

Level 25, 32 Turbot Street  
Brisbane Qld 4000  
GPO Box 3131  
Canberra ACT 2601  
tel: (07) 3835 4666  
www.aer.gov.au

24 April 2024

Dear Retailer

As you know, one of the [AER's Compliance and Enforcement priorities for 2023-2024](#) is to *make it easier for consumers to understand their plan and engage in the market by focusing on compliance with billing and pricing information obligations*. As such, we are concerned by recent reports of retailers failing to notify customers of variations to electricity tariffs and charges. We are writing to remind you of your obligations.

Rule 46 of the National Energy Retail Rules (**NERR**) sets out the minimum requirements that apply in relation to the terms and conditions of market retail contracts. Rule 46 provides the notice requirements (manner and form) retailers must give to their customers of any variation to tariffs and charges that affects the customer. This key obligation and others are set out in the AER and ACCC's [joint compliance bulletin on communicating pricing changes](#).

The AER considers that it is beneficial for customers to be given as much notice as possible of any variations to tariffs and charges. When customers are provided with timely notice of these variations, they are able to engage effectively in the market by seeking electricity plans that better suit their circumstances, if unsatisfied with the new tariff structure. Customers who are aware of changes to their tariff in a timely way may also be able to change their usage behaviour to suit the new tariff, potentially benefitting them by reducing electricity costs.

As such, we consider all customers would benefit from extended notice of variations to tariffs and charges and more information about their electricity usage. The AER encourages all retailers to review their tariff notification processes and relevant marketing materials and make any necessary adjustments.

We also wanted to draw your attention to the AEMC's draft determination and draft rules for the [accelerating smart meter deployment rule change](#).

The draft rules, which are proposed to be introduced progressively from 25 July 2024, propose to:

- extend the retailer notification period to 30 business days prior to any tariff or charge variation related to the meter replacement,
- require retailers to provide customers with details regarding how to understand, monitor and manage their electricity usage, and
- allow customers to request a comparative estimate of how the varied tariff or charge impacts their bills.

The AER will continue to monitor retailer compliance in this space and may take enforcement action against retailers who do not comply with their obligations under Rule 46 of the NERR.

Yours sincerely

Matt Garbutt  
Executive General Manager  
Compliance, Enforcement and Surveillance