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4 September 2025

Mr Gerard Brody
Chairperson
Essential Services Commission
Level 8, 570 Bourke Street
Melbourne Victoria 3000

Submitted electronically: energyreform@esc.vic.gov.au

Dear Mr Brody,

RE: Better Protections for Life Support Customers in Victoria - Consultation Paper

Red Energy and Lumo Energy (Red and Lumo) welcome the opportunity to make this submission to the Essential Services Commission's (the Commission's) consultation paper on a rule change proposal to improve the life support process.

We support the proposed rule change and agree that some amendments to the current framework are necessary. The rule will ensure the most vulnerable consumers receive enhanced protections while maintaining protections for other consumers who need continuous supply. At the same time, the rule change will provide clearer visibility for market participants.

We would also like to commend Essential Energy and South Australian Power Networks for proposing this rule change as it will ensure those most in need of life support assistance are better informed and receive necessary communications during planned and (most importantly) unplanned outages. Furthermore, we would like to commend the Commission on working closely with the Australian Energy Market Commission (AEMC) to harmonise their respective rule change processes. This supports compliance and reduces the administrative burden for all market participants to the benefit of life support users.

Key Rule Change Proposals

The proposal rule correctly identifies one of the major issues with the current system, namely, that a high number of flagged premises are occupied by consumers who no longer require life support or where the necessary medical confirmation was not provided. A clearer distinction between 'life-sustaining' (or critical) and 'assistive' equipment will ensure that retailers and network businesses can accurately and efficiently flag the correct consumers. This will remove ambiguity and allow energy networks to better prioritise and respond to the needs of the most vulnerable consumers. The integrity of the Life Support Register is paramount and the current framework does not necessarily ensure that protections apply for those consumers most in need.

In particular, we support the proposal for mandatory deregistration where a consumer fails to provide medical confirmation and a four-year expiry for medical confirmations. Red and Lumo typically follow the prescribed process to register a life support consumer who has not provided the necessary documentation but we understand this is not universally applied across the industry. As such, it is difficult to be confident that the current register is accurate. Complementary to this is the proposal for a four-year expiry on medical confirmations. This addresses situations where an occupier of a premises no longer requires life support protections but does not inform their retailer or distributor. Requiring regular confirmation would further assist in reducing the number of incorrectly flagged premises.

We do not expect this will create an undue burden for consumers, as those with a genuine need are generally in regular contact with medical practitioners and would be in a position to obtain the necessary confirmation. However, those consumers with permanent conditions should be flagged as such for their current premises so we support the proposal for a permanent flag for consumers who have been medically confirmed to require a device for the rest of their lives. This should however, only apply to critical life support, ensuring that the process remains efficient while still protecting those with long-term needs.

In addition to these core changes, the proposal also includes other sensible measures to improve the overall process. Capping the number of times a consumer can request life support protections without providing medical confirmation would maintain the integrity of the Register. As such, we agree with the proposed number of two attempts. Furthermore, we strongly encourage the Commission to continue to allow life support to be deregistered within one business day at a consumer's request, as currently happens in Victoria. This will ensure there are no delays when consumers move out and require disconnection, or require their service to be abolished.

System Impacts and Implementation

A key element of the reform is the introduction of a new category to clearly identify the life support user and other contact persons, rather than a single contact. This is crucial for distribution networks as it allows them to provide direct and targeted support during outages. The new rules also aim to address current communication shortfalls. This includes mandating contact with those named on the Life Support Register during planned or unplanned outages and recommending that consumers provide more than one contact person. The responsibility of mandatory contact during outages should fall on the participant responsible for the planned or unplanned outage. This would be a retailer for meter exchange a meter or the distribution network in the event of a fault that leads to an outage.

For implementation, we recommend identifying the need for critical life support with each new registration or each renewal of registration, rather than an automatic classification of all existing consumers as 'critical'. This would undermine the rationale for the rule change.

Furthermore, the Commission must allow sufficient time for industry to develop changes in B2B transactions and participant systems across both electricity and gas industries. This suggests an effective date late in 2027. The current method for communicating life support relies on B2B transactions that will need to be altered to allow for the different flags, along with additional fields for multiple contacts and to indicate the recipient's preferred method of communication. This will mean all participants—retailers and distributors—will need to update their systems to align with the new rules. This is a substantial undertaking, requiring not only technical system changes but also extensive consultation on the rule changes themselves and the subsequent B2B procedure modifications.

Medical Confirmation and Templates

The new rules should establish minimum standards for required information, rather than mandating specific forms or templates. This would provide flexibility for market participants to design forms that align with their existing systems and processes while still meeting regulatory requirements. The Commission may need to develop this with industry associations representing medical practitioners, given their important role in providing appropriate certification.

We support the Commission's proposed amendments to the definitions for life support devices and to distinguish between critical and assistive equipment. This is essential for enabling a more targeted and effective response during power outages. However, the issue of whether any gas-powered equipment is truly life-sustaining and could reasonably be classified as critical requires more careful consideration.

About Red and Lumo

We are 100% Australian owned subsidiaries of Snowy Hydro Limited. Collectively, we retail electricity and gas in New South Wales, Queensland, South Australia, Victoria and the Australian Capital Territory to over 1.5 million customers.

Red and Lumo thank the Commission for the opportunity to comment on the consultation paper. Should you wish to discuss or have any further enquiries regarding this submission, please call Jordan Rigby, Regulatory Manager, on [REDACTED].

Yours sincerely

A large black rectangular box used to redact the signature of Geoff Hargreaves.

Geoff Hargreaves

Manager - Regulatory Affairs

Red Energy Pty Ltd

Lumo Energy (Australia) Pty Ltd