



25 October 2021

Ms Kate Symons
Chairperson
Essential Services Commission
Level 8, 570 Bourke Street
Melbourne Victoria 3000

Electronically: <https://engage.vic.gov.au/remaking-energy-retail-code-code-practice>

Dear Ms Symons,

RE: Making an Energy Retail Code of Practice

Origin Energy appreciates the opportunity to provide a submission in response to the Essential Services Commission's (ESC) consultation Making an Energy Retail Code of Practice.

Origin supports the intent of the ESC's administrative amendments to simplify and remove duplicate obligations in the Code of Practice. We expect that these amendments will make obligations easier to follow, and compliance monitoring more efficient.

Notwithstanding, we consider there ought to be another round of review of the Code of Practice to ensure that all relevant cross-references have been captured correctly and to allow time to make changes to compliance systems / reporting systems to reflect the new Code numbering. This would also allow for the ESC to consult on any updates to the Guidance notes that they plan on implementing in accordance with the Fairness legislative changes.

The ESC states that subject to pending legislative changes that it expects to release its final decision on the Code of Practice in either late December or January 2022. To support another round of review, we consider the final decision could be delayed by two or three months which would support a commencement date for the Code and the Compliance and Reporting Guideline of 1 July 2022.

In terms of specific content issues, Origin notes that the definition of 'customers' has been changed for the purposes of Greenhouse Gas Disclosure requirements. The current Electricity Industry Guideline 13 is specific in applying only to 'customers other than small customers'. However, the Draft Code of Practice clause applies the requirement to 'all customers'. We consider that this represents a change to Guideline 13.

Under the current Guideline, retailers are required to show bill benchmarking for small customers and Greenhouse Gas disclosure for large customers. Because of the change in definition, retailers would now be required to display both items on a small customers bill. The ESC has indicated that changes to the Code of Practice would be administrative, however, this will result in a change to our billing template which is not an administrative change but a change in a retailer's obligations. For this reason, we consider that the ESC should consult on any changes over and above administrative changes to the Guideline prior to these being codified.



Lastly, we recognise that the Energy Fairness Act includes obligations on retailers in relation to registering life support customers and arranging disconnection. We also note that the ESC has removed duplicate obligations from the Code of Practice. However, the Fairness legislation does submit to a number of matters to be addressed by an 'applicable code' (i.e. the Energy Retail Code of Practice). To allow retailers to fully implement these requirements of the Fairness legislation as they interact with the Code of Practice, we reiterate our preference for the Code and the Compliance and Reporting Guideline to commence on 1 July 2022

If you have any questions regarding this submission, please contact [REDACTED] in the first instance on [REDACTED] and or [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]