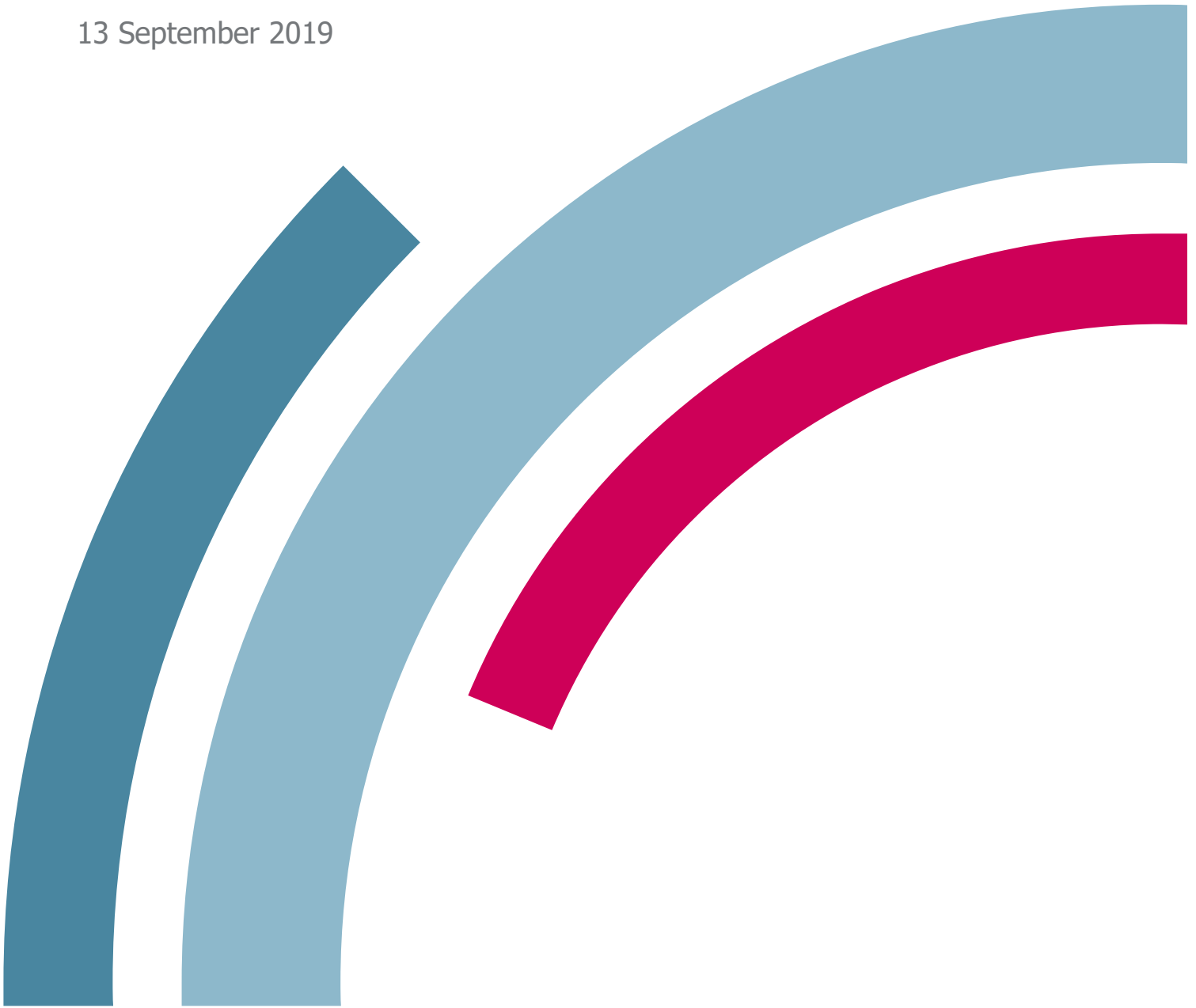


Compliance & Performance Reporting Guideline updated to include new entitlements for customers

Draft decision

13 September 2019



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Contents

1. Introduction	4
Purpose	4
Authority	4
Background to this draft decision	5
Scope	5
Process	5
Structure of this draft decision	6
2. Proposed changes to performance indicators	7
2.1. Our approach	7
2.1.1. New customer entitlements	7
2.2. Introducing new performance indicators	8
2.3. Clarifying existing performance indicators	9
2.4. Removing performance indicators	14
2.5. Administrative changes	15
3. Proposed changes to compliance reporting	16
3.1. Our approach	16
3.2. Classification of new obligations	17
3.3. Life support obligations	17
4. Proposed administrative changes	18
4.1. Performance indicators	18
4.1.1. Performance indicator reporting schedule	18
4.2. Compliance reporting	18
4.2.1. Consistent terminology	18
5. Next steps	19
5.1. Consultation period	19
How to make a submission	19
5.2. Final decision and commencement	19
5.3. Future work	19
Appendix A – Definitions for performance indicators	20

Proposed changes to existing definitions	20
Proposed new definitions	25
Appendix B – Proposed changes to performance indicators	26
Proposed modifications to existing performance indicators	26
Proposed additions to performance indicators	53
Proposed performance indicators to be removed	55
Appendix C – Proposed changes to compliance reporting obligations	57
Proposed modifications to existing compliance reporting obligations	57
Proposed additions to compliance reporting obligations	60
Proposed compliance reporting obligations to be removed	68

1. Introduction

Purpose

The purpose of this document is to outline the commission's draft decision on changes to the Compliance and Performance Reporting Guideline Version 4 (the reporting guideline). The proposed changes set out new indicators to support the commission to monitor the compliance and performance of energy businesses in delivering new customer entitlements.

We also propose administrative changes to the reporting guideline that affect both energy retailers and distribution businesses. This includes modifying existing performance indicators to promote consistency in reporting by energy businesses.

Accompanying this draft decision is an amended reporting guideline and associated reporting templates with the proposed changes.

Authority

The commission is empowered to amend the reporting guideline under:

- Section 23A of the Electricity Industry Act 2000
- Section 33 of the Gas Industry Act 2001
- Section 54W of the Essential Services Commission Act 2001

Under the Electricity Industry Act 2000 and the Gas Industry Act 2001, the commission is required to report on the performance of retailers and their compliance with their obligations under the regulatory framework. The commission sets out its reporting obligations for energy retailers and distribution businesses in the reporting guideline. The reporting guideline contains two types of reporting obligations:

- **Performance indicators** - Retailers are required to report to us data on their performance in terms of market share, customer service and their support for customers facing payment difficulty. We use this data to monitor and report on the energy market. The Victorian Energy Market Report is one way we report on how the energy market is performing.
- **Compliance reporting** - Retailers and distributors must report to us when they have identified a situation where they have potentially broken the energy rules. We set out the extent and type of information that must be reported to us.

Background to this draft decision

During 2018 and 2019, the Victorian Government and the commission introduced new energy customer entitlements.¹² These included:

- access to a regulated energy product, called the Victorian Default Offer
- simplified and standardises energy offer fact sheets
- clear advice about a new energy deal
- best offer information
- prior warning of bill change notices
- the right to request adjustments to their bill by submitting a self-read of their meter

These new entitlements commenced on 1 July 2019. As a result, we now need to update our reporting guideline to enable us to seek regular data from energy businesses to ascertain the compliance and performance of energy businesses in delivering these new customer entitlements.

The commission has also developed a new framework to assist customers experiencing family violence. This framework commences on 1 January 2020, and will require energy retailers to offer customers experiencing family violence a range of assistance with respect to their energy accounts. This draft decision proposes a set of new compliance indicators to assist the commission monitor the performance of energy retailers against these new requirements from 1 January 2020.

Scope

Our review seeks to identify and propose changes to the reporting guideline to facilitate our monitoring of the delivery of new customer entitlements by energy businesses. The review also proposes to update existing indicators in the reporting guideline for the purpose of promoting consistency across the sector in the reporting of data.

Process

1. Draft decision released on 13 September 2019
2. Stakeholder submissions due by 14 October 2019
3. Final decision to be released on 14 November 2019

We have now commenced the formal consultation period and welcome your submissions.

¹ Essential Services Commission 2018, Building trust through new customer entitlements in the retail energy market: Final Decision, 30 October.

² Essential Services Commission 2019, Consequential amendments related to the Victorian Default Offer: Final decision, 13 June.

Structure of this draft decision

Following this introduction, this draft decision is structured as follows:

- Section 2 outlines the proposed changes to performance indicators
- Section 3 outlines the proposed changes to compliance reporting obligations
- Section 4 provides a summary of the various proposed administrative changes
- Section 5 sets out the next steps

2. Proposed changes to performance indicators

Energy businesses are required to provide regular data to the commission on their performance in delivering customer entitlements. We use this performance data to monitor and report on the Victorian energy market. Our review focuses on the performance indicators relating to the new customer entitlements that came into effect on 1 July 2019. Following feedback from retailers we also decided to clarify existing indicators, to ensure consistency and clarity when retailers are submitting performance data.

2.1. Our approach

When making decisions, we are guided by our legislative objective to promote the long term interests of Victorian consumers with regard to the price, quality and reliability of essential services.³ We must also have regard to certain matters to the extent they are relevant in any particular case, such as the benefits and costs of regulation.

2.1.1. New customer entitlements

Over the past 12 months, the Victorian government and the commission has made changes to Victoria's energy regulatory framework. Many of these changes have arisen from the Victorian government's review of the electricity and gas retail markets. The review, which was led by John Thwaites, Patricia Faulkner and Terry Mulder, found the market was not delivering in the interest of consumers and recommended a range of changes to customer entitlements. These changes included enabling customers to access a basic offer with a regulated price, and requiring energy retailers to offer customers with clearer and tailored information about energy products.

The Victorian government and the commission has now implemented many of these recommendations, with most of them coming into effect on 1 July 2019. These include:

- Information for energy consumers to be informed via their bill, of the best offer available to them from their retailer.
- The clear advice entitlement, which requires retailers to communicate with customers in clear and easily understood terms, including notification ahead of any price or benefits change.
- A new Victorian energy fact sheet, which presents key plan information in a standardised format across all retailers.
- Requiring retailers to express all tariffs, fees, prices and charges in GST inclusive terms only.

³ *Essential Services Commission Act 2001* (Vic), section 8.

- The Victorian Default Offer, an energy offer where the price is set and regulated by the commission.
- Ability for consumers to provide a self-read of their meter if they receive an estimated bill.

To enable us to monitor these new obligations, we are proposing amend the reporting guideline to include new performance indicators. These indicators are set out in Appendix A.

We are continuing to implement additional reforms as a result of the recommendations from the Victorian Government’s review of electricity and gas retail markets. This may also result in further updating of our reporting guideline.

2.2. Introducing new performance indicators

We propose to introduce new performance indicators that require new data to be captured, as outlined in Table 2.1 and include measures such as:

- the number of accounts on the Victorian Default Offer
- the number of occupier accounts on the Victorian Default Offer
- the number of accounts on receiving positive or negative best offer messages on their bills
- the number of accounts receiving bill change notices
- the number of accounts submitting self-reported meter reads.

We recognise new regulatory reporting obligations may increase compliance costs. However, our proposed new indicators have been limited to a small amount of key indicators that will help monitor the new entitlements for Victorian energy customers introduced on 1 July 2019.

The new performance indicators proposed are outlined in Table 2.1 and described in Appendix B.

Table 2.1 Proposed new performance indicators

Area of interest	Ref. number	Indicator name
Background	B130	Residential Electricity accounts on the Victorian Default Offer
	B140	Residential Electricity accounts on the Victorian Default Offer under a deemed contract or occupier account
	B150	Small Business Electricity accounts on the Victorian Default Offer
	B160	Residential Electricity accounts with bill change notices
	B170	Residential Gas accounts with bill change notices
	B180	Residential Electricity accounts that received information on their bill that they are not on the retailer’s best offer
	B190	Residential Electricity accounts that received information on their bill that they are on the retailer’s best offer

2. Proposed payment difficulty framework changes to performance indicators

Area of interest	Ref. number	Indicator name
	B200	Residential Gas accounts that received information on their bill that they are not on the retailer's best offer
	B210	Residential Gas accounts that received information on their bill that they are on the retailer's best offer
	B220	Customer read estimates submitted to retailer (self-read of meter)

2.3. Clarifying existing performance indicators

This draft decision also proposes changes to the reporting guideline for the purpose of clarifying data expectations for certain indicators, including data relating to customer accounts.

Many retailers have asked us to clarify certain existing performance indicators to remove any ambiguity. For example, where existing performance indicators relate to customer numbers, we understand that some retailers may have been calculating the number of unique customers while some may have been calculating the number of accounts or the number of National Meter Identifiers. We propose to modify these existing indicators to ensure that there is a clear difference between those indicators that ask for customer numbers and those that ask for account numbers, noting that a customer may have multiple accounts.

Further, we propose to increase the standing customer classification from one to two. Retailers said at our Victorian Energy Open Forum held on 27 August 2019 that that many customers on standard contracts are occupier accounts /deemed contracts, compared to customers who have chosen to be on standard contract. To reflect this difference, we propose to create two separate standard contract categories. Other feedback related to the measuring the duration for tailored assistance customers. This feedback favoured measuring duration from 1 January 2019 and not 10 October 2017⁴. For this reason, we have suggested that the duration a customer has been receiving tailored to be counted from 1 January 2019.

We also propose to modify the performance indicators around arrears, to ensure that there is a consistent approach to the measurement of arrears. Firstly, we have clarified the definition of 'arrears' to be 'total arrears'. This captures the initial arrears and any accumulated arrears.

Secondly, total arrears are now captured from any amount above \$0, rather than previously needing to be more than \$55 including GST on the account. The reference to \$55 existed as this is the threshold by which a customer is entitled to be contacted by the retailer around the assistance available to them. However, from retailer feedback we understand that many retailers are contacting their customers prior to customers reaching this threshold. We want to ensure that

⁴ Final decision date of the payment difficulty framework

these interactions are captured by our performance indicators, to not understate the true amount of accounts receiving the highest form of assistance. This will now mean the age of total arrears is measured from the first day the arrears on an account are above \$0.

We also propose minor modification to performance indicators related to complaints, to make clear that requirements from the new reforms should be captured within these indicators. For example, we propose that complaints on billing may also include issues around the best offer or incorrect meter readings. Complaints around marketing may also include issues around the energy fact sheets.

The definitions are further outlined in Appendix A, in summary the affected definitions are:

- Arrears has now been defined as total arrears
- Aged arrears
- Residential customer
- Account
- Customer number
- Tailored assistance account and customer
- Standard assistance account and customer

The modified performance indicators proposed are outlined in Table 2.2 and are described in Appendix B.

Table 2.2 Proposed modifications to existing performance indicators

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
Background	B010	Residential Electricity Customers on standard retail contracts	B009	Residential Electricity Customers
			B010	Residential Electricity accounts on standard retail contracts
			B011	Residential Electricity accounts on deemed contracts or occupier accounts
	B020	Residential Electricity Customers on market retail contracts	B020	Residential Electricity accounts on market retail contracts
	B021	Customers with Feed-in tariffs	B021	Electricity customer accounts receiving the feed-in tariff
B030	Small Business Electricity	B029	Business Electricity Customers	

2. Proposed payment difficulty framework changes to performance indicators

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
		Customers on standard retail contracts	B030	Small Business Electricity accounts on standard retail contracts (consuming less than 40MWh per year)
	B040	Small Business Electricity Customers on market retail contracts	B040	Small Business Electricity accounts on market retail contracts (consuming less than 40MWh per year)
	B050	Business Electricity Customers	B050	Business Electricity accounts (consuming between 40-100 MWh per year)
	B060	Business Electricity Customers	B060	Business Electricity accounts (consuming between 100-160 MWh per year)
	B070	Business Electricity Customers	B070	Business Electricity accounts (consuming greater than 160 MWh per year)
	B080	Residential Gas Customers on standard retail contracts	B079	Residential Gas Customer number
B080			Residential Gas accounts on standard retail contracts	
B081			Residential Gas accounts on deemed contracts or occupier accounts	
	B090	Residential Gas Customers on market retail contracts	B090	Residential Gas accounts on market retail contracts
	B100	Small Business Gas Customers on standard retail contracts	B099	Small Business Gas Customers
			B100	Small Business Gas accounts on standard retail contracts (consuming less than 1,000 GJ per year)
	B110	Small Business Gas Customers on market retail contracts	B110	Small Business Gas accounts on market retail contracts (consuming less than 1,000 GJ per year)
	B120	Large Retail Gas Customers	B120	Large Business Gas accounts (consuming greater than 1,000 GJ per year)
Assistance	AS010	Residential customers receiving standard assistance	AS011	Residential customers receiving standard assistance
			AS012	Residential accounts receiving standard assistance

2. Proposed payment difficulty framework changes to performance indicators

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
	AS020	Residential customers receiving tailored assistance	AS021	Residential customers receiving tailored assistance
			AS022	Residential accounts receiving tailored assistance
	AS030	Residential customers receiving tailored assistance and receiving energy concessions	AS031	Residential accounts receiving tailored assistance and receiving electricity concessions
			AS032	Residential accounts receiving tailored assistance and receiving gas concessions
	AS040	Residential customers who have commenced tailored assistance, having previously received standard assistance	AS041	Residential accounts who are commencing tailored assistance, having previously received standard assistance
			AS042	Residential accounts who are receiving tailored assistance, having previously received standard assistance
	AS050	Residential accounts who were offered practical assistance measures	AS050	Residential customers who were offered practical assistance measures
	AS060	Residential customers no longer receiving tailored assistance because of no arrears	AS061	Residential accounts no longer receiving tailored assistance due to their total arrears being \$0
			AS062	Residential accounts no longer receiving tailored assistance and total arrears above \$0.
	AS070	Residential customers no longer receiving tailored assistance due to switching, transferring or leaving the retailer	AS070	Residential accounts no longer receiving tailored assistance due to switching, transferring or leaving the retailer
	AS080	Residential customers no longer receiving tailored assistance for not complying with requirements	AS080	Residential accounts no longer receiving tailored assistance for not complying with requirements
	AS090	Average duration of residential customers receiving tailored assistance (days)	AS091	Average duration (days) of residential accounts currently receiving tailored assistance (since 1 January 2019)

2. Proposed payment difficulty framework changes to performance indicators

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
Arrears	AR010	Average arrears of residential customers receiving tailored assistance (\$)	AR011	Average total arrears of residential accounts receiving tailored assistance (\$)
	AR020	Average arrears of residential customers commencing tailored assistance (\$)	AR021	Average total arrears of residential accounts commencing tailored assistance (\$)
	AR030	Residential customers who commenced tailored assistance, with arrears	AR031	Residential accounts who commenced tailored assistance and their totals arrears
	AR040	Residential customers receiving tailored assistance, with aged arrears	AR041	Residential accounts receiving tailored assistance, with total arrears 12-24 months old
			AR042	Residential accounts receiving tailored assistance, with total arrears older than 24 months
	AR050	Residential customers not receiving tailored assistance, with aged arrears	AR051	Residential accounts not receiving tailored assistance, with total arrears 12-24 months old
			AR052	Residential accounts not receiving tailored assistance, with aged total arrears older than 24 months
	AR080	Notices delivered to residential customers related to payment difficulty.	D170	Notices delivered to residential accounts related to unpaid bills and disconnection warning notices
Disconnections	D050A	Disconnection for non-payment (residential customers)	D050A	Disconnection for non-payment (residential account)
	D050B	Disconnection for non-payment (small business customers)	D050B	Disconnection for non-payment (small business account)
	D051A	Other disconnections (residential customers)	D051A	Other disconnections (residential accounts)
	D051B	Other disconnections (small business customers)	D051B	Other disconnections (small business accounts)
	D060A	Reconnections within 7 days (residential customers)	D060A	Reconnections within 7 days of disconnections for non-payment (residential accounts)

2. Proposed payment difficulty framework changes to performance indicators

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
	D060B	Reconnections within 7 days (small business customers)	D060B	Reconnections within 7 days of disconnections for non-payment (small business accounts)
	D140	Disconnections for non-payment of residential customers who did not receive assistance	D140	Disconnections for non-payment of residential customers who did not receive assistance
	D150	Residential customers where their arrears were sold after disconnection	D150	Residential accounts where their total arrears were transferred to a collection agency/third party after disconnection
	D160	Residential customers with arrears at disconnection	D161	Residential accounts with total arrears at disconnection who were disconnected for non-payment
Call centre	CC010	Calls to account line	CC010	Calls to account line
	CC020	Calls to an operator	CC020	Calls to an operator
	CC030	Calls to an operator responded to within 30 seconds	CC030	Calls to an operator responded to within 30 seconds
	CC040	Average waiting time	CC040	Average waiting time (in seconds)
	CC050	Abandoned calls	CC050	Abandoned calls
Complaints	C010	Complaints – billing	C010	Complaints – billing
	C020	Complaints – marketing	C020	Complaints – marketing

2.4. Removing performance indicators

Following our proposed changes and additions to performance indicators, we propose removing the existing indicators in Table 2.3. We reviewed these indicators and found they provided limited insight for our monitoring and reporting requirements. The specific changes to indicators we propose to remove are described in Appendix B.

Table 2.3 Proposed replacement of existing performance indicators

Area of interest	Ref. number	Existing indicator name (to be removed)
Disconnections	D010	Estimated accounts
	D030	Refundable advances - number
	D040	Refundable advances - amount

2. Proposed payment difficulty framework changes to performance indicators

Area of interest	Ref. number	Existing indicator name (to be removed)
	D090	Disconnections on more than one occasion
	D100	Disconnections of residential energy concession accounts
	D130	Reconnection of residential energy concession accounts

2.5. Administrative changes

We propose the following administrative changes:

- **A revision to reporting templates** - Performance indicator reporting templates will be revised to reflect the changes to the performance indicators.
- **Specifying the commencement date** - The revised performance indicator requirements are proposed to take effect from 1 January 2019.

3. Proposed changes to compliance reporting

Energy retailers and distributors are required to report potential breaches to the commission in accordance with our reporting guideline.

We are proposing to make changes to the reporting guideline to incorporate the following new obligations that apply to energy retailers:

- The best offer and clear advice amendments that came into effect on 1 July 2019.
- The Victorian Default Offer and consequential amendments to the energy retail code that came into effect on 1 July 2019.
- The new energy fact sheet amendments that came into effect on 1 July 2019.
- Family violence amendments scheduled to come into effect on 1 January 2020.

3.1. Our approach

We propose amendments to the reporting guideline that will require retailers to report potential breaches of the new obligations. We also propose minor amendments to improve clarity.

The amendments include adding new reporting obligations, modifying existing reporting obligations and removing existing reporting obligations. We have provided our rationale for each proposed change in Appendix C.

3.2. Classification of new obligations

Obligations under the reporting guideline are classified as type 1, type 2 and type 3. Breaches of type 1 obligations are typically the most serious. Breaches of type 3 obligations are typically the least serious.

In order to classify the new obligations we have used a matrix model, set out below, that considers the potential customer impact of a breach and the extent to which an immediate response is required, referred to as time sensitivity. This model uses the existing criteria specified in section 2 of the reporting guideline.

		Time sensitivity		
		High	Medium	Low
Customer harm	Significant	Type 1		
	Moderate		Type 2	
	Minor			Type 3

Based on this framework, and the classification of existing obligations in our framework, the proposed classification for most of the new obligations is type one. Details are set out in Appendix C.

3.3. Life support obligations

We note that the commission is currently consulting on changes to the life support and planned interruption or outage requirements for energy retailers and distributors. Those changes are likely to result in consequential amendments to the reporting guideline. We will consult with stakeholders, including distributors, regarding the required consequential changes.

4. Proposed administrative changes

In addition to amendments to align the reporting guideline with the retail market reforms, we propose to make a few other administrative changes that are applicable to both energy retailers and distributors.

4.1. Performance indicators

4.1.1. Performance indicator reporting schedule

The existing reporting guideline requires retailers to submit performance indicator data on a quarterly basis to the commission, with reporting timeframes for the fourth quarter of financial year to be submitted by 31 August. For consistency with reporting dates with other regulators (i.e. the Australian Energy Regulator), and to enable the commission to produce its annual reports timelier, we propose that retailers submit their data for the fourth quarter by 31 July. Feedback from retailers was that this would be a better method and not pose any issues.

We propose to remove the bi-annual performance reporting date for performance indicators, as performance reporting is no longer submitted on a bi-annual basis and rather quarterly. Although some data may be bi-annual or annual in the nature of the data, the submissions will still be due in the quarterly submission.

4.2. Compliance reporting

4.2.1. Consistent terminology

We propose administrative changes to align the terminology used in the reporting guideline with the language that we use on our website and in other documents. These changes do not impact on the classification of obligations.

This includes simplification of the relevant obligation descriptions within the compliance reporting schedule and ensuring the use of consistent language.

5. Next steps

5.1. Consultation period

We now seek feedback from interested stakeholders on the proposed changes to the reporting guideline to support the new obligations, as well as administrative changes.

Submissions in electronic format are preferred and must be submitted to the commission by 5.00pm on 14 October 2019. Early submissions are welcome.

It is the commission's standard practice to make all submission publicly available on its website. Please clearly mark any confidential or commercially sensitive information that you do not wish to be disclosed publicly.

How to make a submission

By email: energyanalysis@esc.vic.gov.au

By post: Essential Services Commission

Level 37, 2 Lonsdale Street

Melbourne VIC 3000

5.2. Final decision and commencement

Once we have reviewed the feedback provided by stakeholders in their submissions, we intend to release the final decision and the revised reporting guideline in early November 2019.

The requirements of the revised reporting guideline would apply to reporting from 1 January 2020.

5.3. Future work

We propose to develop new outcome measures to assess the impact of the new reforms relating to customer entitlements and those relating to family violence and life support changes. This will be done through working groups made up of industry representatives, consumer advocacy groups and any other interested parties. We will seek expressions of interest following the completion of the final decision.

Appendix A – Definitions for performance indicators

Proposed changes to existing definitions

Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
<p>Arrears: Amount outstanding where this relates to money for a bill past its pay-by-date, which is greater than \$55 inclusive of GST. Our definition assumes that customer arrears are based on the unpaid invoices of a customer and covers the total arrears on a customer's account.</p>	<p>Total Arrears: All unpaid invoices (bills past the pay-by-date of a customer) greater than \$0 including both initial arrears and any accrued arrears. Any reference to arrears is expected to capture total arrears.</p>	<p>To provide a more consistent approach to the measurement of arrears based on retailer feedback. The reference to \$55 arrears has been changed to greater than \$0 as customers are receiving minimum entitlements consistent with tailored assistance prior to accruing \$55 in total arrears.</p>
<p>Residential customer: A customer who purchases energy principally for personal, household or domestic use.</p>	<p>Residential customer: A person/individual who purchases energy principally for personal, household or domestic use. This person/individual will hold at least one residential account.</p>	<p>To provide a consistent approach to customer level performance indicators and to distinguish these from account level performance indicators.</p>
<p>Standard assistance customer: A residential customer receiving standard assistance as a minimum (as per clauses 76(2) (a)-(d) and clause 90 of the Energy Retail Code, who is not in arrears of more than \$55 including GST at the end of the reporting period.</p>	<p>Standard assistance customer: A residential customer where the customer holder receives minimum standard forms of assistance, to help them avoid getting into arrears with their retailer (per clause 76(2) (a)-(d) and clause 90 of the Energy Retail Code). At a minimum, standard assistance made available must include at least 3 of the following:</p> <ul style="list-style-type: none"> • Making payments of an equal amount over a specified period; • Options for making payments at different intervals; • Extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period; or • Paying for energy use in advance. <p>Note: A customer is receiving standard assistance from the time they started</p>	<p>To provide a consistent approach to customer level performance indicators and to distinguish these from account level performance indicators. The relevant clauses from the Energy Retail Code have been added for ease of reference.</p>

receiving measures under this form of assistance until completion or suspension of assistance

Tailored assistance customer: A residential customer receiving tailored assistance as a minimum, who is in arrears of more than \$55 including GST at the end of the reporting period, provided in a subset of:

- customers who can pay their on-going usage, as per clause 79(1)(a)-(d)(g) and clause 90 of the Energy Retail Code
- customer who cannot pay their on-going usage, as per clause 79(1)(c)-(g) and clause 90 of the Energy Retail Code

Note: A customer is receiving tailored assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

Tailored assistance customer: A residential customer where the customer holder receives minimum standards of flexible and practicable assistance that makes it easier for them to pay at least their on-going usage energy use, repay their total arrears over a two year period and lower their energy costs. There are requirements for two subsets of customers:

- Customers who can pay at least their on-going usage, where at a minimum, tailored assistance consists of (per clause 79(1)(a)-(d)(g) and clause 90 of the Energy Retail Code):
 - Repayment of arrears over not more than 2 years by payments at regular intervals of up to one month;
 - Advice from the retailer about payment options that would enable a customer to repay their arrears over not more than 2 years;
 - Specific advice about the likely cost of a customer's future energy use and how this cost may be lowered;
 - Specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs
 - Any other assistance consistent with making it easier for customers to pay for their on-going energy use, repay their arrears and lower their energy costs.
- Customers who cannot pay their on-going usage, where at a minimum tailored assistance consists of (per clause 79(1)(c)-(g) and clause 90 of the Energy Retail Code):
 - Specific advice about the likely cost of a customer's future energy use and how this cost may be lowered;
 - Specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs;
 - Practical assistance to help a customer lower their energy costs;
 - An initial period of at least 6 months during which:
 - (i) repayment of the customer's arrears is put on hold;
 - (ii) the customer pays less than the full cost of their on-

To provide a consistent approach to customer level performance indicators and to distinguish these from account level performance indicators. The relevant clauses from the Energy Retail Code have been added for ease of reference.

- going energy use while working to lower that cost
 - Any other assistance consistent with making it easier for customers to pay for their on-going energy use, repay their arrears and lower their energy costs.

Note: A customer is receiving tailored assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

Account: This is an existing term within the current performance indicators but was not formal defined.

Account: An identifier/number used to bill and identify accounts for electricity and gas separately. This performance indicator should only count one account per unique physical address.

To provide a clear definition for account level performance indicators.

- A residential account is an account on residential network tariffs
- A business account is an account on business or commercial network tariffs.

Note: This is not a count of the National Meter Identifier (NMI) or the Meter Installation Registration Number (MIRN)

Aged arrears: This is an existing term within the current performance indicators but was not formal defined.

Aged total arrears: The age (in days) of total arrears, measured from the first day total arrears are above \$0 and until total arrears return to \$0. Refer to performance indicators AR041, AR042, AR051 and AR052 for specifics on categories

To provide a consistent approach to the measurement of aged total arrears.

Business customer: This is an existing term within the current performance indicators but was not formal defined.

Business customer: A person/individual/company who purchases energy principally for a business premise/s. This person/individual/customer will hold at least one business account.

To provide a clear definition for business customer level performance indicators.

Customer number: This is an existing term within the current performance indicators but was not formal defined.

Customer number: The unique number which identifies a person who holds one or more account with a retailer. For example a customer may purchase electricity and gas from a retailer but would only hold one unique customer number with this retailer. Likewise, a customer may have multiple properties

To provide a clear definition for customer level performance indicators.

supplied by the same retailer and would therefore have all their accounts under one customer number/identifier.

Standard assistance account: This is an existing term within the current performance indicators but was not formally defined.

Standard assistance account: A residential account where the account holder receives minimum standard forms of assistance, to help them avoid getting into arrears with their retailer (per clause 76(2) (a)-(d) and clause 90 of the Energy Retail Code). At a minimum, standard assistance made available must include at least 3 of the following:

- Making payments of an equal amount over a specified period;
- Options for making payments at different intervals;
- Extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period; or
- Paying for energy use in advance.

Note: An account is receiving standard assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

To provide a clear definition for account level performance indicators for standard assistance.

Tailored assistance account: This is an existing term within the current performance indicators but was not formally defined.

Tailored assistance account: Where the account receives minimum standards of flexible and practical assistance that makes it easier for them to pay for at least their on-going usage, repay their total arrears over a two year period and lower their energy costs. There are requirements for two subsets of accounts:

Accounts who can pay at least their on-going usage, where at a minimum, tailored assistance consists of (per clause 79(1)(a)-(d)(g) and clause 90 of the Energy Retail Code):

- Repayment of arrears over not more than 2 years by payments at regular intervals of up to one month;
- Advice from the retailer about payment options that would enable a customer to repay their arrears over not more than 2 years;
- Specific advice about the likely cost of a customer's future energy use and how this cost may be lowered;
- Specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs
- Any other assistance consistent with making it easier for customers to

To provide a clear definition for account level performance indicators for tailored assistance.

pay for their on-going energy use, repay their arrears and lower their energy costs.

Accounts who cannot pay their on-going usage, where at a minimum tailored assistance consists of (per clause 79(1)(c)-(g) and clause 90 of the Energy Retail Code):

- Specific advice about the likely cost of a customer's future energy use and how this cost may be lowered;
- Specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs;
- Practical assistance to help a customer lower their energy costs;
- An initial period of at least 6 months during which:
 - (i) repayment of the customer's arrears is put on hold;
 - (ii) the customer pays less than the full cost of their on-going energy use while working to lower that cost
- Any other assistance consistent with making it easier for customers to pay for their on-going energy use, repay their arrears and lower their energy costs.

Note: A customer is receiving tailored assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

Proposed new definitions

Proposed addition	Proposed definition	Justification for addition
Victorian Default Offer	The Victorian Default Offer, introduced by the Victorian Government on 1 July 2019, as defined in the Gazette number S208.	To provide a consistent approach to performance indicators related to the Victorian Default Offer.
Energy fact sheet	<p>A fact sheet that displays key information about available energy offers, presented in a consistent format across retailers, to assist small customers in considering, comparing and selecting offers.</p> <p>The fact sheet includes:</p> <ul style="list-style-type: none"> • A pricing table comparing estimates for three different household usage profiles • Two price estimates for each profile: <ol style="list-style-type: none"> a) A price estimate excluding conditional discounts; and <p>A price estimate including all available discounts.</p>	To provide a clear definition for performance indicators related to the Energy fact sheets.

Appendix B – Proposed changes to performance indicators

Proposed modifications to existing performance indicators

In assessing the changes to existing performance indicators, we considered the objectives of the framework, the outcomes that could be determined, achievability and whether the original intent remained relevant. We also tested early versions of the proposed performance indicators at a stakeholder workshop on 27 August 2019 and through other retailer feedback.

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
B010	<p>Indicator: Residential Electricity Customers on standard retail contracts</p> <p>Definition: The number of customers as at the last calendar day of each month during the reporting period who purchase electricity under a standard retail contract, principally for personal, household or domestic use at premises.</p>	<p>Indicator: Residential Electricity Customers</p> <p>Definition: The count of residential electricity customer IDs with at least one residential electricity account with the retailer. This is to be measured as at the last calendar day of each reporting month.</p>	To capture the total number of residential customers with each retailer consistently.
		<p>Indicator: Residential Electricity accounts on standard retail contracts</p> <p>Definition: The count of residential electricity accounts, excluding the Victorian Default Offer, who purchase electricity under a standard retail contract, principally for personal, household or domestic use at premises. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month</p>	To clarify this performance indicator is on the account level and that standard retail contracts count should include deemed contracts and occupier accounts.
		<p>Indicator: Residential Electricity accounts on deemed contracts or occupier accounts</p> <p>Definition: The count of residential electricity accounts who purchase electricity under a deemed contract or occupier account. This is to be measured as at the last calendar day of each reporting month.</p>	To capture the extent of customers that are on standard retail contracts because they are an occupier account or on a deemed contract with the retailer

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
B020	<p>Indicator: Residential Electricity Customers on market retail contracts</p> <p>Definition: The number of customers as at the last calendar day of each month during the reporting period who purchase electricity under a market retail contract, principally for personal, household or domestic use at premises.</p>	<p>Indicator: Residential Electricity accounts on market retail contracts</p> <p>Definition: The count of residential electricity accounts who purchase electricity under a market retail contract, principally for personal, household or domestic use at premises. This is to be measured as at the last calendar day of each reporting month.</p>	To clarify this performance indicator is on the account level
B021	<p>Indicator: Customers with Feed-in tariffs</p> <p>Definition: The number of customers from whom electricity was generated and sold to the retailer in the period.</p> <p>Note: Data is to be reported in quarterly intervals</p>	<p>Indicator: Electricity customer accounts receiving the feed-in tariff</p> <p>Definition: The count of unique residential electricity accounts that received the feed-in tariff during the reporting quarter.</p> <p>Note: Data is to be reported in quarterly intervals</p>	To clarify this performance indicator is on the account level and eliminates the possibility of double counting between when electricity is generated and credits are received.
B030	<p>Indicator: Small Business Electricity Customers on standard retail contracts</p> <p>Definition: The number of non-residential retail customers as at the last calendar day of each month during the reporting period, who purchase electricity for business premises under a standard retail contract and consume less than 40 MWh a year.</p>	<p>Indicator: Business Electricity Customers</p> <p>Definition: The count of business electricity customer IDs with at least one business electricity account with the retailer. This is to be measured as at the last calendar day of each reporting month.</p> <hr/> <p>Indicator: Small Business Electricity accounts on standard retail contracts (consuming less than 40MWh per year)</p> <p>Definition: The count of business electricity accounts, excluding the Victorian Default Offer, that purchase electricity for a business premises under a standard retail contract and consume less than 40 MWh a year. This should include deemed contracts or occupier accounts and is to be measured as at the last</p>	<p>To capture the total number of business customers with each retailer consistently.</p> <p>To clarify this performance indicator is on the account level and that standard retail contracts count should include deemed contracts and occupier accounts. The performance indicator name has been updated to be consistent with the excel template.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
		calendar day of each reporting month	
B040	<p>Indicator: Small Business Electricity Customers on market retail contracts</p> <p>Definition: The number of non-residential retail customers as at the last calendar day of each month during the reporting period, who purchase electricity for business premises under a market retail contract and consume less than 40 MWh a year.</p>	<p>Indicator: Small Business Electricity accounts on market retail contracts (consuming less than 40MWh per year)</p> <p>Definition: The count of business electricity accounts that purchase electricity for a business premises under a market retail contract and consume less than 40 MWh a year. This is to be measured as at the last calendar day of each reporting month.</p>	To clarify this indicator is on the account level. The performance indicator name has been updated to be consistent with the excel template
B050	<p>Indicator: Business Electricity Customers</p> <p>Definition: The number of business retail customers as at the last day of each calendar month during the reporting period, who purchase electricity for business premises on any contract type and consume between 40-100 MWh</p>	<p>Indicator: Business Electricity accounts (consuming between 40-100 MWh per year)</p> <p>Definition: The count of business electricity accounts that purchase electricity for a business premises under a market retail contract and consume between 40-100 MWh a year. This is to be measured as at the last calendar day of each reporting month.</p>	To clarify this indicator is on the account level. The performance indicator name has been updated to be consistent with the excel template
B060	<p>Indicator: Business Electricity Customers</p> <p>Definition: The number of business retail customers as at the last day of each calendar month during the reporting period, who purchase electricity for business premises on any contract type and consume between 100-160 MWh</p>	<p>Indicator: Business Electricity accounts (consuming between 100-160 MWh per year)</p> <p>Definition: The count of business electricity accounts that purchase electricity for a business premises under a market retail contract and consume between 100-160 MWh a year. This is to be measured as at the last calendar day of each reporting month.</p>	To clarify this indicator is on the account level. The performance indicator name has been updated to be consistent with the excel template
B070	<p>Indicator: Business Electricity Customers</p> <p>Definition: The number of business retail</p>	<p>Indicator: Business Electricity accounts consuming (consuming greater than 160 MWh per year)</p>	To clarify this indicator is on the account level. The performance indicator name has been updated to

Appendix B – Proposed changes to performance indicators

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	customers, as at the last calendar day of each month during the reporting period on any contract type, consuming more than 160 MWh a year	Definition: The count of business electricity accounts that purchase electricity for a business premises under a market retail contract and consume greater than 160 MWh a year. This is to be measured as at the last calendar day of each reporting month.	be consistent with the excel template
B080	<p>Indicator: Residential Gas Customers on standard retail contracts</p> <p>Definition: The number of customers as at the last day of each calendar month during the reporting period who purchase gas under a standard retail contract, principally for personal, household or domestic use at premises.</p>	<p>Indicator: Residential Gas Customer number</p> <p>Definition: The count of residential gas customer IDs, as at the last day of each reporting month, with at least one residential gas account with the retailer.</p>	<p>To capture the total number of residential customers with each retailer consistently.</p> <p>To clarify this performance indicator is on the account level and that standard retail contracts count should include deemed contracts and occupier accounts.</p>
		<p>Indicator: Residential Gas accounts on standard retail contracts</p> <p>Definition: The count of residential gas accounts, who purchase gas under a standard retail contract, principally for personal, household or domestic use at premises. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month</p>	
		<p>Indicator: Residential Gas accounts on deemed contracts or occupier accounts</p> <p>Definition: The count of residential gas accounts who purchase gas under a deemed contract or occupier account. This is to be measured as at the last calendar day of each reporting month.</p>	To capture the extent of customers that are on standard retail contracts because they are an occupier account or on a deemed contract with the retailer
B090	<p>Indicator: Residential Gas Customers on market retail contracts</p> <p>Definition: The number of customers as at the last day of each calendar month during the reporting period who purchase gas under a market retail contract, principally for personal, household or domestic use at premises.</p>	<p>Indicator: Residential Gas accounts on market retail contracts</p> <p>Definition: The count of residential gas accounts who purchase gas under a market retail contract, principally for personal, household or domestic use at premises. This is to be measured as at the last calendar day of each reporting month.</p>	To clarify this performance indicator is on the account level

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
B100	<p>Indicator: Small Business Gas Customers on standard retail contracts</p> <p>Definition: The number of non-residential customers as at the last day of each calendar month during the reporting period, who purchase gas for business premises under a standard retail contract and consume less than 1000 GJ a year.</p>	<p>Indicator: Small Business Gas Customers</p> <p>Definition: The count of business gas customer IDs with at least one business gas account with the retailer. This is to be measured as at the last calendar day of each reporting month.</p> <hr/> <p>Indicator: Small Business Gas accounts on standard retail contracts (consuming less than 1,000 GJ per year)</p> <p>Definition: The count of business gas accounts, that purchase gas for a business premises under a standard retail contract and consume less than 1000 GJ a year. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month</p>	<p>To capture the total number of business customers with each retailer consistently.</p> <hr/> <p>To clarify this indicator is on the account level and that standard retail contracts should include deemed contracts and occupier accounts. The performance indicator name has been updated to be consistent with the excel template</p>
B110	<p>Indicator: Small Business Gas Customers on market retail contracts</p> <p>Definition: The number of non-residential customers as at the last day of each calendar month during the reporting period, who purchase gas for business premises under a market retail contract and consume less than 1000 GJ a year.</p>	<p>Indicator: Small Business Gas accounts on market retail contracts(consuming less than 1,000 GJ per year)</p> <p>Definition: The count of business gas accounts that purchase gas for a business premises under a market retail contract and consume less than 1000 GJ a year. This is to be measured as at the last calendar day of each reporting month.</p>	<p>To clarify this performance indicator is on the account level. The performance indicator name has been updated to be consistent with the excel template</p>
B120	<p>Indicator: Large Retail Gas Customers</p> <p>Definition: The number of retail customers, as at the last day of each calendar month during the reporting period, consuming more than 1000 GJ of gas a year.</p>	<p>Indicator: Large Business Gas accounts (consuming greater than 1,000 GJ per year)</p> <p>Definition: The count of business gas accounts that purchase gas for business premises on any contract type and consume more than 1000 GJ of gas a year. This is to be measured as at the last calendar day of each reporting month.</p>	<p>To clarify this performance indicator is on the account level. The performance indicator name has been updated to be consistent with the excel template</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
AS010	<p>Indicator: Residential customers receiving standard assistance</p> <p>Definition: Reported separately for electricity and gas, the number of customers receiving standard assistance. A customer receiving standard assistance as a minimum as at the end of the reporting period.</p> <p>Note: Standard assistance is as per clauses 76(2)(a-d) and clause 90 of the Energy Retail Code. This assumes a customer is not in arrears of more than \$55 including GST at the end of the reporting period..</p>	<p>Indicator: Residential customers receiving standard assistance</p> <p>Definition: The count of residential customer IDs on standard assistance as at the last calendar day of the reporting month. Regardless of the level of total arrears. This measure counts customer IDs once regardless of how many accounts are on standard assistance. Reported separately for electricity and gas.</p> <p>These customers should be receiving at least 3 of the following:</p> <ul style="list-style-type: none"> (a) making payments of an equal amount over a specified period; (b) options for making payments at different intervals; (c) extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period; (d) paying for energy use in advance. <p>Note: this indicator excludes customers that are on electricity or gas products that are generally available plans as structured prepaid/advance payment plans. The intention of this indicator is to capture customers that are on standard assistance to avoid getting into arrears, not to capture specific plan types or business models.</p> <hr/> <p>Indicator: Residential accounts receiving standard assistance</p> <p>Definition: The count of residential accounts on standard assistance as at the last calendar day of the reporting month. Regardless of the level of total arrears. Reported separately for electricity and gas.</p> <p>These customers should be receiving at least 3 of the following:</p> <ul style="list-style-type: none"> (a) making payments of an equal amount over a specified period; (b) options for making payments at different intervals; 	<p>To clarify this performance indicator is on the customer level and amended to provide a more consistent approach to the measurement of arrears based on retailer feedback we have received.</p> <p>The reference to \$55 arrears has been changed to greater than \$0.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
		<p>(c) extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period;</p> <p>(d) paying for energy use in advance.</p> <p>Note: this indicator excludes customers that are on electricity or gas products that are generally available plans as structured prepaid/advance payment plans. The intention of this indicator is to capture customers that are on standard assistance to avoid getting into arrears, not to capture specific plan types or business models.</p>	
AS020	<p>Indicator: Residential customers receiving tailored assistance</p> <p>Definition: Reported separately for electricity and gas, the number of customers receiving tailored assistance. A customer receiving tailored assistance as a minimum, who is in arrears of more than \$55 including GST at the end of the reporting period, provided in a subset of: (a) customers who can pay their on-going usage, as per clause 79(1)(a-d)(g) and clause 90 of the Energy Retail Code (b) customers who cannot pay their on-going usage, as per clause 79(1)(c-g) and clause 90 of the Energy Retail Code.</p>	<p>Indicator: Residential customers receiving tailored assistance</p> <p>Definition: The count of residential customer IDs with at least one account receiving tailored assistance (equivalent to or greater than the minimum assistance under tailor assistance) as at the last calendar day of the reporting month. Regardless of the level of total arrears. Reported separately for electricity and gas. This indicator should be broken down in to two subsets: (a) customers who can pay at least their on-going usage, as defined in the definitions. (b) customers who cannot pay their on-going usage, as defined in the definitions.</p> <p>Note: A customer could have multiple accounts with tailored assistance but we would expect this indicators measure these customers just once for the count of this indicator.</p> <hr/> <p>Indicator: Residential accounts receiving tailored assistance</p> <p>Definition: The count of residential accounts receiving tailored assistance (equivalent to or greater than the minimum assistance under tailor assistance) as at the last calendar day of the reporting month. Regardless of the level of total arrears. Reported separately for electricity and gas This indicator should be broken down in to two subsets: (a) customers who can pay at least their on-going usage, as defined in the definitions.</p>	<p>To clarify this performance indicator is on the customer level and amended to provide a more consistent approach to the measurement of arrears based on retailer feedback we have received.</p> <p>The reference to \$55 arrears has been changed to greater than \$0 as customers are receiving minimum entitlements consistent with tailored assistance prior to accruing \$55 in total arrears.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
		(b) customers who cannot pay their on-going usage, as defined in the definitions.	
AS030	<p>Indicator: Residential customers receiving tailored assistance and receiving energy concessions</p> <p>Definition: Reported separately for electricity and gas, the number of customers receiving tailored assistance who are also energy concession customers. An energy concession customer is a residential customer that is recorded by the retailer as eligible for and is receiving an energy concession, where the concession is administered by the retailer. An energy concession customer receiving tailored assistance as a minimum, who is in arrears of more than \$55 including GST at the end of the reporting period, provided in a subset of:</p> <p>(a) customers who can pay their on-going usage, as per clause 79(1)(a-d)(g) and clause 90 of the Energy Retail Code</p> <p>(b) customer who cannot pay their on-going usage, as per clause 79(1)(c-g) and clause 90 of the Energy Retail Code</p>	<p>Indicator: Residential accounts receiving tailored assistance and receiving electricity concessions</p> <p>Definition: The count of residential accounts receiving tailored assistance during the reporting month that are also an electricity concession. An electricity concession customer is a residential customer that is recorded by the retailer as eligible for and receiving an electricity concession, where the concession is administered by the retailer.</p> <p>This indicator should be broken down in to two subsets:</p> <p>(a) An electricity concession account receiving tailored assistance as at the last calendar day of the reporting month who can pay at least their on-going usage, as defined in the definitions.</p> <p>(b) An electricity concession account receiving tailored assistance as at the last calendar day of the reporting month who cannot pay their on-going usage, as defined in the definitions.</p> <hr/> <p>Indicator: Residential accounts receiving tailored assistance and receiving gas concessions</p> <p>Definition: The count of residential accounts receiving tailored assistance during the reporting month that are also a gas concession. A gas concession customer is a residential customer that is recorded by the retailer as eligible for and receiving a gas concession, where the concession is administered by the retailer.</p> <p>This indicator should be broken down in to two subsets:</p> <p>(a) A gas concession account receiving tailored assistance as at the last calendar day of the reporting month who can pay at least their on-going usage, as defined in the definitions.</p> <p>(b) A gas concession account receiving tailored assistance as at the last calendar day of the reporting month customer who cannot pay their on-going usage, as defined in the definitions.</p>	To clarify this performance indicator is on the account level and specific to the fuel type we are asking the retailer to report on. This performance indicator has been split into two performance indicators for electricity and gas concession to be reported separately.

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
AS040	<p>Indicator: Residential customers who have commenced tailored assistance, having previously received standard assistance</p> <p>Definition: Reported separately for electricity and gas, the number of customers who commenced tailored assistance in the reporting period, who had received standard assistance in the last 6 months.</p> <p>Note: This indicator should be limited only to the current round of tailored assistance received by the customer. The current round of assistance is the period of time from when the customer started receiving measures under tailored assistance until completion or suspension of assistance</p>	<p>Indicator: Residential accounts who are commencing tailored assistance, having previously received standard assistance</p> <p>Definition: Reported separately for electricity and gas. The count of accounts that are commencing tailored assistance during the reporting month, who had previously received standard assistance in the last 6 months.</p> <p>Indicator: Residential accounts who are receiving tailored assistance, having previously received standard assistance</p> <p>Definition: Reported separately for electricity and gas. The count of accounts that are receiving tailored assistance during the reporting month, who had previously received standard assistance within the last 6 months.</p>	To clarify this indicator on the account level and to be able measure those who commence a higher form of assistance and those who continue to receive a higher form of assistance having previously received standard assistance in the last six months.
AS050	<p>Indicator: Residential customers who were offered practical assistance measures</p> <p>Definition: Reported separately for electricity and gas, the number of residential customers that were offered practical assistance measures to reduce their energy use in the reporting period.</p> <p>Note: retailers may also choose to provide further information on the type and extent of practical assistance measures offered to their customers.</p>	<p>Indicator: Residential accounts who were offered practical assistance measures</p> <p>Definition: Reported separately for electricity and gas, The count of residential accounts that were offered practical assistance to reduce their energy cost in the reporting month. As per clause 79(1)(e) of the Energy Retail Code. Practical assistance to help a customer lower their energy costs including, but not limited:</p> <ul style="list-style-type: none"> the tariff that is most likely to minimise the customer's energy costs, based on the retailer's knowledge of the customer's pattern of energy use and payment history; and practical assistance to help the customer reduce their use of energy, based on the customer's pattern of energy use and on the circumstances of where the customer lives, provided there is scope for action to be taken for that purpose; and information about how the customer is progressing towards lowering their energy costs given at sufficient intervals for the customer to be able to adequately assess that progress; 	To clarify this performance indicator is on the account level. The relevant clauses from the Energy Retail Code have been added for ease of reference.

Appendix B – Proposed changes to performance indicators

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
		Note: In the additional notes field at the end of the template for electricity and gas retailers can provide further information on the type and extent of practical assistance measures offered to their customers	
AS060	<p>Indicator: Residential customers no longer receiving tailored assistance because of no arrears</p> <p>Definition: Reported separately for electricity and gas, for each month within the reporting period, the number of customers who are no longer receiving tailored assistance as they are no longer facing payment difficulties.</p> <p>Note: This includes customers who are no longer facing payment difficulties and have successfully reduced their arrears below \$55.</p>	<p>Indicator: Residential accounts no longer receiving tailored assistance due to their total arrears being \$0</p> <p>Definition: The count of accounts that are no longer receiving tailored assistance and have total arrears of \$0 at the end of their plan during the reporting month. Reported separately for electricity and gas.</p> <p>Indicator: Residential accounts no longer receiving tailored assistance and total arrears above \$0.</p> <p>Definition: The count of accounts that are no longer receiving tailored assistance and have total arrears that are above \$0 at the end of their plan during the reporting month. Reported separately for electricity and gas.</p>	<p>To clarify this performance indicator is on the customer level and amended to provide a more consistent approach to the measurement of arrears based on retailer feedback we have received.</p> <p>The reference to \$55 arrears has been changed to greater than \$0 as customers are receiving minimum entitlements consistent with tailored assistance prior to accruing \$55 in total arrears.</p>
AS070	<p>Indicator: Residential customers no longer receiving tailored assistance due to switching, transferring or leaving the retailer</p> <p>Definition: Reported separately for electricity and gas, for each month within the reporting period, the number of customers no longer receiving tailored assistance because they switched / transferred to another retailer or otherwise left the retailer.</p>	<p>Indicator: Residential accounts no longer receiving tailored assistance due to switching, transferring or leaving the retailer</p> <p>Definition: The count of accounts that are no longer receiving tailored assistance because they switched / transferred to another retailer or otherwise left the retailer during the reporting month. Reported separately for electricity and gas.</p>	To clarify this performance indicator is on the account level
AS080	<p>Indicator: Residential customers no longer receiving tailored assistance for not complying with requirements</p> <p>Definition: Reported separately for electricity</p>	<p>Indicator: Residential accounts no longer receiving tailored assistance for not complying with requirements</p> <p>Definition: The count of accounts customers that are no longer receiving tailored assistance because of not complying with requirements during the reporting</p>	To clarify this performance indicator is on the account level. The relevant clauses from the Energy Retail Code have been added for ease of reference.

Appendix B – Proposed changes to performance indicators

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>and gas, for each month within the reporting period, the number of residential customers who are no longer receiving tailored assistance because of not complying with requirements.</p> <p>Note: This includes customers who are no longer being provided assistance by their retailer in accordance with clause 83 of the Energy Retail Code. This must exclude the customers captured under AS060.</p>	<p>month. Reported separately for electricity and gas.</p> <p>As per clause 83(1)(a) and 83(1)(b) of the Energy retail code, which states that retailers must continue to provide assistance to a customer unless the customer has refused or failed to take reasonable action towards paying for their on-going energy use and repaying their arrears, following discussion between the retailer and the customer of a revised proposal (i.e. a second iteration of the initial payment proposal); or the customer has refused or failed to take on reasonable action towards making payments towards the cost of their on-going energy use, following discussion between the retailer and the customer around varying the amount payable, or the frequency of those payments, or both, to give the customer more time to lower their energy costs.</p>	
AS090	<p>Indicator: Average duration of residential customers receiving tailored assistance (days)</p> <p>Definition: Reported separately for electricity and gas, the average number of days since customers commenced receiving their current round of tailored assistance (calculated as at the last calendar day of each month in the reporting period). Provide data separately for:</p> <p>(a) Customers who are able to repay their arrears and pay for their ongoing usage costs</p> <p>(b) Customers who cannot afford to pay for their ongoing energy usage costs.</p> <p>Note: For clarity, the current round of tailored assistance is the period of time from when the customer started receiving measures under tailored assistance until completion or suspension of assistance.</p>	<p>Indicator: Average duration (days) of residential accounts currently receiving tailored assistance (since 1 January 2019)</p> <p>Definition: Reported separately for electricity and gas, the average number of total days from 1 January 2019 an account has been receiving tailored assistance as at the last calendar day of the reporting month. Provide data separately for:</p> <p>(a) customers who can pay at least their on-going usage, as defined in the definitions.</p> <p>(b) customers who cannot pay their on-going usage, as defined in the definitions.</p> <p>Note: This indicator should only measure accounts that are still receiving tailored assistance as at the last day of the reporting month. The duration should not count days an account was not receiving assistance due to completion or suspension of assistance.</p>	<p>Consistent with our final decision on the Payment Difficulty Framework, the payment difficulty framework took effect from 1 January 2019. This will result in a consistent approach to measuring duration for our performance indicators.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
AR010	<p>Indicator: Average arrears of residential customers receiving tailored assistance (\$)</p> <p>Definition: Reported separately for electricity and gas, the average arrears of all customers receiving tailored assistance as at the last day of each month within the reporting period. Provide data separately for:</p> <p>(a) Customers who are able to repay their arrears and pay for their ongoing usage costs</p> <p>(b) Customers who cannot afford to pay for their ongoing energy usage costs</p> <p>Note: This indicator should be limited only to customers receiving their current round of tailored assistance. The current round of assistance is the period of time from when the customer started receiving measures under tailored assistance until completion or suspension of assistance. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.</p> <p>This indicator is distinct from the average arrears of customers commencing tailored assistance.</p>	<p>Indicator: Average total arrears of residential accounts receiving tailored assistance (\$)</p> <p>Definition: Reported separately for electricity and gas, the average total arrears of each account receiving tailored assistance as at the last calendar day of reporting month. Provide data separately for:</p> <p>(a) accounts who can pay at least their on-going usage, as defined in the definitions.</p> <p>(b) accounts who cannot pay their on-going usage, as defined in the definitions.</p>	To clarify this performance indicator is on the account level.
AR020	<p>Indicator: Average arrears of residential customers commencing tailored assistance (\$)</p> <p>Definition: Reported separately for electricity and gas, the average arrears of customers entering into tailored assistance each month within the reporting period. Provide data</p>	<p>Indicator: Average total arrears of residential accounts commencing tailored assistance (\$)</p> <p>Definition: Reported separately for electricity and gas, the average total arrears of each account upon commencement of tailored assistance during the reporting month. Provide data separately for:</p>	To clarify this performance indicator is on the account level

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>separately for:</p> <p>(a) Customers who are able to repay their arrears and pay for their ongoing usage costs</p> <p>(b) Customers who cannot afford to pay for their ongoing energy usage costs</p> <p>Note: This indicator should be limited only to customers commencing their current round of tailored assistance in the reporting month. The current round of assistance is the period of time from when the customer started receiving measures under tailored assistance until completion or suspension of assistance. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.</p>	<p>(a) accounts who can pay at least their on-going usage, as defined in the definitions.</p> <p>(b) accounts who cannot pay their on-going usage, as defined in the definitions.</p>	
AR030	<p>Indicator: Residential customers who commenced tailored assistance, with arrears</p> <p>Definition: Reported separately for electricity and gas, the number of customers commencing their current round of tailored assistance during the month of reporting, with arrears that were:</p> <p>(a) Between \$55 and \$500</p> <p>(b) Over \$500 but less than \$1,500</p> <p>(c) Over \$1,500 but less than \$2,500</p> <p>(d) Over \$2,500 but less than \$5,000</p> <p>(e) \$5,000 or more.</p> <p>Note: This indicator should be limited only to customers commencing their current round of</p>	<p>Indicator: Residential accounts who commenced tailored assistance and their totals arrears</p> <p>Definition: Residential accounts who commenced tailored assistance during the reporting month and their totals arrears. Reported separately for electricity and gas. The count of accounts commencing tailored assistance during the reporting month, with total arrears on commencement that were:</p> <p>(a) Less than \$55</p> <p>(b) Greater than \$55 but less than \$1,000</p> <p>(c) Greater than \$1,000 but less than \$2,000</p> <p>(d) Greater than \$2,000 but less than \$3,000</p> <p>(e) \$3,000 or more</p>	<p>To clarify this performance indicator is on the account level. Customers receiving tailored assistance under \$55 are now captured in the breakdown.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	tailored assistance in the reporting month. The current round of assistance is the period of time from when the customer started receiving measures under tailored assistance until completion or suspension of assistance.		
AR040	<p>Indicator: Residential customers receiving tailored assistance, with aged arrears</p> <p>Definition: Reported separately for electricity and gas, the number of customers receiving tailored assistance that are in arrears as at the last calendar day of the reporting period:</p> <p>a) over \$1000 but less than \$1500 where the arrears is more than 12 months old but less than 24</p> <p>b) over \$1000 but less than \$1500 where the arrears is more than 24 months old</p> <p>c) over \$1500 but less than \$2500 where the arrears is more than 12 months old but less than 24</p> <p>d) over \$1500 but less than \$2500 where the arrears is more than 24 months old</p> <p>e) over \$2500 but less than \$5000 where the arrears is more than 12 months old but less than 24</p> <p>f) over \$2500 but less than \$5000 where the arrears is more than 24 months old</p> <p>g) over \$5000 where the arrears is more than 12 months old but less than 24</p>	<p>Indicator: Residential accounts receiving tailored assistance, with total arrears 12-24 months old</p> <p>Definition: Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:</p> <p>(a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 12 months old but less than 24 months old</p> <p>(b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 12 months old but less than 24 months old</p> <p>(c) Greater than \$3,000 where the arrears is more than 12 months old but less than 24 months old</p> <p>Note: The age of the accounts total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears.</p> <hr/> <p>Indicator: Residential accounts receiving tailored assistance, with total arrears older than 24 months</p> <p>Definition: Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:</p> <p>(a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 24 months old</p> <p>(b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 24 months old</p>	To clarify this performance indicator is on the account level and separated this indicator into two indicators split by the age of the total arrears. This will make it easier for those filling in the template for submission.

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>h) over \$5000 where the arrears is more than 24 months old.</p> <p>Note: The age of the customer's arrears is to be counted from when they began to accrue arrears of more than \$55 including of GST on their account, and covers the full amount of a customer's arrears. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.</p>	<p>(c) Greater than \$3,000 where the arrears is more than 24 months old.</p> <p>Note: The age of the accounts total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears..</p>	
AR050	<p>Indicator: Residential customers not receiving tailored assistance, with aged arrears</p> <p>Definition: Reported separately for electricity and gas, the number of customers not receiving tailored assistance that are in arrears as at the last calendar day of the reporting period:</p> <p>a) over \$1000 but less than \$1500 where the arrears is more than 12 months old but less than 24</p> <p>b) over \$1000 but less than \$1500 where the arrears is more than 24 months old</p> <p>c) over \$1500 but less than \$2500 where the arrears is more than 12 months old but less than 24</p> <p>d) over \$1500 but less than \$2500 where the arrears is more than 24 months old</p> <p>e) over \$2500 but less than \$5000 where the arrears is more than 12 months old but less than 24</p>	<p>Indicator: Residential accounts not receiving tailored assistance, with total arrears 12-24 months old</p> <p>Definition: Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:</p> <p>(a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 12 months old but less than 24 months old</p> <p>(b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 12 months old but less than 24 months old</p> <p>(c) Greater than \$3,000 where the arrears is more than 12 months old but less than 24 months old</p> <p>Note: The age of the accounts total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears.</p> <p>Indicator: Residential accounts not receiving tailored assistance, with aged total arrears older than 24 months</p> <p>Definition: Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:</p>	<p>To clarify this performance indicator is on the account level and separate this indicator into two indicators split by the age of the total arrears. This will make it easier for those filling in the template for submission.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>f) over \$2500 but less than \$5000 where the arrears is more than 24 months old</p> <p>g) over \$5000 where the arrears is more than 12 months old but less than 24</p> <p>h) over \$5000 where the arrears is more than 24 months old.</p> <p>Note: The age of the customer's arrears is to be counted from when they began to accrue arrears of more than \$55 including of GST on their account, and covers the full amount of a customer's arrears. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.</p>	<p>(a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 24 months old</p> <p>(b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 24 months old</p> <p>(c) Greater than \$3,000 where the arrears is more than 24 months old.</p> <p>Note: The age of the accounts total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears.</p>	
AR080	<p>Indicator: Notices delivered to residential customers related to payment difficulty.</p> <p>Definition: Reported separately for electricity and gas, the number of notices issued where the amount outstanding all relates to the current billing period and is greater than \$300 (inclusive of GST), where the customer is not disconnected in that month. Provide data separately for:</p> <p>(a) Reminder notices about unpaid bills</p> <p>(b) Disconnection warning notices.</p>	<p>Indicator: Notices delivered to residential accounts related to unpaid bills and disconnection warning notices</p> <p>Definition: Reported separately for electricity and gas. The count of notices issued to an account where the amount outstanding all relates to the current billing period and is greater than \$300 (inclusive of GST), where the accounts is not disconnected in that month. Provide data separately for:</p> <p>(a) Reminder notices about unpaid bills</p> <p>(b) Disconnection warning notices.</p>	To clarify this performance indicator is on the account level and moved this to the disconnections section.
D050A	<p>Indicator: Disconnection for non-payment (residential customers)</p> <p>Definition: Reported separately for electricity</p>	<p>Indicator: Disconnection for non-payment (residential account)</p> <p>Definition: Reported separately for electricity and gas. The count of residential accounts whose supply was disconnected for non-payment during the reporting</p>	To clarify this performance indicator is on the account level

Appendix B – Proposed changes to performance indicators

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>and gas, the number of residential customers whose supply was disconnected for non-payment during each month in the reporting period.</p> <p>Note: These disconnections are as per clause 111A of the Energy Retail Code requiring that residential customers are only disconnected as a last resort for non-payment. If a customer was disconnected twice in the same month, this is counted as two disconnections.</p>	<p>month.</p> <p>Note: These disconnections are as per clause 111A of the Energy Retail Code requiring that residential customers are only disconnected as a last resort for non-payment. If an account was disconnected twice in the same month, this is counted as two disconnections.</p> <p>Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>	
D050B	<p>Indicator: Disconnection for non-payment (small business customers)</p> <p>Definition: Reported separately for electricity and gas, the number of small business customers whose supply was disconnected for non-payment during each month in the reporting period.</p> <p>Note: If a customer was disconnected twice in the same month, this is counted as two disconnections.</p> <p>Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period.</p>	<p>Indicator: Disconnection for non-payment (small business account)</p> <p>Definition: Reported separately for electricity and gas. The count of small business accounts whose supply was disconnected for non-payment during the reporting month.</p> <p>Note: If an account was disconnected twice in the same month, this is counted as two disconnections. Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>	To clarify this performance indicator is on the account level

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
D051A	<p>Indicator: Other disconnections (residential customers)</p> <p>Definition: Reported separately for electricity and gas, the number of disconnections in the reporting period that were not included in the indicator 'disconnections for non-payment' (residential).</p> <p>Note: For clarity, this indicator does not include disconnections due to non-payment or those anticipating or facing payment difficulty (as per indicators D050A and D050B).</p> <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period.</p>	<p>Indicator: Other disconnections (residential accounts)</p> <p>Definition: Reported separately for electricity and gas. The count of residential accounts disconnected during the reporting month that were not included in the indicator 'disconnections for non-payment' (residential accounts).</p> <p>Note: This indicator does not include disconnections due to non-payment (as per indicator D050A).</p> <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>	To clarify this performance indicator is on the account level
D051B	<p>Indicator: Other disconnections (small business customers)</p> <p>Definition: Reported separately for electricity and gas, the number of disconnections in the reporting period that were not included in the indicator 'disconnections for non-payment'.</p> <p>Note: Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting period, it should not be</p>	<p>Indicator: Other disconnections (small business accounts)</p> <p>Definition: Reported separately for electricity and gas. The count of small business accounts during the reporting month that were not included in the indicator 'disconnections for non-payment'.</p> <p>Note: Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. This indicator does not include disconnections due to non-payment (as per indicator D050B).</p> <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>	To clarify this performance indicator is on the account level

Appendix B – Proposed changes to performance indicators

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	counted in the total for that period.		
D060A	<p>Indicator: Reconnections within 7 days (residential customers)</p> <p>Definition: Reported separately for electricity and gas, the number of customers whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment during each month in the reporting period.</p> <p>Note: If a customer was disconnected twice in the same month, this is counted as two disconnections. This indicator relates to disconnections as per clause 111A of the Energy Retail Code requiring that residential customers are only disconnected as a last resort for non-payment.</p> <p>Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>	<p>Indicator: Reconnections within 7 days of disconnections for non-payment (residential accounts)</p> <p>Definition: Reported separately for electricity and gas. The count of residential accounts whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment (D050A) during the reporting month.</p> <p>Note: Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>	To clarify this performance indicator is on the account level. The performance indicator name has been updated to be consistent with the excel template.
D060B	<p>Indicator: Reconnections within 7 days (small business customers)</p> <p>Definition: Reported separately for electricity and gas, the number of customers whose supply was reconnected in the same name and at the same address within 7 days of being</p>	<p>Indicator: Reconnections within 7 days of disconnections for non-payment (small business accounts)</p> <p>Definition: Reported separately for electricity and gas. The count of small business accounts whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment during the reporting month.</p>	To clarify this performance indicator is on the account level. The performance indicator name has been updated to be consistent with the excel template.

Appendix B – Proposed changes to performance indicators

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>disconnected for non-payment during each month in the reporting period.</p> <p>Note: If a customer was disconnected twice in the same month, this is counted as two disconnections.</p> <p>Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>	<p>Note: Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>	
D140	<p>Indicator: Disconnections for non-payment of residential customers who did not receive assistance</p> <p>Definition: Reported separately for electricity and gas, the number of customers whose supply was disconnected for non-payment during each month within the reporting period who had not received assistance within the previous 6 months.</p>	<p>Indicator: Disconnections for non-payment of residential customers who did not receive assistance</p> <p>Definition: Reported separately for electricity and gas, the number of customers whose supply was disconnected for non-payment during each month within the reporting period who had not received assistance within the previous 6 months.</p>	To clarify this performance indicator is on the account level.
D150	<p>Indicator: Residential customers where their arrears were sold after disconnection</p> <p>Definition: Reported separately for electricity and gas, the number of residential customer</p>	<p>Indicator: Residential accounts where their total arrears were transferred to a collection agency/third party after disconnection</p> <p>Definition: Reported separately for electricity and gas. The count of residential accounts arrears that were transferred after disconnection to a collection</p>	To clarify this performance indicator is on the account level and removed the term “sold”. This has been replaced with transferred to provide consistency in measurement.

Appendix B – Proposed changes to performance indicators

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>arrears that were sold after disconnection.</p> <p>Note: in accordance with the Energy Retail Code, the sale of debt can only occur no sooner than 10 days after disconnection.</p>	<p>agency/third party after disconnection.</p> <p>Note: in accordance with the Energy Retail Code, the sale of debt can only occur no sooner than 10 days after disconnection.</p>	
D160	<p>Indicator: Residential customers with arrears at disconnection</p> <p>Definition: Reported separately for electricity and gas, the number of customers in arrears as at the last calendar day of the reporting period who were disconnected for non-payment:</p> <p>a) \$55 to \$500</p> <p>b) \$500 to \$1,000</p> <p>c) \$1,500 to \$2,500</p> <p>d) \$2500 to \$5000</p> <p>e) \$5000 or more</p> <p>Note: Our definition assumes that customer arrears are based on the unpaid invoices of a customer, and covers the total arrears on a customer’s account.</p>	<p>Indicator: Residential accounts with total arrears at disconnection who were disconnected for non-payment</p> <p>Definition: Reported separately for electricity and gas. The count of accounts with total arrears as at the last calendar day of the reporting month who were disconnected for non-payment:</p> <p>(a) Less than \$55</p> <p>(b) Greater than \$55 but less than \$1,000</p> <p>(c) Greater than \$1,000 but less than \$2,000</p> <p>(d) Greater than \$2,000 but less than \$3,000</p> <p>(e) \$3,000 or more</p> <p>Note: Our definition assumes that accounts arrears are based on the unpaid invoices of a customer, and covers the total arrears on an account.</p>	To clarify this performance indicator is on the account level. Customers receiving tailored assistance under \$55 are now captured in the breakdown.
CC010	<p>Indicator: Calls to account line</p> <p>Definition: The total number of calls to a retailer’s account line received during each month within the reporting period, including calls answered by an automated response service or IVR*, reported under a single ‘energy’ category.</p>	<p>Indicator: Calls to account line</p> <p>Definition: The total number of calls to a retailer’s account line received during the financial year, including calls answered by an automated response service or IVR*, reported under a single ‘energy’ category.</p> <p>Excludes calls to sales, unless transferred after initial enquiry at the customer’s request.</p>	Changed “during month” to “during the financial year” as this performance indicator is only provided every financial year.

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>Excludes calls to sales, unless transferred after initial enquiry at the customer's request.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p> <p>•Integrated Voice Response (IVR) ~ 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.</p>	<p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p> <p>•Integrated Voice Response (IVR) ~ 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.</p>	
CC020	<p>Indicator: Calls to an operator</p> <p>Definition: The total number of calls to an operator or customer service officer during each month within the reporting period, reported under a single 'energy' category. Where retailers use an automated or IVR telephone system, this includes those calls where the customer has selected the relevant operator option (that is, indicated they wish to be connected to an operator) and excludes all calls that do not require operator attention:</p> <ul style="list-style-type: none"> – any calls abandoned before the customer opts to speak to an operator – IVR calls where the customer does not select an operator option <p>Excludes calls to sales, unless transferred after</p>	<p>Indicator: Calls to an operator</p> <p>Definition: The total number of calls to an operator or customer service officer during received during the financial year, reported under a single 'energy' category. Where retailers use an automated or IVR telephone system, this includes those calls where the customer has selected the relevant operator option (that is, indicated they wish to be connected to an operator) and excludes all calls that do not require operator attention:</p> <ul style="list-style-type: none"> – any calls abandoned before the customer opts to speak to an operator – IVR calls where the customer does not select an operator option <p>Excludes calls to sales, unless transferred after initial enquiry at the customer's request.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p>Changed "during month" to "during the financial year" as this performance indicator is only provided every financial year.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>initial enquiry at the customer's request.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p> <p>Note: By default, this will also enable calculation of calls handled by an IVR.</p>	<p>Note: By default, this will also enable calculation of calls handled by an IVR.</p>	
CC030	<p>Indicator: Calls to an operator responded to within 30 seconds</p> <p>Definition: The total number of calls to an operator during each month within the reporting period, reported under a single 'energy' category, that were responded to within 30 seconds.</p> <p>Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard).</p> <p>Where retailers use an automated or IVR telephone system, the measurement period is calculated from the time that the customer selects an operator option (that is, if the caller's enquiry is answered by the IVR, meaning they don't need to speak to an operator, the call is not counted). For non-IVR telephone systems, the measurement period commences when the call is received by the switchboard.</p> <p>Where a retailer provides an option to call the</p>	<p>Indicator: Calls to an operator responded to within 30 seconds</p> <p>Definition: The total number of calls to an operator during the financial year, reported under a single 'energy' category, that were responded to within 30 seconds.</p> <p>Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard).</p> <p>Where retailers use an automated or IVR telephone system, the measurement period is calculated from the time that the customer selects an operator option (that is, if the caller's enquiry is answered by the IVR, meaning they don't need to speak to an operator, the call is not counted). For non-IVR telephone systems, the measurement period commences when the call is received by the switchboard.</p> <p>Where a retailer provides an option to call the customer back within a specified time period (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 specified time.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p>Changed "during month" to "during the financial year" as this performance indicator is only provided every financial year.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>customer back within a specified time period (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 specified time.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>		
CC040	<p>Indicator: Average waiting time</p> <p>Definition: The average time in seconds waited by callers before an operator answered their call; reported under a single 'energy' category and calculated as follows:</p> <p>total time waited by callers during the reporting period</p> <p>Calls to an operator minus Abandoned calls</p> <p>This indicator requires a retailer to report on the time waited by callers before a call is answered and so only answered calls are relevant. This indicator should not include abandoned calls, nor include the average waiting time before a call is abandoned.</p> <p>Where an IVR system operates, it is not appropriate to regard the call as answered as</p>	<p>Indicator: Average waiting time (in seconds)</p> <p>Definition: The average time in seconds waited by callers before an operator answered their call; reported under a single 'energy' category and calculated as follows:</p> <p><u>total time waited by callers during the financial year</u></p> <p>Calls to an operator minus Abandoned calls</p> <p>This indicator requires a retailer to report on the time waited by callers before a call is answered and so only answered calls are relevant. This indicator should not include abandoned calls, nor include the average waiting time before a call is abandoned.</p> <p>Where an IVR system operates, it is not appropriate to regard the call as answered as soon as the IVR system accepts the call</p>	<p>Changed "during month" to "during the financial year" as this performance indicator is only provided every financial year.</p>

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>soon as the IVR system accepts the call</p> <p>Only calls from Victorian retail customers (residential and business) should be counted.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p>Only calls from Victorian retail customers (residential and business) should be counted.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	
CC050	<p>Indicator: Abandoned calls</p> <p>Definition: The total number of calls abandoned during each month during the financial year while awaiting operator response after being forwarded to an operator, reported under a single 'energy' category. For retailers with an IVR telephone system, only those calls where the customer had already selected the operator option before abandoning the call are counted.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p>Indicator: Abandoned calls</p> <p>Definition: The total number of calls abandoned during the financial year while awaiting operator response after being forwarded to an operator, reported under a single 'energy' category. For retailers with an IVR telephone system, only those calls where the customer had already selected the operator option before abandoning the call are counted.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p>Changed “during month” to “during the financial year” as this performance indicator is only provided every financial year.</p>
C010	<p>Indicator: Complaints – billing</p> <p>Definition The number of complaints received each month during the reporting period, reported separately for electricity and gas*, including (but not limited to) those regarding:</p> <ul style="list-style-type: none"> – prices 	<p>Indicator: Complaints – billing</p> <p>Definition: The count of complaints received during the reporting month, reported separately for electricity and gas*, including (but not limited to) those regarding:</p> <ul style="list-style-type: none"> – prices – overcharging (including incorrect meter readings) – high bills 	<p>Updated to include best offer and incorrect meter reading.</p>

Appendix B – Proposed changes to performance indicators

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<ul style="list-style-type: none"> - overcharging - high bills - billing errors - payment terms and methods - failure to receive government rebates - debt recovery practices - imminent and actual disconnection. <p>* If a customer has both electricity and gas accounts with a retailer and makes a single billing complaint of a general nature (for example, relating to the retailer's debt recovery practices), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>	<ul style="list-style-type: none"> - billing errors - payment terms and methods - failure to receive government rebates - failure to provide advance notice of changes to price and benefits - debt recovery practices - imminent and actual disconnection - best offer. <p>* If a customer has both electricity and gas accounts with a retailer and makes a single billing complaint of a general nature (for example, relating to the retailer's debt recovery practices), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>	
C020	<p>Indicator: Complaints – marketing</p> <p>Definition: The number of complaints received each month during the reporting period, reported separately for electricity and gas*, including (but not limited to) complaints 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 complaints regarding:</p> <ul style="list-style-type: none"> - sales approach or conduct - advertising campaigns - contract terms - sales techniques - misleading conduct. 	<p>Indicator: Complaints – marketing</p> <p>Definition: The count of complaints received during the reporting month, reported separately for electricity and gas*, including (but not limited to) complaints 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 complaints regarding:</p> <ul style="list-style-type: none"> - sales approach or conduct - advertising campaigns - energy fact sheets - contract terms - sales techniques - unclear advice - misleading conduct. 	Updated to include unclear advice and energy fact sheets.

Reference	Currently states in the Compliance and Reporting Guideline Version 4	Proposed amendment	Justification for change(s)
	<p>* If a customer makes a single complaint regarding the marketing of both electricity and gas, retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>	<p>* If a customer makes a single complaint regarding the marketing of both electricity and gas, retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>	

Proposed additions to performance indicators

In assessing additions to performance indicators, we considered the objectives of the framework, the outcomes that could be determined, achievability and gaps in the suite of existing performance indicators. We also tested early versions of the proposed performance indicators at a stakeholder workshop on 27 August 2019 and through other retailer feedback.

Proposed addition	Proposed definition	Justification for addition
Indicator: Residential Electricity accounts on the Victorian Default Offer	The count of accounts who purchase electricity under the residential Victorian Default Offer, principally for personal, household or domestic use at premises. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month.	This was part of the new retailer market reforms introduce 1 July 2019.
Indicator: Residential Electricity accounts on the Victorian Default Offer under a deemed contract or occupier account	The count of accounts that purchase electricity under a deemed contract or occupier account on the Victorian Default Offer. This is to be measured as at the last calendar day of each reporting month.	This was part of the new retailer market reforms introduce 1 July 2019. To capture the extent of customers that are on the VDO because they are an occupier account or on a deemed contract with the retailer
Indicator: Small Business Electricity accounts on the Victorian Default Offer	The count of accounts that purchase electricity principally for a business premises under the business Victorian Default Offer and consume less than 40 MWh a year. This is to be measured as at the last calendar day of each reporting month	This was part of the new retailer market reforms introduce 1 July 2019.
Indicator: Residential Electricity accounts who received a bill change notices	The count of residential electricity accounts to be issued a bill change notices during the reporting month that purchase electricity, principally for personal, household or domestic use at premises, as required under 70L of the Code, as at the last calendar day of each month.	This was part of the new retailer market reforms introduce 1 July 2019.
Indicator: Residential Gas accounts who received a bill change notices	The count of residential gas accounts to be issued a bill change notices during the reporting month, that purchase gas principally for personal, household or domestic use at premises, as required under 70L of the Code, as at the last	This was part of the new retailer market reforms introduce 1 July 2019.

Proposed addition	Proposed definition	Justification for addition
	calendar day of each month.	
Indicator: Residential Electricity accounts that received information on their bill that they are not on the retailer's best offer	The count of residential electricity accounts during the reporting month who received a message on their bill saying that they are not on the retailer's best offer	This was part of the new retailer market reforms introduce 1 July 2019.
Indicator: Residential Electricity accounts that received information on their bill that they are on the retailer's best offer	The count of residential electricity accounts during the reporting month who received a message on their bill saying that they are on the retailer's best offer	This was part of the new retailer market reforms introduce 1 July 2019.
Indicator: Residential Gas accounts that received information on their bill that they are not on the retailer's best offer	The count of residential gas accounts during the reporting month who received a message on their bill saying that they are not on the retailer's best offer	This was part of the new retailer market reforms introduce 1 July 2019.
Indicator: Residential Gas accounts that received information on their bill that they are on the retailer's best offer	The count of residential gas accounts during the reporting month who received a message on their bill saying that they are on the retailer's best offer	This was part of the new retailer market reforms introduce 1 July 2019.
Indicator: Customer read estimates submitted to retailer (self-read of meter)	Number of accounts that submitted to their retailer a self-reported meter read before the due date for payment of the bill, during the reporting month.	This was part of the new retailer market reforms introduce 1 July 2019.

Proposed performance indicators to be removed

In assessing which performance indicators were no longer relevant, we considered the objectives of the framework, the outcomes that could be determined and achievability.

Reference	Indicator name	Indicator definition	Justification for deletion
D010	Estimated accounts	The number of estimated bills issued during the reporting period; for example, where a customer's meter was not accessible on the day of a scheduled meter read. If a retailer has obtained explicit and informed consent from a customer to use estimated accounts, for example, for the purpose of monthly billing (bill-smoothing), these bills are not counted.	We are able to collect the similar information using other indicators.
D030	Refundable advances – number	The number of customers who have paid a refundable advance (security deposit) to secure connection or reconnection to supply energy as at the last calendar day of each month within the reporting period.	This indicator provided limited insight.
D040	Refundable advances – amount	The aggregate dollar value of all refundable advances (security deposits) held by the retailer as at the last calendar day of each month within the reporting period.	This indicator provided limited insight.
D090	Disconnections on more than one occasion	Reported separately for electricity and gas, the number of residential customers on tailored assistance disconnected for non-payment who have been disconnected at least once before in the previous 24 months. Note: If a customer is disconnected twice in the same reporting period, this is counted as two disconnections.	This indicator is not specifically linked to the Payment Difficulty Framework.
D100	Disconnections of energy concession customers	Reported separately for electricity and gas, the number of energy concession customers receiving tailored assistance that were disconnected for non-payment during each month in the reporting period. Note: An energy concession customer is a residential customer that is recorded by the retailer as eligible for and is receiving an energy concession, where the concession is administered by the	This indicator is not specifically linked to the Payment Difficulty Framework.

Reference	Indicator name	Indicator definition	Justification for deletion
		<p>retailer.</p> <p>These disconnections are as per clause 111A of the Energy Retail Code requiring that residential customers are only disconnected as a last resort for non-payment. If a customer was disconnected twice in the same month, this is counted as two disconnections.</p>	
D130	Reconnections of energy concession customers	<p>Reported separately for electricity and gas, the number of energy concession customers previously receiving tailored assistance that were reconnected in the same name and at the same address during the reporting period within 7 days of being disconnected for non-payment.</p> <p>Note: An energy concession customer is a residential customer that is recorded by the retailer as eligible for and receiving an energy concession, where the concession is administered by the retailer.</p>	This indicator is not specifically linked to the Payment Difficulty Framework.

Appendix C – Proposed changes to compliance reporting obligations

Proposed modifications to existing compliance reporting obligations

Reference	Current	Proposed	Rationale
RB0020	<p>Obligation: Clause 6.1 & 6.2 - Use of system agreements [Electricity only]</p> <p>Description: A Licensee must have a written Use of System Agreement with each distributor in whose distribution area customers are located.</p> <p>The Licensee must not unreasonably refuse a new form of DUoS from a distributor under clause 4.8 of its distribution licence.</p>	<p>Obligation: Clause 6.1 & 6.2 [Electricity only]</p> <p>Description: A licensee must have a written Use of System Agreement with each distributor in whose distribution area customers are located.</p> <p>The licensee must not unreasonably refuse a new form of DUoS from a distributor under clause 4.8 of its distribution licence.</p>	Minor style changes to align with the commission's style guide.
RB0060	<p>Obligation: Clause 5.1 & 5.3 - Reliability of supply [Gas only]</p> <p>Description: Compliance with reliability of supply standards; a Licensee must demonstrate how it will meet its supply obligations on a peak demand day in accordance with commission standards.</p> <p>If a Licensee is notified by the distributor of an interruption of supply, it must use reasonable endeavours to ensure that its customers comply with any reasonable requirement set out in the notice.</p>	<p>Obligation: Clause 5.1 & 5.3 [Gas only]</p> <p>Description: Compliance with reliability of supply standards; a licensee must demonstrate how it will meet its supply obligations on a peak demand day in accordance with commission standards.</p> <p>If a licensee is notified by the distributor of an interruption of supply, it must use reasonable endeavours to ensure that its customers comply with any reasonable requirement set out in the notice.</p>	Minor style changes to align with the commission's style guide.
RB0030	<p>Obligation: Obligation to offer to sell Clause 8.1 [electricity] Clause 7.1 [gas]</p>	<p>Obligation: Clause 8.1 [electricity] Clause 7.1 [gas]</p>	Minor style changes to align with the commission's style guide.

Reference	Current	Proposed	Rationale
	<p>Description: A Licensee must offer to supply electricity to any domestic or small business customer at tariffs published by the Licensee and on terms and conditions approved by the commission and published by the Licensee in the Government Gazette.</p>	<p>Description: A licensee must offer to supply electricity to any domestic or small business customer at tariffs published by the licensee and on terms and conditions approved by the commission and published by the licensee in the Government Gazette.</p>	
RB0040	<p>Obligation: Retailer of last resort (ROLR) Clause 12.2 & 12.5 [electricity] Clause 13.2 & 13.5 [gas]</p> <p>Description: The Licensee must sell electricity/gas at tariffs & terms and conditions approved by the commission. The Licensee must notify customers a last resort event has occurred.</p>	<p>Obligation: Clause 12.2 & 12.5 [electricity] Clause 13.2 & 13.5 [gas]</p> <p>Description: The licensee must sell electricity/gas at tariffs & terms and conditions approved by the commission. The licensee must notify customers a last resort event has occurred.</p>	Minor style changes to align with the commission's style guide.
RB0050	<p>Obligation: Compliance with laws Clause 21 [electricity] Clause 23 [gas]</p> <p>Description: The retailer must comply with all applicable laws</p>	<p>Obligation: Clause 21 [electricity] Clause 23 [gas]</p> <p>Description: The licensee must comply with all applicable laws</p>	Minor style changes to align with the commission's style guide.
RB0057	<p>Obligation: Licence condition requiring the licensee to comply with all applicable laws.</p> <p>Description: Retailers must input the ESC recommended general feed-in tariff in the website nominated by the Minister as soon as a declaration made under section 40M of the EIA has been published in the Government Gazette.</p>	<p>Obligation: Section 40MAA EIA [Electricity only] Section 40ME EIA [Electricity only]</p> <p>Description: Retailers must input the ESC recommended general feed-in tariff in the website nominated by the Minister as soon as a declaration made under section 40MAA of the EIA has been published in the Government Gazette. Retailers must also offer to purchase solar generation from qualifying customers on relevant terms.</p>	This obligation and description has been updated to clarify the two specific obligations that sit under this provision.

RB0102	<p>Obligation: Clause 47 – Cooling off period and right of withdrawal – market retail contracts</p> <p>Description: Retailers must include, in each market retail contract it enters into with a small customer, express provisions setting out the rights and obligations in relation to the cooling off period and right of withdrawal.</p>	<p>Obligation: Clause 47</p> <p>Description: Small customers who enter into market retail contracts have a right of withdrawal. Retailers must create a record of each right of withdrawal exercised.</p>	<p>This obligation has been updated to better align with the current drafting of the Energy Retail Code.</p>
RB0141	<p>Obligation: Clause 93 - Supply capacity control product</p> <p>Description: Not to offer a supply capacity control product to a residential customer for any credit management purpose.</p>	<p>Obligation: Clause 93</p> <p>Description: A retailer must not offer a supply capacity control product to a residential customer for any credit management purpose.</p>	<p>This obligation has been updated to promote the use of consistent terminology within our statutory framework. No substantive amendments have been made to the description.</p>
RB0780	<p>Obligation: Clause 25(1) – Contents of bills</p> <p>Description: A retailer must prepare a bill so that a small customer can easily verify that the bill conforms to their customer retail contract.</p>	<p>Obligation: Clause 25(1)</p> <p>Description: A retailer must prepare a bill so that a small customer can easily verify that the bill conforms to their customer retail contract. This clause outlines what must be included in bills.</p>	<p>This obligation has been updated to better align with the current drafting of the Energy Retail Code.</p>

Proposed additions to compliance reporting obligations

Reference	Proposed addition	Proposed description	Rationale
RB0058	Section 35 EIA	A licensee must offer to supply and sell electricity to domestic and small business customers at tariffs determined by the licensee (subject to any relevant orders in council) and on terms and conditions determined by the licensee and approved by the commission. Tariffs and terms and conditions are to be gazetted at least one month before they come into effect. Amendments to terms and conditions are subject to approval of the commission.	This obligation is essential for the proper functioning of the Victorian Default Offer. It requires retailers to offer to supply and sell electricity on terms and conditions approved by the commission. Because of the serious risk of harm of failing to offer the Victorian Default Offer and that such a failure gets worse over time this obligation has been proposed to be classified as a type 1 obligation. The previous reporting obligation relating to section 35 of the EIA (RB0530) has been removed.
RB0059	Clause 6 of the Order in Council under section 13 EIA [Electricity only]	A retailer's standing offer tariffs for sale of electricity to prescribed customers must comply with any Victorian Default Offer price determination made by the Commission that is in force.	This obligation is essential for the proper functioning of the Victorian Default Offer. It requires retailers to offer to supply and sell electricity in a manner that complies with the Victorian Default Offer. Because of the serious risk of harm of failing to offer a Victorian Default Offer at the determined price and that such a failure has a more significant impact on customers over time this obligation has been proposed to be classified as a type 1 obligation.
RB0061	Clause 7 Order in Council under section 13 EIA [Electricity only]	A retailer's regulated tariff standing offer for sale of electricity to prescribed customers must include one flat tariff that is available to each domestic customer; one flat tariff with a controlled load tariff that is available to each domestic customer with a controlled load; and one flat tariff that is available to each small business customer.	This obligation is essential for the proper functioning of the Victorian Default Offer. It requires retailers to offer to supply and sell electricity on both a flat tariff, a flat tariff with a controlled load and a flat tariff that is available to each small business customer. Because of the serious risk of harm of failing to offer the Victorian Default Offer and that such a failure gets worse over time this obligation has been proposed to be classified as a type 1 obligation.

Reference	Proposed addition	Proposed description	Rationale
RB0062	Clause 8 Order in Council under section 13 EIA [Electricity only]	Electricity bills issued to a prescribed customer on or after 1 October 2019 must include prominent information in plain and clear English about how the customer may access the Victorian Default Offer from the retailer.	A key purpose of the Victorian Default Offer is to provide a clear offer for customers that may not wish to shop around. This is central to addressing customer confusion within the energy market. A failure to include information about how to access the Victorian Default Offer of a customer's bill not only exposes the customer to a significant risk of harm but also impacts more customers over time. Accordingly, this obligation is proposed to be classified as a type 1 obligation.
RB0063	Clause 15 Order in Council under section 13 EIA [Electricity only]	Until such time as the amendments to the Energy Retail Code required by clause 16(2)(a) come into force. A retailer that offers a discount to a domestic customer or a small business customer must disclose how the discount is calculated as against the Victorian Default Offer.	A key purpose of the Victorian Default Offer is to help customers compare offers within the energy market. Disclosing how discounts are calculated against the Victorian Default Offer achieves this aim. A failure to comply with this obligation could undermine consumer confidence within the market and poses a significant risk of harm to customers. The number of customers impacted by this harm increases over time. Accordingly, we propose to classify this obligation as a type 1 obligation.
RB1421	Clause 106G	A retailer must not disclose or provide access to confidential information about an affected customer to any other person without the consent of the affected customer. To identify a safe method of communication with an affected customer, a retailer must take reasonable steps to elicit the affected customer's preferred method of communication and offer other methods of communication if the affected customer's preferred method of communication is not practicable. A retailer must keep a record of arrangements reached to this effect.	This obligation presents a very serious risk of harm to customers who are experiencing family violence. The disclosure of confidential information without the consent of an affected customer may lead to safety risks for a customer who is experiencing family violence. Due to the seriousness of the implications of a potential breach we propose to classify this obligation as a type 1 obligation.

Reference	Proposed addition	Proposed description	Rationale
RB1422	Clause 106H	A retailer must provide a secure process designed to avoid the need for an affected customer to repeatedly disclose or refer to their experience of family violence.	This obligation is about ensuring that affected customers are not repeatedly forced to disclose their experience of family violence. This protects affected customers from a serious risk of harm. This risk also becomes more significant the longer the potential breach takes place making remediation very time sensitive. Accordingly, we propose to classify this obligation as a type 1 obligation.
RB1423	Clause 106I	Before taking action to recover arrears from an affected customer, a retailer must take into account the potential impact of debt recovery action at that time on the affected customer and whether other persons are jointly or severally responsible for the energy usage that resulted in the accumulation of those arrears.	Debt recovery actions could potentially pose a serious risk of harm to customers affected by family violence. Accordingly, we propose to classify this obligation as a type 1 obligation.
RB1424	Clause 106Q	A retailer must maintain records that are sufficient to evidence its compliance with its obligations under Part 3A. These records must be retained for at least 2 years, or as long as the customer continues to receive assistance.	Record keeping is linked to the obligation for which the records are being kept. This clause requires retailers to maintain records that are sufficient to evidence their compliance with their obligations to assist customers who may be facing family violence. As these obligations are proposed to be classified as type 1 obligations we propose to classify the associated record keeping obligations as type 1 obligations as well. We also acknowledge that record keeping obligations are important for ensuring compliance with the framework generally. A failure to comply with record keeping obligations impacts more customers the longer it occurs, making these obligations time sensitive.

Reference	Proposed addition	Proposed description	Rationale
RB1425	Clause 70H	A retailer must provide a customer with clear advice about any terms pursuant to which the amounts payable by the customer may vary, the retailer's other generally available plans, the Victorian Default Offer and the impact that changing tariff structures may have on the customer.	The clear advice provisions are targeted at empowering customers to find the best offer for them. A failure to comply with this provision has the potential to mean that customers are not aware of their options from a retailer. This creates a significant risk of harm for customers. The risk of harm also gets worse the longer the customer is not made aware of their options. Accordingly, we propose to classify this obligation as a type 1 obligation.
RB1426	Clause 70I	A retailer must maintain records that are sufficient to evidence its compliance with its obligations under Part 2A, Division 2. These records must be retained for at least 2 years, or as long as the customer continues to receive assistance.	Record keeping is linked to the obligation for which the records are being kept. This clause requires retailers to maintain records that are sufficient to evidence their compliance with their clear advice obligations. As these obligations are proposed to be classified as type 1 obligations we propose to classify the associated record keeping obligations as type 1 obligations as well. Record keeping obligations are important for ensuring compliance with the framework generally. A failure to comply with record keeping obligations impacts more customers the longer it occurs, making rectification of these kinds of breaches time sensitive.
RB1427	Clause 70L	If a benefit change or a price change is going to occur the retailer must provide the customer who is party to the contract with a bill change alert. This clause provides what must be included in a bill change alert and that it must be provided in writing at least 5 days prior to the change taking effect.	This obligation requires retailers to give at least 5 days' notice prior to a price or benefit change taking effect. The purpose of this amendment is to ensure that customers are aware of changes that impact them before they happen. A failure to include such a notification has a significant risk of customer harm and this harm gets worse over time. As such, we propose to classify this obligation as a type 1 obligation.

Reference	Proposed addition	Proposed description	Rationale
RB1428	Clause 70M	A retailer must maintain records that are sufficient to evidence its compliance with its obligations under Part 2A, Division 3. These records must be retained for at least 2 years, or as long as the customer continues to receive assistance.	<p>Record keeping is linked to the obligation for which the records are being kept. This clause requires retailers to maintain records that are sufficient to evidence their compliance with their obligations when a price or benefit change occurs. As these obligations are proposed to be classified as type 1 obligations we propose to classify the associated record keeping obligations as type 1 obligations as well.</p> <p>Record keeping obligations are important for ensuring compliance with the framework generally. A failure to comply with record keeping obligations impacts more customers the longer it occurs, making rectification of these kinds of breaches time sensitive.</p>
RB1429	Clause 70P	Where a retailer must complete a deemed best offer check they must identify the relevant deemed best offer for that customer. This clause also provides for how to calculate the deemed best offer for a customer.	The purpose of the best offer is to provide customers with meaningful advice that helps them identify the energy deal that is most appropriate to their circumstance. This obligation is designed to address the complexity of the market and the offers that are available. Failing to identify a deemed best offer for a customer can lead to significant customer harm. This harm also gets worse the longer the customer is not made aware of the best offer applicable to them. Accordingly, we propose to include this obligation as a type 1 obligation.
RB1430	Clause 70Q	A retailer must complete a deemed best offer check by using the prescribed formula.	The purpose of the best offer is to provide customers with meaningful advice that helps them identify the energy deal that is most appropriate to their circumstance. This obligation is designed to address the complexity of the market and the offers that are available. Failing to use the correct formula for completing a deemed best offer check can lead to significant customer harm. This harm also gets worse the longer the customer is not made aware of the correct best offer that is applicable to them. Accordingly, we propose to include this obligation as a type 1 obligation.

Reference	Proposed addition	Proposed description	Rationale
RB1431	Clause 70R	<p>A retailer must provide a deemed best offer message on a bill or bill summary to a small customer at least once every 3 months for electricity and at least once every 4 months for gas.</p> <p>If a retailer and a small customer have agreed to a billing cycle with a regular recurrent period that differs from the retailer's usual recurrent period and is 3 months or longer a deemed best offer message must be given once in each billing cycle.</p>	<p>The purpose of the best offer is to provide customers with meaningful advice that helps them identify the energy deal that is most appropriate to their circumstances. This obligation is designed to address the complexity of the market and the offers that are available. Failing to include a deemed best offer message on a customer's bill can lead to a customer not being aware of the best offer for them, causing financial detriment and customer harm. This harm also gets worse the longer the customer is not made aware of the best offer applicable to them. Accordingly, we propose to include this obligation as a type 1 obligation.</p>
RB1432	Clause 70X	<p>A retailer must put, into the Victorian Retailer Portal website, accurate details of each standing offer and the Victorian Default Offer. This must include details in the form required by that internet site.</p> <p>Information uploaded to the Victorian Retailer Portal website must be written in plain English and be designed to be readily understandable by customers.</p>	<p>Failing to input accurate details of each standing offer and Victorian Default Offer into the Victorian Retailer Portal undermines both market integrity and consumer confidence to engage in the energy market. This poses a risk of significant harm to customers. It has also has the risk of impacting a large number of customers, the number of impacted customers increases the longer the potential breach occurs. Accordingly, we propose to include this obligation as a type 1 obligation.</p>
RB1433	Clause 21	<p>A retailer may only estimate a customer's bill where the customer gives their explicit informed consent to estimation, the retailer is not able to reasonably or reliably base the bill on an actual meter reading, or metering data is not provided to the retailer by the responsible person.</p> <p>If estimations are permitted to be used as the basis for a customer's bill the estimations must be based on the customer's reading of the relevant meter, historical metering data for the customer reasonably available to the retailer or the average usage of energy by a comparable customer over the period, if there is no historical metering data for the customer.</p>	<p>Explicit informed consent goes to the core of consumer confidence within the energy market. If customers do not provide explicit informed consent to receiving estimated bills but receive them anyway it not only undermines the market itself but also poses a significant risk of harm to customers. This risk of harm gets worse the longer the failure to obtain explicit informed consent continues. Accordingly, we propose to include this obligation as a type 1 obligation.</p>

Reference	Proposed addition	Proposed description	Rationale
RB1413	Clause 106J	A retailer must recognise family violence as a potential cause of payment difficulty.	A retailer failing to recognise family violence as a potential cause of payment difficulty can pose a significant risk of harm to an affected customer. This is because all of their circumstances are not acknowledged. This potential breach also has the result of being moderately time sensitive, in that it impacts each specific customer more the longer it occurs but it is unlikely to impact significantly more customers the longer it occurs. Accordingly, we propose to include this obligation as a type 2 obligation.
RB1414	Clause 106K	A retailer must provide an affected customer with information about the availability of one or more external family violence support services at a time and in a manner that is safe, respectful and appropriate given the affected customer's circumstances. This clause also requires an up to date list of external family violence support services to be kept on the retailer's website.	A failure to provide an affected customer with information about the availability of external family violence support services has a significant impact on affected customers as it means that they are not provided with information about all of the support services that they can access. Accordingly, we propose to include this obligation as a type 2 obligation.
RB1415	Clause 106L	A retailer can only seek documentary evidence of family violence when considering debt management and recovery or restrictions on de-energisation. This evidence must only be what is reasonably required for those purposes.	A retailer seeking documentary evidence of family violence unnecessarily can have a significant risk of harm to a specific affected customer. Because of this risk of harm we propose to include this obligation as a type 2 obligation.
RB1416	Clause 106N	Provides that a retailer must have a family violence policy.	A failure to have a family violence policy carries with it a significant risk of customer harm as employees of the retailer may not be treating customers experiencing family violence consistently. Accordingly, we propose to include this obligation as a type 2 obligation.

Reference	Proposed addition	Proposed description	Rationale
RB1417	Clause 106O	Provides that a retailer's family violence policy must be easily accessible on its website in a readily printable form.	A failure to have an easily accessible family violence policy that is in a printable form may have a significant risk of customer harm, as the customer may not be aware of their rights and entitlements under the policy. However, we acknowledge that a large amount of customers predominantly receive information by engaging with retail staff directly. Accordingly, we propose to include this obligation as a type 2 obligation.
RB1418	Clause 106P	Provides that a retailer must review its family violence policy at least once every two years.	A failure to have an up to date and regularly reviewed family violence policy carries with it a significant risk of customer harm as a retailer's family violence policy may not be fit for purpose. Accordingly, we propose to include this obligation as a type 2 obligation.
RB1419	Clause 70Y	A retailer must ensure that an energy fact sheet for each current plan and the Victorian Default Offer is available to relevant customers within two business days of the plan becoming available. This fact sheet must be readily identifiable by a customer.	It is important for retailers to make energy fact sheets available for each current plan and the Victorian Default Offer. Failing to do so can have a significant risk of customer harm and that risk can get worse the longer the retailer fails to make energy fact sheets available. Accordingly, we propose to include this obligation as a type 2 obligation.
RB1420	Clause 70Z	A retailer must maintain records that are sufficient to evidence its compliance with its obligations under Part 2A, Division 5. These records must be retained for at least 2 years, or as long as the customer continues to receive assistance.	Record keeping is linked to the obligation for which the records are being kept. This clause requires retailers to maintain records that are sufficient to evidence their compliance with their obligations when giving customers information about features and prices of energy plans. As these obligations are proposed to be classified as type 2 obligations, we propose to classify the associated record keeping obligations as type 2 obligations as well. We also acknowledge that record keeping obligations are important for ensuring compliance with the framework generally. A failure to comply with record keeping obligations impacts more customers the longer it occurs, making these obligations moderately time sensitive.

Reference	Proposed addition	Proposed description	Rationale
RB1230	Clause 106F	<p>A retailer must ensure that training is provided to any person acting on its behalf who may engage with affected customers by any means of communication, or a person who manages such a person, or is responsible for systems and processes that guide interactions with customers.</p> <p>This training must address the nature and consequences of family violence, the application of the retailer's family violence policy, how to identify affected customers and how to engage appropriately and effectively with affected customers.</p>	Failing to provide adequate family violence training can have a risk of harm to customers. However, we acknowledge that currently, under the Compliance Performance Reporting Guideline, training obligations are classified as type 3 obligations. This is because they do not have a direct impact on customers. For consistency we propose to classify this obligation as a type 3 obligation.

Proposed compliance reporting obligations to be removed

Reference	Obligation name	Obligation description	Rationale
RB1320	Clauses 15B(1) to 15B(4) and 15B(8) – Relevant published offers (Price and Product Information Statements)	<p>Retailers must provide a link on the home page of their internet site so that a customer can easily and logically access the retailer's Price and Product Information Statements.</p> <p>A retailer must update a price and product information statement within 5 business days of changing any information in it.</p>	This obligation is no longer applicable due to changes to the Energy Retail Code.
RB0530	Publication of tariffs Deemed condition – s.35 EIA	The retailer's requirement to publish tariff information.	This obligation is now reflected under RB0058 as changes were made to the obligation relating to the Victorian Default Offer.
RB1330	Clause 15B(5) – More than one tariff applicable	Where the retailer cannot determine which Price and	This obligation is no longer applicable due to changes to the

Reference	Obligation name	Obligation description	Rationale
		<p>Product Information Statement applies to a customer, the retailer must either present a Price and Product Information Statement for one of the potentially applicable tariffs or present a Price and Product Information Statement for each of the potentially applicable tariffs.</p> <p>The retailer must electronically communicate to the customer that it is not clear which of more than one Price and Product Information Statement applies.</p>	Energy Retail Code.
RB1350	Clause 15C(1)- Offer summary to be provided	A retailer must provide a customer with a written offer summary on request, when marketing and when providing any other information about the terms of a new contract.	This obligation is no longer applicable due to changes to the Energy Retail Code.
RB1360	Clauses 15B(6) and (7) - Information and Format requirements	Detailed requirements for the content and format of a retailer's Price and Product Information Statement. An alternative format may be used with the commission's prior approval.	This obligation is no longer applicable due to changes to the Energy Retail Code.