

# Wholesale Market Monitoring and Reporting

Draft Market Monitoring  
Information Order –MMIO-ELEC-  
2025-01–Explanatory Statement

November 2024

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AER reference: AER23006997

### **Amendment record**

<b>Version</b>	<b>Date</b>	<b>Pages</b>
1.0	November 2024	26

## Request for Submissions

Interested parties are invited to make a written submission to the Australian Energy Regulator (AER) on the draft Market Monitoring Information Order accompanying this statement.

Submissions should be made via email to [ContractMarketMonitoring@aer.gov.au](mailto:ContractMarketMonitoring@ aer.gov.au), with the subject line 'Wholesale Market Monitoring and Reporting – Draft Order MMIO-ELEC-2025-01 submission' by **close of business, Friday 20 December 2024**.

Alternatively, submissions can be mailed to:

Fiona Hooymans  
General Manager, Market Surveillance Branch  
Australian Energy Regulator  
GPO Box 3131  
Canberra ACT 2601

Submissions should be in PDF, Microsoft Word or another text readable document format. Due to timing constraints, late submissions may not be considered.

The AER prefers that all submissions be publicly available to facilitate an informed and transparent consultative process. Submissions will be treated as public documents unless marked confidential. Parties wishing to submit confidential information are requested to:

- clearly identify the information that is the subject of the confidentiality claim; and
- provide a non-confidential version of the submission in a form suitable for publication.

All non-confidential submissions will be placed on the AER's website. For further information on the AER's use and disclosure of information provided to it, see the [ACCC/AER Information Policy, June 2014](#).

Enquiries about this Explanatory Statement, or about lodging submissions, should be directed to the [ContractMarketMonitoring@aer.gov.au](mailto:ContractMarketMonitoring@ aer.gov.au) with the subject line 'Wholesale Market Monitoring and Reporting Guideline – Draft Orders enquiry'.

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## Definitions and shortened forms

Term	Definition
ACCC	Australian Competition and Consumer Commission
<a href="#">ACCC/AER Information Policy</a>	ACCC and AER information policy: collection, use and disclosure of information, available on the AER's website
AER	Australian Energy Regulator
AEMO	Australian Energy Market Operator
ASX	Australian Securities Exchange and its nominated clearing house, ASX Clear (Futures)
FEX	Financial and Energy Exchange Global and its nominated clearing house, Chicago Mercantile Exchange Inc.
NEL	National Electricity Law, as laid out in the Schedule to the <i>National Electricity (South Australia) Act 1996</i> (SA), and as applied by the relevant implementing legislation
National Electricity Rules	National Electricity Rules as made under Part 7 of the National Electricity Law and given force of law by section 9 of the National Electricity Law
Notices	Market Monitoring Information Notices
Orders	Market Monitoring Information Orders
OTC	Over-the-counter
PASA	Projected Assessment of System Adequacy
PPA	Power Purchase Agreement
SRMC	Short run marginal cost

# 1 Introduction

We recently published our [Wholesale Market Monitoring and Reporting Guideline](#). The Guideline sets out our general approach to our enhanced functions in monitoring, and reporting on, the wholesale gas markets and electricity and gas contract markets.<sup>1</sup>

The next milestone in the implementation of our enhanced functions is the making of Market Monitoring Information Orders (Orders) and Market Monitoring Information Notices (Notices)<sup>2</sup> to collect information, where we believe that information to be reasonably necessary for the performance of our wholesale energy market monitoring and reporting functions.

Accordingly, we have published for consultation a draft Order (MMIO-ELEC-2025-01) (the draft Order), in accordance with section 18EH of the National Electricity Law (NEL).

The draft Order requires a class of persons to provide information to the Australian Energy Regulator (AER), or to prepare, maintain and keep information in a specified form. It will establish regular and consistent reporting of information, building transparent and predictable reporting cycles.<sup>3</sup> We expect over time this should minimise burden on both participants and us by enabling predictable allocation of resourcing for information submission and analysis. We will nevertheless regularly reevaluate the information we require and may adjust our collection accordingly, including by ceasing collecting certain information if it is no longer relevant to our functions.

The draft Order includes information on:

- the specified class of persons the Order applies to;
- information required to be provided;
- dates for submitting information to the AER and process for extension requests;
- reasons that the AER requires each type of information to be provided;
- general requirements including compliance, variation, exemptions, resubmission and confidentiality; and
- assurance requirements.

This Explanatory Statement accompanies the draft Order. Information contained in this Explanatory Statement is to support the requirements detailed in the draft Order and should not be read to qualify or replace any requirement stated therewithin.

This Explanatory Statement also discusses feedback received from stakeholders to date related to the development of the draft Order, approaches we have taken to minimise burden and detail on other matters including data storage and security protocols. We are keen to

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<sup>1</sup> Under section 18EO of the National Electricity Law and 30AT of the National Gas Law.

<sup>2</sup> We have also prepared draft Notices for the collection of information. The draft Notices have been provided to named persons with the opportunity for them to make a submission, in accordance with the consultation requirements under section 18EJ of the National Electricity Law and 30AO of the National Gas Law.

<sup>3</sup> There is also some information that will be required to be provided as a one-off.

continue to receive input from stakeholders in this stage of engagement to help shape the final Order.

## 1.1 Consultation process

We are committed to undertaking meaningful stakeholder engagement to develop well designed Orders, in the least burdensome manner for industry.

Hearing from those affected by our work helps us make better decisions, provides greater transparency and predictability, and builds trust and confidence in our reporting.

The invitation to submit responses to the draft Order is the next step in our engagement process.<sup>4</sup> We are also open to engaging with stakeholders through one-on-one meetings to gather feedback and input. We encourage engagement by all interested members of the public and any interested parties, including following the conclusion of our formal consultation period.

The feedback on the draft Order will shape the final Order, which we are aiming to publish in early March 2025. Table 1 sets out the key milestones planned for publication of our Order.

**Table 1: Key dates for the Market Monitoring Information Orders**

Milestone	Date
Informal targeted consultation	September-October 2024
AER publication of draft Order	11 November 2024
Submissions on the draft Order due	20 December 2024
AER publication of final Order	Early March 2025
Commencement of information submission under the Order	Q2-Q3 2025 depending on particular information.

### Questions for consultation

We are interested in stakeholder feedback on the content of the draft Order. We are also interested in stakeholder views in respect of:

- the burden and cost the Order is likely to impose, and any estimated actual costs of complying with the Order;
- the clarity of the Order’s requirements and qualitative questions;
- the proposed information required;

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<sup>4</sup> We are required under section 18EH of the National Electricity Law to consult with the public before making an Order.

- the proposed response timeframes;
- additional approaches that could be adopted to minimise burden; and
- the overview of our proposed data portal and our approach to data management.

To assist stakeholder responses, we have included some specific questions throughout the paper in feedback boxes, though we welcome feedback on any aspect of the draft Order. For ease of review, we have collated these questions below:

**The AER would appreciate feedback on:**

- 1) Whether some of the proposed information for qualitative collection would be better gathered using survey-style questions. If so, please identify the information.
- 2) Whether the framing of the draft qualitative questions is clear, appropriate and answerable. If not, please provide detail on your preferred framing.
- 3) The collection of operating cost related information, including:
  - a) the proposed initial approach of qualitative questions relating to operating cost information instead of short run marginal cost data.
  - b) stakeholder views on the best way to provide the required information.
- 4) Whether there are any other agencies or organisations that collect information that may meet the needs of our wholesale market monitoring and reporting function. If so, please advise.
- 5) The burden the Order is likely to impose. This could include whether:
  - a) the required information is readily available, and in the required format.
  - b) any system changes would be required to efficiently provide the information required by the Order.
- 6) Any estimated costs of complying with the Order and where they are attributed (for example, system changes).
- 7) Any suggestions on further approaches to minimise participant burden and/or costs while maintaining the integrity of the information required.
- 8) Whether the proposed response due dates (both initial and ongoing) provide reasonable timeframes for setting up new reporting systems to meet the requirements and resourcing for ongoing reporting. If not, please provide details of your preferred timing and basis for the preferred timing.
- 9) Our approach to the AER Portal and data management, and any considerations relevant to the external user experience, including the burden or cost of using the portal as shown in Appendix A.
- 10) Whether the requirements of the data portal are clear, and any suggestions for improvement.



## 2 Key feedback received during informal consultation in developing the Order

During the Guideline development process, stakeholders expressed an interest in detailed engagement on the development of the draft Order. In response, we provided stakeholders with informal engagement opportunities (including via one-on-one meetings and accepting email feedback) beyond our legislative requirements to inform the development of the draft Order.

We also considered feedback received in response to the consultation on our Issues Paper and Draft Guideline,<sup>5</sup> where relevant to our information collection.

We have considered stakeholder feedback in developing our draft Order. This includes, but is not limited to, the following.<sup>6</sup>

### Use of specific information

- Stakeholders encouraged us to clearly articulate the rationale for collecting each type of information. They indicated that responses are likely to be more fulsome and valuable if they know what analyses specific questions are intended to inform.
- We have provided guidance in the draft Order as to the types of issues the information collection is designed to help us to understand.

### Collecting information from alternative sources

Stakeholders provided some suggestions for alternative sources of some of the information considered for collection including:

- The Australian Energy Market Operator's (AEMO) Projected Assessment of System Adequacy (PASA) reporting for information relating to proposed qualitative questions on fuel security and other operational issues; and
- AEMO's Settlement Residue Auction, data on the outcomes of the auctions.

We have engaged with AEMO and we will:

- obtain the relevant data on Interregional Settlement Residue Auction Units directly from AEMO, rather than from market participants;
- continue to explore with AEMO the information it collects as part of its PASA process to determine if it is a feasible alternative to the information we are seeking from stakeholders; and
- we are continuing to explore other alternative sources and refine our approach where appropriate and feasible, in line with the guiding principles in our Guideline.

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<sup>5</sup> [Enhanced Wholesale Market Monitoring and Reporting Guideline – Issues paper for stakeholder feedback](#), March 2024; [Wholesale Market Monitoring and Reporting Draft Guideline](#), July 2024.

<sup>6</sup> Some stakeholder feedback is discussed in section 3 with respect to approaches to minimise burden.

### Non-energy market participants

- Stakeholders emphasised that contracting by financial parties is an important component of the electricity contract market.
- We agree that understanding the role of non-energy market participants in the electricity contract markets would be very beneficial to our overall understanding of market outcomes, including the extent of speculation and hedging in contract markets and other factors influencing liquidity and pricing. While not included in this Order, we are scoping future collection of information to provide this visibility.

### Collection of metrics on operating cost

- Stakeholders encouraged us not to collect metrics on short run marginal costs (SRMC) of generating units, questioning the value of the complex metrics to our functions. Two main points were noted by stakeholders on this: methodologies for calculating these costs vary between generators, and SRMC is not a useful metric for examining behaviour given the current market design of the National Electricity Market.
- We acknowledge stakeholder concerns in this regard. For this collection, instead of collecting actual SRMC figures, as a first step we propose gathering qualitative information on how generators use, calculate, manage and consider costs as part of their regular market operation. Obtaining this information will provide us with a better understanding of the role costs play in generator behaviour and provide useful context to our analysis. This approach will enable more efficient and effective collection of specific cost information when quantitative information is collected in future.
- Generators are not required to have regard to their costs in deciding how to offer their capacity to the market. However, we still consider that understanding the role costs play in a generator's decision making is essential for our analysis of the performance of the market. Consistent with our previous reporting, no single metric will determine our assessment of the effectiveness of competition or market efficiency. Our assessments will consider the full suite of available information and analysis performed as part of our wholesale market monitoring and reporting functions.

### Specificity and definitions

- Stakeholders encouraged us to:
  - ensure any qualitative questions are highly targeted and clearly defined; and
  - clearly define the scope of Power Purchase Agreements (PPAs) we intend to collect and exclude retail PPAs.
- We have carefully considered the drafting of our qualitative questions to ensure that the information sought and relevant time periods are clear. This includes adopting some suggested wording changes proposed by stakeholders during informal engagement.
- Stakeholders suggested we consider using survey-style questions for qualitative collection, rather than open-ended questions. We consider there may be merit in this approach and are interested in stakeholder feedback on the suggestion of survey-style questions.

- We have endeavoured to clearly define PPAs within the draft Order, consistent with our intention to only collect wholesale PPAs.

#### Ongoing analysis

- Some stakeholders raised concerns of potentially erroneous conclusions being drawn in our analysis.
  - For example, concern that we would undertake simplistic price comparisons for exchange and over-the-counter (OTC) standard contracts, that do not account for the bespoke elements of the OTC contracts. We appreciate this complexity and through this work intend to develop a more nuanced understanding of the OTC contract market that facilitates in-depth analysis and delivers meaningful insights to policy makers and industry.
- We encourage participants to share any additional information that they believe is necessary to understand their responses to our Orders, at any time, by providing supporting information when submitting data through our portal or by contacting the AER via email at [ContractMarketMonitoring@aer.gov.au](mailto:ContractMarketMonitoring@aer.gov.au).
- Stakeholder engagement and feedback will continue to inform our wholesale market monitoring functions as we begin to collect and analyse and report on information. We encourage stakeholders to reach out where they consider additional engagement is necessary to mitigate concerns regarding ongoing analysis.

#### **The AER would appreciate feedback on:**

- 1) Whether any of the required information for qualitative collection would be better gathered using survey-style questions. If so, please identify the specific information.
- 2) Whether the framing of the draft qualitative questions is clear, appropriate and answerable. If not, please provide detail on your preferred framing.
- 3) The collection of operating cost related information, including:
  - a) the proposed initial approach of qualitative questions relating to operating cost information instead of short run marginal cost data.
  - b) stakeholder views on the best way to provide the required information.
- 4) Whether there are any other agencies or organisations that collect information that may meet the needs of our wholesale market monitoring and reporting function. If so, please advise.

### 3 Approaches adopted to minimise burden

In designing the draft Order, we have undertaken a preliminary assessment of the burden likely to be incurred by stakeholders relative to the insights that the information will deliver for our monitoring and reporting functions.<sup>7</sup> We are interested in stakeholder feedback on the likely burden that the draft Order would impose, and any estimates of the costs of complying with the draft Order. We will consider this feedback prior to making the final Order.

**The AER would appreciate feedback on:**

- 5) The burden the Order is likely to impose. This could include whether:
  - a) the required information is readily available, and in the required format.
  - b) any system changes would be required to efficiently provide the information required by the Order.
- 6) Any estimated costs of complying with the Order and where they are attributed (for example: system changes, manual handling, legal review).
- 7) Any suggestions on further approaches to minimise participant burden and/or costs while maintaining the integrity of the information required.
- 8) Whether the proposed response due dates (both initial and ongoing) provide reasonable timeframes for setting up new reporting systems to meet the requirements and resourcing for ongoing reporting. If not, please provide details of your preferred timing and basis for the preferred timing.

This section outlines some of the approaches we have taken in developing the draft Order to minimise burden.

Approaches for standard contracts

We understand from stakeholders that it is relatively easy to provide quantitative data on exchange trades and standard OTC products<sup>8</sup> as they are standardised and easily definable.

However, we continue to explore the possibility of obtaining information on exchange trades directly from the Australian Securities Exchange (ASX), the Financial and Energy Exchange Global (FEX) and/or clearing parties, including counterparty information. If practical, this may enable us to reduce the quantity and scope of information requested from energy market participants in future.

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<sup>7</sup> Per section 18EG of the National Electricity Law.

<sup>8</sup> OTC contracts that have contract terms that embody the essential characteristics, but are not necessarily exactly the same as standard base, cap, peak and options contracts traded on an Exchange (as defined in the draft Order).

### Approaches for non-standard contracts and agreements

We understand from stakeholders that non-standard OTC contracts and agreements are challenging and burdensome to summarise in standardised quantitative templates given their bespoke nature.

With the aim of minimising burden, the draft Order:

- Only requires information for large OTC non-standard hedging products, with a threshold set at a total volume of greater than 20MW:
  - We expect only a small number of contracts would exceed this threshold and would not be unduly burdensome to provide.
  - Collecting this information will provide us with visibility over trades that are particularly large and that may have a significant impact on behaviour or market outcomes.
  - We consider that information on OTC non-standard hedging products below the 20MW threshold is important for providing insights into the different ways that members of the specified class seek to hedge their risk and emerging trends as the energy transition progresses. However, to minimise overall industry burden, we propose to collect information on non-standard swap and cap style OTC hedging products from a targeted subset of participants (using Notices) rather than including it within this Order.
- Includes qualitative questions to capture basic information on other non-standard contracts, instead of requiring standardised quantitative information. This covers:
  - non-standard OTC contracts not captured within the quantitative data; and
  - weather derivatives.
- Adopts a flexible qualitative and quantitative approach for PPAs. This includes:
  - simple binary questions to seek a high-level understanding of key terms, in a way that we intend to be low burden; and
  - allowing participants to upload separate documents to provide further information in a less prescriptive form, including a copy of the PPA term sheet where applicable.

We may reevaluate these approaches having regard to changes in market dynamics and the prevalence of certain products.

### Consideration of frequency of information submission

In determining the frequency of information submission, we have weighed up our monitoring and reporting purposes against the burden of more frequent reporting on participants.

We propose the quarterly collection of certain information, including quantitative trade data on exchange trades, OTC standard products and large OTC non-standard products, and a subset of qualitative questions. The quarterly timeframe aligns with the typical trading timeframe of many standard products and the current AER reporting and analysis cycles and will allow the AER to stay reasonably abreast of market issues as they emerge. We

understand from stakeholder engagement that providing this information quarterly would not be overly burdensome.

We recognise that certain types of information entail a higher burden to report, and accordingly propose to restrict the collection of most qualitative information and PPA data to annually. This will minimise burden while still allowing us to fulfil our monitoring and reporting function, as most of the questions relate to matters of a longer-term nature and PPAs are typically longer-term agreements.

#### Timing of responses

Stakeholders have advised that the end of calendar year and financial year are high demand periods. In response to this, for annual information collection the draft Order proposes submission at the end of March each year.

For quarterly information collection, we propose allowing one month from the end of the relevant quarter to submit.

#### Limiting collection of historical information

We understand that there can be significant burden in setting up new reporting systems to meet our requirements, which would be compounded by requesting a large historical dataset. In recognition of stakeholder feedback received during the Guideline development, we have adopted two methods to minimise the burden of historical information collection in the draft Order:

- limiting the time horizon of historical collection for most OTC contract types to those entered into or in effect during 2023 and 2024; and
- providing 6 months for submission of historical information.

#### Assurance requirements

We have several avenues available to us to attest to the quality and completeness of information provided, including a statutory declaration.<sup>9</sup> However, we acknowledge that statutory declarations can present additional burden for participants. Accordingly, we instead propose to ask respondents to the Order to submit a signed proforma for certification.

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<sup>9</sup> National Electricity Law, section 18EM.

## 4 Other matters

### 4.1 Amending orders

We may amend or replace any part of the Order in accordance with the process outlined in the draft Order.

Circumstances that may warrant amending or replacing part of an Order include, but are not limited to:

- If there are material changes that alter our wholesale market monitoring and reporting functions or the information we can collect.
- If we identify that certain information is no longer reasonably required to perform our wholesale market monitoring and reporting functions.
- If we identify additional information which we consider is reasonably required to perform our wholesale market monitoring and reporting functions.
- If there are significant technological developments that alter how we propose to collect information.

We generally expect that the process of amending an Order will take a minimum of 3 months, depending on the complexity of the change. This allows for the minimum public consultation requirements associated with making an Order and appropriate consideration of any feedback received.<sup>10</sup>

### 4.2 Compliance framework

Section 18EL(1) of the NEL requires a person who is a member of a class of persons specified in an Order to comply with that Order.

This section of the NEL is a Tier 1 civil penalty provision.<sup>11</sup> Tier 1 civil penalty provisions carry the most severe penalties for non-compliance, reflecting the importance of the obligations to the regulatory framework.

We have a range of options available to address non-compliance with an Order, including administrative resolutions, guidance notes/compliance bulletins, infringement notices and court action. More information on our Compliance and Enforcement Policy is available on the AER website.<sup>12</sup>

Our general approach for new obligations is to work with participants to assist them to understand their obligations so they can put in place robust systems and processes to achieve compliance. Our approach to non-compliance is informed by our Compliance and Enforcement Policy, which sets out the principles we apply when taking a risk-based approach to our compliance and enforcement work.

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<sup>10</sup> Section 18EH of the National Electricity Law requires the AER to undertake public consultation in accordance with Clause 8.7.2B of the National Electricity Rules.

<sup>11</sup> Schedule 1 to the *National Electricity (South Australia) Regulations* provides that sections 18EK(1) and 18EL(1) are Tier 1 civil penalty provisions.

<sup>12</sup> [AER Compliance & Enforcement Policy](#), July 2021.

## 4.3 AER Portal and data management

All data submitted in response to the final Order must be submitted through our secure data portal. Appendix A provides a practical overview of the expected operation of our data portal, including screen captures to illustrate the process for Order recipients to submit data. We have systems and frameworks in place to ensure collected data and information is managed effectively, and necessary security frameworks are applied.

We acknowledge that collecting information that is highly commercially sensitive and/or confidential introduces risk. We are committed to ensuring the effectiveness of our information access and management arrangements to mitigate this risk.

Our portal is routinely subjected to rigorous penetration and security testing, and documents submitted to us are stored in our official document management repository. Documents are ingested and automatically routed to the appropriate workspaces where role-based access controls can be applied to ensure data and information is accessed on a need-to-know basis. Data is encrypted both in motion and at rest.

When accessing the portal, users will be required to agree to our standard terms and conditions. A range of information will be logged during use and stored including login ID and source IP address. This may include:

- file name
- file size
- date and time of upload
- portal user details such as email address, phone number, names and entity information.

We note all information must not be submitted with password protection or other security measures that may prevent us being able to use and access that information. Password-protected template files cannot be ingested or validated into our secure data platform.

We encourage stakeholders to reach out should they have any concerns regarding our approach to data security.

### **The AER would appreciate feedback on:**

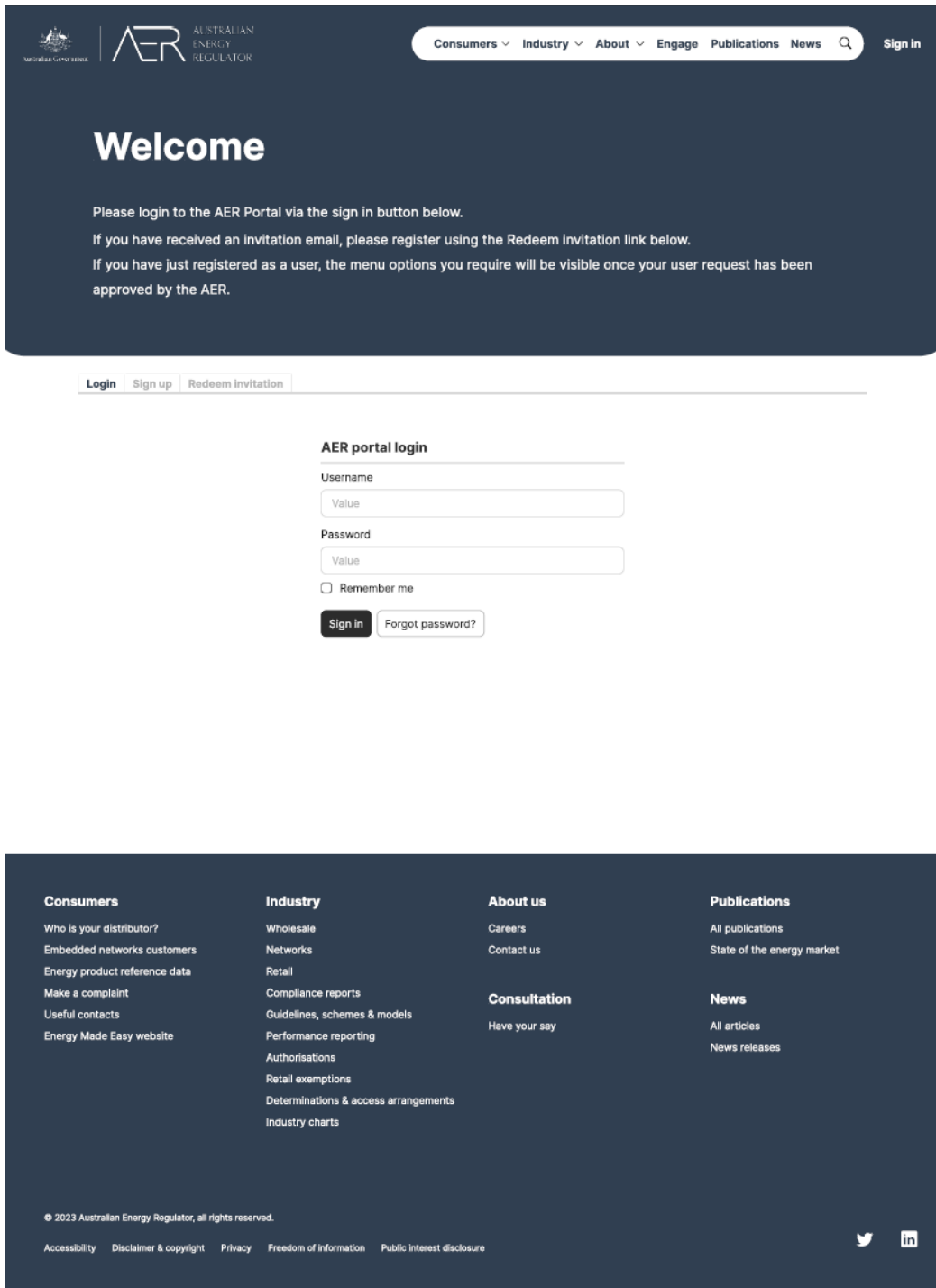
- 9) Our approach to the AER Portal and data management, and any considerations relevant to the external user experience, including the burden or cost of using the portal as shown in Appendix A.
- 10) Whether the requirements of the data portal are clear, and any suggestions for improvement.



# Appendix A: AER Portal

The AER Portal will be accessible via <https://portal.aer.gov.au>.

## Login



- Participants will receive an invitation email from the AER and ne able to go through the registration process to access the AER Portal for data submission.

## Redeem Invitation

**Welcome**

Please register for the AER Portal via the Sign In link above in order to access the areas that you require.  
If you have just registered as a user, the menu options you require will be visible once your user request has been approved by the AER.

[Login](#) [Sign up](#) [Redeem invitation](#)

**AER invitation code**

Code

**Verify**

**Consumers**

- Who is your distributor?
- Embedded networks customers
- Energy product reference data
- Make a complaint
- Useful contacts
- Energy Made Easy website

**Industry**

- Wholesale
- Networks
- Retail
- Compliance reports
- Guidelines, schemes & models
- Performance reporting
- Authorisations
- Retail exemptions
- Determinations & access arrangements
- Industry charts

**About us**

- Careers
- Contact us

**Consultation**

- Have your say

**Publications**

- All publications
- State of the energy market

**News**

- All articles
- News releases

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- This screen shows part of the invitation process.

## Contact Details

The screenshot displays the AER website's registration interface. At the top, the AER logo and navigation menu are visible. The main content area features a 'Welcome' message and a 'Register for a new account' form. The form includes fields for Email, Username, Password, and Confirm password, along with a 'Register' button. Below the form, a footer section provides links to various website categories and legal information.

**Consumers**

- Who is your distributor?
- Embedded networks customers
- Energy product reference data
- Make a complaint
- Useful contacts
- Energy Made Easy website

**Industry**

- Wholesale
- Networks
- Retail
- Compliance reports
- Guidelines, schemes & models
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- Authorisations
- Retail exemptions
- Determinations & access arrangements
- Industry charts

**About us**

- Careers
- Contact us

**Consultation**

- Have your say

**Publications**

- All publications
- State of the energy market

**News**

- All articles
- News releases

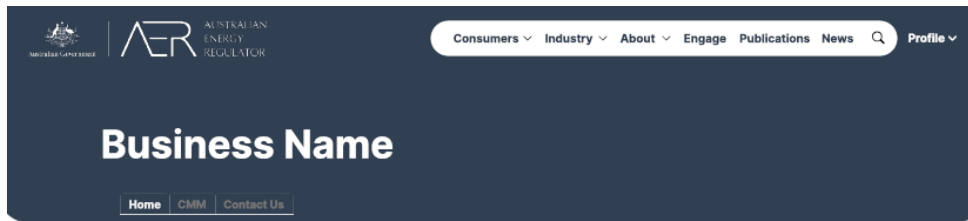
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- This screen shows part of the invitation process.

## AER Homepage



### About AER Portal

Welcome to the Australian Energy Regulator (AER) Portal.

We are the official digital service designed to support energy market participants, regulators, and stakeholders in accessing critical regulatory information and services. Our portal is part of the Australian Government's commitment to transparency, efficiency, and compliance within the energy sector.

Through this platform, we aim to streamline processes, facilitate compliance reporting, and provide a secure and efficient way for businesses and individuals to engage with the AER.

The AER portal provides access to key regulatory functions, including the submission of compliance data, access to regulatory decisions, and important updates affecting the energy market. The portal is designed to simplify your interactions with the AER and ensure you can meet your obligations under Australian energy laws.

#### Your Obligations

As a user of the AER portal, you are required to:

- Provide accurate information: Ensure that all details submitted to the AER on behalf of your organisation are correct and up-to-date.
- Meet regulatory deadlines: Submit all required documentation, reports, and data within the specified timeframes.
- Maintain confidentiality: Protect any sensitive data accessed through the portal and ensure that it is not shared with unauthorised individuals.
- Report breaches: Inform the AER if you detect any potential security breaches, misuse of data, or unauthorised access.

Failure to comply with these obligations could lead to penalties, suspension of access, or legal action in accordance with Australian energy law.

#### Security and Privacy

The AER takes the security of your information seriously. We employ industry-standard security protocols, including encryption, to protect the data stored and transmitted through our portal. User activity is closely monitored to prevent unauthorised access or fraudulent actions.

Please note: We will never send you requests outside of our official case management system. If any action is required on your part, you will be notified through the portal and instructed to log in and respond accordingly.

You are responsible for safeguarding your login credentials and ensuring they are not shared with unauthorised users. In case of suspected unauthorised access or any breach of security, please notify us immediately.

We appreciate your cooperation and commitment to supporting a fair and transparent energy market. Together, we can ensure compliance with regulatory standards and contribute to the efficient operation of Australia's energy market.

#### Support Centre

Our team will respond within 4 to 12 hours during business hours, Monday to Friday 10 am to 3 pm AEST/AEDT.

Please visit the [Help](#) section or [Contact Us](#) our support team for further assistance.

#### Phone

Australia: 1300 585 165  
International: +61 2 6243 1305  
Email: [serinquiry@aer.gov.au](mailto:serinquiry@aer.gov.au)

#### For general enquiries only

Write to us  
GPO Box 3131  
Canberra ACT 2601



- After successful registration, participants will be taken to the Homepage.

## AER Submission List

**Business Name**

Home CMM Contact Us

Consumers Industry About Engage Publications News Profile

Incomplete **5** Complete Exempt

### Contract Market Monitoring Submissions

Your energy submission obligations

Review the mandatory submissions and data required by the AER to ensure you remain compliant with Australian energy laws and regulations.

Incomplete Overdue 30 days

Due 25th of September 2024

**MMIO-ELEC-2025-01**

Short description goes here about the requirement, legal obligations and what data is required to be submitted for this specific package.

Submit Data Request Date Extension Request Exemption

Incomplete Due 30 days

**MMIN-ELEC-2025-01**

Incomplete Due 60 days

**MMIO-GAS-2025-01**

Incomplete Due 90 days

**MMIN-GAS-2025-01**

Incomplete Due 120 days

**MMIN-GAS-2025-02**

[Request to add submission](#)

1 2 3 ... 67 68

**Consumers**

- Who is your distributor?
- Embedded networks customers
- Energy product reference data
- Make a complaint
- Useful contacts
- Energy Made Easy website

**Industry**

- Wholesale
- Networks
- Retail
- Compliance reports
- Guidelines, schemes & models
- Performance reporting
- Authorisations
- Retail exemptions
- Determinations & access arrangements
- Industry charts

**About us**

- Careers
- Contact us

**Consultation**

- Have your say

**Publications**

- All publications
- State of the energy market

**News**

- All articles
- News releases

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- The CMM tab on the top menu will take the participant to the CMM landing page, where they will be able to see all due reporting requirements.
- The dropdown icon will expand the view to show submission details.
- The 'Submit Data' button will take the participant to the file upload page.

## AER Package Upload

The screenshot displays the AER website's 'Business Name' upload interface. At the top, the navigation bar includes 'Consumers', 'Industry', 'About', 'Engage', 'Publications', 'News', and 'Profile'. The main heading is 'Business Name'. Below this, a modal window titled 'Contract Market Monitoring Submissions' is open. It contains the following elements:

- Header:** 'Contract Market Monitoring Submissions' with a close button (X).
- Text:** 'Documents and data we require from you'. Below this, a paragraph explains the need for detailed lists of essential documents and data for regulatory compliance, mentioning a 'submission guide' and 'downloadable templates'.
- Section:** 'MMIO-ELEC-2025-01 Quarter 1 2025'.
- Alert:** A red warning box states: 'There were 250 errors found for file Template Name 1, file Template Name 2, file Template Name 3, please Download Error Log and try again. For more information, go to Help & Support'.
- Upload Area:** A large box with a 'Drag and Drop file' instruction and a 'Browse' button. Below the button, it specifies 'Max file size: 500g' and 'Supported file types: PDF, XLS'.
- File List:** A list of required files, each with a 'PDF' icon, a description, and a status indicator:
  - Exchange-traded products (energy products):** Hedge contracts traded through exchanges, such as ASX and FX Global. Status: . Includes a link to 'download an AER blank template' and a radio button for 'No data for this period'.
  - Power Purchase Agreements (PPAs):** Long term agreements for the provision of renewable power. Status: . Includes a link to 'download an AER blank template' and a radio button for 'No data for this period'.
  - Pro-Forma:** To certify the accuracy and completeness of the submission. Status: . Includes a link to 'download an AER blank template'.
  - Supporting Files:** Additional information to support the submission. Status: . Includes a link to 'download an AER blank template' and a radio button for 'No data for this period'.
- Supporting Information:** A text input field labeled 'Value'.
- Buttons:** 'Next', 'Save', and 'Discard' buttons at the bottom right of the modal.

At the bottom of the page, there is a dark blue footer containing a menu with the following categories and links:

- Consumers:** Who is your distributor?, Embedded networks customers, Energy product reference data, Make a complaint, Useful contacts, Energy Made Easy website.
- Industry:** Wholesale, Networks, Retail, Compliance reports, Guidelines, schemes & models, Performance reporting, Authorisations, Retail exemptions, Determinations & access arrangements, Industry charts.
- About us:** Careers, Contact us.
- Consultation:** Have your say.
- Publications:** All publications, State of the energy market.
- News:** All articles, News releases.

Additional footer information includes: '© 2023 Australian Energy Regulator, all rights reserved.', 'Accessibility', 'Disclaimer & copyright', 'Privacy', 'Freedom of Information', 'Public interest disclosure', and social media icons for Twitter and LinkedIn.

- The participant can view a list of files they have to upload. These can be dragged and dropped or uploaded via the 'Browse' button.
- Each submission will require mandatory files, and include the opportunity for optional supporting files.
- The Portal will conduct a validation check for uploaded documents. Details of any validation errors will be provided in a downloadable error log.

## AER Package Submit

**Business Name**

**Contract Market Monitoring Submissions**

Agree to our terms and conditions

Before using our platform, please review and agree to the terms and conditions that govern your access and participation in AER-related services.

The Australian Energy Regulator (AER) portal is an official online service provided by the Australian Government. Access to this portal is strictly limited to authorised users.

As an authorised user, you are responsible for:

1. Ensuring that all information submitted to the AER on behalf of your organisation is accurate, up to date, and includes the data you have used.
2. Declaring that if services were not used during a specific period, no data was captured or processed during that time.
3. Keeping your login credentials secure and ensuring that no one else uses your credentials to access the portal.
4. Informing the AER immediately if you suspect your login details have been compromised.

You are strictly prohibited from:

1. Participating in any illegal or fraudulent activities.
2. Accessing data without the appropriate authorisation.
3. Inserting, modifying, deleting, or destroying data without authorisation.
4. Performing any actions that impair or limit the ability of others to use this service.

By using the AER portal, you confirm that all information and data you provide is accurate and agree to comply with these terms and conditions.

I accept and confirm

**Submit** **Save** **Discard**

**Consumers**  
 Who is your distributor?  
 Embedded networks customers  
 Energy product reference data  
 Make a complaint  
 Useful contacts  
 Energy Made Easy website

**Industry**  
 Wholesale  
 Networks  
 Retail  
 Compliance reports  
 Guidelines, schemes & models  
 Performance reporting  
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 Industry charts

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- Once all files are uploaded the participant will be taken to the final submission page, where they will be provided with the relevant terms and conditions.
- The participant can click 'Submit' to finalise the submission process.

## AER Submission List

**Business Name**

Home CMM Contact Us

Incomplete Complete 1 Exempt

### Contract Market Monitoring Submissions

Subheading

Short description about the process and any information goes here

Complete

Submitted 30th of September 2024

**MMIO-ELEC-2025-01 Quarter 1 2025**

Short description goes here about the requirement, legal obligations and what data is required to be submitted for this specific package.

View Submission Resubmit Data Request

1 2 3 ... 67 68

**Consumers**  
Who is your distributor?  
Embedded networks customers  
Energy product reference data  
Make a complaint  
Useful contacts  
Energy Made Easy website

**Industry**  
Wholesale  
Networks  
Retail  
Compliance reports  
Guidelines, schemes & models  
Performance reporting  
Authorisations  
Retail exemptions  
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Twitter LinkedIn

- Once the response is submitted, the participant will be redirected to a page showing a list of all completed responses.



# Annex 1: Summary of proposed requirements for the Market Monitoring Information Order

The below table provides a broad summary of information proposed to be collected by the AER using the Electricity Market Monitoring Information Order subject to this consultation. The proposed information will be finalised following a period of consultation, as required prior to the AER making final Order.

The obligations of persons captured by an Order are outlined within that Order. The below table is provided for reference only and does not substitute or replace the contents of the relevant Order. Persons should refer to the Order for details on how to provide the information, and the required format.

**Table 1: Draft MMIO-ELEC-2025-01**

Quantitative information	Frequency	Classes of persons	Initial due dates
Exchange-traded products	Quarterly	<ul style="list-style-type: none"> <li>• Retailers</li> <li>• Market generators</li> <li>• Trading companies</li> </ul>	Historic information: 31 August 2025 Current information: 31 May 2025
Over-the-counter (OTC) products: <ul style="list-style-type: none"> <li>• standard (&gt;1MW)</li> <li>• large non-standard (&gt;20MW)</li> </ul>			
Power Purchase Agreements (PPAs)	Annually		Historic information: 31 August 2025 Current information: 30 June 2025
Qualitative information	Frequency	Classes of persons	Initial due dates
How participants use, calculate and consider costs in decision making	Annually	<ul style="list-style-type: none"> <li>• Market generators</li> <li>• Integrated resource providers (IRPs)</li> </ul>	Due: 31 May 2025
Updates to corporate structure	Annually	<ul style="list-style-type: none"> <li>• Market generators</li> <li>• Retailers</li> <li>• IRPs</li> </ul>	Due: 30 April 2025
Clearing participants used, barriers to accessing contracts on the ASX/FEX, and access to OTC counterparties	Annually	<ul style="list-style-type: none"> <li>• Retailers</li> <li>• Market generators</li> <li>• IRPs</li> <li>• Trading companies</li> </ul>	Due: 30 June 2025

Wholesale Market Monitoring and Reporting – MMIO-ELEC-2025-01 – Explanatory Statement

Qualitative information	Frequency	Classes of persons	Initial due dates
<b>Market liquidity and contract market dynamics</b>			
<ul style="list-style-type: none"> <li>The relative significance of non-standard OTC contacts and weather derivatives</li> <li>Trade conducted on the ASX and FEX</li> </ul>	Annually	<ul style="list-style-type: none"> <li>Retailers</li> <li>Market generators</li> </ul>	Due: 30 June 2025
Trading strategies		<ul style="list-style-type: none"> <li>Market generators</li> <li>IRPs</li> </ul>	
<b>Incentives for spot offer behaviour</b>			
Participation in government schemes (and effect on behaviour)	Annually	<ul style="list-style-type: none"> <li>Market generators</li> <li>IRPs</li> </ul>	Due: 30 June 2025
Fuel supply security and operational restrictions, AEMO contracts	Quarterly		Due: 31 May 2025
<b>Risk positions</b>			
Risk positions and abilities to meet ASX/FEX/clearing participant margin requirements	Annually	<ul style="list-style-type: none"> <li>Retailers</li> <li>Market generators</li> <li>IRPs</li> <li>Trading companies</li> </ul>	Due: 30 June 2025
Ability to obtain contracts to comply with internal risk management policies		Retailers	