

22 October 2010

Mr Tom Leuner
General Manager, Markets Branch
Australian Energy Regulator
GPO Box 520
Melbourne, VIC 3001

By email: AERInquiry@aer.gov.au

Dear Mr Leuner,

AER Retail Pricing Information Guideline Position Paper and Guideline (September 2010) – Public Version

The Consumer Utilities Advocacy Centre Ltd (CUAC) is an independent consumer advocacy organisation. It was established to ensure the representation of Victorian consumers in policy and regulatory debates on electricity, gas and water. In informing these debates, CUAC monitors grass roots consumer utilities issues with particular regard to low income, disadvantaged and rural consumers.

This is the public version of CUAC's submission.

CUAC welcomes the opportunity to comment on the AER's Retail Pricing Information Guideline Position Paper (referred to hereafter as "Position Paper") and Retail Pricing Information Guideline (referred to hereafter as "Guideline") (September 2010). In our submission to the AER Retail Pricing Information Guidelines Issues Paper (March 2010) (referred to hereafter as "Issues Paper"), we recommended using consumer focus groups as a means to obtain feedback on how customers would like pricing information presented. CUAC notes that the AER commissioned Wallis Consulting Group to conduct workshops and interviews with residential customers and small businesses, in areas with different energy markets (Melbourne, Benalla, Canberra and Parramatta). The consumer input captured included differences in opinions that might exist on the basis of gender, age, socio-economic standing, switching experience and educational ability (different levels of literacy or numeracy). We are pleased to see that the outcome of this

qualitative research, together with stakeholder submissions, has been used to inform the development of the Position Paper and Guideline.

Requirement to create the Guideline

CUAC strongly agrees with the AER that “the rationale for regulating price disclosure is to address market failure caused by information asymmetry.”¹ Information asymmetry creates a transaction cost and reduces the competitiveness of the market. The outcome is that customers may select an energy contract which is inappropriate to their circumstances. The difficulties customers experience in comparing energy prices is substantiated by research undertaken by Wallis Consulting Group.² Our own research also supports this finding.

CUAC has heard from the community sector and business groups that consumers are unable to make effective choices between a large range of energy retail products because of:

- differences between fixed and variable charges;
- complex terms and conditions; and
- different approaches to discounting and rebating particular offers.

Consumers, already struggle with complex bills and direct marketing from energy companies. Smart meters and time-of-use (ToU) pricing are viewed by many consumers as adding an additional layer of complexity to an already complex retail energy market. Both the community sector and business groups have raised the need for information to be provided that helps consumers to participate effectively in the market and make informed choices.

CUAC submits that for consumers to fully realise the benefits of retail market competition, they need free access to pricing information which must be presented in a manner which allows easy comparison across energy retail offers. This is particularly important in the context of energy which is an essential service. We agree with the following views of the Essential Services Commission of South Australia (ESCOSA) in its September 2010 draft decision on consumer information requirements for the energy retail market in South Australia:

The Commission is of the view that an important factor for facilitating the ongoing competitiveness of the energy retail market is ensuring that customers have the relevant information necessary to allow them to participate in the market.

While the Commission acknowledges that the pricing of energy products can be highly complicated, energy retailers have an important role in a competitive market to present

¹ Australian Energy Regulator, Retail Pricing Information Guideline Position Paper (September 2010), at 5.

² Wallis Consulting Group, Australian Energy Regulator Retail Energy Pricing Guidelines (June 2010), at 6.
Consumer Utilities Advocacy Centre ACN 100 188 752

this information to consumers in an easily understandable format. It is also important to note that, unlike other competitive markets for discretionary goods and services, by their very nature, consumers cannot maintain their livelihood without access to essential services. Accordingly, in assessing the benefits to be achieved through the introduction of competition in the energy retail market, the ultimate measure of success must be an increase in the welfare of consumers over time...³

In our experience, simplicity in consumer information is desirable where possible. We regard the development of this Guideline as an opportunity to effectively regulate the retail energy market to ensure that consumers are able to participate fully to their benefit.

The AER has stated in its Position Paper that the Guideline may need amendment because of the possible development of an on-line price comparator service for States and Territories that opt in.⁴ CUAC welcomes the opportunity to participate in AER consultations that would arise from the amendment of the Guideline to accommodate this function.

Consumers need an accessible and well-designed tool to assist them to make informed choices, in their interest. We are keen to participate in AER consultations arising from the development of an on-line price comparator. There is a need for independent information to instil confidence in the retail energy market. Our consultations with the community sector and business groups revealed that there was no widespread knowledge of the Essential Services Commission of Victoria's (ESCV)'s "Your Choice Energy Comparator" website. Some stakeholders criticised the website for not providing the most useful information and for being cumbersome and difficult to navigate. The general view, however, was that websites provided by unquestionably independent operators are a positive, although not infallible, counterweight to direct marketing and industry information.

The ESCV recently undertook a review of its "Your Choice Energy Comparator" website with the aim of making it more user-friendly. Consumer organisations were not consulted in this review, neither was consumer focus research undertaken. Nevertheless, CUAC recommends that the AER consult with the ESCV as it develops an on-line price comparator. In New South Wales, the Independent Pricing and Regulatory Tribunal (IPART) recently launched its "myenergyoffers" website in early October. That price comparator uses unit pricing and includes an estimated annual bill component. It would be useful for the AER to engage with IPART as it develops an on-line price comparator.

³ Essential Services Commission of South Australia (ESCOSA), Consumer information requirements for the energy retail market in South Australia Draft Decision (September 2010), at 16.
<http://www.escosa.sa.gov.au/library/100906-ConsumerInformationRequirements-EnergyRetailMarket-DraftDecision.pdf>

⁴ Australian Energy Regulator, Retail Pricing Information Guideline Position Paper (September 2010), at 6.

CUAC also recommends that the AER research overseas on-line price comparator sites. For example, the Consumer Focus price comparison tool⁵ as well as the Consumer Focus accredited switching sites in the United Kingdom.⁶

We generally support the Position Paper and the Guideline. We recommend that the AER test the price disclosure statement that is developed with consumer focus groups representative of various socio-economic groups across the national energy market.

We are pleased to hear (during the AER forum on 6 October 2010) that the AER will have a role in consumer education. Educating consumers to enable their effective participation in the energy market is at the heart of this matter. There is a real need to educate consumers so that they are able to understand the pricing information they are presented with and able to exercise informed choice about energy offers. This is particularly important as energy offers vary and will likely become more complex with ToU pricing. Customers need to understand that apart from pricing information, they should also consider other factors such as: termination fees or other charges/fees, discounts, rebates and benefits offered (either offered upfront or during the contract), billing arrangements, contract duration etc.

The importance of empowering customers to make informed decisions about choice has been acknowledged in the United Kingdom. The “Energy Best Deal” campaign in the United Kingdom consisted of training sessions for consumers (in particular, low income and vulnerable consumers) and frontline workers to explain how domestic consumers can reduce their energy costs by changing their tariff or switching retailers. The campaign also raised the awareness of the assistance available from retailers and government for consumers who experience difficulties in paying their energy bills. The campaign empowered frontline workers to pass on the information learnt to their clients. Consumers who attended the training sessions were provided with the tools to find a better energy offer and also shared the information learnt with their friends and family. This campaign was run by Citizens Advice, and over winter 2008/2009 funded by the government and supported by Ofgem. The winter 2009/2010 campaign was funded by four utility suppliers.⁷

A similar consumer education program in Australia would be beneficial. We suggest that the AER work in partnership with the community sector to roll out a program to educate consumers about how to make an informed choice about their energy offers. Further, the Australian Securities & Investments Commission (ASIC), for example, has

⁵ <http://www.consumerfocus.org.uk/energy-help-and-advice/price-comparison>

⁶ <http://www.consumerfocus.org.uk/energy-help-and-advice/confidence-code>

⁷ See Ofgem, Energy Best Deal: background to campaign:
<http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?docid=131&refer=SUSTAINABILITY/SOCACTION/PUBLICATIONS>

Credit Outreach Educators who educate consumers about consumer credit issues. The AER could also have a similar community education programme around energy issues.

Methods of presenting retailer offer information

The AER seeks stakeholder feedback on its preliminary approach to presenting energy prices.

CUAC acknowledges that both the standardised unit pricing approach and the annual cost approach will create complexities in the way prices are presented in a ToU environment.

Consumer research undertaken by the Wallis Consulting Group⁸ and Colmar Brunton (on behalf of ESCOSA)⁹ indicated that the consumers wanted to see a price per unit and an estimated component in the price disclosure statement.

In principle, CUAC supports standardised unit pricing because it presents a clear and transparent method of price disclosure, and enables consumers to be fully informed about energy offers. This should be the basis of any price information statement. While the annual cost approach is simpler, they are indicative costs only and reliant upon customers correctly placing themselves on the appropriate consumption band. We are concerned that the annual cost approach (by itself or used in combination with standardised unit pricing) has the potential to mislead consumers about energy costs even if there is a disclaimer that the cost is an estimate. Standardised unit pricing should be the primary means of presenting pricing information. If the annual cost approach is included in a price disclosure statement, it should be a secondary source of information for the customer. There must be a clear explanation how that estimate is derived from (taking into account consumption, household size, climatic zones etc) and the key message to the customer should be that it is an estimate only and that the customer must look at the standardised unit price and use that as a basis of comparison with other energy offers.

⁸ Wallis Consulting Group, Australian Energy Regulator Retail Energy Pricing Guidelines (June 2010), at 4, 32.

⁹ Essential Services Commission of South Australia (ESCOSA), Consumer information requirements for the energy retail market in South Australia Draft Decision (September 2010), at 30-31.
<http://www.escosa.sa.gov.au/library/100906-ConsumerInformationRequirements-EnergyRetailMarket-DraftDecision.pdf>

Scope of the Guideline

The AER seeks stakeholder views on whether the Guideline should supplement requirements on retailers to notify customers of any variations to their offers.

The AER also seeks views on how the Guideline could supplement the requirements in the Retail Law/Rules.

Many consumers are already finding it difficult to participate in the highly competitive Victorian retail energy market. In CUAC's experience, consumers confronted with direct marketing or complex dual fuel market offers have limited capability to determine whether or not the offers they were presented with would benefit them. As previously mentioned, CUAC's consultations with the community sector and business groups revealed that consumers already struggled with complex bills and direct marketing from energy companies.

Consumer advocates have long been concerned about the accuracy of marketing information conveyed to customers and compliance with marketing and energy retail codes. The energy industry itself has recognised that the conduct of door to door marketers is a concern. The Energy Retailers Association of Australia (ERAA) is now in the process of establishing a self regulatory scheme covering the use of door to door sales in energy retailing to accompany legislative and regulatory requirements and "lift the bar and ensure the strictest compliance and most ethical sales practices by the agents representing them in the field."¹⁰

We therefore agree the Guideline should capture information on retail offers that is provided to customers during in-person marketing, telemarketing and the internet.¹¹ For in-person marketing, we strongly support requiring retailers to: (a) provide customers with a price disclosure statement on the energy offer they are marketing; (b) advising customers that further information is available on the retailer's website. In our experience, consumers and case workers would like to have more information to allow them to effectively respond to direct marketing. We believe that the provision of a price disclosure statement at the time of marketing would help customers understand the energy offer better and also facilitates comparison between offers. Most of the retailers at the AER forum on 6 October 2010 were not opposed to this.

In Victoria, retailers are obliged to provide an "offer summary in writing to a small retailer customer: (a) on request by the customer; (b) when providing the customer the

¹⁰ Energy Retailers Association of Australia Ltd, *Energy Retailers raise the standard with door to door sales*, Media release, 7 Oct 2010 – quote from Cameron O'Reilly, Executive Director.

¹¹ Australian Energy Regulator, *Retail Pricing Information Guideline* (September 2010), at 1-2.

terms or information about the terms of any new retail contract, including when engaging in any marketing activity.”¹² The Victorian “offer summary” (which is to be distinguished from its Price and Product Information Statement) is not in a standard format. We believe that providing customers with a price disclosure statement, which is in a standard format with the prescribed relevant information, allows easier comparison across offers and more informed decision making. ECOSA’s draft decision has proposed an amendment to its Energy Marketing Code to require marketers and salespersons to provide a price fact sheet upon request.¹³

For telemarketing, we strongly support requiring telemarketers to advise customers that they can access a price disclosure statement on the retailer’s website or request a copy from the retailer. The proposed five working days time frame for retailers to provide the statement to the customer is reasonable.¹⁴

To facilitate access to information on energy offers, CUAC agrees that retailers should provide a link from their website homepage to offer information without consumers having to submit detailed personal or technical information.¹⁵

Apart from providing a price disclosure statement during in-person marketing, telemarketing and the internet, the price disclosure statement should also be freely available to customers upon their request. This provides an alternative to customers who do not have internet access or do not know how to access the internet to compare energy offers between retailers.

Advertising on mass media platforms is regulated under the Australian Consumer Law and Trade Practices Act. CUAC agrees that where retailers use mass media to promote specific energy offers or products (particularly where price, discounts and values of specific products or services are mentioned), retailers should provide a reference as to where consumers can obtain more information.¹⁶ In addition to referring customers to a website as suggested in the Guideline,¹⁷ the customer should also be referred to a

¹² Essential Services Commission of Victoria, Guideline No. 19: Energy Price and Product Disclosure, Issue 3 (June 2009), at clause 4.

¹³ Essential Services Commission of South Australia (ESCOSA), Consumer information requirements for the energy retail market in South Australia Draft Decision (September 2010), at 45.
<http://www.escosa.sa.gov.au/library/100906-ConsumerInformationRequirements-EnergyRetailMarket-DraftDecision.pdf>

¹⁴ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 2.

¹⁵ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 1.

¹⁶ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 2.

¹⁷ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 2.

number to call since some customers may not have internet access. We suggest an amendment to the last two sentences of paragraph 2.5 of the Guideline to:

“An Energy Price Fact Sheet is available at [insert retailer website] and [insert retailer telephone number]” or

“Energy Price Fact Sheets are available at [insert retailer website] and [insert retailer telephone number]”

Changes in tariffs

A price disclosure statement should explain how a retailer may vary tariffs and how customers will be informed of these changes.¹⁸ As a matter of principle, CUAC believes that customers should receive prior notification of changes in tariffs (that is, before the tariff change takes effect). Other jurisdictions have acknowledged the importance of giving customers advance notification of tariff changes.

Ofgem has recently proposed that energy suppliers in the United Kingdom provide 30 days notification of price rises:

Allowing consumers plenty of warning gives them a better chance to make a decision as to whether they should change their supplier or take action to reduce their demand to help counter the effect of increased prices. Ofgem’s research suggests that customers on low income would value more time in order to make changes to their budget and consumption.¹⁹

Within Australia, the Queensland Electricity Code has been amended to require retailers to provide customers on market offers advance notification of price changes. Currently, a sub-committee of the Minister’s Energy Retailer’s Roundtable (which includes Queensland Council of Social Services) has been considering what information should be presented to market customers when notifying them of price changes.

We submit that customers should receive prior notification of tariff changes in a clear manner. It would be useful if the prior notification includes a price disclosure statement.

CUAC supports requiring retailers to present a price disclosure statement (as per the Guideline) when presenting revised prices to customers. CUAC disagrees with the example cited in the Position Paper. That is, “the Guideline could require that a disclosure statement on a retail offer be included with the next bill following a

¹⁸ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 5 (paragraph 2.7.3.3).

¹⁹ Ofgem, Press release (30 September 2010). See: <http://www.ofgem.gov.uk/Media/PressRel/Documents1/30%20day%20rule.pdf>

variation.”²⁰ The price disclosure statement and the notification to customers of the revised tariff should be sent to customers *before* the tariff change takes effect. This will help customers understand the tariff changes and may prompt customers to look for alternative energy offers that are more appropriate and cheaper for their circumstances.

Since July 2010, United Kingdom energy suppliers are required to send customers an annual statement of their energy consumption for the year and the price they have paid. While not a bill, the statement provides information which could also be used by the customer as a basis for comparison with other energy offers and therefore assist the customer to make a more informed decision whether to switch. The statement includes:

- the customer’s exact tariff name;
- specific principal terms of the customer’s existing contract;
- consumption for the last 12 months in kilowatt hours (except where a customer has been with the supplier for less than 12 months);
- an illustrative projected cost in pounds per year of the supply for the following 12 months if the same level of consumption was used at current prices;
- details of any premium or discount that applies to the customer’s tariff as compared to the supplier’s standard monthly direct debit tariff;
- a reminder that customers can switch supplier; and
- signposting to sources of independent switching advice.²¹

In CUAC’s view, sending a price disclosure statement to the customer when there is a revision in prices could likewise provide them with the information required to make an assessment as to whether their current energy offer is still the most appropriate in their circumstances. They can compare their current offer set out in the price disclosure statement with other offers in the market and make a more informed decision regarding switching.

In the two examples of price disclosure statements (Attachments A and B of the Position Paper) provided in the Position Paper, the section on notifying customers about price changes appears on page 2. A key finding from Colmar Brunton’s research (on ECOSA’s behalf) was that consumers, wanted information on “if and how prices change.”²² We

²⁰ Australian Energy Regulator, Retail Pricing Information Guideline Position Paper (September 2010), at 16.

²¹ <http://www.ofgem.gov.uk/Markets/RetMkts/ensuppro/Pages/Energysupplyprobe.aspx>

²² Essential Services Commission of South Australia (ESCOSA), Consumer information requirements for the energy retail market in South Australia Draft Decision (September 2010), at 33. <http://www.escosa.sa.gov.au/library/100906-ConsumerInformationRequirements-EnergyRetailMarket-DraftDecision.pdf>

recommend that information on “Price Change” be placed on page one of the price disclosure statement; after the section on prices. This would then clearly highlight to the customer that the price cited in the price disclosure statement may be subject to revision during the contract period.

Presentation of Information

The AER seeks stakeholder views on this issue. If stakeholders are supportive of mandatory inclusion of such examples, they should provide examples of the types of information that would be most useful for inclusion in the Guideline.

CUAC supports the use of a price disclosure statement template as this facilitates easier comparison between energy offers. The template should include tariff details and fees, rebates, discounts and other options or non-price incentives – the information set out at paragraphs 2.6 and 2.7 of the Guideline.²³

However, in addition to the above, CUAC submits that “other charges” (other than the tariff charges which is already mentioned in Attachments A and B of the Position Paper) should also be included in the price disclosure statement as consumers must be made aware of these. Otherwise, there is the potential for retailers to classify a “fee” (which according to the Guideline must be disclosed in the price disclosure statement) as a “charge” to avoid disclosure. ECOSA’s draft decision²⁴ and the ESCV’s Guideline No. 19 Energy Price and Product Disclosure (June 2009, Issue 3) include “fees and charges” as price information requirements which have to be disclosed.

CUAC suggests that the price disclosure statement include a statement upfront (in bold) informing customers that energy offers vary between retailers (that is, customers should not expect to see the same items in each energy offer), and that other than price customers should also look at the other components of the offer (for example: the fees, discounts, options, contract length etc). This would encourage customers to read the other sections of the price disclosure statement and not just focus on the price section.

In light of the above, CUAC is of the view that the proposed title “Energy Price Fact Sheet” focuses on the price element in an energy offer rather than encouraging the customer to

²³ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 2-6.

²⁴ Essential Services Commission of South Australia (ESCOSA), Consumer information requirements for the energy retail market in South Australia Draft Decision (September 2010), at 43.
<http://www.escosa.sa.gov.au/library/100906-ConsumerInformationRequirements-EnergyRetailMarket-DraftDecision.pdf>

read through the whole price disclosure statement. CUAC therefore supports further consumer research in relation to the draft Guideline as well as to test consumer understanding of the proposed title “Energy Price Fact Sheet.”

CUAC agrees that the Guideline should apply equally to standing and market offers so as to facilitate comparison between both types of offers.²⁵ This is important as customers may save money by switching to an energy offer which is more appropriate for their circumstances. In Victoria, for example, the 2009 ESCV’s Energy Retailers Comparative Performance Report suggests that customers switching retailers can achieve substantial savings because of the large variations in the different energy offers of each retailer. The report stated:

For electricity residential offers, there is a difference of over 10 per cent between the cheapest and most expensive market offers, and in some cases, up to 25 per cent difference, equating to almost \$300 per year. These median market offers were up to 7 per cent lower than the corresponding standing offer tariffs.....

For residential customers, the difference between the cheapest and most expensive market offers is up to 20 per cent, representing an annual saving of over \$200, with average savings on the standing offer tariffs of up to 7 per cent.²⁶

Price information to be presented in table format

CUAC supports the use of tabular formats for presenting price and other information about the energy offer. This clear, structured method of presenting information facilitates easier comparison of energy offers. CUAC, however, recommends using colours in the template as this would convey information more clearly to the customer.

ESCOSA’s market research determined that the overarching motivation for consumers in changing energy retailers is price.²⁷ We therefore support the placement of pricing information upfront.²⁸ We also recommended in our submission (see above section on “Changes in Tariffs”) that the section advising customers that their price could change during the duration of the contract be placed after the section on prices.

²⁵ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 1.

²⁶ Essential Services Commission (Victoria), Energy Retailers Comparative Performance Report – Pricing and the Competitive Market 2008-09 (December 2009), at 25.

²⁷ Essential Services Commission of South Australia (ESCOSA), Consumer information requirements for the energy retail market in South Australia Draft Decision (September 2010), at 38.
<http://www.escosa.sa.gov.au/library/100906-ConsumerInformationRequirements-EnergyRetailMarket-DraftDecision.pdf>

²⁸ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 6.

The Guideline allows retailers to “amend the layout of the Energy Price Fact Sheet.” Apart from the placement of pricing information upfront which is stipulated in the Guideline,²⁹ it appears that fees, discounts options, contract length (i.e. see Attachments A and B of the Position Paper) can be placed anywhere in the Energy Price Fact Sheet. This does not facilitate easy comparison of energy offers. CUAC submits that a set layout for all the information required in a price disclosure statement would facilitate easier comparison. Retailers can still brand their product and highlight any key features in a particular energy offer in the space above the commencement of the table on page one of the Energy Price Fact Sheet.

We support the requirement in the Guideline that plain English be used in a price disclosure statement. The price disclosure statement should be made available in a range of languages to accommodate non-English speaking customers in our community. There is also a need to ensure that those who are visually impaired have access to price disclosure statements in Braille and/or in larger font.

Disclosure of other elements of a retail offer

CUAC agrees that all key elements of an energy offer (discounts, rebates, fees, contract details, green energy options, non-price incentives etc)³⁰ and other charges (see our comments above on “Presentation of Information”) should be included in the price disclosure statement so as to assist customers make an informed decision. Such information should be appropriately identified and explained in the price disclosure statement. To facilitate comparison between energy offers, information should be presented in the same form and in the same section (see our comments above on “Table format”) for each price disclosure statement.

The reference to “cooling off period” (“10 days”) in the two examples (Attachments A and B of the Position Paper) should be explained, and defined as 10 days from the date the customer enters into the contract.

How to present energy prices

The AER seeks stakeholder views on this issue. If stakeholders are supportive of mandatory inclusion of such examples, they should provide examples of the types of information that would be most useful for inclusion in the Guideline

²⁹ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 6.

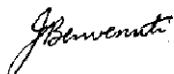
³⁰ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 3-5.

CUAC supports expressing usage charges as “cents per kWh” and “cents per MJ.” CUAC suggests that the AER obtain feedback from consumer focus groups as to whether expressing supply charges as, “cents per day” is preferable to “\$ per month/quarter.”

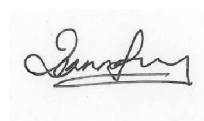
Prices should be presented GST exclusive and GST inclusive to facilitate easier comparison between the customer’s bill (where the unit price is GST exclusive) and the price disclosure statement.³¹

Retailers should be encouraged to include information on common household appliance usage in the price disclosure statement as this will help customers understand energy consumption. Mandatory inclusion of such examples, are not required.

Thank you for the opportunity to participate in consultations on the Position Paper and Guideline. If you have any queries, please do not hesitate to contact the undersigned at (03 9639 7600).



Jo Benvenuti
Executive Officer



Deanna Foong
Senior Policy Officer

³¹ Australian Energy Regulator, Retail Pricing Information Guideline (September 2010), at 2-3.