

22nd March 2024

Daniel Harding
General Manager (A/g), Market Performance Branch
Australian Energy Regulator

Submitted electronically.

Dear Mr Harding,

PIAC submission to the AER's Draft (Retail Law) Performance Reporting Procedures and Guidelines

The Public Interest Advocacy Centre (PIAC) welcomes the opportunity to respond to the Australian Energy Regulator's (AER) Draft Retail Performance Reporting Procedures and Guidelines (2024 update).

PIAC broadly supports the draft guidelines as an important enabler of improved outcomes for consumers. We reiterate our support for the three new indicator areas of embedded networks, family violence and life support as well as our support for the expansion of metering, complaints, and debt indicators.

The AER's retail energy market monitoring role is crucial in understanding the experiences of energy consumers and the outcomes the energy system is delivering for them. Robust retail performance reporting is a fundamental transparency mechanism in the provision of an essential service. Comprehensive, effective monitoring also serves as crucial guidance for future policy and reform. We strongly encourage the AER to view this as an opportunity to continue to improve the scope and effectiveness of monitoring and consider its role as a foundation of future policy processes.

New potential indicators: Embedded networks, family violence and life support.

PIAC strongly supports the collection of new data on people who live in embedded networks, people with life support energy needs, and data to help understand compliance with the family violence protections and obligations under the NERR, and the impact of those protections.

PIAC provided a submission¹ to the Issues Paper explaining how the collection of this data will lead to better outcomes for consumers and how these new indicators align with and support the AER's compliance and enforcement priority to improve outcomes for customers experiencing vulnerability.

¹ PIAC 2023 [Submission to Retail Guidelines review issues paper](#)

Refining debt, metering, and complaints indicators.

PIAC supports refinement and expansion of indicators on debt, metering, and billing complaints proposed in the draft.

Affordability is a fundamental objective of the retail market providing an essential service, and a critical indicator of the performance of the market. PIAC supports changes to debt indicators to enhance AER monitoring functions and to assist in better understanding the effectiveness of retail support for consumers experiencing payment difficulties. The refined debt indicators will help contribute towards a more comprehensive and accurate picture of retail performance in supporting affordability.

We support the AER including new indicators to capture the number of residential customers using Buy Now Pay Later and similar lightly regulated credit products. We understand there can be some inconsistencies in the visibility retailers have in identifying when consumers are using BNPL products to pay for their energy bills. However, collecting this data where possible would be of significant value (particularly in a comparative sense) even where it may not capture the totality of cases.

Greater visibility of all meter types and the type of tariff a consumer is on is crucial and PIAC supports any and all measures to improve visibility of this data. Expanding monitoring to include all meter types will allow for better understanding of the impact of meter types and uses on consumer outcomes. We encourage the AER to continue to explore opportunities to expand reporting in this area.

PIAC supports expanding billing complaints data to provide greater granularity and detail regarding the type of billing complaint. Billing is the largest category of complaints but encompasses a wide and varied range of causes of consumer complaint to their retailer. Providing further detail on the type of billing complaint will make this data more useful and will guide retailers, regulators, and consumer stakeholders on where to direct future interventions in improving consumer outcomes.

In addition to improvements proposed in the draft, PIAC continues to encourage the AER to consider further future expansions and improvements to monitoring.

We would welcome the opportunity to discuss these matters further with the AER and other stakeholders.

Yours sincerely

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