



**RETAIL PERFORMANCE REPORTING  
PROCEDURES AND GUIDELINES (2024  
UPDATE)**

**DATE :**

19 March 2024

**SUBMISSION BY:**

Compliance Quarter

Compliance Quarter welcomes the opportunity to provide feedback on the draft AER (Retail Law) Performance Reporting Procedures and Guidelines (the draft Guidelines). Compliance Quarter works with energy retailers operating in National Energy Customer Framework jurisdictions. This submission does not represent the views of all clients and is made by Compliance Quarter independently.

## **Implementation timeframe**

While we acknowledge that the AER has extended the originally proposed timeframe from 1 July 2024 to 1 January 2025 in response to stakeholder feedback, we still believe this does not provide adequate time for retailers to implement the required system and process changes. The draft Guidelines propose numerous new indicators, expanded indicators, and other refinements that will necessitate extensive IT system updates, resourcing, and training. A rushed implementation risks errors in reporting that could undermine the objectives of the Guidelines' review.

The Guideline was last updated in April 2018. As the Guideline is updated on an infrequent basis, a longer period for implementation is justified and will reduce implementation costs that will otherwise be incurred. We recommend the AER allow further time from the date of publishing the final Guidelines for implementation. This will enable retailers to properly scope the required changes, secure necessary budgets and resources, implement and test system upgrades, and train staff. A longer timeframe would also avoid clashes with other regulatory change programs that retailers need to implement. The current proposed date of 1 January 2025 coincides with the busy Christmas/New Year period which is already challenging from a resourcing perspective.

In the alternative, the AER may consider a phased implementation where, for example, those indicators that require more significant implementation work are not required to be reported on until the following quarter.

## **National Electricity Objective (NEO)**

Noting that emissions reduction has been added to the NEO, we submit that the AER should consider adding relevant indicators, for example, on the number of offers that incorporate GreenPower or carbon offsets so that useful data can be obtained as to the prevalence of these offers. Such indicators would be consistent with the NEO and would benefit consumers in determining the approach of retailers toward this objective. It would also incentivise retailers to make such offers. Clearly, additional consultation would be required, and this may be conducted in a separate review.

## **Revision to Indicator 2.9**

We submit that the indicator s2.9(a) should be amended to state ‘receiving a fully or partly Government funded feed-in tariff.’ The change is to clarify that retailers should report on customers who are recipients of a feed-in tariff that is partly Government funded.

## **Complaint Definition**

We note that the Victorian definition of complaint in the *Essential Services Commission Compliance and Performance Reporting Guideline - Version 8* states that *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.* The Victorian Guideline’s clarification that more than one complaint can be made in a contact is helpful however, we say that each contact about a single complaint should not be counted as a separate complaint as otherwise it may be difficult to determine the proportion of complaints in each category.

We submit that the AER should update the definition to state that ‘More than one type of complaint can be made by a customer in a single contact. Multiple contacts regarding the same complaint should not be counted as multiple complaints.’

## **Quarter Two Reports**

We submit that the deadline for Quarter 2 reports should be moved from 31 January each year to 28 February each year (section 2.2.1 of the Guideline). This would be consistent with the current (albeit under review) compliance reporting obligations. Many retailers have staff on leave during the summer holidays, which reduces their capacity to prepare and submit accurate reports. It is also important to allow sufficient time for retailers to review and verify the data they collect from various sources including from their billing systems.

Extending the date for submission of Quarter 2 reports will ensure the quality and reliability of the information provided to the AER. The verification of data is critical to ensure accuracy, and this is a task that is completely, in part, manually. Therefore, we propose that the deadline for Quarter 2 reports be extended by one month.