



# Compliance and Performance Reporting Guideline

Version 4

30 July 2018



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# Preface

## An appropriate citation for this paper is:

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Our Reference C/18/17158

## Revisions to this reporting guideline

Version no.	Date	Nature of amendment
2	10 November 2016	Inclusion of email address for submission of information and data. Minor amendments to correct administrative errors.
3	21 June 2017	Inclusion of obligations applicable to energy distribution license holders.
4	30 July 2018	Amendments to the energy retailer compliance reporting obligations and performance indicators to support the introduction of the payment difficulty framework. A number of administrative changes that affect both energy retailers and distribution businesses were also made.

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# 1. Reporting requirements

## 1.1. Purpose

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

## 1.2. Application of this guideline

This Guideline applies to all Victorian electricity and gas retail and distribution businesses licensed by the commission pursuant to licensees' deemed licence provisions under section 21(u) of the EIA and section 29(q) of the GIA. The guideline will be effective from 1 January 2019.

For the purposes of the reporting requirements set out in this Guideline, a reference to a breach of an obligation or non-compliance with an obligation includes any possible breach or any possible non-compliance that the energy retail or distribution business believes is reasonably likely to occur or to have occurred.

## 1.3. Antecedents

This Guideline replaces the Compliance Reporting Manual (Energy Retail Businesses), October 2014 and the Energy Retail Performance Indicators, June 2013.

## 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".<sup>1</sup> The report must cover the period of 12 months 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:

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<sup>1</sup> *Essential Services Commission Act (2001)* S54V

- a report on all enforcement action taken by the commission in respect of each energy retailer and distributors;
- a report on the extent to which each energy retailer and distribution businesses has complied, or failed to comply, with its obligations under its energy licence conditions and the provisions of any Code of Practice; and
- 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.<sup>2</sup>

As a deemed condition of their licence, retailers and distributors must give specified information to the commission to prepare this report. The commission must prepare and issue guidelines for this purpose.<sup>3</sup>

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

## **1.5. Retailer reporting obligations**

Retailers are required to report on their compliance and performance.

### **1.5.1. Timing of reports**

Breaches that must be reported to us are set out in Chapter 2. Breaches are classified as Type 1, Type 2 or Type 3. The classification determines the reporting schedule.

The reporting periods are set out in Table 1.1 below.

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<sup>2</sup> *Essential Services Commission Act (2001) S54W*

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

## Type 1 reports

Type 1 breaches, other than wrongful disconnections, must be reported to us within two business days of detection. We may request that further information be provided after receiving the initial notification. A full report of all Type 1 breaches must be made on a quarterly basis.

## Wrongful disconnection reports

Wrongful disconnections do not need to be reported with Type 1 breaches. Instead wrongful disconnections must be reported on a monthly basis.

## Type 2 reports

Type 2 breaches must be reported bi-annually.

## Type 3 reports

Type 3 breaches must be reported annually.

## Performance indicator reports

Performance indicator data must be reported quarterly. Some indicators are only required on a bi-annual or annual basis.

## Annual report

A full report containing all Type 1, Type 2, Type 3 breaches must be submitted annually.

**Table 1.1 Reporting obligations**

Reporting obligation	Frequency	Timing
<b>Type 1 breaches</b>	Initial notification  Full report - quarterly	Within two business days of identification  For the period 1 July to 30 September – on or before 31 October. For the period 1 October to 31 December – on or before 28 February. For the period 1 January to 31 March – on or before 30 April. For the period 1 April to 30 June – on or before 31 August.



<b>Wrongful disconnections</b>	Monthly	Last business day of the month following the reporting period.
<b>Type 2 breaches</b>	Bi-annually	For the period 1 July to 31 December – on or before 28 February. For the period 1 January to 30 June – on or before 31 August.
<b>Type 3 breaches</b>	Annually	For the period 1 July to 30 June – on or before 31 August.
<b>Performance indicators</b>	Quarterly	For the period 1 July to 30 September – on or before 31 October. For the period 1 October to 31 December – on or before 31 January. For the period 1 January to 31 March – on or before 30 April. For the period 1 April to 30 June – on or before 31 August.
	Bi-annually	For the period 1 July to 31 December – on or before 28 February. For the period 1 January to 30 June – on or before 31 August.
	Annually	For the period 1 July to 30 June – on or before 31 August.

### 1.5.2. Form and content of reports

All reports of breaches and submission of performance data must be sent by email to [compliance.reporting@esc.vic.gov.au](mailto:compliance.reporting@esc.vic.gov.au).

#### Compliance reports

All initial notifications, quarterly, bi-annual and annual compliance reports must be made using the template located on our website, as amended from time to time.

Monthly wrongful disconnection reports must be made using the template located on our website, as amended from time to time.

Breach reports should provide as much information as possible. If any matter is still under investigation that should be noted in the template.

#### Performance reports

Performance indicator reports must be submitted using the relevant template located on our website, as amended from time to time.

### 1.5.3. Report sign off

The quarterly Type 1 breach report and the annual Type 1, 2 and 3 breach report must be signed off by the CEO or Managing Director of the retailer.

## 1.6. Distributor reporting obligations

Distributors are required to report on their compliance.

### 1.6.1. Timing of reports

Breaches that must be reported to us by distributors are set out in Chapter 2.

The reporting periods are set out in Table 1.2 below.

#### Type 1 reports

Distributors must provide initial notification of all Type 1 breaches, except for breaches clause 5.5.1 of the Electricity Distribution Code, within two business days of identification. We may request that further information be provided after receiving the initial notification. A full report of all Type 1 breaches must be made on a quarterly basis.

#### Clause 5.5.1 Electricity Distribution Code reports

Distributors must report breaches as per clause 5.5.1 of the Electricity Distribution Code on a monthly basis.

Table 1.2 Reporting obligations

Reporting obligation	Frequency	Timing
<b>Type 1 breaches</b>	Full report – quarterly	For the period 1 July to 30 September – on or before 31 October. For the period 1 October to 31 December – on or before 28 February. For the period 1 January to 31 March – on or before 30 April. For the period 1 April to 30 June – on or before 31 August.
<b>Related to Electricity Distribution Code clause 5.5.1</b>	Monthly	Within 10 business days of the start of the following month.

Reporting requirements

<b>All other Type 1 breaches</b>	Initial notification	Within two business days of identification
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### 1.6.2. Form and content of reports

All breach reports must be made using the template located on our website, as amended from time to time.

Breach reports should provide as much information as possible. If any matter is still under investigation that should be noted in the template.

#### Clause 5.5.1 Electricity Distribution Code

The following information must be included when reporting breaches of clause 5.5.1 Electricity Distribution Code:

- the total number of planned outages undertaken for the month
- the total number of customers whose supply was interrupted
- the average duration of planned interruptions for the month.

#### Life support breaches

For breaches of clause 5.6.1(c) of the Electricity Distribution Code it is expected that the business will report the potential breach immediately, as soon as they become aware of it.

### 1.6.3. Report sign off

The quarterly Type 1 breach report must be signed off by the CEO or Managing Director of the distributor.

## 1.7. Audit

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 chapter sets out the compliance reporting obligations as follows:

- Section 2.1 is applicable for energy retailers, and
- Section 2.2 is applicable for energy distribution businesses.

### **2.1. Energy retailers – 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.

For energy retailers, 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 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
- 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.

### 2.1.1. Type 1 breaches – Energy retailers

ESC ref	Source of obligation	Description
<i>Retail Licence<sup>4</sup></i>		
RB0020	Clause 6.1 & 6.2 - Use of system agreements [Electricity only]	A Licensee must have a written Use of System Agreements 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.
RB0060	Clause 5.1 & 5.3 - Reliability of supply [Gas only]	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]	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.
RB0040	Retailer of last resort (ROLR) Clause 12.2 & 12.5 [electricity] Clause 13.2 & 13.5 [gas]	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 [electricity] Clause 23 [gas]	The retailer must comply with all applicable laws

<sup>4</sup> Clause numbers are based on the standard retail licence. For non-standard licences, the obligation refers to the breach as described.

RB0051	Deemed condition – section 40D EIA and section 48C GIA	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.
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.
RB0053	Deemed licence condition – section 46C EIA and section – Obligation to comply with Orders in Council under section 46D – AMI Tariffs Order	Retailers’ obligations under clause 11(3)(a), (3)(b), (4) and (5) of the AMI Tariffs Order and clause 12(1), (2)(a) and (2)(b) of the AMI Tariffs Order
RB0054	Deemed licence condition – section 35A EIA and section 42A GIA– Licensee standing offer tariffs to be input into website	Retailers must input standing offer tariffs into the internet site nominated by the Minister as soon as practicable after the retailer publishes those tariffs under section 35 of the EIA.
RB0055	Deemed licence condition – section 36A(1) EIA and section 43A GIA – Publication of tariffs, terms and conditions of sale of electricity	Retailers must input tariffs and terms and conditions into the internet site nominated by the Minister as soon as practicable after they are published.
RB0056	Deemed licence condition – section 40G EIA – Obligations relating to purchase of small renewable energy generation electricity	Retailers must input their published general renewable energy feed-in terms and conditions on the website nominated by the Minister.
RB0057	Licence condition requiring the licensee to comply with all applicable laws.	Retailers must input the ESC recommended general feed-in tariff in the website nominated by the Minister as soon as a declaration made under section 40M of the EIA has been published in the Government Gazette.

## Energy Retail Code

Compliance reporting schedule

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.
RB0101	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.
RB0102	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.
RB0141	Clause 93 - Supply capacity control product	Not to offer a supply capacity control product to a residential customer for any credit management purpose.
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 (other than by customer request).
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	A retailer must give notice to a customer as soon as practicable, and otherwise no later than the customer's next bill, of any variation to the tariff that affects the customer.
RB0181	Clause 70 – Termination of standard retail contracts	When a retailer may terminate a standard retail contract. No termination charge can be imposed.
RB0215	Clause 124 – Life support equipment.	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.
RB1201	Clause 3D(1) and (2) – Record of explicit informed consent	A retailer must create a record of each explicit informed consent required by the Energy Retail Code and provided by a small customer. A retailer must retain that record for at least 2 years. The record must be in the format required by clause 3D(2) of the Energy Retail Code.
RB1202	Clause 65(2) and (5) – No contact lists	Retailers must ensure that a “no contact list” is created and maintained for its retail marketers and must not make contact with a small customer whose name is on that list.
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, whichever is longer. Retailers must ensure that it has immediate access, or a right of immediate access, to each such record.
RB1203	Clause 55 – Interpreter services	Retailers must refer a residential customer to a relevant interpreter service if a referral is necessary or appropriate to meet the reasonable needs of the customer.
RB1204	Clause 16(4) – Pre-contractual duty of retailers – explicit informed consent	Retailers must obtain the explicit informed consent of a small customer for the entry by the customer into a market retail contract with the retailer.
RB0355	Clauses 30(2) and 31(1), (2) and (3) – Undercharging and overcharging	Sets out conditions under which a retailer may recover money from a customer who has been undercharged and conditions under which the retailer must repay a customer who has been overcharged.
RB0330	Clause 24(1) – Frequency of bills	Retailer obligations in relation to the frequency of issuing bills to customers on Standing Retail Contracts.

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RB0331	Clause 25(1)(e) – Contents of bills	Retailers must prepare bills to a small customer can easily verify that the bill conforms to their contract and must include the pay-by date for the bill and the bill issue date.
RB1401	Clause 47A – Retailer notice of benefit change	Retailer obligation to give notice of a benefit change.
RB1402	Clause 76 – Standard assistance	Retailers must take steps to provide the forms of standard assistance to their residential customers.
RB1403	Clause 79 – Minimum assistance	Residential customers who are in arrears are entitled to certain types of tailored assistance to make it easier to pay for their on-going energy use, repay their arrears and lower their energy costs.
RB1404	Clause 80 – Information about assistance available	Retailers must provide customers who have not paid a bill on time and who contact the retailer, with information regarding the tailored assistance they are entitled to. Retailers must also contact customers who do not pay a bill on time and who have more than \$55 in arrears and provide them information about the tailored assistance available to them.
RB1405	Clause 81 – Payment arrangements	Outlines the types of payment arrangements that a retailer must accept and may accept if a residential customer whose payments are in arrears.
RB1406	Clause 83 – Continued provision of assistance	Provides that a retailer must continue to provide tailored assistance to a residential customer unless the customer has refused to take reasonable action towards paying for their on-going energy use or arrears or the customer is no longer facing payment difficulties.
RB1407	Clause 91 – Restriction on conditions	Provides that a retailer must not impose any conditions on the provision of assistance under the payment difficulty framework.
RB1408	Clause 92 - Debt	Outlines the restrictions on retailers to recover or sell a residential customer's debt.

### *Code of Conduct for Marketing Retail Energy In Victoria*

RB0110	Clause 3.2, 3.5 and 3.6 Information & Conduct	Retailers must comply with laws relating to their marketing interactions with consumers, and must 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.
RB0111	Clause 4.3 Authorised Person	Retailer must take reasonable steps to conduct contract negotiations with a person who has the authority to enter into a contract for electricity supplied to the actual site.

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RB0112 Clause 6- Consumer information Retailers must establish and abide by procedures that comply with the National Privacy Principles.

## 2.1.2. Type 2 breaches – Energy retailers

ESC ref	Source of obligation	Description
<i>Retail Licence</i>		
RB0270	Clauses 9.1 to 9.3 & 9.5 - Information to customers	A Licensee is obliged to provide information to customers: <ul style="list-style-type: none"> <li>- include certain information on bills issued to customers</li> <li>- notify customers of changes to terms and conditions</li> <li>- give notice to a customer who becomes a party to a deemed contract</li> <li>- notify customers of expiry of fixed term contracts.</li> </ul>
<i>Energy Retail Code</i>		
RB0300	Clause 66 – No canvassing or advertising signs	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"> <li>- updating the distributor's records, if the premises are energised; or</li> <li>- arranging for the energisation of the premises by the distributor, if the premises are not energised.</li> </ul>
RB0340	Clause 25(1)(a) to (d) and (f) 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.
RB0360	Clauses 26 and 32 – Pay-by date	The pay-by date for a bill for customers on Standing Retail Contracts must not be earlier than 13

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	and payment methods	business days from the bill issue date. Outlines the methods for the payment of a bill by a customer that a retailer must accept for both standard retail contracts and market retail contracts.
RB0370	Clauses 40 to 45 – Security deposits	The conditions under which a retailer may require and use a security deposit.
RB0380	Clause 34 – Shortened collection cycle	The conditions under which a retailer may place a customer on a shortened collection cycle with the agreement of the customer.
RB0410	Clause 50 – Small customer complaints and dispute resolution information	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. The retailer must advise the customer that the customer has a right to refer the complaint or dispute to the energy ombudsman.
RB1110	Clause 25A – Greenhouse Gas Disclosure on electricity customers' bills	Content of the information to be disclosed on electricity consumer bills 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.
RB1300	Clause 15A – Internet publication of standing offer tariffs	A retailer must publish its standing offer on its website and on the website nominated by the Minister. The home page must link easily and logically to the standing offer.
RB1320	Clauses 15B(1) to 15B(4) and 15B(8) – 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 update a price and product information statement within 5 business days of changing any information in it.
RB1370	Clauses 15D to 15F - Other requirements	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.
RB1210	Clause 85 – Content of financial hardship policies	Details the minimum requirements for a financial hardship policy of a retailer.

RB1409	Clause 82 – Non-payment of amounts towards on-going energy use	Provides that a retailer must contact and work with a residential customer whose payment of arrears is on hold if the customer fails to make payments towards their ongoing energy use or if they fail to implement practical assistance.
RB1410	Clause 87 – Written communications	Provides that communications to customers must be expressed in plain language, legible, presented clearly and appropriately and provided free of charge. In addition, this provision sets out the requirement to send written material by post unless the customer has given explicit informed consent to another method.
RB1411	Clause 89 – Retailer obligations	Provides various obligations that retailers must comply with when dealing with customers or government including acting fairly, communicating clearly and unambiguously, providing assistance in a timely manner and comply with any guideline published by the Commission.
RB1412	Clause 94 – Payment by Centrepay	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.
<b><i>Code of Conduct for Marketing Retail Energy In Victoria</i></b>		
RB0113	Clause 2.1 – 2.3 – Contact with consumers	Responsibilities for when retailers contact consumers, information to be provided to consumers, requirements to keep ‘no contact lists’ and observe them, requirement to observe ‘no canvassing’ signs.

### 2.1.3. Type 3 breaches – Energy retailers

ESC ref	Source of obligation	Description
<i>Retail Licence</i>		
RB0490	Electricity purchase arrangements	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. 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.
RB0620	Obligation to purchase gas	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.
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.
RB0510	Clause 6.4 – Use of system agreements	If a Licensee is both a retailer and distributor, retail business must have UoSA with distribution business.
RB0520	Clause 7.2 – Contracts with customers	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.
RB0530	Publication of tariffs Deemed condition – s.35 EIA	The retailer’s requirement to publish tariff information.
RB0531	Information to deemed customer Clause 9.6	The obligations of a retailer to provide information to vacant energised premises.
RB0540	Payment methods [electricity] Clause 11.2 [gas]	Licensees must notify the commission prior to termination of arrangements with any agency where customers may pay bills.

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RB0550	Community service obligation agreements Clause 11; [electricity] Clause 12; [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 & 12.6 [electricity] Clause 13.1 & 13.6 [gas]	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. Outlines the timeframe for publication of ROLR tariffs, terms and conditions.
RB0580	Separate accounts Clause 17 [electricity] Clause 18 [gas]	A Licensee must ensure that separate accounts are prepared for its retail business.
RB0630	Reliability of supply Clause 5.2 [gas only]	A Licensee must notify the distributor and AEMO of the Licensee's contractual arrangements with its customers relating to interruption of supply.
RB0640	Hot water metering Clause 9 [gas only]	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.
<b>Energy Retail Code</b>		
RB0750	Clause 63(1) – Form of disclosure	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,

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		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 otherwise 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 charge 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.
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.
RB0860	Clause 118 - Request for de-energisation	On request, a retailer must de-energise a customer and finalise the account.
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	Clause 28 - 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.
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 Statement 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	Clause 86 – Provision of information to customers	The retailer must publish its financial hardship policy on its website in a form easily accessible to customers and provide a copy to any residential customers on request. The retailer must also ensure that information is readily available to residential customers about the retailers financial hardship policy, assistance available under Division 1 and 2 of Part 3, approaches to lowering energy costs, and government and non-government assistance.

### *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.
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### *Retail Licence*

RB1050	Clause 13.4 - Retailer of last resort (ROLR)	The terms and conditions of supply after a last resort event.
RB1060	Licence conditions	All other conditions of licence.

## 2.2. Energy distributors

This section sets out distributor compliance reporting obligations.

Energy distributors are required to report Type 1 breaches to the commission immediately, as described in Table 1.2. An exception are those breaches relating to clause 5.5.1 of the Energy Distribution Code, which should be included in a monthly summary report to the commission.

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.

### 2.2.1. Type 1 breaches – Energy distributors

Source of obligation	Description
<i>Distribution Licence</i>	
Clause 5.6.1 Electricity Distribution Code	<p>A customer or retailer may provide a distributor with confirmation from a medical practitioner/hospital that a person living in a home that they distribute power to requires life support equipment. In these cases, the distributor must:</p> <ul style="list-style-type: none"> <li>– register the address as a life support address.</li> <li>– not disconnect the energy supply to the life support address.</li> <li>– provide the customer with written notice prior to a planned interruption. This written notice must either be: <ul style="list-style-type: none"> <li>○ four days prior to the planned interruption; or</li> <li>○ longer than four days prior to the planned interruption if a longer period is requested by the customer, it is reasonably necessary and can be accommodated by the distributor.</li> </ul> </li> <li>– advise the customer to prepare a plan of action in case of an unplanned interruption.</li> <li>– provide the customer with an emergency telephone contact number.</li> </ul>
Clause 5.5.1 Electricity Distribution Code	<p>In the case of a planned interruption, the distributor must provide each affected customer with at least 4 business days written notice of the interruption. The notice must:</p> <ol style="list-style-type: none"> <li>a) specify the expected date, time and duration of the interruption; and</li> <li>b) include a 24 hour telephone number for enquiries.</li> </ol>
Clause 6.2 Electricity Distribution Code	<p>Where a distributor does not supply electricity to a customer’s supply address on the day agreed with the customer, the distributor must pay to the customer \$70 for each day that it is late, up to a maximum of \$350.</p>
Clause 6.3.1 Electricity Distribution Code	<p>A distributor must make a supply restoration payment to a customer of:</p> <ol style="list-style-type: none"> <li>a) \$120 where the customer experiences more than 20 hours of unplanned sustained interruptions per year; or</li> <li>b) \$180 where the customer experiences more than 30 hours of unplanned sustained interruptions per year; or</li> <li>c) \$360 where the customer experiences more than 60 hours of unplanned sustained interruptions per year; or</li> <li>d) \$80 where the customer is supplied by a CBD feeder or an urban feeder and experiences an unplanned sustained interruption of more than 12 hours, and 20 hours or less of unplanned sustained interruptions in that year; or</li> <li>e) \$80 where the customer is supplied by a short rural feeder or a long rural feeder and experiences an</li> </ol>

Compliance reporting schedule

unplanned sustained interruption of more than 18 hours, and 20 hours or less of unplanned sustained interruptions in that year.

For the purposes of calculating the periods above, an event to which clause 6.3.3 or 6.3.4 applies is not included. See clause 6.3.3 and 6.3.4 for further details.

**Clause 6.3.2 Electricity Distribution Code** A distributor must make a low reliability payment to a customer of: \$120 where the customer experiences more than 8 unplanned sustained interruptions per year; or

- a) \$180 where the customer experiences more than 12 unplanned sustained interruptions per year; or
- b) \$360 where the customer experiences more than 24 unplanned sustained interruptions per year; and
- c) \$30 where the customer experiences more than 24 momentary interruptions per year; or
- d) \$40 where the customer experiences more than 36 momentary interruptions per year.

For the purposes of calculating the periods above, an event to which clause 6.3.3 or 6.3.4 applies is not included. See clause 6.3.3 and 6.3.4 for further details.

**Clause 6.4 Electricity Distribution Code** Any payments required to be made by the distributor to a customer under this clause 6 must be paid by the distributor as soon as practicable after the obligation arises under clauses 6.1 or 6.2 and as soon as practicable following the end of the year in which the obligation arises under clause 6.3.

According to 6.1.1, if the distributor makes an appointment with a customer and is more than 15 minutes late for the appointment, the distributor must pay the customer \$30. According to 6.2, if a distributor does not supply electricity to a customer's supply address on the day agreed with the customer, the distributor must pay to the customer \$70 for each day that it is late, up to a maximum of \$350.

**Clause 2.2(b) Gas Distribution Code** Where a distributor does not meet a Guaranteed Service Level in relation to a particular tariff V customer, the distributor shall ensure that tariff V customer is paid the applicable GSL payment as soon as practicable.

According to the glossary of the Gas Distribution System Code, Guaranteed Service Levels (GSL) are defined as the levels of service in connection with the distribution of gas to customers set out in Schedule 1, Part E to the Distribution System Code.

**11(3)(a) AMI Tariffs Order** The distributor or retailer must provide interval metering data for at least 12 complete calendar months prior to the date of the request, where available.

**11(3)(b) AMI Tariffs Order** The distributor or retailer must use its best endeavours to provide data either within 10 business days of the date

	of the request or by another date agreed by the customer and retailer or customer and distributor.
11(4) AMI Tariffs Order	If at least 12 complete calendar months of interval metering data is not available, the distributor or retailer must provide as much interval metering data as the distributor or retailer is able to provide.
11(5) AMI Tariffs Order	The distributor or retailer may impose a charge for provision of interval metering data but only if: <ul style="list-style-type: none"> <li>a) the small customer has made another request for this data within the last year; or</li> <li>b) the data requested is older than two years.</li> </ul>

### 3. Performance indicator schedule

This section sets out energy retailer performance reporting obligations and are not applicable to energy distribution businesses.

#### Definitions

**Arrears:** Amount outstanding where this relates to money for a bill past its pay-by-date, which is greater than \$55 inclusive of GST. Our definition assumes that customer arrears are based on the unpaid invoices of a customer and covers the total arrears on a customer's account.

**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.

**Energy retailer/Retail business:** The holder of a retail licence under the Essential Services Commission Act 2000 or in respect of those obligations under the Energy Retail Code.

**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.

**Residential customer:** A customer who purchases energy principally for personal, household or domestic use.

**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.

**Standard assistance customer:** A residential customer receiving standard assistance as a minimum (as per clauses 76(2) (a)-(d) and clause 90 of the Energy Retail Code, who is not in arrears of more than \$55 including GST at the end of the reporting period.

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

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

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

### 3.1. Background indicators

Ref.	Indicators	Retailers are required to report the following data
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.
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.
B021	Customers with Feed-in tariffs	The number of customers from whom electricity was generated and sold to the retailer in the period.  Note: Data is to be reported in quarterly intervals
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.
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.
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
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
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
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

Performance indicator schedule



		premises.
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.
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.
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.
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.

## 3.2. Assistance indicators

Ref.	Indicators	Retailers are required to report the following data
AS010	Residential customers receiving standard assistance	<p>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>
AS020	Residential customers receiving tailored assistance	<p>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> <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) customers who cannot pay their on-going usage, as per clause 79(1)(c-g) and clause 90 of the Energy Retail Code.</p>
AS030	Residential customers receiving tailored assistance and receiving energy concessions	<p>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>
AS040	Residential customers who have commenced tailored assistance, having previously received standard assistance	<p>Reported separately for electricity and gas, the number of customers who commenced tailored assistance in the reporting period, who had received standard assistance in the last 6 months.</p> <p>Note: This indicator should be limited only to the current round of tailored assistance received by the customer. The current round of assistance is the period of time from when the customer started receiving measures under tailored assistance until completion or suspension of assistance</p>

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AS050	Residential customers who were offered practical assistance measures	<p>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>
AS060	Residential customers no longer receiving tailored assistance because of no arrears	<p>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>
AS070	Residential customers no longer receiving tailored assistance due to switching, transferring or leaving the retailer	<p>Reported separately for electricity and gas, for each month within the reporting period, the number of customers no longer receiving tailored assistance because they switched / transferred to another retailer or otherwise left the retailer.</p>
AS080	Residential customers no longer receiving tailored assistance for not complying with requirements	<p>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>
AS090	Average duration of residential customers receiving tailored assistance (days)	<p>Reported separately for electricity and gas, the average number of days since customers commenced receiving their current round of tailored assistance (calculated as at the last calendar day of each month in the reporting period). Provide data separately for:</p> <p>(a) Customers who are able to repay their arrears and pay for their ongoing usage costs</p> <p>(b) Customers who cannot afford to pay for their ongoing energy usage costs.</p> <p>Note: For clarity, the current round of tailored assistance is the period of time from when the customer started receiving measures under tailored assistance until completion or suspension of assistance.</p>

### 3.3. Arrears indicators

Ref.	Indicators	Retailers are required to report the following data
AR010	Average arrears of residential customers receiving tailored assistance (\$)	<p>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>
AR020	Average arrears of residential customers commencing tailored assistance (\$)	<p>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>
AR030	Residential customers who commenced tailored assistance, with arrears	<p>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</p>

		assistance in the reporting month. The current round of assistance is the period of time from when the customer started receiving measures under tailored assistance until completion or suspension of assistance.
AR040	Residential customers receiving tailored assistance, with aged arrears	<p>Reported separately for electricity and gas, the number of customers receiving tailored assistance that are in arrears as at the last calendar day of the reporting period:</p> <ul style="list-style-type: none"> <li>a) over \$1000 but less than \$1500 where the arrears is more than 12 months old but less than 24</li> <li>b) over \$1000 but less than \$1500 where the arrears is more than 24 months old</li> <li>c) over \$1500 but less than \$2500 where the arrears is more than 12 months old but less than 24</li> <li>d) over \$1500 but less than \$2500 where the arrears is more than 24 months old</li> <li>e) over \$2500 but less than \$5000 where the arrears is more than 12 months old but less than 24</li> <li>f) over \$2500 but less than \$5000 where the arrears is more than 24 months old</li> <li>g) over \$5000 where the arrears is more than 12 months old but less than 24</li> <li>h) over \$5000 where the arrears is more than 24 months old.</li> </ul> <p>Note: The age of the customer's arrears is to be counted from when they began to accrue arrears of more than \$55 including of GST on their account, and covers the full amount of a customer's arrears. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.</p>
AR050	Residential customers not receiving tailored assistance, with aged arrears	<p>Reported separately for electricity and gas, the number of customers not receiving tailored assistance that are in arrears as at the last calendar day of the reporting period:</p> <ul style="list-style-type: none"> <li>a) over \$1000 but less than \$1500 where the arrears is more than 12 months old but less than 24</li> <li>b) over \$1000 but less than \$1500 where the arrears is more than 24 months old</li> <li>c) over \$1500 but less than \$2500 where the arrears is more than 12 months old but less than 24</li> <li>d) over \$1500 but less than \$2500 where the arrears is more than 24 months old</li> <li>e) over \$2500 but less than \$5000 where the arrears is more than 12 months old but less than 24</li> <li>f) over \$2500 but less than \$5000 where the arrears is more than 24 months old</li> <li>g) over \$5000 where the arrears is more than 12 months old but less than 24</li> <li>h) over \$5000 where the arrears is more than 24 months old.</li> </ul> <p>Note: The age of the customer's arrears is to be counted from when they began to accrue arrears of more than \$55 including of GST on their account, and covers the full amount of a customer's arrears. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.</p>

AR080	Notices delivered to residential customers related to payment difficulty.	Reported separately for electricity and gas, the number of notices issued where the amount outstanding all relates to the current billing period and is greater than \$300 (inclusive of GST), where the customer is not disconnected in that month. Provide data separately for:  (a) Reminder notices about unpaid bills (b) Disconnection warning notices.
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### 3.4. Disconnection indicators

Ref.	Indicators	Retailers are required to report the following data
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.
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.
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.
D050A	Disconnection for non-payment (residential customers)	<p>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.</p> <p>Note: These disconnections are as per clause 111A of the Energy Retail Code requiring that residential customers are only disconnected as a last resort for non-payment. If a customer was disconnected twice in the same month, this is counted as two disconnections.</p>
D050B	Disconnection for non-payment (small business customers)	<p>Reported separately for electricity and gas, the number of small business customers whose supply was disconnected for non-payment during each month in the reporting period.</p> <p>Note: If a customer was disconnected twice in the same month, this is counted as two disconnections.</p> <p>Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period.</p>
D051A	Other disconnections (residential customers)	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).

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		<p>Note: For clarity, this indicator does not include disconnections due to non-payment or those anticipating or facing payment difficulty (as per indicators D050A and D050B). 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>
D051B	Other disconnections (small business customers)	<p>Reported separately for electricity and gas, the number of disconnections in the reporting period that were not included in the indicator 'disconnections for non-payment'.</p> <p>Note: Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period.</p>
D060A	Reconnections within 7 days (residential customers)	<p>Reported separately for electricity and gas, the number of customers whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment during each month in the reporting period.</p> <p>Note: If a customer was disconnected twice in the same month, this is counted as two disconnections. This indicator relates to disconnections as per clause 111A of the Energy Retail Code requiring that residential customers are only disconnected as a last resort for non-payment.</p> <p>Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>
D060B	Reconnections within 7 days (small business customers)	<p>Reported separately for electricity and gas, the number of customers whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment during each month in the reporting period.</p> <p>Note: If a customer was disconnected twice in the same month, this is counted as two disconnections.</p>



		<p>Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting period, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>
D090	Disconnections on more than one occasion	<p>Reported separately for electricity and gas, the number of residential customers on tailored assistance disconnected for non-payment who have been disconnected at least once before in the previous 24 months.</p> <p>Note: If a customer is disconnected twice in the same reporting period, this is counted as two disconnections.</p>
D100	Disconnections of energy concession customers	<p>Reported separately for electricity and gas, the number of energy concession customers receiving tailored assistance that were disconnected for non-payment during each month in the reporting period.</p> <p>Note: An energy concession customer is a residential customer that is recorded by the retailer as eligible for and is receiving an energy concession, where the concession is administered by the retailer.</p> <p>These disconnections are as per clause 111A of the Energy Retail Code requiring that residential customers are only disconnected as a last resort for non-payment. If a customer was disconnected twice in the same month, this is counted as two disconnections.</p>
D130	Reconnections of energy concession customers	<p>Reported separately for electricity and gas, the number of energy concession customers previously receiving tailored assistance that were reconnected in the same name and at the same address during the reporting period within 7 days of being disconnected for non-payment.</p> <p>Note: An energy concession customer is a residential customer that is recorded by the retailer as eligible for and receiving an energy concession, where the concession is administered by the retailer.</p>
D140	Disconnections for non-payment of residential	<p>Reported separately for electricity and gas, the number of customers whose supply was disconnected for non-payment during each month within the reporting period who had not received assistance within</p>

	customers who did not receive assistance	the previous 6 months.
D150	Residential customers where their arrears were sold after disconnection	<p>Reported separately for electricity and gas, the number of residential customer arrears that were sold after disconnection.</p> <p>Note: in accordance with the Energy Retail Code, the sale of debt can only occur no sooner than 10 days after disconnection.</p>
D160	Residential customers with arrears at disconnection	<p>Reported separately for electricity and gas, the number of customers in arrears as at the last calendar day of the reporting period who were disconnected for non-payment:</p> <ul style="list-style-type: none"> <li>a) \$55 to \$500</li> <li>b) \$500 to \$1,000</li> <li>c) \$1,500 to \$2,500</li> <li>d) \$2500 to \$5000</li> <li>e) \$5000 or more</li> </ul> <p>Note: Our definition assumes that customer arrears are based on the unpaid invoices of a customer, and covers the total arrears on a customer's account.</p>

### 3.5. Call centre indicators

Ref.	Indicators	Retailers are required to report the following data
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. 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> <ul style="list-style-type: none"> <li>• 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.</li> </ul>
CC020	Calls to an operator	<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"> <li>– any calls abandoned <i>before</i> the customer opts to speak to an operator</li> <li>– IVR calls where the customer does not select an operator option</li> </ul> <p>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>Note: By default, this will also enable calculation of calls handled by an IVR.</p>
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</p>

Performance indicator schedule

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

The average time in seconds waited by callers before an operator answered their call; reported under a single 'energy' category and calculated as follows:

total time waited by callers during the reporting period

Calls to an operator *minus* 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

The total number of calls abandoned during each month within the 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.

### 3.6. Complaints indicators

Ref.	Indicators	Retailers are required to report the following data
C010	Complaints – billing	<p>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>
C020	Complaints – marketing	<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"> <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</p>

		use discretion in categorising the complaint, including the possibility of recording two complaints.
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"> <li>– failure to transfer within a certain time period</li> <li>– disruption of supply due to transfer</li> <li>– billing problems directly associated with transfer (for example, billing delays).</li> </ul> <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 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>
C040	Complaints – other	<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"> <li>– poor customer service</li> <li>– privacy issues</li> <li>– failure to respond to complaints</li> <li>– health and safety concerns.</li> </ul> <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>