



Essential Services Commission
Level 8, 570 Bourke St
Melbourne VIC 3000

4 September 2025

To Commissioners,

Better Protections for Life Support Customers in Victoria – Consultation Paper

ENGIE Australia & New Zealand (ENGIE) appreciates the opportunity to respond to the Essential Services Commission (the Commission) on the review of life support protections for Victorian customers.

The ENGIE Group is a global energy operator in the businesses of electricity, natural gas and energy services. In Australia, ENGIE operates an asset fleet which includes renewables, gas-powered generation, and battery energy storage systems. ENGIE also provides electricity and gas to retail customers across Victoria, South Australia, New South Wales, Queensland, and Western Australia.

ENGIE acknowledges that the current life support processes could be improved to better target those customers who depend on life support. Most retailers take a relatively conservative approach to life support registration and deregistration, which aims to minimise the risks that a consumer depending on life support equipment is de-energised.

While ENGIE is broadly supportive of reforms that improve the accuracy of life support registers, ENGIE provides feedback in this submission that emphasises the importance of retaining flexibility in the life support registration and deregistration framework to ensure consumers that legitimately require life support equipment do not lose their protections.

New definitions to provide better life support protections to customers

Clear definitions of critical and assistive life support users are needed if these concepts are introduced

Definitions that enable retailers to distinguish between critical and assistive life support users are useful to the extent there will be different regulatory obligations and protections for the two types of life support users. If the Commission proceeds with a reform that introduces these new concepts into the Energy Retail Code of Practice, ENGIE supports these being accompanied by clear definitions that allow stakeholders to properly understand their meaning.

While there may be benefits in distinguishing between critical and assistive life support users to enable improved triaging of support, retailers would be required to undertake significant system and operational updates to support this change and the distinct customer journeys for the two customer cohorts.

It is unnecessary to formalise a 'nominated contact person' for the purpose of life support

ENGIE does not consider introduction of the concept of a 'nominated contact person' would improve outcomes for life support users. Retailers, such as ENGIE, have existing processes for adding additional contacts to an account in their customer management systems. ENGIE expects it would be a significant reform to implement a new contact type that solely receives communications related to planned or unplanned interruptions.

This reform option may be solely relevant for distributors that do not currently have access to the secondary contact information held by retailers.

Improving registration and deregistration processes

Limiting the validity of medical confirmation will impose costs on consumers

ENGIE agrees that requiring up-to-date medical confirmation for all registered premises would improve the accuracy of the life support register and ensure that a premise is removed from the register when a user of life support equipment no longer resides at that premise. However, as will be discussed further below, the improved accuracy will likely come at the expense of some consumers that legitimately require life support protections missing out on the protections they are entitled to.

A requirement for consumers to update their medical confirmation every four years will impose costs on life support users, and may be particularly challenging for some users that have mobility challenges in accessing medical care for the purpose of obtaining this confirmation. There may also be some life support users that are severely ill or in hospital for a period of time and miss the opportunity to renew their medical confirmation and may miss communications advising of their deregistration.

New rules that manage the risk of misuse of the life support register are welcomed

ENGIE acknowledges that the Energy Retail Code of Practice does not currently limit the number of life support registrations, which can result in some consumers misusing the life support register to avoid disconnection for non-payment. While this is not likely to be a widespread issue, ENGIE is comfortable with the introduction of new rules in the Energy Retail Code of Practice that provide retailers and distributors with discretion to stop this type of misuse of life support protections.

Mandatory deregistration would have unintended consequences and alternative reforms would be preferred

ENGIE considers it is not necessarily a failing of the life support framework that retailers and distributors are able to exercise discretion when deciding whether to deregister a premise. In many cases it will be

appropriate for retailers to take a cautious approach when managing life support, to ensure appropriate protections are in place for those consumers that genuinely require additional protections.

In that context, ENGIE is concerned that mandating the deregistration of premises, such as when a customer has not finalised their medical confirmation within prescribed timeframes, will have unintended consequences that directly impact consumers that require life support protections. As the proposed reform removes the ability to exercise discretion, retailers may be in breach of the new compliance obligations if they were to permit their customers additional time to obtain medical confirmation prior to deregistration occurring.

Before introducing a mandatory deregistration process, ENGIE contends that both the Commission and Victorian Government need to acknowledge and accept the risk there will be consumers that depend on life support equipment that will not receive life support protections due to not being able, or not prioritising, the return of medical confirmation within the prescribed timeframes. As noted above, some consumers may face specific barriers in meeting prescribed timeframes, despite relying on life support equipment.

For the reasons outlined above, ENGIE does not support mandatory deregistration in relation to a medical confirmation not being provided without any means for retailers to apply discretion or use their best endeavours to maintain a customer's registration. As an alternative to mandatory deregistration, the Energy Retail Code of Practice could instead introduce a new requirement for a retailer and/or distributor to periodically request a customer to confirm whether they need to remain on the life support register. If a customer confirms that there is no longer a person that requires life support equipment at the premise, the retailer or distributor could proceed with the deregistration in line with the current requirements. This alternative proposal, in combination with a mandatory deregistration when requested by the customer, would likely improve the accuracy of the life support register with fewer risks to consumers.

Any reforms to medical confirmation, registration, and deregistration processes will require clear transitional arrangements. Retailers will have customers that have provided legacy medical confirmations (i.e. older than four years), or no medical confirmation, and retailers will require time to adjust and update their life support registrations progressively over a period of time.

A standardised medical confirmation form template would create a consistent experience for consumers

ENGIE is supportive of standardised material that can be provided to consumers with life support equipment, such as for medical confirmation and back-up plans for outages. This approach would ensure consistency across retailers and standardise the information collected through medical confirmation forms.

Improving communication methods to contact life support customers

As previously noted, ENGIE does not consider introduction of the concept of a 'nominated contact person' would improve outcomes for life support users as retailers have existing processes to manage secondary contacts.

In relation to communication channels for information about interruptions, retailers have existing processes to provide consumers with notifications via their preferred method of communication, which are typically either via post or email. Retailers may also supplement post or email communications with SMS communications, for those customers that have provided mobile number details to the retailer. ENGIE does not consider there is a systemic issue with retailer communications of interruptions that justifies additional regulatory requirements.

To the extent that the reforms may require retailers to provide the contact details for customers' secondary contacts to distributors, the Commission should carefully consider any privacy, data security and data retention concerns that may arise.

Concluding remarks

Should you have any queries in relation to this submission please do not hesitate to contact me on, telephone, [REDACTED].

Yours sincerely,

[REDACTED]

Matthew Giampiccolo

Manager, Regulation and Policy