example, if a business electricity customer had only been with a retailer for 6 months and one of the NMIs uses approximately 10 MWh per month, then this customer is a business electricity NMI consuming 120 MWh per year.	To clarify the calculation for counting the number of NMIs or MIRNs for each group of business electricity NMIs or MIRNs on market retail contracts (B050, B060, B070, and B120).

# Annexure B: Changes to performance indicators including new voltage performance reporting indicators

## Proposed modifications to existing performance indicators – energy retailers

In assessing the changes to existing performance indicators, we considered the objectives of the framework, the outcomes that could be determined, achievability and whether the original intent remained relevant. We also tested early versions of the proposed performance indicators at individual workshops with 15 retailers.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
B031	<p><b>Indicator:</b> Small Business Electricity NMIs on deemed contracts or occupier accounts on the Victorian Default Offer</p> <p><b>Definition:</b> The count of small business electricity NMIs on the Victorian Default Offer that purchase electricity under a deemed contract or occupier account. This is to be measured as at the last calendar day of each reporting month and include both known and not-know customers to the retailer.</p> <p>Note: Exclude NMIs on deemed contract or occupier account where there was no consumption in the reporting period.</p>	<p><b>Indicator:</b> Small Business Electricity NMIs on deemed contracts or occupier accounts on the Victorian Default Offer (consuming less than 40MWh per year)</p> <p><b>Definition:</b> The count of small business electricity NMIs, consuming less than 40MWh per year, on the Victorian Default Offer that purchase electricity under a deemed contract or occupier account. This is to be measured as at the last day of each reporting month and pro-rata usage for NMIs with less than 12 months of usage. This includes both known and not-known customers to the retailer.</p>	<p>To further clarify this performance indicator is for small business NMI consuming less than 40MWh per year and shown on the name of the indicator.</p> <p>To add reference to pro-rata in calculating the number of small business NMIs.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
		Note: Exclude NMIs on deemed contract or occupier account where there was no consumption in the reporting period.	
B099	<p><b>Indicator:</b> Business Gas Customers</p> <p><b>Definition:</b> The count of business gas customer IDs with at least one business gas account with the retailer. This is to be measured as at the last calendar day of each reporting month.</p>	<p><b>Indicator:</b> Small Business Gas Customers</p> <p><b>Definition:</b> The count of small business gas customer IDs with at least one business gas account with the retailer and consume less than 1,000 GJ per year. This is to be measured as at the last day of each reporting month.</p>	To clarify this performance indicator is specifically for small business gas customers.
AS042	<p><b>Indicator:</b> Residential accounts receiving tailored assistance, having previously received standard assistance</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts that are receiving tailored assistance during the reporting month, who had previously received standard assistance within the last 6 months.</p>	<p><b>Indicator:</b> Residential accounts receiving tailored assistance, having previously received standard assistance</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts that are receiving tailored assistance as at the last day of the reporting month, that had previously received standard assistance within the last 6 months.</p>	To update the reporting period for this performance indicator to be as at the end of the reporting month.
AS061	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance due to their total arrears being \$0 or in credit</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance and have total</p>	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance due to their total arrears being \$0 or in credit</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance and have total</p>	To clarify the performance indicators AS061, AS062, AS070, and AS080 are to be mutually exclusive and no double counting.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
	arrears of \$0 or are in credit at the end of their plan during the reporting month. Reported separately for electricity and gas.	arrears of \$0 or are in credit at the end of their plan during the reporting month. Reported separately for electricity and gas. Note: Indicators AS061, AS062, AS070, AS080 are mutually exclusive and there should be no overlap or double counting.	
AS062	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance and total arrears above \$0</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance and have total arrears that are above \$0 at the end of their plan during the reporting month. Reported separately for electricity and gas.</p>	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance and total arrears above \$0</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance and have total arrears that are above \$0 at the end of their plan during the reporting month. Reported separately for electricity and gas.</p> <p>Note: If an account is no longer receiving tailored assistance due to non-compliance, they should be reported against AS080 and not AS062. Indicators AS061, AS062, AS070, AS080 are mutual exclusive and there should be no overlap or double counting.</p>	To clarify the performance indicators AS061, AS062, AS070, and AS080 are to be mutually exclusive and no double counting.
AS070	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance due to switching, transferring or leaving the retailer</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance because they</p>	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance due to switching, transferring or leaving the retailer</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance because they</p>	To clarify the performance indicators AS061, AS062, AS070, and AS080 are to be mutually exclusive and no double counting.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
	switched / transferred to another retailer or otherwise left the retailer during the reporting month. Reported separately for electricity and gas.	switched / transferred to another retailer or otherwise left the retailer during the reporting month. Reported separately for electricity and gas.  Note: Indicators AS061, AS062, AS070, AS080 are mutually exclusive and there should be no overlap or double counting.	
AS080	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance for not complying with requirements</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance because of not complying with requirements during the reporting month. Reported separately for electricity and gas.</p> <p>As per clause 83(1)(a) and 83(1)(c) of the Energy retail code, which states that retailers must continue to provide assistance to a customer unless: a) the customer has refused or failed to take reasonable action towards paying for their on-going energy use and repaying their total arrears or b) following discussion between the retailer and the customer of a revised proposal (i.e. a second iteration of the initial payment proposal) c) or the customer has refused or failed to take on reasonable action towards making</p>	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance for not complying with requirements</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance because of not complying with requirements during the reporting month. Reported separately for electricity and gas.</p> <p>As per clause 132(1)(a) and 132(1)(b) of the Energy Retail Code of Practice, which states that retailers must continue to provide assistance to a customer unless: a) the customer has refused or failed to take reasonable action towards paying for their on-going energy use and repaying their total arrears, or b) the customer has refused or failed to take reasonable action towards making payments towards the cost of their on-going energy use, following discussion between the retailer and the customer around varying the amount payable, or the</p>	To clarify the performance indicators AS061, AS062, AS070, and AS080 are to be mutually exclusive and no double counting.



Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
	<p>payments towards the cost of their on-going energy use, following discussion between the retailer and the customer around varying the amount payable, or the frequency of those payments, or both, to give the customer more time to lower their energy costs.</p>	<p>frequency of those payments, or both, to give the customer more time to lower their energy costs.</p> <p>Note: Indicators AS061, AS062, AS070, AS080 are mutually exclusive and there should be no overlap or double counting.</p>	
AS091	<p><b>Indicator:</b> Average duration (days) of residential accounts currently receiving tailored assistance (since 1 January 2019)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average number of total days from 1 January 2019 an account has been receiving tailored assistance and is still currently receiving assistance as at the last calendar day of the reporting month.</p> <p>Provide data separately for: a) customers who can pay at least their on-going usage, as defined in the definitions. b) customers who cannot pay their on-going usage, as defined in the definitions.</p> <p>Note: This indicator should only measure accounts that are still receiving tailored assistance as at the last day of the reporting month. The duration should not count days an account was not receiving assistance due to completion or suspension of assistance.</p>	<p><b>Indicator:</b> Average duration (days) of residential accounts currently receiving tailored assistance (since 1 January 2019)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average number of total days from 1 January 2019 an account has been receiving tailored assistance, starting from the plan creation date, and is still currently receiving assistance as at the last day of the reporting month.</p> <p>Provide data separately for: a) customers who can pay at least their on-going usage, as defined in the definitions. b) customers who cannot pay their on-going usage, as defined in the definitions.</p> <p>Note: This indicator should only measure accounts that are still receiving tailored assistance as at the last day of the reporting month. The duration should not count days an account was not receiving assistance due to completion or suspension of assistance.</p>	<p>To clarify the calculation for this performance indicator is the average days duration from the plan creation date since 1 January 2019, and to include average duration of tailored assistance for customers currently receiving tailored assistance.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
AR011	<p><b>Indicator:</b> Average total arrears of residential accounts receiving tailored assistance (\$)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average total arrears of each account receiving tailored assistance as at the last calendar day of reporting month. Provide data separately for: (a) accounts who can pay at least their on-going usage, as defined in the definitions. (b) accounts who cannot pay their on-going usage, as defined in the definitions.</p>	<p><b>Indicator:</b> Average total arrears of residential accounts receiving tailored assistance (\$)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average total arrears of each account receiving tailored assistance as at the last day of reporting month. Provide data separately for: (a) accounts that can pay at least their on-going usage, as defined in the definitions. (b) accounts that cannot pay their on-going usage, as defined in the definitions.</p> <p>Note: These are the same accounts as referred to in AS022.</p>	<p>To clarify the cohort for this performance indicator is from AS022.</p>
AR031	<p><b>Indicator:</b> Residential accounts who commenced tailored assistance and their totals arrears</p> <p><b>Definition:</b> Residential accounts who commenced tailored assistance during the reporting month and their total arrears. Reported separately for electricity and gas. The count of accounts commencing tailored assistance during the reporting month, with total arrears on commencement that were: (a) Less than \$55 (including credits) (b) Greater than \$55 but less than or equal to \$1,000 (c) Greater than \$1,000 but less than or equal to \$2,000</p>	<p><b>Indicator:</b> Residential accounts that commenced tailored assistance and their totals arrears</p> <p><b>Definition:</b> Residential accounts that commenced tailored assistance during the reporting month and their totals arrears. Reported separately for electricity and gas. The count of accounts commencing tailored assistance during the reporting month, with total arrears on commencement that were: (a) Less than \$55 (including credits) (b) Greater than or equal to \$55 but less than \$1,000 (c) Greater than or equal to \$1,000 but less than \$2,000</p>	<p>To clarify the cohort for this performance indicator is from AR021.</p> <p>To capture accounts that commenced tailored assistance with total arrears equal to \$55.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
	(d) Greater than \$2,000 but less than or equal to \$3,000 (e) \$3,000 but less than or equal to \$5,000 (f) Greater than \$5,000	(d) Greater than or equal to \$2,000 but less than \$3,000 (e) Greater than or equal to \$3,000 but less than \$5,000 (f) Greater than or equal to \$5,000  Note: These are the same accounts as referred to in AR021.	
AR041	<p><b>Indicator:</b> Residential accounts receiving tailored assistance, with aged total arrears 12-24 months old</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:            (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 12 months old but less than 24 months old            (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 12 months old but less than 24 months old            (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 12 months old but less than 24 months old            (d) Greater than \$5,000 where the total arrears is more than 12 months old but less than 24 months old</p>	<p><b>Indicator:</b> Residential accounts receiving tailored assistance, with aged total arrears 12-24 months old</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last day of the reporting month of:            (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 12 months old but less than 24 months old            (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 12 months old but less than 24 months old            (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 12 months old but less than 24 months old            (d) Greater than \$5,000 where the total arrears is more than 12 months old but less than 24 months old</p>	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
	<p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit.</p>	<p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt.</p>	
AR042	<p><b>Indicator:</b> Residential accounts receiving tailored assistance, with aged total arrears older than 24 months</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of: (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 24 months old (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 24 months old (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 24 months old. (d) Greater than \$5,000, where the total arrears is more than 24 months old</p> <p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no total arrears, or is in credit.</p>	<p><b>Indicator:</b> Residential accounts receiving tailored assistance, with aged total arrears older than 24 months</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last day of the reporting month of: (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 24 months old (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 24 months old (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 24 months old. (d) Greater than \$5,000, where the total arrears is more than 24 months old</p> <p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is</p>	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
		in credit. The total debt on the account is counted from the oldest debt.	
AR051	<p><b>Indicator:</b> Residential accounts not receiving tailored assistance, with aged total arrears 12-24 months old</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of: (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 12 months old but less than 24 months old (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 12 months old but less than 24 months old (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 12 months old but less than 24 months old (d) Greater than \$5,000, where the total arrears is more than 12 months old but less than 24 months old</p> <p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no total arrears, or is in credit.</p>	<p><b>Indicator:</b> Residential accounts not receiving tailored assistance, with aged total arrears 12-24 months old</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last day of the reporting month of: (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 12 months old but less than 24 months old (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 12 months old but less than 24 months old (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 12 months old but less than 24 months old (d) Greater than \$5,000, where the total arrears is more than 12 months old but less than 24 months old</p> <p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is</p>	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
		in credit. The total debt on the account is counted from the oldest debt.	
AR052	<p><b>Indicator:</b> Residential accounts not receiving tailored assistance, with aged total arrears older than 24 months</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of: (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 24 months old (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 24 months old (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 24 months old (d) Greater than \$5,000 where the total arrears is more than 24 months old</p> <p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no total arrears, or is in credit.</p>	<p><b>Indicator:</b> Residential accounts not receiving tailored assistance, with aged total arrears older than 24 months</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last day of the reporting month of: (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 24 months old (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 24 months old (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 24 months old (d) Greater than \$5,000 where the total arrears is more than 24 months old</p> <p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt.</p>	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
D140	<p><b>Indicator:</b> Disconnections for non-payment of residential accounts who did not receive tailored or standard assistance</p> <p><b>Definition:</b> Reported separately for electricity and gas, the number of accounts for which supply was disconnected for non-payment during each month within the reporting period who had not received tailored or standard assistance within the previous 6 months.</p>	<p><b>Indicator:</b> Disconnections for non-payment (NMI or MIRN) which did not receive tailored or standard assistance</p> <p><b>Definition:</b> Reported separately for electricity and gas, the number of NMIs or MIRNs which the supply was disconnected for non-payment during each month within the reporting period, which had not received tailored or standard assistance within the 6 months prior to the disconnection date.</p>	<p>To clarify this performance indicator is to measure disconnections at NMI or MIRN level.</p> <p>To clarify the calculation for the period of this performance indicator.</p>
D150	<p><b>Indicator:</b> Residential accounts where their total arrears were transferred or sold to a collection agency/third party after disconnection</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of residential accounts for which total arrears were transferred or sold after disconnection to a collection agency/third party after disconnection.</p> <p>Note: in accordance with the Energy Retail Code, the sale of debt can only occur no sooner than 10 days after disconnection.</p>	<p><b>Indicator:</b> Residential accounts where their total arrears were referred or sold to a collection agency/third party after disconnection</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of residential accounts for which total arrears were referred or sold after disconnection to a collection agency/third party after disconnection counted as at the date of the referral.</p> <p>Note: in accordance with clause 144(2) of the Energy Retail Code of Practice, the sale of debt can only occur no sooner than 10 days after disconnection.</p>	<p>To clarify this performance indicator is to count accounts that are referred or sold to a collection agency/third party after disconnection.</p> <p>To clarify the calculation for the period of this performance indicator.</p>
D161	<p><b>Indicator:</b> Residential accounts with total arrears at</p>	<p><b>Indicator:</b> Residential accounts with total arrears as</p>	<p>To clarify the calculation for the period of this performance indicator.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
	<p>disconnection who were disconnected for non-payment</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of accounts with total arrears as at the last calendar day of the reporting month who were disconnected for non-payment during the reporting month: a) less than \$55 b) greater than \$55 but less than or equal to \$1,000 c) greater than \$1,000 but less than or equal to \$2,000 d) greater than \$2,000 but less than or equal to \$3,000 e) greater than \$3,000 but less than or equal to \$5,000 f) greater than \$5,000</p> <p>Note: Our definition assumes that accounts' arrears are based on the unpaid invoices of a customer and covers the total arrears on an account.</p>	<p>at the time of disconnection that were disconnected for non-payment</p> <p><b>Definition:</b> Reported separately for electricity and gas. The account of accounts disconnected for non-payment with total arrears as at the time of disconnection, during the reporting month: (a) Less than \$300 (including zero or credit) (b) Greater than or equal to \$300 but less than \$1,000 (c) Greater than or equal to \$1,000 but less than \$2,000 (d) Greater than or equal to \$2,000 but less than \$5,000 (e) Greater than or equal to \$5,000</p> <p>Note: Our definition assumes that accounts' arrears are based on the unpaid invoices of a customer and covers the total arrears on an account. These are the same accounts as referred to in D050A.</p>	<p>To capture completed disconnections with total arrears less than \$300.</p>
D170	<p><b>Indicator:</b> Notices delivered to residential accounts related to unpaid bills and disconnection warning notices</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of notices issued to an account where the amount outstanding all relates to</p>	<p><b>Indicator:</b> Notices delivered to residential accounts related to unpaid bills and disconnection warning notices</p> <p><b>Definition:</b> Reported separately for electricity and gas. The count of notices issued to an account where the amount outstanding is greater</p>	<p>To clarify the calculation for the period of this performance indicator. Removed reference to only current billing period.</p>



Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
	the current billing period and is greater than \$300 (inclusive of GST), where the account is not disconnected in that month. Provide data separately for: a) reminder notices about unpaid bills b) disconnection warning notices.	than \$300 (inclusive of GST), where the account is not disconnected in that month. Provide data separately for: (a) reminder notices about unpaid bills (b) disconnection warning notices.	
CC010	<p><b>Indicator:</b> Calls to account line</p> <p><b>Definition:</b> The total number of calls to a retailer's account line received during the financial year, including calls answered by an automated response service or IVR*, reported under a single 'energy' category. Excludes calls to sales, unless transferred after initial enquiry at the customer's request. Only calls from Victorian retail customers (residential and business) should be reported. Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator. * Integrated Voice Response (IVR) ~ technology which allows customers to service their own enquiries by following the instructions and navigating menu choices via the telephone keypad or by speech recognition.</p>	<p><b>Indicator:</b> Calls to account line</p> <p><b>Definition:</b> The total number of calls to a retailer's account line received during the month, including calls answered by an automated response service or IVR*, reported under a single 'energy' category. Excludes calls to sales, unless transferred after initial enquiry at the customer's request. Only calls from Victorian retail customers (residential and business) should be reported. Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator. * Integrated Voice Response (IVR) ~ technology which allows customers to service their own enquiries by following the instructions and navigating menu choices via the telephone keypad or by speech recognition.</p>	<p>To capture the monthly number of calls rather than total calls at the end of financial year. We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
CC020	<p><b>Indicator:</b> Calls to an operator</p> <p><b>Definition:</b> The total number of calls to an operator or customer service officer received during the financial year, reported under a single 'energy' category. Where retailers use an automated or IVR telephone system, this includes those calls where the customer has selected the relevant operator option (that is, indicated they wish to be connected to an operator) and excludes all calls that do not require operator attention:</p> <ul style="list-style-type: none"> <li>- any calls abandoned before the customer opts to speak to an operator</li> <li>- IVR calls where the customer does not select an operator option</li> </ul> <p>Excludes calls to sales, unless transferred after initial enquiry at the customer's request. Only calls from Victorian retail customers (residential and business) should be reported. Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator. Note: By default, this will also enable calculation of calls handled by an IVR.</p>	<p><b>Indicator:</b> Calls to an operator</p> <p><b>Definition:</b> The total number of calls to an operator or customer service officer received during the month, reported under a single 'energy' category. Where retailers use an automated or IVR telephone system, this includes those calls where the customer has selected the relevant operator option (that is, indicated they wish to be connected to an operator) and excludes all calls that do not require operator attention:</p> <ul style="list-style-type: none"> <li>- any calls abandoned before the customer opts to speak to an operator</li> <li>- IVR calls where the customer does not select an operator option</li> </ul> <p>Excludes calls to sales, unless transferred after initial enquiry at the customer's request. Only calls from Victorian retail customers (residential and business) should be reported. Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator. Note: By default, this will also enable calculation of calls handled by an IVR.</p>	<p>To capture the monthly number of calls rather than total calls at the end of financial year. We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.</p>
CC030	<p><b>Indicator:</b> Calls to an operator responded to within 30 seconds</p>	<p><b>Indicator:</b> Calls to an operator responded to within 30 seconds</p>	<p>To capture the monthly number of calls rather than total calls at the end of financial year.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
	<p><b>Definition:</b> The total number of calls to an operator during the financial year, reported under a single 'energy' category, that were responded to within 30 seconds. Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard). Where retailers use an automated or IVR telephone system, the measurement period is calculated from the time that the customer selects an operator option (that is, if the caller's enquiry is answered by the IVR, meaning they don't need to speak to an operator, the call is not counted). For non-IVR telephone systems, the measurement period commences when the call is received by the switchboard. Where a retailer provides an option to call the customer back within a specified time period (rather than have the customer wait on hold until the next operator is available), the call will be considered to have been answered within 30 seconds providing the caller selected the option within 30 seconds and the telephone call was returned by the call centre within the specified time. Only calls from Victorian retail customers (residential and business) should be reported. Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p><b>Definition:</b> The total number of calls to an operator during the month, reported under a single 'energy' category, that were responded to within 30 seconds. Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard). Where retailers use an automated or IVR telephone system, the measurement period is calculated from the time that the customer selects an operator option (that is, if the caller's enquiry is answered by the IVR, meaning they don't need to speak to an operator, the call is not counted). For non-IVR telephone systems, the measurement period commences when the call is received by the switchboard. Where a retailer provides an option to call the customer back within a specified time period (rather than have the customer wait on hold until the next operator is available), the call will be considered to have been answered within 30 seconds providing the caller selected the option within 30 seconds and the telephone call was returned by the call centre within the specified time. Only calls from Victorian retail customers (residential and business) should be reported. Regulated entities with only large customers and no IVR telephone system in</p>	<p>We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
CC040	<p><b>Indicator:</b> Average waiting time (in seconds)</p> <p><b>Definition:</b> The average time in seconds waited by callers before an operator answered their call; reported under a single 'energy' category and calculated as follows:</p> <p><u>total time waited by callers during the financial year</u> Calls to an operator minus Abandoned calls</p> <p>This indicator requires a retailer to report on the time waited by callers before a call is answered and so only answered calls are relevant. This indicator should not include abandoned calls, nor include the average waiting time before a call is abandoned.</p> <p>Where an IVR system operates, it is not appropriate to regard the call as answered as soon as the IVR system accepts the call.</p> <p>Only calls from Victorian retail customers (residential and business) should be counted.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p>place are not obliged to report on this indicator.</p> <p><b>Indicator:</b> Average waiting time (in seconds)</p> <p><b>Definition:</b> The average time in seconds waited by callers before an operator answered their call, during the month; reported under a single 'energy' category and calculated as follows:</p> <p><u>total time waited by callers during the month</u> Calls to an operator minus Abandoned calls</p> <p>This indicator requires a retailer to report on the time waited by callers before a call is answered and so only answered calls are relevant. This indicator should not include abandoned calls, nor include the average waiting time before a call is abandoned.</p> <p>Where an IVR system operates, it is not appropriate to regard the call as answered as soon as the IVR system accepts the call.</p> <p>Only calls from Victorian retail customers (residential and business) should be counted.</p> <p>Regulated entities with only large customers and no IVR telephone system in</p>	<p>To capture the monthly number of calls rather than total calls at the end of financial year.</p> <p>We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Final indicator	Justification for change(s)
		place are not obliged to report on this indicator.	
CC050	<p><b>Indicator:</b> Abandoned calls</p> <p><b>Definition:</b> The total number of calls abandoned during the financial year while awaiting operator response after being forwarded to an operator, reported under a single 'energy' category. For retailers with an IVR telephone system, only those calls where the customer had already selected the operator option before abandoning the call are counted. Only calls from Victorian retail customers (residential and business) should be reported. Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p><b>Indicator:</b> Abandoned calls</p> <p><b>Definition:</b> The total number of calls abandoned during the month while awaiting operator response after being forwarded to an operator, reported under a single 'energy' category. For retailers with an IVR telephone system, only those calls where the customer had already selected the operator option before abandoning the call are counted. Only calls from Victorian retail customers (residential and business) should be reported. Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p>To capture the monthly number of calls rather than total calls at the end of financial year. We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.</p>

## Proposed additions to performance indicators – energy retailers

In assessing additions to performance indicators, we considered the objectives of the framework, the outcomes that could be determined, achievability and gaps in the suite of existing performance indicators. We also tested early versions of the proposed performance indicators at individual workshops with 15 retailers.

Proposed addition	Proposed definition	Justification for addition
B181	<p><b>Indicator:</b> Residential Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings</p> <p><b>Definition:</b> The count of residential electricity NMIs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>(a) greater than \$22 and less than or equal to \$50</li> <li>(b) greater than \$50 and less than or equal to \$100</li> <li>(c) greater than \$100 and less than or equal to \$150</li> <li>(d) greater than \$150 and less than or equal to \$200</li> <li>(e) greater than \$200 and less than or equal to \$250</li> <li>(f) greater than \$250 and less than or equal to \$300</li> <li>(g) greater than \$300 and less than or equal to \$400</li> <li>(h) greater than \$400</li> </ul> <p>Note: The total number of NMIs should equal B180.</p>	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.

Proposed addition	Proposed definition	Justification for addition
B182	<p><b>Indicator:</b> Residential Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan</p> <p><b>Definition:</b> The count of residential electricity NMIs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>This percentage is calculated as:</p> <p><math display="block">\frac{\text{(annual total cost of the current plan minus annual total cost of the deemed best offer)}}{\text{the annual cost of the current plan}}</math></p> <p>This is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>(a) greater than 0% and less than or equal to 5%</li> <li>(b) greater than 5% and less than or equal to 10%</li> <li>(c) greater than 10% and less than or equal to 15%</li> <li>(d) greater than 15% and less than or equal to 20%</li> <li>(e) greater than 20%</li> </ul> <p>Note: The total number of NMIs should equal B180.</p>	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.
B185	<p><b>Indicator:</b> Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer</p> <p><b>Definition:</b> The count of small business electricity NMIs (consuming less than 40MWh per year) during the reporting month that received a message on their bill saying that they are not on the retailer's best offer</p>	This indicator currently exists for residential – additional indicator for small business.

Proposed addition	Proposed definition	Justification for addition
B186	<p><b>Indicator:</b> Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings</p> <p><b>Definition:</b> The count of small business electricity NMIs (consuming less than 40MWh per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>(a) greater than \$22 and less than or equal to \$100</li> <li>(b) greater than \$100 and less than or equal to \$200</li> <li>(c) greater than \$200 and less than or equal to \$300</li> <li>(d) greater than \$300 and less than or equal to \$400</li> <li>(e) greater than \$400 and less than or equal to \$500</li> <li>(f) greater than \$500 and less than or equal to \$600</li> <li>(g) greater than \$600 and less than or equal to \$700</li> <li>(h) greater than \$700</li> </ul> <p>Note: The total number of NMIs should equal B185.</p>	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.



Proposed addition	Proposed definition	Justification for addition
B187	<p><b>Indicator:</b> Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan</p> <p><b>Definition:</b> The count of small business electricity NMIs (consuming less than 40MWh per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>This percentage is calculated as:</p> $\frac{\text{(annual total cost of the current plan minus annual total cost of the deemed best offer)}}{\text{the annual cost of the current plan}}$ <p>This is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>(a) greater than 0% and less than or equal to 5%</li> <li>(b) greater than 5% and less than or equal to 10%</li> <li>(c) greater than 10% and less than or equal to 15%</li> <li>(d) greater than 15% and less than or equal to 20%</li> <li>(e) greater than 20%</li> </ul> <p>Note: The total number of NMIs should equal B185.</p>	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.
B191	<p><b>Indicator:</b> Small Business Electricity NMIs that received information on their bill that they are on the retailer's best offer</p> <p><b>Definition:</b> The count of small business electricity NMIs (consuming less than 40MWh per year) during the reporting month that received a message on their bill saying that they are on the retailer's best offer</p>	This indicator currently exists for residential – additional indicator for small business.

Proposed addition	Proposed definition	Justification for addition
B201	<p><b>Indicator:</b> Residential Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings</p> <p><b>Definition:</b> The count of residential gas MIRNs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>(a) greater than \$22 and less than or equal to \$50</li> <li>(b) greater than \$50 and less than or equal to \$100</li> <li>(c) greater than \$100 and less than or equal to \$150</li> <li>(d) greater than \$150 and less than or equal to \$200</li> <li>(e) greater than \$200 and less than or equal to \$250</li> <li>(f) greater than \$250 and less than or equal to \$300</li> <li>(g) greater than \$300 and less than or equal to \$400</li> <li>(h) greater than \$400</li> </ul> <p>Note: The total number of MIRNs should equal B200.</p>	To monitor the count of MIRNs that are not on the retailer's best offer and the amount of their potential savings if they change plan.

Proposed addition	Proposed definition	Justification for addition
B202	<p><b>Indicator:</b> Residential Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan</p> <p><b>Definition:</b> The count of residential gas MIRNs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>This percentage is calculated as:</p> <p><math display="block">\frac{\text{(annual total cost of the current plan minus annual total cost of the deemed best offer)}}{\text{the annual cost of the current plan}}</math></p> <p>This is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>(a) greater than 0% and less than or equal to 5%</li> <li>(b) greater than 5% and less than or equal to 10%</li> <li>(c) greater than 10% and less than or equal to 15%</li> <li>(d) greater than 15% and less than or equal to 20%</li> <li>(e) greater than 20%</li> </ul> <p>Note: The total number of MIRNs should equal B200.</p>	To monitor the count of MIRNs that are not on the retailer's best offer and the amount of their potential savings if they change plan.
B205	<p><b>Indicator:</b> Small Business Gas MIRNs that received information on their bill that they are not on the retailer's best offer</p> <p><b>Definition:</b> The count of small business gas MIRNs (consuming less than 1,000 GJ per year) during the reporting month that received a message on their bill saying that they are not on the retailer's best offer</p>	This indicator currently exists for residential – additional indicator for small business.

Proposed addition	Proposed definition	Justification for addition
B206	<p><b>Indicator:</b> Small Business Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings</p> <p><b>Definition:</b> The count of small business gas MIRNs (consuming less than 1,000 GJ per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>(a) greater than \$22 and less than or equal to \$100</li> <li>(b) greater than \$100 and less than or equal to \$300</li> <li>(c) greater than \$300 and less than or equal to \$500</li> <li>(d) greater than \$500 and less than or equal to \$700</li> <li>(e) greater than \$700 and less than or equal to \$900</li> <li>(f) greater than \$900 and less than or equal to \$1,100</li> <li>(g) greater than \$1,100 and less than or equal to \$2,000</li> <li>(h) greater than \$2,000</li> </ul> <p>Note: The total number of MIRNs should equal B205.</p>	<p>To monitor the count of MIRNs that are not on the retailer's best offer and the amount of their potential savings if they change plan.</p> <p>The potential savings have been updated to account potentially higher bills depending on usage.</p>

Proposed addition	Proposed definition	Justification for addition
B207	<p><b>Indicator:</b> Small Business Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan</p> <p><b>Definition:</b> The count of small business gas MIRNs (consuming less than 1,000 GJ per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>This percentage is calculated as:</p> $\frac{\text{(annual total cost of the current plan minus annual total cost of the deemed best offer)}}{\text{the annual cost of the current plan}}$ <p>This is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>(a) greater than 0% and less than or equal to 5%</li> <li>(b) greater than 5% and less than or equal to 10%</li> <li>(c) greater than 10% and less than or equal to 15%</li> <li>(d) greater than 15% and less than or equal to 20%</li> <li>(e) greater than 20%</li> </ul> <p>Note: The total number of MIRNs should equal B205.</p>	To monitor the count of MIRNs that are not on the retailer's best offer and the amount of their potential savings if they change plan.
B211	<p><b>Indicator:</b> Small Business Gas MIRNs that received information on their bill that they are on the retailer's best offer</p> <p><b>Definition:</b> The count of small business gas MIRNs (consuming less than 1,000 GJ per year) during the reporting month that received a message on their bill saying that they are on the retailer's best offer</p>	This indicator currently exists for residential – additional indicator for small business.

Proposed addition	Proposed definition	Justification for addition
B230	<p><b>Indicator:</b> Residential accounts that missed bills during the month</p> <p><b>Definition:</b> Reported separately for electricity and gas, the count of residential accounts that did not pay part or total bill amount as at the due date of the bill, during the reporting month.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p>
B231	<p><b>Indicator:</b> Small business accounts that missed bills during the month</p> <p><b>Definition:</b> Reported separately for electricity and gas, the count of small business accounts that did not pay part or total bill amount as at the due date of the bill, during the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p>
AS100	<p><b>Indicator:</b> Small business accounts receiving payment assistance</p> <p><b>Definition:</b> Reported separately for electricity and gas, the count of small business accounts receiving such as payment flexibility to avoid getting into arrears or payment assistance to pay their ongoing usage, pay their arrears or lower their energy cost, as at the last day of the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year. This indicator should be limited only to customers receiving their current round of payment assistance. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p>

Proposed addition	Proposed definition	Justification for addition
AS110	<p><b>Indicator:</b> Residential accounts that deferred payments</p> <p><b>Definition:</b> Reported separately for electricity and gas, the count of residential accounts deferring payments as at the last day of the reporting month.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p>
AS111	<p><b>Indicator:</b> Small business accounts that deferred payments</p> <p><b>Definition:</b> Reported separately for electricity and gas, the count of small business accounts deferring payments as at the last day of the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p>
AS120	<p><b>Indicator:</b> Other residential accounts with arrears</p> <p><b>Definition:</b> Reported separately for electricity and gas, the count of other residential accounts with arrears - that are not included in the residential accounts receiving tailored assistance or in the residential accounts deferring payments, as at the last day of the reporting month.</p> <p>This indicator should be reported into two subsets:</p> <ul style="list-style-type: none"> <li>a) Residential accounts that owe less than \$300 as at the last day of the reporting month</li> <li>b) Residential accounts that owe greater than or equal to \$300 as at the last day of the reporting month.</li> </ul>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p> <p>Amended from COVID-19 reporting to split this count into two categories based on level of arrears</p>

Proposed addition	Proposed definition	Justification for addition
AS121	<p><b>Indicator:</b> Other small business accounts with arrears</p> <p><b>Definition:</b> Reported separately for electricity and gas, the count of other small business accounts with arrears - that are not included in the small business accounts receiving payment assistance or in the small business accounts deferring payments, as at the last day of the reporting month.</p> <p>This indicator should be reported into two subsets:</p> <ul style="list-style-type: none"> <li>a) Small business accounts that owe less than \$300 as at the last day of the reporting month</li> <li>b) Small business accounts that owe greater than or equal to \$300 as at the last day of the reporting month.</li> </ul> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p> <p>Amended from COVID-19 reporting to split this count into two categories based on level of arrears</p>
AR060	<p><b>Indicator:</b> Average total arrears of small business accounts receiving payment assistance (\$)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average total arrears of each small business account receiving such as payment flexibility to avoid getting into arrears or payment assistance to pay their ongoing usage, pay their arrears or lower their energy cost, as at the last day of the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. These are the same accounts as referred to in AS100.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p>



Proposed addition	Proposed definition	Justification for addition
AR070	<p><b>Indicator:</b> Average total amount deferred by residential accounts (\$)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average total amount deferred by residential accounts as at the last day of the reporting month.</p> <p>Note: These are the same accounts as referred to in AS110.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p>
AR071	<p><b>Indicator:</b> Average total amount deferred by small business accounts (\$)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average total amount deferred by small business accounts as at the last day of the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. These are the same accounts as referred to in AS111.</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p>
AR080	<p><b>Indicator:</b> Average total arrears of other residential accounts with arrears (\$)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average total arrears of other residential accounts with arrears - that are not included in the residential accounts receiving tailored assistance or in the residential accounts deferring payments, as at the last day of the reporting month.</p> <p>This indicator should be reported into two subsets: a) The average arrears of residential accounts that owe less than \$300 as at the last day of the reporting month b) The average arrears of residential accounts that owe greater than or equal to \$300 as at the last day of the reporting month.</p> <p>Note: These are the same accounts as referred to in AS120(a) and AS120(b).</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p> <p>Amended from COVID-19 reporting to split the average arrears into two categories based on level of arrears</p>

Proposed addition	Proposed definition	Justification for addition
AR081	<p><b>Indicator:</b> Average total arrears of other small business accounts with arrears (\$)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average total arrears of other small business accounts with arrears - that are not included in the small business accounts receiving payment assistance or in the small business accounts which have deferred payments, as at the last day of the reporting month.</p> <p>This indicator should be reported into two subsets: a) The average arrears of small business accounts that owe less than \$300 as at the last day of the reporting month b) The average arrears of small business accounts that owe greater than or equal to \$300 as at the last day of the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year. These are the same accounts as referred to in AS121(a) and AS121(b).</p>	<p>This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.</p> <p>Amended from COVID-19 reporting to split the average arrears into two categories based on level of arrears</p>

## Voltage performance

### Voltage performance data

This data must be provided to the commission on a quarterly basis, by the end of the month following the end of the reporting period.

Distributors must submit the report in the form of the graph and table with raw data using the performance indicators below.

The data should be provided at a network level, that is, a single % value for each distributor, separately for overvoltage and undervoltage.

This performance reporting requirement will take effect from 1 March 2022, with data for the first reporting period required to be submitted to the commission by the end of March 2022.

Ref.	Indicators	Distributors are required to report the following data
VCD01	Distributor	The name of the distributor.
VCD02	Reporting period	The reporting period aligns with the Electricity Distribution Code (EDC) – schedule 1, Table 6 quarterly reporting period (e.g., December 2021 to February 2022) to be reported in the month following the reporting period (e.g., March 2022).
VCD03	Voltage performance	<p>Using advanced metering infrastructure (AMI) data<sup>1</sup> measured every 10 minutes, obtained for each week (Sun-Sat)<sup>2</sup> in the reporting period, and excluding only supply interruptions, provide:</p> <ol style="list-style-type: none"> <li>The percentage of total AMI NMIs that fell below 216V for more than 1% of time.</li> <li>The percentage of total AMI NMIs that fell above 253V for more than 1% of time.</li> <li>The percentage of total AMI NMIs, where each individual AMI NMI fell below 216V for more than 1% of time, and above 253V for more than 1% of time.<sup>3</sup></li> <li>The percentage of total AMI NMIs that experienced voltage values that fell below 207V for two consecutive time intervals.</li> <li>The percentage of total AMI NMIs that experienced voltage values that fell above 260V for two consecutive time intervals.</li> <li>The percentage of total AMI NMIs, where each individual AMI NMI fell below 207V for two consecutive time intervals, and above 260V for two consecutive time intervals.</li> </ol>
		Note 1: The above calculations should be based on all AMI data to which the distributor has access. For AMI NMIs with more than one

		voltage channel (e.g., three-phase), report only the average phase-to-neutral voltage channel.
		Note 2: Starting the first Sunday of the reporting period.
		Note 3: The phase-to-neutral steady state nominal voltage reference is 230V, the V1% and V99% voltage values as set out in the Australian Standard 61000.3.100 are 216V and 253V respectively.

## Annexure C – updated type 1 and type 2 obligations

### Type 1 breaches – energy retailers

ESC ref	Source of obligation	Description
<b>Electricity Industry Act (EIA) or Gas Industry Act (GIA)</b>		
RB1494	Section 40SG(1) EIA and section 48DI(1) GIA	<b>Life support customers and residents – retailer obligations when advised by relevant customer</b> Retailer obligation to record in a register of life support customers and residents the life support customer details, within one business day after being advised by a relevant customer that a life support resident resides, or is intending to reside, at the relevant customer's premises.
RB1495	Section 40SG(2) EIA and section 48DI(2) GIA	<b>Life support customers and residents – retailer obligations when advised by relevant customer</b> Retailer obligation to provide specified information to customer within one business day after being advised by a relevant customer that a life support resident resides or is intending to reside at the relevant customer's premises, in specified circumstances.
RB1496	Section 40SG(3) EIA and section 48DI(3) GIA	<b>Life support customers and residents – retailer obligations when advised by relevant customer</b> Retailer obligation to provide information specified under an applicable Code to customer within 5 business days after being advised by a relevant customer that a life support resident resides, or is intending to reside, at the relevant customer's premises.
RB1497	Section 40SG(4) EIA and section 48DI(4) GIA	<b>Life support customers and residents – obligations when advised by relevant customer</b> Retailer obligation to give the details specified under an applicable Code to the gas and/or electricity distribution companies which distribute gas or electricity to those premises, within one business day after being advised by a relevant customer that a life support resident resides, or is intending to reside, at the relevant customer's premises.
RB1498	Section 40SH(1) EIA and section 48DJ(1) GIA	<b>Life support customers and residents – retailer obligations when advised by electricity distribution company or gas distribution company</b> Retailer obligation to record in a register of life support customers and residents the life support customer details, within one business day after a retailer is advised by a distribution company that a life support resident resides, or is intending to reside, at the premises of a relevant customer of the retailer.

ESC ref	Source of obligation	Description
RB1499	Section 40SH(2) EIA and section 48DJ(2) GIA	<b>Life support customers and residents – retailer obligations when advised by electricity distribution company or gas distribution company</b> Retailer obligation to provide information specified under an applicable Code to the relevant customer within 5 business days after a retailer is advised by a distribution company that a life support resident resides, or is intending to reside, at the premises of a relevant customer of the retailer.
RB1500	Section 40SI(1) EIA and section 48DK(1) GIA	<b>Life support customers and residents – retailer obligations when advised by exempt sellers</b> Retailer obligation to record in a register of life support customers and residents the life support customer details, within one business day after being advised by an exempt seller that a life support resident resides, or is intending to reside at the premises of a relevant customer of the exempt seller.
RB1502	Section 40SI(2) EIA and section 48DK(2) GIA	<b>Life support customers and residents – retailer obligations when advised by exempt sellers</b> Retailer obligation to, within one business day after being advised by an exempt seller that a life support resident resides, or is intending to reside at the premises of a relevant customer of the exempt seller, give details specified under an applicable Code to the distribution company that distributes electricity/gas at those premises.
RB1504	Section 40SV(1) EIA and section 48DX(1) GIA	<b>Register of life support customers and residents</b> Retailer obligation to establish and maintain a register of life support customers and life support residents.
RB1505	Section 40SV(2) EIA and section 48DX(2) GIA	<b>Register of life support customers and residents</b> Retailer obligation to not remove any life support customer details relating to a registered life support customer from a register of life support customers and residents except in specified circumstances.

### Energy Retail Code of Practice

RB1447	Clause 26(5)	<b>Pre-contractual duty – life support requirement</b> Retailer obligation to, by the time a customer enters into a new market retail contract or a new standard retail contract with a retailer, ask the customer whether a person residing or intending to reside at the customer's premises requires life support equipment.
RB1442	Clause 164(1)	<b>Life support – medical confirmation form</b> Retailer obligations where a medical confirmation form is provided to a customer.
RB1443	Clause 164(2)	<b>Life support – confirmation reminder notices</b> Requirements for content of a confirmation reminder notice.

ESC ref	Source of obligation	Description
RB1444	Clause 165(1)	<b>Life support – ongoing retailer obligations</b> Retailer’s ongoing obligations where advised by a relevant customer or a distributor that a life support resident resides, or is intending to reside, at the premises of a relevant customer of the retailer.
RB1445	Clause 165(2)	<b>Life support – ongoing retailer obligations</b> Retailer’s ongoing obligations where advised by an exempt electricity seller that a life support resident resides, or is intending to reside, at the premises of a relevant customer of the retailer.
RB1446	Clause 167(1)	<b>Life support – keeping registration and deregistration details</b> Retailer obligation to establish policies, systems and procedures for registering and deregistering life support customers, and to ensure that the register of life support customers and life support residents is maintained, kept up to date and includes certain information.
RB1490	Clause 173(1)	<b>Life support – retailer obligations with respect to deemed exempt persons and exempt distributors</b> Retailer obligations when notified by a deemed exempt person or an exempt distributor that a life support resident resides, or is intended to reside, at the premises of a customer.
RB1491	Clause 173(2)	<b>Life support – retailer obligations with respect to deemed exempt persons and exempt distributors</b> Retailer obligation to, in relation to a customer who is registered with a retailer pursuant to subclause (1)(a), comply with specific requirements as if the deemed exempt person or exempt distributor were an exempt seller, and as if the customer were a registered life support customer
RB1421	Clause 150(1)	<b>Account security – access to confidential information</b> Retailer obligation to not disclose or provide access to confidential information about an affected customer to any other person without the consent of the affected customer.
RB1421-2	Clause 150(4)	<b>Account security – safe methods of communication</b> Retailer obligation to take reasonable steps to identify a safe method of communication with an affected customer.
RB1421-3	Clause 150(6)	<b>Account security – record keeping</b> Retailer obligation to keep a record of arrangements reached in relation to the identification of a safe method of communication with an affected customer under subclause (4).

## Type 2 breaches – energy retailers

ESC ref	Source of obligation	Description
<b>Electricity Industry Act (EIA) or Gas Industry Act (GIA)</b>		
RB0054	Section 35A EIA and section 42A, GIA	<b>Licensee standing offer tariffs to be input into website</b> Licence condition requiring licensee to input standing offer tariffs into the internet site nominated by the Minister as soon as practicable after the licensee publishes those tariffs under section 35 of the EIA.
RB0055	Section 36A(1) EIA and section 43A GIA	<b>Publication of tariffs, terms and conditions of sale of electricity</b> Licence condition requiring retailer to publish details of certain tariffs and terms and conditions on its website and to input those details into an internet site nominated by the Minister as soon as practicable after publication to its website.
RB0056	Section 40G EIA [electricity only]	<b>Obligations relating to purchase of small renewable energy generation electricity</b> Licence condition requiring licensee to publish general renewable energy feed-in terms and conditions and to input the terms and conditions into an internet site nominated by the Minister as soon as practicable after the licensee publishes those terms and conditions in accordance with section 40G.
RB0057	Section 40MAA EIA and section 40ME EIA [electricity only]	<b>Obligation to input declared general feed-in terms and conditions into Minister nominated internet site and obligation to offer to purchase solar electricity</b> Retailer obligation to, as soon as practicable after a declaration made under section 40M is published in the Government Gazette, input the ESC recommended general feed-in terms and conditions or ESC determined general feed-in terms and conditions that are the subject of the declaration into an internet site nominated by the Minister. A retailer is also required under its licence to offer to purchase qualifying solar energy generation electricity from a qualifying customer, and TFiT scheme electricity from a TFiT scheme customer, on relevant terms and conditions.
RB0058	Section 40EA EIA and section 48DA GIA	<b>Prohibition on save and win-back offers</b> Prohibitions on energy retailers contacting domestic customers to engage in save and win-back offers.
RB0058A	Section 40EB EIA	<b>Prohibition relating to door-to-door sales and cold-calling</b>



ESC ref	Source of obligation	Description
	and section 48DB GIA	Prohibitions regarding retailers from conducting door-to-door sales of energy or cold-calling potential customers to sell energy or contract customers into energy deals.
RB0059	Order in Council made under section 13 of the EIA [electricity only] – clause 6(5)	<p><b>Victorian default offer tariffs</b></p> <p>A retailer’s standing offer tariffs for sale of electricity to prescribed customers must comply with any Victorian Default Offer price determination made by the commission that is in force.</p>
RB0061	Order in Council made under section 13 of the EIA [electricity only] – clause 7	<p><b>Retailer must make Victorian default offer</b></p> <p>A retailer’s regulated tariff standing offer for sale of electricity to prescribed customers must include (specified as the “<i>Victorian default offer in respect of flat tariffs</i>”) one flat tariff that is available to each domestic customer, one flat tariff with a controlled load tariff that is available to each domestic customer with a controlled load, and one flat tariff that is available to each small business customer (which tariffs must be standing offer tariffs complying with the VDO price determination in respect of the relevant regulatory period).</p>
RB1452	Sections 23A(2) and 23A(3) EIA and sections 33(2) and 33(3) GIA	<p><b>Condition to give information to commission</b></p> <p>Licensee obligation to give information to the commission, as specified by the commission in guidelines issued under subsection (4), for the purpose of enabling the commission to perform specific functions. Information must be given in the manner and form (including by the date or dates) specified in the guidelines.</p>
RB0052	Section 23C EIA [electricity only]	<p><b>Selling renewable electricity</b></p> <p>Licence condition requiring licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.</p>

ESC ref	Source of obligation	Description
RB0058	Section 35 EIA and section 42 GIA	<b>Offer to domestic or small business customers (licensee standing offers)</b> Licence condition requiring licensee to offer to supply and sell electricity or gas to domestic or small business customers at (subject to this section, to any relevant Orders in Council and to the conditions of its licence) tariffs determined by the licensee and published by the licensee in the Government Gazette at least one month before they take effect, and on terms and conditions determined by the licensee and approved by the commission and published by the licensee in the Government Gazette at least one month before they take effect.
RB0051	Section 40D EIA and section 48C GIA	<b>Prohibition on exit fees</b> Licence condition prohibiting a licensee from entering into a contract for the sale or supply of energy with a small retail customer that imposes an exit fee on the termination of the contract unless certain conditions are met.
RB1493	Section 40SE EIA and section 48DG GIA	<b>Disconnection of supply of electricity/gas at premises</b> Retailer obligation to not arrange for the supply of electricity/gas at a relevant customer's premises to be disconnected except in accordance with Subdivision 3.
RB1503	Section 40ST(5) EIA and section 48DV(5) GIA	<b>Supply of electricity/gas may be disconnected if electricity/gas taken by fraudulent or illegal means – retailers</b> Retailer obligation to not arrange for the supply of electricity/gas at a person's premises to be disconnected under subsection (1) except in accordance with this section.
RB1506	Section 116AA(1) EIA and section 229A(1) GIA	<b>Offence to give false or misleading information</b> Licensee obligation to not give the commission information that the licensee is required to give to the commission under or for the purposes of this Act that the licensee knows to be false or misleading in any material particular, or omits any matter or thing without which the information is misleading.

ESC ref	Source of obligation	Description
RB1507	Section 116AA(2) EIA and section 229A(2) GIA	<b>Offence to give false or misleading documents</b> Licensee obligation to not produce a document to the commission that the licensee is required to produce to the commission under or for the purposes of this Act if the licensee knows that the document is false or misleading in a material particular and the licensee does not indicate the respect in which the document is false or misleading.
<b>Energy Retail Code of Practice</b>		
RB0740	Clause 54(1)	<b>Keeping records of energy marketing and training</b> Retailer obligation to keep records of energy marketing activities carried out by it or on its behalf by a retail marketer, and of training undertaken as required by clause 53 of the Energy Retail Code of Practice.
RB0740-2	Clause 54(3)	<b>Record keeping</b> Requirement to keep each record for a period of 12 months or, where a small customer has within that period made a complaint or referred a dispute to the energy ombudsman in relation to energy marketing activities, for the period that a complaint or dispute remains unresolved, whichever is longer.
RB0890	Clause 68(1)	<b>Providing historical billing information</b> Retailer obligation to use its best endeavours to provide historical billing and metering data to a small customer for the previous 2 years within 10 business days of the customer's request, or such other period they agree.
RB0890-2	Clause 68(2)	<b>Charging for historical billing information</b> Retailer obligation to provide historical billing data to the small customer for the previous 2 years without charge, but data requested for an earlier period or more than once in any 12 month period may be provided subject to a reasonable charge.
RB0890-3	Clause 68(3)	<b>Providing historical interval data</b> Retailer obligation to provide interval data electronically, or by some other form, in a way which makes the information understandable or accessible to the customer, if a customer with a smart meter makes a request for historical billing data or metering data.
RB1426	Clause 41(1)	<b>Record keeping</b> Retailer obligation to maintain records that are sufficient to evidence its compliance with its obligations under Division 4 (clear advice and energy fact sheets).
RB1426-2	Clause 41(2)	<b>Time records are kept for</b> Retailer obligation relating to the period of time records are required to be retained for.

ESC ref	Source of obligation	Description
RB0102-2	Clause 97(6)	<b>Cooling off period and right of withdrawal – record of withdrawal</b> Retailer obligation to create a record of each withdrawal. The provisions of clause 8 of the Energy Retail Code of Practice are to apply in relation to a record of withdrawal as if it were a record of explicit informed consent.
RB1201	Clause 8(1)	<b>Record of explicit informed consent</b> A retailer must create a record of each explicit informed consent required by the Energy Retail Code of Practice and provided by a small customer. A retailer must retain that record for at least 2 years.
RB1201-2	Clause 8(2)	<b>Record of explicit informed consent</b> Requirements for format of, and information to be included in, any record of explicit informed consent.
RB1458	Clause 49(1)	<b>Comparing retailer’s prices with the VDO price in advertisements</b> Obligation for a retail marketer to not advertise prices for the supply of electricity unless the advertisement meets the requirements of subsections (2), (3) and (4).
RB1424	Clause 160(1)	<b>Record keeping</b> Retailer obligation to maintain records that are sufficient to evidence its compliance with its obligations under Part 7 (assistance for customers affected by family violence).
RB1424-2	Clause 160(2)	<b>Time records are kept for</b> Retailer obligation relating to the period of time records are required to be retained for.
RB1428	Clause 112(1)	<b>Record keeping</b> Retailer obligation to maintain records that are sufficient to evidence its compliance with its obligations under Division 5 (customers entitled to clear information about energy plans).
RB1428-2	Clause 112(2)	<b>Time records are kept for</b> Retailer obligation relating to the period of time records are required to be retained for.
RB1432-5	Clause 39(4)	<b>Ensuring offer information can be viewed on Victorian Energy Compare and retailer websites</b> Retailer obligation to co-operate with relevant parties in implementing a system to create and sustain reliable links from the internet site nominated by the Minister so that a customer can easily view the same or more offer information on the retailer’s website, and potentially accept that offer or another offer.

ESC ref	Source of obligation	Description
RB1459	Clause 8(3)	<b>Access to record of explicit informed consent</b> Retailer obligation to, on request by a small customer and at no charge, provide the customer with access to a copy of the record of any explicit informed consent given by the customer and then retained by the retailer.
RB1203	Clause 12(1)	<b>Interpreter services</b> A retailer must refer a residential customer to a relevant interpreter service if a referral is necessary or appropriate to meet the reasonable needs of the customer.
RB0880-2	Clause 13(2)	<b>Providing information on customer rights on request</b> Retailer's obligation to, if a small customer requests certain information, either provide the information to the customer or refer the customer to the retailer's website.
RB0880-3	Clause 13(3)	<b>Providing copy of information on customer rights on request</b> Retailer's obligation to provide a copy of information on customer rights, entitlements and obligations on request if the customer requests a copy.
RB0880-4	Clause 13(4)	<b>Charges for providing information on customer rights</b> Retailer obligation to provide the information or a copy of the information requested under this clause without charge, but information requested more than once in any 12 month period may be provided subject to a reasonable charge.
RB1475	Clause 26(2)(b)	<b>Pre-contractual duty – designated retailers</b> Obligation if the retailer is the designated retailer for the premises, to advise the customer of the availability of the retailer's Victorian default offer and/or standing offer.
RB1204	Clause 26(4)	<b>Pre-contractual duty – explicit informed consent</b> Retailer obligation to obtain the explicit informed consent of a small customer for the entry by the customer into a market retail contract with the retailer.
RB1501	Clause 29(5)	<b>Pre-contractual request to designated retailer for sale of energy</b> The designated retailer is not entitled to refuse to sell energy to a small customer who is a residential customer on the ground that the customer owes the retailer outstanding amounts from an unpaid account (excluding unpaid amounts for premises for which the customer has an ongoing customer retail contract).
RB0100	Clause 30(1)	<b>Responsibilities of designated retailers in response to request for sale of energy</b> Obligation of designated retailer to, as soon as practicable, provide a small customer requesting the sale of energy under the retailer's Victorian default offer and/or standing offer with certain information.

ESC ref	Source of obligation	Description
RB0320	Clause 30(2)	<b>Retailer's obligation to energise</b> Retailer obligation to, as soon as practicable (but not later than the end of the next business day) after the request for the sale of energy is properly made, forward relevant details of the customer to the distributor for the premises concerned, for the purpose of updating the distributor's records, if the premises are energised, or arranging for the energisation of the premises by the distributor, if the premises are not energised.
RB0111	Clause 31(1)	<b>Sales to authorised customers</b> Retailer obligation to take reasonable steps to ensure that any person with whom it enters a customer retail contract has authority to enter into that contract for the supply of energy to the premises.
RB1425	Clause 38(1)	<b>Clear advice entitlement – providing information before entering a contract</b> Retailer obligation to communicate certain information in a readily understandable manner to a small customer, prior to obtaining the small customer's explicit informed consent to enter a customer retail contract.
RB1425-2	Clause 38(2)	<b>Clear advice entitlement – information about the Victorian default offer or standing offer</b> Retailer obligation to provide a customer with information about the availability of the Victorian default offer or standing offer, and how a customer may access it, if requested by the customer.
RB1425-3	Clause 38(3)	<b>Clear advice entitlement – providing information before entering a feed-in tariff agreement</b> Retailer obligation to communicate certain information in a readily understandable manner to a small customer, prior to entering a feed-in tariff agreement.
RB1425-4	Clause 38(6)	<b>Clear advice entitlement</b> Retailer obligation relating to the manner of communication of information required by subclause (1).
RB1432	Clause 39(1)	<b>Inputting information to the Victorian Retailer Portal website</b> Retailer obligation to input, into the Victorian Retailer Portal website, accurate details of each current generally available plan and restricted plan, including all relevant details in the form required by that internet site.
RB1432-2	Clause 39(2)	<b>Obtaining an energy fact sheet</b> Retailer obligation to obtain from the Victorian Retailer Portal website an energy fact sheet for each current generally available plan and restricted plan.
RB1432-3	Clause 39(3)	<b>Requirements for information uploaded to the Victorian Retailer Portal website</b> All information uploaded to the Victorian Retailer Portal website must be written in plain English and be designed to be readily understandable by customers.

ESC ref	Source of obligation	Description
RB1432-4	Clause 39(5)	<p><b>Requirement if the available input fields of the Victorian Retailer Portal website does not enable the terms of a plan to be accurately represented</b></p> <p>Retailer obligation to, if the available input fields of the Victorian Retailer Portal website does not enable the terms of a plan to be accurately represented, supplement any fact sheet obtained in subclause (2) with information to ensure that a customer is able to consider and compare the features and prices of the plan to assess the suitability of, and select, a plan.</p>
RB1419	Clause 40(1)	<p><b>Making energy fact sheets accessible</b></p> <p>Retailer obligation to ensure that an energy fact sheet for each current generally available plan and restricted plan is available to customers within two business days of the plan becoming available to customers.</p>
RB1419-5	Clause 40(3)	<p><b>Providing links to energy fact sheets – website information</b></p> <p>Retailer obligation to ensure that where information about a current generally available plan is provided on a website, a clear link to the energy fact sheet relevant to that generally available plan is published in a prominent position on that website, and the link is labelled “energy fact sheet”.</p>
RB1419-6	Clause 40(4)	<p><b>Providing links to energy fact sheets – online sign-up</b></p> <p>Retailer obligation to ensure that, where a generally available plan is available through an online sign-up process, a clear and prominent link to the relevant energy fact sheet is provided in close proximity to where the customer signs up to the plan.</p>
RB1419-7	Clause 40(5)	<p><b>Ensuring relevant energy fact sheets are easily identifiable</b></p> <p>Retailer obligation to ensure that the energy fact sheet for a generally available plan that is applicable to a customer’s circumstances is readily identifiable by a customer.</p>
RB1419-8	Clause 40(6)	<p><b>Informing customers of energy fact sheets during marketing</b></p> <p>Retailer obligation to ensure that, when a generally available plan is being marketed, the customer is informed that an energy fact sheet containing the key details of that plan is available and provided with the location of the relevant energy fact sheet for that plan on the retailer's website.</p>
RB1419-9	Clause 40(7)	<p><b>Informing customers of energy fact sheets during marketing on mass media channels</b></p> <p>Retailer obligation to ensure that, when marketing a generally available plan on mass media channels, a specific statement about further information is included in any advertisements in a clear manner and (as relevant for the medium) easily readable text or audible language.</p>

ESC ref	Source of obligation	Description
RB1419-10	Clause 40(8)	<b>Informing customers of energy fact sheets during marketing on mass media channels</b> Where a plan is advertised using a medium with inherent limitations that prevents the text required by subclause (7), a retailer must ensure that the text is included in a prominent location on the first webpage linked to the advertisement.
RB1419-11	Clause 40(9)	<b>Informing customers of energy fact sheets for restricted plans</b> Retailer obligation to ensure that, when marketing or providing information about a restricted plan to a customer, the customer is informed that an energy fact sheet containing the key details of the plan is available and will be provided on request.
RB1419-2	Clause 40(10)	<b>Sending fact sheets to customers</b> Retailer obligation to ensure that, if a customer requests an energy fact sheet for a generally available plan or a restricted plan, the customer is sent the relevant energy fact sheet (either by post or electronically), within five business days of contact with the customer.
RB1419-3	Clause 40(11)	<b>Using the Victorian Retailer Portal offer ID</b> Retailer obligation to ensure that, when marketing a plan, the offer ID generated by the Victorian Retailer Portal website is able to be identified and referred to in communications with a customer about that plan.
RB1419-4	Clause 40(12)	<b>Information required to access a fact sheet</b> Retailer obligation to not require a customer to provide technical or personal information in order for the customer to obtain an energy fact sheet other than information required to determine if a customer is eligible for a particular plan.
RB1509	Clause 44	<b>Duty of retailer to ensure compliance</b> Retailer obligation to ensure that a retail marketer who is an associate of the retailer complies with Part 4, Division 5 (energy marketing).
RB0101	Clause 45	<b>Requirement for and timing of disclosure to small customers</b> Requirement for retail marketer to provide the required information to a small customer in relation to a market retail contract, before the formation of the contract or as soon as practicable after the formation of the contract.
RB0101-2	Clause 46(2)	<b>Disclosure to small customers after market retail contract formation</b> Obligation for required information provided to a small customer after the formation of the market retail contract to be provided in a single written disclosure statement.



ESC ref	Source of obligation	Description
RB0101-3	Clause 46(3)	<b>Disclosure to small customers before market retail contract formation</b> If required information was provided to a small customer electronically or verbally before the formation of the market retail contract, it must also be provided to the customer after the formation of the contract in a single written disclosure statement.
RB1461	Clause 48(1)	<b>Stating conditions of conditional discounts</b> Obligation for a retail marketer to state the conditions of the conditional discount clearly and conspicuously in any marketing, advertisement or promotion of prices or tariffs for supplying energy to small customers.
RB1462	Clause 48(2)	<b>Advertising conditional discounts</b> The conditional discount must not be the price-related matter that is mentioned most prominently in the marketing, advertisement or promotion.
RB1463	Clause 50(1)	<b>Personal and telephone contact in relation to marketing activity</b> Obligation for a retail marketer to ensure that any person contacting a customer in relation to energy marketing activities provides the customer with certain information.
RB1464	Clause 50(2)	<b>Telephone contact in relation to marketing activity</b> Obligation for a retail marketer contacting a customer on the telephone in relation to energy marketing activities to, as soon as practicable provide certain details.
RB1202	Clause 51(2)	<b>Creating and maintaining no contact lists</b> A retailer must ensure that a “no contact list” is created and maintained for its retail marketers.
RB1202-2	Clause 51(5)	<b>No contact lists</b> A retailer must not make contact with a small business customer whose name is on the relevant no contact list.
RB0300	Clause 52(1)	<b>No canvassing or advertising signs</b> Obligation for retail marketer to, in carrying out energy marketing activities, comply with any signs at a person’s premises indicating that no advertising or similar material is to be left at the premises or in a letterbox or other receptacle at or associated with the premises.
RB0330	Clause 62(1)	<b>Frequency of bills for standard retail contracts</b> Retailer obligation to issue a bill to a small customer on a standard retail contract at least once every 3 months.

ESC ref	Source of obligation	Description
RB0780	Clause 63(1)	<b>Contents of bills</b> Retailer obligation to prepare a bill so that a small customer can easily verify that the bill conforms to their customer retail contract and to include certain particulars in a bill for a small customer.
RB0360	Clause 65(1)	<b>Pay-by date of bills</b> The pay-by date for a bill for a customer on a standard retail contract must not be earlier than 13 business days from the bill issue date.
RB0800-2	Clause 66(1)	<b>Apportionment</b> Retailer obligation to, if a bill includes amounts payable for goods and services other than the sale and supply of energy, apply any payment made by a small customer in relation to the bill firstly in satisfaction of the charges for the sale and supply of energy, except for in specified circumstances.
RB0355	Clause 70(2)(a)	<b>Undercharging – limiting to four months</b> Retailer obligation to, where the retailer proposes to recover an amount undercharged, limit the recovery of undercharged amounts to the amount undercharged in the 4 months before the date the customer is notified of the undercharging (unless the amount was undercharged as a result of the small customer’s fault or unlawful act or omission).
RB0355-2	Clause 70(2)(b)	<b>Undercharging – not charging interest</b> Retailer obligation to, where the retailer proposes to recover an amount undercharged, not charge the customer interest on undercharged amounts being recovered.
RB0355-3	Clause 70(2)(c)	<b>Undercharging – explaining recovering of undercharged amounts</b> Retailer obligation to, where the retailer proposes to recover an amount undercharged, state the amount to be recovered as a separate item in a special bill or in the next bill, together with an explanation of that amount.
RB0355-4	Clause 70(2)(d)	<b>Undercharging – time to repay</b> Retailer obligation to, where the retailer proposes to recover an amount undercharged, offer the customer time to pay that amount by agreed instalments, over a period nominated by the customer being no longer than the period during which the undercharging occurred (if less than 12 months) or otherwise 12 months.
RB1470	Clause 70(3)	<b>Undercharging – tariff changes</b> Retailer obligations if, during the period that a retailer has undercharged a customer, the customer's tariff changes.

ESC ref	Source of obligation	Description
RB0355-5	Clause 71(1)	<b>Overcharging – informing customers</b> Retailer obligation to, where a small customer has been overcharged by an amount equal to or above the overcharge threshold, inform the customer accordingly within 10 business days after the retailer becomes aware of the overcharging.
RB0355-6	Clause 71(2)	<b>Overcharging – repaying amounts above the overcharge threshold</b> Retailer obligation to, if the amount overcharged is equal to or above the overcharge threshold, repay, credit or use best endeavours to refund that amount to a small customer.
RB0355-7	Clause 71(3)	<b>Overcharging – crediting amounts below the overcharge threshold</b> Retailer obligation to, if the amount overcharged is less than the overcharge threshold, credit that amount to the next bill or, if the small customer has ceased to obtain customer retail services from the retailer, use its best endeavours to refund that amount within 10 business days.
RB0360-2	Clause 72(1)	<b>Payment methods</b> Retailer obligation to accept payment for a bill by a small customer in a specified way.
RB0360-3	Clause 72(4)	<b>Direct debit arrangements</b> Retailer obligations where a direct debit arrangement is entered into between a retailer and a small customer.
RB0380	Clause 75(2)	<b>Shortened collection cycle – conditions</b> The conditions under which a retailer may place a small customer on a shortened collection cycle (absent agreement of the customer under sub-clause (1)).
RB0380-2	Clause 75(3)	<b>Shortened collection cycle – providing notice</b> Retailer obligation to, within 10 business days of placing a small customer on a shortened collection cycle, give the customer notice of specific matters.
RB0380-3	Clause 75(4)	<b>Shortened collection cycle – removing customers from cycle</b> Retailer obligations relating to the removal of the small customer from a shortened collection cycle.
RB0230	Clause 77(1)(b)	<b>Additional retail charges</b> The circumstances in which a retailer may impose an additional retail charge on a customer.
RB1441	Clause 80(1)	<b>Guaranteed service level payments</b> Retailer obligation where a distributor makes a payment required to be made by clause 6 of the Electricity Distribution Code via the retailer.

ESC ref	Source of obligation	Description
RB1440	Clause 82(1)	<b>Customer request for change of tariff</b> Retailer obligation where a retailer offers alternative tariffs or tariff options and a small customer requests a retailer to transfer from that customer's current tariff to another tariff, and demonstrates to the retailer that it satisfies all of the conditions relating to that other tariff and any conditions imposed by the customer's distributor.
RB0370	Clause 85(1)(a)	<b>Security deposits – residential customers</b> When a retailer may require a residential customer to provide a security deposit.
RB0370-2	Clause 85(1)(b)	<b>Security deposits – business customers</b> When a retailer may require a business customer to provide a security deposit.
RB0370-3	Clause 85(2)	<b>Security deposits – conditions</b> A retailer cannot require a small customer to provide a security deposit unless at least one of the specified conditions are met.
RB0370-4	Clause 85(3)	<b>Security deposits – residential customers receiving tailored assistance</b> A retailer cannot require a residential customer to provide a security deposit if the customer is receiving assistance under Division 3 (Tailored assistance) of Part 6 (Assistance for residential customers anticipating or facing payment difficulties) or has formally applied for a URG and a decision on the application has not been made.
RB0370-5	Clause 85(4)	<b>Security deposits – offering payment plans</b> A retailer cannot require a residential customer to provide a security deposit unless the retailer has offered the customer the option of a payment plan and the customer has either declined the offer or failed to pay an instalment having accepted the offer and the retailer has otherwise complied with Part 6.
RB0370-6	Clause 85(5)	<b>Security deposits – unsatisfactory credit history</b> Retailer obligation to inform the customer of specific matters if a retailer requires a security deposit on the basis that the small customer has an unsatisfactory credit history.
RB0370-7	Clause 85(6)	<b>Security deposits – non-payment or partial payment</b> A retailer must not refuse to sell energy on the grounds of non-payment or partial payment of a security deposit, but may arrange to disconnect premises in accordance with section 40SN of the EIA or section 48DP of the GIA or refuse to arrange re-connection of premises.

ESC ref	Source of obligation	Description
RB0370-8	Clause 85(8)	<b>Security deposits – considering customer circumstances</b> Retailer obligation to take particular circumstances of customer into account when considering whether to require an affected customer to pay a security deposit.
RB0370-9	Clause 86(3)	<b>Security deposit account</b> Retailer obligation to keep security deposits in a separate account and separately identify in its company accounts the value of security deposits that it holds for small customers.
RB0370-10	Clause 87(1)	<b>Amount of security deposit</b> Retailer obligation to ensure that the amount of a security deposit for a small customer is not greater than 37.5% of the customer's estimated bills over a 12 month period, based on the customer's billing history or the average usage of energy by a comparable customer over a comparable 12 month period.
RB0370-11	Clause 88(1)	<b>Interest on security deposit</b> If a retailer has received a security deposit from a small customer, the retailer must pay interest to the customer on the deposit at the bank bill rate.
RB0370-12	Clause 89(1)	<b>Using a security deposit</b> The circumstances in which a retailer may apply a security deposit to offset amounts owed to it by a small customer.
RB0370-13	Clause 89(2)	<b>Applying security deposits to final bills</b> Retailer obligation to, if a final bill includes amounts payable for goods and services provided by the retailer other than for the sale of energy, apply a security deposit firstly in satisfaction of the charges for the sale of energy, except for in specified circumstances.
RB0370-14	Clause 89(3)	<b>Accounting use of security deposits</b> Retailer obligation to account to the customer in relation to the application of a security deposit amount within 10 business days after the application of the security deposit.
RB0370-15	Clause 90(1)	<b>Returning security deposits</b> When and how a retailer must return a security deposit to a small customer.
RB0370-16	Clause 90(2)	<b>Returning security deposits in the absence of reasonable instructions</b> How a retailer must credit a security deposit to a small customer if the customer does not give reasonable instructions for returning the deposit.

ESC ref	Source of obligation	Description
RB1474	Clause 93(1)	<b>Variations to market retail contracts</b> The structure and nature of the tariff of a market retail contract between a customer and a retailer may only be varied by agreement in writing between the customer and the retailer.
RB1434	Clause 94(2)	<b>Making price increases on a network tariff change date</b> Retailer obligation to not increase any of the tariffs payable by a small customer under a market retail contract except with effect from a network tariff change date.
RB1435	Clause 94(4)	<b>Making price increases annually after a fixed price period</b> Retailer obligation to not increase any of the tariffs payable by a small customer under a fixed price period contract except with effect from the date on which the fixed price period expires, and each anniversary of that date.
RB1436	Clause 95(1)	<b>Pay-on-time discounts to be capped</b> Any pay-on-time discount in a market retail contract must not exceed the amount that the commission specifies in a guideline published under section 13 of the Essential Services Commission Act 2001 that is in effect at the time that the contract is entered into.
RB1437	Clause 96(1)	<b>Fixed benefit period to apply for duration of market retail contract</b> Retailer obligation to, if a market retail contract provides for a discount, rebate or credit (including a conditional discount) to be made available to the customer for a fixed benefit period, continue to make available that discount, rebate or credit, and not change the amount of that discount, rebate or credit, throughout the term of that contract.
RB0102	Clause 97(5)	<b>Cooling off period and right of withdrawal – rights and obligations to be set out in contract</b> Retailer obligation to include in each market retail contract or exempt person arrangement it enters into with a small customer express provisions setting out the rights and obligations provided for by this clause.
RB1438	Clause 99(1)	<b>Duration of fixed term retail contracts</b> A fixed term retail contract must provide for a contract length of not less than 12 months.
RB1476	Clause 100(2)	<b>Retailer notice of end of fixed term retail contract</b> Retailer obligation to, in accordance with clause 100, notify a small customer with a fixed term retail contract that the contract or arrangement is due to end.

ESC ref	Source of obligation	Description
RB1477	Clause 103(1)	<b>Liabilities and immunities</b> Retailer obligation to not include any term or condition in a market retail contract or an exempt person arrangement with a small customer that limits the liability of the retailer for breach of the contract or negligence by the retailer.
RB1478	Clause 104(1)	<b>Indemnities</b> Retailer obligation to not include any term or condition in a market retail contract or an exempt person arrangement with a small customer under which the customer indemnifies the retailer, so that the retailer may recover from the customer an amount greater than the retailer would otherwise have been able to recover at general law for breach of contract or negligence by the customer in respect of the contract.
RB1427	Clause 106(1)	<b>Notice of price or benefit change to be given</b> Retailer obligation to provide a bill change alert to a small customer in accordance with Division 5 if a benefit change or a price change is going to take effect.
RB1479	Clause 107(1)	<b>Notice of feed-in tariff change to be given</b> Retailer obligation to, if a feed-in tariff change is to take effect, provide a small customer with a feed-in tariff alert of the feed-in tariff change.
RB1480	Clause 107(2)	<b>Requirement for feed-in tariff change notice</b> Requirement for form and timing of feed-in tariff alert.
RB1482	Clause 107(3)	<b>Requirement for feed-in tariff change notice</b> Requirement for content of feed-in tariff alert.
RB1429	Clause 108(1)	<b>Identification of deemed best offer</b> Retailer obligation to identify the relevant deemed best offer for a customer, where a retailer is required to carry out a deemed best offer check for a customer.
RB1429-2	Clause 108(3)	<b>Identifying the deemed best offer for contracts with discounts conditional on buying other goods and services</b> How to identify the deemed best offer where the customer is party to a customer retail contract that provides a discount on condition that the customer buys another good or service.
RB1430	Clause 109(1)	<b>Deemed best offer check</b> Retailer obligation to carry out the deemed best offer check by calculating the deemed best offer check result using the prescribed formula.

ESC ref	Source of obligation	Description
RB1431	Clause 110(1)	<b>Providing a deemed best offer message</b> Retailer obligation to provide a deemed best offer message on a bill or bill summary to a small customer in accordance with specified timeframes.
RB1431-2	Clause 110(2)	<b>Obligation to determine deemed best offer and perform deemed best offer check</b> Retailer obligation to determine the deemed best offer for the customer in accordance with clause 108 (as at the date the bill or bill summary containing the deemed best offer message will be issued) and perform a deemed best offer check before providing the deemed best offer message.
RB1431-3	Clause 110(3)	<b>Negative deemed best offer check result</b> Retailer obligation if the deemed best offer check result is negative.
RB1431-4	Clause 110(4)	<b>Positive deemed best offer check result</b> Retailer obligation if the deemed best offer check result is positive.
RB1483	Clause 111(2)	<b>Form and location requirements of deemed best offer message</b> Retailer obligation relating to form and location of deemed best offer message.
RB1484	Clause 111(4)	<b>Content of a negative deemed best offer message</b> Retailer obligation relating to content of a negative deemed best offer message.
RB1485	Clause 111(3)	<b>Content of a positive deemed best offer message</b> Retailer obligation relating to content of a positive deemed best offer message.
RB0250	Clause 113(1)	<b>Retailer obligations in relation to customer transfer</b> Requirements a retailer must meet before submitting a request for a transfer under the relevant Retail Market Procedures.
RB1486	Clause 114(1)	<b>Notice to small customers on transfer</b> Retailer obligation to, within 5 business days of receiving notification that it has become the financially responsible retailer for a small customer as a result of a customer transfer, give notice to the customer of specific matters.
RB1487	Clause 115(1)	<b>Notice to small customers where transfer delayed</b> Retailer obligation to, where the retailer has notified a small customer of the expected date of a transfer and that transfer does not occur, notify the customer of specific matters within 5 days of becoming aware that a transfer has not occurred on the expected date.



ESC ref	Source of obligation	Description
RB1439	Clause 119(1)	<b>Exempt market retail contracts – obligation</b> Retail marketer obligation to not supply or offer to supply energy, or advertise or market the supply of energy, under an exempt market retail contract unless the retailer has complied with obligations under this clause.
RB1449	Clause 119(2)	<b>Exempt market retail contracts – notification</b> Retailer obligation to notify the commission if the retailer (or a retailer marketer on its behalf) proposes to supply or offer to supply energy, or advertise, market or promote the supply of energy, under a retail product that would be an exempt market retail contract.
RB1450	Clause 119(3)	<b>Exempt market retail contracts – reporting</b> Retailer obligation to, if the retailer supplies or offers to supply energy under an exempt market retail contract, report to the commission regarding that retail product.
RB1451	Clause 119(4)	<b>Exempt market retail contracts – compliance with guideline</b> Retailer obligation to, if notifying or reporting to the commission under subclauses (2) or (3), do so in the manner and form provided for by any guidelines published by the commission under section 13 of the Energy Services Commission Act 2001 (Vic).
RB1448	Clause 119(5)	<b>Exempt market retail contracts – compliance by retail marketers</b> Retailer obligation to ensure that a retail marketer who is an associate of the retailer complies with this clause.
RB1454	Clause 120(1)	<b>Tailored assistance to customers on an exempt market retail contract</b> Retailer obligations if a residential customer who has entered into an exempt market retail contract becomes entitled to receive tailored assistance.
RB1402	Clause 125(1)	<b>Providing standard assistance</b> A retailer must take steps to provide to its residential customers the forms of standard assistance (from those listed in subclause (2)) it elects to make available to help them avoid getting into arrears.
RB1402-2	Clause 125(2)	<b>Form of standard assistance</b> Retailer obligations regarding the forms of standard assistance that retailers must make available to their residential customers.

ESC ref	Source of obligation	Description
RB1404	Clause 129(3)	<b>Information about assistance available</b> Retailer obligation when providing a residential customer with information about tailored assistance to which the customer is entitled and how to access it, to allow the customer no less than 6 business days to consider the information given, request further information, and put forward a payment proposal.
RB1405	Clause 130(2)	<b>Payment arrangements – accepting customer payment proposals</b> Retailer obligation to accept a payment proposal or revised proposal put forward by the residential customer that complies with certain requirements.
RB1405-2	Clause 130(5)	<b>Payment arrangements</b> Retailer obligation to give the customer a written schedule of payments showing specific information on accepting a payment proposal or a revised proposal.
RB1405-3	Clause 130(6)	<b>Payment arrangements</b> Retailer obligation to, if a residential customer receiving tailored assistance fails to make a payment by the date on which it was payable, contact the customer to discuss their putting forward a revised payment proposal.
RB1409	Clause 131(2)	<b>Non-payment of amounts towards on-going energy use</b> Retailer obligation if a residential customer fails to make a payment towards the cost of their on-going energy use by the date on which it was payable.
RB1409-2	Clause 131(3)	<b>Non-implementation of practical assistance agreed</b> Retailer obligation if a customer is not meeting their responsibility to implement practical assistance referred to in clause 85 provided by the retailer.
RB1406	Clause 132(1)	<b>Continued provision of assistance</b> Retailer obligation to continue to provide tailored assistance to a residential customer unless specific conditions are met.
RB1456	Clause 135(1)	<b>Pay-on-time discounts to be honoured</b> Retailer obligation not to recover the amount of any pay-on-time discount in respect of a bill or any other bill whose pay-by date occurred while a customer was continuing to receive tailored assistance in certain circumstances.
RB1489	Clause 136(1)	<b>Approval of financial hardship policies</b> Retailer obligation to prepare a financial hardship policy, and submit it to the commission for approval.

ESC ref	Source of obligation	Description
RB1210	Clause 137(1)	<b>Content of financial hardship policies</b> Requirements for content of a financial hardship policy of a retailer.
RB1411	Clause 141(1)	<b>Retailer obligations</b> Overarching obligations that retailers must comply with when dealing with affected customers, residential customers, government or non-government services.
RB1407	Clause 143(1)	<b>Restriction on conditions</b> Retailer obligation to not impose any condition on the provision of assistance under Part 6 (Assistance for residential customers anticipating or facing payment difficulties) that requires the customer to provide personal or financial information or to waive any entitlement under Part 6.
RB1408	Clause 144(1)	<b>Recovering debt</b> Restrictions on retailers to commence or continue with proceedings to recover arrears from a residential customer who is receiving assistance under Part 6.
RB1408-2	Clause 144(2)	<b>Selling debt</b> Restrictions on retailers to sell or otherwise dispose of the debt of a residential customer who is in arrears.
RB1408-3	Clause 144(3)	<b>Selling debt – compliance with debt collection guideline</b> Retailer obligation not to sell or otherwise dispose of the debt of a residential customer to a third party other than in accordance with debt collection guideline.
RB0141	Clause 145(1)	<b>Supply capacity control product</b> Retailer obligation to not offer a supply capacity control product to a residential customer for any credit management purpose.
RB1412	Clause 146(2)	<b>Allowing payment by Centrepay – standard retail contracts</b> Retailer obligation to allow a residential customer to use Centrepay as a payment option if the customer is applying for or on a standard retail contract.
RB1412-2	Clause 146(3)	<b>Allowing payment by Centrepay – market retail contracts</b> Retailer obligation to allow a residential customer to use Centrepay as a payment option if the customer is on a market retail contract and Centrepay is available as a payment option under that contract.

ESC ref	Source of obligation	Description
RB1412-3	Clause 146(4)	<b>Allowing payment by Centrepay – market retail contracts where Centrepay is not an option</b> Retailer obligation to, if a residential customer is on a market retail contract and Centrepay is not available as a payment option under that contract, undertake a review of the market retail contract.
RB1412-5	Clause 146(5)	<b>Transferring a customer to a contract that allows payment by Centrepay</b> Retailer obligation – if, as a result of a review, an alternative customer retail contract is considered to be more appropriate – to transfer the customer to that alternative contract, where the retailer has obtained the customer’s explicit informed consent.
RB1412-6	Clause 146(6)	<b>Offering payment by Centrepay as an option on an alternative contract</b> Retailer obligation to ensure that any alternative customer retail contract offered to a residential customer makes Centrepay available as a payment option.
RB1412-7	Clause 146(7)	<b>Making payment by Centrepay available as an option under an existing contract</b> Retailer obligation – if, as a result of the review, there is no alternative customer retail contract considered to be more appropriate – to make Centrepay available as a payment option under the residential customer’s existing market retail contract.
RB1412-4	Clause 146(8)	<b>Not charging for allowing payment by Centrepay</b> Retailer obligation to not charge the residential customer for the review, for any transfer to an alternative customer retail contract or any early termination charge or other penalty for the early termination of the customer’s previous customer retail contract.
RB1230	Clause 149(1)	<b>Training around family violence</b> Retailer obligation to ensure that training is provided to any person acting on its behalf who may engage with affected customers by any means of communication, or a manager of such a person, or is responsible for systems and processes that guide interactions with customers.
RB1422	Clause 151(1)	<b>Customer service</b> Retailer obligation to take specific steps to provide a secure process designed to avoid the need for an affected customer to repeatedly disclose or refer to their experience of family violence.
RB1423	Clause 152(1)	<b>Debt management</b> Retailer obligation to take into account specific matters before taking action to recover arrears from an affected customer.

ESC ref	Source of obligation	Description
RB1413	Clause 153	<b>Family violence as a potential cause of payment difficulty</b> Retailer obligation to recognise family violence as a potential cause of payment difficulty.
RB1414	Clause 154(1)	<b>Providing affected customers with information about external family violence support services</b> Retailer obligation to provide an affected customer with information about the availability of one or more external family violence support services at a time and in a manner that is safe, respectful and appropriate given the affected customer's circumstances.
RB1415	Clause 155(1)	<b>Evidence</b> A retailer may only seek documentary evidence of family violence when considering debt management and recovery under clause 152 or restrictions on disconnection in Part 10 of this Code of Practice or under the EIA or GIA.
RB1416	Clause 157	<b>Family violence policy</b> Retailer obligation to have a family violence policy that addresses Part 7.
RB1418	Clause 159	<b>Reviewing family violence policy</b> Retailer obligation to review its family violence policy at least once every two years.
RB0181	Clause 176(3)	<b>Termination of standard retail contracts</b> Retailer obligations where a small customer gives a termination notice and notifies the retailer of a date on which the small customer intends to vacate the premises.
RB0181-2	Clause 176(5)	<b>No termination charge for standard retail contracts</b> A retailer must not impose a termination charge (however described) under a standard retail contract in respect of the termination of the contract.
RB1492	Clause 182(4)	<b>Reminder notices</b> Retailer obligation to not issue a reminder notice to a customer who has put forward a payment proposal or revised proposal in accordance with clause 130 that the retailer has accepted, unless the customer has failed to make a payment by the date on which it was payable under the proposal or revised proposal.
RB0860	Clause 191(1)	<b>Request for disconnection</b> Retailer obligations if a customer requests the retailer to arrange for disconnection of the customer's premises.

ESC ref	Source of obligation	Description
RB0170	Clause 192(1)	<b>Arranging re-connection of premises</b> Retailer's obligation to, in accordance with any requirements under the energy laws, initiate a request to the distributor for re-connection of a customer's premises where certain conditions are met.
RB0170-2	Clause 193(1)	<b>Timing of re-connection of premises</b> Retailer's obligation regarding timing of re-connection if a customer makes a request for re-connection.

### Type 1 breaches – energy distributors

ESC ref	Source of obligation	Description
<b>Electricity Distribution Code</b>		
DB0009	Clause 5.5a.2	<b>Providing life support customers with written notices about interruptions</b> Distributor obligation to, where a person residing at a supply address is a registered life support customer registered as requiring life support equipment, provide the affected customer with notices about interruptions by written notice in hard copy together with notice by means of electronic communication where the customer has nominated one or more methods of electronic communication.
DB0001-2	Clause 5.5.1(b)	<b>Providing life support customers with advance notice of planned interruptions</b> Distributor obligation to, in the case of a planned interruption and where a person residing at the supply address is a registered life support customer, provide the affected customer with at least 4 business days written notice in hard copy of the interruption, in accordance with clause 5.5.2 (unless a longer period of notice is requested by the customer and provided that the longer period of notice is reasonably necessary and can be accommodated by the distributor).
DB0013	Clause 5A.3.1(a)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to, within one business day after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, record in a register of life support customers and residents the life support customer details.

ESC ref	Source of obligation	Description
DB0013-2	Clause 5A.3.1(b)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation when advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises – to determine whether the life support equipment is fueled by both electricity and gas and, if it is, inform the customer that the customer should inform the gas retailer or distributor who supply gas at the small customer's premises that a person residing or intending to reside at the customer's supply address requires life support equipment.
DB0013-3	Clause 5A.3.1(c)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to provide specified information, in plain English, within 5 business days after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises.
DB0013-4	Clause 5A.3.1(d)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to, within one business day after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, notify the retailer that a person residing or intending to reside at the customer's premises requires life support equipment and the date from which the life support equipment is required.
DB0013-5	Clause 5A.3.2(a)	<b>Registering life support equipment – obligations when advised by retailer</b> Distributor obligation to, within one business day after being advised by a retailer, under section 40SG(4) of the Act, that a life support resident resides, or is intending to reside, at the small customer's premises – to record in a register of life support customers and residents the life support customer details.
DB0013-6	Clause 5A.3.2(b)	<b>Registering life support equipment – obligations when advised by retailer</b> Distributor obligation within one business day after being advised by a retailer, under section 40SI(2) of the Act or under clause 170(1)(b) of the Energy Retail Code of Practice, that a life support resident resides, or is intending to reside, at the small customer's premises – to record in a register of life support customers and residents the life support customer details.
DB0014	Clause 5A.4.1	<b>Confirmation of supply address as requiring life support equipment</b> Distributor obligations where a medical confirmation form is provided to a customer.

ESC ref	Source of obligation	Description
DB0015	Clause 5A.5.1(a)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where the distributor is required to record life support customer details in a register of life support customers and residents, give certain information to the retailer within one business day after receiving relevant information about the life support equipment requirements for a customer's premises.
DB0015-2	Clause 5A.5.1(b)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where the distributor is required to record life support customer details in a register of life support customers and residents, update the register of life support customers and residents within one business day after being advised by a customer or retailer of any update to the life support equipment requirements for the customer's premises or any relevant contact details.
DB0015-3	Clause 5A.5.1(c)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where the distributor is required to record life support customer details in a register of life support customers and residents, not disconnect the supply address after the date the life support equipment will be required at the supply address, except in the case of an interruption or emergency.
DB0015-4	Clause 5A.5.1(d)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where the distributor is required to record life support customer details in a register of life support customers and residents, comply with clause 5.5.1(b) in the case of a distributor planned interruption.
DB0015-5	Clause 5A.5.2	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to notify the new retailer (within one business day after becoming aware) that a person residing at the customer's supply address is a life support resident, if the distributor becomes aware (including by way of notification in accordance with the Market Settlement and Transfer Solution Procedures) that a life support customer has subsequently transferred to another retailer (a new retailer) at that supply address.
DB0015-6	Clause 5A.5.3(a)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where a distributor is required to record a customer of an exempt person's life support customer details in a register of life support customers and residents under clause 5A.3.2(b), give certain information to the retailer within one business day after receiving relevant information about the life support equipment requirements for a customer's premises and any relevant contact details.



ESC ref	Source of obligation	Description
DB0015-7	Clause 5A.5.3(b)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where a distributor is required to record a customer of an exempt person's life support customer details in a register of life support customers and residents under clause 5A.3.2(b), update the register of life support customers and residents within one business day after being advised by a retailer of any update to the life support equipment requirements for the customer's supply address or any relevant contact details.
DB0015-8	Clause 5A.5.3(c)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where a distributor is required to record a customer of an exempt person's life support customer details in a register of life support customers and residents under clause 5A.3.2(b), – not disconnect the supply address after the date the life support equipment will be required at the supply address, except in the case of an interruption or emergency.
DB0015-9	Clause 5A.5.3(d)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where a distributor is required to record a customer of an exempt person's life support customer details in a register of life support customers and residents under clause 5A.3.2(b), comply with clause 5.5.1(b) in the case of a distributor planned interruption.
DB0016	Clause 5A.6.1	<b>Deregistration of life support customer</b> Distributor obligation to not deregister a customer except in the circumstances permitted under this clause 5A.6.
DB0017	Clause 5A.7.1	<b>Registration and deregistration details must be kept by distributors</b> Distributor obligation to establish policies, systems and procedures for registering and deregistering life support customers, and ensure that the register of life support customers and residents is maintained, kept up to date and includes certain information.

ESC ref	Source of obligation	Description
<b>Gas Distribution System Code</b>		
DB0032	Clause 4A.3.1(a)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to, within one business day after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, record in a register of life support customers and residents the life support customer details.
DB0032-2	Clause 4A.3.1(b)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation when advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, to determine whether the life support equipment is fueled by both electricity and gas and, if it is, inform the customer that the customer should inform their electricity retailer or distributor who supplies electricity at the small customer's premises that a person residing or intending to reside at the customer's premises requires life support equipment.
DB0032-3	Clause 4A.3.1(c)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to provide specified information to a customer within 5 business days after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises.
DB0032-4	Clause 4A.3.1(d)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation within one business day after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, to notify the retailer that a person residing or intending to reside at the customer's premises requires life support equipment and the date from which life support equipment is required.
DB0033	Clause 4A.4	<b>Registering life support equipment – obligations when advised by retailer</b> Distributor obligation within one business day after being advised by a retailer, under section 48DI(4) of the Gas Industry Act, that a life support resident resides, or is intending to reside, at the small customer's premises, to record in a register of life support customers and residents the life support customer details.
DB0034	Clause 4A.6(a)	<b>Confirmation of supply address as requiring life support equipment</b> Distributor obligations where a medical confirmation form is provided to a customer.
DB0035	Clause 4A.7(a)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligations where a distributor is required to record life support customer details in a register of life support customers and residents.

ESC ref	Source of obligation	Description
DB0036	Clause 4A.8(a)	<b>Deregistration of life support customer</b> Distributor obligation to not deregister a customer except in the circumstances permitted under this clause 4A.8-4A.12.
DB0037	Clause 4A.13(a)	<b>Registration and deregistration details must be kept by distributors</b> Distributor obligation to establish policies, systems and procedures for registering and deregistering life support customers.
DB0037-2	Clause 4A.13(b)	<b>Registration and deregistration details must be kept by distributors</b> Distributor obligation to ensure that the register of life support customers and residents is maintained, kept up to date and includes certain information.

## Type 2 breaches – energy distributors

ESC ref	Source of obligation	Description
<b>Electricity Industry Act (EIA) or Gas Industry Act (GIA)</b>		
RB1452	Sections 23A(2) and 23A(3) EIA and sections 33(2) and 33(3) GIA	<b>Condition to give information to commission</b> Licensee obligation to give information to the commission, as specified by the commission in guidelines issued under subsection (4). Information must be in the manner and form (including by the date or dates) specified in the guidelines.
RB1506	Section 116AA(1) EIA and section 229A(1) GIA	<b>Offence to give false or misleading information</b> Licensee obligation to not give the commission information that the licensee is required to give to the commission under or for the purposes of this Act that the licensee knows to be false or misleading in any material particular, or omits any matter or thing without which the information is misleading.
RB1507	Section 116AA(2) EIA and section 229A(2) GIA	<b>Offence to give false or misleading documents</b> Licensee obligation to not produce a document to the commission that the licensee is required to produce to the commission under or for the purposes of this Act if the licensee knows that the document is false or misleading in a material particular and the licensee does not indicate the respect in which the document is false or misleading.
<b>Electricity Distribution Code</b>		
DB0008	Clause 5.5a.1	<b>Interruptions: Customer communications</b> Distributor obligation to provide customers the ability to nominate a preferred method or methods of communication to receive notices about interruptions and enable customers to nominate one or more methods of communication, nominate that they only receive written notices in hard copy and update their preferences from time to time.
DB0010	Clause 5.5a.3	<b>Recording customer communication preferences</b> Distributor obligation to create and maintain for a period of at least 2 years, a record of the preferred method or methods of communication nominated by a customer and any updates to the customer's nominated preferences.
DB0007	Clause 5.5.2l	<b>Providing record of explicit informed consent on request</b>

ESC ref	Source of obligation	Description
		Distributor obligation to, on request by a customer and at no charge, provide the customer with access to a copy of the record of explicit informed consent given by the customer and then retained by the distributor. relating to electronic communications where requested.
DB0011	Clause 5.5a.4	<b>Interruptions: Customer communications</b> Distributor obligation to ensure notices to customers about interruptions, whether written notices in hard copy or notices by way of electronic communication, meet certain requirements.
DB0001	Clause 5.5.1(a)	<b>Providing notice of planned interruptions (non-life support customers)</b> Distributor obligation in the case of a planned interruption where no person residing at the supply address is a life support customer, to provide each affected customer with at least 4 business days written notice of the interruption.
DB0002	Clause 5.5.2	<b>Notice of planned interruptions</b> Notice of planned interruptions must include certain information.
DB0003	Clause 5.5.2A	<b>Notice of planned interruptions</b> Distributor obligation to, under certain conditions, provide the customer with at least 4 business days written notice, in hard copy, of a planned interruption by means of the communication method or methods nominated (in addition to or instead of providing written notice in hard copy as required by clause 5.5.1(a)).
DB0004	Clause 5.5.2B	<b>Notice of planned interruptions</b> Distributor obligation to, where a distributor provides notice under clause 5.5.2A, also send a reminder notice by the same electronic communication method that complies with the requirements of clause 5.5.2 one business day prior to the interruption.
DB0006	Clause 5.5.2G	<b>Retaining records of explicit informed consent</b> Distributor obligation to create a record of each explicit informed consent provided by a customer and retain the record for at least two years.
DB0016-2	Clause 5A.6.2	<b>Deregistration of life support customer</b> Distributor obligations if a customer is deregistered by a distributor – to notify the retailer of the date of deregistration and reason for deregistration within five business days of the date of deregistration, and update its register of life support customers and residents within one business day from deregistration.

ESC ref	Source of obligation	Description
DB0016-3	Clause 5A.6.3	<b>Deregistration of life support customer</b> Distributor obligations if a distributor is notified by a retailer that the retailer or an exempt person has deregistered a customer's supply address – to (within one business day from notification) update the life support customer details entered in its register of life support customers and residents.
DB0012	Clause 5.6.1	<b>Cancellation or rescheduling of planned interruptions</b> Distributor obligation to, where a distributor cancels or re-schedules a planned interruption, provide notice of the cancellation or re-scheduling within specified timeframes.
DB0018	Clause 6.1.1	<b>Appointments</b> Distributor obligation to, where the distributor makes an appointment with a customer and is more than 15 minutes late for the appointment, make a payment to the customer.
DB0019	Clause 6.2	<b>Failure to connect new supply</b> Distributor obligation to, where the distributor does not connect a new customer within a specified timeframe, make a payment to the customer.
DB0020	Clause 6.3.1	<b>Supply restoration payment</b> Distributor obligation to make a supply restoration payment to a customer if a customer experiences a certain amount of unplanned sustained interruptions per year.
DB0021	Clause 6.3.2	<b>Low reliability payment</b> Distributor obligation to make a low reliability payment to a customer.
DB0022	Clause 6.3A(a)	<b>Major event day payment</b> Distributor obligation to make a payment to a customer where the customer experiences an unplanned sustained interruption of more than 12 hours on a major event day.
DB0024	Clause 6.4.1	<b>Time for payment</b> Distributor obligation to make a payment required to be made under clause 6.1.1 within a specific timeframe.
DB0025	Clause 6.4.2	<b>Time for payment</b> Distributor obligation to make a payment required to be made under clause 6.2 within a specific timeframe.

ESC ref	Source of obligation	Description
DB0026	Clause 6.4.3	<b>Time for payment</b> Distributor obligation to determine whether it must make a supply restoration or low reliability payment to a customer at the completion of each quarter in a financial year, and to make the payment within a specified timeframe.
DB0027	Clause 6.4.4	<b>Time for payment</b> Distributor obligation, where the distributor has made an application for an event to be excluded under clause 6.3.4, to determine whether it must make a supply restoration or low reliability payment to a customer, and to make that payment, within the timeframes specified required.
DB0028	Clause 6.4.5	<b>Time for payment</b> Distributor obligation to make a major event day payment within a specified timeframe.
DB0029	Clause 9.1.12	<b>Access to multi-lingual services</b> Distributor obligation to provide access to multi-lingual services to meet the reasonable needs of its customers.
<b>Gas Distribution System Code</b>		
DB0031	Clause 2.2(b)	<b>Guaranteed Service Levels</b> Distributor obligation to, where the distributor does not meet a Guaranteed Service Level in relation to a particular tariff V customer, ensure that tariff V customer is paid the applicable GSL payment as soon as practicable.
DB0036-2	Clause 4A.8(b)	<b>Deregistration of life support customer</b> Distributor obligations if a life support customer is deregistered by the distributor – to notify the retailer of the date of deregistration and reason for deregistration within five business days of the date of deregistration, and update its register of life support customers and residents within one business day from deregistration.
DB0036-3	Clause 4A.8(c)	<b>Deregistration of life support customer</b> Distributor obligations if a distributor is notified by a retailer that the retailer or an exempt person has deregistered a customer's supply address – to (within one business day from notification) update the life support customer details entered in its register of life support customers and residents.

Compliance reporting schedule



# Annexure D: updated reporting guideline version 7

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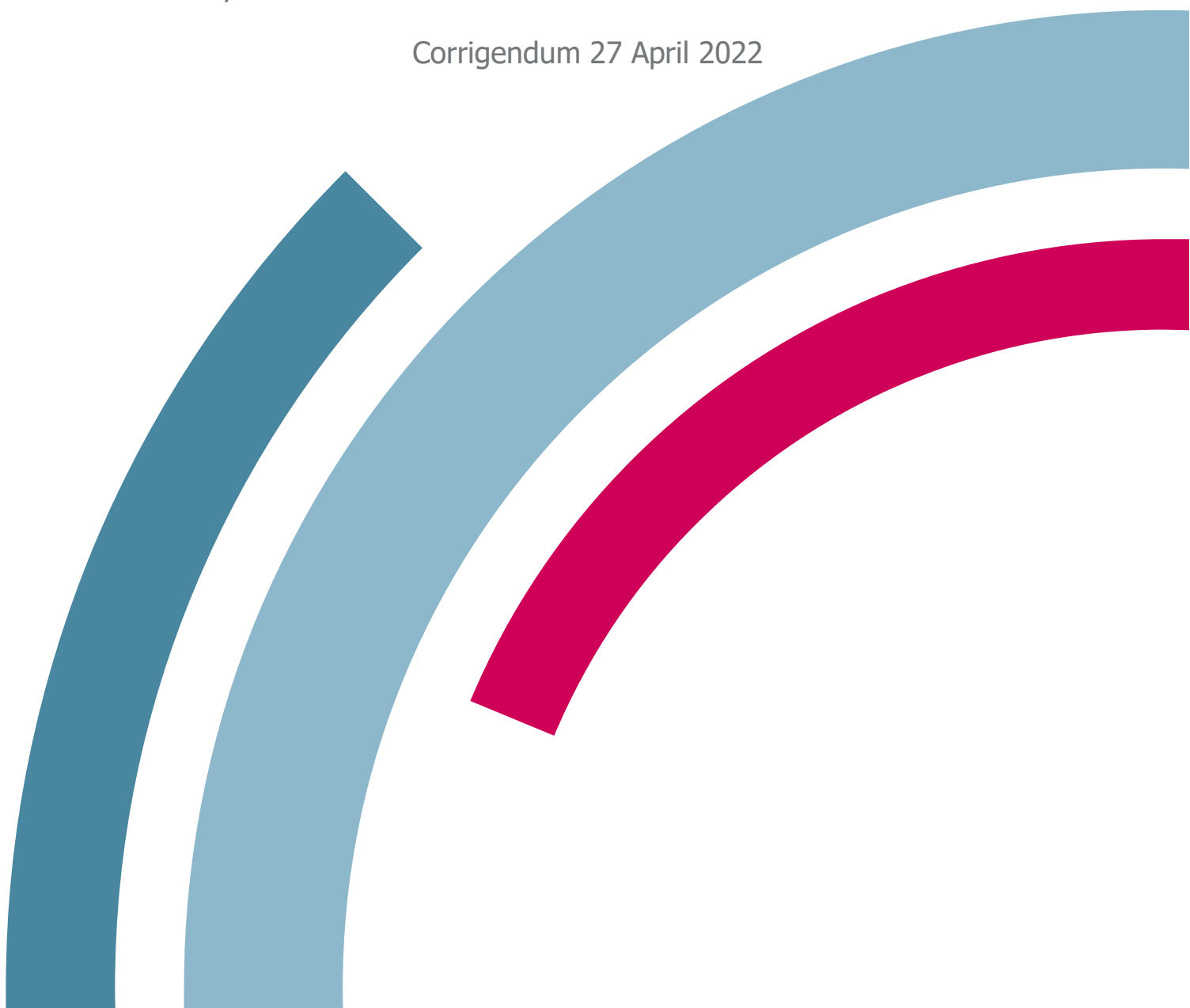


# Compliance and Performance Reporting Guideline - Version 7

Version 7

16 February 2022

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# Preface

## Revisions to this reporting guideline

Version no.	Date	Nature of amendment
2	10 November 2016	Inclusion of email address for submission of information and data. Minor amendments to correct administrative errors.
3	21 June 2017	Inclusion of obligations applicable to energy distribution licence holders.
4	30 July 2018	Amendments to the energy retailer compliance reporting obligations and performance indicators to support the introduction of the payment difficulty framework. A number of administrative changes that affect both energy retailers and distribution businesses were also made.
5	28 November 2019*	<p>Amendments to the energy retailer compliance reporting obligations and performance indicators to support the introduction of the Victorian Default Offer (VDO) and to include new entitlements for customers.</p> <p>Administrative changes that affect both energy retailers and distribution businesses were also made.</p> <p><i>*Note: in the version of this guideline initially published in November 2018, compliance obligation RB1230 was erroneously included in the list of type 3 obligations, whereas it should have been listed as a type 2 obligation as per the Commission's Final Decision.</i></p> <p><i>Compliance reporting obligations RB1424, RB1426, and RB1428 were erroneously listed with type 1 obligations, whereas they should have been listed as type 2 obligations. These corrections are included in this version of the guideline.</i></p> <p><i>On 20 July 2020 minor amendments were made to performance indicators B030, B080, B100, B105, AS062, D051B, D140 to be consistent with the intention in the final decision paper.</i></p>
6	13 April 2021	Added performance indicators as per our 2020 review of customer service standards in the Electricity Distribution Code.
7	16 February 2022	<p>Updating breach reporting classifications and timing requirements.</p> <p>Updating clause references to reflect the Energy Retail Code becoming a code of practice under Part 6 of the Essential Services Commission Act 2001 and updating clause references to reflect amendments to the Electricity Distribution Code and Gas Distribution System Code as a consequence of the Energy Legislation Amendment (Energy Fairness) Act 2001.</p>

Updating some performance measures to clarify the definitions.  
Added performance measures for best offer and arrears indicators for customers not receiving assistance.

Updated unplanned outage reporting for distributors to require the data be included in the reporting period when the outage started.

Updating the 'type' categories for compliance breach reporting, and adding in unplanned outage and voltage performance reporting requirements.

Updating the compliance reporting templates for administrative changes.

# Contents

<b>Preface</b>	<b>ii</b>
<b>1. Reporting requirements</b>	<b>5</b>
1.1. Purpose	5
1.2. Application of this guideline	5
1.3. Antecedents	5
1.4. Commission's reporting obligations	5
1.5. Retailer reporting obligations	6
1.6. Distributor reporting obligations	11
Form and content of performance reports	15
1.7. Ensuring accuracy of reports	16
Audit	16
Consequences of potential non-compliance with this reporting guideline	16
<b>2. Compliance reporting schedule</b>	<b>17</b>
2.1. Energy retailers – compliance reporting schedule	17
Type 1 breaches – energy retailers	18
Type 2 breaches – energy retailers	22
2.2. Energy distributors	44
Type 1 breaches – energy distributors	45
Type 2 breaches – energy distributors	50
<b>3. Performance indicator schedule – energy retailers</b>	<b>54</b>
3.1. Background indicators	58
3.2. Assistance indicators	68
3.3. Arrears indicators	72
3.4. Disconnection indicators	77
3.5. Call centre indicators	81
3.6. Complaints indicators	83
<b>4. Performance indicator schedule – electricity distribution businesses</b>	<b>87</b>
4.1. Embedded generation connection timeframe indicators	89
4.2. Guaranteed Service Level data	91
4.3. Unplanned outage data	92
<b>5. Voltage performance indicators</b>	<b>95</b>
Voltage performance	95

# 1. Reporting requirements

## 1.1. Purpose

This guideline sets out the reporting obligations for energy retailers and distributors to enable the commission to perform its functions under subdivision 3 of division 2 of part 7 of the Essential Services Commission Act (2001) (ESCA).

## 1.2. Application of this guideline

This guideline applies to all licensed Victorian electricity and gas retailers as a statutory condition of licence under section 23A of the Electricity Industry Act 2000 (Vic) (EIA) and section 33 of the Gas Industry Act 2001 (Vic) (GIA).

This guideline also applies to all licensed Victorian electricity and gas distributors as a condition of licence.

This guideline will be effective from 1 March 2022. Compliance indicator and performance indicator reporting obligations take effect from 1 July 2022. The voltage performance reporting requirement will take effect from 1 March 2022, with data for the first reporting period required to be submitted to the commission by the end of March 2022.

## 1.3. Antecedents

This guideline replaces the Compliance and Performance Reporting Guideline, 13 April 2021, Compliance Reporting Manual (Energy Retail Businesses), October 2014 and the Energy Retail Performance Indicators, June 2013.

## 1.4. Commission's reporting obligations

The commission must publish a compliance and enforcement report “as soon as practicable after 30 June (but on or before 30 November) in each year”.<sup>1</sup> The report must cover the period of 12 months ending with 30 June. The commission must update the report each quarter “before the end of the next quarter”.

The report must include the following:

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<sup>1</sup> ESCA section 54V.

- a report on all enforcement action taken by the commission in respect of each energy retailer and distributor
- a report on the extent to which each energy retailer and distribution business has complied, or failed to comply, with its obligations under its energy licence conditions and the provisions of any code of practice, and
- a report on the performance of each energy retailer measured against relevant performance indicators.

The performance indicators must include:

- disconnections and reconnections of electricity and gas
- the extent to which the retailer has complied with its licence condition to make wrongful disconnection payments
- the number of wrongful disconnection penalty notices and related information, and
- any other indicators the commission determines.<sup>2</sup>

As a condition of their licence, retailers and distributors must give specified information to the commission to prepare this report. The commission must prepare and issue guidelines for this purpose.<sup>3</sup>

This guideline specifies the information the commission needs to fulfil its reporting obligations.

## **1.5. Retailer reporting obligations**

Electricity and gas retail licensees are required to report any potential or actual breach that the licensee believes has occurred, or is reasonably likely to occur, in accordance with this guideline. A breach is detected where a business has reasonable grounds to believe a reportable situation has arisen. That is, a business knows of facts or has sufficient evidence to consider that a breach has occurred.

Electricity and gas retail licensees are also required to report on their performance in accordance with this guideline.

### **Timing of reports**

Breaches that must be reported under this guideline are set out in chapter 2. Breaches are classified as type 1 or type 2. The classification determines the reporting schedule.

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<sup>2</sup> ESCA section 54W.

<sup>3</sup> EIA section 23A and GIA section 33.



The reporting periods are set out in table 1.1 below.

### **Type 1 reports**

Type 1 breaches and potential breaches must be reported to us within two business days of detection. The commission may request that further information be provided after receiving the initial notification. If a licensee submits an incomplete report because the investigation is ongoing, the licensee must provide an updated type 1 report within 20 business days.

### **Type 2 reports**

Type 2 breaches and potential breaches must be reported to us within 30 calendar days of detection. Where a reporting day falls on a public holiday or weekend, then the breach report is due on the next business day.

### **Reporting wrongful disconnections and payments**

Any potential wrongful disconnections made should be reported as a type 2 breach, in the compliance breach reporting template. For clarity, this requirement applies even if the matter has been referred to the Energy and Water Ombudsman (Victoria) (EWOV) or the commission.

### **Breaches that may give rise to a material adverse impact**

Licensees must report potential breaches of any other regulatory obligation, including licence conditions, that may give rise to a material adverse impact on consumers or the Victorian energy market as soon as practicable. The reporting obligation arises when a licensee has reasonable grounds to believe that a potential breach may have occurred and may have a material adverse impact on consumers or the market. The licensee should not wait until confirmation of either the breach or the materiality of harm before reporting the matter to the commission.

### **Examples of material adverse breaches**

#### **Example 1**

An example may be if a distributor plans an outage for a large geographical area involving a significant number of customers. The distributor fails to notify the affected customers of the date and details of the planned outage or causes an outage outside of the planned boundary. The breach affects a large number of customers who experience stress, frustration and potential economic and medical harm. The instance becomes even more significant if life support customers are affected.

#### **Example 2**

A common example arises from template related issues. Templates are generally used for large numbers of customers (sometimes a retailer's entire customer base) and errors in templates have

Reporting requirements

the potential to impact very large numbers of customers who may be provided incorrect billing information or be incorrectly informed as to their consumer protection entitlements. Errors of this kind lead to material adverse breaches.

### **Example 3**

An example involves a retailer breaching clause 47(2) of the Energy Retail Code of Practice which, under our proposed changes, is not a type 1 or 2 reportable breach. This clause requires retailers to include required information given in a written disclosure statement that must include or be accompanied by a copy of the market retail contract. A retailer fails to include this information in the standardised template of its market retail contract. This template contract is then sent out to every retail customer who enters into a market retail contract. The failure to include the written disclosure statement is only identified many months after this contract has been used, resulting in a breach that is widespread and involves a significant number of customers. A large number of consumers have potentially been denied their right to receive transparent and clear information from their energy retailer.

Breaches described in examples 1 and 2 may be reportable sooner than the 30 calendar days prescribed under type 2 if it would have a material adverse impact. Similarly, from example 3, a breach that is not reportable as a type 1 or 2 may need to be reported if it would have a material adverse impact on consumers or the Victorian energy market.

### **Annual report**

A summary of all type 1 and 2 breaches and any other breaches identified during the period must be submitted annually. These reports must be signed by the CEO or Managing Director of the licensee. Licensees will need to submit a nil compliance report in instances where the licensee has no breaches to report for a relevant annual reporting period.

### **Other report requirements**

Licensees also have additional reporting obligations under the conditions of their licence. It is the commission's expectation that licensees will report to the commission in accordance with this guideline where it relates to a potential type 1 or type 2 breach, or where there is a potential breach that may cause a material adverse impact (as described above) and report to the commission in accordance with any licence condition for any other matters.

We consider that it is best practice for licensees to come to the commission early as a result of prompt, accurate and comprehensive self-reporting, and that this cooperation may be taken into account in any enforcement action.

## Performance indicator reports

Performance indicator data must be reported quarterly. Some indicators are only required on an annual basis.

**Table 1.1 Retailer reporting obligations**

Reporting obligation	Frequency	Timing
<b>Type 1 breaches</b>	As required	Within two business days of detection.
<b>Type 2 breaches</b>	As required	Within 30 calendar days of detection.
<b>Material breaches</b>	As required	As soon as practicable.
<b>Annual report</b>	Annually	For the period 1 July to 30 June – on or before 31 August.
<b>Performance indicators</b>	Quarterly	For the period 1 July to 30 September – on or before 31 October. For the period 1 October to 31 December – on or before 31 January. For the period 1 January to 31 March – on or before 30 April. For the period 1 April to 30 June – on or before 31 July.

## Form and content of reports

All reports of breaches and submission of performance data must be sent by email to [compliance.reporting@esc.vic.gov.au](mailto:compliance.reporting@esc.vic.gov.au).

### Breach reports

All breach reports must be made using the retailer compliance reporting template located on our website. Breach reports should provide as much information as possible. If any matter is still under investigation or remediation is ongoing that should be noted in the template, including a date by which the investigation is expected to be completed should be stated. Incomplete type 1 reports must be followed up with a complete report within 20 business days from the date the initial type 1 report is submitted.

### Performance reports

Performance indicator reports must be submitted using the relevant template located on our website, as amended from time to time.

### Report sign off

The annual breach report must be signed off by the CEO or Managing Director of the licensee.

Reporting requirements

## Nil reports

Where a retailer has no relevant performance data to report for a relevant period or indicator, the retailer is required to submit the applicable template. The template should note that the retailer has no relevant performance data to report for the relevant period.

## **1.6. Distributor reporting obligations**

Electricity and gas distribution licensees are required to report any potential non-compliance that they believe has occurred, or is reasonably likely to occur, in accordance with this guideline.

Electricity distribution licensees are also required to report on their performance in accordance with this guideline.

### **Timing of reports**

Breaches that must be reported under this guideline are set out in chapter 2. A breach is detected where a business has reasonable grounds to believe a reportable situation has arisen. That is, a business knows of facts or has sufficient evidence to consider that a breach has occurred.

The reporting periods are set out in table 1.2 below.

### **Type 1 reports**

Distributors must provide initial notification of all type 1 breaches and potential breaches within two business days of detection. We may request that further information be provided after receiving the initial notification. If a licensee submits an incomplete report because the investigation is ongoing, the licensee must provide a complete report within 20 business days.

### **Type 2 reports**

Type 2 breaches and potential breaches must be reported to us within 30 calendar days of detection, except for breaches of clause 5.5.1(a) of the Electricity Distribution Code which are provided on monthly summary basis.

### **Planned outage reports**

Distributors must provide a summary report of compliance with clause 5.5.1 of the Electricity Distribution Code on a monthly basis.

Breaches of clause 5.5.1(b) which relate to life support are type 1 breaches that must be reported within two business days.

### **Breaches that may give rise to a material adverse impact**

Licensees must report potential breaches of any other regulatory obligation, including licence conditions, that may give rise to a material adverse impact on consumers or the Victorian energy market as soon as practicable. The reporting obligation arises when a licensee has reasonable grounds to believe that a potential breach may have occurred and may have a material adverse impact on consumers or the market. The licensee should not wait until confirmation of either the breach or the materiality of harm before reporting the matter to the commission.

Reporting requirements

## Examples of material adverse breaches

### Example 1

If a distributor plans an interruption for involving a significant number of customers and fails to notify the affected customers of the date and details of the planned interruption or causes an outage outside of the planned boundary, this situation may give rise to a material adverse breach that may affect a large number of customers who experience stress, frustration and potential economic and medical harm. The instance becomes even more significant if life support customers are affected.

### Example 2

Templates are generally used for large numbers of customers (sometimes a retailer's entire customer base) and errors in templates have the potential to impact very large numbers of customers who may be provided incorrect billing information or be incorrectly informed as to their consumer protection entitlements. Errors of this kind may lead to material adverse breaches.

### Example 3

A material adverse breach may arise where a retailer has breached a clause which does not have a type 1 or 2 reportable breach attached to it, for example, clause 47(2) of the Energy Retail Code of Practice. Clause 47(2) requires retailers to include required information in a written disclosure statement that must include or be accompanied by a copy of the market retail contract. If a retailer fails to include this information within the template of its market retail contract, then the retailer has potentially breached its obligations. If the omission of this written disclosure statement was identified months after this contract has been used, this could result in a widespread breach. As a result, this is a material adverse breach as a large number of consumers may have been denied their right to receive transparent and clear information from their energy retailer.

Breaches described in examples 1 and 2 may be reportable sooner than the 30 calendar days prescribed under type 2, if it would have a material adverse impact. Similarly, from example 3, a breach that is not reportable as a type 1 or 2, may need to be reported as soon as reasonably practicable if it would have a material adverse impact on consumers or the Victorian energy market.

## Annual report

A summary of all type 1 and 2 breaches and any other breaches identified during the period must be submitted annually. These reports must be signed by the CEO or Managing Director of the

licensee. Licensees will need to submit a nil compliance report in instances where the licensee has no breaches to report for a relevant annual reporting period.

### **Other reporting obligations**

Licensees also have additional reporting obligations under the conditions of their licence. It is the commission's expectation that licensees will report to the commission in accordance with this guideline where it relates to a potential type 1 or type 2 breach, or where there is a potential breach that may cause a material adverse impact (as described above) and report to the commission in accordance with any licence condition for any other matters.

We consider that it is best practice for licensees to come to the commission early as a result of prompt, accurate and comprehensive self-reporting, and that this cooperation may be taken into account in any enforcement action.

### **Performance indicator reports**

Performance indicator data must be reported according to the time frames specified in table 1.2 below and in chapter four of this guideline.

**Table 1.2 Distributor reporting obligations**

Reporting obligation	Frequency	Timing
<b>Type 1 breaches</b>	As required	Within two business days of detection.
<b>Type 2 breaches</b>	As required	Within 30 calendar days of detection.
<b>Material breaches</b>	As required	As soon as practicable.
<b>Annual report</b>	Annually	<ul style="list-style-type: none"> <li>For the period 1 July to 30 June – on or before 31 August.</li> </ul>
<b>Compliance with Electricity Distribution Code clause 5.5.1</b>	Monthly	Within 10 business days of the start of the following month.
<b>Embedded generator connection timeframe indicators</b>	Quarterly	<ul style="list-style-type: none"> <li>For the period 1 July to 30 September – on or before 31 October. This applies from the September 2022 quarter submission that is due by <b>31 October 2022</b>.</li> <li>For the period 1 October to 31 December – on or before 31 January.</li> <li>For the period 1 January to 31 March – on or before 30 April.</li> <li>For the period 1 April to 30 June – on or before 31 July.</li> </ul>
<b>Unplanned outage data</b>	Quarterly	<ul style="list-style-type: none"> <li>For the period 1 July to 30 September – no more than 60 business days after 30 September. This applies from the September 2021 quarter submission that is due <b>no more than 60 business days after 30 September 2022</b>.</li> <li>For the period 1 October to 31 December – no more than 60 business days after 31 December.</li> <li>For the period 1 January to 31 March – no more than 60 business days after 31 March.</li> <li>For the period 1 April to 30 June – no more than 60 business days after 30 June.</li> </ul>
	Annual reconciliation	<ul style="list-style-type: none"> <li>For financial years from 1 July 2021 onwards – on or before 31 October following the end of that financial year.</li> </ul>
<b>Guaranteed service level data</b>	Annual	<ul style="list-style-type: none"> <li>For financial years from 1 July 2022 onwards – on or before 31 October following the end of that financial year. This applies from the 2021-22 submission that is due by <b>31 October 2022</b>.</li> </ul>
<b>Voltage performance</b>	Quarterly	<ul style="list-style-type: none"> <li>For the quarter December 2021 to February 2022 – to be reported in the month following the reporting period (e.g., March 2022).</li> </ul>



## Form and content of breach reports

All breach reports must be made using the relevant distributor compliance reporting template located on our website. Breach reports should provide as much information as possible. If any matter is still under investigation or remediation is ongoing that should be noted in the template, including a date by which the investigation is expected to be completed should be stated. Incomplete type 1 reports must be followed up with a complete report within 20 business days from the date the initial type 1 report is submitted.

### Clause 5.5.1 Electricity Distribution Code

The following information must be included when reporting compliance with clause 5.5.1 of the Electricity Distribution Code:

- the total number of planned outages undertaken during the month
- the total number of customers whose supply was interrupted
- the average duration of planned outages during the month.

## Form and content of performance reports

Performance indicator reports must be submitted using the relevant template located on our website, as amended from time to time. Submissions are preferred in CSV format. Files should be named according to the following conventions:

- for embedded generator connection timeframe indicators, [Distributor]\_EGCT\_DATA\_[FinYear][FinQtr].csv
- for GSL data, [Distributor]\_GSL\_DATA\_[FinYear].csv
- for unplanned outages (non-major event days), [Distributor]\_UID\_DATA\_[FinYear][FinQtr].csv
- for unplanned outages (major event days), [Distributor]\_MED\_DATA\_[FinYear][FinQtr].csv.

All submissions of performance data must be sent by email to:

[compliance.reporting@esc.vic.gov.au](mailto:compliance.reporting@esc.vic.gov.au).

## Report sign off

The annual breach report must be signed off by the CEO or Managing Director of the licensee.

## Nil reports

Where a distributor has no relevant performance data to report for a relevant period the distributor is required to submit the applicable template. The template should note that the distributor has no performance data to report for the relevant period.

## **1.7. Ensuring accuracy of reports**

Licensees are reminded of their obligations under sections 23A(2) and 23A(3) of the EIA and sections 33(2) and 33(3) of the GIA to provide information specified by the commission in guidelines issued under subsection 4. The Compliance and Performance Reporting Guideline is a guideline issued for the purposes of section 23A of the EIA and section 33 of the GIA. Licensees are obligated to provide information in the manner and form – including by the date or dates – as specified in this guideline.

Licensees are also reminded that, under section 116AA of the EIA, section 229A of the GIA and section 61A of the ESCA it is an offence to give false or misleading information or documents to the commission.

Licensees should satisfy themselves that their internal sign-off processes are sufficient to ensure compliance with these obligations.

### **Audit**

The information reported under this guideline may be subject to independent audit in accordance with the commission's audit framework.

### **Consequences of potential non-compliance with this reporting guideline**

On 1 December 2021, the commission's enforcement framework was amended by the Essential Services Commission (Compliance and Enforcement Powers) Amendment Act 2021. On that date, compliance with the Compliance Performance and Reporting Guideline became a civil penalty requirement. As a result, a failure to comply with this guideline may itself result in enforcement action, including potential penalties.

## 2. Compliance reporting schedule

This chapter sets out the compliance reporting obligations as follows:

- section 2.1 is applicable to energy retailers
- section 2.2 is applicable to energy distribution businesses.

The description of obligations provided in this section have been summarised and are intended to assist retailers and distributors in understanding their reporting obligations. This list of obligations does not replace licensees reviewing the detailed obligations as set out in the relevant instruments and understanding their compliance obligations.

### 2.1. Energy retailers – compliance reporting schedule

This section sets out retailer compliance reporting obligations.

Under the compliance reporting schedule outlined below, regulatory obligations are classified as type 1 or type 2 obligations. For energy retailers, type 1 regulatory obligations are those where:

- non-compliance may have or could potentially have a critical impact on customers, and
- the impact of that non-compliance potentially increases over time if it is not rectified quickly.

All actual and potential breaches of type 1 obligations must be reported to the commission within two business days of detection.

Type 2 regulatory obligations are those where:

- non-compliance may have or could potentially have a significant or moderate impact on customers, and
- the impact of that non-compliance potentially increases over time.

All actual and potential breaches of type 2 obligations must be reported to the commission within 30 calendar days of detection.

## Type 1 breaches – energy retailers

ESC ref	Source of obligation	Description
<b>Electricity Industry Act (EIA) or Gas Industry Act (GIA)</b>		
RB1494	Section 40SG(1) EIA and section 48DI(1) GIA	<b>Life support customers and residents – retailer obligations when advised by relevant customer</b> Retailer obligation to record in a register of life support customers and residents the life support customer details, within one business day after being advised by a relevant customer that a life support resident resides, or is intending to reside, at the relevant customer's premises.
RB1495	Section 40SG(2) EIA and section 48DI(2) GIA	<b>Life support customers and residents – retailer obligations when advised by relevant customer</b> Retailer obligation to provide specified information to customer within one business day after being advised by a relevant customer that a life support resident resides or is intending to reside at the relevant customer's premises, in specified circumstances.
RB1496	Section 40SG(3) EIA and section 48DI(3) GIA	<b>Life support customers and residents – retailer obligations when advised by relevant customer</b> Retailer obligation to provide information specified under an applicable Code to customer within 5 business days after being advised by a relevant customer that a life support resident resides, or is intending to reside, at the relevant customer's premises.
RB1497	Section 40SG(4) EIA and section 48DI(4) GIA	<b>Life support customers and residents – obligations when advised by relevant customer</b> Retailer obligation to give the details specified under an applicable Code to the gas and/or electricity distribution companies which distribute gas or electricity to those premises, within one business day after being advised by a relevant customer that a life support resident resides, or is intending to reside, at the relevant customer's premises.
RB1498	Section 40SH(1) EIA and section 48DJ(1) GIA	<b>Life support customers and residents – retailer obligations when advised by electricity distribution company or gas distribution company</b> Retailer obligation to record in a register of life support customers and residents the life support customer details, within one business day after a retailer is advised by a distribution company that a life support resident resides, or is intending to reside, at the premises of a relevant customer of the retailer.

ESC ref	Source of obligation	Description
RB1499	Section 40SH(2) EIA and section 48DJ(2) GIA	<b>Life support customers and residents – retailer obligations when advised by electricity distribution company or gas distribution company</b> Retailer obligation to provide information specified under an applicable Code to the relevant customer within 5 business days after a retailer is advised by a distribution company that a life support resident resides, or is intending to reside, at the premises of a relevant customer of the retailer.
RB1500	Section 40SI(1) EIA and section 48DK(1) GIA	<b>Life support customers and residents – retailer obligations when advised by exempt sellers</b> Retailer obligation to record in a register of life support customers and residents the life support customer details, within one business day after being advised by an exempt seller that a life support resident resides, or is intending to reside at the premises of a relevant customer of the exempt seller.
RB1502	Section 40SI(2) EIA and section 48DK(2) GIA	<b>Life support customers and residents – retailer obligations when advised by exempt sellers</b> Retailer obligation to, within one business day after being advised by an exempt seller that a life support resident resides, or is intending to reside at the premises of a relevant customer of the exempt seller, give details specified under an applicable Code to the distribution company that distributes electricity/gas at those premises.
RB1504	Section 40SV(1) EIA and section 48DX(1) GIA	<b>Register of life support customers and residents</b> Retailer obligation to establish and maintain a register of life support customers and life support residents.
RB1505	Section 40SV(2) EIA and section 48DX(2) GIA	<b>Register of life support customers and residents</b> Retailer obligation to not remove any life support customer details relating to a registered life support customer from a register of life support customers and residents except in specified circumstances.
<b>Energy Retail Code of Practice</b>		
RB1447	Clause 26(5)	<b>Pre-contractual duty – life support requirement</b> Retailer obligation to, by the time a customer enters into a new market retail contract or a new standard retail contract with a retailer, ask the customer whether a person residing or intending to reside at the customer's premises requires life support equipment.
RB1442	Clause 164(1)	<b>Life support – medical confirmation form</b> Retailer obligations where a medical confirmation form is provided to a customer.

ESC ref	Source of obligation	Description
RB1443	Clause 164(2)	<b>Life support – confirmation reminder notices</b> Requirements for content of a confirmation reminder notice.
RB1444	Clause 165(1)	<b>Life support – ongoing retailer obligations</b> Retailer’s ongoing obligations where advised by a relevant customer or a distributor that a life support resident resides, or is intending to reside, at the premises of a relevant customer of the retailer.
RB1445	Clause 165(2)	<b>Life support – ongoing retailer obligations</b> Retailer’s ongoing obligations where advised by an exempt electricity seller that a life support resident resides, or is intending to reside, at the premises of a relevant customer of the retailer.
RB1446	Clause 167(1)	<b>Life support – keeping registration and deregistration details</b> Retailer obligation to establish policies, systems and procedures for registering and deregistering life support customers, and to ensure that the register of life support customers and life support residents is maintained, kept up to date and includes certain information.
RB1490	Clause 173(1)	<b>Life support – retailer obligations with respect to deemed exempt persons and exempt distributors</b> Retailer obligations when notified by a deemed exempt person or an exempt distributor that a life support resident resides, or is intended to reside, at the premises of a customer.
RB1491	Clause 173(2)	<b>Life support – retailer obligations with respect to deemed exempt persons and exempt distributors</b> Retailer obligation to, in relation to a customer who is registered with a retailer pursuant to subclause (1)(a), comply with specific requirements as if the deemed exempt person or exempt distributor were an exempt seller, and as if the customer were a registered life support customer
RB1421	Clause 150(1)	<b>Account security – access to confidential information</b> Retailer obligation to not disclose or provide access to confidential information about an affected customer to any other person without the consent of the affected customer.
RB1421-2	Clause 150(4)	<b>Account security – safe methods of communication</b> Retailer obligation to take reasonable steps to identify a safe method of communication with an affected customer.

ESC ref	Source of obligation	Description
RB1421-3	Clause 150(6)	<b>Account security – record keeping</b> Retailer obligation to keep a record of arrangements reached in relation to the identification of a safe method of communication with an affected customer under subclause (4).

## Type 2 breaches – energy retailers

ESC ref	Source of obligation	Description
<b>Electricity Industry Act (EIA) or Gas Industry Act (GIA)</b>		
RB0054	Section 35A EIA and section 42A, GIA	<b>Licensee standing offer tariffs to be input into website</b> Licence condition requiring licensee to input standing offer tariffs into the internet site nominated by the Minister as soon as practicable after the licensee publishes those tariffs under section 35 of the EIA.
RB0055	Section 36A(1) EIA and section 43A GIA	<b>Publication of tariffs, terms and conditions of sale of electricity</b> Licence condition requiring retailer to publish details of certain tariffs and terms and conditions on its website and to input those details into an internet site nominated by the Minister as soon as practicable after publication to its website.
RB0056	Section 40G EIA [electricity only]	<b>Obligations relating to purchase of small renewable energy generation electricity</b> Licence condition requiring licensee to publish general renewable energy feed-in terms and conditions and to input the terms and conditions into an internet site nominated by the Minister as soon as practicable after the licensee publishes those terms and conditions in accordance with section 40G.
RB0057	Section 40MAA EIA and section 40ME EIA [electricity only]	<b>Obligation to input declared general feed-in terms and conditions into Minister nominated internet site and obligation to offer to purchase solar electricity</b> Retailer obligation to, as soon as practicable after a declaration made under section 40M is published in the Government Gazette, input the ESC recommended general feed-in terms and conditions or ESC determined general feed-in terms and conditions that are the subject of the declaration into an internet site nominated by the Minister. A retailer is also required under its licence to offer to purchase qualifying solar energy generation electricity from a qualifying customer, and TFiT scheme electricity from a TFiT scheme customer, on relevant terms and conditions.
RB0058	Section 40EA EIA and section 48DA GIA	<b>Prohibition on save and win-back offers</b> Prohibitions on energy retailers contacting domestic customers to engage in save and win-back offers.
RB0058A	Section 40EB EIA	<b>Prohibition relating to door-to-door sales and cold-calling</b>



ESC ref	Source of obligation	Description
	and section 48DB GIA	Prohibitions regarding retailers from conducting door-to-door sales of energy or cold-calling potential customers to sell energy or contract customers into energy deals.
RB0059	Order in Council made under section 13 of the EIA [electricity only] – clause 6(5)	<p><b>Victorian default offer tariffs</b></p> <p>A retailer’s standing offer tariffs for sale of electricity to prescribed customers must comply with any Victorian Default Offer price determination made by the commission that is in force.</p>
RB0061	Order in Council made under section 13 of the EIA [electricity only] – clause 7	<p><b>Retailer must make Victorian default offer</b></p> <p>A retailer’s regulated tariff standing offer for sale of electricity to prescribed customers must include (specified as the “<i>Victorian default offer in respect of flat tariffs</i>”) one flat tariff that is available to each domestic customer, one flat tariff with a controlled load tariff that is available to each domestic customer with a controlled load, and one flat tariff that is available to each small business customer (which tariffs must be standing offer tariffs complying with the VDO price determination in respect of the relevant regulatory period).</p>
RB1452	Sections 23A(2) and 23A(3) EIA and sections 33(2) and 33(3) GIA	<p><b>Condition to give information to commission</b></p> <p>Licensee obligation to give information to the commission, as specified by the commission in guidelines issued under subsection (4), for the purpose of enabling the commission to perform specific functions. Information must be given in the manner and form (including by the date or dates) specified in the guidelines.</p>
RB0052	Section 23C EIA [electricity only]	<p><b>Selling renewable electricity</b></p> <p>Licence condition requiring licensee to offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if the customer was not a renewable energy customer.</p>

ESC ref	Source of obligation	Description
RB0058	Section 35 EIA and section 42 GIA	<b>Offer to domestic or small business customers (licensee standing offers)</b> Licence condition requiring licensee to offer to supply and sell electricity or gas to domestic or small business customers at (subject to this section, to any relevant Orders in Council and to the conditions of its licence) tariffs determined by the licensee and published by the licensee in the Government Gazette at least one month before they take effect, and on terms and conditions determined by the licensee and approved by the commission and published by the licensee in the Government Gazette at least one month before they take effect.
RB0051	Section 40D EIA and section 48C GIA	<b>Prohibition on exit fees</b> Licence condition prohibiting a licensee from entering into a contract for the sale or supply of energy with a small retail customer that imposes an exit fee on the termination of the contract unless certain conditions are met.
RB1493	Section 40SE EIA and section 48DG GIA	<b>Disconnection of supply of electricity/gas at premises</b> Retailer obligation to not arrange for the supply of electricity/gas at a relevant customer's premises to be disconnected except in accordance with Subdivision 3.
RB1503	Section 40ST(5) EIA and section 48DV(5) GIA	<b>Supply of electricity/gas may be disconnected if electricity/gas taken by fraudulent or illegal means – retailers</b> Retailer obligation to not arrange for the supply of electricity/gas at a person's premises to be disconnected under subsection (1) except in accordance with this section.
RB1506	Section 116AA(1) EIA and section 229A(1) GIA	<b>Offence to give false or misleading information</b> Licensee obligation to not give the commission information that the licensee is required to give to the commission under or for the purposes of this Act that the licensee knows to be false or misleading in any material particular, or omits any matter or thing without which the information is misleading.

ESC ref	Source of obligation	Description
RB1507	Section 116AA(2) EIA and section 229A(2) GIA	<b>Offence to give false or misleading documents</b> Licensee obligation to not produce a document to the commission that the licensee is required to produce to the commission under or for the purposes of this Act if the licensee knows that the document is false or misleading in a material particular and the licensee does not indicate the respect in which the document is false or misleading.
<b>Energy Retail Code of Practice</b>		
RB0740	Clause 54(1)	<b>Keeping records of energy marketing and training</b> Retailer obligation to keep records of energy marketing activities carried out by it or on its behalf by a retail marketer, and of training undertaken as required by clause 53 of the Energy Retail Code of Practice.
RB0740-2	Clause 54(3)	<b>Record keeping</b> Requirement to keep each record for a period of 12 months or, where a small customer has within that period made a complaint or referred a dispute to the energy ombudsman in relation to energy marketing activities, for the period that a complaint or dispute remains unresolved, whichever is longer.
RB0890	Clause 68(1)	<b>Providing historical billing information</b> Retailer obligation to use its best endeavours to provide historical billing and metering data to a small customer for the previous 2 years within 10 business days of the customer's request, or such other period they agree.
RB0890-2	Clause 68(2)	<b>Charging for historical billing information</b> Retailer obligation to provide historical billing data to the small customer for the previous 2 years without charge, but data requested for an earlier period or more than once in any 12 month period may be provided subject to a reasonable charge.
RB0890-3	Clause 68(3)	<b>Providing historical interval data</b> Retailer obligation to provide interval data electronically, or by some other form, in a way which makes the information understandable or accessible to the customer, if a customer with a smart meter makes a request for historical billing data or metering data.
RB1426	Clause 41(1)	<b>Record keeping</b> Retailer obligation to maintain records that are sufficient to evidence its compliance with its obligations under Division 4 (clear advice and energy fact sheets).
RB1426-2	Clause 41(2)	<b>Time records are kept for</b> Retailer obligation relating to the period of time records are required to be retained for.

ESC ref	Source of obligation	Description
RB0102-2	Clause 97(6)	<b>Cooling off period and right of withdrawal – record of withdrawal</b> Retailer obligation to create a record of each withdrawal. The provisions of clause 8 of the Energy Retail Code of Practice are to apply in relation to a record of withdrawal as if it were a record of explicit informed consent.
RB1201	Clause 8(1)	<b>Record of explicit informed consent</b> A retailer must create a record of each explicit informed consent required by the Energy Retail Code of Practice and provided by a small customer. A retailer must retain that record for at least 2 years.
RB1201-2	Clause 8(2)	<b>Record of explicit informed consent</b> Requirements for format of, and information to be included in, any record of explicit informed consent.
RB1458	Clause 49(1)	<b>Comparing retailer’s prices with the VDO price in advertisements</b> Obligation for a retail marketer to not advertise prices for the supply of electricity unless the advertisement meets the requirements of subsections (2), (3) and (4).
RB1424	Clause 160(1)	<b>Record keeping</b> Retailer obligation to maintain records that are sufficient to evidence its compliance with its obligations under Part 7 (assistance for customers affected by family violence).
RB1424-2	Clause 160(2)	<b>Time records are kept for</b> Retailer obligation relating to the period of time records are required to be retained for.
RB1428	Clause 112(1)	<b>Record keeping</b> Retailer obligation to maintain records that are sufficient to evidence its compliance with its obligations under Division 5 (customers entitled to clear information about energy plans).
RB1428-2	Clause 112(2)	<b>Time records are kept for</b> Retailer obligation relating to the period of time records are required to be retained for.
RB1432-5	Clause 39(4)	<b>Ensuring offer information can be viewed on Victorian Energy Compare and retailer websites</b> Retailer obligation to co-operate with relevant parties in implementing a system to create and sustain reliable links from the internet site nominated by the Minister so that a customer can easily view the same or more offer information on the retailer’s website, and potentially accept that offer or another offer.

ESC ref	Source of obligation	Description
RB1459	Clause 8(3)	<b>Access to record of explicit informed consent</b> Retailer obligation to, on request by a small customer and at no charge, provide the customer with access to a copy of the record of any explicit informed consent given by the customer and then retained by the retailer.
RB1203	Clause 12(1)	<b>Interpreter services</b> A retailer must refer a residential customer to a relevant interpreter service if a referral is necessary or appropriate to meet the reasonable needs of the customer.
RB0880-2	Clause 13(2)	<b>Providing information on customer rights on request</b> Retailer's obligation to, if a small customer requests certain information, either provide the information to the customer or refer the customer to the retailer's website.
RB0880-3	Clause 13(3)	<b>Providing copy of information on customer rights on request</b> Retailer's obligation to provide a copy of information on customer rights, entitlements and obligations on request if the customer requests a copy.
RB0880-4	Clause 13(4)	<b>Charges for providing information on customer rights</b> Retailer obligation to provide the information or a copy of the information requested under this clause without charge, but information requested more than once in any 12 month period may be provided subject to a reasonable charge.
RB1475	Clause 26(2)(b)	<b>Pre-contractual duty – designated retailers</b> Obligation if the retailer is the designated retailer for the premises, to advise the customer of the availability of the retailer's Victorian default offer and/or standing offer.
RB1204	Clause 26(4)	<b>Pre-contractual duty – explicit informed consent</b> Retailer obligation to obtain the explicit informed consent of a small customer for the entry by the customer into a market retail contract with the retailer.
RB1501	Clause 29(5)	<b>Pre-contractual request to designated retailer for sale of energy</b> The designated retailer is not entitled to refuse to sell energy to a small customer who is a residential customer on the ground that the customer owes the retailer outstanding amounts from an unpaid account (excluding unpaid amounts for premises for which the customer has an ongoing customer retail contract).
RB0100	Clause 30(1)	<b>Responsibilities of designated retailers in response to request for sale of energy</b> Obligation of designated retailer to, as soon as practicable, provide a small customer requesting the sale of energy under the retailer's Victorian default offer and/or standing offer with certain information.

ESC ref	Source of obligation	Description
RB0320	Clause 30(2)	<b>Retailer's obligation to energise</b> Retailer obligation to, as soon as practicable (but not later than the end of the next business day) after the request for the sale of energy is properly made, forward relevant details of the customer to the distributor for the premises concerned, for the purpose of updating the distributor's records, if the premises are energised, or arranging for the energisation of the premises by the distributor, if the premises are not energised.
RB0111	Clause 31(1)	<b>Sales to authorised customers</b> Retailer obligation to take reasonable steps to ensure that any person with whom it enters a customer retail contract has authority to enter into that contract for the supply of energy to the premises.
RB1425	Clause 38(1)	<b>Clear advice entitlement – providing information before entering a contract</b> Retailer obligation to communicate certain information in a readily understandable manner to a small customer, prior to obtaining the small customer's explicit informed consent to enter a customer retail contract.
RB1425-2	Clause 38(2)	<b>Clear advice entitlement – information about the Victorian default offer or standing offer</b> Retailer obligation to provide a customer with information about the availability of the Victorian default offer or standing offer, and how a customer may access it, if requested by the customer.
RB1425-3	Clause 38(3)	<b>Clear advice entitlement – providing information before entering a feed-in tariff agreement</b> Retailer obligation to communicate certain information in a readily understandable manner to a small customer, prior to entering a feed-in tariff agreement.
RB1425-4	Clause 38(6)	<b>Clear advice entitlement</b> Retailer obligation relating to the manner of communication of information required by subclause (1).
RB1432	Clause 39(1)	<b>Inputting information to the Victorian Retailer Portal website</b> Retailer obligation to input, into the Victorian Retailer Portal website, accurate details of each current generally available plan and restricted plan, including all relevant details in the form required by that internet site.
RB1432-2	Clause 39(2)	<b>Obtaining an energy fact sheet</b> Retailer obligation to obtain from the Victorian Retailer Portal website an energy fact sheet for each current generally available plan and restricted plan.
RB1432-3	Clause 39(3)	<b>Requirements for information uploaded to the Victorian Retailer Portal website</b> All information uploaded to the Victorian Retailer Portal website must be written in plain English and be designed to be readily understandable by customers.

ESC ref	Source of obligation	Description
RB1432-4	Clause 39(5)	<p><b>Requirement if the available input fields of the Victorian Retailer Portal website does not enable the terms of a plan to be accurately represented</b></p> <p>Retailer obligation to, if the available input fields of the Victorian Retailer Portal website does not enable the terms of a plan to be accurately represented, supplement any fact sheet obtained in subclause (2) with information to ensure that a customer is able to consider and compare the features and prices of the plan to assess the suitability of, and select, a plan.</p>
RB1419	Clause 40(1)	<p><b>Making energy fact sheets accessible</b></p> <p>Retailer obligation to ensure that an energy fact sheet for each current generally available plan and restricted plan is available to customers within two business days of the plan becoming available to customers.</p>
RB1419-5	Clause 40(3)	<p><b>Providing links to energy fact sheets – website information</b></p> <p>Retailer obligation to ensure that where information about a current generally available plan is provided on a website, a clear link to the energy fact sheet relevant to that generally available plan is published in a prominent position on that website, and the link is labelled “energy fact sheet”.</p>
RB1419-6	Clause 40(4)	<p><b>Providing links to energy fact sheets – online sign-up</b></p> <p>Retailer obligation to ensure that, where a generally available plan is available through an online sign-up process, a clear and prominent link to the relevant energy fact sheet is provided in close proximity to where the customer signs up to the plan.</p>
RB1419-7	Clause 40(5)	<p><b>Ensuring relevant energy fact sheets are easily identifiable</b></p> <p>Retailer obligation to ensure that the energy fact sheet for a generally available plan that is applicable to a customer’s circumstances is readily identifiable by a customer.</p>
RB1419-8	Clause 40(6)	<p><b>Informing customers of energy fact sheets during marketing</b></p> <p>Retailer obligation to ensure that, when a generally available plan is being marketed, the customer is informed that an energy fact sheet containing the key details of that plan is available and provided with the location of the relevant energy fact sheet for that plan on the retailer's website.</p>
RB1419-9	Clause 40(7)	<p><b>Informing customers of energy fact sheets during marketing on mass media channels</b></p> <p>Retailer obligation to ensure that, when marketing a generally available plan on mass media channels, a specific statement about further information is included in any advertisements in a clear manner and (as relevant for the medium) easily readable text or audible language.</p>

ESC ref	Source of obligation	Description
RB1419-10	Clause 40(8)	<b>Informing customers of energy fact sheets during marketing on mass media channels</b> Where a plan is advertised using a medium with inherent limitations that prevents the text required by subclause (7), a retailer must ensure that the text is included in a prominent location on the first webpage linked to the advertisement.
RB1419-11	Clause 40(9)	<b>Informing customers of energy fact sheets for restricted plans</b> Retailer obligation to ensure that, when marketing or providing information about a restricted plan to a customer, the customer is informed that an energy fact sheet containing the key details of the plan is available and will be provided on request.
RB1419-2	Clause 40(10)	<b>Sending fact sheets to customers</b> Retailer obligation to ensure that, if a customer requests an energy fact sheet for a generally available plan or a restricted plan, the customer is sent the relevant energy fact sheet (either by post or electronically), within five business days of contact with the customer.
RB1419-3	Clause 40(11)	<b>Using the Victorian Retailer Portal offer ID</b> Retailer obligation to ensure that, when marketing a plan, the offer ID generated by the Victorian Retailer Portal website is able to be identified and referred to in communications with a customer about that plan.
RB1419-4	Clause 40(12)	<b>Information required to access a fact sheet</b> Retailer obligation to not require a customer to provide technical or personal information in order for the customer to obtain an energy fact sheet other than information required to determine if a customer is eligible for a particular plan.
RB1509	Clause 44	<b>Duty of retailer to ensure compliance</b> Retailer obligation to ensure that a retail marketer who is an associate of the retailer complies with Part 4, Division 5 (energy marketing).
RB0101	Clause 45	<b>Requirement for and timing of disclosure to small customers</b> Requirement for retail marketer to provide the required information to a small customer in relation to a market retail contract, before the formation of the contract or as soon as practicable after the formation of the contract.
RB0101-2	Clause 46(2)	<b>Disclosure to small customers after market retail contract formation</b> Obligation for required information provided to a small customer after the formation of the market retail contract to be provided in a single written disclosure statement.



ESC ref	Source of obligation	Description
RB0101-3	Clause 46(3)	<b>Disclosure to small customers before market retail contract formation</b> If required information was provided to a small customer electronically or verbally before the formation of the market retail contract, it must also be provided to the customer after the formation of the contract in a single written disclosure statement.
RB1461	Clause 48(1)	<b>Stating conditions of conditional discounts</b> Obligation for a retail marketer to state the conditions of the conditional discount clearly and conspicuously in any marketing, advertisement or promotion of prices or tariffs for supplying energy to small customers.
RB1462	Clause 48(2)	<b>Advertising conditional discounts</b> The conditional discount must not be the price-related matter that is mentioned most prominently in the marketing, advertisement or promotion.
RB1463	Clause 50(1)	<b>Personal and telephone contact in relation to marketing activity</b> Obligation for a retail marketer to ensure that any person contacting a customer in relation to energy marketing activities provides the customer with certain information.
RB1464	Clause 50(2)	<b>Telephone contact in relation to marketing activity</b> Obligation for a retail marketer contacting a customer on the telephone in relation to energy marketing activities to, as soon as practicable provide certain details.
RB1202	Clause 51(2)	<b>Creating and maintaining no contact lists</b> A retailer must ensure that a “no contact list” is created and maintained for its retail marketers.
RB1202-2	Clause 51(5)	<b>No contact lists</b> A retailer must not make contact with a small business customer whose name is on the relevant no contact list.
RB0300	Clause 52(1)	<b>No canvassing or advertising signs</b> Obligation for retail marketer to, in carrying out energy marketing activities, comply with any signs at a person’s premises indicating that no advertising or similar material is to be left at the premises or in a letterbox or other receptacle at or associated with the premises.
RB0330	Clause 62(1)	<b>Frequency of bills for standard retail contracts</b> Retailer obligation to issue a bill to a small customer on a standard retail contract at least once every 3 months.

ESC ref	Source of obligation	Description
RB0780	Clause 63(1)	<b>Contents of bills</b> Retailer obligation to prepare a bill so that a small customer can easily verify that the bill conforms to their customer retail contract and to include certain particulars in a bill for a small customer.
RB0360	Clause 65(1)	<b>Pay-by date of bills</b> The pay-by date for a bill for a customer on a standard retail contract must not be earlier than 13 business days from the bill issue date.
RB0800-2	Clause 66(1)	<b>Apportionment</b> Retailer obligation to, if a bill includes amounts payable for goods and services other than the sale and supply of energy, apply any payment made by a small customer in relation to the bill firstly in satisfaction of the charges for the sale and supply of energy, except for in specified circumstances.
RB0355	Clause 70(2)(a)	<b>Undercharging – limiting to four months</b> Retailer obligation to, where the retailer proposes to recover an amount undercharged, limit the recovery of undercharged amounts to the amount undercharged in the 4 months before the date the customer is notified of the undercharging (unless the amount was undercharged as a result of the small customer’s fault or unlawful act or omission).
RB0355-2	Clause 70(2)(b)	<b>Undercharging – not charging interest</b> Retailer obligation to, where the retailer proposes to recover an amount undercharged, not charge the customer interest on undercharged amounts being recovered.
RB0355-3	Clause 70(2)(c)	<b>Undercharging – explaining recovering of undercharged amounts</b> Retailer obligation to, where the retailer proposes to recover an amount undercharged, state the amount to be recovered as a separate item in a special bill or in the next bill, together with an explanation of that amount.
RB0355-4	Clause 70(2)(d)	<b>Undercharging – time to repay</b> Retailer obligation to, where the retailer proposes to recover an amount undercharged, offer the customer time to pay that amount by agreed instalments, over a period nominated by the customer being no longer than the period during which the undercharging occurred (if less than 12 months) or otherwise 12 months.
RB1470	Clause 70(3)	<b>Undercharging – tariff changes</b> Retailer obligations if, during the period that a retailer has undercharged a customer, the customer's tariff changes.

ESC ref	Source of obligation	Description
RB0355-5	Clause 71(1)	<b>Overcharging – informing customers</b> Retailer obligation to, where a small customer has been overcharged by an amount equal to or above the overcharge threshold, inform the customer accordingly within 10 business days after the retailer becomes aware of the overcharging.
RB0355-6	Clause 71(2)	<b>Overcharging – repaying amounts above the overcharge threshold</b> Retailer obligation to, if the amount overcharged is equal to or above the overcharge threshold, repay, credit or use best endeavours to refund that amount to a small customer.
RB0355-7	Clause 71(3)	<b>Overcharging – crediting amounts below the overcharge threshold</b> Retailer obligation to, if the amount overcharged is less than the overcharge threshold, credit that amount to the next bill or, if the small customer has ceased to obtain customer retail services from the retailer, use its best endeavours to refund that amount within 10 business days.
RB0360-2	Clause 72(1)	<b>Payment methods</b> Retailer obligation to accept payment for a bill by a small customer in a specified way.
RB0360-3	Clause 72(4)	<b>Direct debit arrangements</b> Retailer obligations where a direct debit arrangement is entered into between a retailer and a small customer.
RB0380	Clause 75(2)	<b>Shortened collection cycle – conditions</b> The conditions under which a retailer may place a small customer on a shortened collection cycle (absent agreement of the customer under sub-clause (1)).
RB0380-2	Clause 75(3)	<b>Shortened collection cycle – providing notice</b> Retailer obligation to, within 10 business days of placing a small customer on a shortened collection cycle, give the customer notice of specific matters.
RB0380-3	Clause 75(4)	<b>Shortened collection cycle – removing customers from cycle</b> Retailer obligations relating to the removal of the small customer from a shortened collection cycle.
RB0230	Clause 77(1)(b)	<b>Additional retail charges</b> The circumstances in which a retailer may impose an additional retail charge on a customer.
RB1441	Clause 80(1)	<b>Guaranteed service level payments</b> Retailer obligation where a distributor makes a payment required to be made by clause 6 of the Electricity Distribution Code via the retailer.

ESC ref	Source of obligation	Description
RB1440	Clause 82(1)	<b>Customer request for change of tariff</b> Retailer obligation where a retailer offers alternative tariffs or tariff options and a small customer requests a retailer to transfer from that customer's current tariff to another tariff, and demonstrates to the retailer that it satisfies all of the conditions relating to that other tariff and any conditions imposed by the customer's distributor.
RB0370	Clause 85(1)(a)	<b>Security deposits – residential customers</b> When a retailer may require a residential customer to provide a security deposit.
RB0370-2	Clause 85(1)(b)	<b>Security deposits – business customers</b> When a retailer may require a business customer to provide a security deposit.
RB0370-3	Clause 85(2)	<b>Security deposits – conditions</b> A retailer cannot require a small customer to provide a security deposit unless at least one of the specified conditions are met.
RB0370-4	Clause 85(3)	<b>Security deposits – residential customers receiving tailored assistance</b> A retailer cannot require a residential customer to provide a security deposit if the customer is receiving assistance under Division 3 (Tailored assistance) of Part 6 (Assistance for residential customers anticipating or facing payment difficulties) or has formally applied for a URG and a decision on the application has not been made.
RB0370-5	Clause 85(4)	<b>Security deposits – offering payment plans</b> A retailer cannot require a residential customer to provide a security deposit unless the retailer has offered the customer the option of a payment plan and the customer has either declined the offer or failed to pay an instalment having accepted the offer and the retailer has otherwise complied with Part 6.
RB0370-6	Clause 85(5)	<b>Security deposits – unsatisfactory credit history</b> Retailer obligation to inform the customer of specific matters if a retailer requires a security deposit on the basis that the small customer has an unsatisfactory credit history.
RB0370-7	Clause 85(6)	<b>Security deposits – non-payment or partial payment</b> A retailer must not refuse to sell energy on the grounds of non-payment or partial payment of a security deposit, but may arrange to disconnect premises in accordance with section 40SN of the EIA or section 48DP of the GIA or refuse to arrange re-connection of premises.

ESC ref	Source of obligation	Description
RB0370-8	Clause 85(8)	<b>Security deposits – considering customer circumstances</b> Retailer obligation to take particular circumstances of customer into account when considering whether to require an affected customer to pay a security deposit.
RB0370-9	Clause 86(3)	<b>Security deposit account</b> Retailer obligation to keep security deposits in a separate account and separately identify in its company accounts the value of security deposits that it holds for small customers.
RB0370-10	Clause 87(1)	<b>Amount of security deposit</b> Retailer obligation to ensure that the amount of a security deposit for a small customer is not greater than 37.5% of the customer's estimated bills over a 12 month period, based on the customer's billing history or the average usage of energy by a comparable customer over a comparable 12 month period.
RB0370-11	Clause 88(1)	<b>Interest on security deposit</b> If a retailer has received a security deposit from a small customer, the retailer must pay interest to the customer on the deposit at the bank bill rate.
RB0370-12	Clause 89(1)	<b>Using a security deposit</b> The circumstances in which a retailer may apply a security deposit to offset amounts owed to it by a small customer.
RB0370-13	Clause 89(2)	<b>Applying security deposits to final bills</b> Retailer obligation to, if a final bill includes amounts payable for goods and services provided by the retailer other than for the sale of energy, apply a security deposit firstly in satisfaction of the charges for the sale of energy, except for in specified circumstances.
RB0370-14	Clause 89(3)	<b>Accounting use of security deposits</b> Retailer obligation to account to the customer in relation to the application of a security deposit amount within 10 business days after the application of the security deposit.
RB0370-15	Clause 90(1)	<b>Returning security deposits</b> When and how a retailer must return a security deposit to a small customer.
RB0370-16	Clause 90(2)	<b>Returning security deposits in the absence of reasonable instructions</b> How a retailer must credit a security deposit to a small customer if the customer does not give reasonable instructions for returning the deposit.

ESC ref	Source of obligation	Description
RB1474	Clause 93(1)	<b>Variations to market retail contracts</b> The structure and nature of the tariff of a market retail contract between a customer and a retailer may only be varied by agreement in writing between the customer and the retailer.
RB1434	Clause 94(2)	<b>Making price increases on a network tariff change date</b> Retailer obligation to not increase any of the tariffs payable by a small customer under a market retail contract except with effect from a network tariff change date.
RB1435	Clause 94(4)	<b>Making price increases annually after a fixed price period</b> Retailer obligation to not increase any of the tariffs payable by a small customer under a fixed price period contract except with effect from the date on which the fixed price period expires, and each anniversary of that date.
RB1436	Clause 95(1)	<b>Pay-on-time discounts to be capped</b> Any pay-on-time discount in a market retail contract must not exceed the amount that the commission specifies in a guideline published under section 13 of the Essential Services Commission Act 2001 that is in effect at the time that the contract is entered into.
RB1437	Clause 96(1)	<b>Fixed benefit period to apply for duration of market retail contract</b> Retailer obligation to, if a market retail contract provides for a discount, rebate or credit (including a conditional discount) to be made available to the customer for a fixed benefit period, continue to make available that discount, rebate or credit, and not change the amount of that discount, rebate or credit, throughout the term of that contract.
RB0102	Clause 97(5)	<b>Cooling off period and right of withdrawal – rights and obligations to be set out in contract</b> Retailer obligation to include in each market retail contract or exempt person arrangement it enters into with a small customer express provisions setting out the rights and obligations provided for by this clause.
RB1438	Clause 99(1)	<b>Duration of fixed term retail contracts</b> A fixed term retail contract must provide for a contract length of not less than 12 months.
RB1476	Clause 100(2)	<b>Retailer notice of end of fixed term retail contract</b> Retailer obligation to, in accordance with clause 100, notify a small customer with a fixed term retail contract that the contract or arrangement is due to end.

ESC ref	Source of obligation	Description
RB1477	Clause 103(1)	<b>Liabilities and immunities</b> Retailer obligation to not include any term or condition in a market retail contract or an exempt person arrangement with a small customer that limits the liability of the retailer for breach of the contract or negligence by the retailer.
RB1478	Clause 104(1)	<b>Indemnities</b> Retailer obligation to not include any term or condition in a market retail contract or an exempt person arrangement with a small customer under which the customer indemnifies the retailer, so that the retailer may recover from the customer an amount greater than the retailer would otherwise have been able to recover at general law for breach of contract or negligence by the customer in respect of the contract.
RB1427	Clause 106(1)	<b>Notice of price or benefit change to be given</b> Retailer obligation to provide a bill change alert to a small customer in accordance with Division 5 if a benefit change or a price change is going to take effect.
RB1479	Clause 107(1)	<b>Notice of feed-in tariff change to be given</b> Retailer obligation to, if a feed-in tariff change is to take effect, provide a small customer with a feed-in tariff alert of the feed-in tariff change.
RB1480	Clause 107(2)	<b>Requirement for feed-in tariff change notice</b> Requirement for form and timing of feed-in tariff alert.
RB1482	Clause 107(3)	<b>Requirement for feed-in tariff change notice</b> Requirement for content of feed-in tariff alert.
RB1429	Clause 108(1)	<b>Identification of deemed best offer</b> Retailer obligation to identify the relevant deemed best offer for a customer, where a retailer is required to carry out a deemed best offer check for a customer.
RB1429-2	Clause 108(3)	<b>Identifying the deemed best offer for contracts with discounts conditional on buying other goods and services</b> How to identify the deemed best offer where the customer is party to a customer retail contract that provides a discount on condition that the customer buys another good or service.
RB1430	Clause 109(1)	<b>Deemed best offer check</b> Retailer obligation to carry out the deemed best offer check by calculating the deemed best offer check result using the prescribed formula.

ESC ref	Source of obligation	Description
RB1431	Clause 110(1)	<b>Providing a deemed best offer message</b> Retailer obligation to provide a deemed best offer message on a bill or bill summary to a small customer in accordance with specified timeframes.
RB1431-2	Clause 110(2)	<b>Obligation to determine deemed best offer and perform deemed best offer check</b> Retailer obligation to determine the deemed best offer for the customer in accordance with clause 108 (as at the date the bill or bill summary containing the deemed best offer message will be issued) and perform a deemed best offer check before providing the deemed best offer message.
RB1431-3	Clause 110(3)	<b>Negative deemed best offer check result</b> Retailer obligation if the deemed best offer check result is negative.
RB1431-4	Clause 110(4)	<b>Positive deemed best offer check result</b> Retailer obligation if the deemed best offer check result is positive.
RB1483	Clause 111(2)	<b>Form and location requirements of deemed best offer message</b> Retailer obligation relating to form and location of deemed best offer message.
RB1484	Clause 111(4)	<b>Content of a negative deemed best offer message</b> Retailer obligation relating to content of a negative deemed best offer message.
RB1485	Clause 111(3)	<b>Content of a positive deemed best offer message</b> Retailer obligation relating to content of a positive deemed best offer message.
RB0250	Clause 113(1)	<b>Retailer obligations in relation to customer transfer</b> Requirements a retailer must meet before submitting a request for a transfer under the relevant Retail Market Procedures.
RB1486	Clause 114(1)	<b>Notice to small customers on transfer</b> Retailer obligation to, within 5 business days of receiving notification that it has become the financially responsible retailer for a small customer as a result of a customer transfer, give notice to the customer of specific matters.
RB1487	Clause 115(1)	<b>Notice to small customers where transfer delayed</b> Retailer obligation to, where the retailer has notified a small customer of the expected date of a transfer and that transfer does not occur, notify the customer of specific matters within 5 days of becoming aware that a transfer has not occurred on the expected date.



ESC ref	Source of obligation	Description
RB1439	Clause 119(1)	<b>Exempt market retail contracts – obligation</b> Retail marketer obligation to not supply or offer to supply energy, or advertise or market the supply of energy, under an exempt market retail contract unless the retailer has complied with obligations under this clause.
RB1449	Clause 119(2)	<b>Exempt market retail contracts – notification</b> Retailer obligation to notify the commission if the retailer (or a retailer marketer on its behalf) proposes to supply or offer to supply energy, or advertise, market or promote the supply of energy, under a retail product that would be an exempt market retail contract.
RB1450	Clause 119(3)	<b>Exempt market retail contracts – reporting</b> Retailer obligation to, if the retailer supplies or offers to supply energy under an exempt market retail contract, report to the commission regarding that retail product.
RB1451	Clause 119(4)	<b>Exempt market retail contracts – compliance with guideline</b> Retailer obligation to, if notifying or reporting to the commission under subclauses (2) or (3), do so in the manner and form provided for by any guidelines published by the commission under section 13 of the Energy Services Commission Act 2001 (Vic).
RB1448	Clause 119(5)	<b>Exempt market retail contracts – compliance by retail marketers</b> Retailer obligation to ensure that a retail marketer who is an associate of the retailer complies with this clause.
RB1454	Clause 120(1)	<b>Tailored assistance to customers on an exempt market retail contract</b> Retailer obligations if a residential customer who has entered into an exempt market retail contract becomes entitled to receive tailored assistance.
RB1402	Clause 125(1)	<b>Providing standard assistance</b> A retailer must take steps to provide to its residential customers the forms of standard assistance (from those listed in subclause (2)) it elects to make available to help them avoid getting into arrears.
RB1402-2	Clause 125(2)	<b>Form of standard assistance</b> Retailer obligations regarding the forms of standard assistance that retailers must make available to their residential customers.

ESC ref	Source of obligation	Description
RB1404	Clause 129(3)	<b>Information about assistance available</b> Retailer obligation when providing a residential customer with information about tailored assistance to which the customer is entitled and how to access it, to allow the customer no less than 6 business days to consider the information given, request further information, and put forward a payment proposal.
RB1405	Clause 130(2)	<b>Payment arrangements – accepting customer payment proposals</b> Retailer obligation to accept a payment proposal or revised proposal put forward by the residential customer that complies with certain requirements.
RB1405-2	Clause 130(5)	<b>Payment arrangements</b> Retailer obligation to give the customer a written schedule of payments showing specific information on accepting a payment proposal or a revised proposal.
RB1405-3	Clause 130(6)	<b>Payment arrangements</b> Retailer obligation to, if a residential customer receiving tailored assistance fails to make a payment by the date on which it was payable, contact the customer to discuss their putting forward a revised payment proposal.
RB1409	Clause 131(2)	<b>Non-payment of amounts towards on-going energy use</b> Retailer obligation if a residential customer fails to make a payment towards the cost of their on-going energy use by the date on which it was payable.
RB1409-2	Clause 131(3)	<b>Non-implementation of practical assistance agreed</b> Retailer obligation if a customer is not meeting their responsibility to implement practical assistance referred to in clause 85 provided by the retailer.
RB1406	Clause 132(1)	<b>Continued provision of assistance</b> Retailer obligation to continue to provide tailored assistance to a residential customer unless specific conditions are met.
RB1456	Clause 135(1)	<b>Pay-on-time discounts to be honoured</b> Retailer obligation not to recover the amount of any pay-on-time discount in respect of a bill or any other bill whose pay-by date occurred while a customer was continuing to receive tailored assistance in certain circumstances.
RB1489	Clause 136(1)	<b>Approval of financial hardship policies</b> Retailer obligation to prepare a financial hardship policy, and submit it to the commission for approval.

ESC ref	Source of obligation	Description
RB1210	Clause 137(1)	<b>Content of financial hardship policies</b> Requirements for content of a financial hardship policy of a retailer.
RB1411	Clause 141(1)	<b>Retailer obligations</b> Overarching obligations that retailers must comply with when dealing with affected customers, residential customers, government or non-government services.
RB1407	Clause 143(1)	<b>Restriction on conditions</b> Retailer obligation to not impose any condition on the provision of assistance under Part 6 (Assistance for residential customers anticipating or facing payment difficulties) that requires the customer to provide personal or financial information or to waive any entitlement under Part 6.
RB1408	Clause 144(1)	<b>Recovering debt</b> Restrictions on retailers to commence or continue with proceedings to recover arrears from a residential customer who is receiving assistance under Part 6.
RB1408-2	Clause 144(2)	<b>Selling debt</b> Restrictions on retailers to sell or otherwise dispose of the debt of a residential customer who is in arrears.
RB1408-3	Clause 144(3)	<b>Selling debt – compliance with debt collection guideline</b> Retailer obligation not to sell or otherwise dispose of the debt of a residential customer to a third party other than in accordance with debt collection guideline.
RB0141	Clause 145(1)	<b>Supply capacity control product</b> Retailer obligation to not offer a supply capacity control product to a residential customer for any credit management purpose.
RB1412	Clause 146(2)	<b>Allowing payment by Centrepay – standard retail contracts</b> Retailer obligation to allow a residential customer to use Centrepay as a payment option if the customer is applying for or on a standard retail contract.
RB1412-2	Clause 146(3)	<b>Allowing payment by Centrepay – market retail contracts</b> Retailer obligation to allow a residential customer to use Centrepay as a payment option if the customer is on a market retail contract and Centrepay is available as a payment option under that contract.

ESC ref	Source of obligation	Description
RB1412-3	Clause 146(4)	<b>Allowing payment by Centrepay – market retail contracts where Centrepay is not an option</b> Retailer obligation to, if a residential customer is on a market retail contract and Centrepay is not available as a payment option under that contract, undertake a review of the market retail contract.
RB1412-5	Clause 146(5)	<b>Transferring a customer to a contract that allows payment by Centrepay</b> Retailer obligation – if, as a result of a review, an alternative customer retail contract is considered to be more appropriate – to transfer the customer to that alternative contract, where the retailer has obtained the customer’s explicit informed consent.
RB1412-6	Clause 146(6)	<b>Offering payment by Centrepay as an option on an alternative contract</b> Retailer obligation to ensure that any alternative customer retail contract offered to a residential customer makes Centrepay available as a payment option.
RB1412-7	Clause 146(7)	<b>Making payment by Centrepay available as an option under an existing contract</b> Retailer obligation – if, as a result of the review, there is no alternative customer retail contract considered to be more appropriate – to make Centrepay available as a payment option under the residential customer’s existing market retail contract.
RB1412-4	Clause 146(8)	<b>Not charging for allowing payment by Centrepay</b> Retailer obligation to not charge the residential customer for the review, for any transfer to an alternative customer retail contract or any early termination charge or other penalty for the early termination of the customer’s previous customer retail contract.
RB1230	Clause 149(1)	<b>Training around family violence</b> Retailer obligation to ensure that training is provided to any person acting on its behalf who may engage with affected customers by any means of communication, or a manager of such a person, or is responsible for systems and processes that guide interactions with customers.
RB1422	Clause 151(1)	<b>Customer service</b> Retailer obligation to take specific steps to provide a secure process designed to avoid the need for an affected customer to repeatedly disclose or refer to their experience of family violence.
RB1423	Clause 152(1)	<b>Debt management</b> Retailer obligation to take into account specific matters before taking action to recover arrears from an affected customer.

ESC ref	Source of obligation	Description
RB1413	Clause 153	<b>Family violence as a potential cause of payment difficulty</b> Retailer obligation to recognise family violence as a potential cause of payment difficulty.
RB1414	Clause 154(1)	<b>Providing affected customers with information about external family violence support services</b> Retailer obligation to provide an affected customer with information about the availability of one or more external family violence support services at a time and in a manner that is safe, respectful and appropriate given the affected customer's circumstances.
RB1415	Clause 155(1)	<b>Evidence</b> A retailer may only seek documentary evidence of family violence when considering debt management and recovery under clause 152 or restrictions on disconnection in Part 10 of this Code of Practice or under the EIA or GIA.
RB1416	Clause 157	<b>Family violence policy</b> Retailer obligation to have a family violence policy that addresses Part 7.
RB1418	Clause 159	<b>Reviewing family violence policy</b> Retailer obligation to review its family violence policy at least once every two years.
RB0181	Clause 176(3)	<b>Termination of standard retail contracts</b> Retailer obligations where a small customer gives a termination notice and notifies the retailer of a date on which the small customer intends to vacate the premises.
RB0181-2	Clause 176(5)	<b>No termination charge for standard retail contracts</b> A retailer must not impose a termination charge (however described) under a standard retail contract in respect of the termination of the contract.
RB1492	Clause 182(4)	<b>Reminder notices</b> Retailer obligation to not issue a reminder notice to a customer who has put forward a payment proposal or revised proposal in accordance with clause 130 that the retailer has accepted, unless the customer has failed to make a payment by the date on which it was payable under the proposal or revised proposal.
RB0860	Clause 191(1)	<b>Request for disconnection</b> Retailer obligations if a customer requests the retailer to arrange for disconnection of the customer's premises.

ESC ref	Source of obligation	Description
RB0170	Clause 192(1)	<b>Arranging re-connection of premises</b> Retailer's obligation to, in accordance with any requirements under the energy laws, initiate a request to the distributor for re-connection of a customer's premises where certain conditions are met.
RB0170-2	Clause 193(1)	<b>Timing of re-connection of premises</b> Retailer's obligation regarding timing of re-connection if a customer makes a request for re-connection.

## 2.2. Energy distributors

This section sets out electricity and gas distributor compliance reporting obligations.

Under the compliance reporting schedule outlined below, regulatory obligations are classified as type 1 or type 2. For energy distributors, type 1 regulatory obligations are those where:

- non-compliance may have or could potentially have a critical impact on customers; and
- the impact of that non-compliance potentially increases over time if it is not rectified quickly.

All actual and potential breaches of type 1 obligations must be reported to the commission within two business days of detection.

Type 2 regulatory obligations are those where:

- non-compliance may have or could potentially have a significant or moderate impact on customers; and
- the impact of that non-compliance potentially increases over time.

All actual and potential breaches of type 2 obligations must be reported to the commission within 30 calendar days of detection.

## Type 1 breaches – energy distributors

ESC ref	Source of obligation	Description
<b>Electricity Distribution Code</b>		
DB0009	Clause 5.5a.2	<b>Providing life support customers with written notices about interruptions</b> Distributor obligation to, where a person residing at a supply address is a registered life support customer registered as requiring life support equipment, provide the affected customer with notices about interruptions by written notice in hard copy together with notice by means of electronic communication where the customer has nominated one or more methods of electronic communication.
DB0001-2	Clause 5.5.1(b)	<b>Providing life support customers with advance notice of planned interruptions</b> Distributor obligation to, in the case of a planned interruption and where a person residing at the supply address is a registered life support customer, provide the affected customer with at least 4 business days written notice in hard copy of the interruption, in accordance with clause 5.5.2 (unless a longer period of notice is requested by the customer and provided that the longer period of notice is reasonably necessary and can be accommodated by the distributor).
DB0013	Clause 5A.3.1(a)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to, within one business day after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, record in a register of life support customers and residents the life support customer details.
DB0013-2	Clause 5A.3.1(b)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation when advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises – to determine whether the life support equipment is fueled by both electricity and gas and, if it is, inform the customer that the customer should inform the gas retailer or distributor who supply gas at the small customer's premises that a person residing or intending to reside at the customer's supply address requires life support equipment.
DB0013-3	Clause 5A.3.1(c)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to provide specified information, in plain English, within 5 business days after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises.

ESC ref	Source of obligation	Description
DB0013-4	Clause 5A.3.1(d)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to, within one business day after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, notify the retailer that a person residing or intending to reside at the customer's premises requires life support equipment and the date from which the life support equipment is required.
DB0013-5	Clause 5A.3.2(a)	<b>Registering life support equipment – obligations when advised by retailer</b> Distributor obligation to, within one business day after being advised by a retailer, under section 40SG(4) of the Act, that a life support resident resides, or is intending to reside, at the small customer's premises – to record in a register of life support customers and residents the life support customer details.
DB0013-6	Clause 5A.3.2(b)	<b>Registering life support equipment – obligations when advised by retailer</b> Distributor obligation within one business day after being advised by a retailer, under section 40SI(2) of the Act or under clause 170(1)(b) of the Energy Retail Code of Practice, that a life support resident resides, or is intending to reside, at the small customer's premises – to record in a register of life support customers and residents the life support customer details.
DB0014	Clause 5A.4.1	<b>Confirmation of supply address as requiring life support equipment</b> Distributor obligations where a medical confirmation form is provided to a customer.
DB0015	Clause 5A.5.1(a)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where the distributor is required to record life support customer details in a register of life support customers and residents, give certain information to the retailer within one business day after receiving relevant information about the life support equipment requirements for a customer's premises.
DB0015-2	Clause 5A.5.1(b)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where the distributor is required to record life support customer details in a register of life support customers and residents, update the register of life support customers and residents within one business day after being advised by a customer or retailer of any update to the life support equipment requirements for the customer's premises or any relevant contact details.
DB0015-3	Clause 5A.5.1(c)	<b>Life support – ongoing distributor obligations</b> Distributor's ongoing obligation to, where the distributor is required to record life support customer details in a register of life support customers and residents, not disconnect the supply address after the date the life support equipment will be required at the supply address, except in the case of an interruption or emergency.



ESC ref	Source of obligation	Description
DB0015-4	Clause 5A.5.1(d)	<b>Life support – ongoing distributor obligations</b> Distributor’s ongoing obligation to, where the distributor is required to record life support customer details in a register of life support customers and residents, comply with clause 5.5.1(b) in the case of a distributor planned interruption.
DB0015-5	Clause 5A.5.2	<b>Life support – ongoing distributor obligations</b> Distributor’s ongoing obligation to notify the new retailer (within one business day after becoming aware) that a person residing at the customer’s supply address is a life support resident, if the distributor becomes aware (including by way of notification in accordance with the Market Settlement and Transfer Solution Procedures) that a life support customer has subsequently transferred to another retailer (a new retailer) at that supply address.
DB0015-6	Clause 5A.5.3(a)	<b>Life support – ongoing distributor obligations</b> Distributor’s ongoing obligation to, where a distributor is required to record a customer of an exempt person’s life support customer details in a register of life support customers and residents under clause 5A.3.2(b), give certain information to the retailer within one business day after receiving relevant information about the life support equipment requirements for a customer’s premises and any relevant contact details.
DB0015-7	Clause 5A.5.3(b)	<b>Life support – ongoing distributor obligations</b> Distributor’s ongoing obligation to, where a distributor is required to record a customer of an exempt person’s life support customer details in a register of life support customers and residents under clause 5A.3.2(b), update the register of life support customers and residents within one business day after being advised by a retailer of any update to the life support equipment requirements for the customer’s supply address or any relevant contact details.
DB0015-8	Clause 5A.5.3(c)	<b>Life support – ongoing distributor obligations</b> Distributor’s ongoing obligation to, where a distributor is required to record a customer of an exempt person’s life support customer details in a register of life support customers and residents under clause 5A.3.2(b), – not disconnect the supply address after the date the life support equipment will be required at the supply address, except in the case of an interruption or emergency.
DB0015-9	Clause 5A.5.3(d)	<b>Life support – ongoing distributor obligations</b> Distributor’s ongoing obligation to, where a distributor is required to record a customer of an exempt person’s life support customer details in a register of life support customers and residents under clause 5A.3.2(b), comply with clause 5.5.1(b) in the case of a distributor planned interruption.

ESC ref	Source of obligation	Description
DB0016	Clause 5A.6.1	<b>Deregistration of life support customer</b> Distributor obligation to not deregister a customer except in the circumstances permitted under this clause 5A.6.
DB0017	Clause 5A.7.1	<b>Registration and deregistration details must be kept by distributors</b> Distributor obligation to establish policies, systems and procedures for registering and deregistering life support customers, and ensure that the register of life support customers and residents is maintained, kept up to date and includes certain information.
<b>Gas Distribution System Code of Practice</b>		
DB0032	Clause 4A.3.1(a)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to, within one business day after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, record in a register of life support customers and residents the life support customer details.
DB0032-2	Clause 4A.3.1(b)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation when advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises – to determine whether the life support equipment is fueled by both electricity and gas and, if it is, inform the customer that the customer should inform their electricity retailer or distributor who supplies electricity at the small customer's premises that a person residing or intending to reside at the customer's premises requires life support equipment.
DB0032-3	Clause 4A.3.1(c)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation to provide specified information to a customer within 5 business days after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises.
DB0032-4	Clause 4A.3.1(d)	<b>Registering life support equipment – obligations when advised by customer</b> Distributor obligation within one business day after being advised by a small customer that a life support resident resides, or is intending to reside, at the small customer's premises, to notify the retailer that a person residing or intending to reside at the customer's premises requires life support equipment and the date from which life support equipment is required.
DB0033	Clause 4A.4	<b>Registering life support equipment – obligations when advised by retailer</b> Distributor obligation within one business day after being advised by a retailer, under section 48DI(4) of the Gas Industry Act, that a life support resident resides, or is intending to reside, at the small customer's premises – to record in a register of life support customers and residents the life support customer details.

ESC ref	Source of obligation	Description
DB0034	Clause 4A.6(a)	<b>Confirmation of supply address as requiring life support equipment</b> Distributor obligations where a medical confirmation form is provided to a customer.
DB0035	Clause 4A.7(a)	<b>Life support – ongoing distributor obligations</b> Distributor’s ongoing obligations where a distributor is required to record life support customer details in a register of life support customers and residents.
DB0036	Clause 4A.8(a)	<b>Deregistration of life support customer</b> Distributor obligation to not deregister a customer except in the circumstances permitted under this clause 4A.8-4A.12.
DB0037	Clause 4A.13(a)	<b>Registration and deregistration details must be kept by distributors</b> Distributor obligation to establish policies, systems and procedures for registering and deregistering life support customers.
DB0037-2	Clause 4A.13(b)	<b>Registration and deregistration details must be kept by distributors</b> Distributor obligation to ensure that the register of life support customers and residents is maintained, kept up to date and includes certain information.

## Type 2 breaches – energy distributors

ESC ref	Source of obligation	Description
<b>Electricity Industry Act (EIA) or Gas Industry Act (GIA)</b>		
RB1452	Sections 23A(2) and 23A(3) EIA and sections 33(2) and 33(3) GIA	<b>Condition to give information to commission</b> Licensee obligation to give information to the commission, as specified by the commission in guidelines issued under subsection (4). Information must be in the manner and form (including by the date or dates) specified in the guidelines.
RB1506	Section 116AA(1) EIA and section 229A(1) GIA	<b>Offence to give false or misleading information</b> Licensee obligation to not give the commission information that the licensee is required to give to the commission under or for the purposes of this Act that the licensee knows to be false or misleading in any material particular, or omits any matter or thing without which the information is misleading.
RB1507	Section 116AA(2) EIA and section 229A(2) GIA	<b>Offence to give false or misleading documents</b> Licensee obligation to not produce a document to the commission that the licensee is required to produce to the commission under or for the purposes of this Act if the licensee knows that the document is false or misleading in a material particular and the licensee does not indicate the respect in which the document is false or misleading.
<b>Electricity Distribution Code</b>		
DB0008	Clause 5.5a.1	<b>Interruptions: Customer communications</b> Distributor obligation to provide customers the ability to nominate a preferred method or methods of communication to receive notices about interruptions and enable customers to nominate one or more methods of communication, nominate that they only receive written notices in hard copy and update their preferences from time to time.
DB0010	Clause 5.5a.3	<b>Recording customer communication preferences</b> Distributor obligation to create and maintain for a period of at least 2 years, a record of the preferred method or methods of communication nominated by a customer and any updates to the customer's nominated preferences.
DB0007	Clause 5.5.2l	<b>Providing record of explicit informed consent on request</b> Distributor obligation to, on request by a customer and at no charge, provide the customer with access to a copy of the record of explicit informed consent given by the customer and then retained by the distributor. relating to electronic communications where requested.

ESC ref	Source of obligation	Description
DB0011	Clause 5.5a.4	<b>Interruptions: Customer communications</b> Distributor obligation to ensure notices to customers about interruptions, whether written notices in hard copy or notices by way of electronic communication, meet certain requirements.
DB0001	Clause 5.5.1(a)	<b>Providing notice of planned interruptions (non-life support customers)</b> Distributor obligation in the case of a planned interruption where no person residing at the supply address is a life support customer, to provide each affected customer with at least 4 business days written notice of the interruption.
DB0002	Clause 5.5.2	<b>Notice of planned interruptions</b> Notice of planned interruptions must include certain information.
DB0003	Clause 5.5.2A	<b>Notice of planned interruptions</b> Distributor obligation to, under certain conditions, provide the customer with at least 4 business days written notice, in hard copy, of a planned interruption by means of the communication method or methods nominated (in addition to or instead of providing written notice in hard copy as required by clause 5.5.1(a)).
DB0004	Clause 5.5.2B	<b>Notice of planned interruptions</b> Distributor obligation to, where a distributor provides notice under clause 5.5.2A, also send a reminder notice by the same electronic communication method that complies with the requirements of clause 5.5.2 one business day prior to the interruption.
DB0006	Clause 5.5.2G	<b>Retaining records of explicit informed consent</b> Distributor obligation to create a record of each explicit informed consent provided by a customer and retain the record for at least two years.
DB0016-2	Clause 5A.6.2	<b>Deregistration of life support customer</b> Distributor obligations if a customer is deregistered by a distributor – to notify the retailer of the date of deregistration and reason for deregistration within five business days of the date of deregistration, and update its register of life support customers and residents within one business day from deregistration.
DB0016-3	Clause 5A.6.3	<b>Deregistration of life support customer</b> Distributor obligations if a distributor is notified by a retailer that the retailer or an exempt person has deregistered a customer's supply address – to (within one business day from notification) update the life support customer details entered in its register of life support customers and residents.

ESC ref	Source of obligation	Description
DB0012	Clause 5.6.1	<b>Cancellation or rescheduling of planned interruptions</b> Distributor obligation to, where a distributor cancels or re-schedules a planned interruption, provide notice of the cancellation or re-scheduling within specified timeframes.
DB0018	Clause 6.1.1	<b>Appointments</b> Distributor obligation to, where the distributor makes an appointment with a customer and is more than 15 minutes late for the appointment, make a payment to the customer.
DB0019	Clause 6.2	<b>Failure to connect new supply</b> Distributor obligation to, where the distributor does not connect a new customer within a specified timeframe, make a payment to the customer.
DB0020	Clause 6.3.1	<b>Supply restoration payment</b> Distributor obligation to make a supply restoration payment to a customer if a customer experiences a certain amount of unplanned sustained interruptions per year.
DB0021	Clause 6.3.2	<b>Low reliability payment</b> Distributor obligation to make a low reliability payment to a customer.
DB0022	Clause 6.3A(a)	<b>Major event day payment</b> Distributor obligation to make a payment to a customer where the customer experiences an unplanned sustained interruption of more than 12 hours on a major event day.
DB0024	Clause 6.4.1	<b>Time for payment</b> Distributor obligation to make a payment required to be made under clause 6.1.1 within a specific timeframe.
DB0025	Clause 6.4.2	<b>Time for payment</b> Distributor obligation to make a payment required to be made under clause 6.2 within a specific timeframe.
DB0026	Clause 6.4.3	<b>Time for payment</b> Distributor obligation to determine whether it must make a supply restoration or low reliability payment to a customer at the completion of each quarter in a financial year, and to make the payment within a specified timeframe.

ESC ref	Source of obligation	Description
DB0027	Clause 6.4.4	<b>Time for payment</b> Distributor obligation, where the distributor has made an application for an event to be excluded under clause 6.3.4, to determine whether it must make a supply restoration or low reliability payment to a customer, and to make that payment, within the timeframes specified required.
DB0028	Clause 6.4.5	<b>Time for payment</b> Distributor obligation to make a major event day payment within a specified timeframe.
DB0029	Clause 9.1.12	<b>Access to multi-lingual services</b> Distributor obligation to provide access to multi-lingual services to meet the reasonable needs of its customers.
<b>Gas Distribution System Code</b>		
DB0031	Clause 2.2(b)	<b>Guaranteed Service Levels</b> Distributor obligation to, where the distributor does not meet a Guaranteed Service Level in relation to a particular tariff V customer, ensure that tariff V customer is paid the applicable GSL payment as soon as practicable.
DB0036-2	Clause 4A.8(b)	<b>Deregistration of life support customer</b> Distributor obligations if a life support customer is deregistered by the distributor – to notify the retailer of the date of deregistration and reason for deregistration within five business days of the date of deregistration, and update its register of life support customers and residents within one business day from deregistration.
DB0036-3	Clause 4A.8(c)	<b>Deregistration of life support customer</b> Distributor obligations if a distributor is notified by a retailer that the retailer or an exempt person has deregistered a customer's supply address – to (within one business day from notification) update the life support customer details entered in its register of life support customers and residents.

### 3. Performance indicator schedule – energy retailers

This section sets out energy retailer performance reporting obligations and is not applicable to energy distribution businesses.

#### Definitions

**Account:** identifier/number used to bill and identify accounts for electricity and gas separately for the same customer.

- A **residential account** is an account that purchases energy principally for personal, household or domestic use
- A **business account** is an account that purchases energy principally for a business premise/s.

**Aged total arrears:** The age (in days) of total arrears, measured from the first day total arrears are above \$0 and until total arrears return to \$0 or in credit. Refer to performance indicators AR041, AR042, AR051 and AR052 for specifics on categories.

**Business customer:** A person/individual/company who purchases energy principally for a business premise/s. This person/individual/company will hold at least one business account.

**Complaint:** An expression of dissatisfaction made to an organisation, related to its products/services, or the complaints-handling process itself where a response or resolution is explicitly or implicitly implied. Complaints can be made in person, by telephone or in writing (for example, letter, email, facsimile). For the avoidance of doubt, complaints include the following type of contacts:

Where a customer expresses dissatisfaction and seeks a response or resolution regarding the conduct, action, proposed action, or failure to act by the retailer, its employees, agents, contractors or other representatives.

This includes:

- failure by the retailer to observe its published or agreed practices or procedures or in respect of a product or service offered or provided by the retailer or its representatives
- where a customer threatens to involve, or enquired about the possibility of involving, a third party, for example, the jurisdictional energy ombudsman or Member of Parliament, or
- where a complaint is directed to the retailer on behalf of the customer by an energy ombudsman scheme.



More than one complaint can be made per customer/call. For example, if a customer makes a billing complaint and then makes a marketing complaint during the same call then two complaints should be recorded.

Each individual customer contact that is a complaint should be recorded and categorised as a complaint, irrespective of the count of times the caller has made contact with a retailer on an issue.

**Customer number:** The unique number which identifies a person who holds one or more account with a retailer. For example, a customer may purchase electricity and gas from a retailer but would only hold one unique customer number with this retailer. Likewise, a customer may have multiple properties supplied by the same retailer and would therefore have all their accounts under one customer number/identifier

**Energy fact sheet:** A fact sheet that displays key information about available energy offers, presented in a consistent format across retailers, to assist small customers in considering, comparing and selecting offers.

The fact sheet includes:

- a pricing table comparing estimates for three different household usage profiles
- two price estimates for each profile:
  - a) a price estimate excluding conditional discounts
  - b) a price estimate including all available discounts.

**Energy retailer/Retail business:** The holder of a retail licence under the Essential Services Commission Act 2000 or in respect of those obligations under the Energy Retail Code of Practice.

**Integrated Voice Response (IVR) or automated telephone system:** Technology which allows customers to service their own enquiries by following the instructions and navigating menu choices via the telephone keypad or by speech recognition.

**Meter Identification Reference Number:** Abbreviated as MIRN

**Missed bill:** A bill that was not paid or not paid in full by the due date.

**National Meter Identifier:** Abbreviated as NMI

**Other debt:** An amount of arrears that a customer owes – where the customer is not included in the customers receiving payment assistance or in the customers who have deferred payment, reported as at the end of the month.

**Payment deferral:** An amount due for which the payment date has been extended beyond the due date or put on hold.

**Pro-rata usage:** A proportionate allocation of electricity or gas usage for customers over the 12-month period. For example, if a business electricity customer had only been with a retailer for 6 months and one of the NMIs uses approximately 10 MWh per month, then this customer is a business electricity NMI consuming 120 MWh per year.

**Residential customer:** A person/individual who purchases energy principally for personal, household or domestic use. This person/individual will hold at least one residential account.

**Standard assistance residential account:** A residential account where the account holder receives minimum standard forms of assistance, to help them avoid getting into arrears with their retailer (per clauses 125(2) (a)-(d) and clause 142 of the Energy Retail Code of Practice). At a minimum, standard assistance made available must include at least 3 of the following:

- a) making payments of an equal amount over a specified period
- b) options for making payments at different intervals
- c) extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12-month period, or
- d) paying for energy use in advance.

Note: A residential account is receiving standard assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

**Tailored assistance account:** Where the holder of an account receives minimum standards of flexible and practical assistance that makes it easier for them to pay for at least their on-going usage, repay their total arrears over a two-year period and lower their energy costs. There are requirements for two subsets of accounts.

1. Residential accounts where the customer can pay at least their on-going usage, where at a minimum, tailored assistance consists of (per clause 128(1)(a)-(d)) and clause 142 of the Energy Retail Code of Practice):

- a) repayment of arrears over not more than 2 years by payments at regular intervals of up to one month
- b) advice from the retailer about payment options that would enable a customer to repay their arrears over not more than 2 years
- c) specific advice about the likely cost of a customer's future energy use and how this cost may be lowered

- d) specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs.
2. Accounts that cannot pay their on-going usage, where at a minimum tailored assistance consists of (per clause 128(1)(c)-(g) and clause 142 of the Energy Retail Code of Practice):
- c) specific advice about the likely cost of a customer's future energy use and how this cost may be lowered
  - d) specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs
  - e) practical assistance to help a customer that is eligible for a Utility Relief Grant
  - f) practical assistance to help a customer lower their energy costs
  - g) an initial period of at least 6 months during which:
    - (i) repayment of the customer's arrears is put on hold
    - (ii) the customer pays less than the full cost of their on-going energy use while working to lower that cost.

Note: A customer is receiving tailored assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

**Total arrears:** All unpaid invoices (bills past the pay-by-date of a customer) greater than \$0 including both initial arrears and any accrued arrears. Any reference to arrears in the performance measures is expected to capture total arrears and is considered at the account level.

**Victorian Default Offer (VDO):** all standing offers.

### 3.1. Background indicators

Ref.	Indicators	Retailers are required to report the following data
B009	Residential Electricity Customers	The count of residential electricity customer IDs with at least one residential electricity account with the retailer. This is to be measured as at the last day of each reporting month.
B010	Residential Electricity NMI on the Victorian Default Offer	The count of residential electricity NMIs on the Victorian Default Offer, that purchase electricity under a standard retail contract, principally for personal, household or domestic use at premises. This should exclude deemed contracts or occupier accounts and is to be measured as at the last day of each reporting month.
B011	Residential Electricity NMIs on deemed contracts or occupier accounts on the Victorian Default Offer	The count of residential electricity NMIs on the Victorian Default Offer that purchase electricity under a deemed contract or occupier account. This is to be measured as at the last day of each reporting month and include both known and not-known customers to the retailer.  Note: Exclude NMIs on deemed contract or occupier account where there was no consumption in the reporting period.
B020	Residential Electricity NMIs on market retail contracts	The count of residential electricity NMIs that purchase electricity under a market retail contract, principally for personal, household or domestic use at premises. This is to be measured as at the last day of each reporting month.
B021	Electricity residential NMIs receiving the feed-in tariff	The count of unique residential electricity NMIs that received the feed-in tariff during the reporting quarter.  Note: Data is to be reported in quarterly intervals
B029	Small Business Electricity Customers	The count of small business electricity customer IDs with at least one business electricity account with the retailer. This is to be measured as at the last day of each reporting month.
B030	Small Business Electricity NMIs on the Victorian Default Offer (consuming less than 40MWh per year)	The count of small business electricity NMIs, held by small business electricity customers, on the Victorian Default Offer, that purchase electricity for a business premise and consume less than 40 MWh a year. This should exclude deemed contracts or occupier accounts and is to be measured as at the last day of each reporting month and pro-rata usage for NMIs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.

B031	Small Business Electricity NMI on deemed contracts or occupier accounts on the Victorian Default Offer (consuming less than 40MWh per year)	The count of small business electricity NMIs, consuming less than 40MWh per year, on the Victorian Default Offer that purchase electricity under a deemed contract or occupier account. This is to be measured as at the last day of each reporting month and pro-rata usage for NMIs with less than 12 months of usage. This includes both known and not-known customers to the retailer.  Note: Exclude NMIs on deemed contract or occupier account where there was no consumption in the reporting period.
B040	Small Business Electricity NMI on market retail contracts (consuming less than 40MWh per year)	The count of small business electricity NMIs, that consume less than 40 megawatt hours in a year, that purchase electricity for a business premises under a market retail contract. This is to be measured as at the last day of each reporting month and pro-rata usage for NMIs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.
B050	Business Electricity NMI on market retail contracts (consuming between 40-100 MWh per year)	The count of business electricity NMIs that purchase electricity for a business premise under a market retail contract and consume between 40-100 MWh a year. This is to be measured as at the last day of each reporting month and pro-rata usage for NMIs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.
B060	Business Electricity NMI on market retail contracts (consuming between 100-160 MWh per year)	The count of business electricity NMIs that purchase electricity for a business premises under a market retail contract and consume between 100-160 MWh a year. This is to be measured as at the last day of each reporting month and pro-rata usage for NMIs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.
B070	Business Electricity NMI on market retail contracts (consuming greater than 160 MWh per year)	The count of business electricity NMIs that purchase electricity for a business premises under a market retail contract and consume greater than 160 MWh a year. This is to be measured as at the last day of each reporting month and pro-rata usage for NMIs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.
B079	Residential Gas Customer number	The count of residential gas customer IDs, as at the last day of each reporting month, with at least one residential gas account with the retailer.
B080	Residential Gas MIRNs on standard retail contracts	The count of residential gas MIRNs, that purchase gas under a standard retail contract, principally for personal, household or domestic use at premises. This should exclude deemed contracts or occupier accounts and is to be measured as at the last day of each reporting month.

B081	Residential Gas MIRNs on deemed contracts or occupier accounts	The count of residential gas MIRNs that purchase gas under a deemed contract or occupier account, including known and not-known customers. This is to be measured as at the last day of each reporting month.
B090	Residential Gas MIRNs on market retail contracts	The count of residential gas MIRNs that purchase gas under a market retail contract, principally for personal, household or domestic use at premises. This is to be measured as at the last day of each reporting month.
B099	Small Business Gas Customers	The count of small business gas customer IDs with at least one business gas account with the retailer, and consume less than 1,000 GJ per year. This is to be measured as at the last day of each reporting month.
B100	Small Business Gas MIRNs on standard retail contracts (consuming less than 1,000 GJ per year)	The count of business gas MIRNs, that purchase gas for a business premises under a standard retail contract and consume less than 1,000 GJ a year. This should exclude deemed contracts or occupier accounts and is to be measured as at the last day of each reporting month, and pro-rata usage for MIRNs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.
B105	Small Business Gas MIRNs on deemed contracts or occupier accounts (consuming less than 1,000 GJ per year)	The count of small business MIRNs that purchase gas under a deemed contract or occupier account, including known and not-known customers and consume less than 1000 GJ a year. This is to be measured as at the last day of the reporting month and pro-rata usage for MIRNs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.
B110	Small Business Gas MIRNs on market retail contracts (consuming less than 1,000 GJ per year)	The count of business gas MIRNs that purchase gas for a business premises under a market retail contract and consume less than 1,000 GJ a year. This is to be measured as at the last day of each reporting month and pro-rata usage for MIRNs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.
B120	Business Gas MIRNs (consuming greater than 1,000 GJ per year)	The count of business gas MIRNs that purchase gas for business premises on any contract type and consume more than 1,000 GJ of gas a year. This is to be measured as at the last day of each reporting month and pro-rata usage for MIRNs with less than 12 months of usage. For customers with multiple accounts, the consumption should not be aggregated across all accounts.

B160	Residential Electricity NMIs that received bill change notices	The count of residential electricity NMIs to be issued a bill change notices during the reporting month that purchase electricity, principally for personal, household or domestic use at premises, as required under clause 106 of the Energy Retail Code of Practice, as at the last day of each month.
B170	Residential Gas MIRNs that received bill change notices	The count of residential gas MIRNs to be issued a bill change notices during the reporting month, that purchase gas principally for personal, household or domestic use at premises, as required under clause 106 of the Energy Retail Code of Practice, as at the last day of each month.
B180	Residential Electricity NMIs that received information on their bill that they are not on the retailer's best offer	The count of residential electricity NMIs during the reporting month that received a message on their bill saying that they are not on the retailer's best offer.
B181	Residential Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings	<p>The count of residential electricity NMIs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>a) greater than \$22 and less than or equal to \$50</li> <li>b) greater than \$50 and less than or equal to \$100</li> <li>c) greater than \$100 and less than or equal to \$150</li> <li>d) greater than \$150 and less than or equal to \$200</li> <li>e) greater than \$200 and less than or equal to \$250</li> <li>f) greater than \$250 and less than or equal to \$300</li> <li>g) greater than \$300 and less than or equal to \$400</li> <li>h) greater than \$400.</li> </ul> <p>Note: The total number of NMIs should equal B180.</p>
B182	Residential Electricity NMIs that received information on their bill that they are not on	The count of residential electricity NMIs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).

the retailer's best offer - annual savings as a percent of the annual total cost of current plan

This percentage is calculated as:

$$\frac{(\text{annual total cost of the current plan} \textit{ minus} \textit{ annual total cost of the deemed best offer})}{\text{the annual cost of the current plan}}$$

This is to be reported by the following bands:

- a) greater than 0% and less than or equal to 5%
- b) greater than 5% and less than or equal to 10%
- c) greater than 10% and less than or equal to 15%
- d) greater than 15% and less than or equal to 20%
- e) greater than 20%

Note: The total number of NMIs should equal B180.

B185

Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer

The count of small business electricity NMIs (consuming less than 40MWh per year) during the reporting month that received a message on their bill saying that they are not on the retailer's best offer.

B186

Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings

The count of small business electricity NMIs (consuming less than 40MWh per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).

The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands:

- a) greater than \$22 and less than or equal to \$100
- b) greater than \$100 and less than or equal to \$200
- c) greater than \$200 and less than or equal to \$300
- d) greater than \$300 and less than or equal to \$400



- e) greater than \$400 and less than or equal to \$500
- f) greater than \$500 and less than or equal to \$600
- g) greater than \$600 and less than or equal to \$700
- h) greater than \$700

Note: The total number of NMIs should equal B185.

B187	Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan	<p>The count of small business electricity NMIs (consuming less than 40MWh per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>This percentage is calculated as:</p> $\frac{\text{(annual total cost of the current plan } \textit{minus} \text{ annual total cost of the deemed best offer)}}{\text{the annual cost of the current plan}}$ <p>This is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>a) greater than 0% and less than or equal to 5%</li> <li>b) greater than 5% and less than or equal to 10%</li> <li>c) greater than 10% and less than or equal to 15%</li> <li>d) greater than 15% and less than or equal to 20%</li> <li>e) greater than 20%</li> </ul> <p>Note: The total number of NMIs should equal B185.</p>
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B190	Residential Electricity NMIs that received information on their bill that they are on the retailer's best offer	The count of residential electricity NMIs during the reporting month that received a message on their bill saying that they are on the retailer's best offer.
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B191	Small Business Electricity NMI that received information on their bill that they are on the retailer's best offer	The count of small business electricity NMIs (consuming less than 40MWh per year) during the reporting month that received a message on their bill saying that they are on the retailer's best offer.
B200	Residential Gas MIRNs that received information on their bill that they are not on the retailer's best offer	The count of residential gas MIRNs during the reporting month that received a message on their bill saying that they are not on the retailer's best offer.
B201	Residential Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings	<p>The count of residential gas MIRNs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>a) greater than \$22 and less than or equal to \$50</li> <li>b) greater than \$50 and less than or equal to \$100</li> <li>c) greater than \$100 and less than or equal to \$150</li> <li>d) greater than \$150 and less than or equal to \$200</li> <li>e) greater than \$200 and less than or equal to \$250</li> <li>f) greater than \$250 and less than or equal to \$300</li> <li>g) greater than \$300 and less than or equal to \$400</li> <li>h) greater than \$400.</li> </ul> <p>Note: The total number of MIRNs should equal B200.</p>
B202	Residential Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual	The count of residential gas MIRNs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).

savings as a percent of the annual total cost of current plan

This percentage is calculated as:

$$\frac{(\text{annual total cost of the current plan} \textit{ minus} \textit{ annual total cost of the deemed best offer})}{\text{the annual cost of the current plan}}$$

This is to be reported by the following bands:

- a) greater than 0% and less than or equal to 5%
- b) greater than 5% and less than or equal to 10%
- c) greater than 10% and less than or equal to 15%
- d) greater than 15% and less than or equal to 20%
- e) greater than 20%

Note: The total number of MIRNs should equal B200.

B205

Small Business Gas MIRNs that received information on their bill that they are not on the retailer's best offer

The count of small business gas MIRNs (consuming less than 1,000GJ per year) during the reporting month that received a message on their bill saying that they are not on the retailer's best offer.

B206

Small Business Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings

The count of small business gas MIRNs (consuming less than 1,000GJ per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).

The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands:

- a) greater than \$22 and less than or equal to \$100
- b) greater than \$100 and less than or equal to \$300
- c) greater than \$300 and less than or equal to \$500
- d) greater than \$500 and less than or equal to \$700
- e) greater than \$700 and less than or equal to \$900
- f) greater than \$900 and less than or equal to \$1,100

		<p>g) greater than \$1,100 and less than or equal to \$2,000  h) greater than \$2,000.</p> <p>Note: The total number of MIRNs should equal B205.</p>
B207	<p>Small Business Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan</p>	<p>The count of small business gas MIRNs (consuming less than 1,000GJ per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice).</p> <p>This percentage is calculated as:</p> $\frac{\text{(annual total cost of the current plan minus annual total cost of the deemed best offer)}}{\text{the annual cost of the current plan}}$ <p>This is to be reported by the following bands:</p> <ul style="list-style-type: none"> <li>a) greater than 0% and less than or equal to 5%</li> <li>b) greater than 5% and less than or equal to 10%</li> <li>c) greater than 10% and less than or equal to 15%</li> <li>d) greater than 15% and less than or equal to 20%</li> <li>e) greater than 20%</li> </ul> <p>Note: The total number of MIRNs should equal B205.</p>
B210	<p>Residential Gas MIRNs that received information on their bill that they are on the retailer's best offer</p>	<p>The count of residential gas MIRNs during the reporting month that received a message on their bill saying that they are on the retailer's best offer.</p>
B211	<p>Small Business Gas MIRNs that received information on</p>	<p>The count of small business gas MIRNs (consuming less than 1,000 GJ per year) during the reporting month that received a message on their bill saying that they are on the retailer's best offer.</p>

	their bill that they are on the retailer's best offer	
B220	Customer read estimates submitted to retailer (self-read of meter)	Reported separately for electricity and gas, the number of NMIs or MIRNs that submitted to their retailer a self-reported meter read before the due date for payment of the bill, during the reporting month.
B230	Residential accounts that missed bills during the month	Reported separately for electricity and gas, the count of residential accounts that did not pay part or total bill amount as at the due date of the bill, during the reporting month.
B231	Small business accounts that missed bills during the month	Reported separately for electricity and gas, the count of small business accounts that did not pay part or total bill amount as at the due date of the bill, during the reporting month.  Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year.

## 3.2. Assistance indicators

Ref.	Indicators	Retailers are required to report the following data
AS012	Residential accounts receiving standard assistance	<p>The count of residential accounts on standard assistance, regardless of the level of total arrears as at the last day of the reporting month. If a customer is in credit, this is also to be captured. Reported separately for electricity and gas.</p> <p>These customers should be receiving at least 3 of the following:</p> <ul style="list-style-type: none"> <li>a) making payments of an equal amount over a specified period</li> <li>b) options for making payments at different intervals</li> <li>c) extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period</li> <li>d) paying for energy use in advance.</li> </ul> <p>Note: this indicator excludes customers that are on electricity or gas products that are generally available plans as structured prepaid/advance payment plans. The intention of this indicator is to capture customers that are on standard assistance to avoid getting into arrears, not to capture specific plan types or business models.</p>
AS022	Residential accounts receiving tailored assistance	<p>The count of residential accounts receiving tailored assistance (equivalent to or greater than the minimum assistance under tailored assistance), regardless of the level of total arrears, as at the last day of the reporting month. If a customer is in credit, this is also to be captured. Reported separately for electricity and gas. This indicator should be broken down in to two subsets:</p> <ul style="list-style-type: none"> <li>a) customers who can pay at least their on-going usage, as defined in the definitions</li> <li>b) customers who cannot pay their on-going usage, as defined in the definitions.</li> </ul>
AS031	Residential accounts receiving tailored assistance and receiving electricity concessions	<p>The count of residential accounts receiving tailored assistance during the reporting month that are also an electricity concession. An electricity concession customer is a residential customer that is recorded by the retailer as eligible for and receiving an electricity concession, where the concession is administered by the retailer.</p> <p>This indicator should be broken down into two subsets:</p>

		<p>a) An electricity concession account receiving tailored assistance as at the last day of the reporting month that can pay at least their on-going usage, as defined in the definitions.</p> <p>b) An electricity concession account receiving tailored assistance as at the last day of the reporting month that cannot pay their on-going usage, as defined in the definitions.</p>
AS032	Residential accounts receiving tailored assistance and receiving gas concessions	<p>The count of residential accounts receiving tailored assistance during the reporting month that also have a gas concession. A gas concession customer is a residential customer that is recorded by the retailer as eligible for and receiving a gas concession, where the concession is administered by the retailer.</p> <p>This indicator should be broken down in to two subsets:</p> <p>a) A gas concession account receiving tailored assistance as at the last day of the reporting month that can pay at least their on-going usage, as defined in the definitions.</p> <p>b) A gas concession account receiving tailored assistance as at the last day of the reporting month that cannot pay their on-going usage, as defined in the definitions.</p>
AS041	Residential accounts that are commencing tailored assistance, having previously received standard assistance	Reported separately for electricity and gas. The count of accounts that are commencing tailored assistance during the reporting month, that had previously received standard assistance in the last 6 months.
AS042	Residential accounts that are receiving tailored assistance, having previously received standard assistance	Reported separately for electricity and gas. The count of accounts that are receiving tailored assistance as at the end of the month, that had previously received standard assistance within the last 6 months.
AS050	Residential accounts that were offered practical assistance measures	<p>Reported separately for electricity and gas. The count of residential accounts that were offered practical assistance to reduce their energy cost during the reporting month. As per clause 128(1)(f) of the Energy Retail Code of Practice. Practical assistance to help a customer lower their energy costs including, but not limited to:</p> <ul style="list-style-type: none"> <li>the tariff that is most likely to minimise the customer’s energy costs, based on the retailer’s knowledge of the customer’s pattern of energy use and payment history</li> </ul>

		<ul style="list-style-type: none"> <li>• practical assistance to help the customer reduce their use of energy, based on the customer’s pattern of energy use and on the circumstances of where the customer lives, provided there is scope for action to be taken for that purpose</li> <li>• information about how the customer is progressing towards lowering their energy costs given at sufficient intervals for the customer to be able to adequately assess that progress.</li> </ul> <p>Note: In the additional notes field at the end of the template for electricity and gas retailers can provide further information on the type and extent of practical assistance measures offered to their customers.</p>
AS061	Residential accounts no longer receiving tailored assistance due to their total arrears being \$0 or in credit	<p>The count of accounts that are no longer receiving tailored assistance and have total arrears of \$0 or are in credit at the end of their plan during the reporting month. Reported separately for electricity and gas.</p> <p>Note: Indicators AS061, AS062, AS070, AS080 are mutually exclusive and there should be no overlap or double counting.</p>
AS062	Residential accounts no longer receiving tailored assistance and total arrears above \$0	<p>The count of accounts that are no longer receiving tailored assistance and have total arrears that are above \$0 at the end of their plan during the reporting month. Reported separately for electricity and gas.</p> <p>Note: If an account is no longer receiving tailored assistance due to non-compliance, they should be reported against AS080 and not AS062. Indicators AS061, AS062, AS070, AS080 are mutually exclusive and there should be no overlap or double counting.</p>
AS070	Residential accounts no longer receiving tailored assistance due to switching, transferring or leaving the retailer	<p>The count of accounts that are no longer receiving tailored assistance because they switched / transferred to another retailer or otherwise left the retailer during the reporting month. Reported separately for electricity and gas.</p> <p>Note: Indicators AS061, AS062, AS070, AS080 are mutually exclusive and there should be no overlap or double counting.</p>
AS080	Residential accounts no longer receiving tailored	<p>The count of accounts that are no longer receiving tailored assistance because of not complying with requirements during the reporting month. Reported separately for electricity and gas.</p>



assistance for not complying with requirements	<p>As per clause 132(1)(a) and 132(1)(b) of the Energy Retail Code of Practice, which states that retailers must continue to provide assistance to a customer unless:</p> <ul style="list-style-type: none"> <li>a) the customer has refused or failed to take reasonable action towards paying for their on-going energy use and repaying their total arrears or</li> <li>b) the customer has refused or failed to take on reasonable action towards making payments towards the cost of their on-going energy use,</li> </ul> <p>following discussion between the retailer and the customer around varying the amount payable, or the frequency of those payments, or both, to give the customer more time to lower their energy costs.</p> <p>Note: Indicators AS061, AS062, AS070, AS080 are mutual exclusive and there should be no overlap or double counting.</p>
AS091 Average duration (days) of residential accounts currently receiving tailored assistance (since 1 January 2019)	<p>Reported separately for electricity and gas, the average number of total days from 1 January 2019 an account has been receiving tailored assistance, starting from the plan creation date and is still currently receiving assistance as at the last day of the reporting month. Provide data separately for:</p> <ul style="list-style-type: none"> <li>a) customers who can pay at least their on-going usage, as defined in the definitions.</li> <li>b) customers who cannot pay their on-going usage, as defined in the definitions.</li> </ul> <p>Note: This indicator should only measure accounts that are still receiving tailored assistance as at the last day of the reporting month. The duration should not count days an account was not receiving assistance due to completion or suspension of assistance.</p>
AS100 Small business accounts receiving payment assistance	<p>Reported separately for electricity and gas, the count of small business accounts receiving such as payment flexibility to avoid getting into arrears or payment assistance to pay their ongoing usage, pay their arrears or lower their energy cost, as at the last day of the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year. This indicator should be limited only to customers receiving their current round of payment assistance. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.</p>

AS110	Residential accounts that deferred payments	Reported separately for electricity and gas, the count of residential accounts deferring payments as at the last day of the reporting month.
AS111	Small business accounts that deferred payments	Reported separately for electricity and gas, the count of small business accounts deferring payments as at the last day of the reporting month.  Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year.
AS120	Other residential accounts with arrears	Reported separately for electricity and gas, the count of other residential accounts with arrears - that are not included in the residential accounts receiving tailored assistance or in the residential accounts deferring payments, as at the last day of the reporting month.  This indicator should be reported into two subsets: <ul style="list-style-type: none"> <li>a) Residential accounts that owe less than \$300 as at the last day of the reporting month</li> <li>b) Residential accounts that owe greater than or equal to \$300 as at the last day of the reporting month.</li> </ul>
AS121	Other small business accounts with arrears	Reported separately for electricity and gas, the count of other small business accounts with arrears - that are not included in the small business accounts receiving payment assistance or in the small business accounts deferring payments, as at the last day of the reporting month.  This indicator should be reported into two subsets: <ul style="list-style-type: none"> <li>a) Small business accounts that owe less than \$300 as at the last day of the reporting month</li> <li>b) Small business accounts that owe greater than or equal to \$300 as at the last day of the reporting month.</li> </ul> Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year.

### 3.3. Arrears indicators

Ref.	Indicators	Retailers are required to report the following data
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Performance indicator schedule – gas and electricity licensees

AR011	Average total arrears of residential accounts receiving tailored assistance (\$)	<p>Reported separately for electricity and gas, the average total arrears of each account receiving tailored assistance as at the last day of reporting month. Provide data separately for:</p> <ul style="list-style-type: none"> <li>a) accounts that can pay at least their on-going usage, as defined in the definitions.</li> <li>b) accounts that cannot pay their on-going usage, as defined in the definitions.</li> </ul> <p>Note: These are the same accounts as referred to in AS022.</p>
AR021	Average total arrears of residential accounts commencing tailored assistance (\$)	<p>Reported separately for electricity and gas, the average total arrears of accounts upon commencement of tailored assistance during the reporting month. Provide data separately for:</p> <ul style="list-style-type: none"> <li>a) accounts that can pay at least their on-going usage, as defined in the definitions.</li> <li>b) accounts that cannot pay their on-going usage, as defined in the definitions.</li> </ul>
AR031	Residential accounts that commenced tailored assistance and their totals arrears	<p>Residential accounts that commenced tailored assistance during the reporting month and their totals arrears. Reported separately for electricity and gas. The count of accounts commencing tailored assistance during the reporting month, with total arrears on commencement that were:</p> <ul style="list-style-type: none"> <li>a) less than \$55 (including credits)</li> <li>b) greater than or equal to \$55 but less than \$1,000</li> <li>c) greater than or equal to \$1,000 but less than \$2,000</li> <li>d) greater than or equal to \$2,000 but less than \$3,000</li> <li>e) greater than or equal to \$3,000 but less than \$5,000</li> <li>f) greater than or equal to \$5,000.</li> </ul> <p>Note: These are the same accounts as referred to in AR021.</p>
AR041	Residential accounts receiving tailored assistance, with aged total arrears 12-24 months old	<p>Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last day of the reporting month of:</p> <ul style="list-style-type: none"> <li>a) greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 12 months old but less than 24 months old</li> <li>b) greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 12 months old but less than 24 months old</li> </ul>

- c) greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 12 months old but less than 24 months old
- d) greater than \$5,000 where the total arrears is more than 12 months old but less than 24 months old.

Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt.

AR042 Residential accounts receiving tailored assistance, with aged total arrears older than 24 months

Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last day of the reporting month of:

- a) greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 24 months old
- b) greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 24 months old
- c) greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 24 months old.
- d) greater than \$5,000, where the total arrears is more than 24 months old.

Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt.

AR051 Residential accounts not receiving tailored assistance, with aged total arrears 12-24 months old

Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last day of the reporting month of:

- a) greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 12 months old but less than 24 months old
- b) greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 12 months old but less than 24 months old
- c) greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 12 months old but less than 24 months old

		<p>d) greater than \$5,000, where the total arrears is more than 12 months old but less than 24 months old.</p> <p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt.</p>
AR052	Residential accounts not receiving tailored assistance, with aged total arrears older than 24 months	<p>Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last day of the reporting month of:</p> <p>a) greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 24 months old</p> <p>b) greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 24 months old</p> <p>c) greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 24 months old</p> <p>d) greater than \$5,000 where the total arrears is more than 24 months old.</p> <p>Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt.</p>
AR060	Average total arrears of small business accounts receiving payment assistance (\$)	<p>Reported separately for electricity and gas, the average total arrears of each small business account receiving such as payment flexibility to avoid getting into arrears or payment assistance to pay their ongoing usage, pay their arrears or lower their energy cost, as at the last day of the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year. These are the same accounts as referred to in AS100.</p>
AR070	Average total amount deferred by residential accounts (\$)	<p>Reported separately for electricity and gas, the average total amount deferred by residential accounts as at the last day of the reporting month.</p> <p>Note: These are the same accounts as referred to in AS110.</p>

AR071	Average total amount deferred by small business accounts (\$)	<p>Reported separately for electricity and gas, the average total amount deferred by small business accounts as at the last day of the reporting month.</p> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year. These are the same accounts as referred to in AS111.</p>
AR080	Average total arrears of other residential accounts with arrears (\$)	<p>Reported separately for electricity and gas, the average total arrears of other residential accounts with arrears - that are not included in the residential accounts receiving tailored assistance or in the residential accounts deferring payments, as at the last day of the reporting month.</p> <p>This indicator should be reported into two subsets:</p> <ul style="list-style-type: none"> <li>a) The average arrears of residential accounts that owe less than \$300 as at the last day of the reporting month</li> <li>b) The average arrears of residential accounts that owe greater than or equal to \$300 as at the last day of the reporting month.</li> </ul> <p>Note: These are the same accounts as referred to in AS120(a) and AS120(b).</p>
AR081	Average total arrears of other small business accounts with arrears (\$)	<p>Reported separately for electricity and gas, the average total arrears of other small business accounts with arrears - that are not included in the small business accounts receiving payment assistance or in the small business accounts which have deferred payments, as at the last day of the reporting month.</p> <p>This indicator should be reported into two subsets:</p> <ul style="list-style-type: none"> <li>a) The average arrears of small business accounts that owe less than \$300 as at the last day of the reporting month</li> <li>b) The average arrears of small business accounts that owe greater than or equal to \$300 as at the last day of the reporting month.</li> </ul> <p>Note: Small business accounts are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year. These are the same accounts as referred to in AS121(a) and AS121(b).</p>

### 3.4. Disconnection indicators

Ref.	Indicators	Retailers are required to report the following data
D050A	Disconnection for non-payment (residential NMI or MIRN)	<p>Reported separately for electricity and gas. The count of residential NMIs or MIRNs whose supply was disconnected for non-payment during the reporting month.</p> <p>Note: These disconnections are as per section 40SM(1)(f) of the Electricity Industry Act or section 48DO(1)(f) of the Gas Industry Act, requiring that residential customers are only disconnected as a last resort for non-payment. If an account was disconnected twice in the same month, this is counted as two disconnections.</p> <p>Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>
D050B	Disconnection for non-payment (small business NMI or MIRN)	<p>Reported separately for electricity and gas. The count of small business NMIs or MIRNs whose supply was disconnected for non-payment during the reporting month.</p> <p>Note: If NMIs or MIRNs were disconnected twice in the same month, this is counted as two disconnections. Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>
D051A	Other disconnections (residential NMI or MIRN)	<p>Reported separately for electricity and gas. The count of residential NMIs or MIRNs disconnected during the reporting month that were not included in the indicator 'disconnections for non-payment' (residential accounts).</p> <p>If NMIs or MIRNs were disconnected twice in the same month, this is counted as two disconnections.</p> <p>Note: This indicator does not include disconnections due to non-payment (as per indicator D050A).</p>

		Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.
D051B	Other disconnections (small business NMI or MIRN)	<p>Reported separately for electricity and gas. The count of small business NMIs or MIRNs during the reporting month that were not included in the indicator 'disconnections for non-payment'.</p> <p>Note: Small business customers are those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year. This indicator does not include disconnections due to non-payment (as per indicator D050B).</p> <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>
D060A	Reconnections within 7 days of disconnections for non-payment (residential NMI or MIRN)	<p>Reported separately for electricity and gas. The count of residential NMIs or MIRNs whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment (D050A) during the reporting month.</p> <p>Note: Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day and include weekends.</p>
D060B	Reconnections within 7 days of disconnections for non-payment (small business NMI or MIRN)	<p>Reported separately for electricity and gas. The count of small business NMIs or MIRNs whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment (D050B) during the reporting month.</p> <p>Note: Small business customers; that is, those consuming less than 40 MWh of electricity or 1,000 GJ of gas a year.</p> <p>Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that</p>



		period. The 7 days are inclusive, with the day of disconnection being counted as the first day, including weekends.
D090	Disconnections on more than one occasion	Reported separately for electricity and gas, the number of accounts that have been disconnected for non-payment multiple times in the last 24 months.
D140	Disconnections for non-payment (NMI or MIRN) which did not receive tailored or standard assistance	Reported separately for electricity and gas, the number of NMIs or MIRNs which the supply was disconnected for non-payment during each month within the reporting period, which had not received tailored or standard assistance within the 6 months prior to the disconnection date.
D150	Residential accounts where their total arrears were referred or sold to a collection agency/third party after disconnection	<p>Reported separately for electricity and gas. The count of residential accounts for which total arrears were referred or sold after disconnection to a collection agency/third party after disconnection counted as at the date of the referral.</p> <p>Note: in accordance with clause 144(2) of the Energy Retail Code of Practice, the sale of debt cannot occur within 10 business days of disconnection.</p>
D161	Residential accounts with total arrears as at the time of disconnection that were disconnected for non-payment	<p>Reported separately for electricity and gas. The count of accounts disconnected for non-payment with total arrears as at the time of disconnection, during the reporting month:</p> <ul style="list-style-type: none"> <li>c) less than \$300 (including zero or credit)</li> <li>d) greater than or equal to \$300 but less than \$1,000</li> <li>e) greater than or equal to \$1,000 but less than \$2,000</li> <li>f) greater than or equal to \$2,000 but less than \$5,000</li> <li>g) greater than or equal to \$5,000</li> </ul> <p>Note: Our definition assumes that accounts' arrears are based on the unpaid invoices of a customer and covers the total arrears on an account.</p>

D170	Notices delivered to residential accounts related to unpaid bills and disconnection warning notices	Reported separately for electricity and gas. The count of notices issued to an account where the amount outstanding is greater than \$300 (inclusive of GST), where the account is not disconnected in that month. Provide data separately for: <ul style="list-style-type: none"><li>a) reminder notices about unpaid bills</li><li>b) disconnection warning notices.</li></ul>
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### 3.5. Call centre indicators

Ref.	Indicators	Retailers are required to report the following data
CC010	Calls to account line	<p>The total number of calls to a retailer’s account line received during the month, including calls answered by an automated response service or IVR*, reported under a single ‘energy’ category.</p> <p>Excludes calls to sales, unless transferred after initial enquiry at the customer’s request.</p> <p><b>Only calls from Victorian retail customers (residential and business) should be reported.</b></p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p> <p>*Integrated Voice Response (IVR) ~ technology which allows customers to service their own enquiries by following the instructions and navigating menu choices via the telephone keypad or by speech recognition.</p>
CC020	Calls to an operator	<p>The total number of calls to an operator or customer service officer received during the month, reported under a single ‘energy’ category. Where retailers use an automated or IVR telephone system, this includes those calls where the customer has selected the relevant operator option (that is, indicated they wish to be connected to an operator) and excludes all calls that do not require operator attention:</p> <ul style="list-style-type: none"> <li>• any calls abandoned <i>before</i> the customer opts to speak to an operator</li> <li>• IVR calls where the customer does not select an operator option.</li> </ul> <p>Excludes calls to sales, unless transferred after initial enquiry at the customer’s request.</p> <p><b>Only calls from Victorian retail customers (residential and business) should be reported.</b></p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>

		Note: By default, this will also enable calculation of calls handled by an IVR.
CC030	Calls to an operator responded to within 30 seconds	<p>The total number of calls to an operator during the month, reported under a single 'energy' category, that were responded to within 30 seconds.</p> <p>Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard).</p> <p>Where retailers use an automated or IVR telephone system, the measurement period is calculated from the time that the customer selects an operator option (that is, if the caller's enquiry is answered by the IVR, meaning they don't need to speak to an operator, the call is not counted). For non-IVR telephone systems, the measurement period commences when the call is received by the switchboard.</p> <p>Where a retailer provides an option to call the customer back within a specified time period (rather than have the customer wait on hold until the next operator is available), the call will be considered to have been answered within 30 seconds providing the caller selected the option within 30 seconds and the telephone call was returned by the call centre within the specified time.</p> <p><b>Only calls from Victorian retail customers (residential and business) should be reported.</b></p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>
CC040	Average waiting time (in seconds)	<p>The average time in seconds waited by callers before an operator answered their call, during the month; reported under a single 'energy' category and calculated as follows:</p> $\frac{\text{total time waited by callers during the month}}{\text{Calls to an operator} \textit{ minus Abandoned calls}}$ <p>This indicator requires a retailer to report on the time waited by callers before a call is answered and so only answered calls are relevant. This indicator should not include abandoned calls, nor include the average waiting time before a call is abandoned.</p> <p>Where an IVR system operates, it is not appropriate to regard the call as answered as soon as the IVR system accepts the call.</p>

**Only calls from Victorian retail customers (residential and business) should be counted.**

Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

CC050 Abandoned calls

The total number of calls abandoned during the month while awaiting operator response after being forwarded to an operator, reported under a single 'energy' category. For retailers with an IVR telephone system, only those calls where the customer had already selected the operator option before abandoning the call are counted.

**Only calls from Victorian retail customers (residential and business) should be reported.**

Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

### 3.6. Complaints indicators

Ref.	Indicators	Retailers are required to report the following data
C010	Complaints – billing	<p>The count of complaints, reported separately for residential and small business customers, received during the reporting month, reported separately for electricity and gas*, including (but not limited to) those regarding:</p> <ul style="list-style-type: none"><li>• prices</li><li>• overcharging (including incorrect meter readings)</li><li>• high bills</li><li>• billing errors</li><li>• payment terms and methods</li><li>• failure to receive government rebates</li><li>• failure to provide advance notice of changes to price and benefits</li><li>• debt recovery practices</li></ul>

- imminent and actual disconnection
- best offer.

Provide data separately for:

- a) Residential
- b) Small business

\* If a customer has both electricity and gas accounts with a retailer and makes a single billing complaint of a general nature (for example, relating to the retailer's debt recovery practices), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.

C020	Complaints – marketing	<p>The count of complaints, reported separately for residential and small business customers, received during the reporting month, reported separately for electricity and gas*, including (but not limited to) complaints associated with a retailer's or its agents/representatives' actions in seeking to sign up a small customer for a contract for energy supply/service, and complaints regarding:</p> <ul style="list-style-type: none"> <li>• sales approach or conduct</li> <li>• advertising campaigns</li> <li>• energy fact sheets</li> <li>• contract terms</li> <li>• sales techniques</li> <li>• unclear advice</li> <li>• misleading conduct.</li> </ul> <p>Provide data separately for:</p> <ul style="list-style-type: none"> <li>a) Residential</li> <li>b) Small business</li> </ul>
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\* If a customer makes a single complaint regarding the marketing of both electricity and gas, retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.

C030	Complaints – customer transfers	<p>The count of complaints, reported separately for residential and small business customers, received during the reporting month, reported separately for electricity and gas*, regarding the financial responsibility for a customer’s electricity and/or gas account being transferred to either an existing or new retailer, and includes (but not limited to):</p> <ul style="list-style-type: none"><li>• failure to transfer within a certain time period</li><li>• disruption of supply due to transfer</li><li>• billing problems directly associated with transfer (for example, billing delays).</li></ul>
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Provide data separately for:

- a) Residential
- b) Small business

\* If a customer makes a single complaint of a general nature regarding the transfer of both their electricity and gas accounts to a retailer (for example, failure to transfer within a certain time period), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.

C040	Complaints – other	<p>The count of complaints, reported separately for residential and small business customers, received during the reporting month, reported separately for electricity and gas*, that do not classify as a billing, marketing or customer transfer complaint. Examples include (but are not limited to):</p> <ul style="list-style-type: none"><li>• poor customer service</li><li>• privacy issues</li><li>• failure to respond to complaints</li><li>• health and safety concerns.</li></ul>
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Provide data separately for:

- a) Residential
- b) Small business

\* If a customer makes a single complaint of a general nature not specific to either electricity or gas (for example, a privacy concern), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.



## 4. Performance indicator schedule – electricity distribution businesses

This section sets out electricity distribution businesses performance reporting obligations and is not applicable to gas distribution businesses or energy retailers.

### Definitions

**Meter reconfiguration:** Reconfiguration or reprogramming of the metering installation.

**Meter replacement:** Replacement of the metering installation, including to combine multiple meters into one solar-capable meter.

**Tariff change:** A change to a solar-related distribution tariff.

**Pre-approval:** The process where a customer or their representative is required to submit specifications of their proposed solar or battery system to an electricity distributor for the purposes of determining the customer's eligibility to connect a system of particular specifications to the electricity network prior to installation.

**Technical or further assessment:** The process a distributor undertakes where a customer or their representative does not receive pre-approval or has a system which does not meet a distributors' specifications for automatic approval, to determine the customer's eligibility to connect a system of particular specifications to the electricity network.

**Feeder:** A high voltage electric line and associated equipment at a normal voltage level between 6.6kV and 22kV which a distributor uses to distribute electricity.

**CBD feeder:** A feeder supplying Melbourne CBD as determined from zone substation coverage maps and as agreed by the Essential Services Commission.

**Urban feeder:** A feeder, which is not a CBD feeder, with load density greater than 0.3 MVA/km.

**Long rural feeder:** A feeder, which is not a CBD feeder or an urban feeder, with total length greater than 200 km.

**Short rural feeder:** A feeder, which is not a CBD feeder or an urban feeder, with total length less than 200 km.

**Count of sustained interruptions:** The total number of sustained interruptions for the relevant reporting quarter. Sustained interruption means an interruption of more than three minutes. Data relating to interruptions on a major event day (as defined in clause 19 of the Electricity Distribution

Code) or that are excluded pursuant to clause 6.3.3 and 6.3.4 of the Electricity Distribution Code must not be included.

**Cumulative hours of interruptions:** The cumulative total number of hours without supply for sustained interruptions in the relevant reporting quarter. Sustained interruption means an interruption of more than three minutes. Data relating to interruptions on a major event day (as defined in clause 19 of the Electricity Distribution Code) or that are excluded pursuant to clauses 6.3.3 and 6.3.4 of the Electricity Distribution Code must not be included.

**Count of momentary interruptions:** The total count of interruptions that were three minutes or less in the relevant reporting quarter. Data relating to interruptions on a major event day (as defined in clause 19 of the Electricity Distribution Code) or that are excluded pursuant to clause 6.3.3 and 6.3.4 of the Electricity Distribution Code must not be included.

**Cumulative hours of interruptions on major event days:** The cumulative total number of hours without supply on a major event day, where any interruption was more than 3 minutes, that occurred in the relevant reporting quarter.

## 4.1. Embedded generation connection timeframe indicators

For indicators EGCT01 to ECGT21, electricity distributors are required to report data to the commission relating to new or altered embedded generation connection applications for basic and standard connections only. Electricity distributors are not required to report data to the commission relating to negotiated connections.

This data must be provided to the commission on a quarterly basis, following the end of a quarter in a financial year commencing 1 July 2021, for **completed applications only** (whether approved or not). If a connection application is not completed by the last day of the relevant quarter, it must be reported in the following quarter. For example, if an application commences on 20 June and is not finalised until 12 July, the data should be reported in the 1 July to 30 September reporting quarter.

Ref.	Indicators	Distributors are required to report the following data
EGCT01	Distributor name	The name of the distributor.
EGCT02	Financial year	The financial year of the application completion date (e.g. 2021-22).
EGCT03	Financial quarter	The financial quarter of the application completion date (e.g. Q1).
EGCT04	Generation type	The generation and storage type (e.g. solar PV, battery, wind, other).
EGCT05	National Metering Identifier	The relevant National Metering Identifier attached to the supply address where the distribution business has received a request to connect a new or altered embedded generator.
EGCT06	Application date	The date the application to connect a new, or alter an existing, embedded generator such as a solar PV system or battery was received (from a retailer, a customer or a customer's representative).
EGCT07	Pre-approval date	The date the connection application received pre-approval (if relevant).
EGCT08	Technical or further assessment required	Whether a technical or further assessment was required (yes or no).

EGCT09	Technical or further assessment application date	The date the application for technical or further assessment was received (if relevant).
EGCT10	Technical or further assessment invoice issue date	The date the invoice for the technical assessment was sent to the customer or their representative (if relevant).
EGCT11	Technical or further assessment invoice payment date	The date the invoice for the technical assessment was paid (if relevant).
EGCT12	Technical or further assessment outcome date	The date the outcome of the technical or further assessment was communicated to the customer or their representative (if relevant).
EGCT13	Completed connection paperwork received date	The date all completed connection paperwork was received, including the Electrical Works Request and Certificate of Electrical Safety.
EGCT14	Completed connection paperwork validation date	The date connection paperwork such as the Electrical Works Requests and Certificate of Electrical Safety was validated by the distribution business.
EGCT15	Meter reconfiguration request date	The date the meter reconfiguration request was received (either the date a service order was received from the retailer, or the date a request for meter reconfiguration was received from the customer or their representative) (if relevant).
EGCT16	Meter reconfiguration completion date	The date the meter reconfiguration was completed (if relevant).
EGCT17	Meter replacement request date	The date the meter replacement request was received (either the date a service order was received from the retailer, or the date a request for meter replacement was received from the customer or their representative) (if relevant).
EGCT18	Meter replacement completion date	The date the meter was replaced (if relevant).
EGCT19	Solar-related tariff re-assignment request date	The date the service order was received from the retailer requesting a change to a solar-related tariff (if relevant).
EGCT20	Application completion date	The date the solar-related tariff re-assignment was submitted to update the distribution tariff recorded in the Market Settlement and Transfer Solution. If no solar tariff re-assignment is needed,

	the date that the embedded generator application is validated or completed in the distributor's systems.
EGCT21 Postcode	The postcode of the site location of the generator connection.

## 4.2. Guaranteed Service Level data

Electricity distribution businesses must provide the commission with the 'STPIS - GSL' data that is provided to the Australian Energy Regulator (AER) pursuant to the AER Final Annual Reporting Regulatory Information Notice for distribution network service providers data (such data being that specified in the AER annual reporting data template for distribution network service providers, worksheet 6.9). This data must be provided to the commission on an annual basis, following completion of a financial year by 31 October of that year. This obligation commences at the end of the 2021-22 financial year.

Ref.	Indicators	Distributors are required to report the following data
GSL01	Distributor name	The name of the distributor.
GSL02	Year	The financial year of the reporting period (e.g. 2021-22).
GSL03	GSL category	This field is pre-defined with the applicable guaranteed service level categories (appointments, connections, reliability of supply and streetlights).
GSL04	GSL measures	This field is pre-defined with the specific guaranteed service levels measures for each category.
GSL05	GSL value	The total number of guaranteed service level payments made for each measure in the financial year.
GLS06	GSL amount	The total dollar amount of guaranteed service level payments made for each measure in the financial year.

### 4.3. Unplanned outage data

This data must be provided to the commission on a quarterly basis, following the completion of each quarter in a financial year commencing 1 July 2021. This data must include all unplanned outage data for all active National Metering Identifiers (but exclude unmetered connection points) even if the supply address did not experience an unplanned outage. Outages data for non-major event days and for major event days must be provided in two separate csv file submissions e.g. [Distributor]\_UID\_DATA\_[FinYear][FinQtr].csv and [Distributor]\_MED\_DATA\_[FinYear][FinQtr].csv. Data is to be provided on a quarterly basis, and not cumulative over the financial year. Outages that extend past the end of a reporting period should be included in the reporting period when the outage started. Distributors must also submit annual reconciliation data, on or before 31 October following the end of that financial year.

#### Unplanned interruptions (non-major event days)

Ref.	Indicators	Distributors are required to report the following data
UID01	Distributor name	The name of the distributor.
UID02	Financial year	The financial year (e.g. 2021-22).
UID03	Financial quarter	The financial quarter (e.g. Q1).
UID04	National Metering Identifier	The national metering identifier assigned to a customer's meter in the Market Settlement and Transfer Solution.
UID05	Feeder ID	The identification code for the feeder.
UID06	Feeder classification	<p>The type of feeder supplying customers, being either CBD, urban, short rural or long rural feeders.</p> <ul style="list-style-type: none"><li>• Feeder: An electric line and associated equipment at a normal voltage level between 6.6kV and 22kV which a distributor uses to distribute electricity.</li><li>• CBD feeder: A feeder supplying Melbourne CBD as determined from zone substation coverage maps and as agreed by the Essential Services Commission.</li><li>• Urban feeder: A feeder, which is not a CBD feeder, with load density greater than 0.3 MVA/km.</li><li>• Long rural feeder: A feeder, which is not a CBD feeder or an urban feeder, with total length greater than 200 km.</li></ul>

		<ul style="list-style-type: none"> <li>• Short rural feeder: A feeder, which is not a CBD feeder or an urban feeder, with total length less than 200 km.</li> </ul>
UID07	Count of sustained interruptions	<p>The total number of sustained interruptions that were more than three minutes for each individual NMI within the relevant reporting quarter. Relevant reporting quarter means the quarter where outage started. For example, if an interruption commenced at 11.59pm on 30 June and supply was restored at 12.01am on 1 July, the 1 April to 30 June quarter is the relevant reporting quarter.</p> <p>Data relating to interruptions on a major event day (as defined in clause 19 of the Electricity Distribution Code) or that are excluded pursuant to clause 6.3.3 and 6.3.4 of the Electricity Distribution Code should not be included.</p>
UID08	Cumulative hours of interruptions	<p>The cumulative total number of hours without supply for sustained interruptions that were more than three minutes for each individual NMI within the relevant reporting quarter. Relevant reporting quarter means the quarter where outage started. For example, if an interruption commenced at 11.59pm on 30 June and supply was restored at 12.01am on 1 July, the 1 April to 30 June quarter is the relevant reporting quarter.</p> <p>Data relating to interruptions on a major event day (as defined in clause 19 of the Electricity Distribution Code) or that are excluded pursuant to clause 6.3.3 and 6.3.4 of the Electricity Distribution Code should not be included.</p>
UID09	Count of momentary interruptions	<p>The total count of interruptions that were three minutes or less for each individual NMI within the relevant reporting quarter. Relevant reporting quarter means the quarter where outage started. For example, if an interruption commenced at 11.59pm on 30 June and supply was restored at 12.01am on 1 July, the 1 April to 30 June quarter is the relevant reporting quarter.</p> <p>Data relating to interruptions on a major event day (as defined in clause 19 of the Electricity Distribution Code) or that are excluded pursuant to clause 6.3.3 and 6.3.4 of the Electricity Distribution Code should not be included.</p>

## Unplanned interruptions (major event days)

Ref.	Indicators	Distributors are required to report the following data
MED01	Distributor name	The name of the distributor.
MED02	Financial year	The financial year (e.g. 2021-22).
MED03	Financial quarter	The financial quarter (e.g. Q1).
MED04	Major event day date	The date of the major event day where major event day has the same meaning as clause 19 of the Electricity Distribution Code.
MED05	National Metering Identifier	The national metering identifier assigned to a customer's meter in the Market Settlement and Transfer Solution.
MED06	Feeder ID	The identification code for the feeder.
MED07	Feeder classification	<p>The type of feeder supplying customers, being either CBD, urban, short rural or long rural feeders.</p> <ul style="list-style-type: none"> <li>• Feeder: An electric line and associated equipment at a normal voltage level between 6.6kV and 22kV which a distributor uses to distribute electricity.</li> <li>• CBD feeder: A feeder supplying Melbourne CBD as determined from zone substation coverage maps and as agreed by the Essential Services Commission.</li> <li>• Urban feeder: A feeder, which is not a CBD feeder, with load density greater than 0.3 MVA/km.</li> <li>• Long rural feeder: A feeder, which is not a CBD feeder or an urban feeder, with total length greater than 200 km.</li> <li>• Short rural feeder: A feeder, which is not a CBD feeder or an urban feeder, with total length less than 200 km.</li> </ul>
MED08	Cumulative hours of interruptions on major event days	The cumulative total number of hours without supply on a major event day, where any interruption was more than 3 minutes, that occurred within the relevant reporting quarter.



## 5. Voltage performance indicators

### Voltage performance

This data must be provided to the commission on a quarterly basis, by the end of the month following the end of the reporting period.

Distributors must submit the report in the form of the graph and table with raw data using the performance indicators below.

The data should be provided at a network level, that is, a single % value for each distributor, separately for overvoltage and undervoltage.

This performance reporting requirement will take effect from 1 March 2022, with data for the first reporting period required to be submitted to the commission by the end of March 2022.

Ref.	Indicators	Distributors are required to report the following data
VCD01	Distributor	The name of the distributor.
VCD02	Reporting period	The reporting period aligns with the Electricity Distribution Code (EDC) – schedule 1, Table 6 quarterly reporting period (e.g., December 2021 to February 2022) to be reported in the month following the reporting period (e.g., March 2022).
VCD03	Voltage performance	Using advanced metering infrastructure (AMI) data <sup>1</sup> measured every 10 minutes, obtained for each week (Sun-Sat) <sup>2</sup> in the reporting period, and excluding only supply interruptions, provide:

Performance indicator schedule – electricity distribution businesses

		<ul style="list-style-type: none"> <li>a. The percentage of total AMI NMIs that fell below 216V for more than 1% of time.</li> <li>b. The percentage of total AMI NMIs that fell above 253V for more than 1% of time.</li> <li>c. The percentage of total AMI NMIs, where each individual AMI NMI fell below 216V for more than 1% of time, and above 253V for more than 1% of time.<sup>3</sup></li> <li>d. The percentage of total AMI NMIs that experienced voltage values that fell below 207V for two consecutive time intervals.</li> <li>e. The percentage of total AMI NMIs that experienced voltage values that fell above 260V for two consecutive time intervals.</li> <li>f. The percentage of total AMI NMIs, where each individual AMI NMI fell below 207V for two consecutive time intervals, and above 260V for two consecutive time intervals.</li> </ul>
		Note 1: The above calculations should be based on all AMI data to which the distributor has access. For AMI NMIs with more than one voltage channel (e.g., three-phase), report only the average phase-to-neutral voltage channel.
		Note 2: Starting the first Sunday of the reporting period.
		Note 3: The phase-to-neutral steady state nominal voltage reference is 230V, the V1% and V99% voltage values as set out in the Australian Standard 61000.3.100 are 216V and 253V respectively.