

5 December 2017

Mr David Young  
Director, Energy  
Essential Services Commission  
Level 37, 2 Lonsdale Street  
MELBOURNE VIC 3000

By email: [energy.submissions@esc.vic.gov.au](mailto:energy.submissions@esc.vic.gov.au)

Dear Mr Young,

### Fixed Benefit Periods – Notification Obligations for Energy Retailers

Simply Energy welcomes the opportunity to provide the Essential Services Commission (ESC) with feedback on its proposal to amend the Victorian Energy Retail Code (the Code) in line with the benefit change notification requirements in the National Energy Retail Rules (NERR).

As a growing second-tier retailer operating extensively in the Victorian gas and electricity markets, Simply Energy is committed to assisting Victorian energy consumers make informed decisions about their energy needs. For this reason, Simply Energy supports the proposed Code change in-principle.

Simply Energy would like to emphasise that its support is based on the Code remaining consistent with the notification obligations in the NERR. Simply Energy considers that consistency between the Code and the notification obligations in the NERR is imperative for ensuring greater uniformity of regulatory requirements across the National Electricity Market (NEM).

Providing for uniformity of regulatory obligations between Victoria and the National Energy Consumer Framework (NECF), where possible, reduces the need for jurisdictional-specific system and compliance controls. This leads to more efficient outcomes for retailers operating across multiple NEM jurisdictions and assists in reducing overall industry compliance costs.

Simply Energy notes that the definition of 'benefit change' is ambiguous and in its present form captures any change regardless of whether or not it results in a worse outcome for energy consumers. Simply Energy will, therefore, recommend that when the Australian Energy Regulator (AER) publishes its end-of-benefit period Guidelines in mid-2018, notification obligations be confined to circumstances where customers are financially worse-off as a result of their benefit period changing or expiring.

Simply Energy considers that the ESC should mirror any subsequent requirements that are imposed on retailers by the AER under its Guidelines to ensure consistency between benefit change notification obligations in the Code and the NERR going forward.

I trust the above feedback is helpful in providing context as to why ensuring greater uniformity of consumer protections across Victoria and NECF jurisdictions is important for both industry and Victorian energy consumers. If you would like to contact me about Simply Energy's submission please feel free to do so on [redacted] or by email at [redacted].

Yours sincerely

James Barton  
General Manager, Regulation  
Simply Energy