

INTERIM COMPLIANCE AND PERFORMANCE REPORTING GUIDELINE FOR ENERGY RETAIL LICENCE HOLDERS

Draft for consultation

May 2016

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1 REPORTING REQUIREMENTS

1.1 PURPOSE

This guideline, made under Section 23A of the *Electricity Industry Act (2000)* and Section 33 of the *Gas Industry Act (2001)*, is for the purpose of setting out reporting obligations for energy retail businesses to enable the Commission to perform its functions under Subdivision 3 of Division 2 of Part 7 of the *Essential Services Commission Act (2001)*.

1.2 APPLICATION OF THIS GUIDELINE

This Guideline applies to all Victorian electricity and gas retailer businesses licensed by the Commission.

1.3 ANTECEDENTS

This Guideline replaces the *Compliance Reporting Manual (Energy Retail Businesses)* and the *Energy Retail Performance Indicators* document.

1.4 COMMISSION'S REPORTING OBLIGATIONS

The Commission must publish a report “as soon as practicable after 30 June (but on or before 30 November) in each year”.¹ The report must cover the period of 12 months

¹ *Essential Services Commission Act (2001)* S54V

ending with 30 June. The Commission must update the report each quarter “before the end of the next quarter”.

The report must include the following:

- A report on all enforcement action taken by the Commission in respect of each energy retailer;
- A report on the extent to which each energy retailer has complied, or failed to comply, with its obligations under its energy licence conditions and the provisions of any Code of Practice;
- A report on the performance of each energy retailer measured against performance indicators.

The performance indicators must include:

- disconnections and reconnections of electricity and gas;
- the extent to which the retailer has complied with its licence condition to make wrongful disconnection payments;
- the number of wrongful disconnection penalty notices and related information; and
- any other indicators the Commission determines.²

As a deemed condition of their licence, retailers must give specified information to the Commission to prepare this report. The Commission must prepare and issue guidelines for this purpose.³

This guideline specifies the information the Commission needs to fulfil its reporting obligations.

² *Essential Services Commission Act (2001) S54W*

³ Section 23A of the *Electricity Industry Act 2000* and section 33 of the *Gas Industry Act 2001*.

1.5 TIMING FOR SUBMISSION OF DATA

In order to meet statutory timelines referred to in section 1.4, the Commission will require submissions of performance and compliance data at least quarterly. Reporting of Type 1 compliance breaches is required immediately, or in the case of Wrongful Disconnections, a monthly summary. Performance data will be submitted by retailers on a quarterly basis.

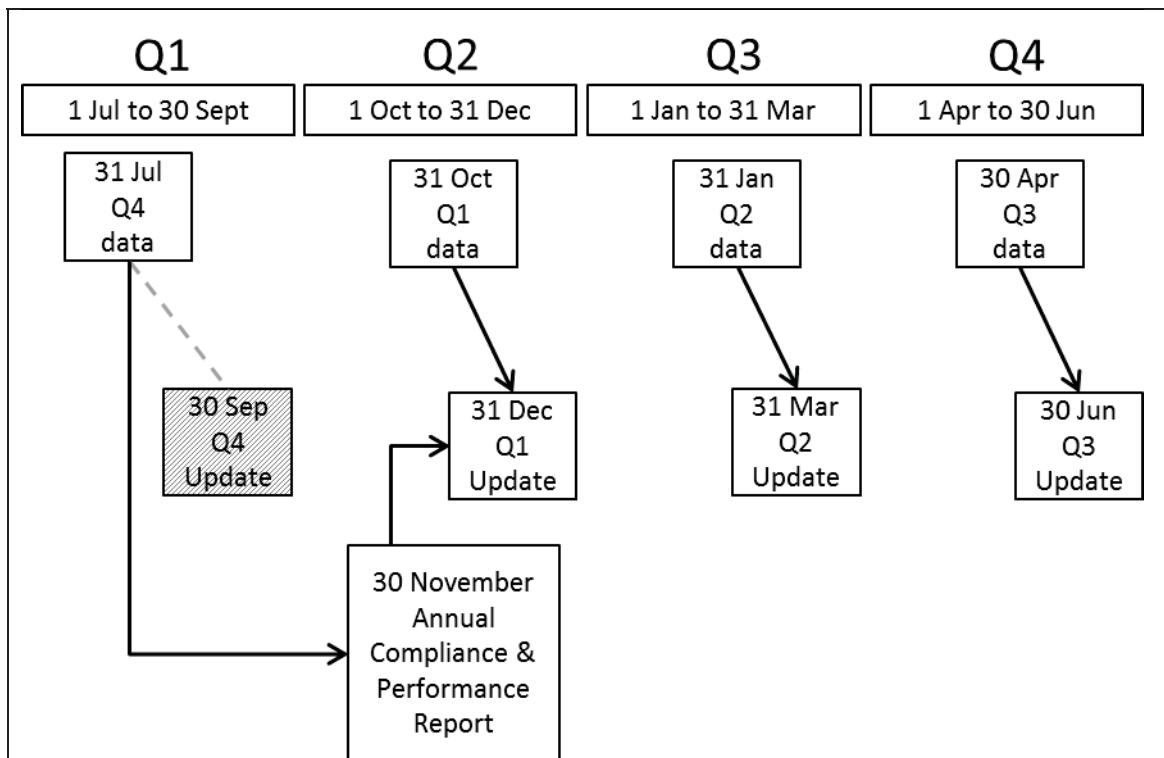
TABLE 1.1 REPORTING REQUIREMENTS
Dates for submissions

Reporting obligation	Frequency	Timing
Type 1 Compliance Breaches	Immediately	Immediately
Wrongful disconnections	Monthly	Last business day of the month following the reporting period.
Type 2 Compliance breaches	Quarterly	31 October, 31 January, 30 April, 31 July
Type 3 Compliance breaches	Quarterly	31 October, 31 January, 30 April, 31 July
Performance indicators	Quarterly	31 October, 31 January, 30 April, 31 July

The Commission will provide businesses with templates for reporting under this guideline when it is finalised.

Figure 1.1 illustrates how the quarterly data submissions will be timed in order to meet statutory reporting requirements. The guideline will be effective from 1 July 2016.

FIGURE 1.1 COMPLIANCE AND PERFORMANCE REPORTING FRAMEWORK
Commencing 1 July 2016



Note: The Commission does not intend to publish a fourth quarter update, as the results will be included in the annual report.

1.6 AUDITS

The information reported under this Guideline may be subject to independent audit in accordance with the Commission’s audit framework.

2 COMPLIANCE REPORTING SCHEDULE

This section sets out retailer compliance reporting obligations.

Under the Compliance Reporting Schedule outlined below, regulatory obligations are classified as Type 1, Type 2 or Type 3 obligations.

Type 1 regulatory obligations are considered to be those regulatory obligations where non-compliance would have a critical impact on customers and where the impact of that non-compliance increases over time if it is not rectified quickly. All actual or potential breaches of Type 1 obligations must be reported to the Commission immediately.

Type 2 regulatory obligations are those where:

- non-compliance would seriously impact on customers; and/or
- the obligation is 'new' or has not been complied with in previous years; and/or
- the impact of that non-compliance increases over time.

Type 3 regulatory obligations are all other obligations.

2.1 TYPE 1 BREACHES

ESC ref	Source of obligation	Description
<i>Electricity Retail Licence</i>		
RB0020	Clause 6.1 & 6.2 - Use of system agreements (Alinta – Cl. 9) [Electricity only]	A Licensee must have a written Use of System Agreements with each distributor in whose distribution area that customers are located. The UseSA must be in writing.
RB0060	Clause 5.1 & 5.3 - Reliability of supply Momentum, Dodo, Red, APG, Alinta – Cl. 7 [Gas only]	The Licensee must not unreasonably refuse a new form of DUoS from a distributor under clause 4.8 of its distribution licence. 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.
RB0030	Obligation to offer to sell Clause 8.1 [electricity] Clause 7.1 [gas]: Momentum, Dodo, Red, APG – Cl. 9	A Licensee must offer to supply electricity to any domestic or small business customer at tariffs published by the Licensee and on terms and conditions approved by the Commission and published by the Licensee in the Government Gazette and a newspaper.
RB0040	Retailer of last resort (ROLR) Clause 12.2 & 12.5; Alinta – Cl. 16 [electricity] Clause 13.2 & 13.5; Momentum, Dodo, Red, APG, Lumo – Cl. 14; Alinta – Cl. 16 [gas]	The sale of energy can only be on ESC approved tariffs and terms. Outlines the information requirements for customers in the event of a ROLR. The Licensee must sell electricity/gas at tariffs & terms and conditions approved by the Commission. The Licensee must notify customers a last resort event has occurred.
RB0050	Compliance with laws Clause 21; Alinta, Dodo, Click, Neighbourhood, APG - Cl. 22 [electricity] Clause 23; Momentum, Dodo, Red, APG – Cl. 25; Alinta – Cl. 20 [gas] Deemed condition – section 40D EIA and section 48C GIA	The retailer must comply with all applicable laws
RB0051		A Licensee is prohibited from entering into a contract with a small customer for the sale and supply of energy that imposes an exit fee unless certain conditions are met.
ESSENTIAL SERVICES COMMISSION VICTORIA		COMPLIANCE AND PERFORMANCE REPORTING GUIDELINE 2 PERFORMANCE INDICATOR SCHEDULE
		6

ESC ref	Source of obligation	Description
RB0052	Deemed licence condition – section 23C EIA [Electricity only]	A licensee must offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if he or she was not a renewable energy customer.
Gas-Retail Licence		
RB0060	Clause 5.1 & 5.3 – Reliability of supply Momentum, Dodo, Red, APG, Alinta – Cl. 7	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;
RB0070	Clause 7.1 – Obligation to offer to sell Momentum, Dodo, Red, APG – Cl. 9	A Licensee must offer to supply and sell gas at tariffs and on terms & conditions approved by the Commission and published in the Government Gazette.
RB0080	Clause 13.2 & 13.5 – Retailer of last resort (ROLR) Momentum, Dodo, Red, APG – Cl. 14 Alinta – Cl. 16	The Licensee must sell gas at tariffs & terms and conditions approved by the Commission under s.24 of the Gas Industry Act 2001. The Licensee must notify customers a last resort event has occurred.
RB0090	Clause 23 – Compliance with laws Momentum, Dodo, Red, APG – Cl. 25 Alinta – Cl. 20	The retailer must comply with all applicable laws.
Energy Retail Code (Version 11)		
RB0100	Clause 19(1) – Responsibilities of designated retailers in response to request for sale of energy	Designated retailers must provide certain information to consumers in connection with standard retail contracts.
NEW ?	Clause 61 to 64 – Providing information to small customers	Retailers must provide the required information to consumers in connection with market retail contracts in the prescribed form.
NEW ?	Clause 47 – Cooling off period and right of withdrawal – market retail contracts	Retailers must include, in each market retail contract it enters into with a small customer, express provisions setting out the rights and obligations in relation to the cooling off period and right of withdrawal.
RB0130	Clause 33 & 72A - Payment difficulties and debt recovery	Outlines the process of assessment and assistance to domestic customers experiencing financial difficulties and recovery of debts from these customers.
RB0140	Clause 72 - Payment plans	Invoking legal proceedings in relation to debt collection. The retailer's options and requirements when offering a payment plan.

ESC ref	Source of obligation	Description
RB0141	Clause 76A - Supply capacity control product	Not to offer a supply capacity control product for any credit management purpose before 1 January 2014.
RB0150	Clauses 111 to 115 - Retailer initiated de-energisation of premises	The process which must be followed prior to de-energising of a customer's premises <u>other than by customer request</u> under certain circumstances.
RB0160	Clauses 116 and 117 - When retailer must not arrange de-energisation	When a retailer may not de-energise a customer's premises.
RB0170	Clauses 121 and 122A - Re-energisation of premises	Retailer's obligation to arrange re-energisation of a customer's premises and timing of re-energisation.
RB0180	Clauses 46(3) and 46(4) - Notice of any variation to tariffs and charges	Notice must be given of any variation to tariffs and charges that affects the customer A retailer must give notice to a customer as soon as practicable, and in any event, in the case of customers with smart meters 20 business days prior to the variation, and otherwise no later than the customer's next bill, of any variation to the tariff that affects the customer.
RB0210	Clauses 49 and 49A - Termination of market retail contracts and agreed damages	When a retailer may terminate a market retail contract. When a retailer may impose an early termination fee. Terms, conditions and amount of agreed damages payable to the retailer by a customer breaching their contract.
RB0215	Clause 70 - Termination of standard retail contracts Clause 124 - life support equipment.	When a retailer may terminate a standard retail contract. No termination charge can be imposed. Outlines the obligations on a retailer when a customer provides a retailer with confirmation from a registered medical practitioner that a person residing at the customer's premises requires life support equipment.
RB0220	Clause 110(2)(f) - Energy Ombudsman Victoria	The existence, operation and contact details of the energy ombudsman must be shown on any disconnection warning notices.
RB0230	Clause 35A - Additional retail charges	Outlines the circumstances where a retailer may impose additional retail charges.
RB0250	Clause 57(1) - Customer Transfers	A retailer must not submit a request for the transfer of a small customer under the relevant Retail Market Procedures unless the retailer has obtained explicit informed consent from the customer to enter into the relevant customer retail contract and the retailer has a customer retail contract in place to enable the sale of energy to the customer at their premises.
RB1310	Clause 15A(1)(b) - Internet publication of standing tariffs	A retailer must provide details of its standing offer tariffs to the Commission in a prescribed form.
RB1200	Clause 71B(1) - Equitable access	The retailer must provide domestic customers in hardship with equitable access to appropriate options in the policy.

Code of Conduct for Marketing Retail Energy In Victoria

ESC ref	Source of obligation	Description
<u>RB0100</u>	<u>Clause 3.2-3.3, 3.5-3.6 Information & Conduct</u>	<u>Retailers must not mislead consumers, provide certain information to consumers. The retailer's obligations in relation to the conduct of marketing representatives and the provision of offer information to consumers.</u>
<u>RB0110</u>	<u>Clause 4.1 & 4.3</u>	<u>Retailer must obtain explicit informed consent (EIC) of consumer and the rules regarding sales to minors and authorised consumers.</u>
<u>RB0120</u>	<u>Clause 6- Marketing and consumer information</u>	<u>Retailers must abide by the Privacy Act and not misrepresent their intentions as market research and not selling. Retailers must comply with the National Privacy Principles and any relevant guidelines issued by the Commission.</u>

2.2 TYPE 2 BREACHES

ESC ref	Source of obligation	Description
<u>RB0270</u>	<u>Clauses 9.1 to 9.3 & 9.5 - Information to customers</u> <u>Alinta – Cl. 12</u>	A Licensee is obliged to provide information to customers: <ul style="list-style-type: none"> - include certain information on bills issued to customers - notify customers of changes to terms and conditions - give notice to a customer who becomes a party to a deemed contract - notify customers of expiry of fixed term contracts.
<u>RB0280</u>	<u>Dispute-resolution</u> <u>Clause 16- Dodo, Clik & APG – Cl. 17</u> <u>Alinta Energy – Cl. 19 Electricity</u> <u>Clause 17- Momentum, Dodo, Red, APG – Cl. 20- Simply, Lumo – Cl. 18; Alinta – Cl. 19 Gas</u>	A Licensee is to submit to the Commission for approval a dispute-resolution scheme which must contain and comply with stated terms and conditions. If approved by the Commission, the Licensee must implement the scheme.

Gas Retail Licence

ESC ref	Source of obligation	Description
RB0290	Clause 17 – Dispute resolution Momentum, Dodo, Red, APC – Cl. 20 Simply, Lumo – Cl. 18 Alinta – Cl. 19	The Licensee must submit to the Commission a dispute resolution scheme for dealing with disagreements between itself and customers or other aggrieved persons (and implement if approved).

Energy Retail Code (Version 11)

RB0300	Clauses 65 and 66 – No contact lists and no canvassing or advertising signs	Requirements to keep 'no contact lists' and observe them and requirement to observe 'no canvassing' signs.
RB0310	Clause 59A – Dispute resolution process (internal and external)	Retailers must develop, make and publish on its website a set of procedures detailing the retailer's, distributor's or responsible person's procedure for handling small customer complaints and dispute resolution procedures. The procedures must be reviewed regularly, kept up to date and be substantially consistent with Australian Standards.
RB0320	Clause 19(2) - Retailer's obligation to energise	A retailer must as soon as practicable (but not later than the end of the next business day) after the request for the sale of energy is properly made, forward relevant details of the customer to the distributor for the premises concerned, for the purpose of: <ul style="list-style-type: none"> - updating the distributor's records, if the premises are energised; or - arranging for the energisation of the premises by the distributor, if the premises are not energised.
RB0330	Clause 24(1) – Frequency of Bills	Retailer obligations in relation to the frequency of issuing bills to customers on Standing Retail Contracts : <ul style="list-style-type: none"> - Electricity - issued at least every three months - Gas - issued at least every two months.
RB0340	Clause 25(1)(a) to (y) - Contents of bills	Rules governing the minimum information to be included on a customer's bill.
RB0350	Clauses 20, 21 and 23, - Basis for bills	The bill must be based on actual meter readings at least once every 12 months or based on estimations as per prescribed conditions. Estimated bills may be applied under a bill smoothing arrangement.
RB0355	Clauses 30 and 31 – Undercharging and Overcharging	Sets out conditions under which a retailer may recover money from a customer who has been undercharged, unless this is due to an unlawful act by the customer, and conditions under which the retailer must repay a customer who has been overcharged.
RB0360	Clauses 26 and 32 – Pay-by date and payment methods	The pay-by date is not less than 13 business days from the bill issue date.
RB0370	Clauses 40 to 45 – Security deposits	Outlines the methods for the payment of a bill by a customer that a retailer must accept.
RB0380	Clause 34 – Shortened collection cycle	The conditions under which a retailer may require and use a security deposit.
RB0410	Clause 50 – Small customer complaints and dispute resolution information	The retailer's right to apply a shortened collection cycle. Outlines the minimum requirement in relation to the terms and conditions of a market retail contract regarding complaints and dispute resolution information. All complaints must be handled according to the retailer's complaints and dispute resolution procedures. The retailer must inform the small customer of the outcome of the complaint.

ESC ref	Source of obligation	Description
RB1110	Clause 25A – Greenhouse Gas Disclosure on electricity customers' bills	The retailer must advise the customer that the customer has a right to refer the complaint or dispute to the energy ombudsman. Content of the information to be disclosed includes emissions calculated as specified for current period and past year, with a graph and an adequate explanation of the graph. Format of the information to be approved by the Commission. A retailer must publish its standing offer on its website and on the website nominated by the Minister .
RB1300	Clause 15A – Internet publication of standing offer tariffs	The home page must link easily and logically to the standing offer.
RB1320	Clauses 15B(1) to 15B(4) – Relevant published offers (price and product information statements)	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 assist the Commission to link from the Commission website to related information on the retailer's website. Detailed requirements for the content and format of a retailer's Price and Product Information Statement. An alternative format may be used with the Commission's prior approval. A retailer must update a price and product information statement within 5 business days of changing any information in it.
RB1370	Clauses 15D & 15E - Other requirements	A price and product information statement or an Offer Summary must be in plain understandable English and comply with applicable legislation and regulation.
RB1210	Clause 71B – Minimum requirements for customer hardship policy	Details the minimum requirements for a customer's hardship policy of a retailer.

Code of Conduct for Marketing Retail Energy In Victoria

RB0300	Clause 2.1 – 2.3 – Contact with consumers	Times at which retailers may contact consumers; information to be provided to consumers, requirements to keep 'no contact lists' and observe them, requirement to observe 'no canvassing' signs.
RB0310	Clause 7 – Dispute resolution process (internal and external)	Retailers shall have a dispute resolution process complying with Australian Standards and refer complaints to EWOV.

2.3 TYPE 3 BREACHES

ESC ref	Source of obligation	Description
ESSENTIAL SERVICES COMMISSION VICTORIA	COMPLIANCE AND PERFORMANCE REPORTING GUIDELINE 2 PERFORMANCE INDICATOR SCHEDULE	

ESC ref **Source of obligation**
Electricity Industry Act 2000

Description

RB0470	Part 2, Section 47 to 49 – Community Services Agreements	If an electricity retailer and the State enter into a community service agreement, the Secretary to the Department of Human Services may specify concessional rates and terms and conditions on which the electricity retailer will provide electricity to specified classes of domestic customer.
RB0460	Part 6, Section 96 & 97 – Electricity supply emergency provisions	The Governor in Council can declare that emergency provisions of the Act apply if an event has or is about to occur which will materially affect the safe, economical or effective supply of electricity or the available supply of electricity is likely to become less than the reasonable requirements of the community. While this part is in force the Minister may give any directions the Minister thinks necessary.

Electricity Retail Licence

RB0490	Electricity purchase arrangements Clause 4; Alinta – Cl. 8 [electricity]	Licensees must be registered with AEMO as a customer under the National Electricity Code. Licensees must have arrangements in place for the purchase of electricity through the wholesale electricity market. And any other necessary related authorisations, as are required if the Licensee is to be able to perform its obligations under contracts for the sale of electricity. A Licensee must use its best endeavours to purchase or obtain a supply of gas on reasonable terms and conditions to meet its customer requirements.
RB0620	Obligation to purchase gas Clause 3: Momentum, Dodo, Red, APG – Cl. 4: Cl 6 Lumo	
RB0500	Clause 5 – Energy only contracts	A Licensee can only provide an 'energy only' contract if a customer has entered into an agreement with a distributor for distribution services. If a Licensee is both a retailer and distributor, retail business must have UoSA with distribution business.
RB0510	Clause 6.4 – Use of system agreements Alinta – Cl. 9	
RB0520	Clause 7.2 – Contracts with customers Alinta – Cl. 11	Contracts with customers must be consistent with the Energy Retail Code. A Licensee cannot enter into a contract for the sale of electricity with a customer at a tariff that is different to the Licensee's published tariffs unless the terms and conditions of the contract are materially different to those connected to the published tariff. The retailer's requirement to publish tariff information. The obligations of a retailer to provide information to vacant-energised premises.
RB0530	Publication of tariffs, & 9.6 – Information to customers Clause 9.4; Alinta – Cl. 12.4 Deemed condition – s.35 EIA Information to deemed customer Clause 9.6; Alinta – Cl. 12.3	The obligations of a retailer to provide information to vacant energised premises.
RB0540	Payment methods Clause 10.2; Alinta – Cl. 14 [electricity] Clause 11.2; Momentum, Dodo, Red, APG – Cl.	Licensees must notify the Commission prior to termination of arrangements with <u>any agency</u> where customers may pay bills.

ESC ref	Source of obligation	Description
RB0550	12.2; Alinta – Cl. 14 [gas] Community service obligation agreements Clause 11; Alinta – Cl. 15 [electricity] Clause 12; Momentum, Dodo, Red, APG – Cl. 13; Alinta – Cl. 15 [gas]	Licensee must enter into an agreement with the State for the provision of community services if directed by the Secretary to the Department of Human Services.
RB0560	Retailer of last resort (ROLR) Clause 12.1, 12.3 & 12.6; Alinta – Cl. 16 [electricity] Clause 13.1 & 13.6; Momentum, Dodo, Red, APG – Cl. 14; Alinta – Cl. 16 [gas] Separate accounts	The Licensee must submit tariffs and terms and conditions to the Commission on which it would act as a retailer of last resort and to notify and provide customers with electricity in the case of a last resort event. The Commission may approve terms & conditions of supply for ROLR that vary from the Energy Retail Code. Outlines the timeframe for publication of ROLR tariffs, terms and conditions. A Licensee must ensure that separate accounts are prepared for its retail business.
RB0580	Clause 17; Dodo, Click & APG – Cl. 18 Alinta Energy – Cl. 13 [electricity] Clause 18; Momentum, Dodo, Red, APG – Cl. 21; Simply, Lumo – Cl. 19; Alinta – Cl. 13 [gas]	
RB0590	Provision of information to the Commission Clause 18; Dodo, Click & APG – Cl. 19 [electricity] Clause 19; Momentum, Dodo, Red, APG – Cl. 22; Simply, Lumo – Cl. 20 [gas] Payment of licence fees	A Licensee must provide information required by the Commission from time to time.
RB0600	Clause 19; Dodo, Click & APG – Cl. 20; Alinta Energy – Cl. 5 [electricity] Clause 20; Momentum, Dodo, Red, APG – Cl. 23; Simply, Lumo – Cl. 21; Alinta – Cl. 5 [gas]	A Licensee must pay licence fees and fees and charges as determined under section 22 of the Electricity Industry Act 2000/ section 30 of the Gas Industry Act 2001.
RB0610	Administrator Clause 20; Dodo, Click & APG – Cl. 21 Alinta Energy – Cl. 24 [electricity] Clause 21; Momentum, Dodo, Red, APG; Alinta – Cl. 24; Simply, Lumo – Cl. 22 [gas]	An administrator appointed under section 34 of the Electricity Industry Act 2000 must act in a manner specified by the Commission but the Licensee remains responsible.
Gas Retail Licence		
RB0620	Obligation to purchase gas Clause 3; Momentum, Dodo, Red, APG – Cl. 4; ESSENTIAL SERVICES COMMISSION	A Licensee must use its best endeavours to purchase or obtain a supply of gas on reasonable terms and conditions to meet its customer requirements.
VICTORIA	2 PERFORMANCE INDICATOR SCHEDULE	

ESC ref	Source of obligation	Description
RB0630	Cl-6-Lumo Reliability of supply Clause 5.2; Momentum, Dodo, Red, APG, Alinta – Cl. 7.2 [gas only] Hot water metering Clause 9; Momentum, Dodo, Red, APG – Cl. 11; Alinta – Cl. 12 [gas only] Clause 11.2 – Payment methods Momentum, Dodo, Red, APG – Cl. 12.2 Alinta – Cl. 14 Clause 12 – Community service obligation agreements Momentum, Dodo, Red, APG – Cl. 13 Alinta – Cl. 15 Clause 13.1 & 13.6 – Retailer of last resort (RCLR) Momentum, Dodo, Red, APG – Cl. 14 Alinta – Cl. 16 Clause 18 – Separate accounts Momentum, Dodo, Red, APG – Cl. 21 Simply, Lumo – Cl. 19 Alinta – Cl. 13 Clause 19 – Provision of information to the Commission	A Licensee must notify the distributor and AEMO of the Licensee’s contractual arrangements with its customers relating to interruption of supply. Provision, replacement, installation, repair and maintenance of hot water metering installation. Timeframe for provision of service. Retailer interactions. Commission to decide fairness and reasonableness of terms and conditions of offer. The Licensees must advise the Commission within 20 business days of changes to any payment outlet or agency through which its customers may pay bills. If directed by the Secretary of the Department of Human Services, the Licensee must enter into an agreement with the State for the provision of community services on terms and conditions in accordance with section 49 of the Gas Industry Act 2001. The Licensee must submit tariffs and terms and conditions to the Commission on which it would act as a retailer of last resort and to notify and provide customers with electricity in the case of a last resort event. The Licensee must publish tariffs, terms & conditions in the Government Gazette as soon as practicable. The Licensees must ensure that separate accounts are prepared for their retail businesses in accordance with any guideline published for this purpose. The Licensee must provide information required by the Commission from time to time.
RB0640	Clause 20 – Licensee fee Momentum, Dodo, Red, APG – Cl. 23	The Licensee must pay as directed by the Commission a license fee determined in accordance with section 30 of the Gas Industry Act 2001.
RB0650	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
RB0660	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
RB0670	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
RB0690	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
RB0700	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
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RB0780	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
RB0790	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
RB0800	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
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RB0980	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
RB0990	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with
RB1000	Clause 21 – Administrator	If an administrator is appointed to the Licensee’s business, the administrator must act in accordance with

ESC ref	Source of obligation	Description
	Momentum, Dodo, Red, APC, Alinta - Cl. 24 Simply, Lumo - Cl. 22	directions from the Commission but the Licensee remains responsible.
Energy Retail Code (Version 11)		
RB0740	Clause 68 – Record keeping	Retailers must ensure that records are kept of all energy marketing activities carried out by it or on its behalf by retail marketers for a period of 12 months or for the period that a complaint or dispute remains unresolved.
RB0750	Clause 63(1) – Form of disclosure	Required information provided to a small customer before the formation of the market retail contract may be provided electronically, verbally or in writing. Form of disclosure to customers before and after contract formation.
RB0770	Clause 20A - Bulk hot water charging	A retailer must issue bills to a customer for the charging of the energy used in the delivery of bulk hot water in accordance with Schedule 6 of the Code and provide the prescribed minimum information.
RB0780	Clause 25(1) – Contents of bills	A retailer must prepare a bill so that a small customer can easily verify that the bill conforms to their customer retail contract.
RB0800	Clauses 25(2) and 27(1) - Apportionment	Retailers must include amounts billed for goods and services (other than the sale and supply of energy) in a separate bill or as a separate item in an energy bill. If a bill includes amounts payable for goods and services other than the sale and supply of energy, any payment made by a small customer in relation to the bill must be applied firstly in satisfaction of the charges for the sale and supply of energy unless the customer directs or another apportionment arrangement is agreed to by the customer.
RB0810	Clauses 21(5) and 22 – Additional charges and proportionate billing	Outlines when a retailer may impose additional charges permissible for reading of previously inaccessible meter. Outlines the rules when a retailer wishes to proportionally bill for a period other than the usual billing cycle.
RB0820	Clauses 32(5) and 35B – Payment methods and Merchant Service Fees	A retailer must accept payments in advance. Merchant fees are only recoverable under a market retail contract. Where a residential customer pays the retailer's bill using a method that results in the retailer incurring a merchant service fee, the retailer may recover the amount of that fee from the residential customer.
RB0830	Clause 34(3) - Shortened collection cycle	Minimum notice requirements for a customer being placed on a shortened collection cycle.
RB0840	Clause 24(2) – Frequency of bills	Rules governing different recurrent periods for bills from the retailer's usual recurrent period.
RB0850	Clause 72(3) – Payment plans	Retailer's obligations upon a request for a payment plan for a small customer who is not a residential customer.
RB0860	Clause 118 - Request for de-energisation	On request, a retailer must de-energise a customer and finalise the account.

ESC ref	Source of obligation	Description
RB0070	Schedule 1, Clause 20 – Force majeure	Outlines the effects of a force majeure event and requires the affected party to give prompt notice of the event and its best endeavours to remove, overcome or minimise the effects of that event as soon as practicable.
RB0880	Clause 56 – Provision of information to customers	Retailer's obligation to: - publish on its website a summary of the rights, entitlements and obligations of small customers; - provide the information relating to the rights, entitlements and obligations as requested.
RB0890	Schedule 1, Clause 9.4 - Historical billing information	A Retailer must supply historical billing data within 10 days at request of current and previous customers free of charge, unless the information has already been provided within the previous 12 months or information is required going back more than two years.
RB0900	Schedule 1, Clause 17 – Notices and Bills	Notices and bills by a retailer under a contract must be in writing unless otherwise stated in the contract of the Energy Retail Code.
RB1330	Clause 15B(5) – More than one tariff applicable	Where the retailer cannot determine which price and product information statement applies to a customer, the retailer must either present a price and product information for one of the potentially applicable tariffs or present a price and product information statement for each of the potentially applicable tariffs. The retailer must electronically communicate to the customer that it is not clear which of more than one price and product information statement applies.
RB1350	Clause 15C(1) - Offer summary to be provided	A retailer must provide a customer with a written offer summary on request, when marketing and when providing any other information about the terms of a new contract.
RB1360	Clauses 15B(6) and (7) - Information and Format requirements	Detailed requirements for the content and format of a retailer's price and product information statement. An alternative format may be used with the Commission's prior approval.
RB1220	Clauses 71(2) and (3) - Details of the financial hardship policy	The retailer must publish details of the hardship policy in a form easily accessible to customers and provide details to customers and financial counsellors on request.
RB1230	Clause 71A – Approval and variation of customer hardship policy	The retailer must provide certain information when submitting a policy to the Commission for approval.
RB1040	Clause 12.4 – Retailer of last resort (ROLR)	The conditions of supply after a ROLR event.

Guideline No. 22 – Regulatory Audits of Retail Energy Businesses- Electricity and Gas Industries

RB0955	Clause 1.1.3 & Appendix A – Consent audit	The retailer shall contact a random sample of customers who have entered a contract and confirm their understanding and consent, independently of the sales representatives making the original contact and take corrective action as necessary, in the manner prescribed.
RB0960	Clause 3.1 & 3.3 – Appointing the auditor	Auditors must have appropriate skills and knowledge. Auditors must ensure there are no conflicts of interest. The Commission must approve a Licensee's choice of audit firm. The audit team must be led by a partner and the audit leader must sign all audit reports.

ESC ref	Source of obligation	Description
RB0965	Clause 4.1, 4.4 & 4.5 – Approving the audit scope	The Commission will nominate obligations for inclusion in the minimum audit scope on the basis of an assessment of the risks of non-compliance. The licensee should add and high-risk obligations to be audited.
RB0970	Clause 6.4 8.1.1 – Reporting procedures	The Licensee must ensure that its Board or a delegated officer considers the auditor's report as soon as possible after it is received .

Information Specification (Service Performance) for Victorian Energy Retailers

RB1020	Purpose and background	The purpose of the specification is to set out the cyclic reporting requirements to be met by Victorian energy retailers (both gas and electricity) to the Commission.
RB1030	Reporting framework	The Commission has the power to require information from distributors under licence conditions. The Commission requires a bi-annual report as specified in the Information Specification. The information reported under this information specification is open to independent audit in accordance with the Commission's audit framework.

Code of Conduct for Marketing Retail Energy In Victoria

RB0730	Clause 1 – Marketing representatives	Marketing representatives must receive adequate training and testing on specified matters. Copies of training records and manuals to be retained for at least 1 year following training and made available for independent audit as required.
RB0740	Clause 2.4 and 2.5 – Contact with consumers	Content of personal visit and telephone contact records, and retention for audit.
RB0750	Clause 3.1 – Information	Retailers must provide consumers with information in plain English.

Electricity Retail Licence

RB1050	Clause 13.4 - Retailer of last resort (ROLR) Momentum, Dodo, Red, APG - Cl. 14	The terms and conditions of supply after a last resort event.
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Retail Licence

RB1060	License conditions	All other conditions of licence.
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3 PERFORMANCE INDICATOR SCHEDULE

This section sets out retailer performance reporting obligations.

DEFINITIONS

Energy retailer/Retail business: The holder of a retail licence under the Act or in respect of the those obligations under the Energy Retail Code.

Retail Customer: Equivalent to an account (NMI or MIRN) for whom the retailer is the Financial Responsible Market Participant (FRMP). Where there are multiple accounts in one person's name, the number of accounts will be taken to be the number of customers.

Debt: Amount outstanding pertaining to any period prior to the current billing period.

Integrated Voice Response (IVR) or automated telephone system: Technology which allows customers to service their own enquiries by following the instructions and navigating menu choices via the telephone keypad or by speech recognition.

Complaint: An expression of dissatisfaction made to an organisation, related to its products/services, or the complaints-handling process itself where a response or resolution is explicitly or implicitly implied. Complaints can be made in person, by telephone or in writing (for example, letter, email, facsimile). For the avoidance of doubt, complaints include the following type of contacts:

Where a customer expresses dissatisfaction and seeks a response or resolution regarding the conduct, action, proposed action, or failure to act by the retailer, its employees, agents, contractors or other representatives.

This includes:

- Failure by the retailer to observe its published or agreed practices or procedures or in respect of a product or service offered or provided by the retailer or its representatives,
- Where a customer threatens to involve, or enquired about the possibility of involving, a third party, for example, the jurisdictional energy ombudsman or Member of Parliament,
- Where a complaint is directed to the retailer on behalf of the customer by an energy ombudsman scheme.

More than one complaint can be made per customer/call. For example, if a customer makes a billing complaint and then makes a marketing complaint during the same call then two complaints should be recorded.

Each individual customer contact that is a complaint should be recorded and categorised as a complaint, irrespective of the number of times the caller has made contact with a retailer on an issue.

3.1 BACKGROUND INDICATORS

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
B010	Residential Electricity Customers on standard retail contracts	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.	% of Industry total	Monthly data
B020	Residential Electricity Customers on market retail contracts	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.	% of Industry total	Monthly data
B021	Residential Electricity Customers with Feed-in	The number of residential customers as at the last calendar day of each month during the reporting period who have an agreement with the retailer to purchase excess electricity generated under a feed-in tariff.	% of Electricity Customers % of Industry total	Monthly data
B030	Small Business Electricity Customers on standard retail contracts	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.	% of Industry total	Monthly data
B040	Small Business Electricity Customers on market retail contracts	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.	% of Industry total	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
B050	Business Electricity Customers	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	# Numbers	Monthly data
B060	Business Electricity Customers	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	# Numbers	Monthly data
B061	Business Electricity Customers with Feed-in	The number of business customers as at the last calendar day of each month during the reporting period who purchase electricity for business premises on any contract type and consume between less than 160 MWh and who have an agreement with the retailer to purchase excess electricity generated under a feed-in tariff	% of Electricity Customers % of Industry total	Monthly data
B070	Business Electricity Customers	The number of business retail customers, as at the last calendar day of each month during the reporting period on any contract type, consuming more than 160 MWh a year	# Numbers	Monthly data
B080	Residential Gas Customers on standard retail contracts	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.	% of Industry total	Monthly data
B090	Residential Gas Customers on market retail contracts	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.	% of Industry total	Monthly data
B100	Small Business Gas Customers on standard retail contracts	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.	% of Industry total	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
B110	Small Business Gas Customers on market retail contracts	The number of non-residential customers as at the last day of each calendar month during the reporting period, who purchase gas for business premises under a market retail contract and consume less than 1000 GJ a year.	% of Industry total	Monthly data
B120	Large Retail Gas Customers	The number of retail customers, as at the last day of each calendar month during the reporting period, consuming more than 1000 GJ of gas a year.	# Numbers	Monthly data
B150	Bills Issued	Reported separately for electricity, gas and dual fuel under each customer category below, the number of bills issued.	Total bills % of customers	Monthly data
B160	Reminder notices Issued	Reported separately for electricity, gas and dual fuel under each customer category below, the number of bills issued. Note: If a customer requested a re-issue of a notice, this is not included. (a) Residential customers (b) Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.	Total reminder notices % of customers	Monthly data
B170	Disconnection notices Issued	Reported separately for electricity, gas and dual fuel under each customer category below, the number of bills issued. Note: If a customer requested a re-issue of a notice, this is not included. (a) Residential customers (b) Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.	Total disconnection notices % of customers	Monthly data
B180	Residential Customers falling behind on payment	Reported separately for electricity, gas and dual fuel, the number of disconnection notices issued where the customers does not have a pre-existing debt (prior to the bill period relevant to the disconnection notice) Note: this is for residential customers only	% of customers % of total disconnection notices	Monthly data

3.2 DISCONNECTION AND RECONNECTION INDICATORS

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
D010	Estimated accounts	The number of estimated bills issued during the reporting period; for example, where a customer's meter was not accessible on the day of a scheduled meter read. If a retailer has obtained explicit and informed consent from a customer to use estimated accounts, for example, for the purpose of monthly billing (bill-smoothing), these bills are not counted.	Total bills % of Customers	Monthly data
D020	Instalment payment plans	<p>The number of customers (disaggregated according to whether in a retailer's hardship program or not) with an instalment payment plan in place on the last calendar day of each month within the reporting period.</p> <p>Further guidance:</p> <ul style="list-style-type: none"> - An instalment payment plan is an arrangement between a retailer and a customer who is experiencing payment difficulties, for the customer to pay arrears and continued usage on their account according to an agreed payment schedule and their capacity to pay. - Customers using a payment plan as a matter of convenience or for flexible budgeting purposes are not to be counted for the purposes of reporting this indicator. - Must involve at least three instalments. - The key point is that the arrangements enable the customer to continue to receive supply and avoid disconnection. <p>There may be instances where a customer on an instalment plan elects to continue to make regular payments after any outstanding sums have been paid. In such instances, as indicated by the definition, the customer has moved to a bill-smoothing arrangement and from that time should not be considered to be on an instalment payment plan.</p>	Average number of customers on a plan % of Customers	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
D021	Instalment payment plans not covering use	<p>Reported separately for electricity, gas and energy for residential customers only.</p> <p>Residential customers with payment plans where the terms of the plan do not cover ongoing use. That is, even if all instalments are made on time, the customer's debt would rise over time.</p> <p>Energy instalment plans includes any plans which are for a combined electricity and gas debt, which do not need to be reported separately. This should be separated for customers inside and outside the retailer's hardship program.</p>		Monthly data
D022	Instalment plans covering use	<p>Reported separately for electricity, gas and energy for residential customers only.</p> <p>Residential customers with payment plans where the terms of the plan cover ongoing use. That is, if all instalments are made on time, the customer's debt would decrease over time.</p> <p>This should be split by</p> <ul style="list-style-type: none"> (a) Customers meeting the terms of the plan (b) Customers not meeting the terms of the plan where: <ul style="list-style-type: none"> - Debt remains steady over time - Debt reduces over time <p>Energy instalment plans includes any plans which are for a combined electricity and gas debt, which do not need to be reported separately. This should be separated for customers inside and outside the retailer's hardship program.</p>		Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
D023	Duration of instalment payment plans	<p>Reported separately for electricity, gas and energy under each customer category below, the number of customers with an instalment payment plan in place as at the last day of the reporting period with a duration of:</p> <p>(a) less than 6 months (b) 6 to 12 months (c) 12 to 24 months (d) more than 24 months</p> <p>This should be separated for customers inside and outside the retailer's hardship program.</p> <p>'Energy' instalment plans includes any plans which are for a combined electricity and gas debt, which do not need to be reported separately.</p>		Monthly data
D024	Debt on entry to instalment payment plans	<p>Reported separately for each category of Duration of instalment payment plans.</p> <p>The debt (amount outstanding for over ninety days) of those customers entering a payment plan</p> <p>(a) less than \$300 (b) \$300-\$1000 (c) over \$1000</p>	Debt on entry to payment plans	Monthly data
D030	Refundable advances – number	The number of customers who have paid a refundable advance (security deposit) to secure connection or reconnection to supply energy as at the last calendar day of each month within the reporting period.	% of Customers	Monthly data
D040	Refundable advances – amount	The aggregate dollar value of all refundable advances (security deposits) held by the retailer as at the last calendar day of each month within the reporting period.	Average refundable advance	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
D050	Disconnections for non-payment	<p>Reported separately for electricity and gas under each customer category below, the number of 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.</p> <ul style="list-style-type: none"> (a) Residential customers (b) Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. <p>Note: Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period.</p>	% of Total customers	Monthly data
D051	Other disconnections	<p>Reported separately for electricity and gas under each customer category below, the number of disconnections in the reporting period that were not included in 'Disconnections for non-payment'</p> <ul style="list-style-type: none"> (a) Residential customers (b) Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period.</p>		Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
D060	Reconnections within 7 days	<p>Reported separately for electricity and gas under each customer category below, 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.</p> <p>(a) Residential customers (b) Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Note: Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>	% of Total Disconnections	Monthly data
D070	All residential reconnections	<p>Reported separately for electricity and gas; under each customer category below, the total number of customers reconnected in the same name and at the same address (regardless of the date of disconnection) during the reporting period.</p> <p>(a) Residential customers (b) Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p>	% of Total Disconnections	Monthly data
D080	Disconnections previously on an instalment payment plan	<p>The number of <u>residential</u> customers disconnected for non-payment during the reporting period that were on an instalment payment plan in the previous 12 months. Note: If a customer is disconnected twice in the same reporting period, this is counted as two disconnections.</p>	% of Total Disconnections	Six monthly total

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
D090	Disconnections on more than one occasion	The number of <u>residential</u> customers disconnected for non-payment during the reporting period who have been disconnected at least once before in the previous 24 months. Note: If a customer is disconnected twice in the same reporting period, this is counted as two disconnections.	% of Total Disconnections	Six monthly total
D100	Disconnections of energy concession customers	The number of energy concession customers disconnected for non-payment during the reporting period. Note: An energy concession customer is a <u>residential</u> customer that is recorded by the retailer as eligible for and is receiving an energy concession, where the concession is administered by the retailer.	% of Total Disconnections	Six monthly total
D110	Reconnections previously on an instalment payment plan	The number of <u>residential</u> customers reconnected during the reporting period within 7 days of being disconnected for non-payment, who had been on an instalment payment plan in the previous 12 months. Note: If a customer is reconnected twice in the same reporting period, this is counted as two reconnections.	% of Total Reconnections	Six monthly total
D120	Reconnections on more than one occasion	The number of <u>residential</u> customers reconnected during the reporting period within 7 days of being disconnected for non-payment, who had been disconnected on at least one other occasion. Note: If a customer is reconnected twice in the same reporting period, this is counted as two reconnections.	% of Total Reconnections	Six monthly total
D130	Reconnections of energy concession customers	The number of energy concession customers reconnected in the same name and at the same address during the reporting period within 7 days of being disconnected for non-payment. Note: An energy concession customer is a <u>residential</u> customer that is recorded by the retailer as eligible for and receiving an energy concession, where the concession is administered by the retailer.	% of Total Reconnections	Six monthly total

3.3 FINANCIAL HARDSHIP PROGRAM INDICATORS

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
H010	Hardship program participants	<p>The number of current participants in a retailer's hardship program as at the last day of each month within the reporting period, reported under a single 'Energy' category.</p> <p>Additional guidance:</p> <p>No. of participants reported in the previous month + new entrants into the program – total exits from the program = No. of participants reported as at the end of the current month</p>	# Numbers	Monthly data
H020	New entrants into a retailer's hardship program	The number of customers accepted into a retailer's hardship program during each month within the reporting period.	# Numbers	Monthly data
H030	Hardship program participants receiving energy concessions	<p>The number of current participants in a retailer's hardship program as at the last calendar day of each month within the reporting period 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>Note: By default, this will also enable the Commission to calculate the remaining participants in a hardship program who are not in receipt of energy concessions.</p>	% of Program participants	Monthly data
H040	Customers denied access to a retailer's hardship program	The number of customers denied access to a retailer's hardship program during each month within the reporting period. This includes those customers referred to the hardship program by any means but who are not accepted into the program. It does not include customers who decline to participate in the program.	% of the SUM of Program participants + No. of customers denied access	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
H050	Average debt of new entrants into a hardship program	The average debt (amount outstanding over ninety days) of those customers entering a retailer's hardship program during each month within the reporting period.	\$	Monthly data
H060	Debt classifications of new entrants into a hardship program	The number of customers entering a retailer's hardship program during each month within the reporting period with a debt that was: (a) Between \$0 and \$500 (b) Over \$500 but less than \$1,500 (c) Over \$1,500 but less than \$2,500 (d) \$2,500 or more.	\$	Monthly data
H070	Average debt of hardship program customers	The average debt (amount outstanding over ninety days) of all current hardship program customers as at the last day of each month within the reporting period.	\$	Monthly data
H080	Average length of participation for customers in a hardship program	Average number of days since current participants entered a retailer's hardship program (calculated as at the last calendar day of each month in the reporting period).	Days	Monthly data
H090	Hardship program exits with agreement from the retailer	For each month within the reporting period, the number of customers exiting a hardship program following successful completion of the program or by agreement with the retailer.	% of Total domestic customers	Monthly data
H100	Hardship program exits due to switching, transferring or leaving the retailer	For each month within the reporting period, the number of customers exiting a retailer's hardship program because they switched / transferred to another retailer or otherwise left the retailer.	% of Total domestic customers	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
H110	Hardship program participants excluded for not complying with requirements	For each month within the reporting period, the number of customers excluded or removed from a retailer's hardship program for non-compliance with program requirements (for example, customer did not make the required payments or failed to maintain contact the retailer). Note: This should also include those participants who leave the program because they feel they are unable to meet program requirements or make the payments required by the retailer.	% of Total domestic customers	Monthly data
H120	Disconnections of all previous hardship program customers within 12 months	The number of customers whose supply was disconnected for non-payment during each month within the reporting period who had, within the previous 12 months, been on the retailer's hardship program.	% of Program participants ALSO % of Total disconnections	Monthly data
H130	Reconnections of all previous hardship program customers within 12 months	The number of customers whose supply was reconnected in the same name and at the same address within 7 days following disconnection for non-payment during each month within the reporting period who had, within the previous 12 months, been on the retailer's hardship program.	% of Program participants ALSO % of Total reconnections	Monthly data
H140	Energy field audits provided at no cost	The number of energy field audits provided at no cost to customers during each month within the reporting period. By definition, this excludes energy audits conducted by telephone.	% of Program participants	Monthly data
H150	Energy field audits provided at partial cost	The number of energy field audits provided at partial cost to customers during each month within the reporting period. By definition, this excludes energy audits conducted by telephone.	% of Program participants	Monthly data
H160	Average cost contributed to an energy field audit where a customer contribution was required	Average dollar amount contributed by customers to cover the cost of an energy field audit during each month within the reporting period. Note: The average is based only on customers from whom a partial contribution was required, thereby excluding those audits provided at no cost to the customer.	\$	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
H170	Appliances provided under a hardship program	<p>The number of appliances provided to participants of a retailer's hardship program, either by the retailer or by a third party nominated by the retailer, during each month within the reporting period. This indicator is intended to reflect the Energy Legislation (Hardship, Metering and Other Matters) Act 2006 (page 4) which refers to "flexible options for the purchase or supply of replacement electrical equipment designed for domestic use".</p> <ol style="list-style-type: none"> Small electrical equipment (eg. light globes, powerboards) Large electrical appliances (eg. fridges, freezers) 	% of Program participants	Monthly data

3.4 CALL CENTRE INDICATORS

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
CC010	Calls to account line	<p>The total number of calls to a retailer's account line received during each month within the reporting period, including calls answered by an automated response service or IVR*, reported under a single 'energy' category.</p> <p>Excludes calls to sales, unless transferred after initial enquiry at the customer's request.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	# Number	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
CC020	Calls to an operator	<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>The total number of calls to an operator or customer service officer during each month within the reporting period, reported under a single ‘energy’ category. Where retailers use an automated or IVR telephone system, this includes those calls where the customer has selected the relevant operator option (that is, indicated they wish to be connected to an operator) and excludes all calls that do not require operator attention:</p> <ul style="list-style-type: none"> – any calls abandoned <i>before</i> the customer opts to speak to an operator – IVR calls where the customer does not select an operator option <p>Excludes calls to sales, unless transferred after initial enquiry at the customer’s request.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	<p>% of Calls to account line</p> <p>By default, this will also enable calculation of calls handled by an IVR</p>	Monthly data
CC030	Calls to an operator responded to within 30 seconds	<p>The total number of calls to an operator during each month within the reporting period, reported under a single ‘energy’ category, that were responded to within 30 seconds.</p> <p>Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard).</p> <p>Where retailers use an automated or IVR telephone system, the measurement period is calculated from the time that the customer selects an operator option (that is, if the caller’s enquiry is answered by the IVR, meaning they don’t need to speak to an operator, the call is not counted).</p>	% of Calls to an operator	Monthly data

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
CC040	Average waiting time	<p>For non-IVR telephone systems, the measurement period commences when the call is received by the switchboard.</p> <p>Where a retailer provides an option to call the customer back within a specified time period (rather than have the customer wait on hold until the next operator is available), the call will be considered to have been answered within 30 seconds providing the caller selected the option within 30 seconds and the telephone call was returned by the call centre within the specified time.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>	Time-based (seconds)	Monthly data
CC050	Abandoned calls	<p>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 <i>minus</i> 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>	% of Calls to an operator	

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
		reporting period 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.		

3.5 COMPLAINTS INDICATORS

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
C010	Complaints – billing	The number of complaints received each month during the reporting period, reported separately for electricity and gas*, including (but not limited to) those regarding: <ul style="list-style-type: none"> – prices – overcharging – high bills – billing errors – payment terms and methods – failure to receive government rebates – debt recovery practices 	% of Total customers	

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
C020	Complaints – marketing	<ul style="list-style-type: none"> – imminent and actual disconnection. * 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>The number of complaints received each month during the reporting period, reported separately for electricity and gas*, including (but not limited to) complaints associated with a retailer's or its agents/representatives' actions in seeking to sign up a small customer for a contract for energy supply/service, and complaints regarding:</p> <ul style="list-style-type: none"> – sales approach or conduct – advertising campaigns – contract terms – sales techniques – misleading conduct. <p>* 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>	% of Total customers	
C030	Complaints – customer transfers	<p>The number of complaints received each month during the reporting period, reported separately for electricity and gas*, regarding the financial responsibility for a customer's electricity and/or gas account being transferred to either an existing or new retailer, and includes (but not limited to):</p> <ul style="list-style-type: none"> – failure to transfer within a certain time period – disruption of supply due to transfer – billing problems directly associated with transfer (for example, billing delays). <p>* If a customer makes a single complaint of a general nature regarding the transfer of both their electricity and gas accounts to a retailer (for</p>	% of Total customers	

Ref.	Indicators	Retailers are required to report the following data	How the data will be interpreted	Frequency
C040	Complaints – other	<p>example, failure to transfer within a certain time period), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p> <p>The number of complaints received each month during the reporting period, reported separately for electricity and gas*, that do not classify as a billing, marketing or customer transfer complaint. Examples include (but are not limited to):</p> <ul style="list-style-type: none"> - poor customer service - privacy issues - failure to respond to complaints - health and safety concerns. <p>* If a customer makes a single complaint of a general nature not specific to either electricity or gas (for example, a privacy concern), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>	% of Total customers	

