

19 March 2024

Daniel Harding
General Manager (A/g), Market Performance Branch
Australian Energy Regulator
GPO Box 3131 Canberra ACT 2601

Submitted via email: marketperformance@aer.gov

Dear Daniel

Retail Guidelines review - draft Guidelines submission

Thank-you for the opportunity to provide a submission in response to the Australian Energy Regulator's (AER) (Retail Law) Performance Reporting Procedures and Guideline Review – draft instrument (Draft Instrument) released in February 2024.

Momentum Energy Pty Ltd (**Momentum, our or we**) is an Australian operated energy retailer, owned by Hydro Tasmania, Australia's largest generator of renewable energy. We pride ourselves on providing competitive pricing, innovation and outstanding customer service to electricity consumers in Victoria, New South Wales, South Australia, Queensland, the ACT and on the Bass Strait Islands. We also retail natural gas to Victorian customers.

1. Overview

In Momentum's response to the Issues Paper of this review we urged the AER to ensure that the frequency and scope of data requested added value to the reporting, while also considering whether the cost to deliver this data outweighed the benefits. It is disappointing that the rationale for many of the new and amended data items, as outlined in the AER's Explanatory statement¹, were justified based on the possibility of providing "more insight into customer behaviours" or for providing "holistic insight" on how customers can respond to various changes. Momentum was hoping that the AER would instead place a much more robust analysis on each of the requested data items to ascertain if they;

- a) had a specific purpose for their collation that will deliver an identified benefit;
- b) were able to be achieved in a less burdensome manner; and
- c) did not impose an additional cost to collate that was disproportionate to the cost benefit.

¹ [AER - Explanatory statement - \(Retail Law\) Performance reporting procedures and Guidelines - 20 February 2024 | Australian Energy Regulator \(AER\)](#)

Nevertheless, we note that the AER has agreed to reduce the scope and reporting frequency of some of the originally requested new and amended reporting data items. Momentum supports these changes, as we are extremely conscious of the rising cost of energy and the increased scrutiny that energy stakeholders are placing on the various inputs to the energy cost stack. We believe all components of the cost stack should be regularly assessed to ensure they can be minimised or eliminated.

2. Specific Questions Regarding New/Amended Data Items Included in the Draft Instrument

In the table below Momentum seeks clarity on several of the newly proposed mandated data items that still present ambiguity, could result in double counting and or present a risk of non-compliance for retailers.

Indicator	Information & Data required	Reporting/Basis	Momentum Question
S3.5. Total number of customer contacts made through the retailer's customer service website portal	<p>Retailers are required to submit the total number of contacts made by customers through the retailer's customer service website portal during the reporting period for all participating jurisdictions, customer categories and fuel types. For the purposes of this indicator:</p> <ul style="list-style-type: none"> • A retailer's customer service website portal includes any digital channels of engagement utilised by the customer to contact their retailer such as retailer apps, online chat, and websites. This does not extend to customer interactions with the retailer via third party social media services. • National data can be reported under a single 'energy' category. • Where one retail group holds a number of individual national retailer authorisations, separate reporting is not required. • Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator. 	Quarterly, Jurisdictional	<p>Are the requested customer contacts for both prospective customers and existing customers or only existing customers?</p> <p>How does the AER define a 'customer contact'? Is this in the context of an enquiry, complaint, feedback, or every customer interaction?</p> <p>If a customer contacts the retailer a second time or provides a delayed response regarding the same enquiry, complaint or feedback, do we have to report it as a separate 'customer contact' or count it as a single contact? This could present a level of complexity that will require new system capability.</p>
S3.6. Complaints— – billing	<p>Retailers are required to submit the total number of complaints made during the reporting period about billing for each of the following by: a) residential customers i. prices (including high bills) ii. overcharging (including incorrect meter readings) iii. billing errors (including estimated reads problems) iv. payment terms and methods v. failure to receive government rebates or an energy concession etc.</p>	Quarterly, Jurisdictional	<p>If a customer makes or raises multiple issues in the same contact how is this complaint categorised or is each issue to be recorded separately?</p>
S3.19. Nature of payment plan – average	<p>Retailers are required to submit the average fortnightly amount customers on payment plans are paying, as at the last calendar day of the reporting period for each of the following:</p>	Quarterly, Jurisdictional	<p>If customers are making monthly or weekly payments in their payment plan are these to be</p>

fortnightly amounts	a) Electricity: (i). residential customers (ii). small business customers. b) Gas: (i). residential customers (ii). small business customers.		pro-rated into fortnightly amounts for this data item?
S3.21	Number of customers on a deferred debt or alternative debt arrangement.	Quarterly, Jurisdictional	Momentum currently does not have a system capability to capture 'Promise to pay' agreements. We can only report on payment extensions.

3. Implementation Timeline

Upon more investigation and understanding of the increased scope and complexity of the new and amended data items, discussed in the Draft Instrument, we now believe that the proposed implementation date should be no sooner than **1 July 2025**.

Changes and new data requests for complaint details, website contacts, customer tariff and meter structures and several other items will require significant system changes, system testing and staff training to ensure they are recorded accurately.

Should you require any further information regarding this submission, please don't hesitate to contact me on 0478 401 097 or email randall.brown@momentum.com.au

Yours sincerely

[Signed]

Randall Brown

Head of Regulatory Affairs