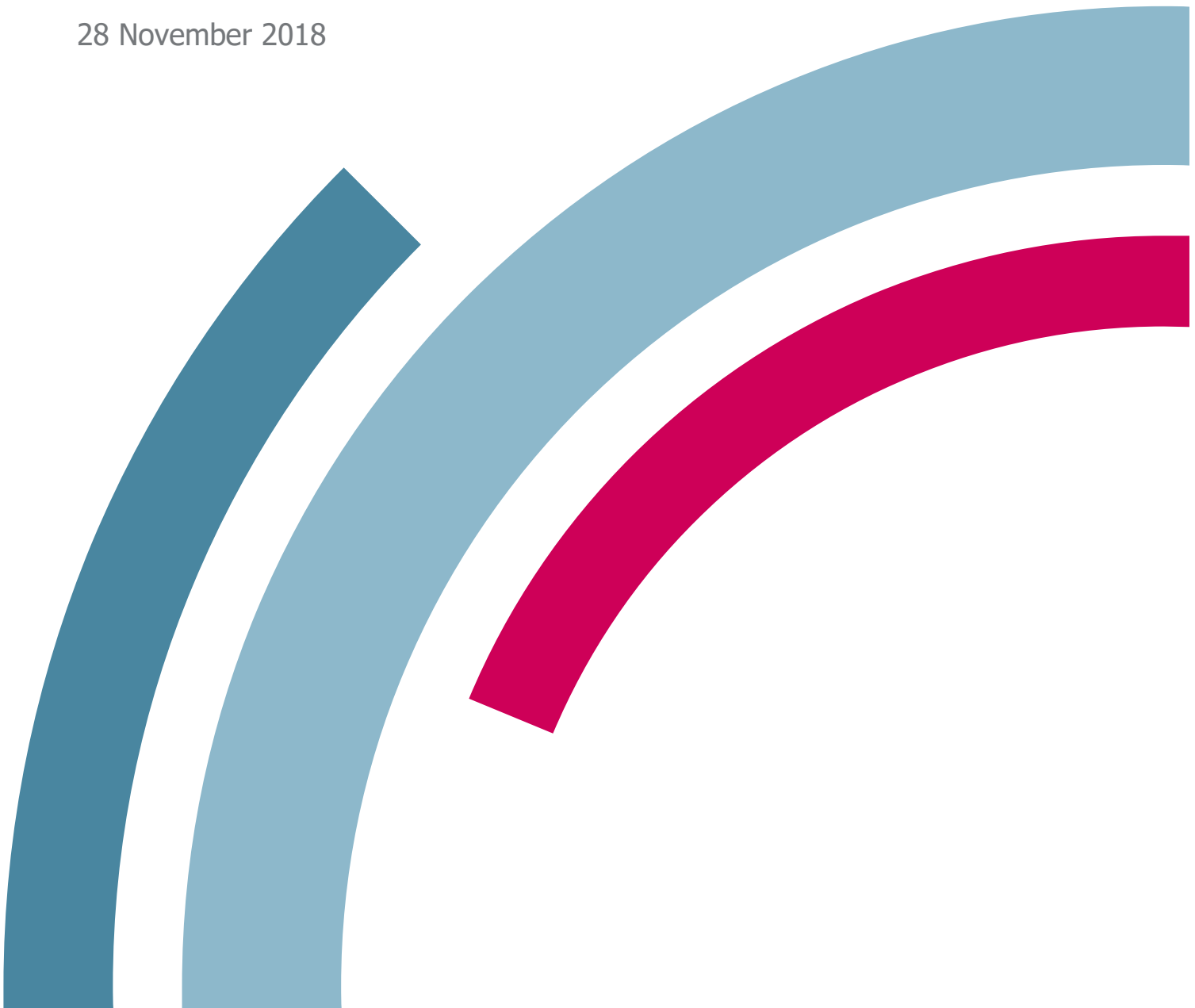


# Compliance & Performance Guideline updated to include new entitlements for customers

Final decision

28 November 2018



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# 1. Introduction

## **Purpose for updating the guideline**

The purpose of this document is to outline the commission's final decision on changes to the Compliance and Performance Reporting Guideline (version 4).

We also explain the introduction of some administrative changes to the reporting guideline that affect both energy retailers and distribution businesses.

Accompanying this final decision is an amended reporting guideline and associated reporting templates.

## **Background to this final decision**

In October 2018, the commission released its final decision on implementing new customer entitlements in the retail energy market, which took effect from 1 July 2019. Many of these changes have arisen from the Victorian Government's review of the electricity and gas retail markets. The new rules promote transparency in the market by keeping customers informed of changes that affect their bills and whether they could access a better offer from their retailer. The commission also released a final decision in June 2019 clarifying how the new best offer and clear advice reforms interact with the Victorian Default Offer, an energy offer where the price is set and regulated by the commission.

This final decision focuses on amending the reporting guideline to ensure it aligns with these new customer entitlements. To enable us to monitor these new obligations, we are proposing to amend the reporting guideline to include new performance indicators. It also enables us to gain a broader understanding around customer awareness of the various reforms.

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.

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.<sup>1</sup> The commission sets out its reporting obligations for energy retailers and

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<sup>1</sup> The reporting guideline outlines the performance indicators as per s54W(a)(i) and (b) of the Essential Services Commission Act 2001 (these are on disconnections, reconnections, and on 'any other indicators for the performance of

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 broken the energy rules. We set out the extent and type of information that must be reported to us.

## Scope

This review focused on amending the reporting guideline to support monitoring of the new customer entitlements that came into effect 1 July 2019. This included the best offer and clear advice amendments, the Victorian Default Offer and consequential amendments to the Energy Retail Code, and the new energy fact sheet amendments. This review also supported family violence amendments scheduled to come into effect on 1 January 2020.

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. Similarly, we have updated the obligations for compliance reporting, so they align with the new framework.

We have also made some miscellaneous administrative changes that affect the reporting requirements of energy retailers and distribution businesses and promote consistency in reporting by energy businesses.

## Structure of this final decision

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

- Section 2 summarises the feedback we received on the draft decision
- Section 3 outlines the changes to performance indicators
- Section 4 outlines the changes to compliance reporting obligations
- Section 5 provides a summary of the various administrative changes
- Section 6 sets out the next steps.

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an energy retailer the commission determines'). The 'compliance and enforcement reports' as per s54V of the Essential Services Commission Act 2001 is Victorian Energy Market Report and its corresponding updates.

## 2. Feedback on our draft decision

### Submissions on the draft decision

The draft decision on amendments to the reporting guideline was released for consultation on 13 September 2019. Table 2.1 summarises the key milestones for the consultation process.

**Table 2.1** Key consultation milestone

Date	Consultation step
27 August 2019	Stakeholder workshop
13 September 2019	Release of draft decision for consultation
14 October 2019	Stakeholder submission period closed
13 November 2019	Workshop with retailers to discuss the appropriateness of reporting at customer compared to account level
28 November 2019	Release of final decision
1 July 2020	Revised reporting guideline takes effect

We received six submissions in response to the draft decision, from five retailers and one consumer group.<sup>2</sup>

In this section, we outline the key issues raised by stakeholders, as well as our response to the proposed performance indicators and compliance obligations in our draft decision. All specific feedback and our responses are summarised in Appendix A, B and C of this report.

### Feedback related to performance indicators

Overall, stakeholders provided supportive comments around the consultation process, new tailored assistance measures and new definition of arrears (which is considered as anything above \$0, updated from the previous threshold of \$55). We received consistent feedback from stakeholders (predominantly retailers) regarding the following:

- The implementation timeline of 1 January 2020 is too immediate.
- The new performance measures at account level are too onerous.

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<sup>2</sup> The complete list of submissions can be found in Appendix D.

- The change to the reporting schedule for the fourth quarter does not align with retailer requirements.

In response to this feedback, we have extended the timeline for implementation to 1 July 2020 and refined indicators where necessary. We also had a further workshop with retailers to discuss the appropriateness of reporting at customer compared to account level or national meter level. Our specific responses to stakeholder feedback on performance indicators is summarised in the following section and are detailed in Appendix A and B of this final decision.

### Extending the timeline for implementation

In our draft decision, we proposed that retailers would need to implement these new reporting requirements and changes to existing performance measures by 1 January 2020.

EnergyAustralia, ERM Power and AGL noted that this implementation timeframe should be reconsidered, to allow for a more realistic timeframe to change reporting systems to meet the new requirements.<sup>3,4,5</sup> AGL noted that this implementation timeframe is insufficient, and is substantially less time than has previously been provided to retailers for similar changes. AGL also noted that the proposed changes will take at least 3 months to implement effectively and reduce the risk of errors.<sup>6</sup> Similarly, EnergyAustralia expressed that the cost of reporting changes will not be insignificant.<sup>7</sup>

ERM Power noted:

We are concerned that the Commission may have underestimated the impact of changing customer definitions in automated reporting systems, with a proposed commencement date of 1<sup>st</sup> January 2020. The proposed changes create a new definition of a 'customer' being an

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<sup>3</sup> EnergyAustralia, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 1.

<sup>4</sup> ERM Power, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 1 – 2.

<sup>5</sup> AGL Energy submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 1.

<sup>6</sup> AGL Energy submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2.

<sup>7</sup> EnergyAustralia, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2.

account linked to a premises/site. This is a substantial change to our reporting system... as it will require a reconfiguration of all customer number-based statistics.<sup>8</sup>

ERM Power and AGL both suggested moving the implementation date to July 2020<sup>9</sup>, with ERM highlighting that this would allow for system scoping, development, testing, procedure building and training for staff to capture information.<sup>10</sup>

## **Our final decision**

Our final decision is for these changes to be implemented by 1 July 2020, rather than 1 January 2020. This will allow retailers enough time to accurately update their systems and programs reflecting the new reporting requirements and changes to existing performance measures.

We have extended the implementation timeframe to emphasise our focus on improving data quality, as historically, there has been inconsistency in reporting of some measures between retailers. We consider that 1 July 2020 represents a reasonable timeframe for retailers to develop or refine systems, processes and training to accommodate the new requirements. We have provided implementation timeframes of similar length for changes of similar magnitude in the past.

## **Reporting at customer level**

In our draft decision, we proposed modifications to existing performance indicators that relate to customer numbers. We proposed to modify these indicators to remove ambiguity and ensure that there is a clear difference between those indicators that ask for customer numbers and those that ask for account or National Meter Identifier/ Meter Installation Registration Number (NMI/MIRN) numbers, noting that a customer may have multiple accounts, NMIs and MIRNs.

Submissions broadly supported this separation and clarification, noting the difficulties in defining these terms and possibility of previous inconsistent reporting between retailers.<sup>11</sup> In particular, the Consumer Action Law Centre supported the proposed modifications from the draft decision as proposed as this “will ensure consistent information from retailers can be accurately combined or

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<sup>8</sup> ERM Power, submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>9</sup> AGL Energy submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>10</sup> ERM Power, submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>11</sup> Powershop submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

compared”.<sup>12</sup> However, several submissions also noted the increased volume of work required to amend the proposed customer and account definitions.<sup>13,14</sup>

Alinta Energy suggested creating ‘residential customer account’ as a new definition, to replace the current definition of ‘account’, and to remove the definition of ‘residential customers’ entirely. Alinta Energy noted that it saw no additional value in providing aggregated customer data when account (or NMI/MIRN) level data would better represent market share and understanding the scale of services being provided by retailers.<sup>15</sup>

However, Powershop considered that reporting the customer number would be the most insightful data point in assessing payment difficulties and would be consistent with the National Energy Customer Framework reporting requirements for retailers, and consequently reduce a retailer’s costs to serve.<sup>16</sup> Powershop then suggests the definition be set to ‘customer’, not ‘customer number’ to reduce ambiguity and ensure consistency with the full draft decision.<sup>17</sup>

Several submissions noted the impracticability of reporting on both customer numbers and account numbers that received assistance<sup>18</sup> with Powershop stating that:

As the two numbers will be very similar, there is no material benefit for the ESC or for customers.<sup>19</sup>

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<sup>12</sup> CALC, submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>13</sup> ERM Power submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>14</sup> AGL Energy submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>15</sup> Alinta Energy submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>16</sup> MEA Group and Powershop submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>17</sup> *ibid.*

<sup>18</sup> AGL Energy submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

<sup>19</sup> Powershop submission to the Essential Services Commission consultation paper ‘Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision’, September 2019, p. 2.

AGL suggested the commission is best positioned to consider whether pre-emptively removing any performance indicators which refer to customers or accounts on standard retail contracts is prudent. AGL also suggested clarifying the use of defined terms throughout the guideline.<sup>20</sup>

Specific comments were also made with regards to the definitions of 'customer number' and 'account'. On 'customer number':

- Powershop raised the issue that customers with both gas and electricity accounts, or multiple properties, may be identified separately and not have one unique customer identification number
- ERM Power noted that the new definition does not align to their service delivery of a customer, which is largely multi-site, or the application of the Energy Retail Code's regulations to a customer, which is currently defined to a connection point.

On 'account':

- Powershop stated that 'account' should be counted once per unique physical address, using the National Meter Identifier (NMI) or Meter Installation Reference Number (MIRN), to reduce confusion. As an example, it noted that if a customer has a separately metered water pump at their premises, the water pump will not have the same physical address as the house as it would be identified as a pump.<sup>21</sup>
- EnergyAustralia suggested that the commission clarify that there can be two accounts for a premise, one for electricity and one for gas.<sup>22</sup>

## Our final decision

The commission held a workshop with retailers on 13 November 2019 to further understand the impact of customer/account level reporting indicators. reporting would be the best measures.

Our draft decision proposed changing much of the reporting to be at 'account' level to achieve consistency across retailers, with some high-level measures also to be reported at 'customer' levels. This is an important distinction when reporting on the number of customers receiving tailored assistance and their average debt.

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<sup>20</sup> AGL Energy submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 10.

<sup>21</sup> MEA Group and Powershop submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2.

<sup>22</sup> EnergyAustralia submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p.4.

Feedback on our draft decision

Through stakeholder feedback and consultation, we have determined that it is more practical to report at an 'account' level on indicators related to assistance for customers in payment difficulty. Therefore, most indicators relating to customers in payment difficulty will be reported by the number of accounts as the billing system works at the account level.

We recognise the importance of reporting on some limited indicators at both the customer and account level. For example, these will provide context to customers who are receiving assistance with the same retailer for both electricity and gas accounts. Reporting at customer and NMI/MIRN level will be limited to background indicators and disconnections. We have also clarified the definitions of 'customer number' 'account' and 'NMI/MIRN', as follows:

- **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 supplied by the same retailer and would therefore have all their accounts under one customer number/identifier.
- **Account:** identifier/number used to bill and identify accounts for electricity and gas separately for the same customer. Note: This is not a count of the National Meter Identifier (NMI) or the Meter Installation Registration Number (MIRN).
- **NMI:** National Meter Identifier
- **MIRN:** Meter Installation Registration Number
- A **residential account** is an account who purchases energy principally for personal, household or domestic use
- A **business account** is an account who purchases energy principally for a business premise/s.

### Performance indicator reporting schedule

In our draft decision, we proposed that retailers would need to submit their data for the performance metrics, for the fourth quarter of the financial year by 31 July. This date change supports more timely financial year reporting and is consistent with the performance reporting requirements of the AER.



EnergyAustralia did not support this change as it noted that the different due dates for the Australian Energy Regulator and the commission allowed EnergyAustralia to manage internal workloads across multiple teams particularly where errors were identified and needed to be fixed.<sup>23</sup>

ERM Power stated that this new proposed deadline would add burden on resources, and including the submission of compliance breach reporting would no longer be consistent with the Australia Energy Regulator's compliance reporting due date, resulting in an inefficient process of seeking executive approvals for compliance reporting.<sup>24</sup>

AGL supported the commission's alignment with the AER in relation to reporting dates.<sup>25</sup>

## **Our final decision**

Improving the ease and efficiency for retailers to provide performance indicators is one of our constant considerations in making decisions. We recognise the additional burden placed on retailers with the requirements to report on fourth quarter data one month earlier.

Through our individual meetings with retailers, many proposed that if we aligned the timeframe for our performance reporting with the AER, it would make their process more efficient. Their view was their reporting teams could focus on completing similar tasks concurrently and then have capacity to return to their internal corporate reporting.

Our final decision is therefore to require fourth quarter data to be submitted by 31 July.

We expect that retailers will continue to manage internal workloads to ensure that all data provided has undergone appropriate quality assurance and is accurately reported.

Only the timeline for the performance indicators has been brought forward, and no compliance reporting dates have changed.

## **Specific performance indicator clarifications**

Powershop noted that the commission proposed minor changes to the reporting of business customers by their load. Powershop supports this change but seeks further clarification in relation to the definition of the 'total load' if a full year of data is not available. Powershop considers that

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<sup>23</sup> EnergyAustralia, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2.

<sup>24</sup> *ibid.*

<sup>25</sup> AGL, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2.

where a full year of consumption data is not available, the underlying network tariff should be used as the most accurate indicator of consumption.

Several submissions sought clarification on the definition of certain performance indicators, such as:

- Powershop noted that their customers are able to enter self-meter reads at their convenience, and sought to understand whether customer read estimates submitted to retailer (self-read of meter) requires all customer self-readings to be recorded and reported, or just those submitted as a result of the new 1 July 2019 obligations.<sup>26</sup>
- EnergyAustralia sought clarification on whether the business electricity and gas customers indicators referred to both small and non-small customers<sup>27</sup>

We considered this feedback and have made further refinements to affected indicators, as detailed in Appendix A and B.

CALC also made suggestions around additional information that the commission should gather, for example on the:

- number of households on market offers who are paying above what they would on the Victorian Default Offer
- the amount of time since those households actively changed plan with their retailer
- how often practical assistance includes an over the phone or in person energy audit or involves appliance replacement
- how often offers were made to households to switch to the retailer's best offer under the tailored assistance requirements.<sup>28</sup>

This type of information may not be appropriate to be collected on an on-going and long-term basis as part of our regular performance reporting framework, although this type of information might be useful. The commission is open to collecting detailed data from industry through more appropriate means, such as the issue of notices to provide information<sup>29</sup> on the uptake of the VDO and

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<sup>26</sup> MEA Group and Powershop submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2.

<sup>27</sup> EnergyAustralia, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 4.

<sup>28</sup> CALC, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 4-5.

<sup>29</sup> Under s37 of the ESC Act 2001

outcomes of best offer information. This would allow us to evaluate the effectiveness of these reforms. We will likely collect data and report on this topic in the first half of 2020.

Collection of this information could also support our new functions in monitoring and reporting on the competitiveness and efficiency of the Victorian energy market. For example, the commission recently issued and received data from a notice to provide information to retailers on what customers paid for electricity between 2017-18 and 2018-19.

## **Feedback related to compliance obligations**

We received submissions from AGL Energy, Alinta Energy, EnergyAustralia, ERM Power, Powershop and the Consumer Action Law Centre on our proposed compliance reporting obligations related to the Victorian Default Offer, family violence and best offer entitlements.<sup>30</sup> The feedback provided broadly fell into three categories:

- removal of obligations
- the classification of breaches by type; and
- clarification of obligations, breaches of which are reportable under the guideline.

We have provided a discussion on this feedback in the following section, and any changes to our draft decision are reflected in Appendix C of this paper.

### **Clarification of obligations**

In response to our draft decision, some retailers sought clarification on reporting breaches of their obligations.

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<sup>30</sup> AGL Energy, submission to the Essential Services Commission consultation paper 'Compliance & Performance Reporting Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 1 - 10.

Alinta Energy, submission to the Essential Services Commission consultation paper 'Compliance & Performance Reporting Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2 - 3.

EnergyAustralia, submission to the Essential Services Commission consultation paper 'Compliance & Performance Reporting Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2 - 3.

ERM Power, submission to the Essential Services Commission consultation paper 'Compliance & Performance Reporting Guideline updated to include new entitlements for customers: Draft decision', September 2019, p. 2 - 4.

Meridian Energy Australia Group and Powershop, submission to the Essential Services Commission consultation paper 'Compliance & Performance Reporting Guideline updated to include new entitlements for customers: Draft decision', September 2019 p. 2-3.

Consumer Action Law Centre, submission to the Essential Services Commission consultation paper 'Compliance & Performance Reporting Guideline updated to include new entitlements for customers: Draft decision', September 2019 p. 3 - 4.

For example, some submissions contended the requirements for reporting the following breaches were not clear:

- RB1414 – a breach of the obligation under clause 106K of the Energy Retail Code, which requires retailers to allow residential customers on standard retail contracts to pay with Centrepay. This clause also requires retailers to either transfer, without cost or penalty, a customer who is on a market retail contract to an alternative market retail contract which allows for payment by Centrepay or allow the market retail contract residential customer to pay by Centrepay;
- RB1423 – a breach of the obligation under clause 106I of the Energy Retail Code, which requires a retailer, before taking action to recover arrears from an affected customer, to 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.

We have reviewed the descriptions of these breaches and consider that they closely mirror the relevant Energy Retail Code obligations. These provisions were subject to consultation as part of the suite of amendments to the Code relating to family violence obligations. The Compliance and Performance Reporting Guideline cannot alter or add to the Code obligations to which it refers, hence it is beyond the scope of this review to change the requirements in question. Consequently, we make no substantive changes to the descriptions of reporting obligations in this decision.

### **Classification of breaches by type**

Submissions on a number of the new reportable breaches pertained to the classification of breaches by type. The breaches which the submissions commented on, related to several different subject areas and obligations. Some of the key themes that were covered by submissions are discussed below. Reasons for the commission's final decision on each of the specific breach classifications appear in Appendix C.

### **Bill content and record keeping requirements**

Submissions from AGL Energy, ERM Power and EnergyAustralia pertained to obligations relating to information required to be provided on customers' energy bills and records required to be kept by retailers in relation to their compliance with certain obligations. The commission notes that some breaches relating to record keeping have been changed from a proposed type 1 classification to a type 2 classification. This reflects that, generally breaches of record keeping obligations are not highly time-sensitive, even if the obligations they relate to create important customer protections.

Several submissions related to bill information content obligations. In some instances, these have been categorised as type 1 breaches – in particular where the provision of information is crucial to

ensuring customers have access to a key protection (including the provision of information relating to the Victorian Default Offer, the provision of “best offer” information, or information relating to an imminent change to a customer’s energy pricing).

### **Family violence protections**

The commission received several submissions relating to the classification of breaches of obligations dealing with family violence. Having considered these submissions, the commission has amended several of its proposed classifications of breaches relating to family violence protections to a higher classification. These changes are in recognition of the serious psychological and physical harm that customers affected by family violence can suffer and the fact that in certain circumstances energy retailers may be able to mitigate or aggravate some of these harms by their action or inaction.

### **Consistency with AER reporting framework**

AGL Energy submitted that some existing obligations were classified as type 1 by the commission – for example RB0330 (obligations in relation to the frequency of issuing bills to customers on Standing Retail Contracts) and RB0110 (compliance with laws relating to marketing to consumers, provision of information, and the conduct of marketing representatives) – while equivalent breaches were classified as type 2 under the Australian Energy Regulator’s reporting framework. The commission has not made changes to the classification of these breaches as this review has been focussed on the addition and classification of new compliance reporting obligations.

### **Victorian Default Offer, price variations and best offer information entitlements**

Submissions from AGL Energy, Alinta Energy, EnergyAustralia, ERM Power and Powershop dealt with breaches of obligations relating to the Victorian Default Offer, best offer entitlements and the provision of price variation information. Our final decision reflects that the commission considers obligations relating to all three of these areas as enshrining important customer protections and dealing with matters in relation to which the commission has received expressions of concern from Victorian energy customers for several years. Accordingly, the commission considers that access to these protections and the provision of information on these protections is very important to the long-term interests of Victorian consumers.

### **Our final decision**

Our responses to feedback on specific obligations are detailed in Appendix C.

### 3. Changes to performance indicators for new customer entitlements

Retailers are required to report to us on their performance in supporting customers anticipating or facing payment difficulty. 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.

#### 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.<sup>31</sup> We must also have regard for certain matters to the extent they are relevant in any particular case, such as the benefits and costs of regulation.

Our final decision was also informed by consultation with stakeholders through workshops held on 27 August 2019 and 13 November 2019, stakeholder meetings and formal submissions received on the draft decision. The changes from the draft decision to the final decision are detailed in Appendix A and B.

#### 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 have 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.

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<sup>31</sup> *Essential Services Commission Act 2001* (Vic), section 8.

- 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.
- 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 for both electricity and gas.

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 B.

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.

## Changes to definitions for reporting

We have included new definitions in the guideline to align with the new framework, as follows:

- New reporting definitions for **customers receiving assistance**, to align with the entitlements of residential customers receiving standard assistance or tailored assistance, as per the revised Energy Retail Code.
- Changing the terminology of debt to **arrears** to align with the terminology used in the Energy Retail Code.

The specific changes to reporting definitions have been provided in Appendix A.

## Modifying existing performance indicators

We proposed changes to existing performance indicators relating to the experience of energy customers with arrears or disconnection in Victoria. These indicators provide valuable information on the level of assistance provided to customers facing or anticipating payment difficulty, such as:

- the level of customer arrears in Victoria as a whole, and specific to a retailer
- the extent that customers are receiving assistance and eliminating their arrears over time
- the rate of customer disconnections in Victoria undertaken as a last resort and
- the notices provided to customers facing payment difficulty.

These existing indicators will need to reflect the new terminology and entitlements of customers under the new framework. For example, indicators related to customers leaving hardship programs

Changes to performance indicators for new customer entitlements



successfully or otherwise, need to be reframed in the context of customers no longer receiving assistance under the new framework.

We have modified existing indicators to reflect the objectives of the new payment difficulty framework, as outlined in Table 3.1. The specific changes to these modified indicators are described in Appendix B.

We understand that retailers will need to change their IT systems to provide for the new entitlements that customers can access from 1 January 2019. Key aspects of this include being able to identify the type of assistance a customer might be receiving, and the amount of arrears accrued by the customer. We have modified existing indicators in line with capturing this new information about customers in order to be consistent with the IT system changes that retailers might need to make. This may reduce the associated costs of implementation.

**Table 3.1 Modifications to existing performance indicators**

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
<b>Background</b>	B010	Residential Electricity Customers on standard retail contracts	B009	Residential Electricity Customers
			B010	Residential Electricity NMI's on the Victorian Default Offer
			B011	Residential Electricity NMI's on deemed contracts or occupier accounts on the Victorian Default Offer
	B020	Residential Electricity Customers on market retail contracts	B020	Residential Electricity NMI's on market retail contracts
	B021	Customers with Feed-in tariffs	B021	Electricity residential NMI's receiving the feed-in tariff
	B030	Small Business Electricity Customers on standard retail contracts	B029	Small Business Electricity Customers
			B030	Small Business Electricity NMI's on the Victorian Default Offer (consuming less than 40MWh per year)
			B031	Small Business Electricity NMI's on deemed contracts or occupier accounts on the Victorian Default Offer
	B040	Small Business Electricity Customers on market retail contracts	B040	Small Business Electricity NMI's on market retail contracts (consuming less than 40MWh per year)

Changes to performance indicators for new customer entitlements



Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
	B050	Business Electricity Customers	B050	Business Electricity NMIs (consuming between 40-100 MWh per year)
	B060	Business Electricity Customers	B060	Business Electricity NMIs (consuming between 100-160 MWh per year)
	B070	Business Electricity Customers	B070	Business Electricity NMIs (consuming greater than 160 MWh per year)
	B080	Residential Gas Customers on standard retail contracts	B079	Residential Gas Customer number
			B080	Residential Gas MIRNs on standard retail contracts
			B081	Residential Gas MIRNs on deemed contracts or occupier accounts
	B090	Residential Gas Customers on market retail contracts	B090	Residential Gas MIRNs on market retail contracts
	B100	Small Business Gas Customers on standard retail contracts	B099	Small Business Gas Customers
			B100	Small Business Gas MIRNs 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 MIRNs on market retail contracts (consuming less than 1,000 GJ per year)
	B120	Large Retail Gas Customers	B120	Business Gas MIRNs (consuming greater than 1,000 GJ per year)
<b>Assistance</b>	AS010	Residential customers receiving standard assistance	AS012	Residential accounts receiving standard assistance
	AS020	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

Changes to performance indicators for new customer entitlements

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
	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 or in credit
			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)
<b>Arrears</b>	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

Changes to performance indicators for new customer entitlements

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
	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
<b>Disconnections</b>	D050A	Disconnection for non-payment (residential customers)	D050A	Disconnection for non-payment (residential NMI or MIRN)
	D050B	Disconnection for non-payment (small business customers)	D050B	Disconnection for non-payment (small business NMI or MIRN)
	D051A	Other disconnections (residential customers)	D051A	Other disconnections (residential NMI or MIRN)
	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 NMI or MIRN)
	D060B	Reconnections within 7 days (small business customers)	D060B	Reconnections within 7 days of disconnections for non-payment (small business NMI or MIRN)
	D090	Disconnections on more than one occasion	D090	Reported separately for electricity and gas, the number of residential accounts that have been disconnected for non-payment multiple times in the last 24 months.

Changes to performance indicators for new customer entitlements

Area of interest	Old Ref. number	Existing indicator name	New Ref. number	Modified indicator name
	D140	Disconnections for non-payment of residential customers who did not receive assistance	D140	Reported separately for electricity and gas, the number of accounts for which supply was disconnected for non-payment during each month within the reporting period who had not received standard or tailored assistance within the previous 6 months.
	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
<b>Call centre</b>	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
<b>Complaints</b>	C010	Complaints – billing	C010	Complaints – billing
	C020	Complaints – marketing	C020	Complaints – marketing

## Introducing new performance indicators

We have introduced new performance indicators that require new data to be captured, as outlined in Table 3.2 and include measures such as:

- the number of NMIs on the Victorian Default Offer
- the number of occupier NMIs on the Victorian Default Offer
- the number of positive or negative best offer messages on bills, by NMIs
- the number of bill change notices by NMI
- the number of self-reported meter reads by NMI.

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

Changes to performance indicators for new customer entitlements

discussed at the workshop with retailer representatives on 13 November 2019 and were confirmed as being the most appropriate.

The new performance indicators are outlined in Table 3.2 and described in Appendix B.

**Table 3.2 New performance indicators**

Area of interest	Ref. number	Indicator name
<b>Background</b>	B160	Residential Electricity NMI's that received bill change notices
	B170	Residential Gas MIRNs that received change notices
	B180	Residential Electricity NMI's that received information on their bill that they are not on the retailer's best offer
	B190	Residential Electricity NMI's that received information on their bill that they are on the retailer's best offer
	B200	Residential Gas MIRNs that received information on their bill that they are not on the retailer's best offer
	B210	Residential Gas MIRNs 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)

## Removing performance indicators

Following our changes and additions to performance indicators, we removed the existing indicators in Table 3.3. We reviewed these indicators and found they provided limited insight for our monitoring and reporting requirements. The specific changes to indicators we removed are described in Appendix B.

**Table 3.3 Removal of existing performance indicators**

Area of interest	Ref. number	Existing indicator name (to be removed)
<b>Assistance</b>	AS011	Residential customers receiving standard assistance (*proposed indicator in the draft decision, not existing under Version 4 of the CPRG)
	AS021	Residential customers receiving tailored assistance (*proposed indicator in the draft decision, not existing under Version 4 of the CPRG)
<b>Disconnections</b>	D010	Estimated accounts
	D030	Refundable advances - number
	D040	Refundable advances - amount
	D100	Disconnections of residential energy concession accounts
	D130	Reconnection of residential energy concession accounts

Changes to performance indicators for new customer entitlements

## Administrative changes

We have also made administrative changes related to revised performance indicators:

- **A revision to reporting templates** - Performance indicator reporting templates have been revised to reflect the changes to the performance indicators. This includes new reference numbers for performance indicators where appropriate.
- **Specifying the commencement date** - The revised performance indicator requirements will take effect from 1 July 2020.
- **Submission date for Quarter 4 reporting for performance indicators** - We have brought forward the submission date for performance indicators, for the fourth quarter of the financial year to 31 July to support more timely financial year reporting and consistent with the performance reporting requirements of the AER. This applies from the June 2020 quarter submission that is due by **31 July 2020**.

## 4. Changes to compliance reporting for new customer entitlements

Retailers must report to the commission when they have identified an incident where they have not complied with the energy rules. This is referred to as compliance reporting under our reporting guideline.

This review focused on the reporting requirements relating to the following new regulatory obligations, on energy retailers that arise from:

- 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.

### Our approach

We have made 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. The specific changes to compliance obligations for retailers have been provided in Appendix C, with further explanation for the changes.

### 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.

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.



## 5. Administrative changes

In addition to amendments to align the reporting guideline with the payment difficulty framework, we have made other miscellaneous administrative changes that are applicable to both energy retailer and distribution businesses.

### Performance indicators

#### Performance indicator reporting schedule

The existing reporting guideline requires retailers to submit specific performance indicator data either on a quarterly, biannual or semi-annual basis. For consistency, and in line with the finalisation of the framework, retailers must submit all performance indicator data to the commission on a quarterly basis (call centre indicators are the only exception to this and will continue to be reported annually).

We have also changed the reporting timeframes for the fourth quarter of yearly data to 30 September or earlier, which is consistent with the reporting timeframes in other quarters (periods of three months) during the year. We have simplified and clarified the reporting guideline by removing the columns related to frequency and how the data will be interpreted. A large majority of existing indicators were required to be reported in monthly intervals.

Each indicator also includes a reference number, as outlined in Appendix B.

### Compliance reporting

We have made 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

## 6. Next steps

### **Commencement of the reporting guideline**

The requirements of the revised reporting guideline will apply to reporting from 1 July 2020.

This will mean that retailers will need to begin capturing data on the updated set of performance indicators and begin reporting on breaches of the revised obligations from this date.

This provides retailers with enough time to update their performance reporting systems to ensure that they can provide accurate information.

### **New life support obligations**

We will shortly release our final decision on strengthening protections for life support customers. This will result in revised retailer and distributor obligations for customers with life support equipment (life support customers), which will be effective in 2020, and our new framework will largely align with the National Energy Retail Rules.

Regarding reporting obligations related to these reforms, the commission notes the following:

- For performance indicators, the commission will collect information from distributors on the number of registered life support customers in Victoria. We intend to collect this data at an aggregate level from distributors on an annual basis, as we requested from distributors to inform our upcoming final decision. We do not intend to introduce performance indicators into the guideline at this stage.
- For compliance reporting, we note that currently retailers and distributors are required to immediately report any breaches of obligations relating to life support customers (type 1 obligations). The commission considers that the proposed changes to the framework do not alter the high importance of retailer and distributor obligations relating to life support customers. Therefore, it is expected that any potential non-compliance of a retailer or distributor relating to obligations in the new framework for life support customers must be reported immediately and are to be considered type 1 obligations for the purposes of compliance reporting.

A consequential amendment to the guideline will be made, subsequent to the release of our final decision on strengthening protections for life support customers.

## 7. References

AGL, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019.

Alinta Energy, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019.

Consumer Action Law Centre, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019.

EnergyAustralia, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019.

ERM Power, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019.

Essential Services Commission. Recommendations 3A-H. Source:  
<https://www.esc.vic.gov.au/sites/default/files/documents/Overview-recommendation-3A-H.pdf>

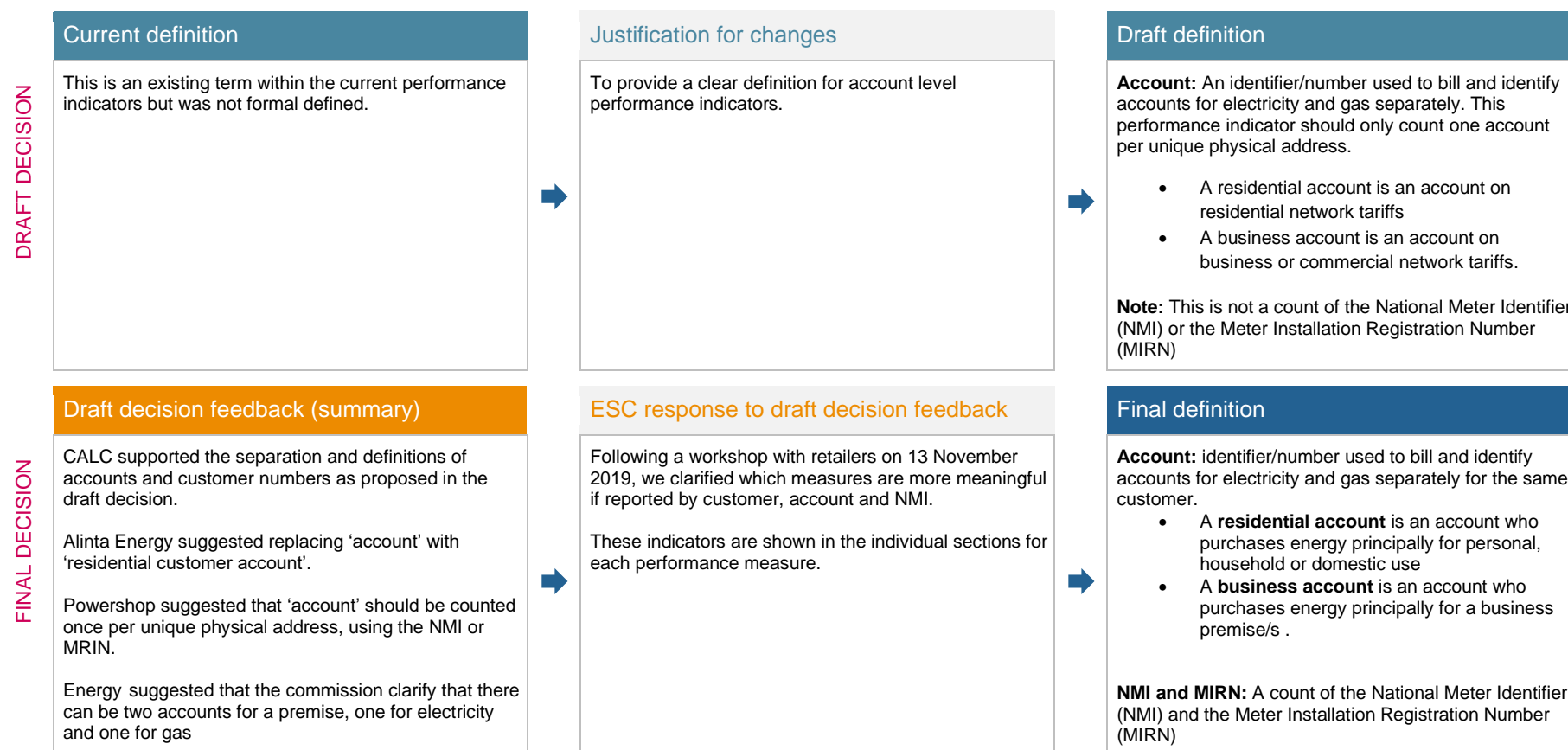
Essential Services Commission Act 2001.

MEA Group and Powershop, submission to the Essential Services Commission consultation paper 'Compliance & Performance Guideline updated to include new entitlements for customers: Draft decision', September 2019.

# Appendix A – Definitions for performance indicators

## Changes to existing definitions

### Account



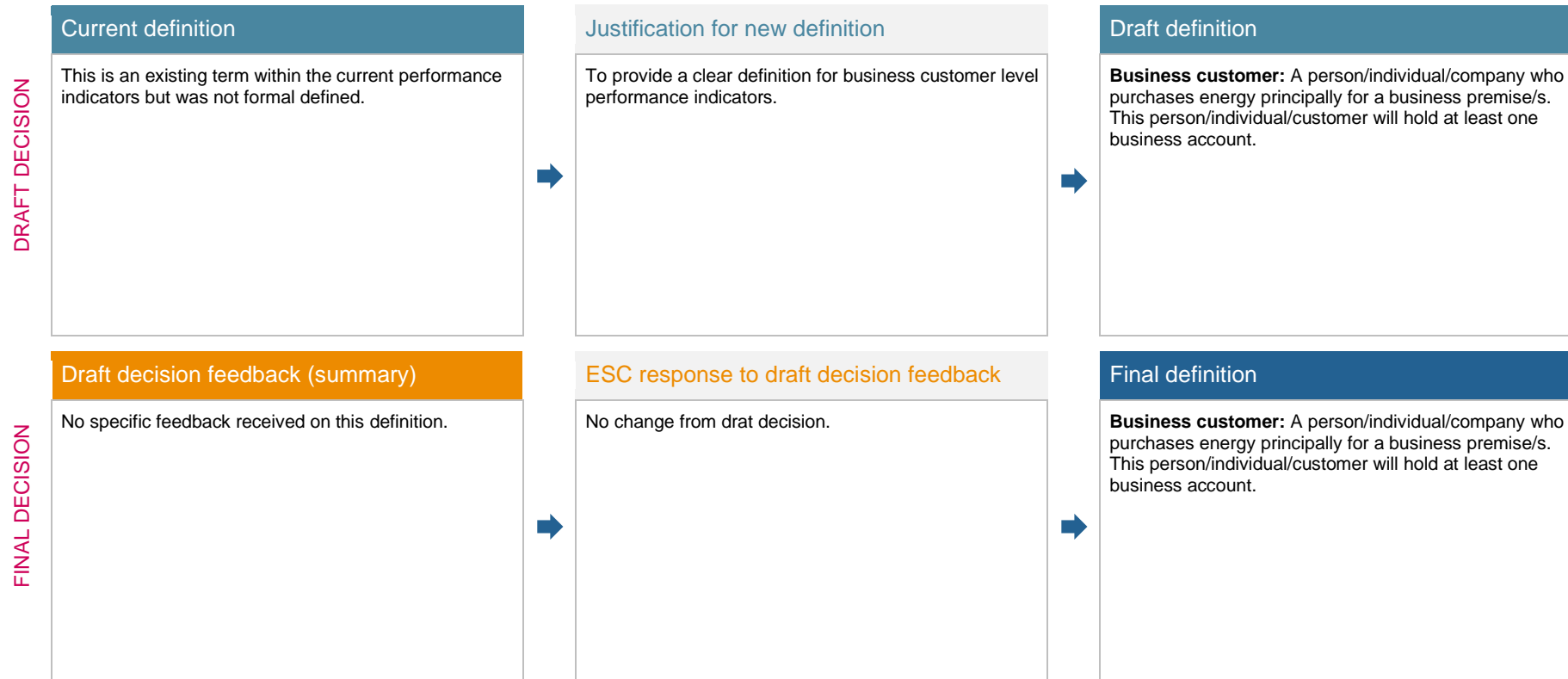
## Aged-arrears



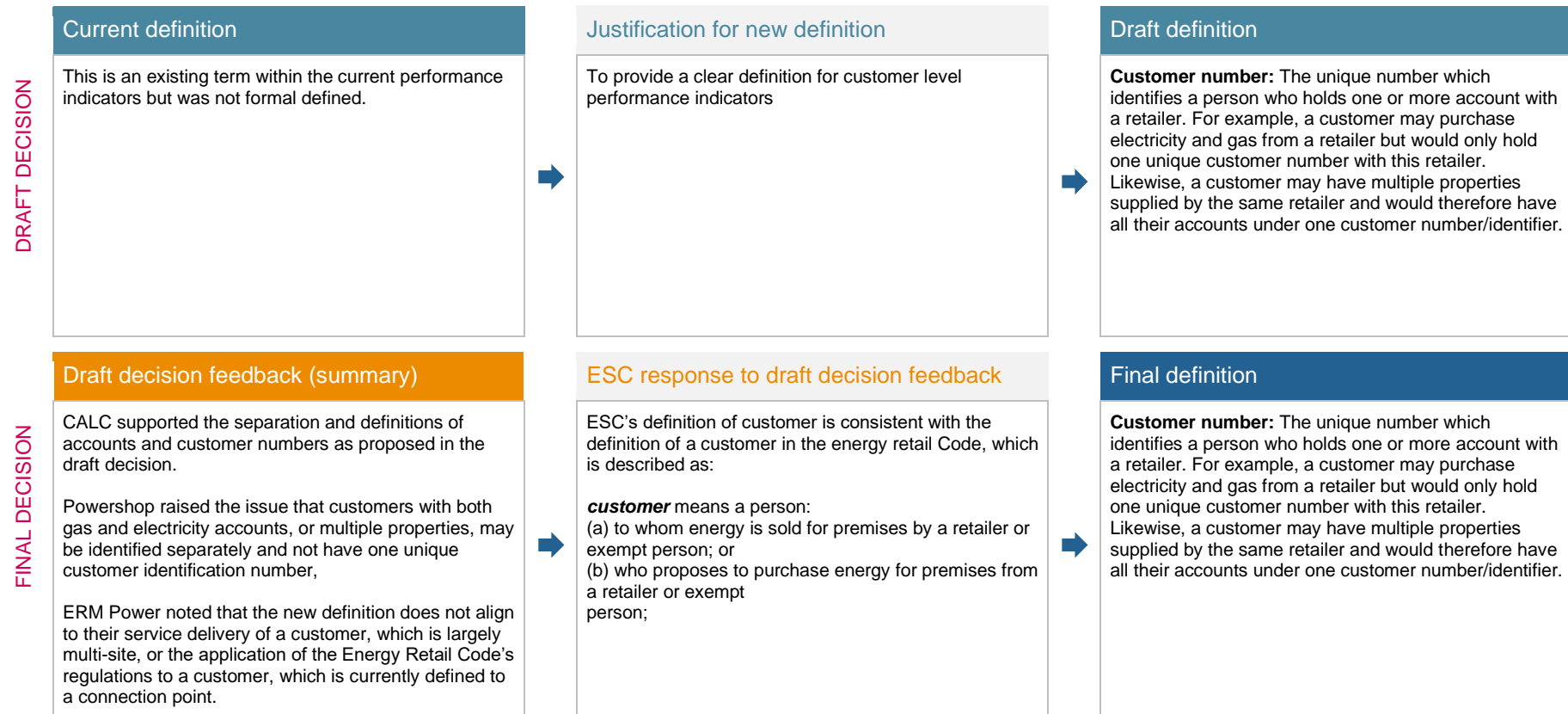
## Arrears



## Business customer

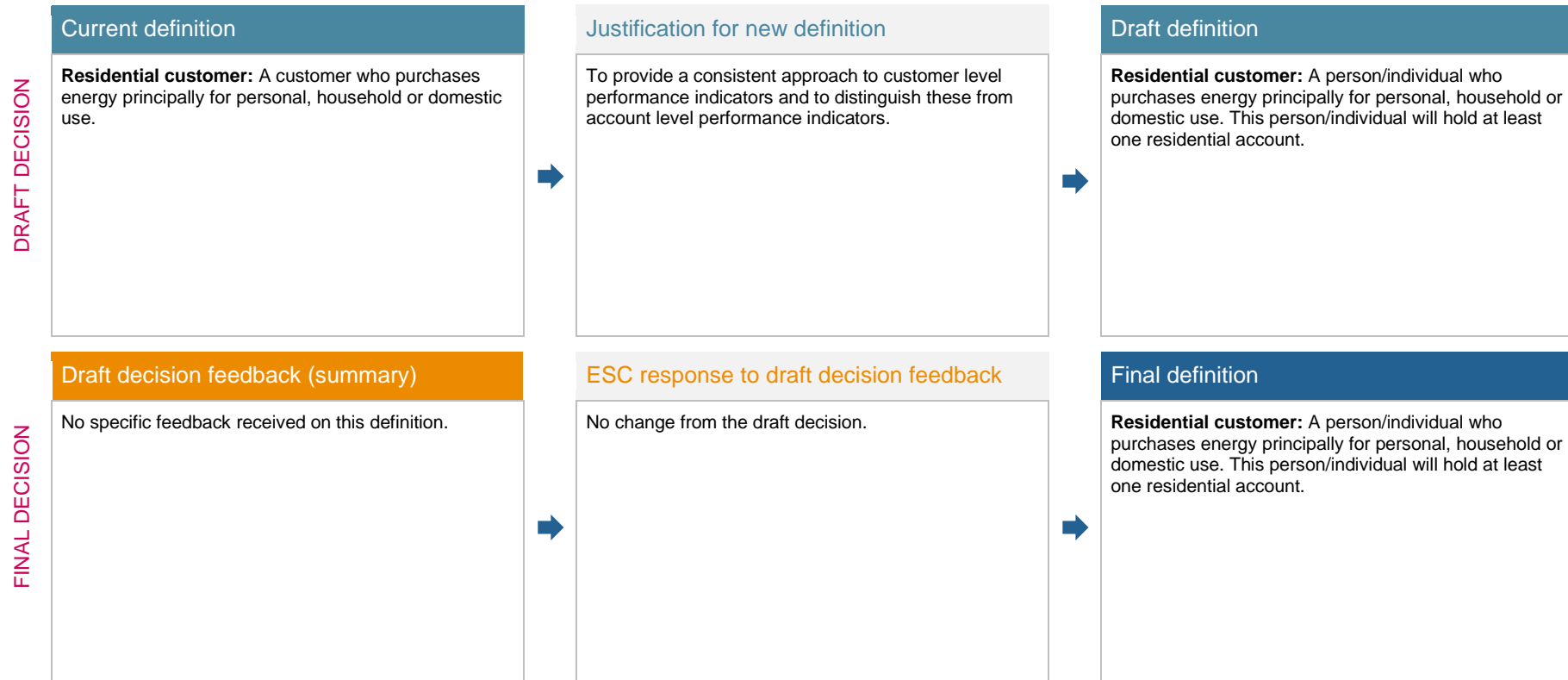


## Customer number

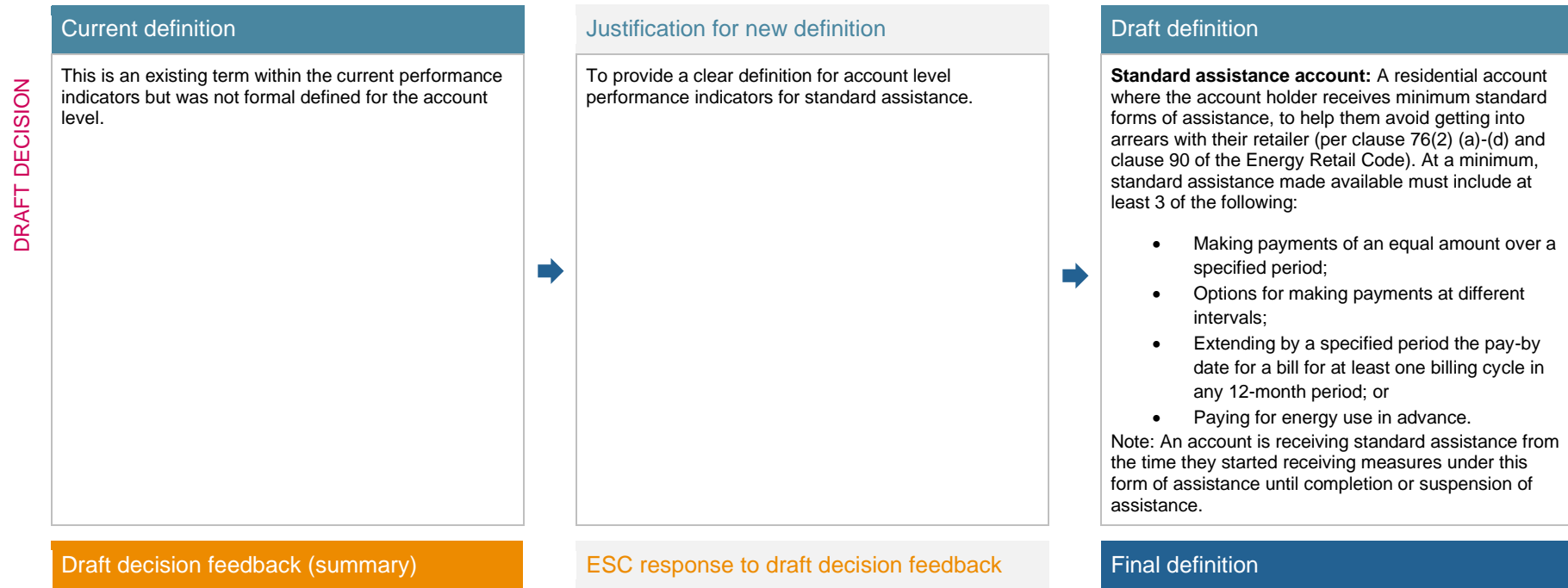




## Residential customer



## Standard assistance account



AGL suggested appropriate usage of defined terms throughout the Guideline, for example where the definition of a 'standard assistance account' refers to a 'residential account', which is not defined.

Powershop supported the new definition of 'standard assistance' as it makes clear that it does not capture customers willingly paying in advance.



We note that a 'residential account' is defined under 'account'.  
We added the word 'residential' in the measure to make this measure clearer.

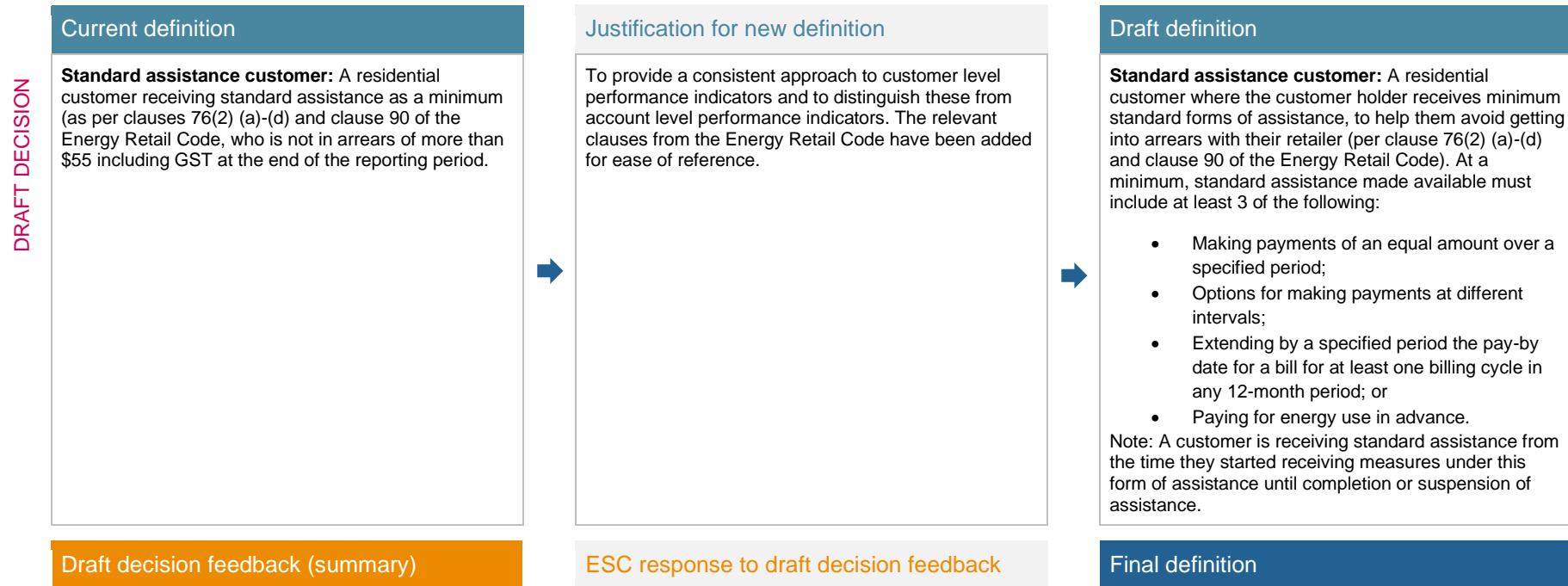


**Standard assistance residential account:** A residential account where the account holder receives minimum standard forms of assistance, to help them avoid getting into arrears with their retailer (per clause 76(2) (a)-(d) and clause 90 of the Energy Retail Code). At a minimum, standard assistance 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: A residential account is receiving standard assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

## Standard assistance customer



AGL noticed a typography error with 'customer holder'.

Powershop supported the new definition of 'standard assistance' as it makes clear that it does not capture customers willingly paying in advance.



We added the word 'residential' in the measure to make this consistent with other residential measures.



**Standard assistance residential 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:

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

Tailored assistance account

DRAFT DECISION	<div>Current definition</div> <div>This is an existing term within the current performance indicators but was not formal defined.</div>	<div>Justification for new definition</div> <div>To provide a clear definition for account level performance indicators for tailored assistance.</div>	<div>Draft definition</div> <div><p><b>Tailored assistance account:</b> 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.</p><p>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):</p><ul style="list-style-type: none"><li>• Repayment of arrears over not more than 2 years by payments at regular intervals of up to one month;</li><li>• Advice from the retailer about payment options that would enable a customer to repay their arrears over not more than 2 years;</li><li>• Specific advice about the likely cost of a customer's future energy use and how this cost may be lowered;</li><li>• 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</li><li>• 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.</li></ul></div>

## Current definition (cont.)

## Justification for new definition (cont.)

## Draft definition (cont.)

Accounts that 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

Draft decision feedback (summary)

ESC response to draft decision feedback

Final definition



No specific feedback on this definition.

We added the word 'residential' in the measure to make this consistent with other residential measures.

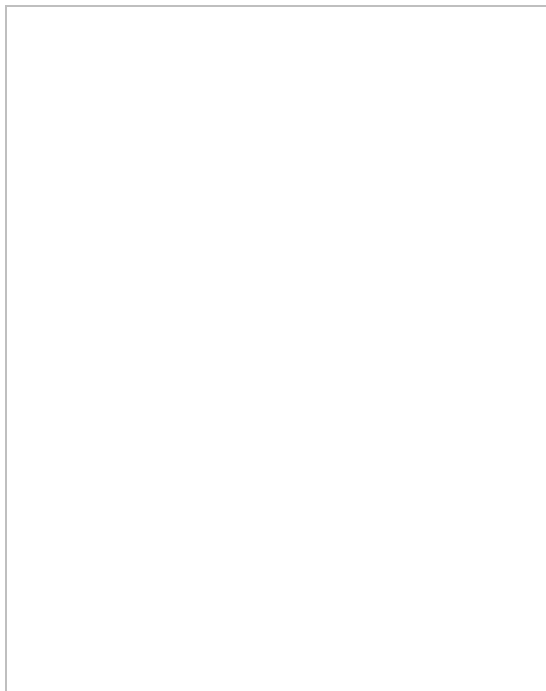
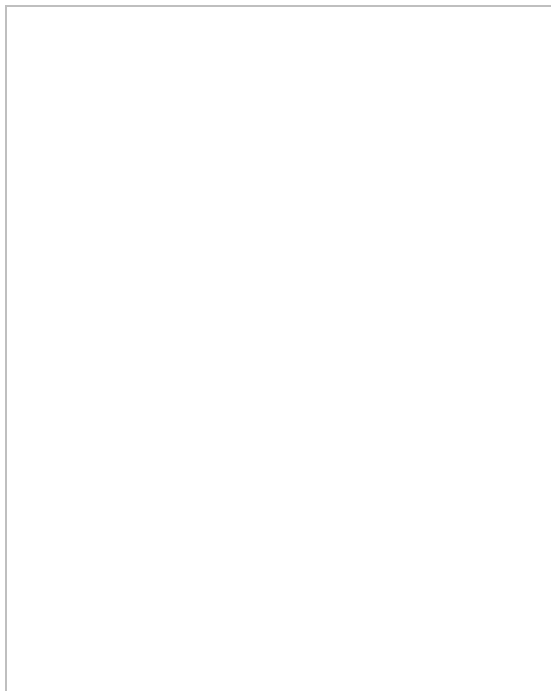
**Tailored assistance residential account:** Where the holder of an account receives minimum standards of flexible and practical assistance that makes it easier for them to pay for at least their on-going usage, repay their total arrears over a two-year period and lower their energy costs. There are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

Residential accounts where the customer 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.

Residential accounts where the customer 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 residential 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

DRAFT DECISION

### Current definition

**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 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.

### Justification for new definition

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.

### Draft definition

**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.

Current definition (cont.)	Justification for new definition (cont.)	Draft definition (cont.)
		<ul style="list-style-type: none"> <li>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):             <ul style="list-style-type: none"> <li>Specific advice about the likely cost of a customer's future energy use and how this cost may be lowered;</li> <li>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;</li> <li>Practical assistance to help a customer lower their energy costs;</li> <li>An initial period of at least 6 months during which:                 <ul style="list-style-type: none"> <li>(i) repayment of the customer's arrears is put on hold;</li> <li>(ii) the customer pays less than the full cost of their on-going energy use while working to lower that cost</li> </ul> </li> <li>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.</li> </ul> </li> </ul> <p>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.</p>

Draft decision feedback (summary)

ESC response to draft decision feedback

Final definition

AGL noted a typography error with 'customer holder'.



We added the word 'residential' in the measure to make this consistent with other residential measures.

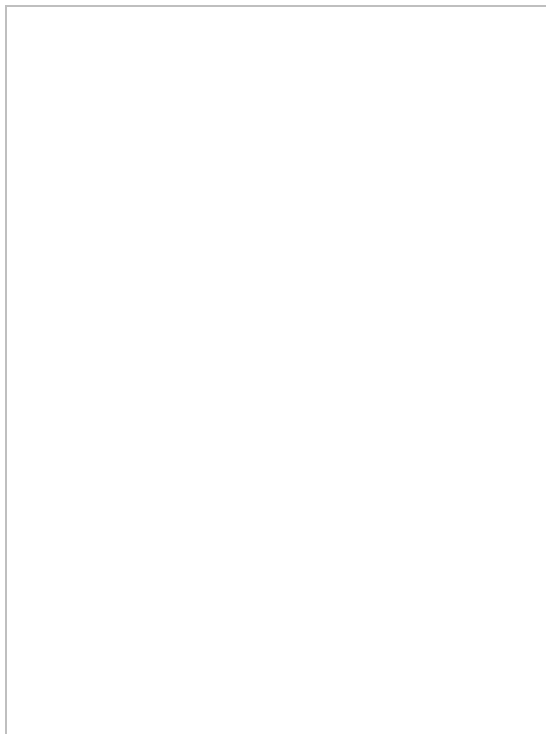
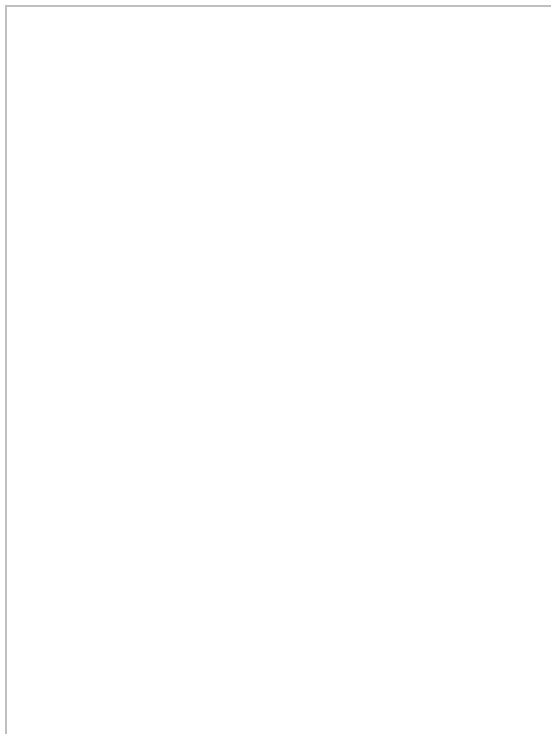


**Tailored assistance residential customer:** A residential customer where the customer holder receives minimum standards of flexible and practicable assistance that makes it easier for them to pay at least their on-going usage energy use, repay their total arrears over a two-year period and lower their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

- Residential 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.

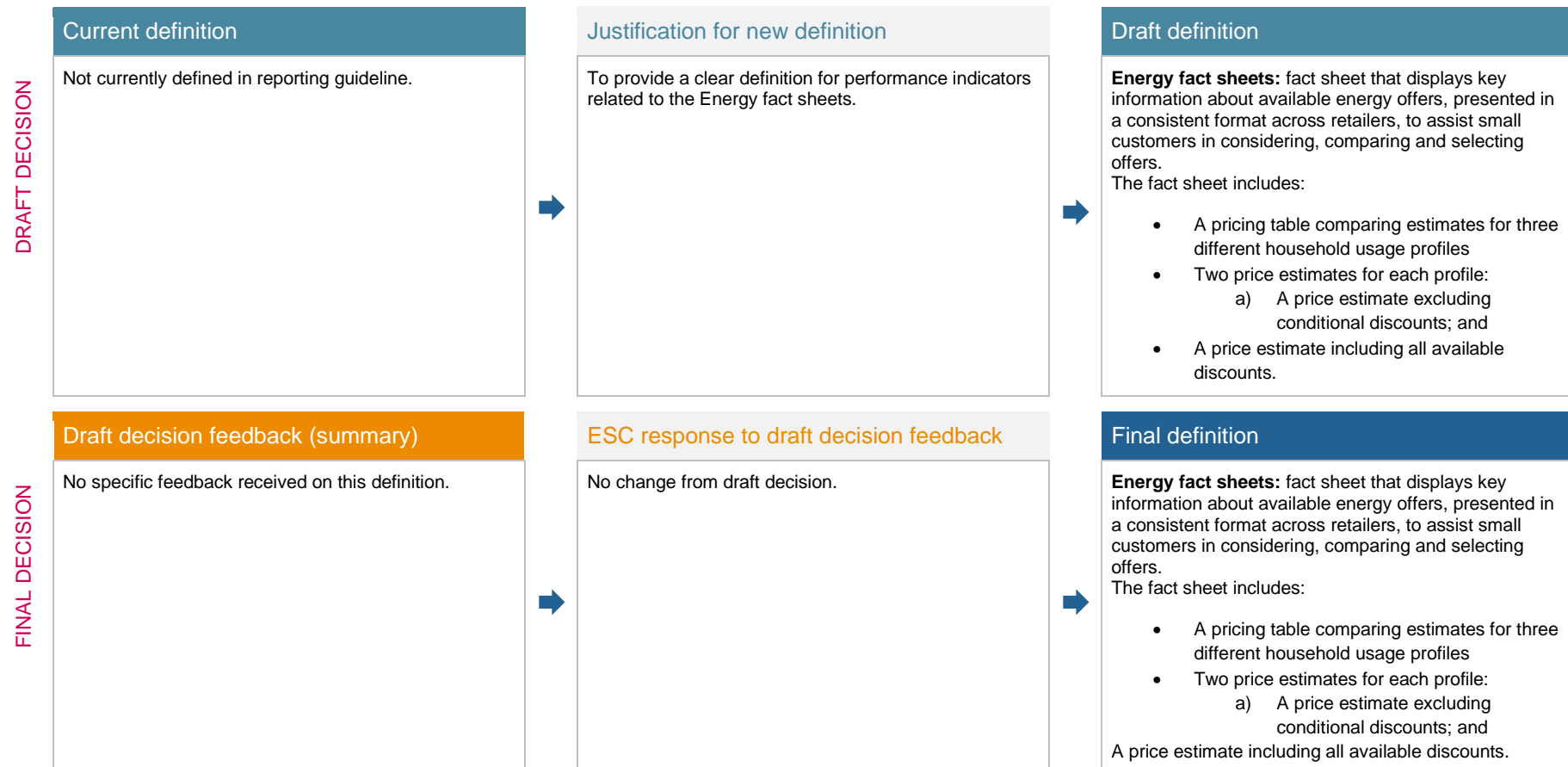
- Residential customers who cannot pay their on-going usage, where at a minimum tailored assistance consists of (per clause 79(1)(c) - (g) and clause 90 of the Energy Retail Code):
  - Specific advice about the likely cost of a customer's future energy use and how this cost may be lowered;



- 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-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.

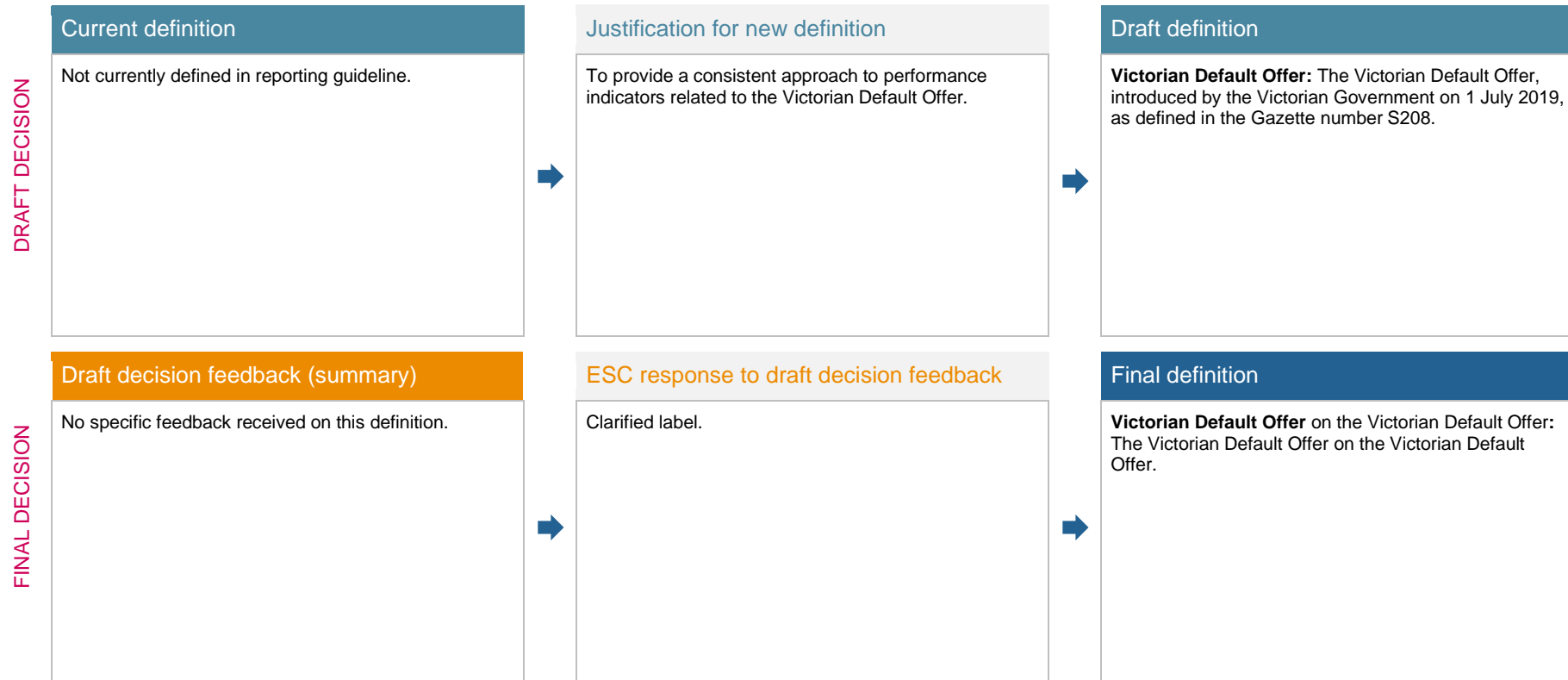
## New definitions

### Energy fact sheets





## Victorian Default Offer



## Appendix B – Changes to performance indicators

### **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. These reflect the final performance indicators following consideration of stakeholder feedback on the draft decision, as described in our response set out in the table below.

B010 – Residential Electricity Customers on standard retail contracts

DRAFT DECISION

Current indicator	Justification for changes	Draft indicator
<p><b>Indicator:</b> Residential Electricity Customers on standard retail contracts</p> <p><b>Definition:</b> 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>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>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.</p>	<p><b>Indicator:</b> Residential Electricity Customers (B009)</p> <p><b>Definition:</b> 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> <p><b>Indicator:</b> Residential Electricity accounts on standard retail contracts (B010)</p> <p><b>Definition:</b> 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> <p><b>Indicator:</b> Residential Electricity accounts on deemed contracts or occupier accounts (B011)</p> <p><b>Definition:</b> 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>

### Draft decision feedback (summary)

Alinta suggests that this indicator is redundant as B010, B011 and B020 are more appropriate indicators in determining market share and understanding the scale of services being provided by retailers.

AGL suggests that the ESC consider whether pre-emptively removing any performance indicators which refer to customers or accounts on Standard Retail contracts is prudent, as the VDO will be extended to all tariffs from 1 January 2020. All standard retail electricity customers will be considered VDO customers, and as such, reporting on both B010 and B130 may become redundant.

EA requests clarification on whether customers that are supplied under a standard retail contract but are not being bill should be captured in this indicator.



### ESC response to draft decision feedback

Placeholder: add note following workshop

Following November 13 workshop feedback, to be measured at an NMI level.

Following November 13 workshop feedback, to be measured at an NMI level.



### Final indicator

**Indicator:** Residential Electricity Customers (B009)

**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.

**Indicator:** Residential Electricity NMIs on the Victorian Default Offer (B010)

**Definition:** The count of residential electricity NMIs on the Victorian Default Offer, that purchase electricity under a standard retail contract, principally for personal, household or domestic use at premises. This should exclude deemed contracts or occupier account and is to be measured as at the last calendar day of each reporting month.

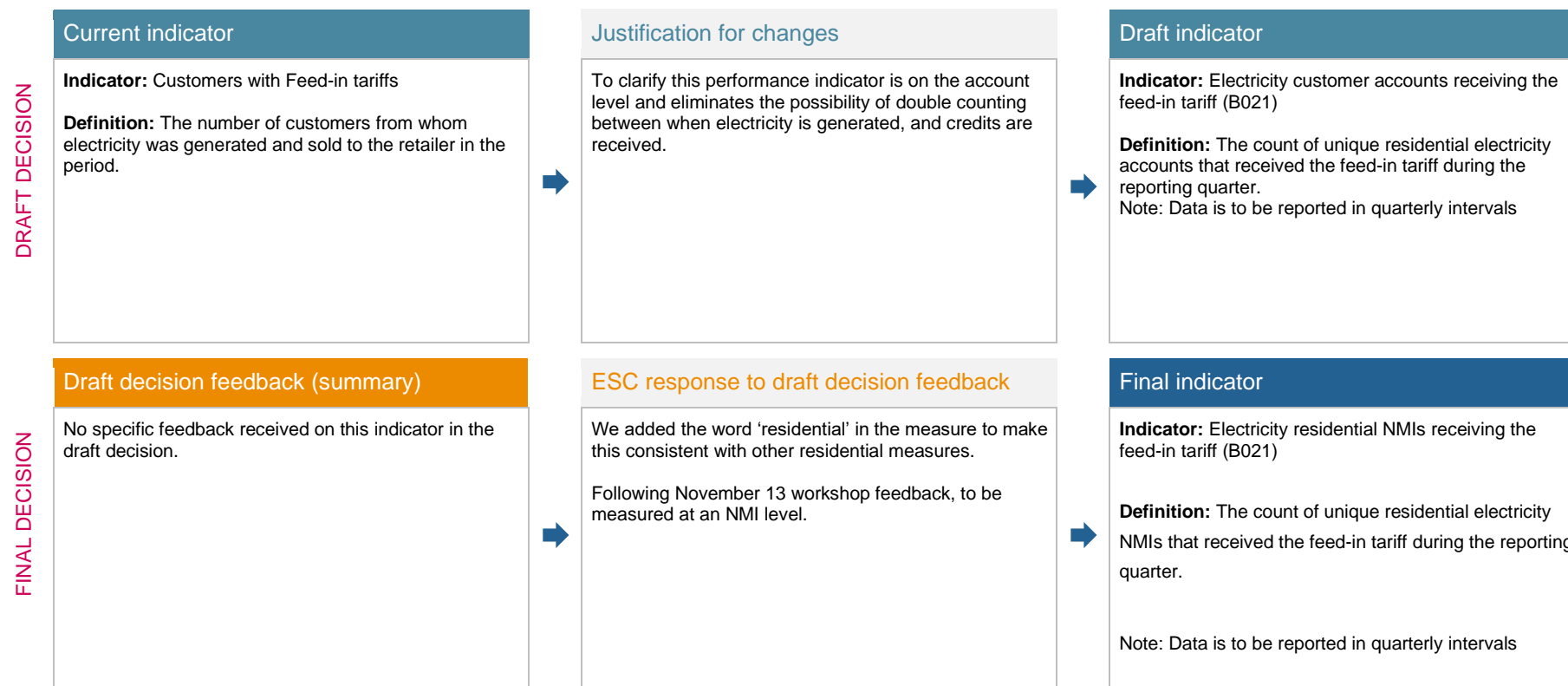
**Indicator:** Residential Electricity NMIs on deemed contracts or occupier accounts on the Victorian Default Offer (B011)

**Definition:** The count of residential electricity NMIs on the Victorian Default Offer that purchase electricity under a deemed contract or occupier accounts. This is to be measured as at the last calendar day of each reporting month and include both known and not-know customers to the retailer.

## B020 – Residential Electricity Customers on market retail contracts

DRAFT DECISION	<p><b>Current indicator</b></p> <p><b>Indicator:</b> Residential Electricity Customers on market retail contracts</p> <p><b>Definition:</b> 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><b>Justification for changes</b></p> <p>To clarify this performance indicator is on the account level.</p>	<p><b>Draft indicator</b></p> <p><b>Indicator:</b> Residential Electricity accounts on market retail contracts (B020)</p> <p><b>Definition:</b> 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>
	→	→	→
FINAL DECISION	<p><b>Draft decision feedback (summary)</b></p> <p>No specific feedback received on this indicator in the draft decision.</p>	<p><b>ESC response to draft decision feedback</b></p> <p>Following November 13 workshop feedback, to be measured at an NMI level.</p>	<p><b>Final indicator</b></p> <p><b>Indicator:</b> Residential Electricity NMI on market retail contracts (B020)</p> <p><b>Definition:</b> The count of residential electricity NMIs that 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>
	→	→	→

## B021 – Customers with Feed-in tariffs



B030 – Small Business Electricity Customers on standard retail contracts

DRAFT DECISION	Current indicator	Justification for changes	Draft indicator
	<p><b>Indicator:</b> Small Business Electricity Customers on standard retail contracts</p> <p><b>Definition:</b> 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>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>	<p><b>Indicator:</b> Business Electricity Customers (B029)</p> <p><b>Definition:</b> 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> <p><b>Indicator:</b> Small Business Electricity accounts on standard retail contracts (consuming less than 40MWh per year) (B030)</p> <p><b>Definition:</b> 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 calendar day of each reporting month.</p>

### Draft decision feedback (summary)

EA questioned whether this indicator should reflect both small and non-small business electricity customers, and that the definition should clarify that where a customer holds multiple accounts, these should not be aggregated.

EA stated that the definition should clarify that where a customer holds multiple accounts, these should not be aggregated for the purposes of determining whether the small customer consumption thread of 40 MWh per year is exceeded.

AGL suggests that the ESC consider whether pre-emptively removing any performance indicators which refer to customers or accounts on Standard Retail contracts is prudent, as the VDO will be extended to all tariffs from 1 January 2020, all standard retail electricity customers will be considered VDO customers, and as such, reporting on both B030 and B150 may become redundant.

### ESC response to draft decision feedback

The Energy Retail Code defines a small business customer as one that consumes an aggregate of less than 40 megawatt hours in a calendar year, as follows:

**small customer** means:

(a) a domestic or small business customer under section 3 of the Electricity Industry Act or section 3 of the Gas Industry Act; and

(b) a person:

(i) who purchases electricity from an exempt person principally for personal, household or domestic use; or

(ii) whose aggregate consumption of electricity purchased from an exempt person has not been, or is not likely to be, more than 40 megawatt hours in any calendar year;

Clarified the definition to reflect that where a customer holds multiple NMIs, these should not be aggregated for the purposes of determining whether the small customer consumption thread of 40 MWh per year is exceeded

Following November 13 workshop feedback, to be measured at an NMI level.

### Final indicator

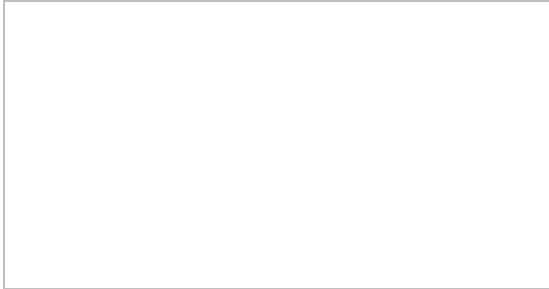
**Indicator:** Small business Electricity Customers (B029)

**Definition:** The count of small 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.

**Indicator:** Small Business Electricity NMIs on the Victorian Default (consuming less than 40MWh per year) (B030)

**Definition:** The count of small business electricity NMIs, held by small business electricity customers, on the Victorian Default Offer, that purchase electricity for a business premise 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 calendar day of each reporting month. For customers with multiple NMIs, the consumption should not be aggregated across all NMIs.





**Indicator:** Small Business Electricity NMI on deemed contracts or occupier account on the Victorian Default Offer (B031)

**Definition:** The count of small business electricity NMIs on the Victorian Default Offer that purchase electricity under a deemed contract or occupier account. This is to be measured as at the last calendar day of each reporting month and include both known and not-know customers to the retailer.

## B040 – Small Business Electricity Customers on market retail contracts

DRAFT DECISION	<p><b>Current indicator</b></p> <p><b>Indicator:</b> Small Business Electricity Customers on market retail contracts</p> <p><b>Definition:</b> 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><b>Justification for changes</b></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>	<p><b>Draft indicator</b></p> <p><b>Indicator:</b> Small Business Electricity accounts on market retail contracts (consuming less than 40MWh per year) (B040)</p> <p><b>Definition:</b> 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>
	<p><b>Draft decision feedback (summary)</b></p> <p>No specific feedback received on this indicator in the draft decision.</p>	<p><b>ESC response to draft decision feedback</b></p> <p>Clarified the definition to reflect that where a customer holds multiple accounts, these should not be aggregated for the purposes of determining whether the small customer consumption thread of 40 MWh per year is exceeded.</p> <p>Following November 13 workshop feedback, to be measured at an NMI level.</p>	<p><b>Final indicator</b></p> <p><b>Indicator:</b> Small Business Electricity Accounts on market retail contracts (consuming less than 40MWh per year) (B040)</p> <p><b>Definition:</b> The count of business electricity NMIs, owned by customers that consume less than 40 megawatt hours in a year, that purchase electricity for a business premises under a market retail contract. This is to be measured as at the last calendar day of each reporting month. For customers with multiple accounts, the consumption should not be aggregated across all accounts.</p>

## B050, B060, B070 – Business Electricity Customers

DRAFT DECISION

Current indicator	Justification for changes	Draft indicator
<p><b>Indicator:</b> Business Electricity Customers (B050)</p> <p><b>Definition:</b> 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>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>	<p><b>Indicator:</b> Business Electricity accounts (consuming between 40-100 MWh per year) (B050)</p> <p><b>Definition:</b> 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>
<p><b>Indicator:</b> Business Electricity Customers (B060)</p> <p><b>Definition:</b> 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><b>Indicator:</b> Business Electricity accounts (consuming between 100-160 MWh per year) (B060)</p> <p><b>Definition:</b> 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>
<p><b>Indicator:</b> Business Electricity Customers (B070)</p> <p><b>Definition:</b> 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 more than 160 MWh a year.</p>		<p><b>Indicator:</b> Business Electricity accounts consuming (consuming greater than 160 MWh per year) (B070)</p> <p><b>Definition:</b> 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.</p>

### Draft decision feedback (summary)

No specific feedback received on these indicators in the draft decision.

### ESC response to draft decision feedback

Following November 13 workshop feedback, to be measured at an NMI level.

Clarified the definition to reflect that where a customer holds multiple accounts. These should not be aggregated for the purposes of determining whether the small customer consumption threshold of 40 MWh per year is exceeded.  
Following November 13 workshop feedback, to be measured at an NMI level.

Following November 13 workshop feedback, to be measured at an NMI level.

### Final indicator

**Indicator:** Business Electricity Accounts (consuming between 40-100 MWh per year) (B050)

**Definition:** The count of business electricity NMIs that purchase electricity for a business premise 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. For customers with multiple accounts, the consumption should not be aggregated across all accounts.

**Indicator:** Business Electricity Accounts (consuming between 100-160 MWh per year) (B060)

**Definition:** The count of business electricity NMIs 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. For customers with multiple accounts, the consumption should not be aggregated across all accounts.

**Indicator:** Business Electricity Accounts consuming (consuming greater than 160 MWh per year) (B070)

**Definition:** The count of business electricity NMIs 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. For customers with multiple accounts, the consumption should not be aggregated across all accounts.

## B080 – Residential Gas Customers on standard retail contracts

DRAFT DECISION

Current indicator	Justification for changes	Draft indicator
<p><b>Indicator:</b> Residential Gas Customers on standard retail contracts</p> <p><b>Definition:</b> 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>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>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.</p>	<p><b>Indicator:</b> Residential Gas Customer number (B079)</p> <p><b>Definition:</b> 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><b>Indicator:</b> Residential Gas accounts on standard retail contracts (B080)</p> <p><b>Definition:</b> 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><b>Indicator:</b> Residential Gas accounts on deemed contracts or occupier accounts (B081)</p> <p><b>Definition:</b> 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>

### Draft decision feedback (summary)

No specific feedback received on this indicator in the draft decision.

### ESC response to draft decision feedback

No change from the draft decision.

Following November 13 workshop feedback, to be measured at an MIRN level.

Following November 13 workshop feedback, to be measured at an MIRN level.

### Final indicator

**Indicator:** Residential Gas Customer number (B079)

**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.

**Indicator:** Residential Gas MIRNs on standard retail contracts (B080)

**Definition:** The count of residential gas MIRNs, that 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.

**Indicator:** Residential Gas MIRNs on deemed contracts or occupier accounts (B081)

**Definition:** The count of residential gas MIRN who purchase gas under a deemed contract or occupier account, including known and not-known customers. This is to be measured as at the last calendar day of each reporting month.

## B090 – Residential Gas Customers on market retail contracts

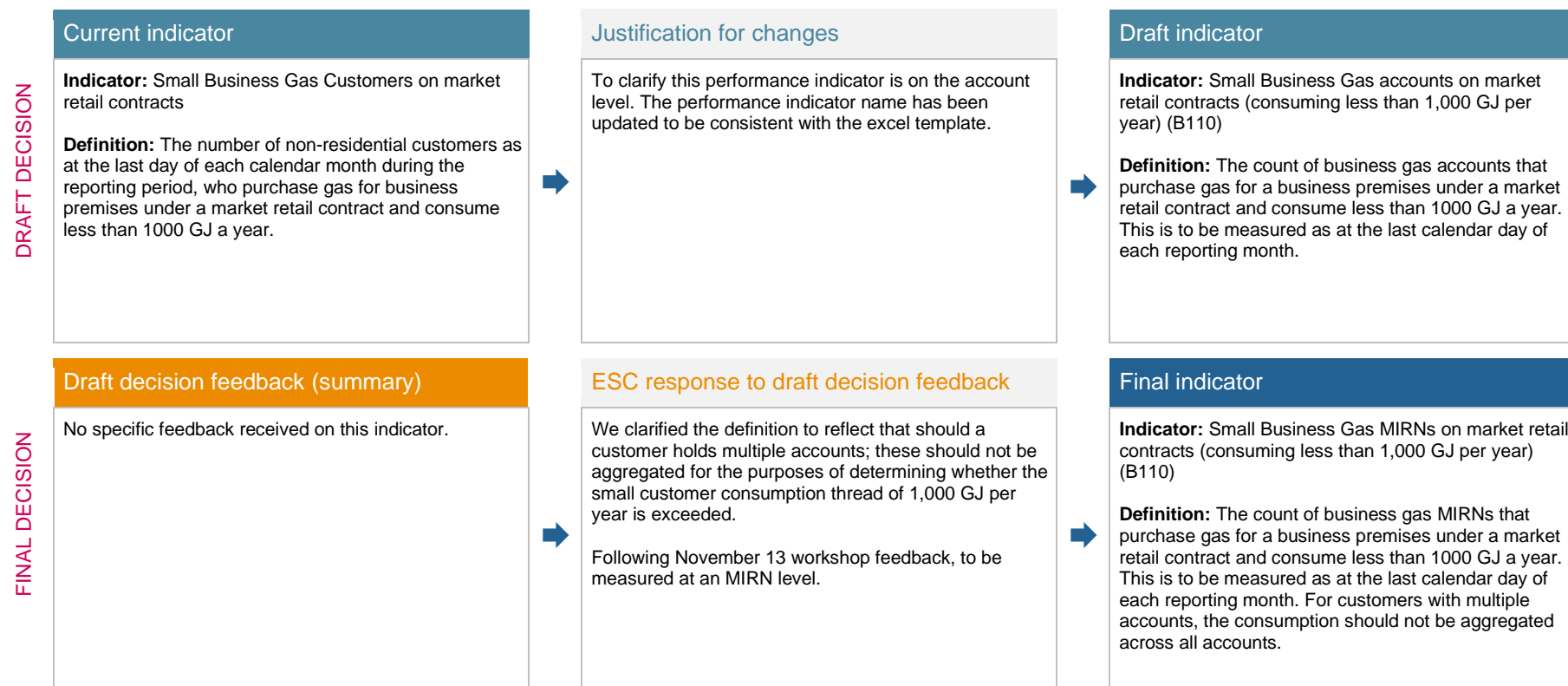
DRAFT DECISION	<p><b>Current indicator</b></p> <p><b>Indicator:</b> Residential Gas Customers on market retail contracts</p> <p><b>Definition:</b> The number of customers as at the last day of each calendar month during the reporting period who purchase gas under a market retail contract, principally for personal, household or domestic use at premises.</p>	<p><b>Justification for changes</b></p> <p>To clarify this performance indicator is on the account level.</p>	<p><b>Draft indicator</b></p> <p><b>Indicator:</b> Residential Gas accounts on market retail contracts (B090)</p> <p><b>Definition:</b> 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>
	<p><b>Draft decision feedback (summary)</b></p> <p>No specific feedback received on this indicator.</p>	<p><b>ESC response to draft decision feedback</b></p> <p>No change from the draft decision.</p> <p>Following November 13 workshop feedback, to be measured at an MIRN level.</p>	<p><b>Final indicator</b></p> <p><b>Indicator:</b> Residential Gas Accounts on market retail contracts (B090)</p> <p><b>Definition:</b> The count of residential gas MIRNs that 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>

## B100 – Small Business Gas Customers on standard retail contracts

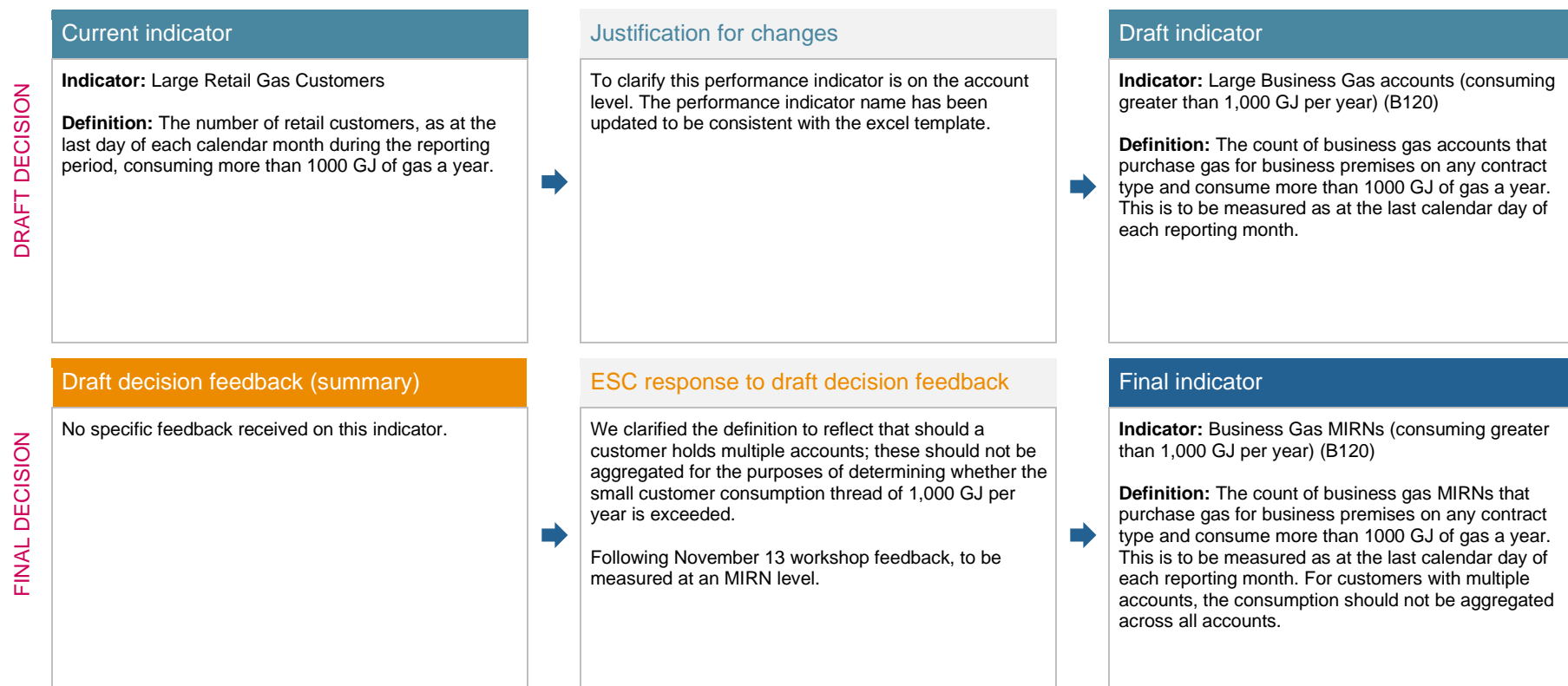
DRAFT DECISION	<p><b>Current indicator</b></p> <p><b>Indicator:</b> Small Business Gas Customers on standard retail contracts</p> <p><b>Definition:</b> The number of non-residential customers as at the last day of each calendar month during the reporting period, who purchase gas for business premises under a standard retail contract and consume less than 1000 GJ a year.</p>	<p><b>Justification for changes</b></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 should include deemed contracts and occupier accounts. The performance indicator name has been updated to be consistent with the excel template.</p>	<p><b>Draft indicator</b></p> <p><b>Indicator:</b> Small Business Gas Customers (B099)</p> <p><b>Definition:</b> 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> <p>➔ <b>Indicator:</b> Small Business Gas accounts on standard retail contracts (consuming less than 1,000 GJ per year) (B100)</p> <p><b>Definition:</b> 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><b>Draft decision feedback (summary)</b></p> <p>EA questioned whether this indicator should reflect both small and non-small business gas customers, and that the definition should clarify that where a customer holds multiple accounts, these should not be aggregated for the purposes of determining whether the small customer consumption thread of</p> <p>EA stated that the definition should clarify that where a customer holds multiple accounts, these should not be aggregated for the purposes of determining whether the small customer consumption thread of 1,000 GJ per year is exceeded.</p>	<p><b>ESC response to draft decision feedback</b></p> <p>➔ We clarified the definition to reflect that should a customer holds multiple accounts; these should not be aggregated for the purposes of determining whether the small customer consumption thread of 1,000 GJ per year is exceeded.</p> <p>Following November 13 workshop feedback, to be measured at an MIRN level.</p>	<p><b>Final indicator</b></p> <p><b>Indicator:</b> Business Gas Customers (B099)</p> <p><b>Definition:</b> 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> <p>➔ <b>Indicator:</b> Small Business Gas MIRNs on standard retail contracts (consuming less than 1,000 GJ per year)</p> <p><b>Definition:</b> The count of business gas MIRNs, 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. For customers with multiple accounts, the consumption should not be aggregated across all accounts.</p>



## B110 – Small Business Gas Customers on market retail contracts



## B120 – Large Retail Gas customers



## AS010 – Residential customers receiving standard assistance

DRAFT DECISION

Current indicator	Justification for changes	Draft indicator
<p><b>Indicator:</b> Residential customers receiving standard assistance</p> <p><b>Definition:</b> 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>To clarify this performance indicator is on the account 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>	<p><b>Indicator:</b> Residential accounts receiving standard assistance (AS012)</p> <p><b>Definition:</b> 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. These customers should be receiving at least 3 of the following:</p> <ul style="list-style-type: none"> <li>(a) making payments of an equal amount over a specified period;</li> <li>(b) options for making payments at different intervals;</li> <li>(c) extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12-month period;</li> <li>(d) paying for energy use in advance.</li> </ul> <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>

**Draft decision feedback (summary)**

EA suggested making clear that this indicator captures all customers regardless of the level of total arrears or if the customer's account is in credit.

**ESC response to draft decision feedback**

Following November 13 workshop feedback, to be measured at an account level.

**Final indicator**

**Indicator:** Residential accounts receiving standard assistance (AS012)

**Definition:** The count of residential accounts on standard assistance, regardless of the level of total arrears, as at the last calendar day of the reporting month. If a customer is in credit, this is also to be captured. Reported separately for electricity and gas. These customers should be receiving at least 3 of the following:

- (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.

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.

## AS020 – Residential customers receiving tailored assistance

DRAFT DECISION

Current indicator
<p><b>Indicator:</b> Residential customers receiving tailored assistance</p> <p><b>Definition:</b> 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:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) customers who cannot pay their on-going usage, as per clause 79(1) (c-g) and clause 90 of the Energy Retail Code.</li> </ul>



Justification for changes
<p>To clarify this performance indicator is on the account 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>



Draft indicator
<p><b>Indicator:</b> Residential accounts receiving tailored assistance (AS022)</p> <p><b>Definition:</b> 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:</p> <ul style="list-style-type: none"> <li>(a) customers who can pay at least their on-going usage, as defined in the definitions.</li> <li>(b) customers who cannot pay their on-going usage, as defined in the definitions.</li> </ul>

**Draft decision feedback (summary)**

EA suggested making clear that this indicator captures all customers regardless of the level of total arrears or if the customer's account is in credit.

Powershop supported the reduction of the minimum \$55 requirement for tailored assistance.

**ESC response to draft decision feedback**

Following November 13 workshop feedback, to be measured at an account level.

**Final indicator**

**Indicator:** Residential accounts receiving tailored assistance (AS022)

**Definition:** The count of residential accounts receiving tailored assistance (equivalent to or greater than the minimum assistance under tailor assistance), regardless of the level of total arrears, as at the last calendar day of the reporting month. If a customer is in credit, this is also to be captured. 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.

## AS030 – Residential customers receiving tailored assistance and receiving energy concessions

DRAFT DECISION

Current indicator
<p><b>Indicator:</b> Residential customers receiving tailored assistance and receiving energy concessions</p> <p><b>Definition:</b> 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.</p> <p>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>



Justification for changes
<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.</p> <p>This performance indicator has been split into two performance indicators for electricity and gas concession to be reported separately.</p>



Draft indicator
<p><b>Indicator:</b> Residential accounts receiving tailored assistance and receiving electricity concessions (AS031)</p> <p><b>Definition:</b> 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>

## Draft decision feedback (summary)

EA suggested making clear that this indicator captures all customers regardless of the level of total arrears or if the customer's account is in credit.

Powershop supported the reduction of the minimum \$55 requirement for tailored assistance.

## ESC response to draft decision feedback

Following November 13 workshop feedback, to be measured at an account level.

**Indicator:** Residential accounts receiving tailored assistance and receiving gas concessions (AS032)

**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.

This indicator should be broken down in to two subsets:

- (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.
- (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.

## Final indicator

**Indicator:** Residential accounts receiving tailored assistance and receiving electricity concessions (AS031)

**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.

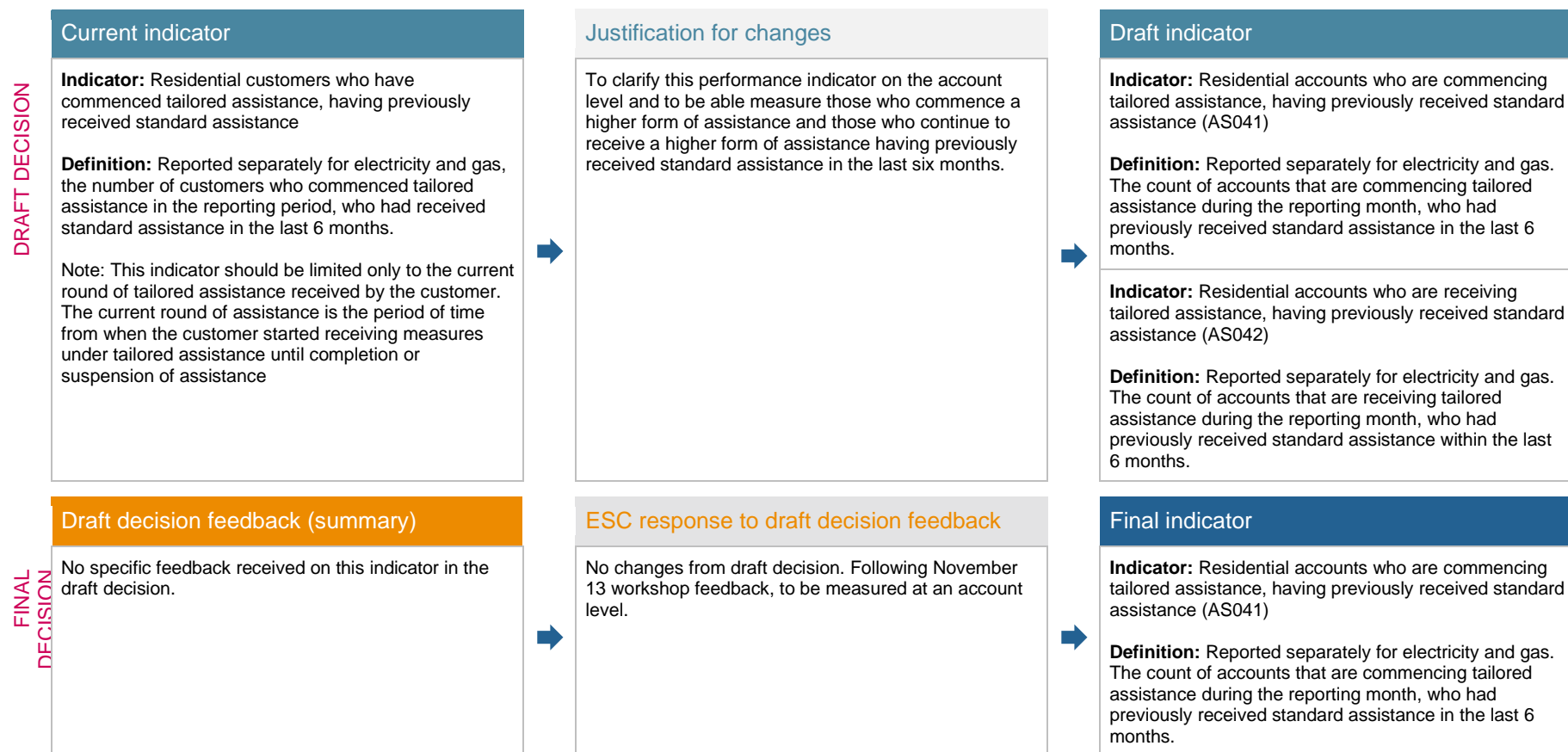
This indicator should be broken down in to two subsets:

- (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.
- (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><b>Indicator:</b> Residential accounts receiving tailored assistance and receiving gas concessions (AS032)</p> <p><b>Definition:</b> 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>
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## AS040 – Residential customers who have commenced tailored assistance, having previously received standard assistance



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<p><b>Indicator:</b> Residential accounts who are receiving tailored assistance, having previously received standard assistance (AS042)</p> <p><b>Definition:</b> 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>
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## AS050 – Residential customers who were offered practical assistance measures

DRAFT DECISION

Current indicator
<p><b>Indicator:</b> Residential customers who were offered practical assistance measures</p> <p><b>Definition:</b> 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>



Justification for changes
<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.</p>



Draft indicator
<p><b>Indicator:</b> Residential accounts who were offered practical assistance measures (AS050)</p> <p><b>Definition:</b> 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"> <li>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</li> <li>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</li> <li>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;</li> </ul> <p>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.</p>

**Draft decision feedback (summary)**

No specific feedback received on this indicator in the draft decision.

**ESC response to draft decision feedback**

No changes from draft decision. Following November 13 workshop feedback, to be measured at an account level.

**Final indicator**

**Indicator:** Residential accounts who were offered practical assistance measures (AS050)

**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:

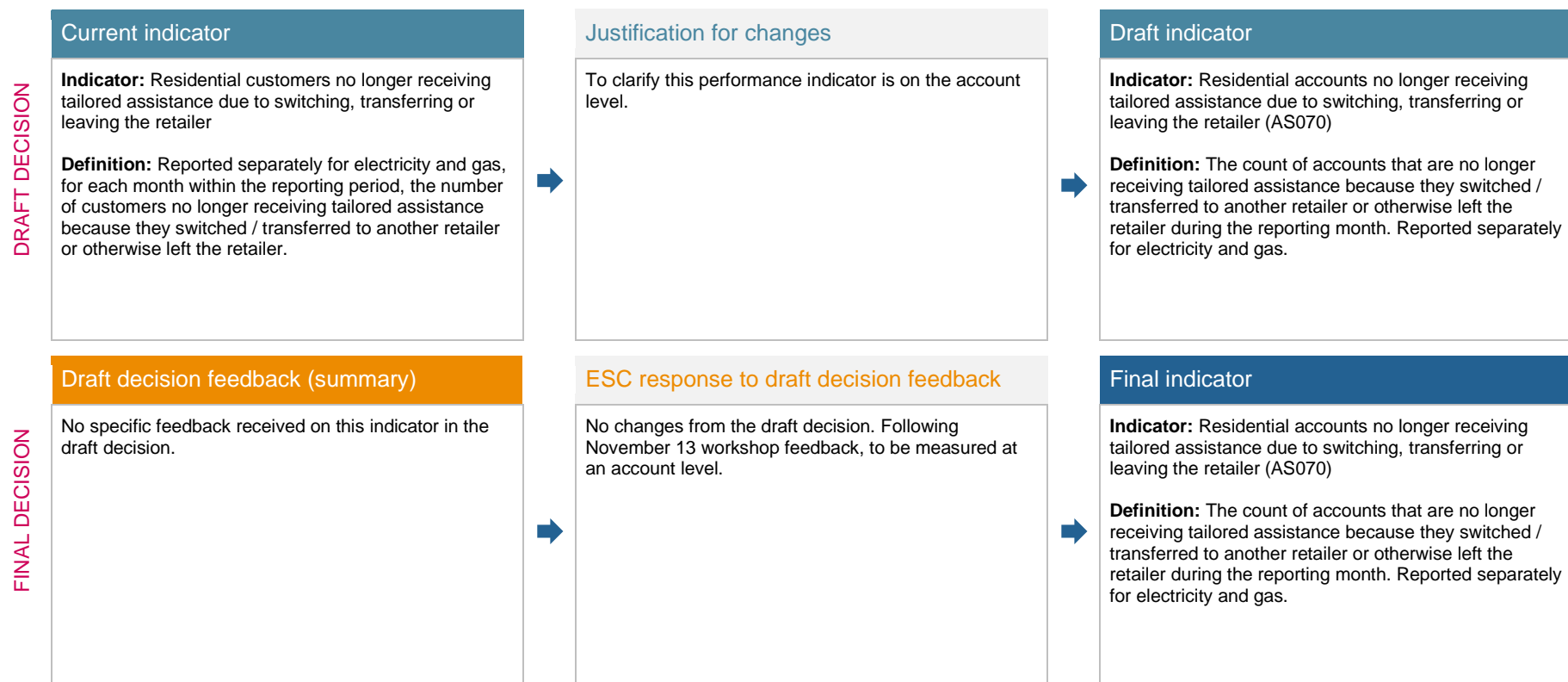
- the tariff that is most likely to minimise the customer's energy costs, based on the retailer's knowledge of the customer's pattern of energy use and payment history; and
- practical assistance to help the customer reduce their use of energy, based on the customer's pattern of energy use and on the 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;

**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 – Residential customers no longer receiving tailored assistance because of no arrears

DRAFT DECISION	<b>Current indicator</b> <p><b>Indicator:</b> Residential customers no longer receiving tailored assistance because of no arrears</p> <p><b>Definition:</b> 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>	<b>Justification for changes</b> <p>To clarify this performance indicator is on the account 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>	<b>Draft indicator</b> <p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance due to their total arrears being \$0 (AS061)</p> <p><b>Definition:</b> 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><b>Indicator:</b> Residential accounts no longer receiving tailored assistance and total arrears above \$0 (AS062)</p> <p><b>Definition:</b> 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>
	<b>Draft decision feedback (summary)</b> <p>Powershop supported the reduction of the minimum \$55 requirement for tailored assistance.</p>	<b>ESC response to draft decision feedback</b> <p>No changes from the draft decision. Following November 13 workshop feedback, to be measured at an account level.</p>	<b>Final indicator</b> <p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance due to their total arrears being \$0 or in credit (AS061)</p> <p><b>Definition:</b> The count of accounts that are no longer receiving tailored assistance and have total arrears of \$0 or in credit at the end of their plan during the reporting month. Reported separately for electricity and gas.</p> <p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance and total arrears above \$0 (AS062)</p> <p><b>Definition:</b> 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>

## AS070 – Residential Customers 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

DRAFT DECISION

Current indicator	Justification for changes	Draft indicator
<p><b>Indicator:</b> Residential customers no longer receiving tailored assistance for not complying with requirements</p> <p><b>Definition:</b> Reported separately for electricity 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>To clarify this performance indicator is on the account level.</p> <p>The relevant clauses from the Energy Retail Code have been added for ease of reference.</p>	<p><b>Indicator:</b> Residential accounts no longer receiving tailored assistance for not complying with requirements (AS080)</p> <p><b>Definition:</b> The count of accounts customers that are no longer receiving tailored assistance because of not complying with requirements during the reporting 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>



### Draft decision feedback (summary)

No specific feedback received on this indicator in the draft decision.



### ESC response to draft decision feedback

No change from draft decision.  
Following November 13 workshop feedback, to be measured at an account level.



### Final indicator

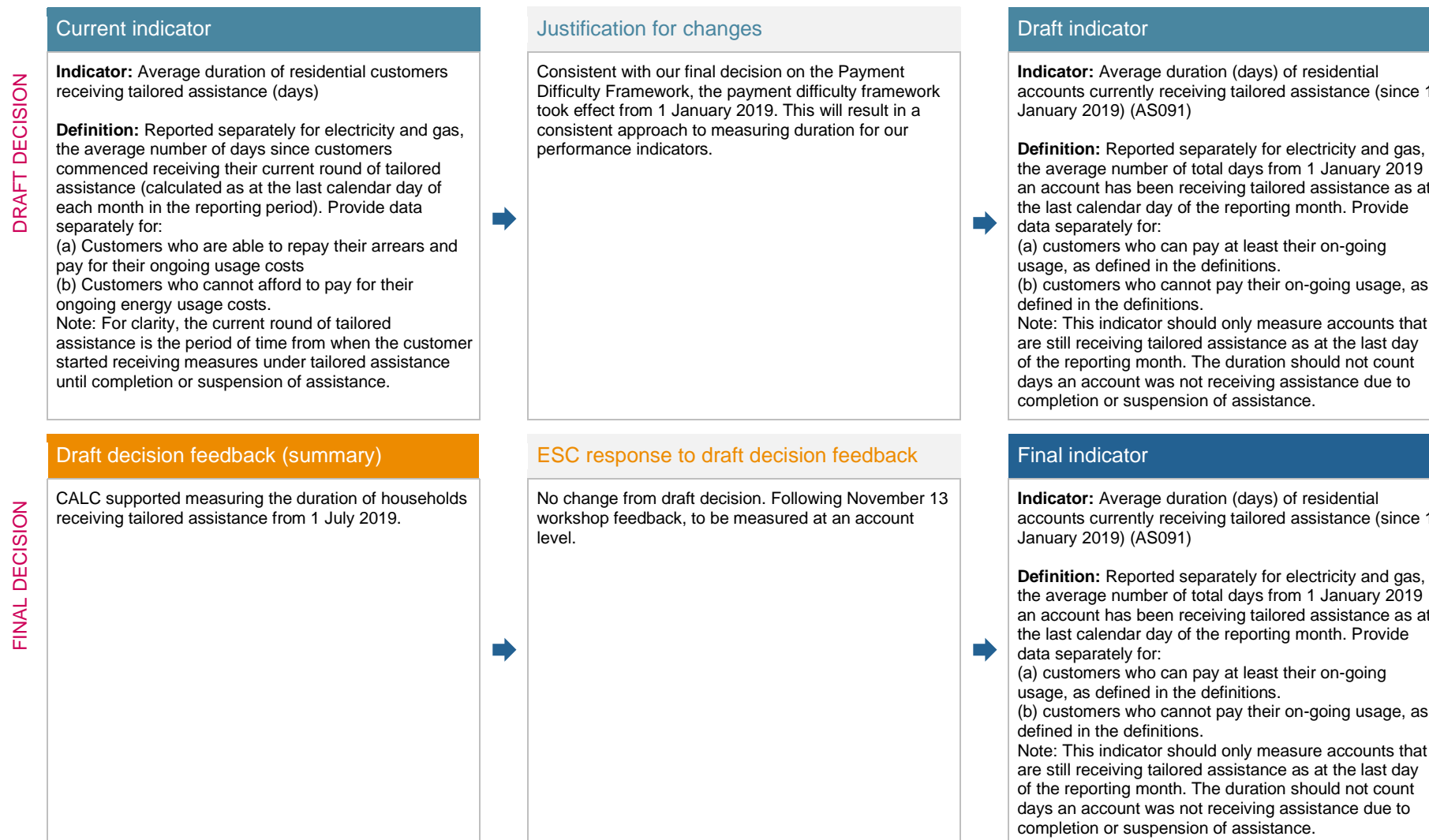
**Indicator:** Residential accounts no longer receiving tailored assistance for not complying with requirements (AS080)

**Definition:** The count of accounts customers that are no longer receiving tailored assistance because of not complying with requirements during the reporting month. Reported separately for electricity and gas.

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 total 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.

## AS090 – Average duration of residential customers receiving tailored assistance (days)



## AR010, AR020 – Average arrears of residential customers receiving or commencing tailored assistance

DRAFT DECISION

Current indicator	Justification for changes	Draft indicator
<p><b>Indicator:</b> Average arrears of residential customers receiving tailored assistance (\$) (AR010)</p> <p><b>Definition:</b> 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> <ul style="list-style-type: none"> <li>(a) Customers who are able to repay their arrears and pay for their ongoing usage costs</li> <li>(b) Customers who cannot afford to pay for their ongoing energy usage costs</li> </ul> <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. This indicator is distinct from the average arrears of customers commencing tailored assistance.</p> <p>➔</p> <p><b>Indicator:</b> Average arrears of residential customers commencing tailored assistance (\$) (AR020)</p> <p><b>Definition:</b> Reported separately for electricity and gas, the average arrears of customers entering into tailored assistance each month within the reporting period. Provide data separately for:</p> <ul style="list-style-type: none"> <li>(a) Customers who are able to repay their arrears and pay for their ongoing usage costs</li> <li>(b) Customers who cannot afford to pay for their ongoing energy usage costs</li> </ul> <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>To clarify this performance indicator is on the account level.</p>	<p><b>Indicator:</b> Average total arrears of residential accounts receiving tailored assistance (\$) (AR011)</p> <p><b>Definition:</b> 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> <ul style="list-style-type: none"> <li>(a) accounts who can pay at least their on-going usage, as defined in the definitions.</li> <li>(b) accounts who cannot pay their on-going usage, as defined in the definitions.</li> </ul> <p>➔</p> <p><b>Indicator:</b> Average total arrears of residential accounts commencing tailored assistance (\$) (AR021)</p> <p><b>Definition:</b> 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> <ul style="list-style-type: none"> <li>(a) accounts who can pay at least their on-going usage, as defined in the definitions.</li> <li>(b) accounts who cannot pay their on-going usage, as defined in the definitions.</li> </ul>

## Draft decision feedback (summary)

No specific feedback received on this indicator in the draft decision.

## ESC response to draft decision feedback

No change from draft decision. Following November 13 workshop feedback, to be measured at an account level.

## Final indicator

**Indicator:** Average total arrears of residential accounts receiving tailored assistance (\$) (AR011)

**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:  
(a) accounts who can pay at least their on-going usage, as defined in the definitions.  
(b) accounts who cannot pay their on-going usage, as defined in the definitions.

**Indicator:** Average total arrears of residential accounts commencing tailored assistance (\$) (AR021)

**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:  
(a) accounts who can pay at least their on-going usage, as defined in the definitions.  
(b) accounts who cannot pay their on-going usage, as defined in the definitions.

## AR030 – Residential customers who commenced tailored assistance, with arrears

DRAFT DECISION	<b>Current indicator</b> <p><b>Indicator:</b> Residential customers who commenced tailored assistance, with arrears</p> <p><b>Definition:</b> 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> <ul style="list-style-type: none"> <li>(a) Between \$55 and \$500</li> <li>(b) Over \$500 but less than \$1,500</li> <li>(c) Over \$1,500 but less than \$2,500</li> <li>(d) Over \$2,500 but less than \$5,000</li> <li>(e) \$5,000 or more.</li> </ul> <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.</p>	<b>Justification for changes</b> <p>To clarify this performance indicator is on the account level.</p> <p>Customers receiving tailored assistance under \$55 are now captured in the breakdown.</p>	<b>Draft indicator</b> <p><b>Indicator:</b> Residential accounts who commenced tailored assistance and their totals arrears (AR031)</p> <p><b>Definition:</b> 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> <ul style="list-style-type: none"> <li>(a) Less than \$55</li> <li>(b) Greater than \$55 but less than \$1,000</li> <li>(c) Greater than \$1,000 but less than \$2,000</li> <li>(d) Greater than \$2,000 but less than \$3,000</li> <li>(e) \$3,000 or more</li> </ul>
	<b>Draft decision feedback (summary)</b> <p>CALC suggested including thresholds of \$55, \$300 and \$5,000 as these represent customers that have entitlements to Tailored Assistance under the Payment Difficulty Framework (&gt;\$55), customers who are at risk of disconnection for non-payment (&gt;\$300) and customers who are at risk of being petitioned for bankruptcy (&gt;\$5,000).</p> <p>Powershop supported the reduction of the minimum \$55 requirement for tailored assistance.</p>	<b>ESC response to draft decision feedback</b> <p>We have amended the definition to reflect the thresholds noted by CALC. Following November 13 workshop feedback, to be measured at an account level.</p>	<b>Final indicator</b> <p><b>Indicator:</b> Residential accounts who commenced tailored assistance and their totals arrears (AR031)</p> <p><b>Definition:</b> 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> <ul style="list-style-type: none"> <li>(a) Less than \$55</li> <li>(b) Greater than \$55 but less than or equal to \$1,000</li> <li>(c) Greater than \$1,000 but less than or equal to \$2,000</li> <li>(d) Greater than \$2,000 but less than or equal to \$3,000</li> <li>(e) \$3,000 but less than or equal to \$5,000</li> <li>(f) Greater than \$5,000</li> </ul>

## AR040 – Residential customers receiving tailored assistance, with aged arrears

DRAFT DECISION

### Current indicator

**Indicator:** Residential customers receiving tailored assistance, with aged arrears

**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:

- a) over \$1000 but less than \$1500 where the arrears is more than 12 months old but less than 24
- b) over \$1000 but less than \$1500 where the arrears is more than 24 months old
- c) over \$1500 but less than \$2500 where the arrears is more than 12 months old but less than 24
- d) over \$1500 but less than \$2500 where the arrears is more than 24 months old
- e) over \$2500 but less than \$5000 where the arrears is more than 12 months old but less than 24
- f) over \$2500 but less than \$5000 where the arrears is more than 24 months old
- g) over \$5000 where the arrears is more than 12 months old but less than 24
- h) over \$5000 where the arrears is more than 24 months old.

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.

### Justification for changes

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.

### Draft indicator

**Indicator:** Residential accounts receiving tailored assistance, with total arrears 12-24 months old (AR041)

**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:

- (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
- (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
- (c) Greater than \$3,000 where the arrears is more than 12 months old but less than 24 months old

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.

**Indicator:** Residential accounts receiving tailored assistance, with total arrears older than 24 months (AR042)

**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:

- (a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 24 months old
- (b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 24 months old
- (c) Greater than \$3,000 where the arrears is more than 24 months old.

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.

**Draft decision feedback (summary)**

No specific feedback received on this indicator.

**ESC response to draft decision feedback**

No change from draft decision.  
Following November 13 workshop feedback, to be measured at an account level.

**Final indicator**

**Indicator:** Residential accounts receiving tailored assistance, with total arrears 12-24 months old (AR041)

**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:

- (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 12 months old but less than 24 months old
- (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 12 months old but less than 24 months old
- (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 12 months old but less than 24 months old
- (d) Greater than \$5,000 where the total arrears is more than 12 months old but less than 24 months old

**Indicator:** Residential accounts receiving tailored assistance, with total arrears older than 24 months (AR042)

**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:

- (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 24 months old
- (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 24 months old
- (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 24 months old.
- (d) Greater than \$5,000, where the total arrears is more than 24 months old

Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no total arrears, or is in credit.

## AR050 – Residential customers not receiving tailored assistance, with aged arrears

DRAFT DECISION

### Current indicator

**Indicator:** Residential customers not receiving tailored assistance, with aged arrears

**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:

- a) over \$1000 but less than \$1500 where the arrears is more than 12 months old but less than 24
- b) over \$1000 but less than \$1500 where the arrears is more than 24 months old
- c) over \$1500 but less than \$2500 where the arrears is more than 12 months old but less than 24
- d) over \$1500 but less than \$2500 where the arrears is more than 24 months old
- e) over \$2500 but less than \$5000 where the arrears is more than 12 months old but less than 24
- f) over \$2500 but less than \$5000 where the arrears is more than 24 months old
- g) over \$5000 where the arrears is more than 12 months old but less than 24
- h) over \$5000 where the arrears is more than 24 months old.

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.

### Justification for changes

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.

### Draft indicator

**Indicator:** Residential accounts not receiving tailored assistance, with total arrears 12-24 months old (AR051)

**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:

- (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
- (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
- (c) Greater than \$3,000 where the arrears is more than 12 months old but less than 24 months old

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.

**Indicator:** Residential accounts not receiving tailored assistance, with total arrears older than 24 months (AR052)

**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:

- (a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 24 months old
- (b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 24 months old
- (c) Greater than \$3,000 where the arrears is more than 24 months old.

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.



**Draft decision feedback (summary)**

No specific feedback received on this indicator in the draft decision.

**ESC response to draft decision feedback**

No change from draft decision.  
Following November 13 workshop feedback, to be measured at an account level.

**Final indicator**

**Indicator:** Residential accounts not receiving tailored assistance, with total arrears 12-24 months old (AR051)

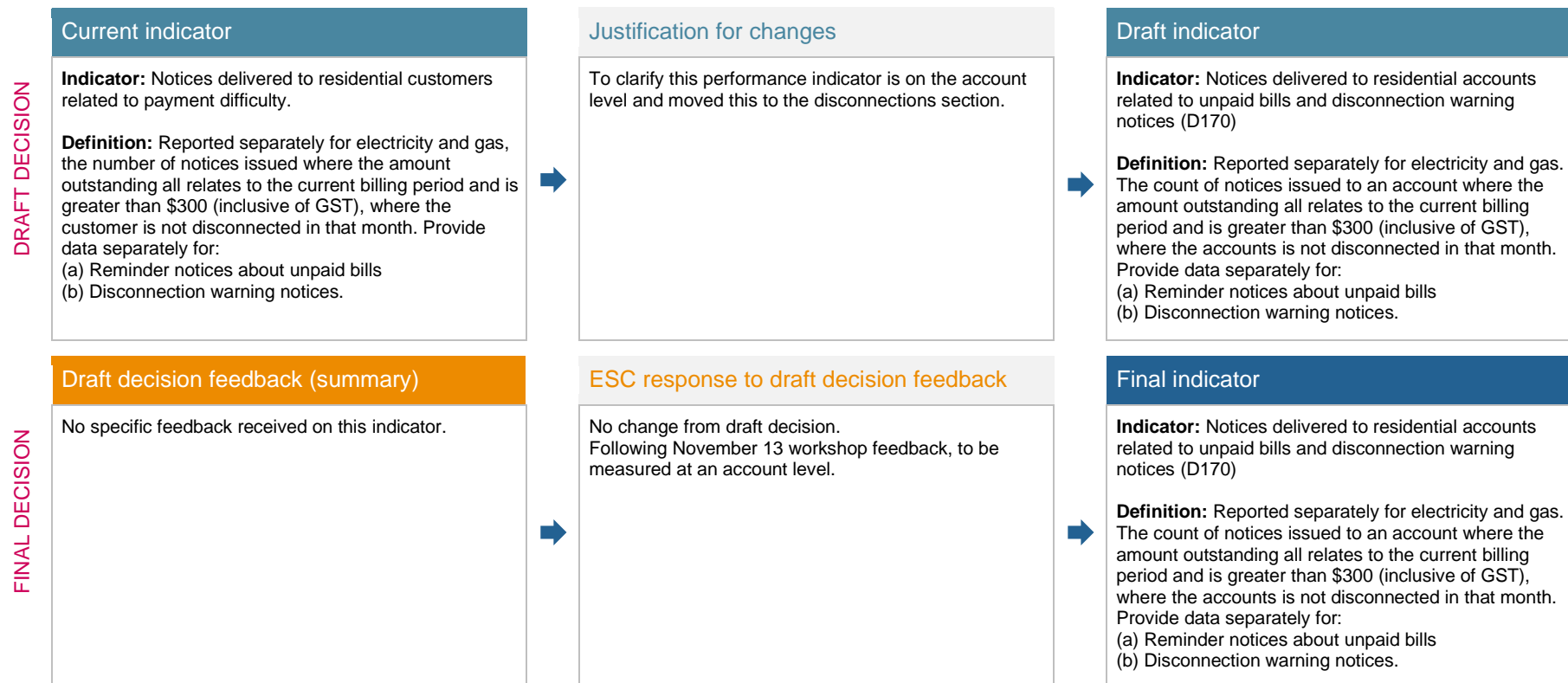
**Definition:** Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:

- (a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 12 months old but less than 24 months old
- (b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 12 months old but less than 24 months old
- (c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 12 months old but less than 24 months old
- (d) Greater than \$5,000, where the total arrears is more than 12 months old but less than 24 months old

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 total arrears, or is in credit.

		<p><b>Indicator:</b> Residential accounts not receiving tailored assistance, with total arrears older than 24 months (AR052)</p> <p><b>Definition:</b> 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> <ul style="list-style-type: none"> <li>(a) Greater than \$1,000 but less than or equal to \$2,000, where the total arrears is more than 24 months old</li> <li>(b) Greater than \$2,000 but less than or equal to \$3,000, where the total arrears is more than 24 months old</li> <li>(c) Greater than \$3,000 but less than or equal to \$5,000, where the total arrears is more than 24 months old</li> <li>(d) Greater than \$5,000 where the total arrears is more than 24 months old</li> </ul> <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 total arrears, or is in credit.</p>
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## AR080 – Notices delivered to residential customers related to payment difficulty



## D050A, D050B – Disconnection for non-payment

DRAFT DECISION

### Current indicator

**Indicator:** Disconnection for non-payment (residential customers) (D050A)

**Definition:** Reported separately for electricity and gas, the number of residential customers whose supply was disconnected for non-payment during each month in the reporting period.

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.

**Indicator:** Disconnection for non-payment (small business customers) (D050B)

**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.

Note: If a customer 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. 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.

### Justification for changes

To clarify this performance indicator is on the account level.

### Draft indicator

**Indicator:** Disconnection for non-payment (residential account) (D050A)

**Definition:** Reported separately for electricity and gas. The count of residential accounts whose supply was disconnected for non-payment during the reporting month.

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.

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.

**Indicator:** Disconnection for non-payment (small business account) (D050B)

**Definition:** Reported separately for electricity and gas. The count of small business accounts whose supply was disconnected for non-payment during the reporting month.

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. 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.

### Draft decision feedback (summary)

No specific feedback received on these indicators.

### ESC response to draft decision feedback

Indicator updated from 'account' to NMI/MIRN following workshop with retailers on 13 November 2019.

### Final indicator

**Indicator:** Disconnection for non-payment (residential NMI or MIRN) (D050A)

**Definition:** Reported separately for electricity and gas. The count of residential NMI or MIRNs whose supply was disconnected for non-payment during the reporting month.

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.

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.

**Indicator:** Disconnection for non-payment (small business NMI or MIRN) (D050B)

**Definition:** Reported separately for electricity and gas. The count of small business NMI or MIRNs whose supply was disconnected for non-payment during the reporting month.

Note: If a NMI or MIRNs 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.

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.

## D051A, D051B – Other disconnections

DRAFT DECISION

### Current indicator

**Indicator:** Other disconnections (residential customers) (D051A)

**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).

**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). 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.

**Indicator:** Other disconnections (small business customers) (D051B)

**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'.

**Note:** Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. 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.

### Justification for changes

To clarify this performance indicator is on the account level.

### Draft indicator

**Indicator:** Other disconnections (residential accounts) (D051A)

**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).

**Note:** This indicator does not include disconnections due to non-payment (as per indicator D050A). 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.

**Indicator:** Other disconnections (small business accounts) (D051B)

**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'.

**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). 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.

### Draft decision feedback (summary)

No specific feedback received on these indicators.

### ESC response to draft decision feedback

Indicator updated from 'account' to NMI/MIRN following workshop with retailers on 13 November 2019.

### Final indicator

**Indicator:** Other disconnections (residential NMI or MIRN) (D051A)

**Definition:** Reported separately for electricity and gas. The count of residential Accounts or MIRNs disconnected during the reporting month that were not included in the indicator 'disconnections for non-payment' (residential accounts). If a Accounts or MIRNs was disconnected twice in the same month, this is counted as two disconnections.

**Note:** This indicator does not include disconnections due to non-payment (as per indicator D050A).

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.

**Indicator:** Other disconnections (small business account NMI or MIRN) (D051B)

**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'.

**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). 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

## D060A, D060B – Reconnections within 7 days

DRAFT DECISION

### Current indicator

**Indicator:** Reconnections within 7 days (residential customers) (D060A)

**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. 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. 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.

**Indicator:** Reconnections within 7 days (small business customers) (D060B)

**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. Note: If a customer was disconnected twice in the same month, this is counted as two disconnections. Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. 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

### Justification for changes

To clarify this performance indicator is on the account level. The performance indicator name has been updated to be consistent with the excel template.

### Draft indicator

**Indicator:** Reconnections within 7 days of disconnections for non-payment (residential accounts) (D060A)

**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.

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.

**Indicator:** Reconnections within 7 days of disconnections for non-payment (small business accounts) (D060B)

**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. Note: Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. 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.



## Draft decision feedback (summary)

EA suggests that the note “if a customer was disconnected twice in the same month, this is counted as two disconnects” should be carried over to the new definitions. EA also notes that data currently submitted for this indicator may be read incorrectly, if a customer transfers between retailers within the 7 days that they are disconnected. EA notes that this would overreport failed reconnections and that the definition should be amended to address this issue.



## ESC response to draft decision feedback

We included a note to say “if a customer was disconnected twice in the same month, this is counted as two disconnections.

Indicator updated from ‘account’ to NMI/MIRN following workshop with retailers on 13 November 2019.



## Final indicator

**Indicator:** Reconnections within 7 days of disconnections for non-payment (residential NMI or MIRN)

**Definition:** Reported separately for electricity and gas. The count of residential NMI or MIRNs 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.

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.

If an account was disconnected twice in the same month, this is counted as two disconnections.

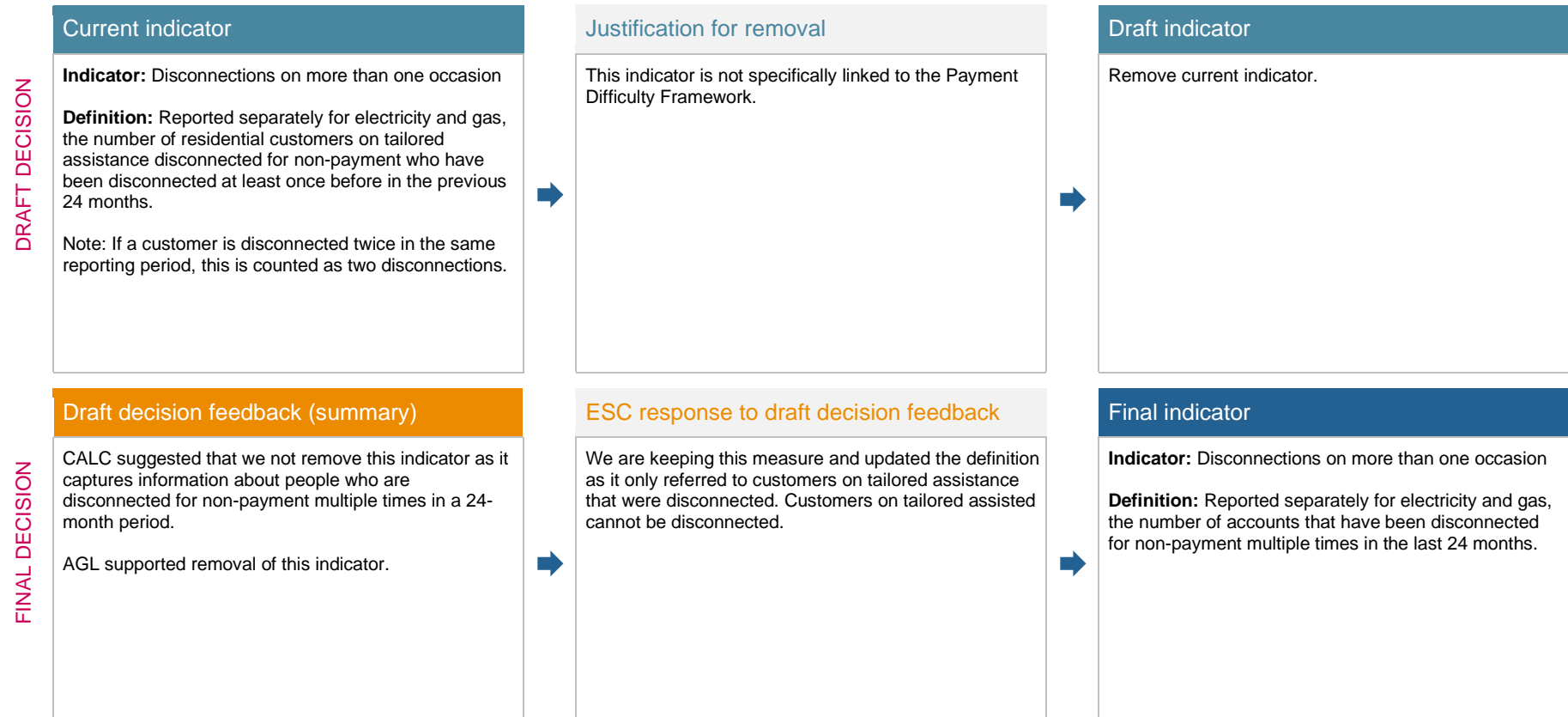
**Indicator:** Reconnections within 7 days of disconnections for non-payment (small business NMI or MIRN)

**Definition:** Reported separately for electricity and gas. The count of small business NMI or MIRNs whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment (D050B) during the reporting month.

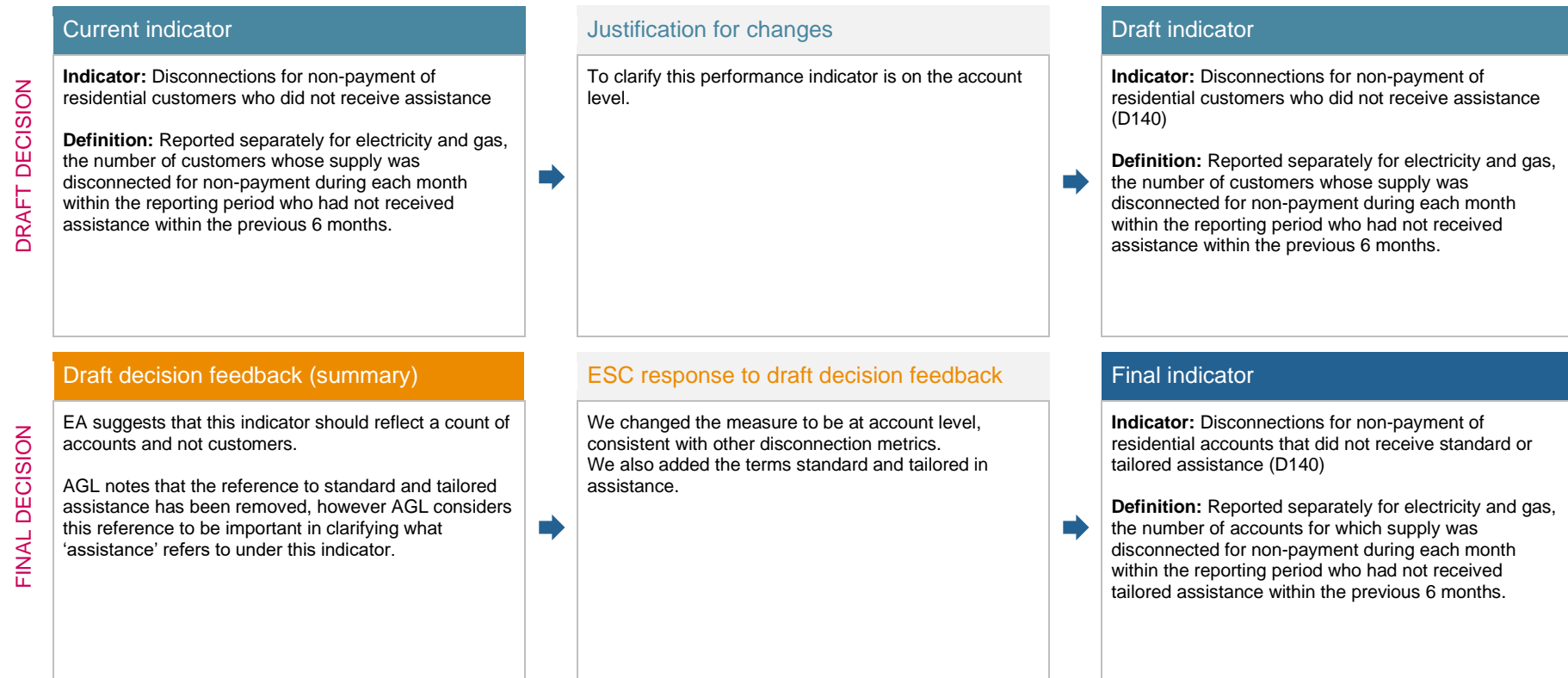
Note: Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.

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, including weekends.

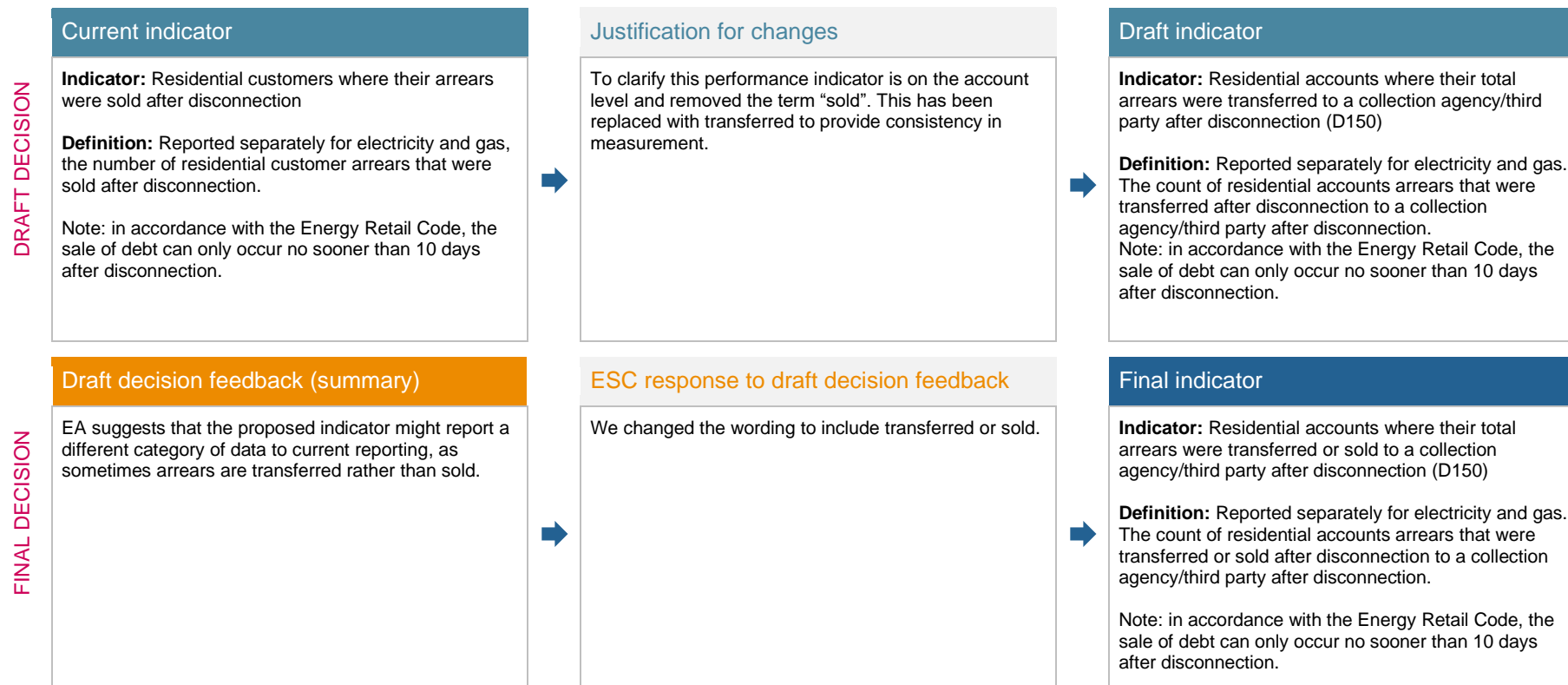
D090 – Disconnections on more than one occasion



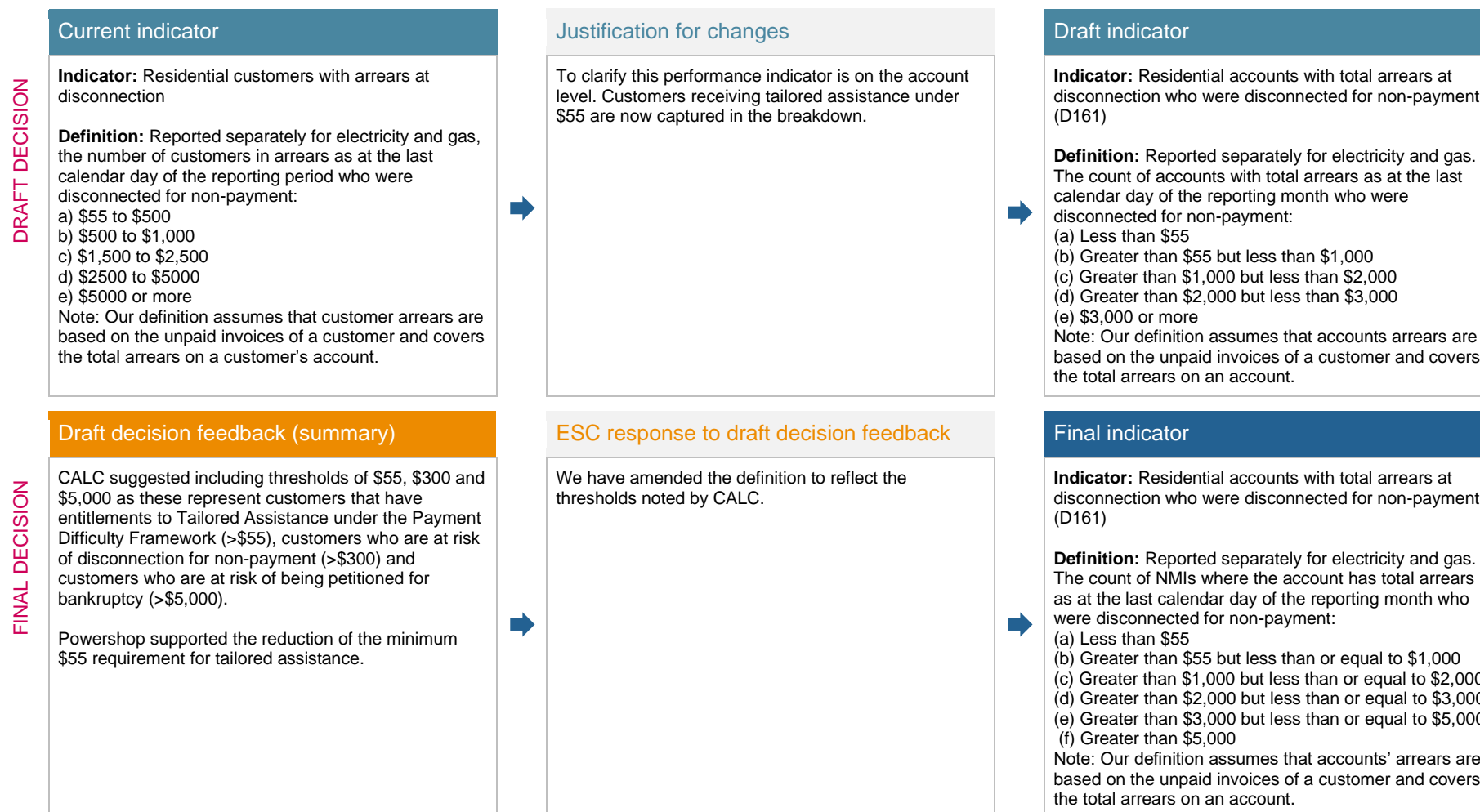
## D140 – Disconnections for non-payment of residential customers who did not receive assistance



## D150 – Residential customers where their arrears were sold after disconnection



## D160 – Residential customers with arrears at disconnection



## CC010 – Calls to account line

DRAFT DECISION	<p><b>Current indicator</b></p> <p><b>Indicator:</b> Calls to account line (CC010)</p> <p><b>Definition:</b> 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. Excludes calls to sales, unless transferred after initial enquiry at the customer's request. Only calls from Victorian retail customers (residential and business) should be reported. 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><b>Justification for changes</b></p> <p>Changed "during month" to "during the financial year" as this performance indicator is only provided every financial year.</p>	<p><b>Draft indicator</b></p> <p><b>Indicator:</b> Calls to account line (CC010)</p> <p><b>Definition:</b> 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. Excludes calls to sales, unless transferred after initial enquiry at the customer's request. Only calls from Victorian retail customers (residential and business) should be reported. 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><b>Draft decision feedback (summary)</b></p> <p>No specific feedback received on this indicator.</p>	<p><b>ESC response to draft decision feedback</b></p> <p>No change from draft decision.</p>	<p><b>Final indicator</b></p> <p><b>Indicator:</b> Calls to account line (CC010)</p> <p><b>Definition:</b> 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. Excludes calls to sales, unless transferred after initial enquiry at the customer's request. Only calls from Victorian retail customers (residential and business) should be reported. 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 – Calls to an operator

DRAFT DECISION

### Current indicator

**Indicator:** Calls to an operator

**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:

- any calls abandoned before the customer opts to speak to an operator
- IVR calls where the customer does not select an operator option

Excludes calls to sales, unless transferred after initial enquiry at the customer's request.

Only calls from Victorian retail customers (residential and business) should be reported.

Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

Note: By default, this will also enable calculation of calls handled by an IVR.



### Justification for changes

Changed "during month" to "during the financial year" as this performance indicator is only provided every financial year.



### Draft indicator

**Indicator:** Calls to an operator (CC020)

**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:

- any calls abandoned before the customer opts to speak to an operator
- IVR calls where the customer does not select an operator option

Excludes calls to sales, unless transferred after initial enquiry at the customer's request.

Only calls from Victorian retail customers (residential and business) should be reported.

Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

Note: By default, this will also enable calculation of calls handled by an IVR.

**Draft decision feedback (summary)**

No specific feedback received on this indicator.

**ESC response to draft decision feedback**

No change from draft decision.

**Final indicator**

**Indicator:** Calls to an operator (CC020)

**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:

- any calls abandoned before the customer opts to speak to an operator

- IVR calls where the customer does not select an operator option

Excludes calls to sales, unless transferred after initial enquiry at the customer's request.

Only calls from Victorian retail customers (residential and business) should be reported.

Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

Note: By default, this will also enable calculation of calls handled by an IVR.



## CC030 – Calls to an operator responded to within 30 seconds

DRAFT DECISION

### Current indicator

**Indicator:** Calls to an operator responded to within 30 seconds

**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.

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).

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.

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.

Only calls from Victorian retail customers (residential and business) should be reported.  
Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator



### Justification for changes

Changed "during month" to "during the financial year" as this performance indicator is only provided every financial year.



### Draft indicator

**Indicator:** Calls to an operator responded to within 30 seconds (CC030)

**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.

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).

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.

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.

Only calls from Victorian retail customers (residential and business) should be reported.  
Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

## Draft decision feedback (summary)

No specific feedback received on this indicator in the draft decision.

## ESC response to draft decision feedback

No change from draft decision.

## Final indicator

**Indicator:** Calls to an operator responded to within 30 seconds (CC030)

**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.

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).

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.

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.

Only calls from Victorian retail customers (residential and business) should be reported.  
Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

## CC040 – Average waiting time

DRAFT DECISION

Current indicator
<p><b>Indicator:</b> Average waiting time</p> <p><b>Definition:</b> 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 reporting period</u> 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>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>



Justification for changes
<p>Changed "during month" to "during the financial year" as this performance indicator is only provided every financial year.</p>



Draft indicator
<p><b>Indicator:</b> Average waiting time (in seconds) (CC040)</p> <p><b>Definition:</b> 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> Calls to an operator – 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>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>

**Draft decision feedback (summary)**

No specific feedback received on this indicator in the draft decision.

**ESC response to draft decision feedback**

No change from draft decision.

**Final indicator**

**Indicator:** Average waiting time (in seconds) (CC040)

**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:

$$\frac{\text{Total time waited by callers during the financial year}}{\text{Calls to an operator – abandoned calls}}$$

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.

Where an IVR system operates, it is not appropriate to regard the call as answered as soon as the IVR system accepts the call.

Only calls from Victorian retail customers (residential and business) should be counted.  
Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

CC050 – Abandoned calls

DRAFT DECISION	Current indicator	Justification for changes	Draft indicator
	<p><b>Indicator:</b> Abandoned calls</p> <p><b>Definition:</b> 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>Changed "during month" to "during the financial year" as this performance indicator is only provided every financial year.</p>	<p><b>Indicator:</b> Abandoned calls (CC050)</p> <p><b>Definition:</b> 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>

**Draft decision feedback (summary)**

No specific feedback received on this indicator.

**ESC response to draft decision feedback**

No change from draft decision.

**Final indicator**

**Indicator:** Abandoned calls (CC050)

**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.

Only calls from Victorian retail customers (residential and business) should be reported.  
Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.

## C010 – Complaints – billing

DRAFT DECISION

Current indicator
<p><b>Indicator:</b> Complaints – billing</p> <p><b>Definition</b> 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"> <li>• prices</li> <li>• overcharging</li> <li>• high bills</li> <li>• billing errors</li> <li>• payment terms and methods</li> <li>• failure to receive government rebates</li> <li>• debt recovery practices</li> <li>• imminent and actual disconnection.</li> </ul> <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>

Draft decision feedback (summary)

Justification for changes
<p>Updated to include best offer and incorrect meter reading.</p>

ESC response to draft decision feedback

Draft indicator
<p><b>Indicator:</b> Complaints – billing (C010)</p> <p><b>Definition:</b> 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"> <li>– prices</li> <li>– overcharging (including incorrect meter readings)</li> <li>– high bills</li> <li>– billing errors</li> <li>– payment terms and methods</li> <li>– failure to receive government rebates</li> <li>– failure to provide advance notice of changes to price and benefits</li> <li>– debt recovery practices</li> <li>– imminent and actual disconnection</li> <li>– best offer.</li> </ul> <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>

Final indicator

AGL supported amendments reflecting new regulatory obligations.

No change from draft decision.

**Indicator:** Complaints – billing (C010)

**Definition:** The count of complaints received during the reporting month, reported separately for electricity and gas\*, including (but not limited to) those regarding:

- prices
- overcharging (including incorrect meter readings)
- high bills
- 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.

\* 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.



## C020 – Complaints – marketing

DRAFT DECISION

Current indicator
<p><b>Indicator:</b> Complaints – marketing</p> <p><b>Definition:</b> 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"> <li>• sales approach or conduct</li> <li>• advertising campaigns</li> <li>• contract terms</li> <li>• sales techniques</li> <li>• misleading conduct.</li> </ul> <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>

Draft decision feedback (summary)

Justification for changes
<p>Updated to include unclear advice and energy fact sheets.</p>

ESC response to draft decision feedback

Draft indicator
<p><b>Indicator:</b> Complaints – marketing (C020)</p> <p><b>Definition:</b> 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"> <li>– sales approach or conduct</li> <li>– advertising campaigns</li> <li>– energy fact sheets</li> <li>– contract terms</li> <li>– sales techniques</li> <li>– unclear advice</li> <li>– misleading conduct.</li> </ul> <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>

Final indicator

AGL supported amendments reflecting new regulatory obligations.

No change from draft decision.

**Indicator:** Complaints – marketing (C020)

**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:

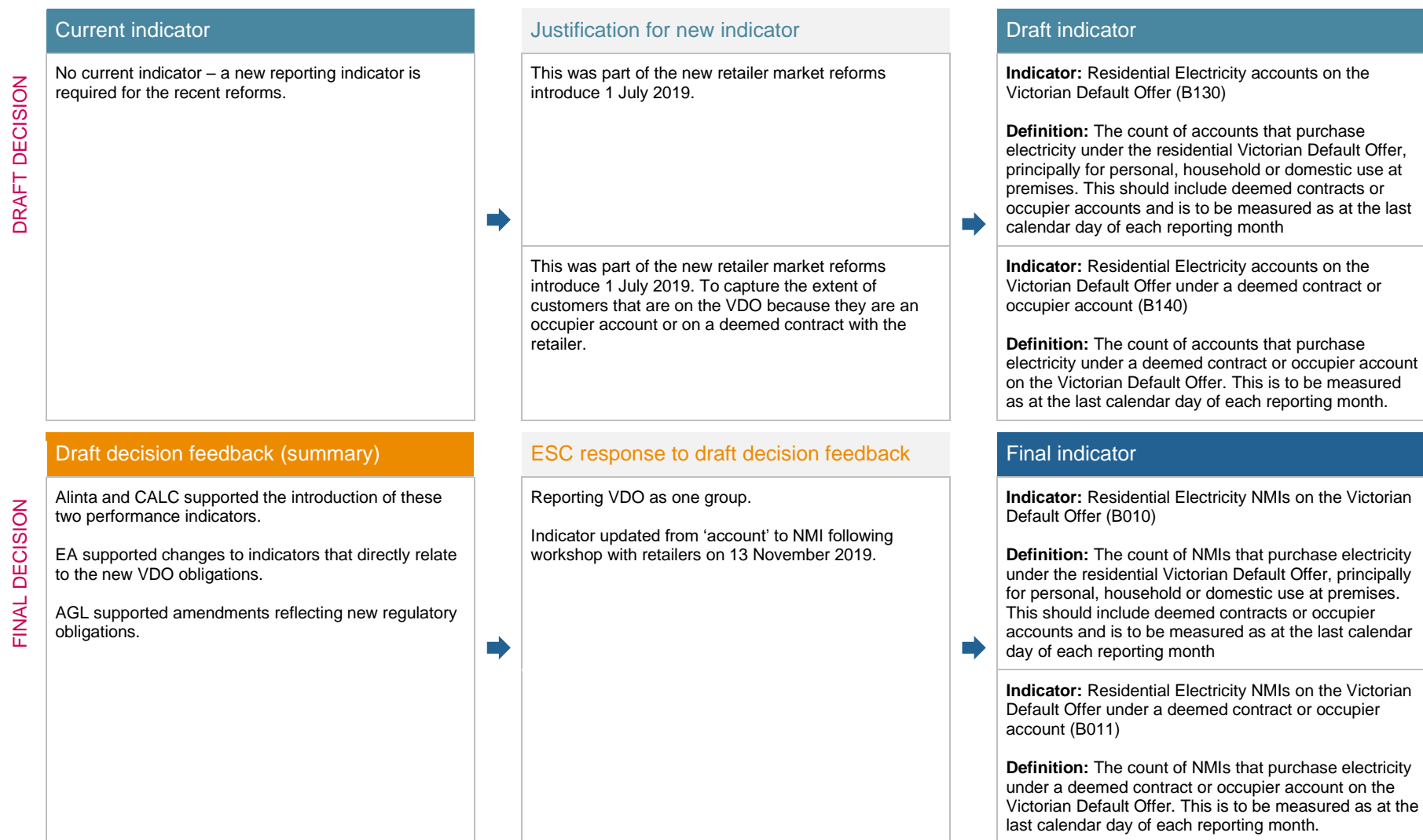
- sales approach or conduct
- advertising campaigns
- energy fact sheets
- contract terms
- sales techniques
- unclear advice
- misleading conduct.

\* 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.

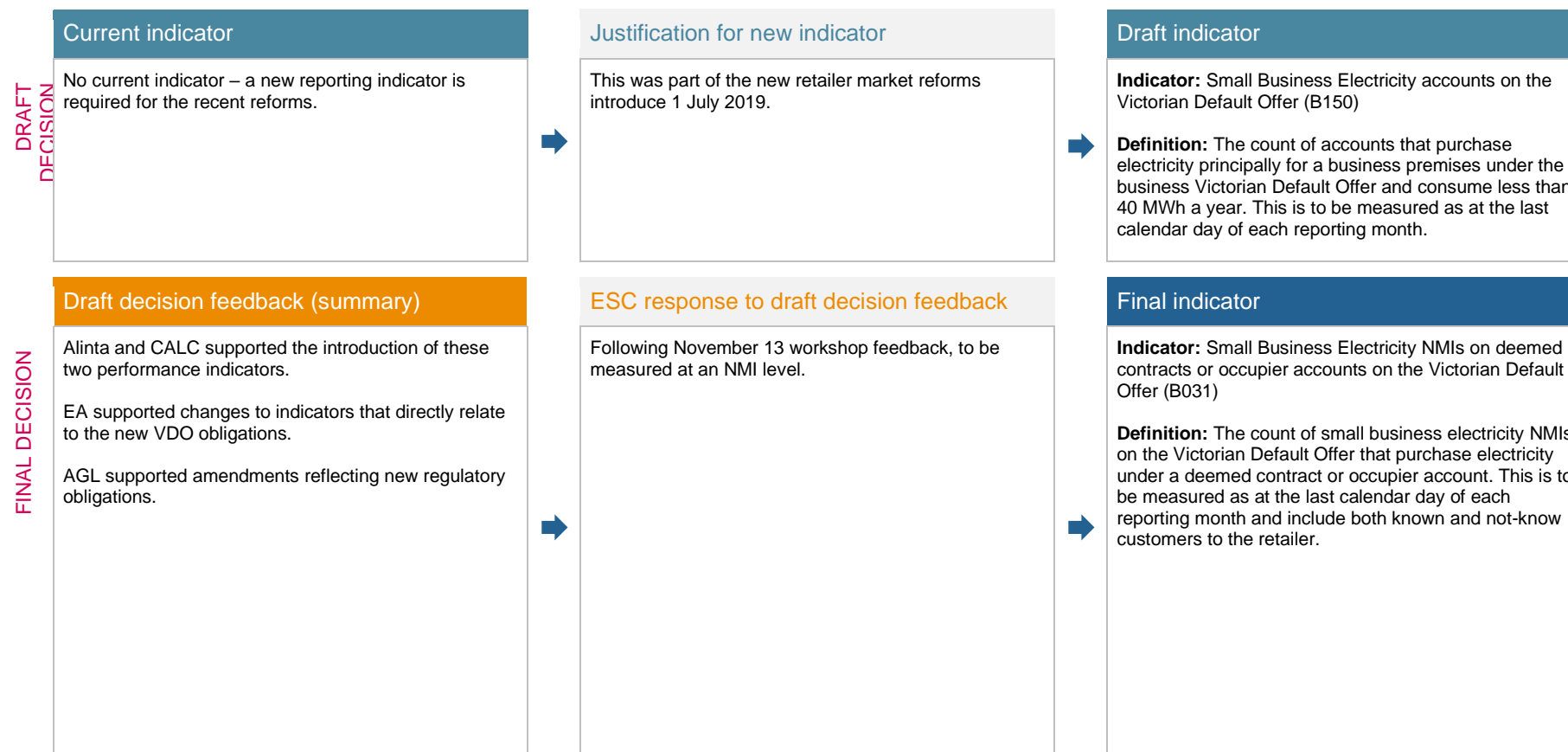
## Additions to performance indicators

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. These reflect the final performance indicators following consideration of stakeholder feedback on the draft decision, as described in our response set out in the table below.

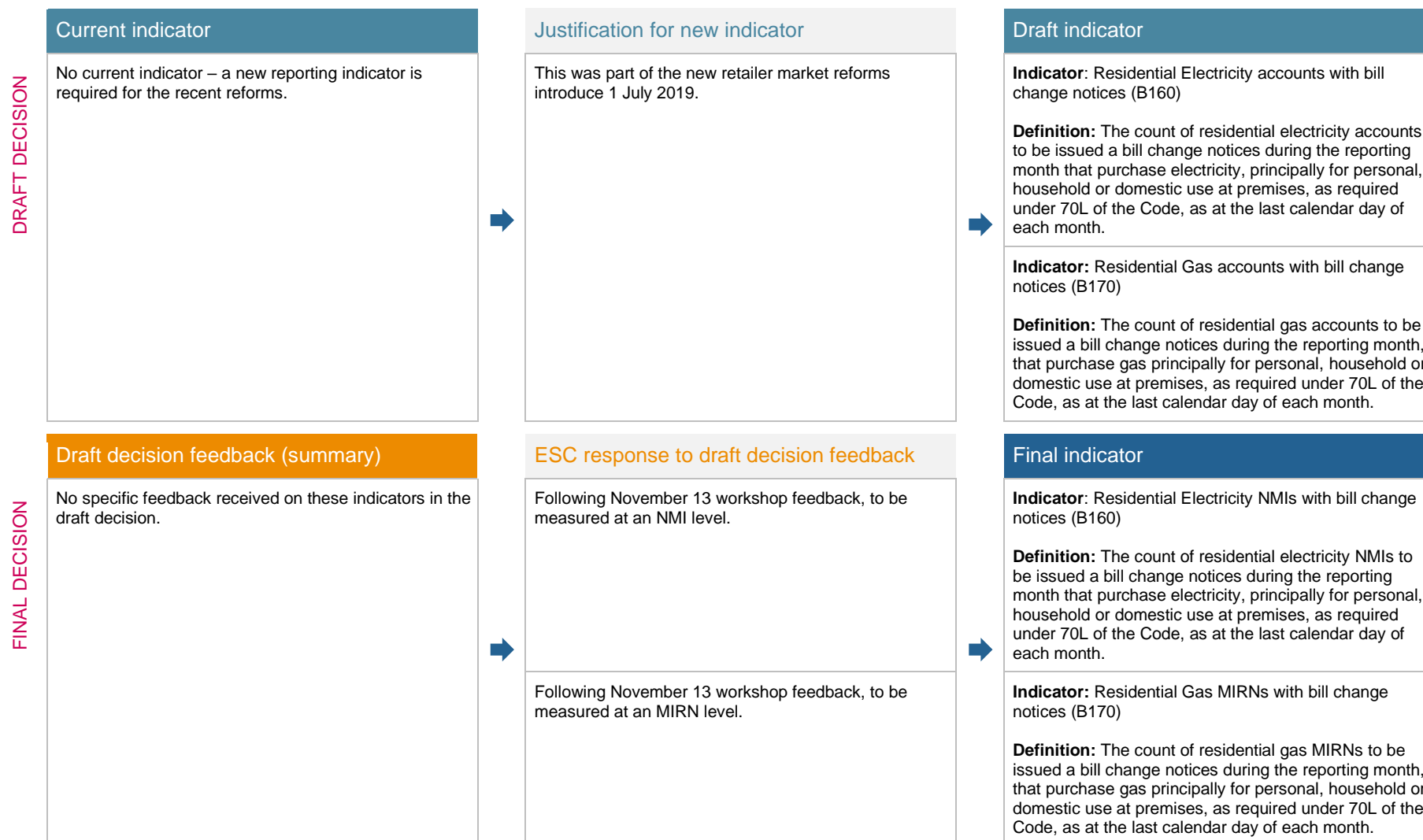
## B130, B140 - Residential Electricity accounts on the Victorian Default Offer (new indicator)



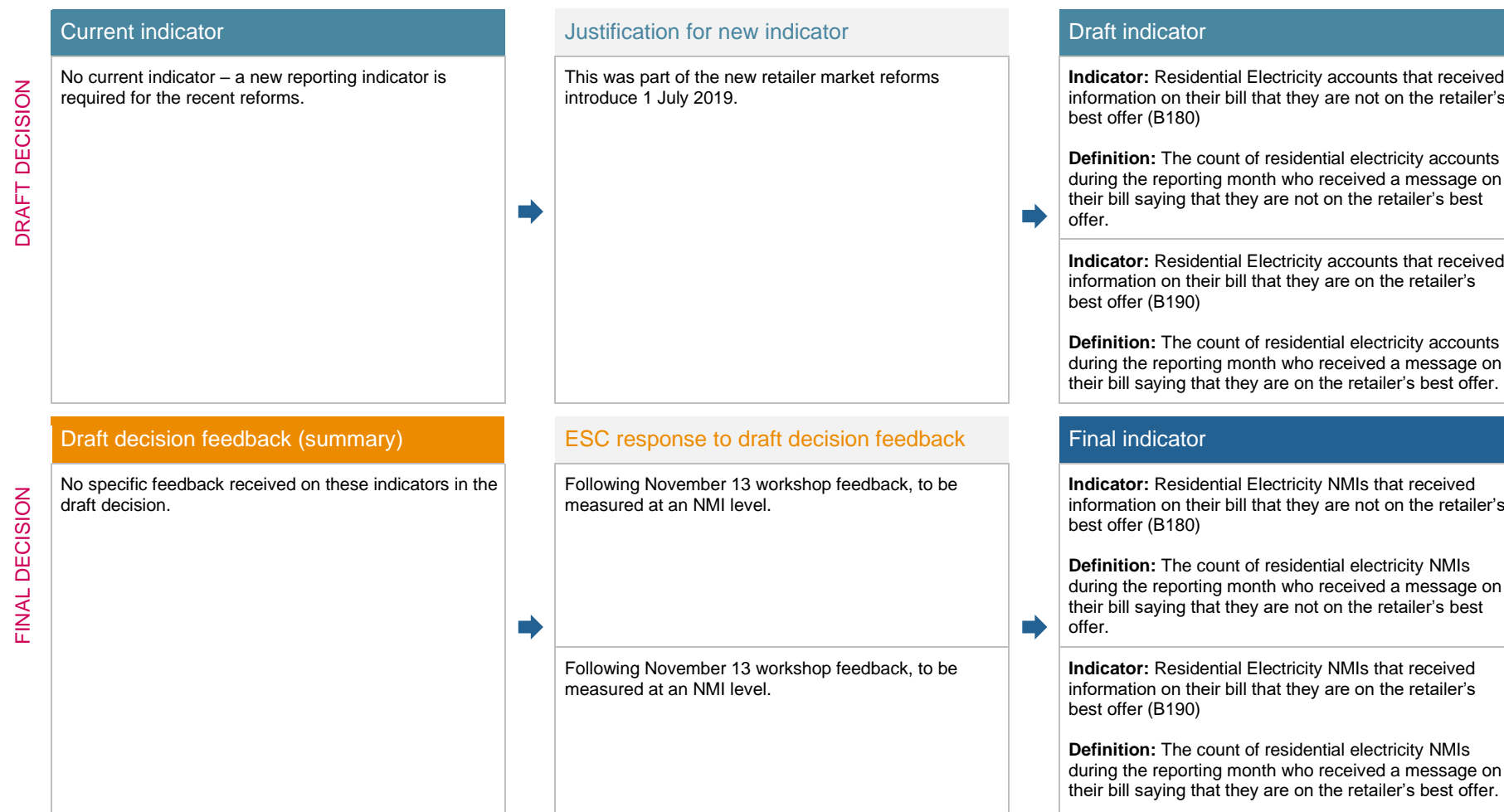
## B150 – Small Business Electricity accounts on the Victorian Default Offer (new indicator)



## B160, B170 – Energy accounts with bill change notices (new indicator)



## B180, B190 – Residential Electricity accounts receiving information on the retailer’s best offer (new indicator)

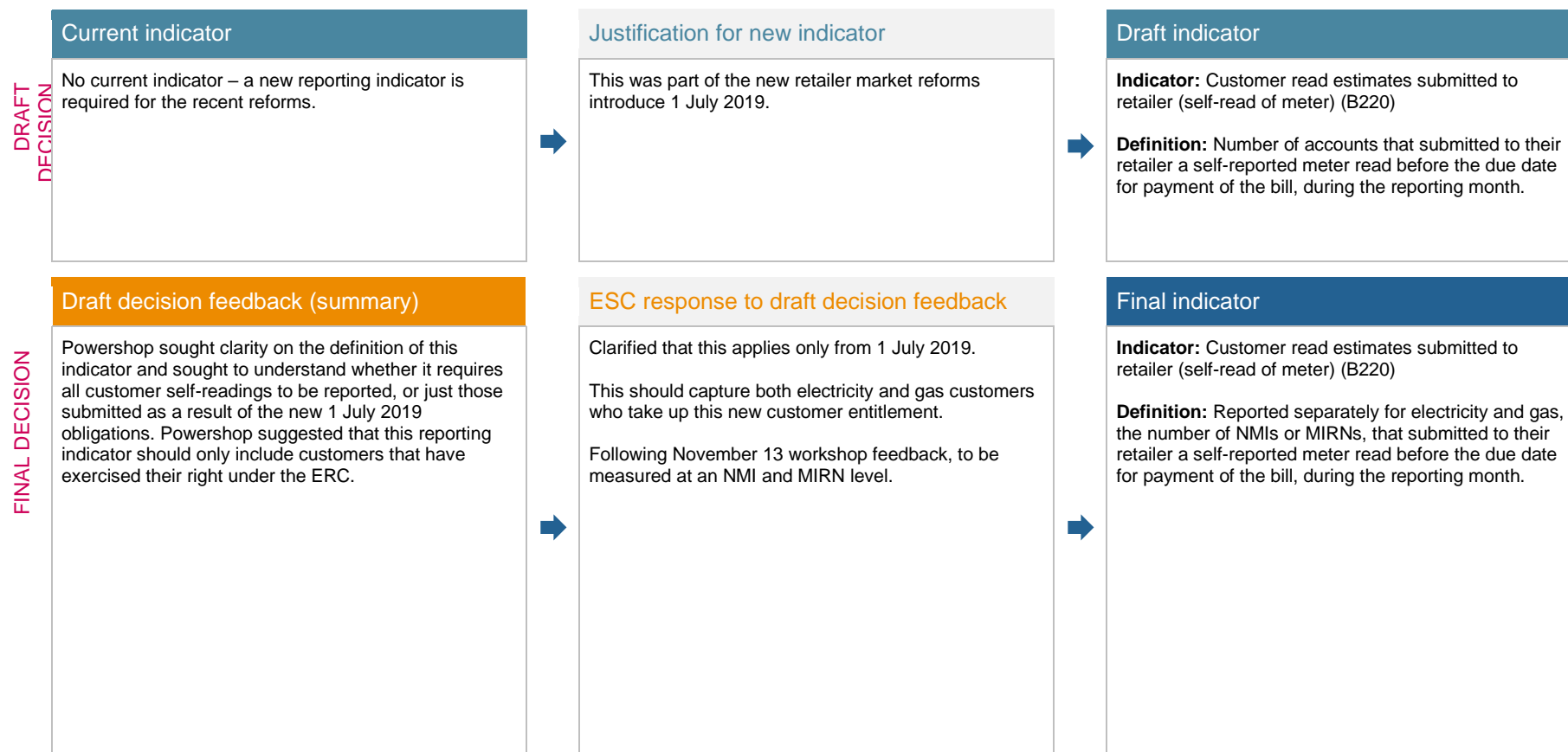


## B200, B210 – Residential Gas accounts receiving information on the retailer's best offer (new indicator)





## B220 – Customer read estimates submitted to retailer (self-read of meter) (new indicator)

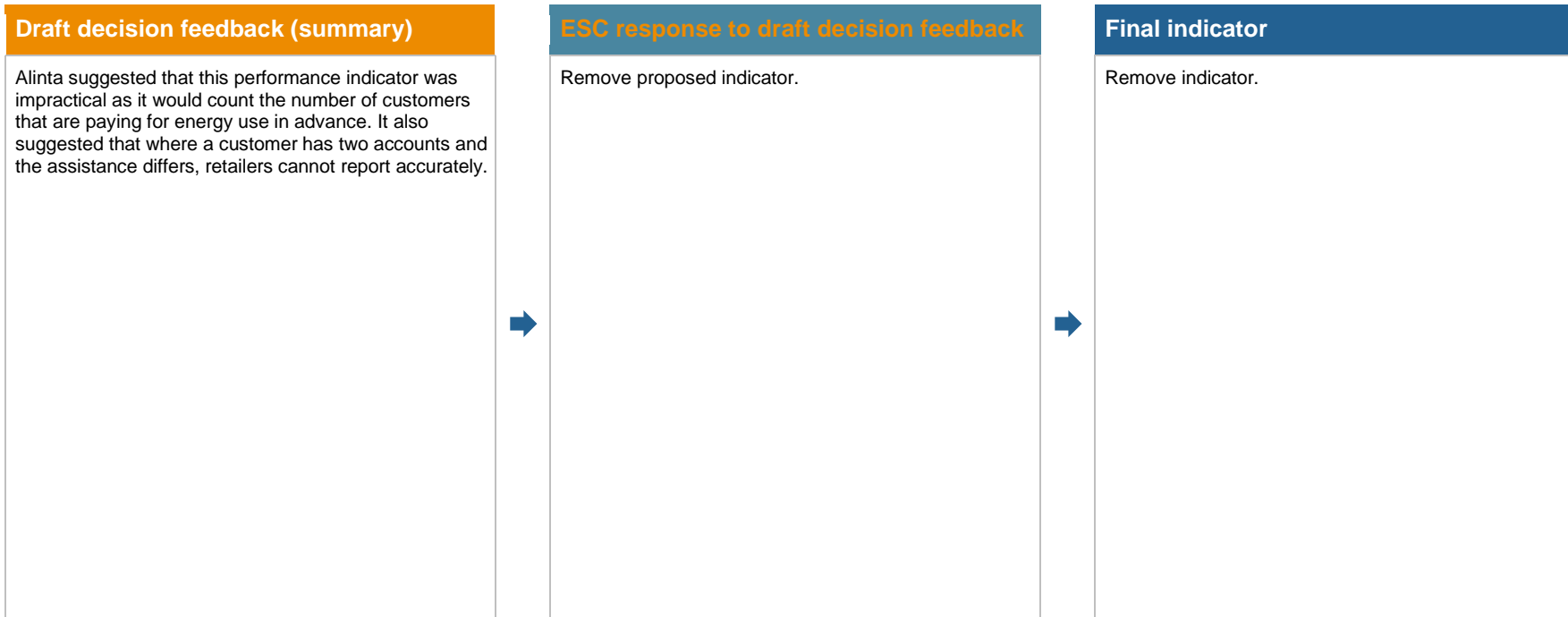


# Performance indicators to be removed

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

## AS010 – Residential customers receiving standard assistance – (indicator removal)

DRAFT DECISION	Current indicator	Justification for changes	Draft indicator
	<p><b>Indicator:</b> Residential customers receiving standard assistance</p> <p><b>Definition:</b> 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>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>	<p><b>Indicator:</b> Residential customers receiving standard assistance (AS011)</p> <p><b>Definition:</b> 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. These customers should be receiving at least 3 of the following:</p> <ul style="list-style-type: none"><li>(a) making payments of an equal amount over a specified period;</li><li>(b) options for making payments at different intervals;</li><li>(c) extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12-month period;</li><li>(d) paying for energy use in advance.</li></ul> <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 – Residential customers receiving tailored assistance – (indicator removal)

DRAFT DECISION

### Current indicator

**Indicator:** Residential customers receiving tailored assistance

**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.



### Justification for changes

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.

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.



### Draft indicator

**Indicator:** Residential customers receiving tailored assistance (AS021)

**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.

**Note:** A customer could have multiple accounts with tailored assistance, but we would expect this indicator to measure these customers just once.

**Draft decision feedback (summary)**

Alinta suggested that this performance indicator was impractical as it would count the number of customers that are paying for energy use in advance. It also suggested that where a customer has two accounts and the assistance differs, retailers cannot report accurately.

**ESC response to draft decision feedback**

Remove proposed indicator.

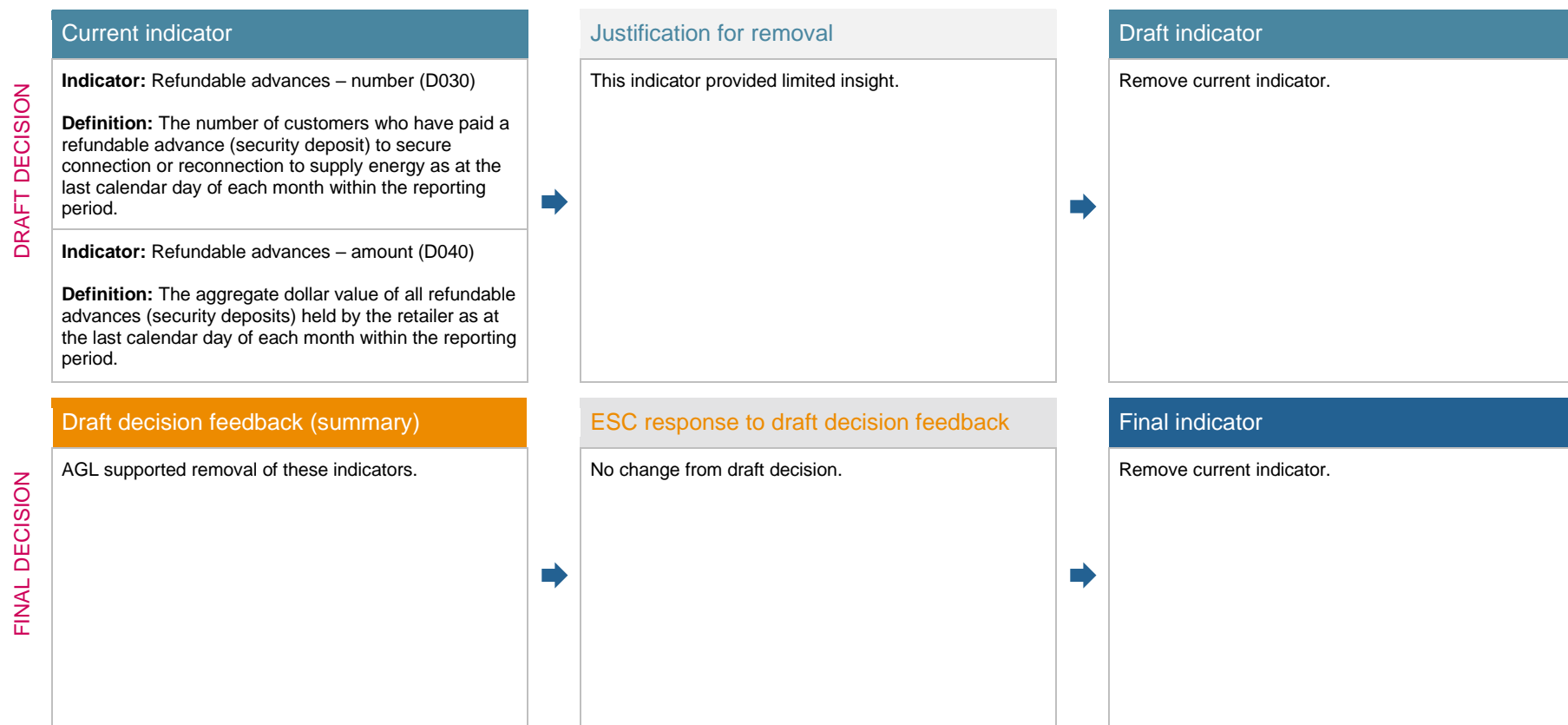
**Final indicator**

Remove indicator.

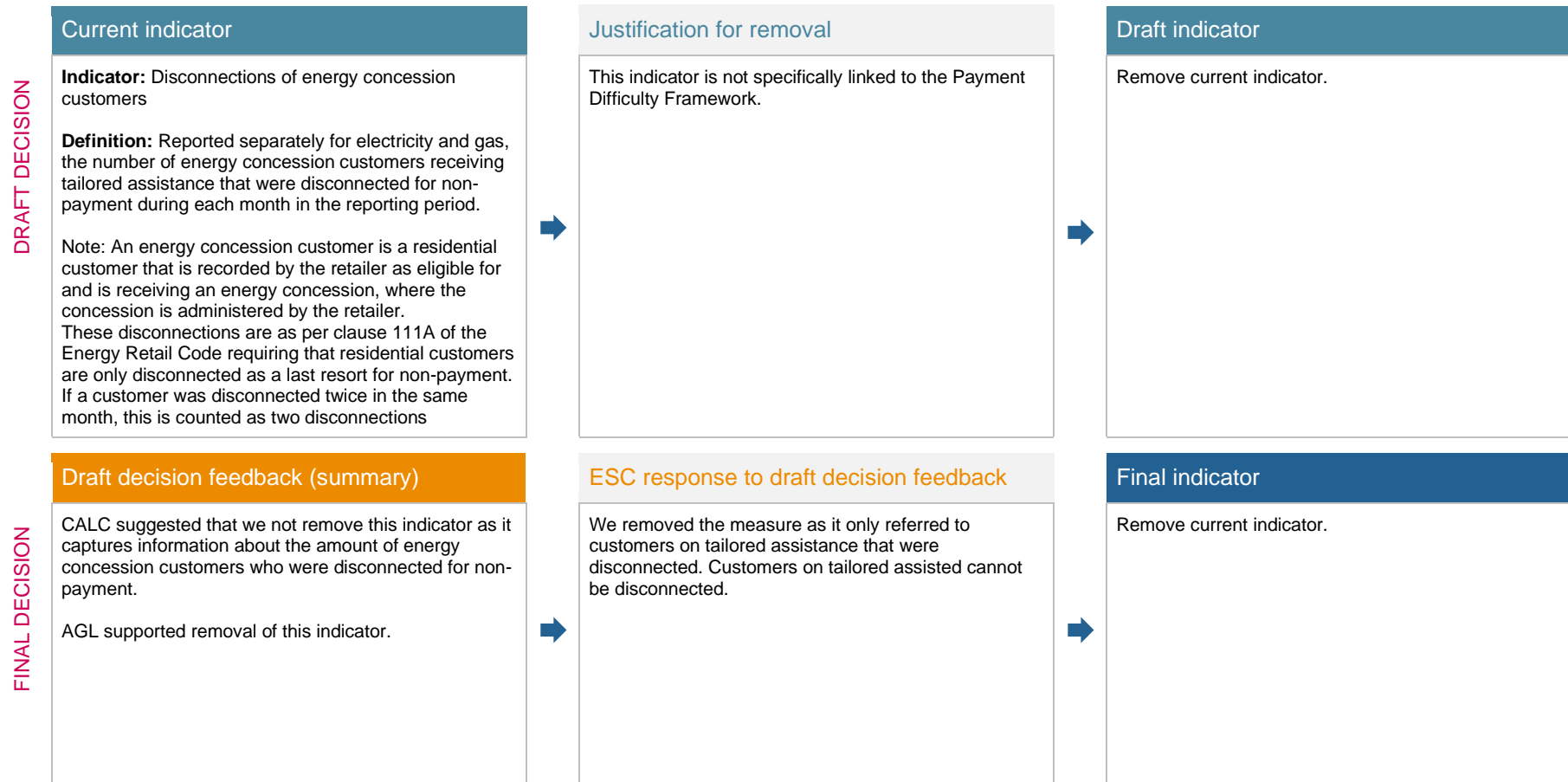
## D010 – Estimated accounts (indicator removal)



## D030, D040 – Refundable advances (indicator removal)

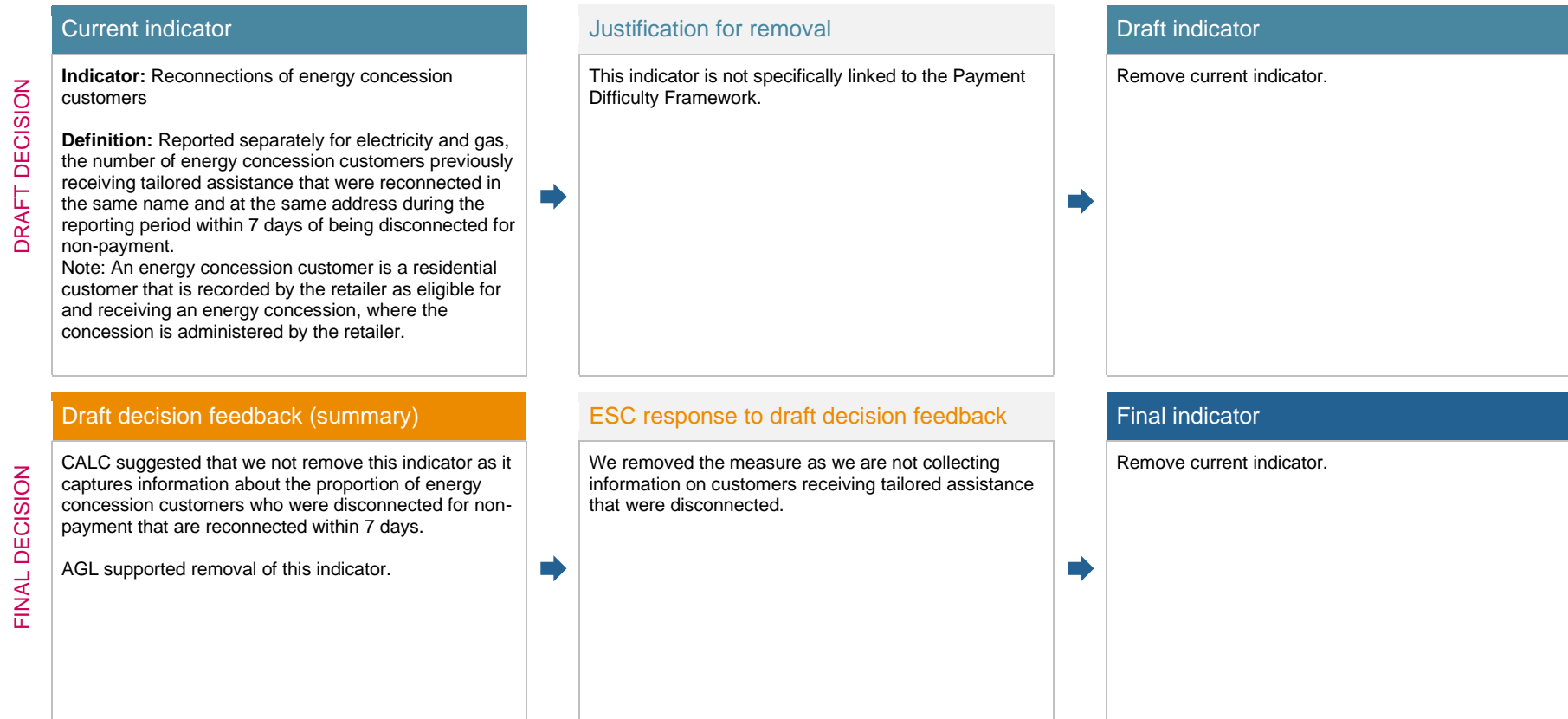


## D100 – Disconnections of energy concession customers (indicator removal)





## D130 – Reconnections of energy concession customers (indicator removal)

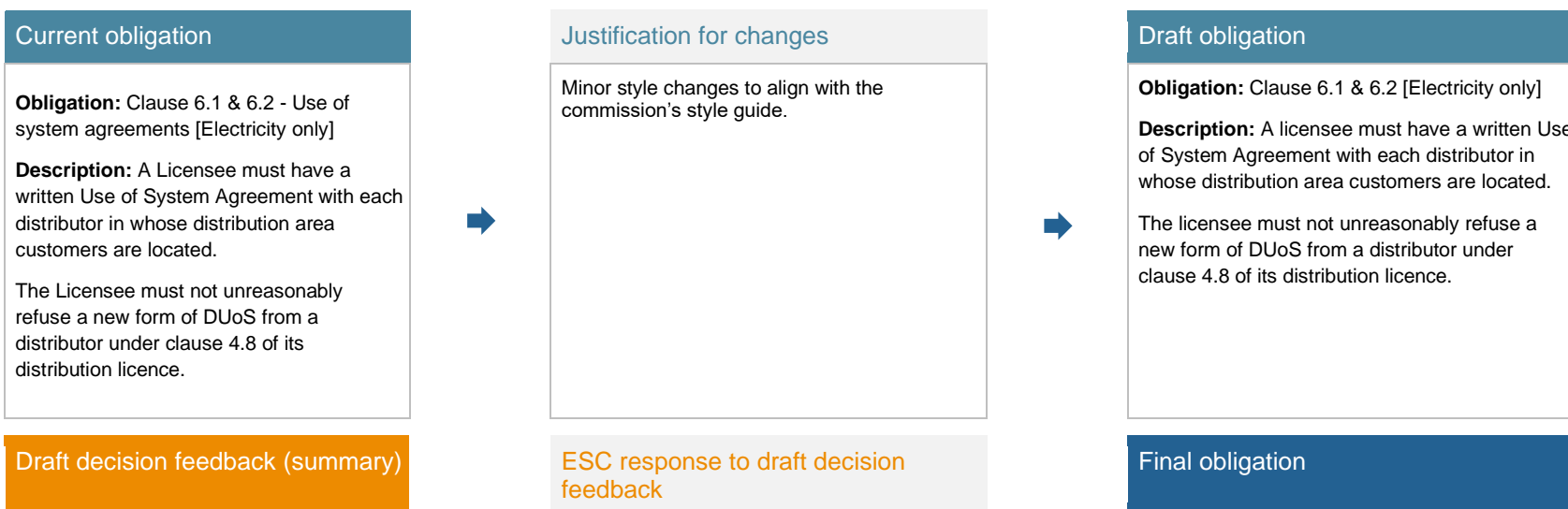


# Appendix C – Changes to compliance reporting obligations

## Modifications to existing compliance reporting obligations

### RB0020 – Clause 6.1 & 6.2 – Use of system agreements [Electricity only]

DRAFT DECISION



No specific feedback received on this obligation.



No change from draft decision.



**Reference:** RB0020

**Obligation:** Clause 6.1 & 6.2 [Electricity only]

**Description:** A licensee must have a written Use of System Agreement with each distributor in whose distribution area customers are located. The licensee must not unreasonably refuse a new form of DUoS from a distributor under clause 4.8 of its distribution licence.

**Classification:** Type 1

## RB0060 – Clause 5.1 & 5.3 - Reliability of supply [Gas only]

### Current obligation

**Obligation:** Clause 5.1 & 5.3 - Reliability of supply [Gas only]

**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.

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.



### Justification for changes

Minor style changes to align with the commission's style guide.



### Draft obligation

**Obligation:** Clause 5.1 & 5.3 [Gas only]

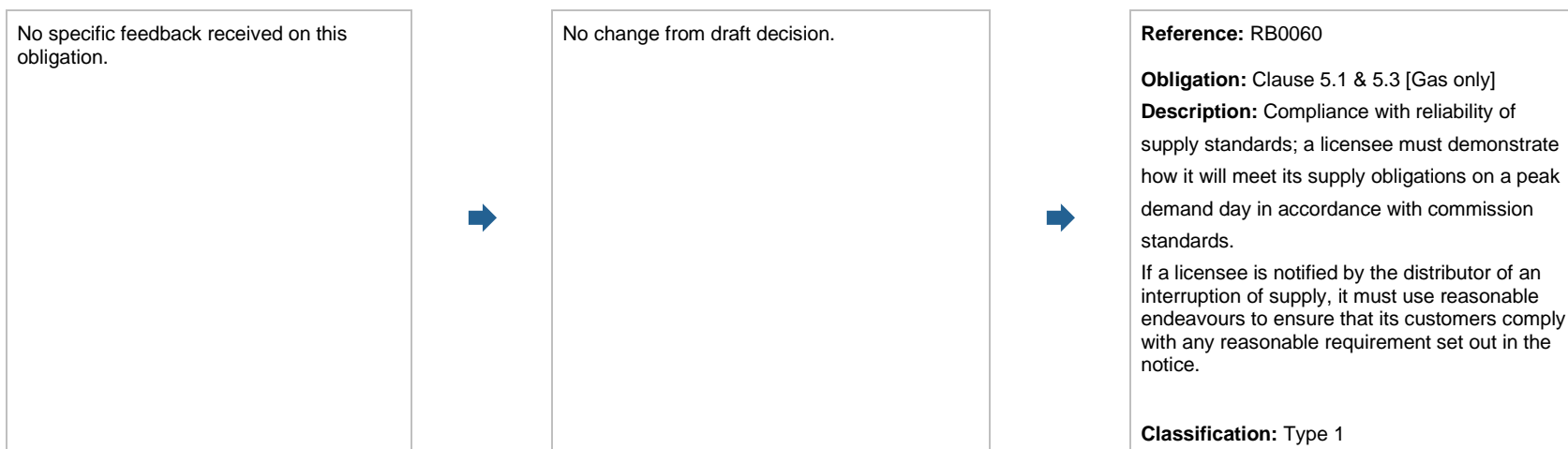
**Description:** Compliance with reliability of supply standards; a licensee must demonstrate how it will meet its supply obligations on a peak demand day in accordance with commission standards.

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.

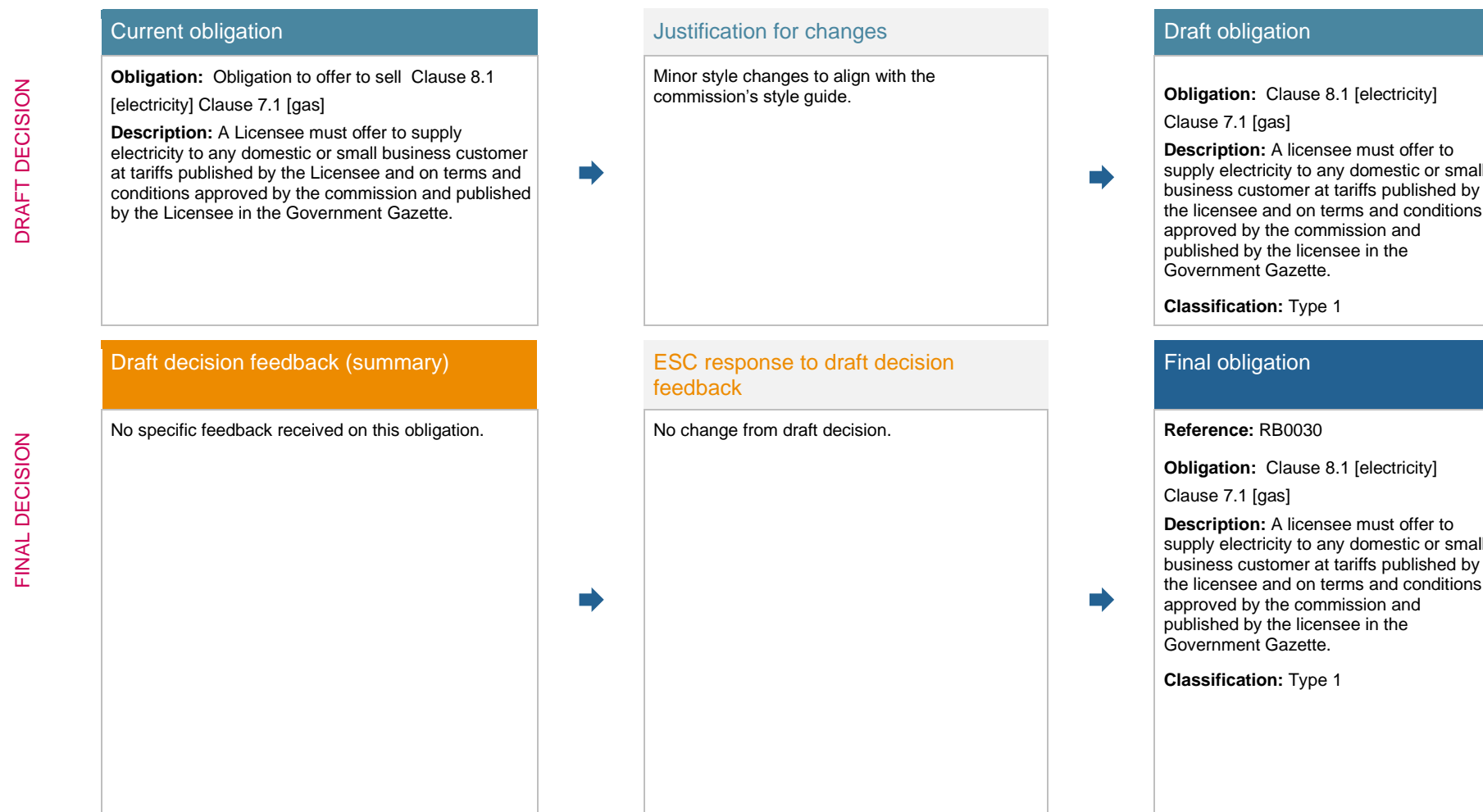
Draft decision feedback (summary)

ESC response to draft decision feedback

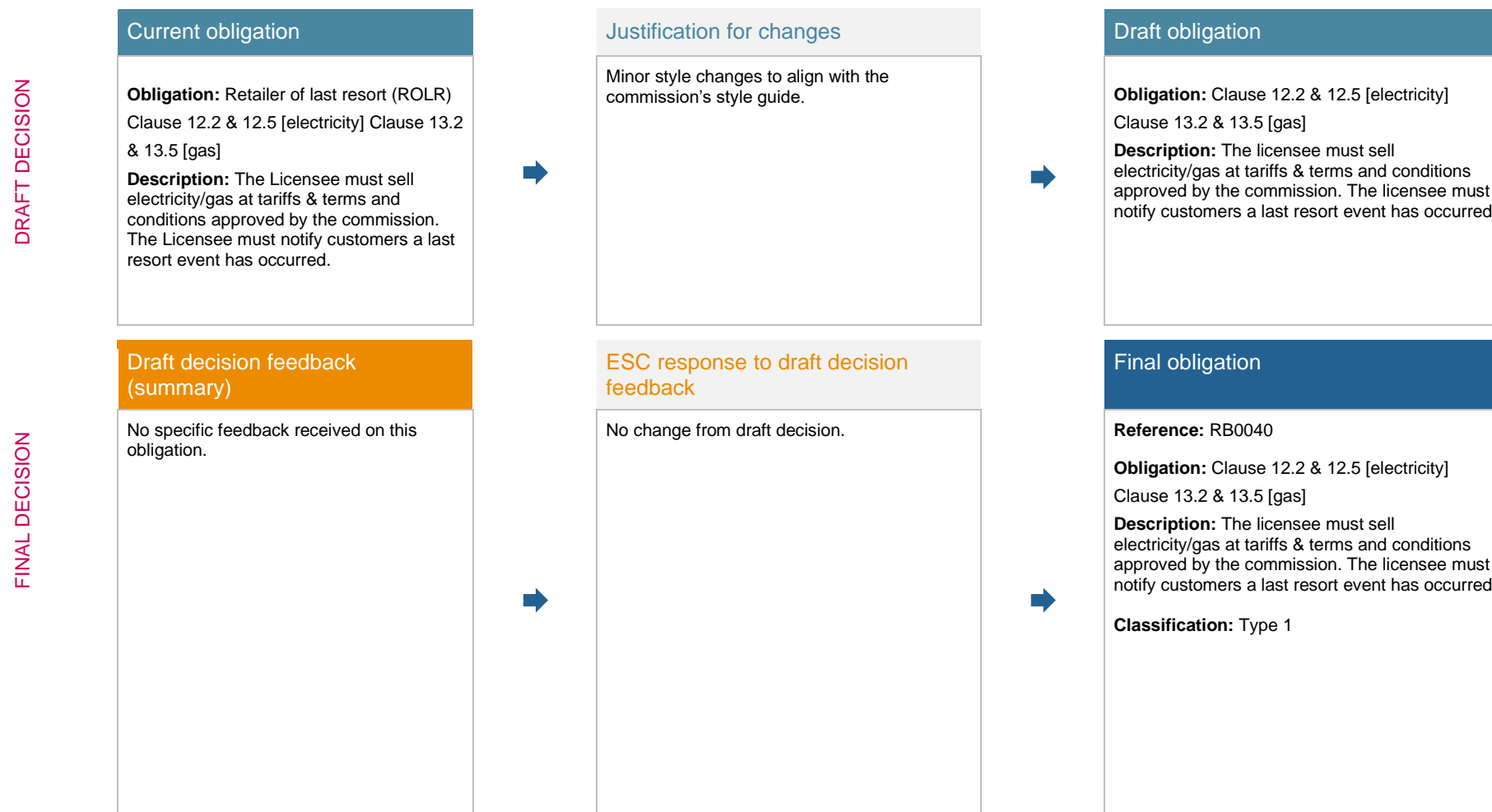
Final obligation



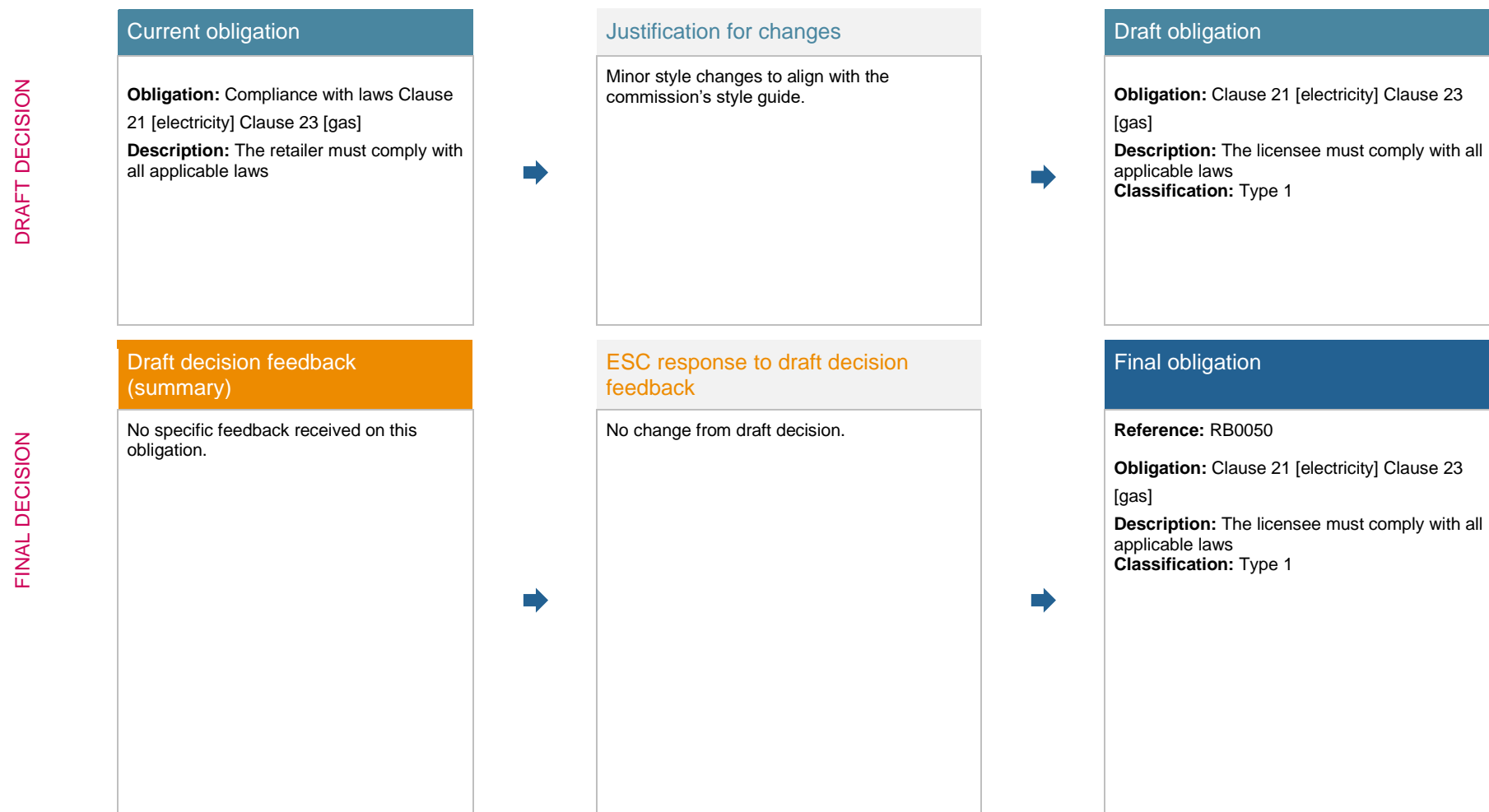
## RB0030 – Obligation to offer to sell Clause 8.1 [electricity] Clause 7.1 [gas]



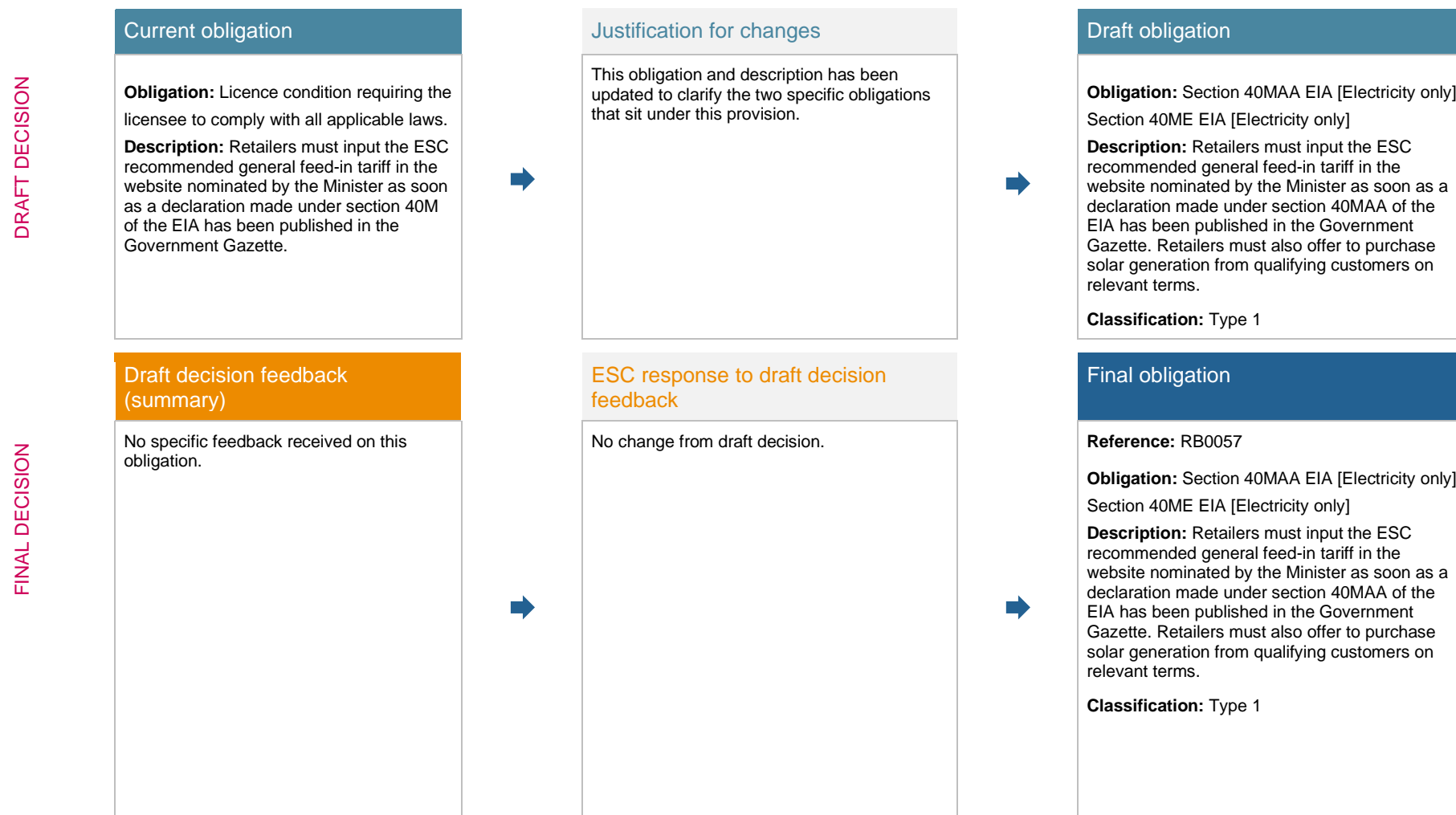
## RB0040 – Retailer of last resort (ROLR) Clause 12.2 & 12.5 [electricity] Clause 13.2 & 13.5 [gas]



## RB0050 – Compliance with laws Clause 21 [electricity] Clause 23 [gas]

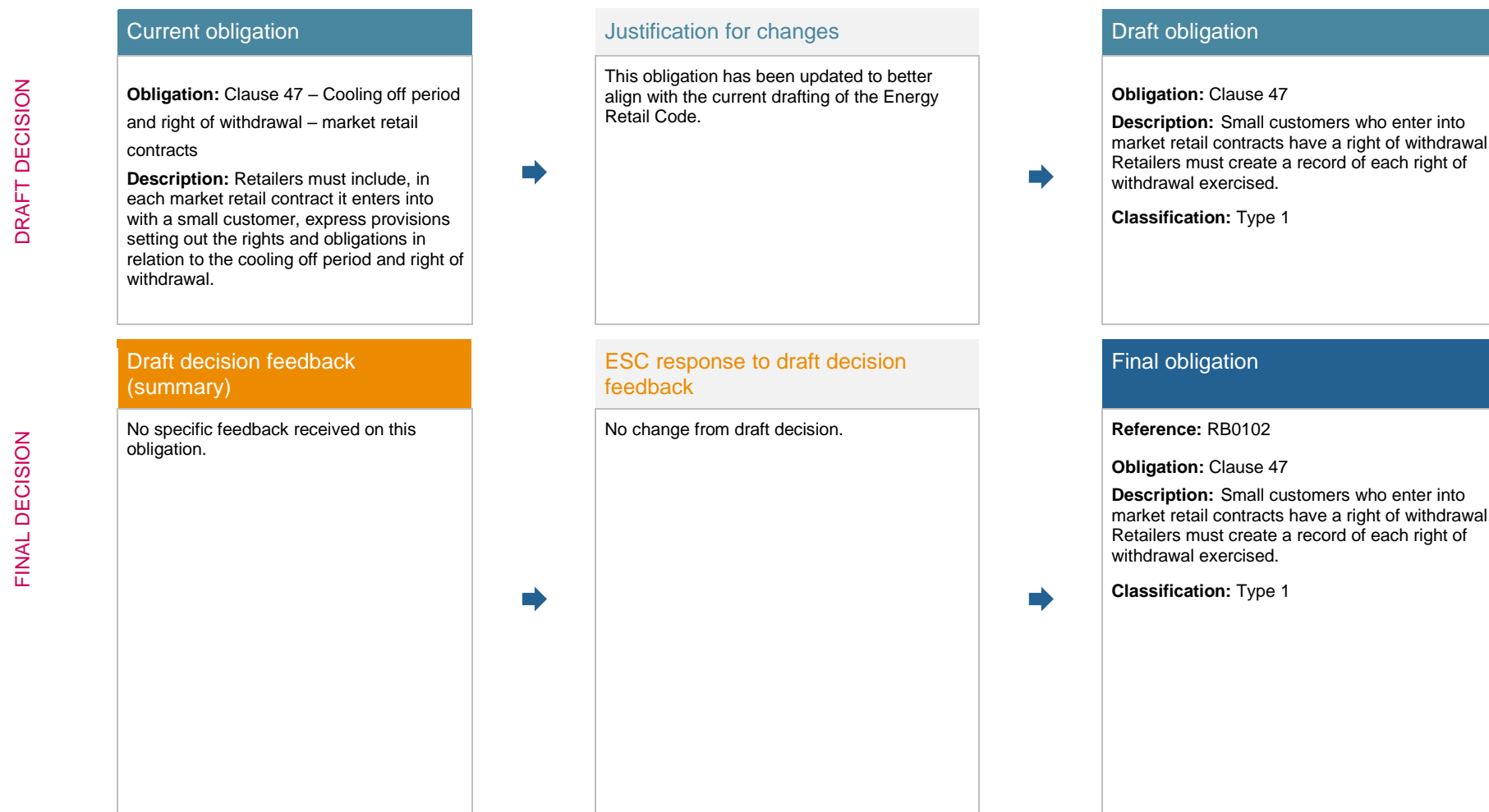


## RB0057 – Licence condition requiring the licensee to comply with all applicable laws.

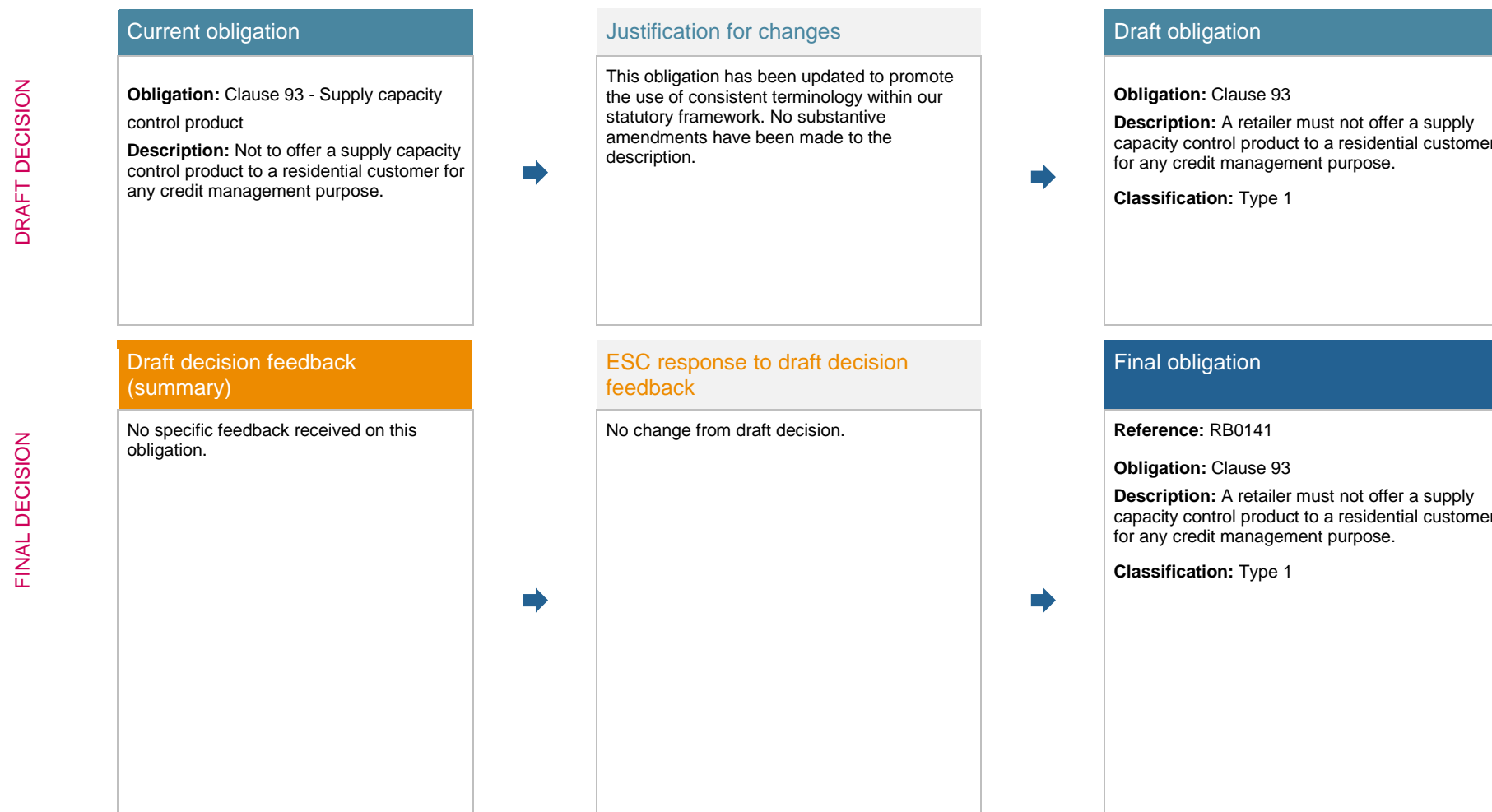




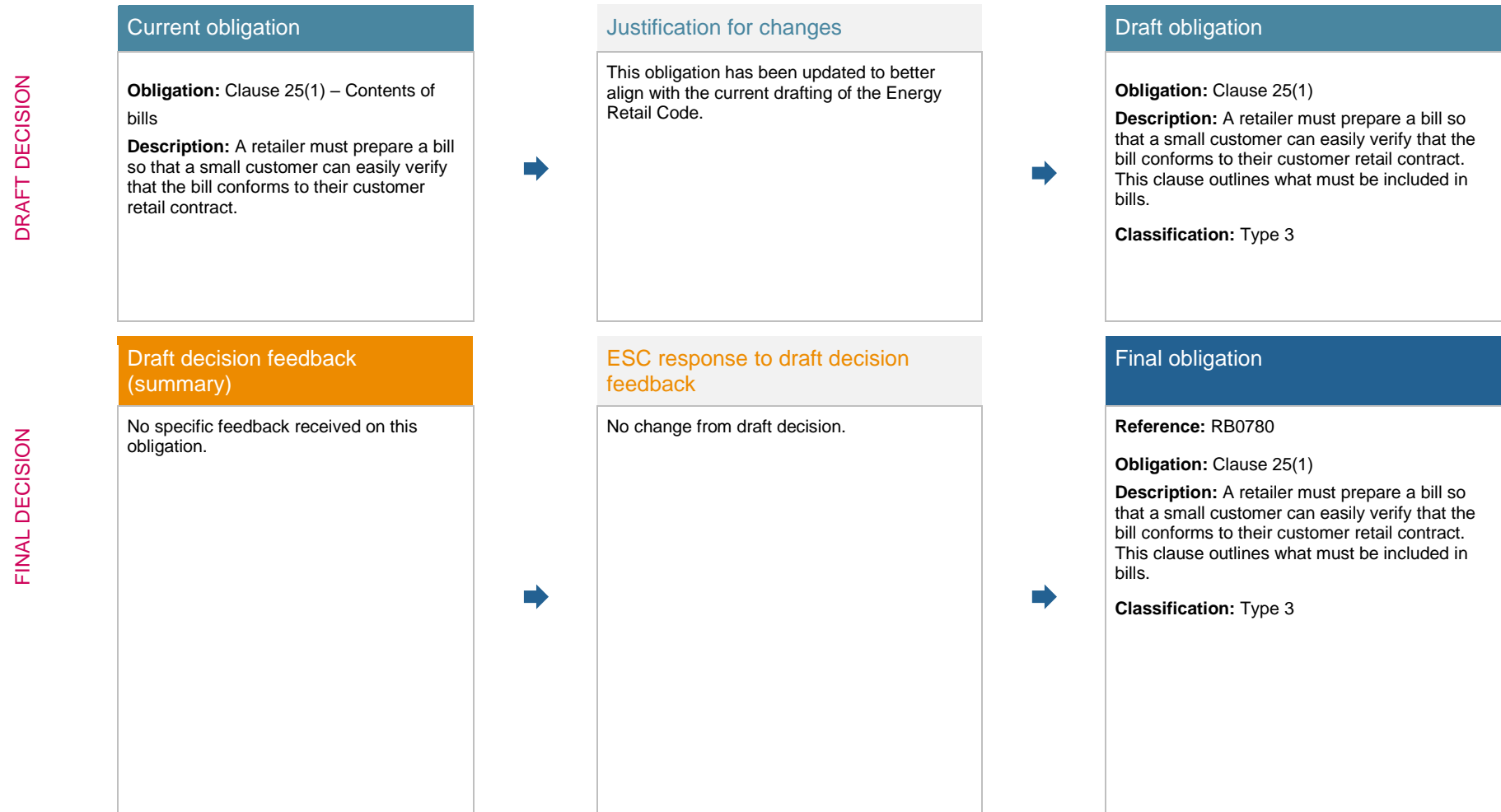
## RB0102 – Clause 47 – Cooling off period and right of withdrawal – market retail contracts



## RB0141 – Clause 93 - Supply capacity control product

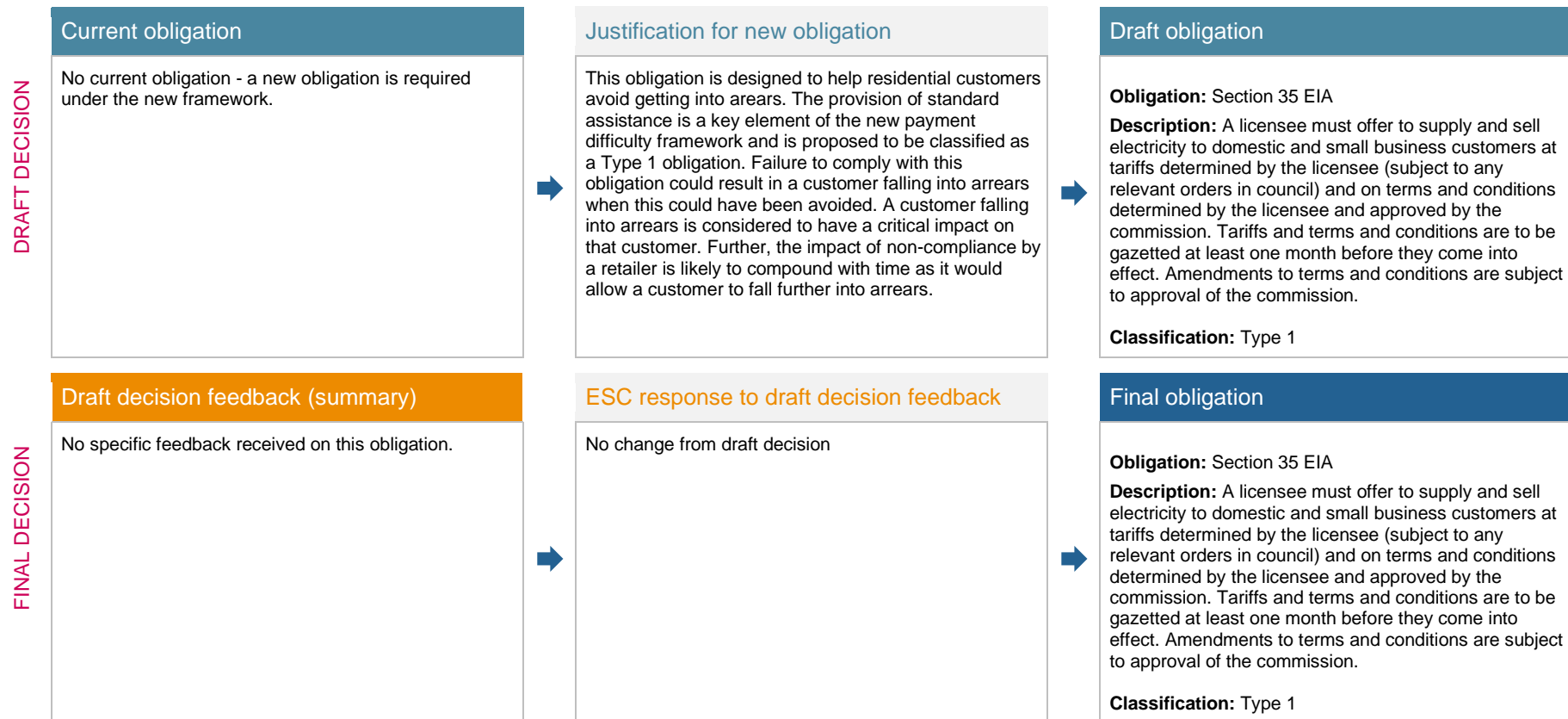


## RB0780 – Obligation to offer to sell Clause 8.1 [electricity] Clause 7.1 [gas]

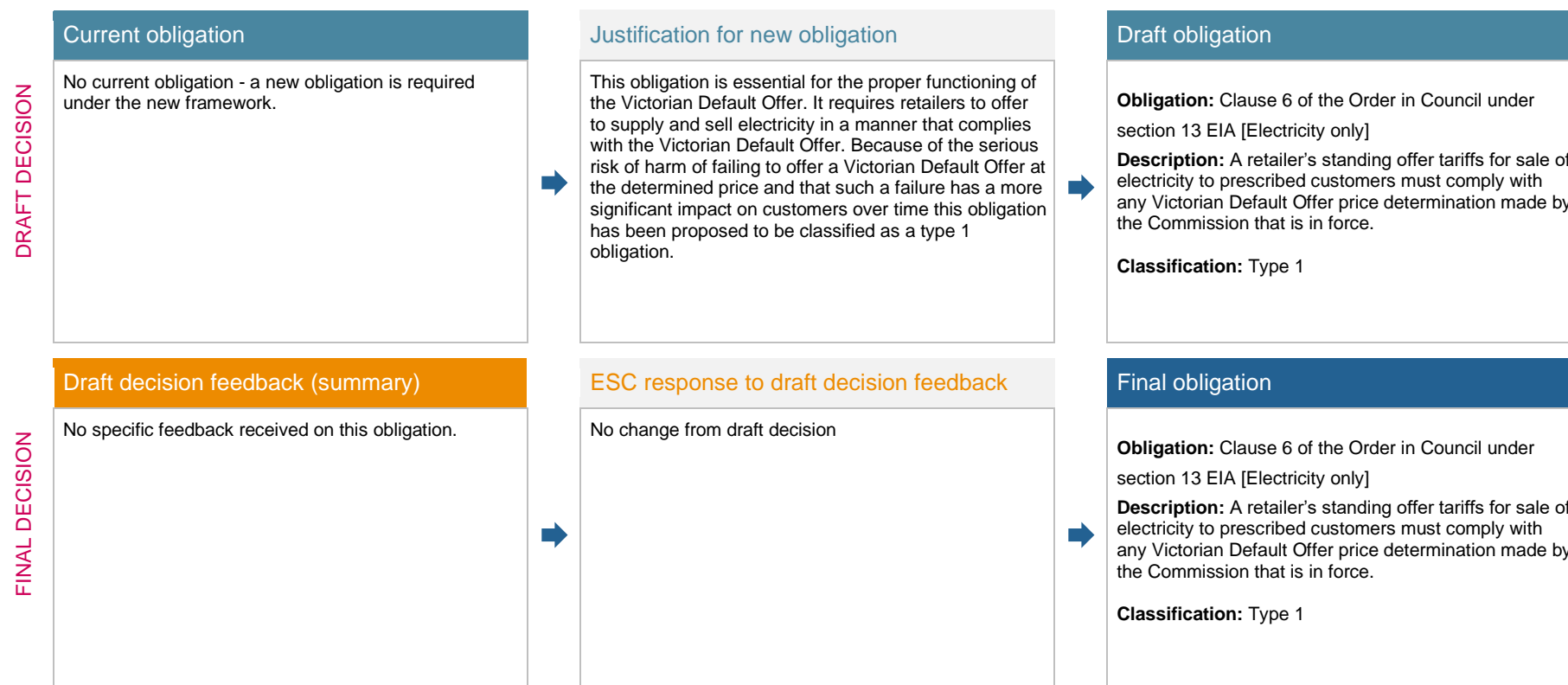


## Additions to compliance reporting obligations

### RB0058– Section 35 EIA – Offer to supply and sell at determined tariffs



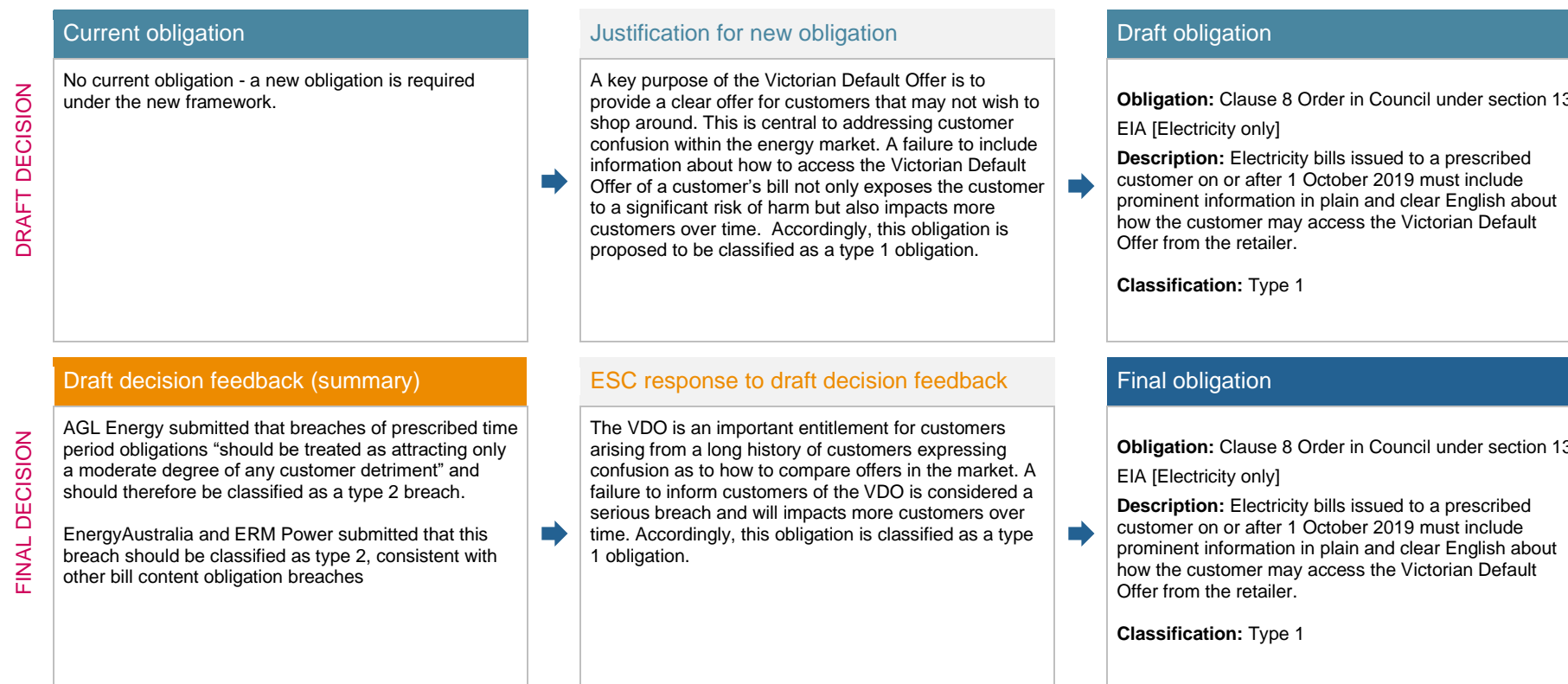
## RB0059– Clause 6 of the Order in Council under section 13 EIA [Electricity only] – standing offers to comply with VDO determinations



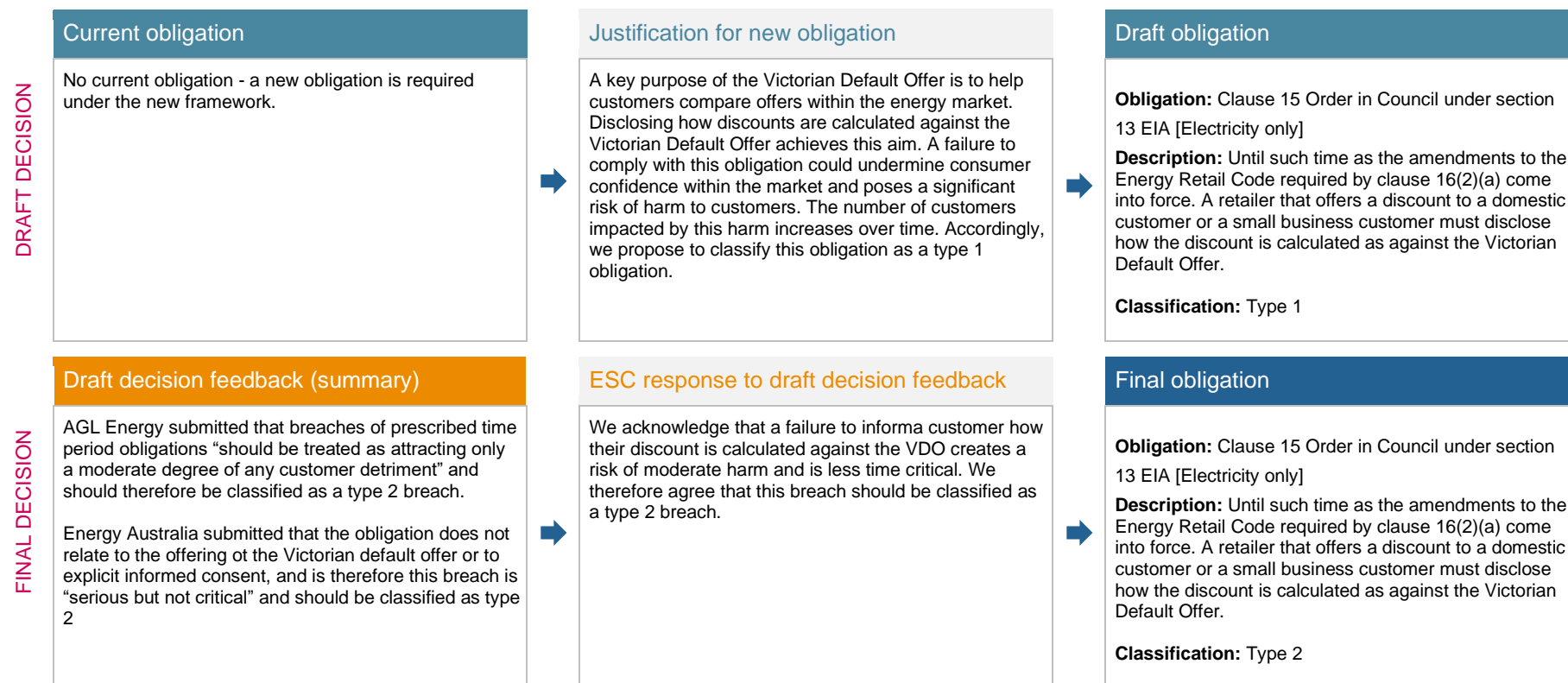
## RB0061– Clause 7 Order in Council under section 13 EIA [Electricity only] – standing offers to include flat tariffs

DRAFT DECISION	<b>Current obligation</b>  No current obligation - a new obligation is required under the new framework.	<b>Justification for new obligation</b>  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.	<b>Draft obligation</b>  <b>Obligation:</b> Clause 7 Order in Council under section 13 EIA [Electricity only] <b>Description:</b> 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.  <b>Classification:</b> Type 1
	<b>Draft decision feedback (summary)</b>  No specific feedback received on this obligation.	<b>ESC response to draft decision feedback</b>  No change from draft decision	<b>Final obligation</b>  <b>Obligation:</b> Clause 7 Order in Council under section 13 EIA [Electricity only] <b>Description:</b> 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.  <b>Classification:</b> Type 1

## RB0062– Clause 8 Order in Council under section 13 EIA [Electricity only] – VDO information on bills

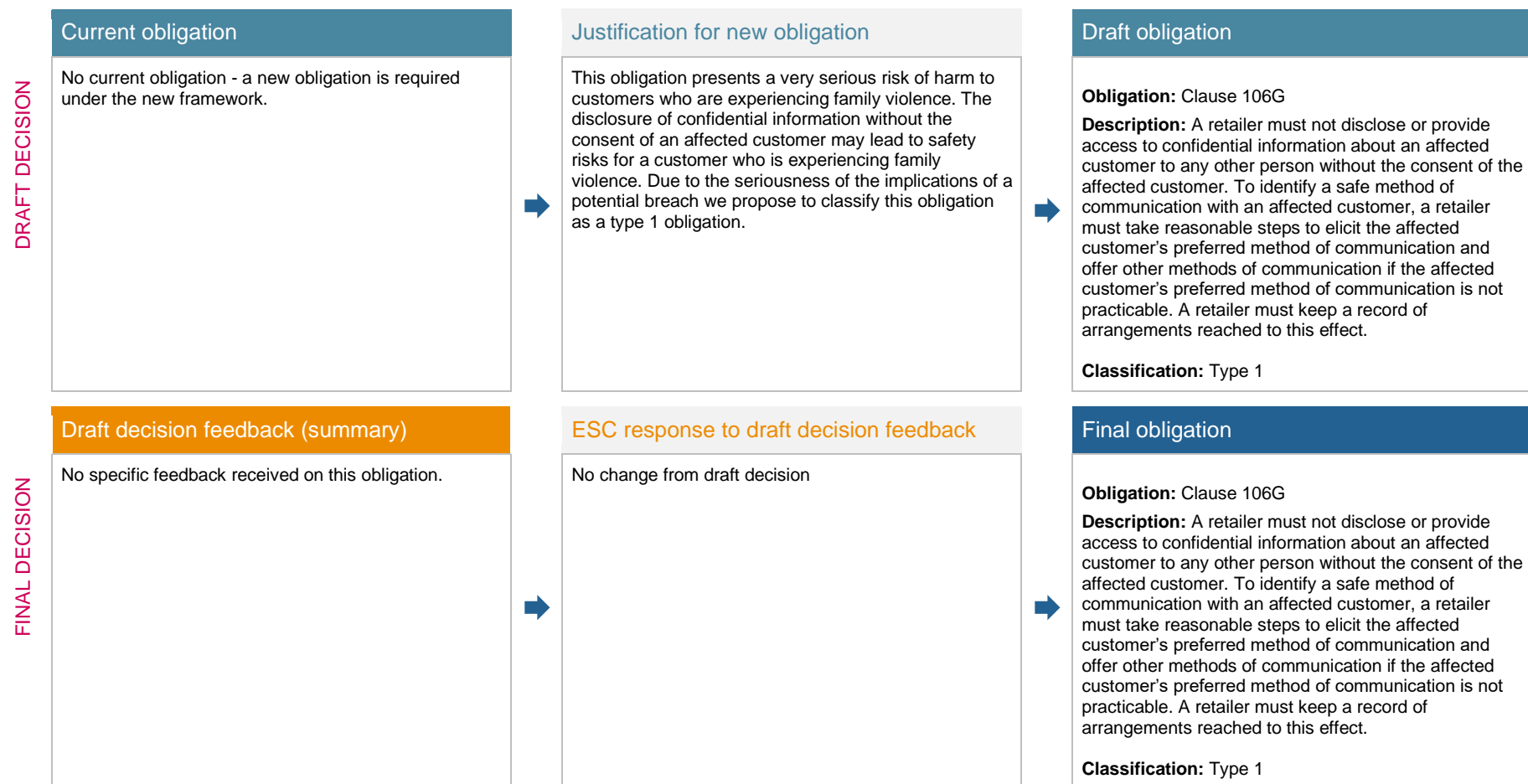


## RB0063– Clause 15 Order in Council under section 13 EIA [Electricity only] – disclosure of discount calculation against VDO





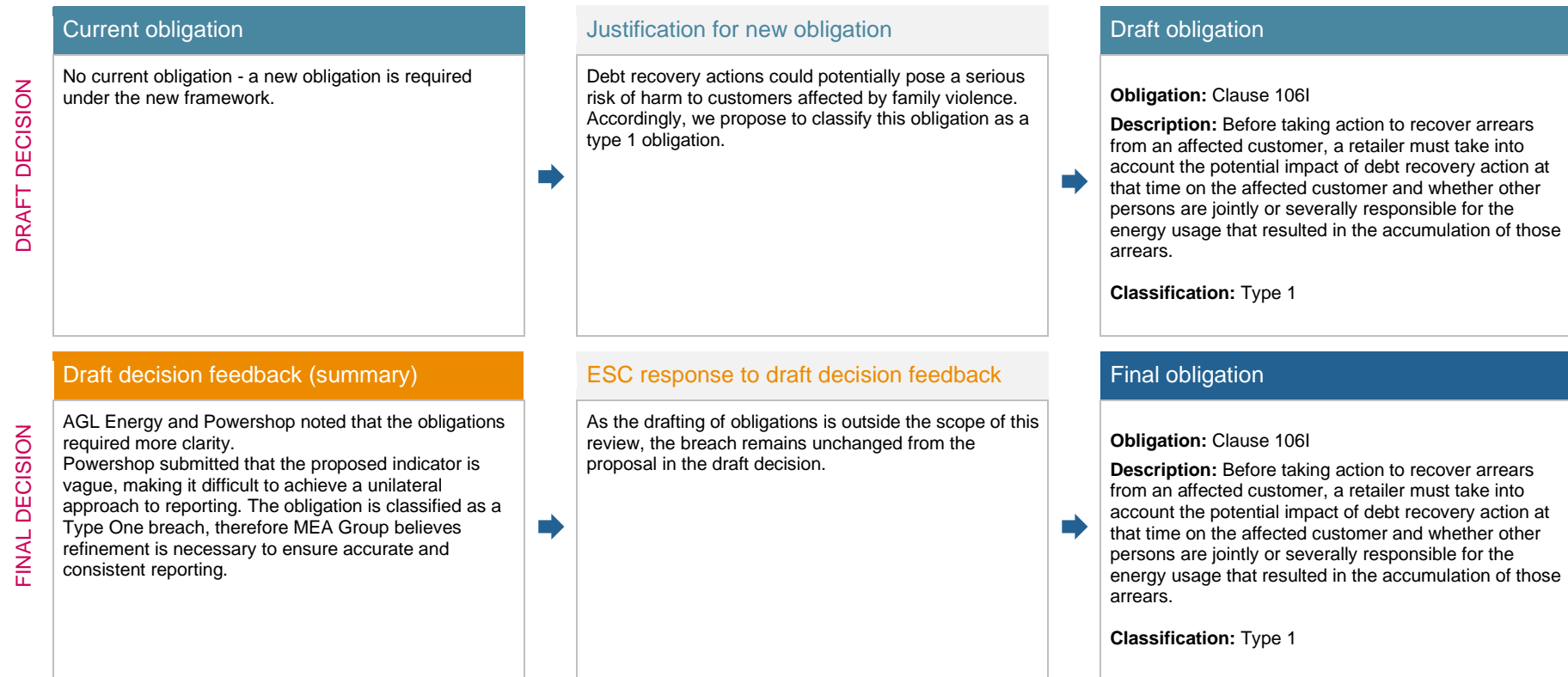
## RB1421– Clause 106G – retailer not to disclose confidential information



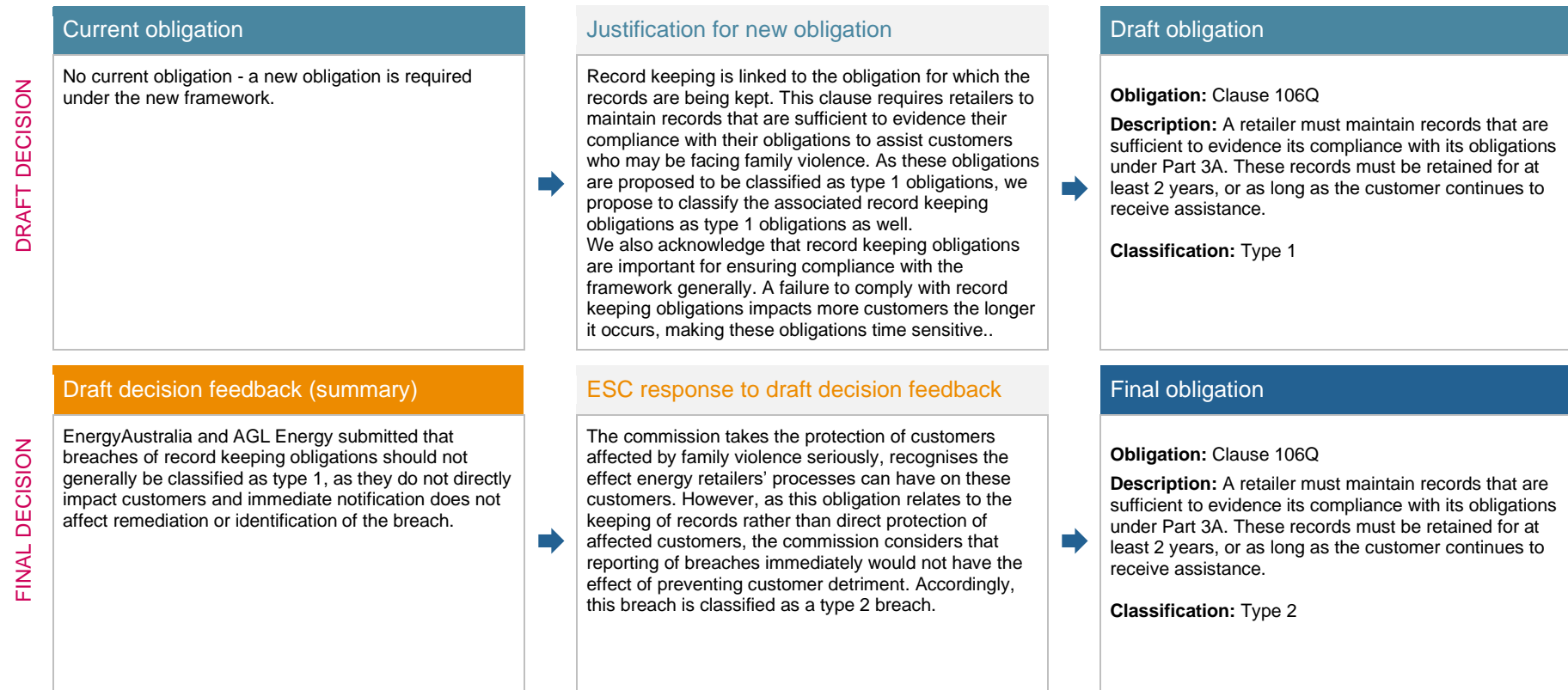
## RB1422 – Clause 106H – secure process designed to avoid repeated disclosure of family violence experience



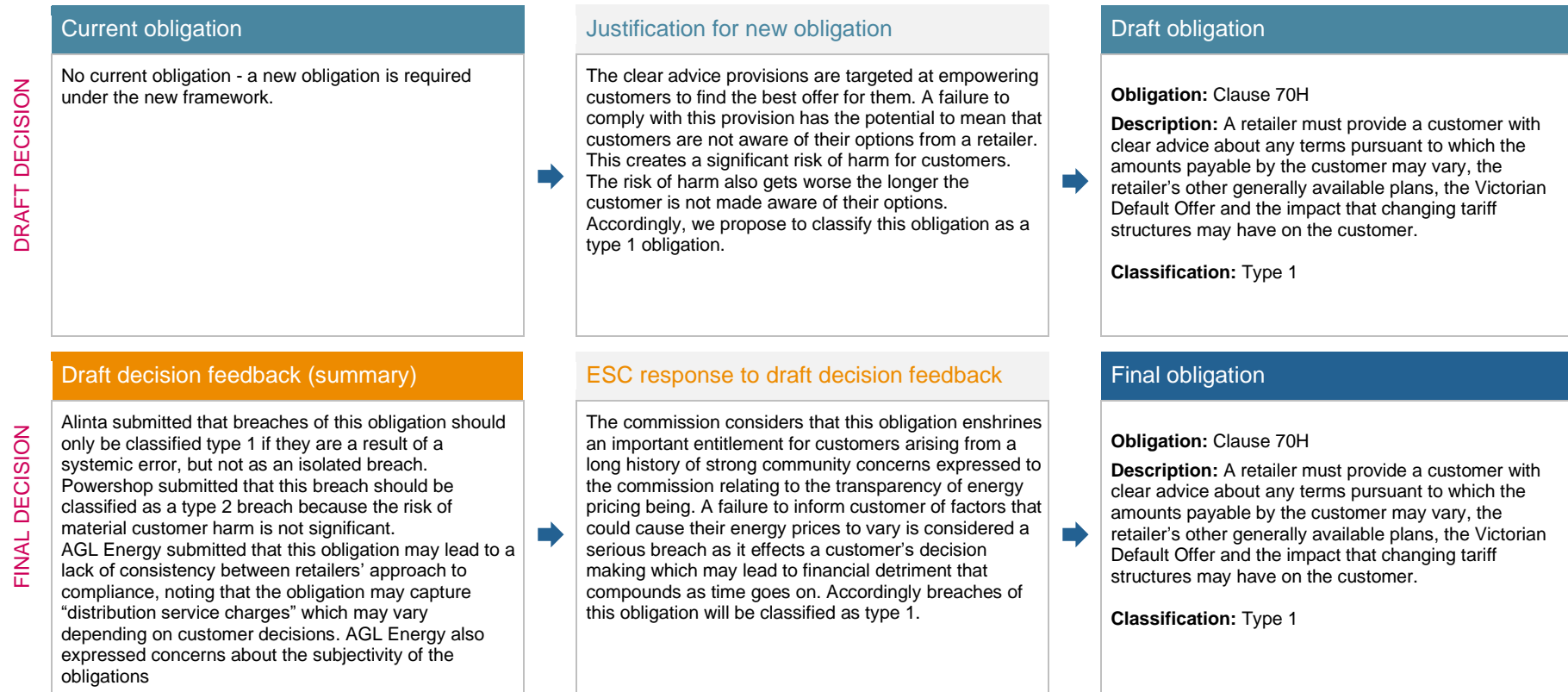
## RB1423 – Clause 106I – retailers to take account of potential impact of debt recovery action



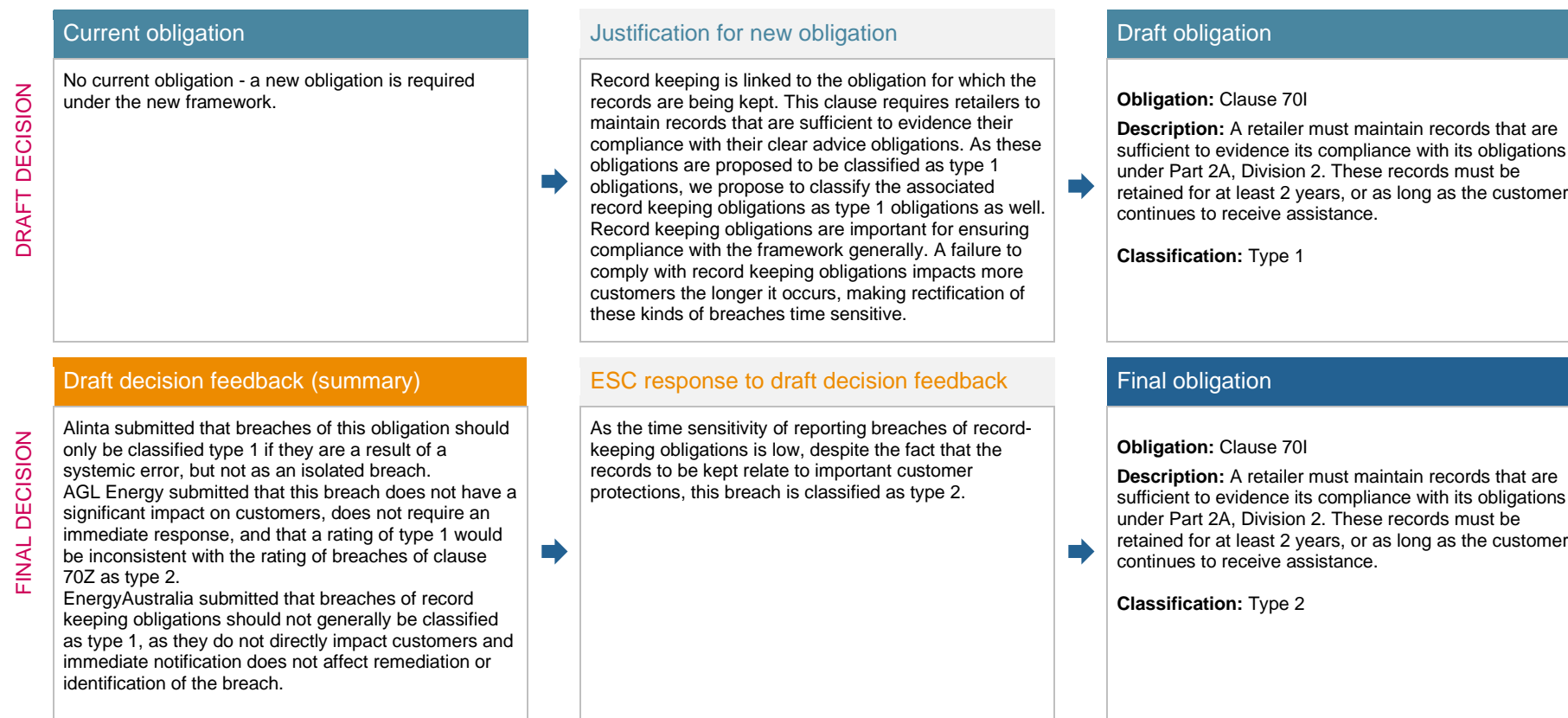
## RB1424 – Clause 106Q – family violence record keeping



## RB1425 – Clause 70H



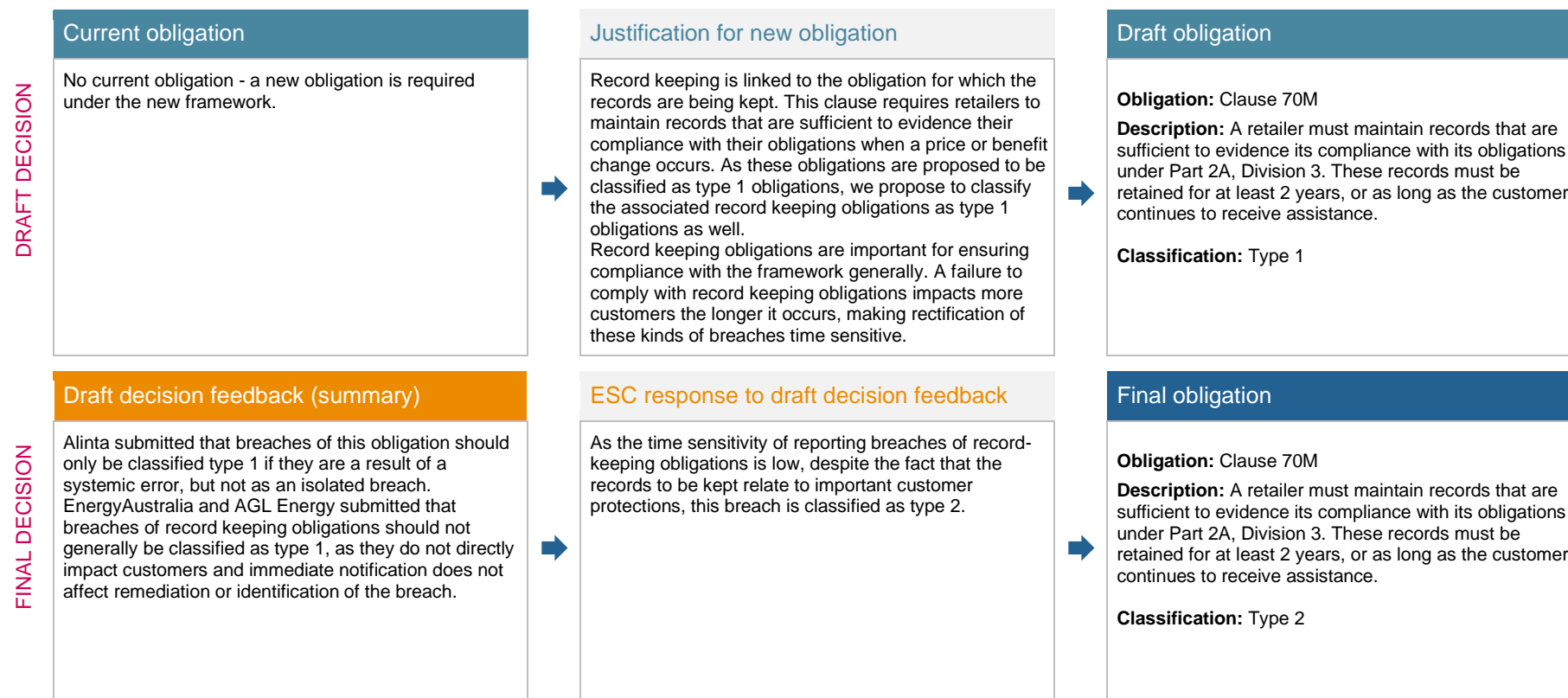
## RB1426 – Clause 70I – record of compliance with Part 2A, Division 2



## RB1427 – Clause 70L – notice of benefit change



## RB1428 – Clause 70M – records of compliance with Part 2A, Division 3

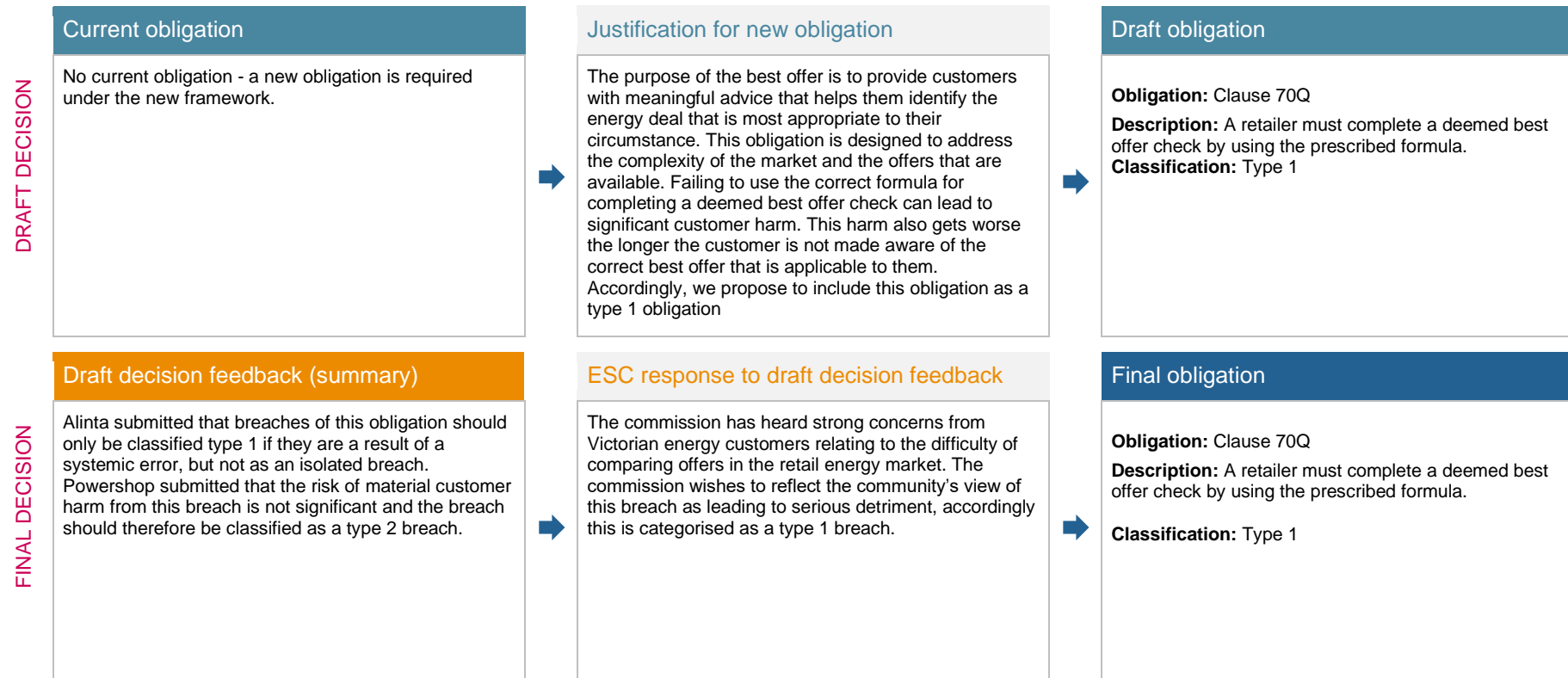




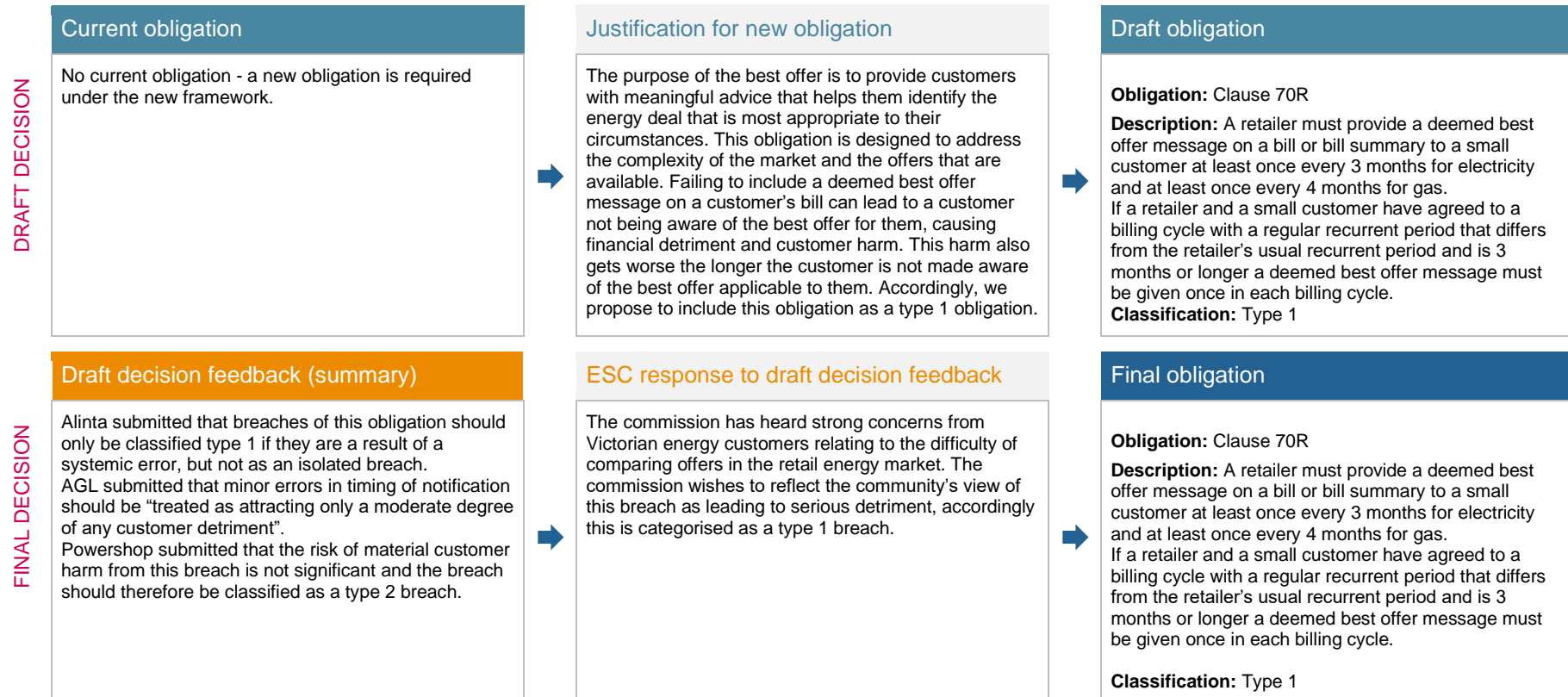
## RB1429 – Clause 70P – deemed best offer identification

DRAFT DECISION	<b>Current obligation</b>  No current obligation - a new obligation is required under the new framework.	<b>Justification for new obligation</b>  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.	<b>Draft obligation</b>  <b>Obligation:</b> Clause 70P <b>Description:</b> 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.  <b>Classification:</b> Type 1
	<b>Draft decision feedback (summary)</b>  Alinta submitted that breaches of this obligation should only be classified type 1 if they are a result of a systemic error, but not as an isolated breach. Powershop submitted that the risk of material customer harm from this breach is not significant and the breach should therefore be classified as a type 2 breach.	<b>ESC response to draft decision feedback</b>  The commission has heard strong concerns from Victorian energy customers relating to the difficulty of comparing offers in the retail energy market. The commission wishes to reflect the community's view of this breach as leading to serious detriment, accordingly this is categorised as a type 1 breach.	<b>Final obligation</b>  <b>Obligation:</b> Clause 70P <b>Description:</b> 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.  <b>Classification:</b> Type 1

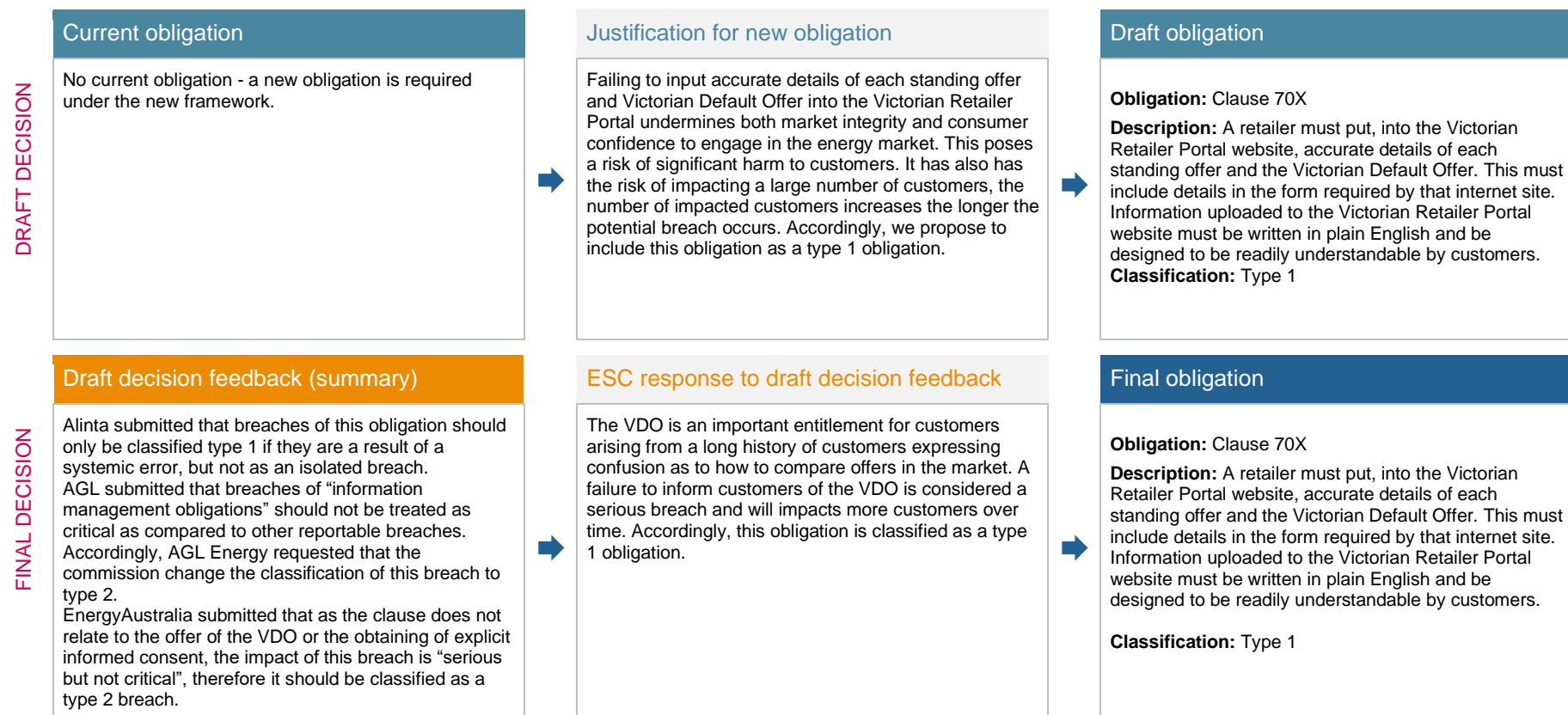
## RB1430 – Clause 70Q – deemed best offer check using prescribed formula



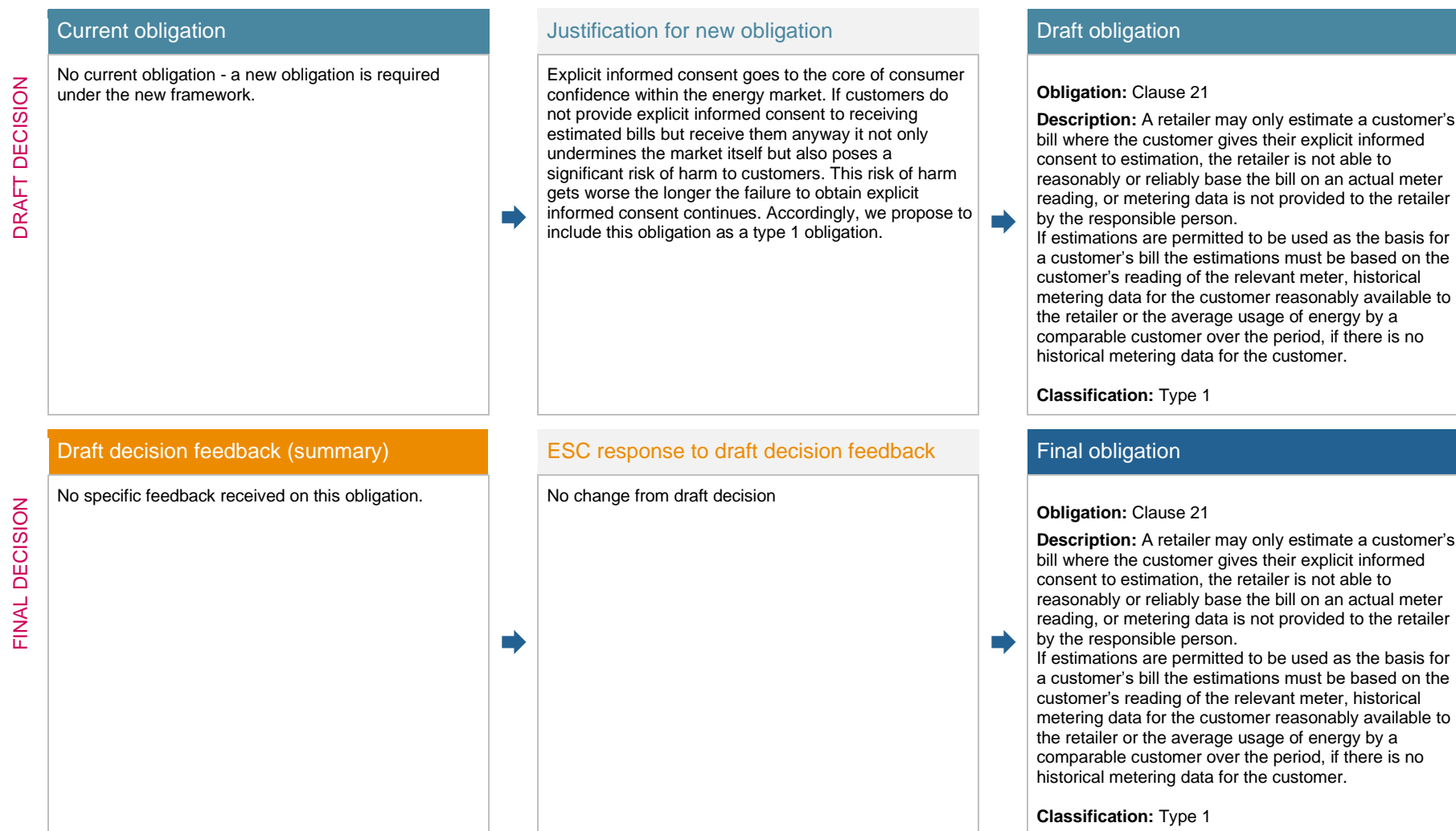
## RB1431 – Clause 70R – deemed best offer on bills



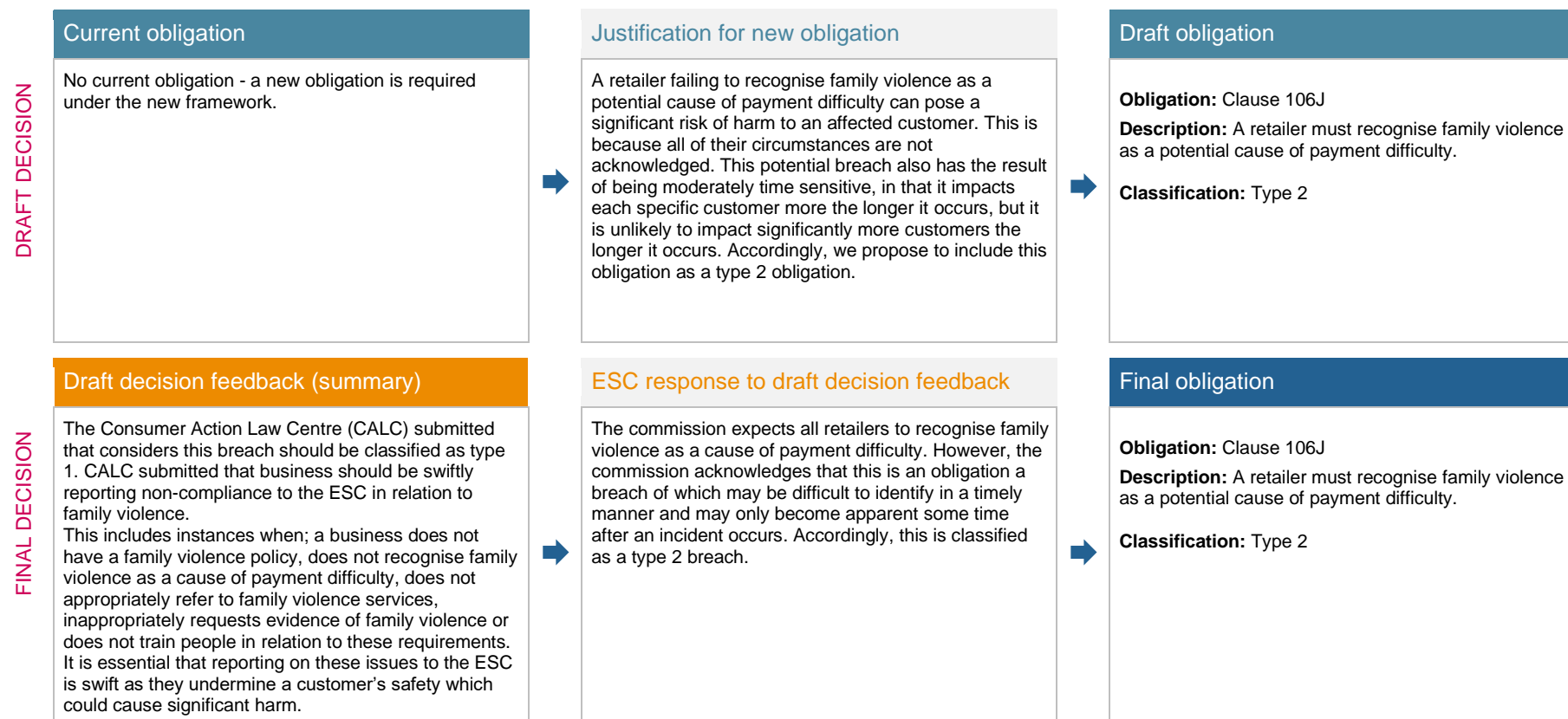
## RB1432 – Clause 70X – VDO details to be entered into VEC



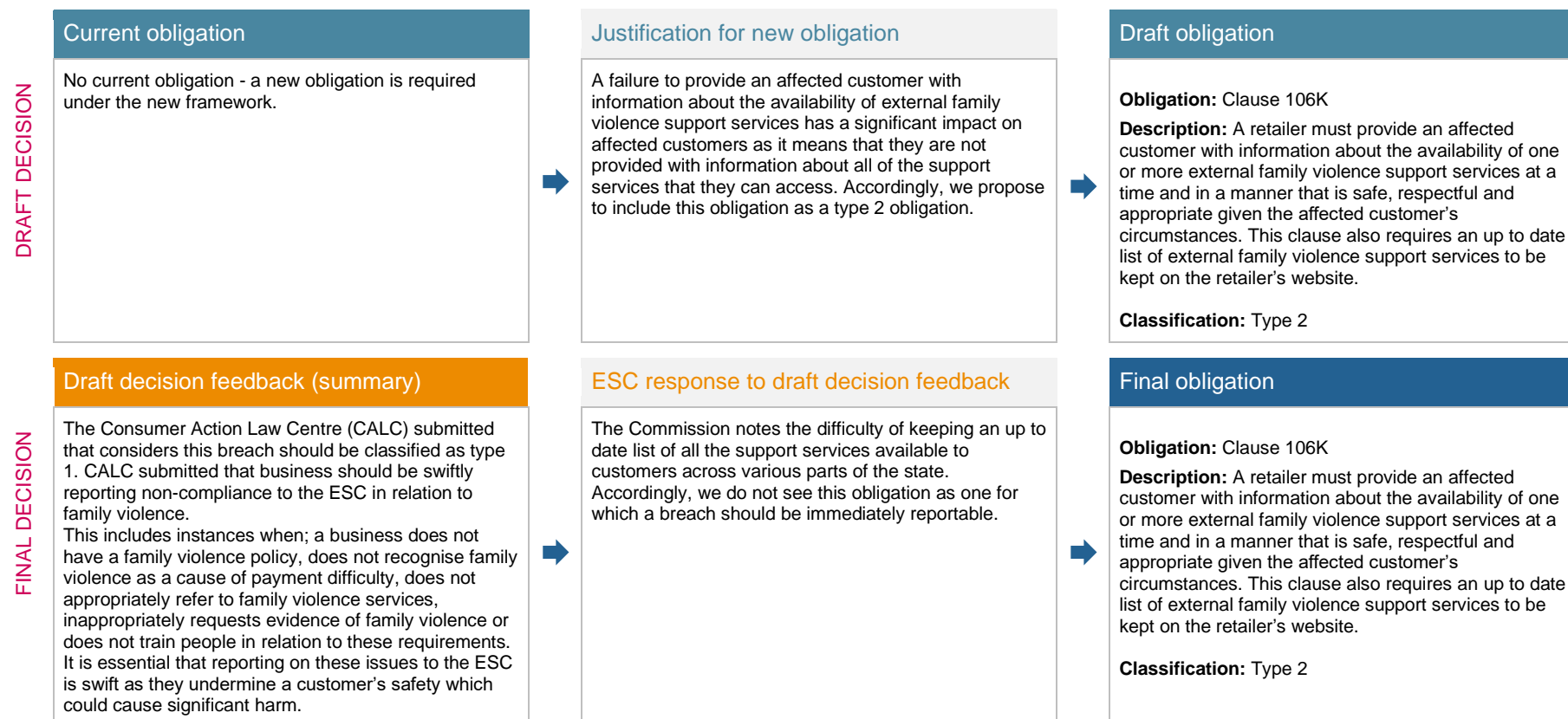
## RB1433 – Clause 21 – explicit informed consent for estimated bills



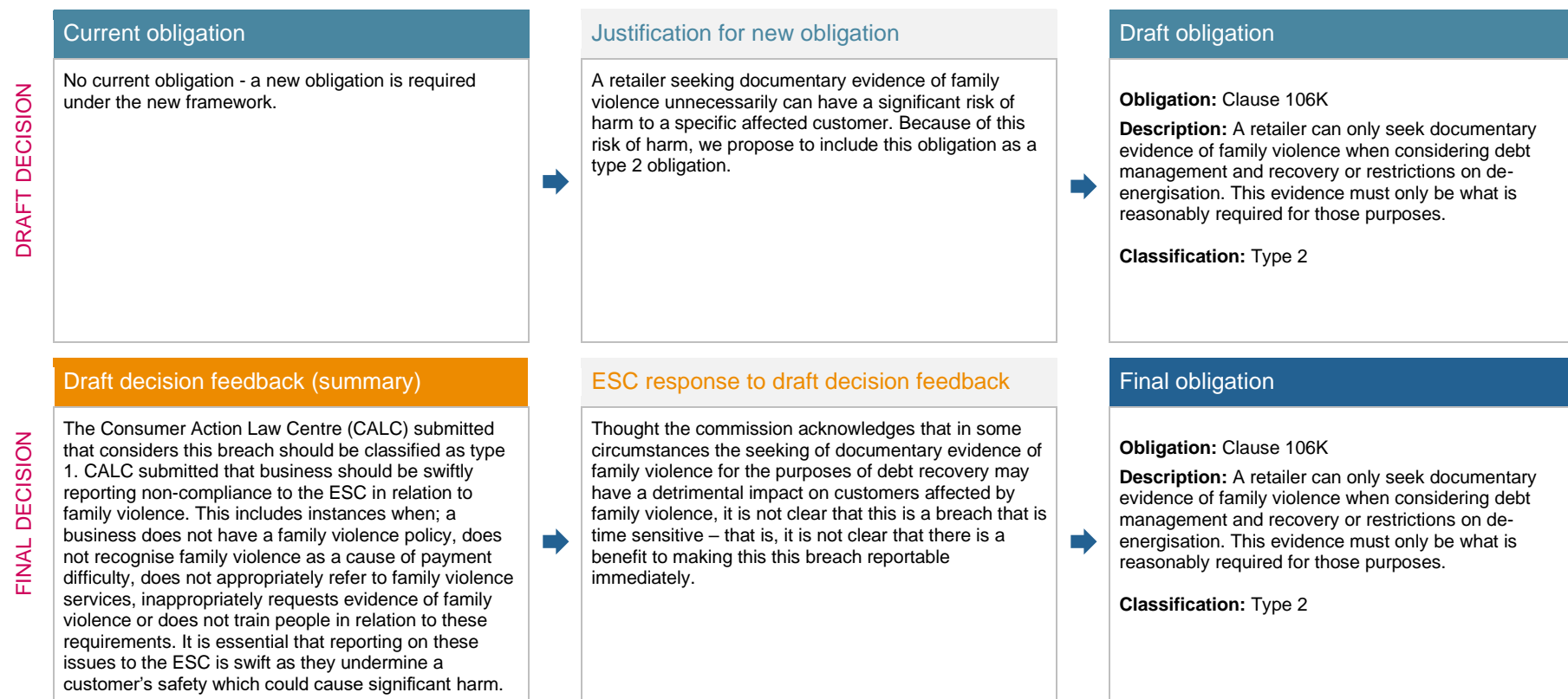
## RB1413 – Clause 106J – recognition of family violence as a cause of payment difficulty



## RB1414 – Clause 106K – information about availability of family violence support services

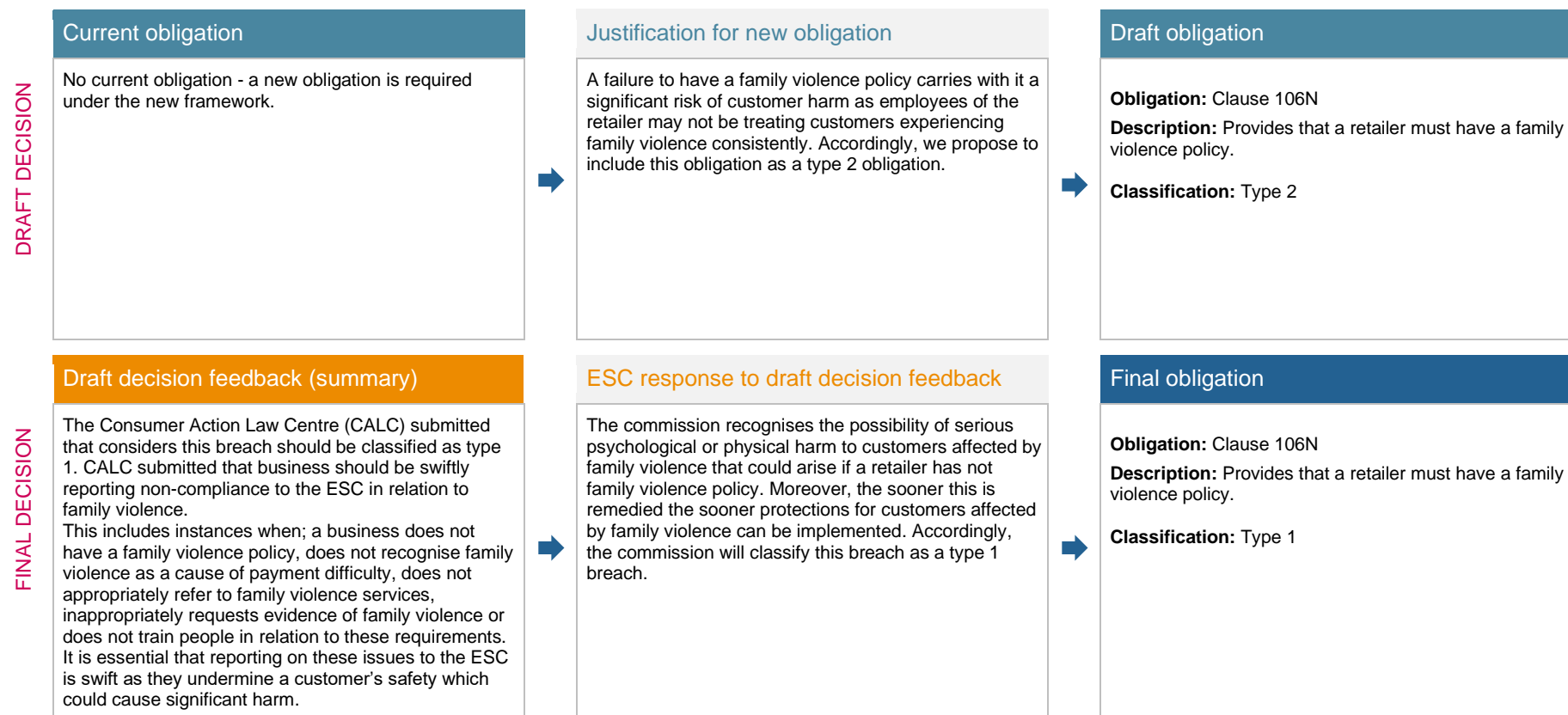


## RB1415 – Clause 106L – documentary evidence of family violence for debt management





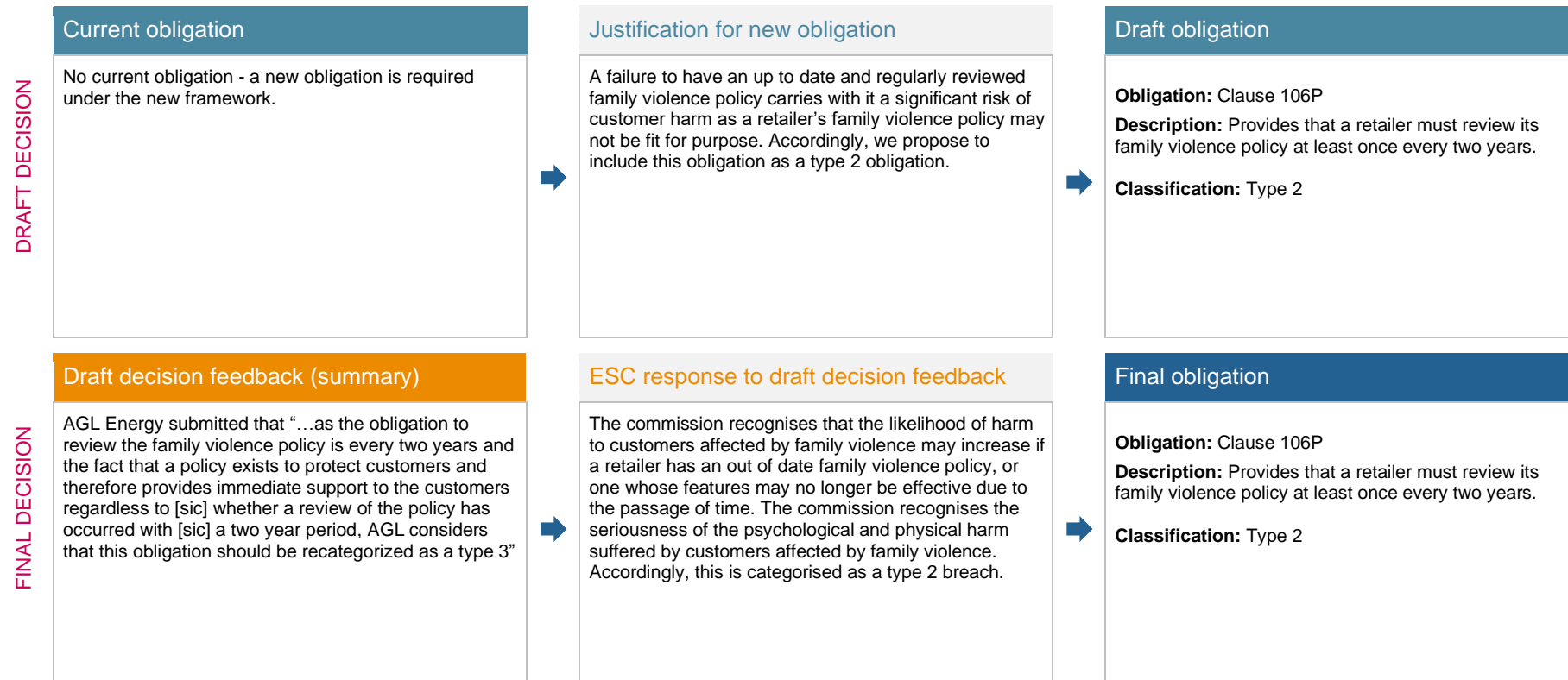
## RB1416 – Clause 106N – retailers must have a family violence policy



## RB1417 – Clause 1060 – family violence policy to be accessible on retailer’s website



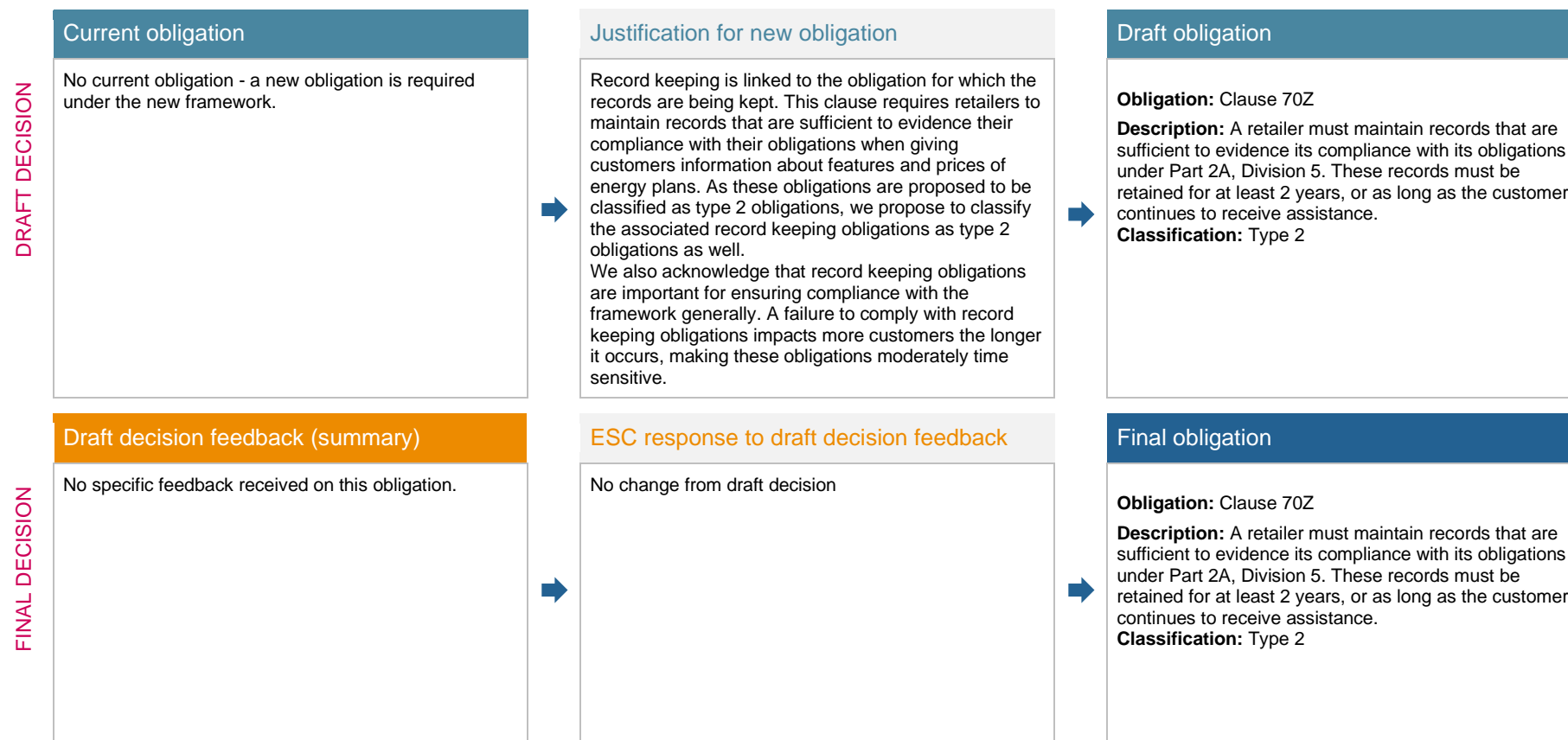
## RB1418 – Clause 106P – family violence policy to be updated every 2 years



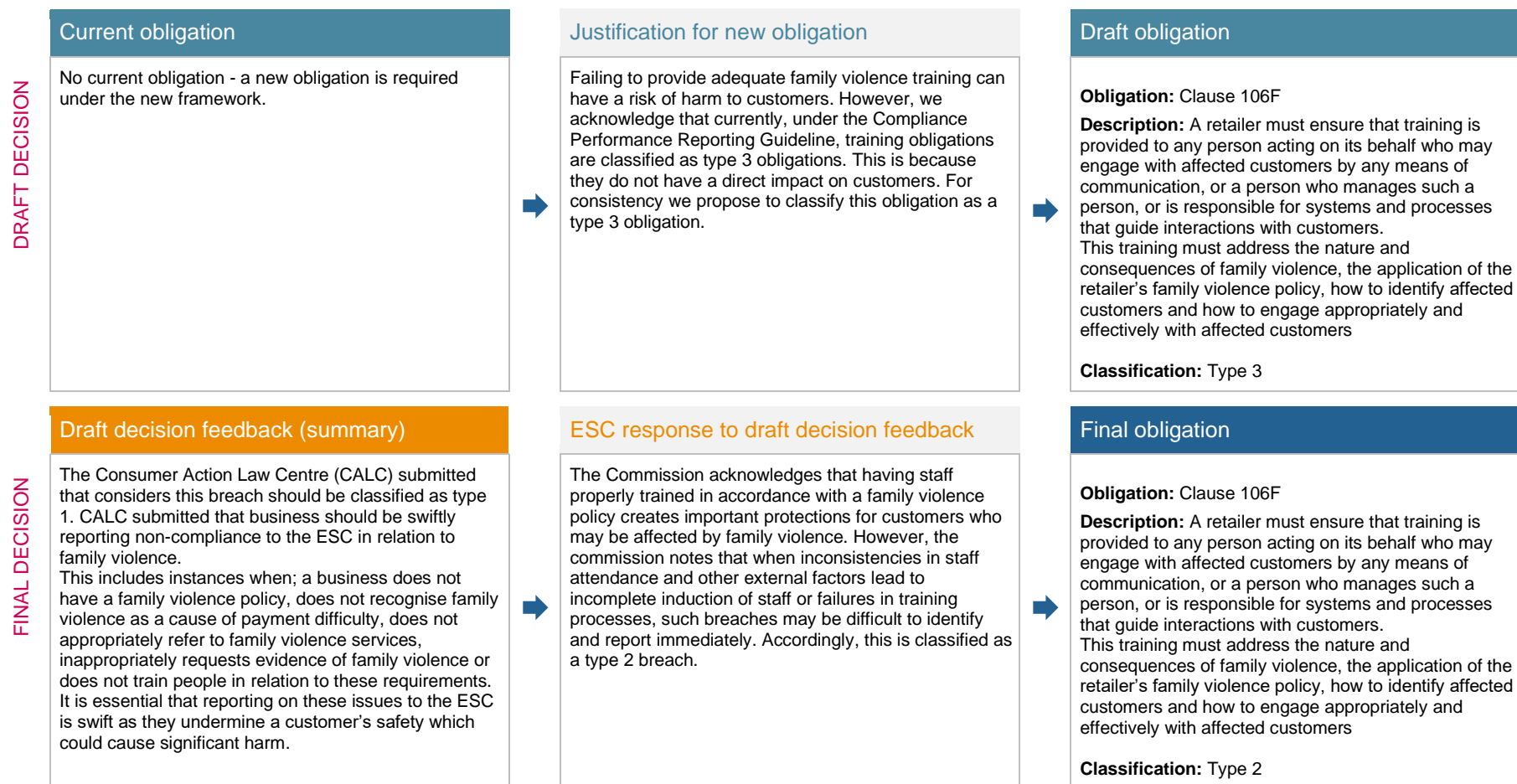
## RB1419 – Clause 70Y – energy fact sheets for Victorian default offer

DRAFT DECISION	<b>Current obligation</b>  No current obligation - a new obligation is required under the new framework.	<b>Justification for new obligation</b>  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.	<b>Draft obligation</b>  <b>Obligation:</b> Clause 70Y <b>Description:</b> 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. <b>Classification:</b> Type 2
	<b>Draft decision feedback (summary)</b>  AGL Energy notes that the categorisation of this breach is not consistent with the categorisation of the type 1 breach RB0053 (deemed licence condition – section 64C EIA – Obligation to comply with orders in council under Section 46D – AMI Tariffs Order”. Accordingly, AGL Energy suggests the commission remove the duplicate reporting obligation under RB0053.	<b>ESC response to draft decision feedback</b>  The Commission notes the potential inconsistency in classification between two intersecting reporting obligation and therefore classifies this as a type 1 breach. This is consistent with the commission’s approach to obligations relating to the provision of information on the Victorian default offer to customers above.	<b>Final obligation</b>  <b>Obligation:</b> Clause 70Y <b>Description:</b> 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. <b>Classification:</b> Type 1

## RB1420 – Clause 70Z – records of compliance with Part 2A, Division 5



## RB1230 – Clause 106F – family violence training for relevant staff

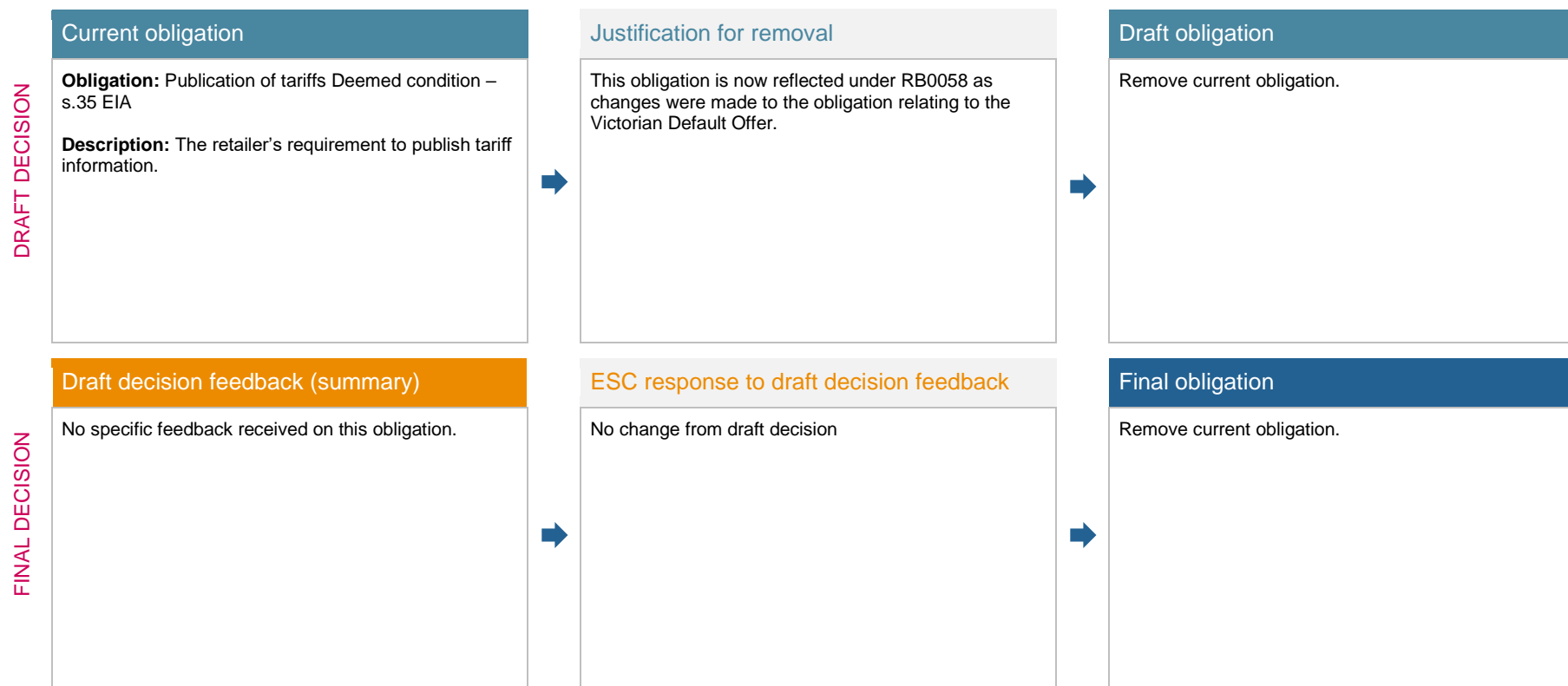


## Compliance reporting obligations to be removed

### RB1320 – Clauses 15B(1) to 15B(4) and 15B(8) – Relevant published offers (Price and Product Information Statements)

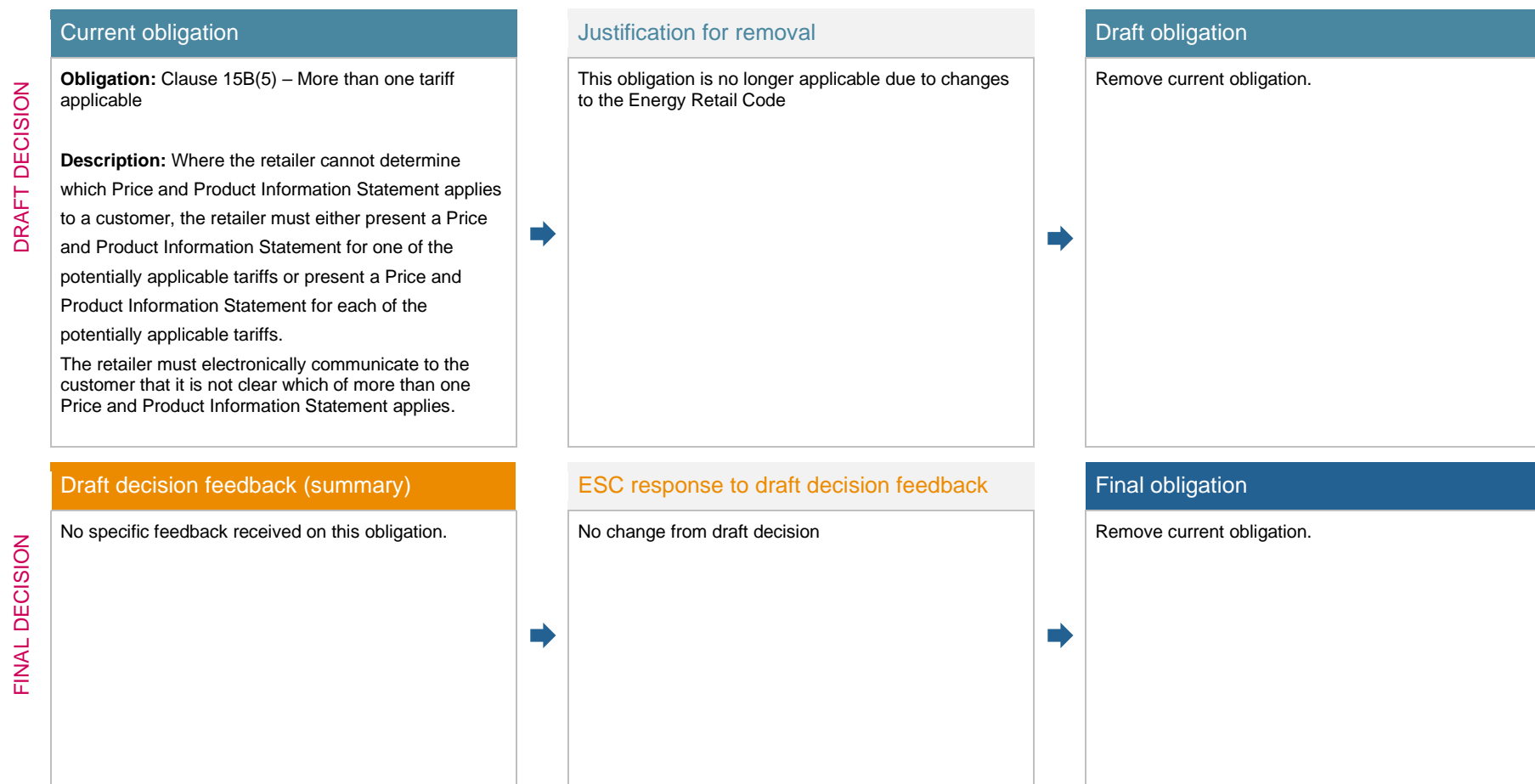
DRAFT DECISION	<b>Current obligation</b>  <b>Obligation:</b> Clauses 15B(1) to 15B(4) and 15B(8) – Relevant published offers (Price and Product Information Statements)  <b>Description:</b> Retailers must provide a link on the home page of their internet site so that a customer can easily and logically access the retailer's Price and Product Information Statements.  A retailer must update a price and product information statement within 5 business days of changing any information in it.	<b>Justification for removal</b>  This obligation is no longer applicable due to changes to the Energy Retail Code.	<b>Draft obligation</b>  Remove current obligation.
	➡	➡	
FINAL DECISION	<b>Draft decision feedback (summary)</b>  No specific feedback received on this obligation.	<b>ESC response to draft decision feedback</b>  No change from draft decision	<b>Final obligation</b>  Remove current obligation.
	➡	➡	

## RB0530 – Publication of tariffs Deemed condition – s.35 EIA

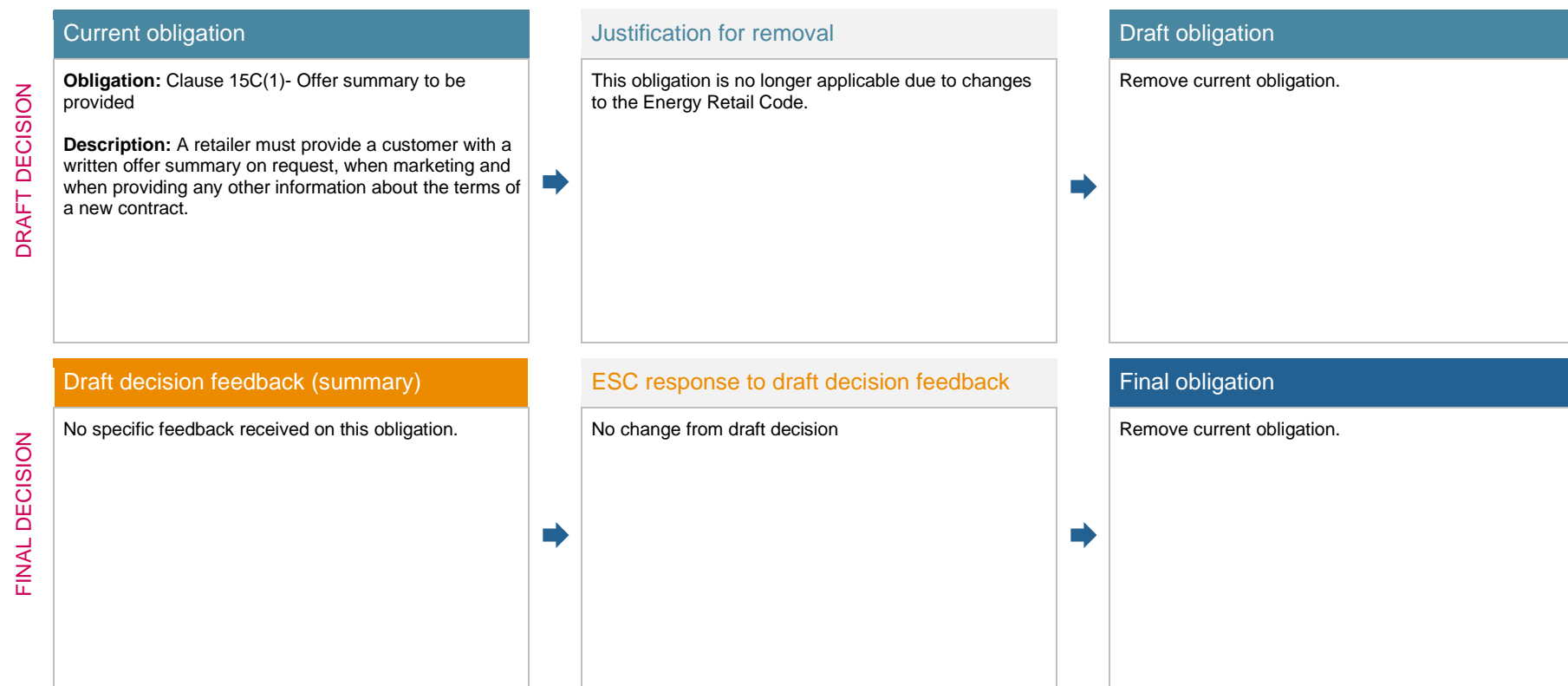




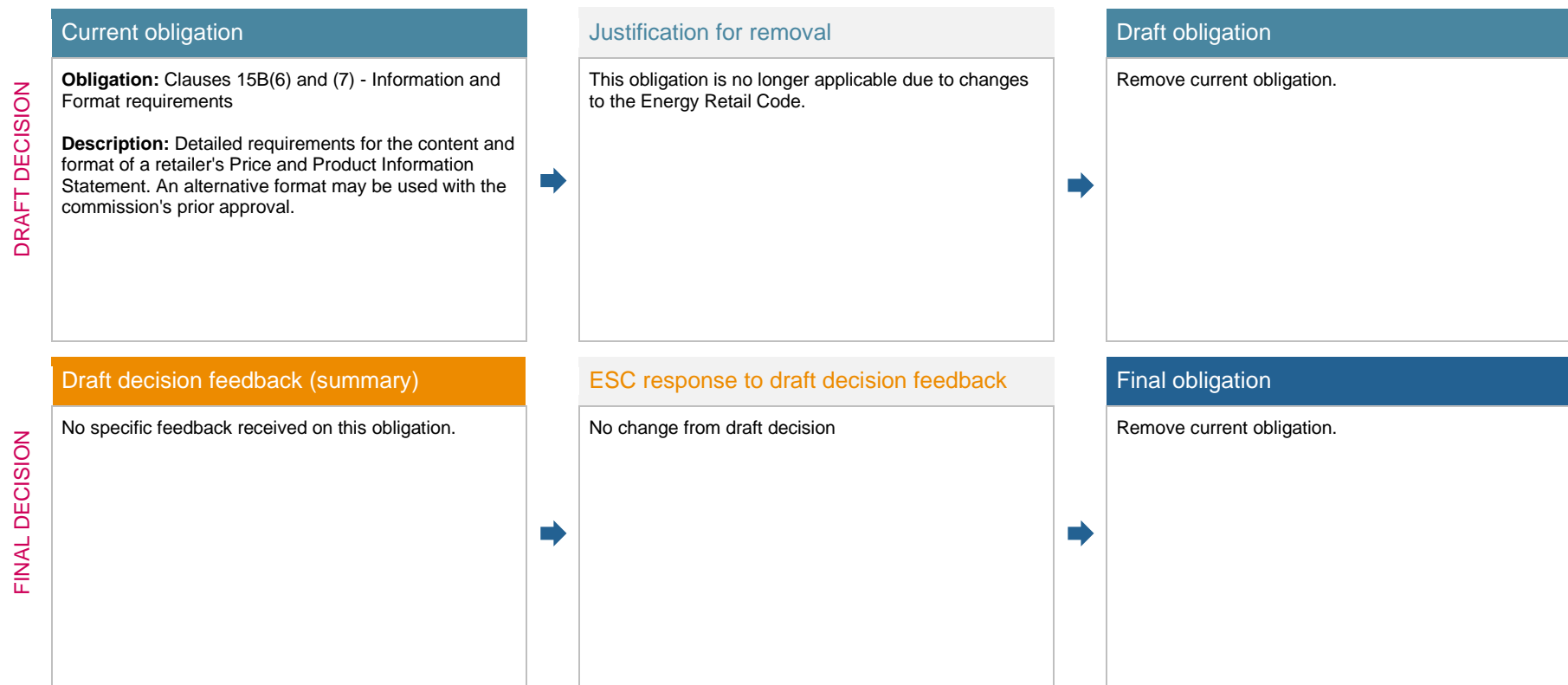
## RB1330– Clause 15B(5) – More than one tariff applicable



## RB1350– Clause 15C(1)- Offer summary to be provided



## RB1360– Clauses 15B(6) and (7) - Information and Format requirements



## RB1370– Clauses 15D to 15F – Relevant Published Offers (Energy Price Fact Sheets), Relevant Offer Summaries (Disclosure Statements), and Other requirements

DRAFT DECISION	<b>Current obligation</b>  <b>Obligation:</b> Clauses 15D to F - Relevant Published Offers (Energy Price Fact Sheets), Relevant Offer Summaries (Disclosure Statements), and Other requirements  <b>Description:</b> An Energy Price Fact Sheet, Price and Product Information Statement, or an Offer Summary must be in plain understandable English and comply with applicable legislation and regulation..	<b>Justification for removal</b>  This obligation is no longer applicable due to changes to the Energy Retail Code.	<b>Draft obligation</b>  NA
	→	→	
FINAL DECISION	<b>Draft decision feedback (summary)</b>  AGL Energy submitted that the reporting obligation should be removed given the relevant clauses of the Code have been repealed and replaced with other obligations.	<b>ESC response to draft decision feedback</b>  The commission will remove the reporting obligation.	<b>Final obligation</b>  Remove current obligation.
	→	→	

## Appendix D – Submissions to the draft decision

### Consumer groups

- Consumer Action Law Centre

### Energy retailers

- Alinta Energy
- AGL
- EnergyAustralia
- ERM Power
- MEA Group and Powershop