

Our Ref: 14055478.3  
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4 August 2022

Ms Anna Collyer  
Chair  
Australian Energy Market Commission  
GPO Box 2603  
SYDNEY NSW 2001

Dear Ms Collyer

**Re: Australian Energy Council's Rule Change Request proposing a six-month deferral of Better Bills Guideline implementation date**

We refer to the rule change request submitted by the Australian Energy Council (AEC) in relation to an extension of time for retailers to achieve compliance with the Better Bills Guideline ("Guideline").

***Summary of circumstances surrounding rule change request***

The AEC has sought a letter of support to defer the commencement date for all new billing provisions by six months, thereby deferring the date for retailers to achieve full compliance with the Guideline from 31 March 2023 to 30 September 2023.

The AEC also sought an indication that the AER would be willing to progress changes to the commencement date provisions of the Guideline itself. These changes would provide the flexibility to take into account any changes to the commencement date determined by the AEMC.

In our Notice of Instrument: Better Bills Guideline, we stated that we would work with retailers to explore issues in relation to commencement dates for provisions in the Guideline. We also noted that we would be supportive of a rule change proposal to the AEMC for a short extension of that timeline if necessary.

***AER's position***

The AER supports the AEC's request for an extension based on the concerns expressed by retailers regarding the costs of implementing the Guideline by 31 March 2023. On completion of the Guideline, the AER acknowledged that retailers might need more time and may seek an extension. Given the significant upheaval in wholesale markets and resulting costs and uncertainty for retailers, we understand that implementation may now be even more challenging.

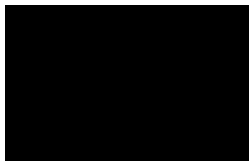
We consider that the rule change has benefits in mitigating these implementation costs. We also note that the costs of any delay are limited, particularly as those retailers who are able to implement the requirements of the Guideline can do so from 4 August 2022.

Overall, we consider that the rule change provides greater flexibility to retailers around implementation of the Guideline and is likely to drive greater compliance. We therefore consider that the proposed delay is suitable.

To avoid any potential for ambiguity or inconsistency between the NERR and Guideline, the AER intends to consult on amendments to the Guideline. We propose to remove reference to the 31 March 2023 date and instead include a provision that would recognise and apply any change in date determined by the AEMC and prescribed in the Rules. This will ensure consistency, provide clarity and address any concerns that the dates differ. We will commence consultation on this Guideline amendment shortly.

We welcome the opportunity to discuss and work collaboratively with the AEMC in respect of this rule change request. If you have further questions, please contact Mark Feather, General Manager, Strategic Policy and Energy Systems Innovation, on [REDACTED] or [REDACTED].

Kind regards,

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Jim Cox  
Deputy Chair