



30 April 2024

Submission: Enhanced Wholesale Market Monitoring Guideline

The Australian Pipelines and Gas Association (APGA) represents the owners, operators, designers, constructors and service providers of Australia's pipeline infrastructure, connecting natural and renewable gas production to demand centres in cities and other locations across Australia. Offering a wide range of services to gas users, retailers and producers, APGA members ensure the safe and reliable delivery of 28 per cent of the end-use energy consumed in Australia and are at the forefront of Australia's renewable gas industry, helping achieve net-zero as quickly and affordably as possible.

APGA welcomes the opportunity to contribute to the AER's consultation on the issues paper for an Enhanced Wholesale Market Monitoring Guideline. The proactive and timely engagement with stakeholders by the AER is appreciated, and APGA's submission complements our previous commentary and submissions on the development of the WMMR framework^{1,2}.

APGA appreciates that the AER is developing the Guideline collaboratively with industry while considering:

- Identifying the minimum possible data and existing sources of that data, and
- Utilising existing information disclosures wherever possible.

APGA proposes a workshop between the AER and industry to assist in identifying relevant information, and where it may already be disclosed. APGA will contact the AER to arrange this with the WMMR team.

Data to be collected, and how data will be used

The first principle to collecting information the AER identifies are critical at this point of developing the Guideline: to collect information that is reasonably required for the purpose of performing the wholesale market monitoring functions.

APGA is keen to support the AER to develop a Guideline that meets this principle. This could be helped by understanding the following:

- How the AER intends to use the information it collects – for industry to be able to assist identifying the necessary information, we need to understand what the AER seeks to achieve to support provision of the more appropriate information.

¹ APGA, 2022, *Submission: Amending the Australian Energy Regulator Wholesale Market Monitoring and Reporting Framework consultation*

² APGA, 2023, *Submission: Gas Wholesale Market Monitoring and Reporting Reform*

- Who the AER intends to require the information from – to ensure that the information disclosure requirements are targeted to assets relevant to what the WMMR seeks to determine.

Once the above is understood, industry will be better able to provide advice to the AER on the most appropriate information to seek and its consideration in appropriate context..

Utilising existing information disclosure requirements

The third and fourth principles the AER identifies in collecting information is to minimise participant burden, and where reasonably practicable and appropriate to do so, to rely on public information and/or information collected by other agencies.

APGA appreciates these principles considering recent past experience with data disclosure requirements. As identified in the consultation paper, there are many cases of equivalent or similar gas market data disclosure obligations with adjacent regulators or agencies, or reporting obligations for data which is already publicly disclosed.

An example of this relevant to WMMR functions is information disclosed under Part 10 of the National Gas Rules. This data is publicly available on participants' websites (in some cases the NGR also requires the participant to give a copy of this information to the AER) and pricing information is also separately required to be reported to the ACCC's Gas Inquiry. This functionally identical information is required in slightly different formats, increasing compliance cost burden while providing no practical benefit beyond the public disclosures on participants' websites.

APGA is happy to work with the AER to help avoid duplication of reporting obligations wherever possible. Where there are potential privacy implications and hence legal barriers to the sharing of some information between the AER and ACCC, simultaneous disclosure or written endorsement by participants may be a solution. Where the AER and ACCC require inconsistent formatting of data, APGA proposes the AER and ACCC collaborate on developing and adopting consistent templates and/or formats to support simultaneous data disclosures.

To discuss any of the above feedback further, please contact me on +61 422 057 856 or jmccollum@apga.org.au.

Yours sincerely,



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