



AER (Retail Law) Performance Reporting Procedures and Guidelines

July 2011

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Shortened forms

| | |
|-----------------------------|---|
| ACCC | Australian Competition and Consumer Commission |
| AER | Australian Energy Regulator |
| CCG | Consumer Consultative Group |
| Gas Law | National Gas Law |
| Electricity Law | National Electricity Law |
| Procedures and Guidelines | These AER Compliance Procedures and Guidelines, developed under s. 281 of the National Energy Retail Law |
| regulated entity | Has the meaning given in s. 3 of the National Energy Retail Law |
| Retail Law | National Energy Retail Law |
| Retail Regulations | National Energy Retail Regulations |
| Retail Rules | National Energy Retail Rules |
| Gas Law | National Gas Law |
| Gas Rules | National Gas Rules |
| Electricity Law | National Electricity Law |
| Electricity Rules | National Electricity Rules |
| ACCC/AER Information Policy | <i>ACCC–AER Information policy: The collection, use and disclosure of information</i> , available from the AER’s web site |

1 Introduction

1.1 Purpose of these Procedures and Guidelines

1.1.1 The AER Performance Reporting Procedures and Guidelines (Procedures and Guidelines) set out the manner and form in which regulated entities must submit information and data to the AER relating to their performance under the National Energy Retail Law (Retail Law) and National Energy Retail Rules (Retail Rules), including the dates by which it must be submitted.¹

1.1.2 Regulated entities are required to submit information and data to the AER in the manner prescribed by these Procedures and Guidelines.²

1.2 Application of these Procedures and Guidelines

1.2.1 These Procedures and Guidelines apply to regulated entities in a participating jurisdiction from the date the Retail Law and Rules commence in that participating jurisdiction. The AER will report on regulated entities' performance under the Retail Law and Rules from that date.

1.3 Confidentiality and use of information

1.3.1 The AER's obligations regarding confidentiality and disclosure of information provided to it by a regulated entity are governed by the Retail Law, National Electricity Law (Electricity Law), National Gas Law (Gas Law) and the *Competition and Consumer Act 2010* (Cth). For further information refer to the *ACCC–AER Information policy: The collection, use and disclosure of information* (ACCC/AER Information Policy), available from the AER's web site.³

1.3.2 Where information is obtained by the AER under the Retail Law, the AER may use the information for a purpose connected with the performance or

¹ s. 286, National Energy Retail Law.

² s. 282, National Energy Retail Law.

³ <http://www.aer.gov.au/content/index.phtml/tag/aerPublications/>

exercise of its functions or powers under the Electricity Law, Electricity Rules, Gas Law or Gas Rules.⁴

- 1.3.3 Information may be shared between the AER and ACCC under sections 44AAF and 157A of the *Competition and Consumer Act 2010* (Cth). As set out in the ACCC/AER Information Policy, if the ACCC or the AER has obtained information in the course of one matter which is relevant to another matter, the ACCC or the AER will, in general, share and use that information in the context of the other matter subject to any specific legal requirement to the contrary.

1.4 Processes for guideline revision

- 1.4.1 The AER may amend or replace these Procedures and Guidelines from time to time in accordance with the retail consultation procedure set out in Part 12 of the Retail Rules.⁵

⁴ ss. 216, 274(2) and 284(2), National Energy Retail Law.

⁵ s. 286(40), National Energy Retail Law; r. 173, National Energy Retail Rules.

2 Obligation to submit information and data on performance to the AER

2.1 Reporting requirements for regulated entities

- 2.1.1 Regulated entities must submit information and data relating to their performance to the AER in the manner and form (including by the date or dates) required by these Procedures and Guidelines.⁶
- 2.1.2 The information and data to be submitted under these Procedures and Guidelines is outlined in s282(1)(a)-(b) of the Retail Law and relates to:
- (a) the performance of the entity against the hardship program indicators and distributor service standards; and
 - (b) the activities of the entity in relation to the other matters that are required by the Retail Rules to be included in a retail market performance report.
- 2.1.3 The AER has listed the information and data that is required to be submitted to the AER under these Procedures and Guidelines in the following schedules:
- (a) Schedule 1 – Glossary;
 - (b) Schedule 2 – Retail market overview;
 - (c) Schedule 3 – Retail market activities report;
 - (d) Schedule 4 – Hardship program indicators⁷;
 - (e) Schedule 5 – Distribution service standards, associated GSL schemes and small claims compensation regimes.

⁶ s. 282(1), National Energy Retail Law.
⁷ r. 75, National Energy Retail Rules.

- 2.1.4 The AER may use any information or data provided to it under s. 282(2) of the Retail Law for the preparation of retail market performance reports; or reports under the Retail Law, Electricity Law or Gas Law.
- 2.1.5 Failure to submit information and data referred to in this s. 282(1) of the Retail Law in the manner and form required by the AER Performance Procedures and Guidelines is a breach of the Retail Law, and may attract civil penalties.⁸ If a corporation contravenes this obligation to comply, each officer of the corporation is to be taken to have contravened this obligation if the officer knowingly authorised or permitted the contravention or breach.⁹ An officer of a corporation may be proceeded against whether or not proceedings have been taken against the corporation itself.¹⁰
- 2.1.6 The *Criminal Code Act 1995* (Cth) makes it a serious offence to give information to the AER knowing it to be false or misleading or omitting any matter or thing without which the information is misleading. If found guilty of such an offence, a penalty may be imposed under the *Crimes Act 1914* (Cth).

2.2 Date(s) by which information and data must be submitted

Quarterly indicators – intra-financial year reports

- 2.2.1 Intra-financial year reports on quarterly performance indicators must be submitted in writing to the AER by the following dates:
- (a) The report for the period 1 July to 30 September (the Q.1 report) must be submitted to the AER no later than 31 October in each year;
 - (b) The report for the period 1 October to 31 December (the Q.2 report) must be submitted to the AER no later than 31 January in each year;

⁸ ss. 282(1) and 4, National Energy Retail Law.

⁹ s. 304(1), National Energy Retail Law

¹⁰ s. 304(2), National Energy Retail Law

- (c) The report for the period 1 January to 31 March (the Q.3 report) must be submitted to the AER no later than 30 April in each year.

Quarterly indicators – end of financial year reports

- 2.2.2 A consolidated written report (Q.4 report) on all quarterly performance indicators for the relevant financial year must be submitted by 31 August in each year. The consolidated report must contain all information and data required for quarterly indicators for the period 1 April to 30 June, as well as that previously submitted to the AER in Q.1, Q.2 and Q.3 reports for the relevant financial year.

Annual indicators – end of financial year reports

- 2.2.3 Reports on annual performance indicators must be submitted in writing to the AER no later than 31 August for the preceding financial year, together with the Q.4 report submitted under clause 2.2.2.

2.3 Manner and form in which information and data must be submitted

- 2.3.1 Written reports submitted by a regulated entity under clauses 2.2.1, 2.2.2 and 2.2.3 must be:
- (a) prepared using the pro-forma in Appendix A.1; and
 - (b) accompanied by a completed AER Performance Reporting Template (see Appendix A.2).
- 2.3.2 Information and data must be provided on a monthly, quarterly and/or annual basis as specified in the AER Performance Reporting Template.
- 2.3.3 Unless otherwise specified in the AER Performance Reporting Template, data must be reported on a jurisdictional basis.
- 2.3.4 To ensure robust interpretation of this data, the AER encourages regulated entities to provide accompanying commentary in the pro forma provided (Appendix A.3). The commentary should highlight and explain key factors relevant to the level of and trends in performance. The AER may also seek further information from regulated entities to assist in understanding and interpreting any information and data provided.

- 2.3.5 Intra-financial year reports on quarterly performance indicators under clause 2.2.1 must be signed by the Chief Executive Officer (CEO) of the regulated entity or a delegate appointed by the CEO for this purpose.
- 2.3.6 End of financial year reports on quarterly and annual performance indicators under clauses 2.2.2 and 2.2.3 must be signed by the CEO of the regulated entity.

2.4 Process for submission of reports

- 2.4.1 Reports must be submitted by email to the Chief Executive Officer, Australian Energy Regulator at AERInquiry@ aer.gov.au, with subject heading “RETAIL MARKET PERFORMANCE REPORT [Q.1/2/3/4] – Attention CEO”.

Schedule 1: Glossary and general reporting conventions

Glossary

| | |
|------------------------------|---|
| Customer: | has the meaning given in sections 2 and 5(1) of the Retail Law. Different customer categories must be identified for different indicators, as specified in the tables below. Unless otherwise specified, the following definitions apply: |
| Small customer: | has the meaning given in sections 2 and 5(2) of the Retail Law, and includes residential customers and small business customers. |
| Residential customer: | has the meaning given in section 2 of the Retail Law. |
| Small business customer: | has the meaning given in sections 2 and 5(2)(b) of the Retail Law, and includes small market offer customers. |
| Small market offer customer: | has the meaning given in section 5(4) of the Retail Law. |
| Large customer: | has the meaning given in section 5(3) of the Retail Law. |
| Hardship program customer: | means a residential customer who has been accepted into, or is participating in, a retailer's hardship program. |
| Energy concession customer: | means a residential customer that is recorded by the retailer as being entitled to receive an energy concession, where the concession is administered or delivered by the retailer. Additional explanatory detail is provided in Schedule 3. |
| Prepayment meter customer: | means a small customer using a prepayment meter system (PPM) under a prepayment meter market retail contract for electricity or gas, and includes customers using a PPM during a trial period. |
| Participating jurisdiction: | means a jurisdiction in which the Retail Law, Rules and Regulations has commenced in whole or in part. For this purpose, the Retail Law, Rules and Regulations are taken to have commenced on the date from which the provisions of the Retail Law, Rules and Regulations apply to regulated entities in that jurisdiction. |
| Relevant reporting period: | means the period by reference to which an indicator is to be measured, recorded and submitted to the AER. e.g. If the relevant reporting period for an indicator is 'Quarterly', data must be recorded for that quarter (at the required interval) and submitted to the AER at the conclusion of the quarter. |

Previous 12 months is the 12 month (four quarter) period prior to the end of (but including) the relevant reporting period.

Previous 24 months is the 24 month (eight quarter) period prior to the end of (but including) the calendar month to which the report applies.

General reporting conventions

Reporting frequency

Different protocols apply to different indicators:

Data for a specified relevant reporting period may be required in respect of intervals within that period. e.g. If the relevant reporting period for an indicator is ‘Quarterly’, a regulated entity may be required to record data for each month within the quarter, and that monthly data submitted to the AER at the conclusion of the quarter.

Data for a specified relevant reporting period may be required in aggregate/total or as an average e.g. If the relevant reporting period for an indicator is ‘Quarterly’, data may be required in aggregate for that quarter, or as an average over that quarter.

Data for a specified relevant reporting period may be required by reference to the period as a whole, or at a fixed point in time within that period e.g. If the relevant reporting period for an indicator is ‘Quarterly’, data may be required in aggregate/on average for that quarter, or as at the last calendar day of that quarter.

Fuel type (electricity, gas)

Data must be reported separately for electricity and gas for all indicators unless otherwise specified.

A customer who purchases both gas and electricity from a single retailer must be counted as one electricity customer **and** one gas customer.

Dual fuel customers will **not** be counted separately.

Participating jurisdictions

Data must be reported separately for each participating jurisdiction unless otherwise specified.

Customer category

Data must be reported separately for residential customers, small business customers and large customers unless otherwise specified.

Additional customer categories may apply to particular indicators.

Schedule 2: Retail market overview

Definitions

No additional definitions apply.

Indicators

| Indicator | Information and data required | Relevant reporting period |
|---|--|---------------------------|
| <p>S2.1. The number of customers on standard retail contracts</p> | <p>Retailers are required to submit:</p> <ul style="list-style-type: none"> (a) the total number of standard retail contracts for the supply of electricity, and (b) the total number of standard retail contracts for the supply of gas, <p>held on the last calendar day of the relevant reporting period in each of the following customer categories:</p> <ul style="list-style-type: none"> i. Residential customers ii. Small business customers <p>For the purposes of this indicator, the number of contracts held by small business customers must be presented as including small market offer customers.</p> <p>A customer who purchases both gas and electricity under a single standard retail contract with a retailer should be counted as one electricity customer and one gas customer.</p> | <p>Quarterly</p> |
| <p>S2.2. The number of customers on market retail contracts</p> | <p>Retailers are required to submit:</p> <ul style="list-style-type: none"> (a) the total number of market retail contracts for the supply of electricity, and (b) the total number of market retail contracts for the supply of gas, <p>held on the last calendar day of the relevant reporting period in each of the following customer categories:</p> <ul style="list-style-type: none"> i. Residential customers ii. Small business customers | <p>Quarterly</p> |

| | | |
|--|---|-----------|
| | <p>iii. Large customers</p> <p>For the purposes of this indicator, the number of contracts held by small business customers must be presented as including small market offer customers.</p> <p>A customer who purchases both gas and electricity under a single market retail contract with a retailer should be counted as one electricity customer and one gas customer.</p> | |
| S2.3. Offer of Standard retail contracts to small market offer customers | Retailers are required to inform the AER whether they offer small market offer customers standard retail contracts, or only market retail contracts. | Quarterly |

Schedule 3: Retail market activities report

Customer service and complaints

Definitions

| | |
|---|---|
| Automated or Integrated Voice Response (IVR) telephone systems: | include technology which allows customers to service their own enquiries by following the instructions and navigating menu choices via the telephone keypad or by speech recognition. |
| Complaint: | <p>means ‘an expression of dissatisfaction made to an organisation, related to its product/services, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected’. Complaints can be made in person, by telephone or in writing (for example, letter, email, facsimile).</p> <p>For the avoidance of doubt, complaints include the following type of contacts:</p> <ul style="list-style-type: none">▪ Where a customer expresses dissatisfaction and seeks a response or resolution regarding the conduct, action, proposed action, or failure to act by the retailer, its employees, agents, contractors or other representatives. This includes failure by the retailer to observe its published or agreed practices or procedures or in respect of a product or service offered or provided by the retailer or its representatives;▪ Where a customer threatens to involve, or enquired about the possibility of involving, a third party, for example, the jurisdictional energy ombudsman or Member of Parliament;▪ Where a complaint is directed to the retailer on behalf of the customer by an energy ombudsman scheme. |
| Billing complaint: | includes (but is not limited to) a complaint regarding prices, overcharging, high bills, billing errors, payment terms and methods, failure to receive government rebates and debt recovery practices including complaints about imminent and actual disconnection, etc. |
| Energy marketing complaint: | includes (but is not limited to) a complaint associated with a retailer’s or its agents/representatives’ actions in seeking to sign up a small customer for a contract for energy supply/service and may include matters such as the sales approach or conduct, advertising campaigns, contract terms, sales techniques, misleading conduct, etc. |
| Customer transfer complaint: | includes (but is not limited to) a complaint regarding the financial responsibility for a customer’s electricity or gas account being transferred to either an existing or new retailer and may also include general transfer complaints such as failure to transfer within a |

certain period, disruption of supply due to transfer and billing problems directly associated with transfer, etc.

Other complaints: include any complaint not included in the definitions of billing, energy marketing and customer transfer complaints above.

Indicators

| Indicator | Information and data required | Relevant reporting period |
|--|---|---------------------------|
| S3.1. Total number of calls to an operator | <p>For all participating jurisdictions, customer categories and fuel types, retailers must report the total number of calls to an operator or customer service officer, including sales calls and any abandoned calls to an operator as at the end of each quarter of the reporting period.</p> <p>Where retailers use an automated or IVR telephone system, any calls abandoned before the customer opts to speak to an operator should be excluded.</p> <p>For the purposes of this indicator national data can be reported under a single 'energy' category.</p> | Annual (financial year) |
| S3.2. Number and percentage of calls forwarded to an operator that are answered within 30 seconds. | <p>For all participating jurisdictions, customer categories and fuel types, retailers must report the number of calls forwarded to an operator that are answered within 30 seconds as at the end of each quarter of the reporting period. The corresponding percentage will be automatically calculated in the reporting template.</p> <p>Where retailers use an automated or IVR telephone system, the time to answer is measured from when the caller chooses to speak to an operator. In the case of non-automated or IVR telephone systems, the time commences when the call is received by the switchboard. Where a retailer's call centre provides an option to call the customer back within a defined period of time (rather than have the customer wait on hold until the next operator is available), the call will be considered to have been answered within 30 seconds providing the caller selected the option within 30 seconds and the telephone call was returned by the call centre within the defined time period.</p> <p>For the purposes of this indicator national data can be reported under a single 'energy' category.</p> | Annual (financial year) |
| S3.3. Average time before an operator answers a call | <p>For all participating jurisdictions, customer categories and fuel types, retailers must report for those calls forwarded to an operator, the average time before an operator answers the call as at the end of each quarter of the reporting period. Average time before an operator answers the call, will be the total time spent waiting (measured</p> | Annual (financial year) |

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|--|--|-------------------------|
| | <p>as per S 3.2) divided by the total number of calls to an operator (measured as per S 3.1).</p> <p>For the purposes of this indicator national data can be reported under a single ‘energy’ category.</p> | |
| S3.4. Number and percentage of calls abandoned before being answered by an operator. | <p>For all participating jurisdictions, customer categories and fuel types, retailers must report for those calls forwarded to an operator, the number of calls abandoned before being answered by an operator as at the end of each quarter. The corresponding percentage will be automatically calculated in the reporting template of the reporting period. For retailers with an automated or IVR telephone system,, retailers are required to report only those calls where the caller chooses to speak to an operator.</p> <p>For the purposes of this indicator national data can be reported under a single ‘energy’ category.</p> | Annual (financial year) |
| S3.5. Complaints—billing | <p>In each participating jurisdiction, retailers must report the number of complaints made in the reporting period about billing by:</p> <p>(a) residential customers; and</p> <p>(b) small business customers.</p> <p>For the purposes of this indicator data for each jurisdiction can be reported under a single ‘energy’ category.</p> | Quarterly |
| S3.6. Complaints—energy marketing | <p>In each participating jurisdiction, retailers must report the number of complaints made in the reporting period about energy marketing by:</p> <p>(a) residential customers; and</p> <p>(b) small business customers.</p> <p>For the purposes of this indicator data for each jurisdiction can be reported under a single ‘energy’ category.</p> | Quarterly |
| S3.7. Complaints—customer transfers | <p>In each participating jurisdiction, retailers must report the number of complaints made in the reporting period about customer transfers by:</p> <p>(a) residential customers; and</p> <p>(b) small business customers.</p> <p>For the purposes of this indicator data for each jurisdiction can be reported under a single ‘energy’ category.</p> | Quarterly |
| S3.8. Complaints—Other | <p>In each participating jurisdiction, retailers must report the number of complaints made in the reporting period</p> | Quarterly |

| | | |
|--|--|--|
| | <p>about other matters by:</p> <ul style="list-style-type: none">(a) residential customers; and(b) small business customers. <p>For the purposes of this indicator data for each jurisdiction can be reported under a single 'energy' category.</p> | |
|--|--|--|

Handling customers experiencing payment difficulties

Definitions

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|---|---|
| Centrepay: | is a service offered by Centrelink that allows customers to pay their energy bills by having an amount deducted from their Centrelink payments and paid directly to the retailer. |
| Energy bill debt: | is the dollar amount owed to the retailer for the sale and supply of gas or electricity, excluding other services, which has been outstanding to the energy retailer for a period of 90 days or more. An amount owing after the final bill has been issued by a retailer to a customer on termination of a customer contract (e.g. where a customer changes retailer) should not be counted as energy bill debt. |
| Payment plan: | is a plan for a residential customer experiencing payment difficulties to pay a retailer by periodic instalments, any amount payable by the customer. A payment plan must only include an arrangement in which the customer is paying off an arrears component (of any overdue amount) and must consist of at least three instalments. Customers using flexible payment arrangements for convenience or budgeting purposes must be excluded for the purposes of ‘payment plan’ reporting. |
| Payment plan cancelled for non-payment: | is when the retailer cancels or terminates the payment plan as a result of the customer failing to make or pay instalments agreed to under the plan. |
| Successfully completed payment plan: | occurs when a customer has made or paid all instalments agreed to under the payment plan, including instances where on completion the customer agrees to a new flexible payment arrangement or payment plan. |

Indicators

| Indicator | Information and data required | Relevant reporting period |
|--|---|---------------------------|
| S3.9. Number of small customers repaying an energy bill debt | Total number of electricity and gas: (a) residential customers (excluding hardship program customers); and (b) small business customers | Quarterly |

| | | |
|---|---|-------------------------|
| | repaying an energy bill debt at the end of the reporting period, in each participating jurisdiction. | |
| S3.10. Average amount of energy bill debt for small customers | Average amount of energy bill debt for electricity and gas: (a) residential customers (excluding hardship program customers); and (b) small business customers at the end of the reporting period in each participating jurisdiction. | Quarterly |
| S3.11. Amount of residential customer energy bill debt | Number of residential electricity and gas customers (excluding hardship program customers) with energy bill debt that is: (a) Over \$500 but less than \$1,500 (b) Over \$1,500 but less than \$2,500 (c) Over \$2,500 at the end of the reporting period, in each participating jurisdiction. | Quarterly |
| S3.12. Number of residential customers using Centrepay | Number of residential electricity and gas customers using Centrelink's Centrepay to pay their energy bills at the end of each quarter within the reporting period, in each participating jurisdiction. | Annual (financial year) |
| S3.13. Number of residential customers on a payment plan | Number of residential electricity and gas customers (excluding hardship program customers) on a payment plan, at the end of the relevant reporting period, in each participating jurisdiction. | Quarterly |
| S3.14. Number of residential customers who had their payment plans cancelled for non-payment | Number of residential electricity and gas customers (excluding hardship program customers) who had their payment plan cancelled by the retailer for non-payment, in the relevant reporting period, in each participating jurisdiction. | Quarterly |
| S3.15. Number of residential customers with two or more payment plans cancelled for non-payment | In each participating jurisdiction, the number of residential electricity and gas customers (excluding hardship program customers) who had their payment plan cancelled by the retailer for non-payment in the reporting period and who also had at least one other payment plan cancelled by the retailer for non-payment in the previous 12 months. | Quarterly |

| | | |
|--|---|-------------------------|
| in the last 12 months | | |
| S3.16. Number of residential customers who successfully completed their payment plan | Number of residential electricity and gas customers (excluding hardship program customers) who successfully completed their payment plan, in the relevant reporting period, in each participating jurisdiction. | Annual (financial year) |

Pre-payment meters

Definitions

Prepayment meter system (PPM): has the meaning given in section 2 of the Retail Law.

Prepayment meter market retail contract: has the meaning given in section 2 of the Retail Law.

Removal of a prepayment meter system: has the meaning given in r.127 of the Retail Rules.

Self-disconnection: has the meaning given in r.127 of the Retail Rules.

Trial period: has the meaning given in clauses 127 and 130 of the Retail Rules.

Indicators

| Indicator | Information and data required | Relevant reporting period |
|--------------------------------------|--|---------------------------|
| S3.17. Total number of PPM customers | Total number of electricity and gas: (a) residential PPM customers; and (b) small business PPM customers | Quarterly |

| | | |
|--|--|-----------|
| | at the last day of the reporting period, in each participating jurisdiction. | |
| S3.18. Number of PPM customers that receive an energy concession | Number of electricity and gas PPM customers who are also energy concession customers, as at the last day of the reporting period in each participating jurisdiction. | Quarterly |
| S3.19. Number of PPMs removed due to payment difficulties | Number of PPMs removed due to payment difficulties during the reporting period, in each participating jurisdiction for: (a) residential PPM customers; and (b) small business PPM customers | Quarterly |
| S3.20. Number of PPM customers using a PPM system capable of detecting and reporting self-disconnections | Number of electricity and gas: (a) residential PPM customers; and (b) small business PPM customers where the PPM is able to detect and report self-disconnections, as at the last day of the reporting period in each participating jurisdiction. | Quarterly |
| S3.21. Total number of PPM self-disconnection events | Number of self-disconnection events recorded by PPMs during the reporting period, in each participating jurisdiction for: (a) residential PPM customers; and (b) small business PPM customers | Quarterly |
| S3.22. Total number of PPM customers self-disconnected | Number of electricity and gas PPM customers recorded by their PPM as having been self-disconnected during the reporting period, in each participating jurisdiction for: (a) residential PPM customers; and (b) small business PPM customers | Quarterly |
| S3.23. Average duration of self-disconnection events | Average duration of self-disconnection events recorded by PPMs during the reporting period, in each participating jurisdiction for: | Quarterly |

| | | |
|--|--|--|
| | (a) residential PPM customers; and (b) small business PPM customers | |
|--|--|--|

De-energisation (disconnection) and re-energisation (reconnection)

Definitions

De-energisation or disconnection: has the meaning given in section 2 of the Retail Law. Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be reported. Where a disconnection has been requested by a retailer but not completed within the relevant reporting period, it should not be included in the total for that period.

Re-energisation or reconnection: has the meaning given in section 2 of the Retail Law. Only completed reconnections should be reported. Where a reconnection has been requested by a retailer but not completed within the relevant reporting period, it should not be included in the total for that period.

Seven (7) calendar days: are inclusive, and the first calendar day should be counted as the day that the disconnection occurred.

Indicators

| Indicator | Information and data required | Relevant reporting period |
|---|---|---------------------------|
| S3.24. Number of customers disconnected for non-payment | In each participating jurisdiction and for each customer category below, the number of electricity and gas customers disconnected for non-payment in the reporting period: (a) Residential customers, in each calendar month of the reporting period (b) Small business customers, in each calendar month of the reporting period (c) Hardship program customers | Quarterly |

| | | |
|---|---|-----------|
| | <p>(d) Energy concession customers</p> <p>(e) Residential customers who have been on a payment plan in the previous 12 months</p> <p>(f) Residential customers who have been disconnected on more than one occasion in the previous 24 months.</p> | |
| S3.25. Number of customers reconnected within 7 days of disconnection | <p>In each participating jurisdiction and for each customer category below, the number of electricity and gas customers reconnected in the same name and address within seven days of disconnection for non-payment, in the reporting period:</p> <p>(a) Residential customers in each calendar month of the reporting period</p> <p>(b) Small business customers in each calendar month of the reporting period</p> <p>(c) Residential hardship program customers</p> <p>(d) Energy concession customers</p> <p>(e) Residential customers who have been on a payment plan in the previous 12 months.</p> | Quarterly |
| S3.26. Total number of residential customers reconnected in the same name at the same address | <p>In each participating jurisdiction, the total number of residential electricity and gas customers reconnected in the same name and address (regardless of the date of disconnection) in the reporting period.</p> | Quarterly |

Concessions

Definitions

Energy concession customers:

means a residential customer that is recorded by the retailer as being entitled to receive an energy concession, where the concession is administered or delivered by the retailer.

Customers who are recorded by the retailer as receiving an energy concession which is applied on a seasonal basis or where the energy concession is not applied uniformly during the year should be reported in all reporting periods, even during periods where the concession is not applied to their account, as long as the customer remains eligible for the concession.

Customers who only receive a concession which is not administered or delivered by the retailer (for example, Queensland's

Medical Cooling and Heating Electricity Concession Scheme) should be excluded for the purposes of this reporting.

Indicators

| Indicator | Information and data required | Relevant reporting period |
|--|--|---------------------------|
| S3.27. Number of energy concession customers | Number of residential customers, in each participating jurisdiction, that are recorded by the retailer as being entitled to receive an energy concession, where the concession is administered or delivered by the retailer as at the end of each quarter. | Annual (financial year) |

Security deposits

Definitions

Security deposit: has the meaning given in clause.3 of the Retail Rules.

Indicators

| Indicator | Information and data required | Relevant reporting period |
|---|--|---------------------------|
| S3.28. Number of security deposits held by retailers for residential and small business customers | Number of security deposits held by retailers as at the end of each quarter in the reporting period for (a) residential customers; and (b) small business customers. | Annual (financial year) |
| S3.29. Aggregate value of security deposits held by | Aggregate value of security deposits held by retailers as at the end of each quarter in the reporting period for | Annual (financial year) |

| | | |
|--|---|--|
| retailers for residential and small business customers | (a) residential customers; and (b) small business customers. | |
|--|---|--|

Schedule 4: Hardship Program Indicators

Definitions

| | |
|---|---|
| Energy concessions customers: | as defined in Schedule 3. |
| Denied access: | means a residential customer who is referred to the hardship program by any means (e.g. identified by the retailer or self-identified by the customer or by a third-party) but who is not accepted onto the hardship program. This does not include customers who decline to participate in the program. |
| Energy bill debt: | as defined in Schedule 3. |
| Excluded: | or removed from the hardship program for non-compliance is where a customer exits the hardship program at the behest of the retailer for failing to adhere to the program requirements. This may include instances where the hardship program customer fails to make contact with the retailer or make agreed payments towards their energy account. Customers who leave the hardship program because they feel they are unable to continue to meet the program requirements or payments requested by the retailer should be reported here. |
| Switch, transferred or left the retailer: | includes customers who exit the hardship program because they are no longer a customer of that retailer. This will include customers who have transferred or switched to another retailer and those who have changed retailers through moving premises etc. |
| On a retailer's hardship program: | means a residential customer who has been accepted into, or is participating in, a retailer's hardship program. See also hardship program customer as defined in Schedule 1. |
| Payment plan: | as defined in Schedule 3. |
| Prepayment meter (PPM): | as defined in Schedule 3. |
| Successfully completed the program: | or exited the hardship program by agreement with the retailer is where a customer has completed or exited the hardship program and is returned, by agreement with the retailer, to the normal billing and collection cycles (including where the customer agrees to a new payment plan or flexible payment arrangement). |

Indicators

| Indicator | Information and data required | Relevant reporting period |
|---|--|---------------------------|
| S4.1. Number of customers on a retailer's hardship program | Number of residential electricity and gas customers on a retailer's hardship program at the end of each calendar month of the reporting period, in each participating jurisdiction. | Quarterly |
| S4.2. Number of hardship program customers receiving energy concessions | Number of electricity and gas hardship program customers who are also energy concessions customers, as at the last day of the reporting period in each participating jurisdiction. | Quarterly |
| S4.3. Number of customers denied access to the hardship program | Number of residential electricity and gas customers denied access to the hardship program during each calendar month of the reporting period, in each participating jurisdiction. | Quarterly |
| S4.4. Average debt upon entry into the hardship program | The average energy bill debt for those electricity and gas hardship program customers who entered the hardship program during the reporting period, as at the last calendar day of the reporting period in each participating jurisdiction. | Quarterly |
| S4.5. Levels of debt of customers entering the hardship program | <p>The number of electricity and gas hardship program customers who entered the hardship program during the reporting period, with an energy bill debt (as at the last calendar day of the reporting period) that was:</p> <ul style="list-style-type: none"> (a) Between \$0 and \$500 (b) Over \$500 but less than \$1,500 (c) Over \$1,500 but less than \$2,500 (d) \$2,500 or more <p>in each participating jurisdiction.</p> | Quarterly |

| | | | |
|--------|--|---|-----------|
| S4.6. | Payment methods of hardship program customers | Number of electricity and gas hardship program customers using each of the following payment methods, as at the last day of the reporting period, in each participating jurisdiction: (a) Payment plan (b) Centrepay (c) Prepayment meter (PPM) (d) Any other payment method. | Annual |
| S4.7. | Average debt of hardship program customers | Average energy bill debt of electricity and gas hardship program customers, as at the last day of the relevant reporting period in each participating jurisdiction. | Quarterly |
| S4.8. | Number of customers exiting the hardship program | Total number of electricity and gas customers who exited the hardship program, as at the last day of each calendar month during the reporting period in each participating jurisdiction. | Quarterly |
| S4.9. | Reasons for customers exiting the hardship program | Total number of electricity and gas customers who exited the hardship program during the reporting period, who: (a) Successfully completed the hardship program or exited with the agreement of the retailer (b) Were excluded or removed from the program for non-compliance (for example, where the customer did not make the required payments, or where they failed to contact the retailer. This should also include those hardship program customers who leave the program because they feel they are not able to meet the program requirements or payments requested by the retailer) (c) Switched, transferred or left the retailer in each participating jurisdiction. | Quarterly |
| S4.10. | Disconnection of previous hardship program customers | Number of residential electricity and gas customers disconnected for non-payment of a bill during the reporting period, who successfully completed the hardship program, or exited by agreement with the retailer, in the previous 12 months, in each participating jurisdiction. | Quarterly |
| S4.11. | Reconnection of previous hardship program customers | Number of residential customers who successfully completed the hardship program or exited by agreement with the retailer in the previous 12 months, who were reconnected in the same name and at the same address within seven days of disconnection for non-payment, in each participating jurisdiction. | Quarterly |

| | | |
|--|--|--------|
| S4.12. Assistance provided to hardship program customers | Retailers must provide a written summary (up to two A4 pages of information) on the types of assistance offered and provided to hardship customers throughout the reporting period. Where possible retailers should provide quantitative data on the various types of initiatives and assistance provided to hardship program customers in the reporting period. | Annual |
| S4.13. Case studies (optional) | Retailers may provide anonymous case studies that highlight the assistance provided under their hardship program and the positive impact and outcomes achieved for their customers (no more than 500 words). | Annual |

Schedule 5: Distribution service standards, associated GSL schemes and small claims compensation regimes

Definitions

No definitions are proposed at this time.

Indicators

No reporting requirements are proposed at this time.

A. Pro-forma reports and templates

A.1 Pro-forma – Written report to the AER

Written reports provided under clause 2.3 of these Procedures and Guidelines must be submitted using this proforma, and must be accompanied by a completed AER Performance Reporting Template (see Appendix A.2) and Accompanying Commentary Template (see Appendix A.3).

| | |
|--|---|
| From: | [Name] [Title] [Regulated entity] |
| To: | Chief Executive Officer Australian Energy Regulator GPO Box 520 Melbourne VIC 3001 |
| AER Performance Reporting – Performance for [reporting period] | |
| This report documents the performance and activities of [regulated entity] in accordance with section 282(1) of the National Energy Retail Law . Information and data in this report is documented as required by the AER’s Performance Reporting Procedures and Guidelines during [reporting period]. | |
| This report and all attachments have been prepared by [regulated entity] with all due care and skill and in accordance with the AER Performance Reporting Procedures and Guidelines. | |
| Date: | |
| Signed | ----- |
| Print name | ----- |
| Chief Executive Officer] ¹¹ | |
| <i>Failure to comply with the AER Performance Reporting Procedures and Guidelines is a breach of the Retail Law, and may attract civil penalties. If a corporation contravenes this obligation to comply, each officer of the corporation is to be taken to have contravened this obligation if the officer knowingly authorised or permitted the contravention or breach. An officer of a corporation may be proceeded against whether or not proceedings have been taken against the corporation itself.</i> | |
| <i>The Criminal Code Act 1995 (Cth) makes it a serious offence to give false or misleading information to the AER knowing it to be false or misleading or omitting any matter or thing without which the information is misleading.</i> | |
| Attachments: [see Appendices A.2, A.3] AER Performance Reporting Template; AER Accompanying commentary template | |

¹¹ End of financial year reports on quarterly and annual performance indicators under clauses 2.2.2 and 2.2.3 must be signed by the CEO of the regulated entity. Intra-financial year reports on quarterly performance indicators under clause 2.2.1 may be signed by the Chief Executive Officer (CEO) of the regulated entity or a delegate appointed by the CEO for this purpose.

A.2 AER Performance Reporting Template

[A separate Excel template reflecting the requirements of this guideline will be circulated to each regulated entity prior to the commencement of each reporting period. The template will also be available on the AER's website www.aer.gov.au.]

A.3 Accompanying commentary template

| | |
|------------------------------------|--|
| Regulated entity ID/Name | |
| Contact officer | |
| Position | |
| Telephone number | |
| Email | |
| Fax number | |
| Date of report (dd/mm/yyyy) | |
| Relevant reporting period | |

This template should be completed and submitted to the AER with Form A.1 and the AER Performance Reporting Template (A.2).

S4.12 – Assistance provided to hardship customers (annual)

This table **must** be completed in accordance with indicator S4.12 in all annual (financial) performance reports submitted by energy retailers.

| | |
|---|--|
| Assistance provided (no more than two A4 pages) | |
|---|--|

S4.13 – Hardship customer case studies (annual) – *Optional*

This table **may** be completed in accordance with indicator S4.13, and submitted in support of an annual (financial) performance report submitted by energy retailers.

| | |
|---|--|
| Case study 1 (optional, no more than 500) | |
|---|--|

| | |
|---|--|
| words) | |
| Case study 2 (optional, no more than 500 words) | |

Explanatory material on performance indicators – *Optional*

This table **may** be completed in accordance with clause 2.3.4 of the Procedures and Guidelines, and submitted in support of an annual (financial) performance report submitted by a regulated entity.

| Indicator | Additional information/Comments |
|------------------|--|
| | |
| | |
| | |