ESSENTIAL SERVICES COMMISSION

Compliance & Performance Reporting Guideline – 2021 update

Draft decision

13 September 2021

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Essential Services Commission 2021, Compliance & Performance Reporting Guideline – 2021 update: Draft decision, 13 September 2021

Contents

Executive summary

This document outlines the commission's draft decision on changes to reporting obligations contained in the Compliance and Performance Reporting Guideline (the **reporting guideline**).

We promote the commission's statutory objectives through licensing businesses to operate in energy markets in Victoria. Licence conditions include obligations to comply with legislation, codes and guidelines that provide customer entitlements and protections. Our aims in regulating compliance are threefold – we require regulated energy businesses to firstly, know their regulatory obligations, secondly, self-monitor and report breaches of regulatory obligations and thirdly, promptly respond to rectify breaches.

Under section 23A of the Electricity Industry Act 2000 and section 33 of the Gas Industry Act 2001 and specified licence conditions, energy licensees are required to comply with the reporting guideline.

The reporting guideline outlines compliance reporting obligations and performance indicators for energy retailers and distribution businesses. Businesses are required to report any potential or actual breach that has occurred, or is reasonably likely to occur. Businesses are also required to report on their performance. Self-reported breaches are actively monitored by the commission. It is one of our many tools that serves several purposes including the promotion of voluntary compliance. It is essential to our market monitoring, compliance and enforcement functions that we receive timely and accurate information via this regulatory reporting. The requirement to self-report enables the commission to identify potential compliance issues and trends. This includes the timely identification of potential systemic issues that individually or on aggregate could impact customer confidence and the integrity of the market.

In December 2020, we commenced a process to undertake a targeted update to the reporting guideline to reflect new reforms in 2020. In April 2021, we published an updated Compliance and Performance Reporting Guideline (version 6) which contained new performance indicators and committed to update industry on our approach in relation to compliance reporting. In response to industry feedback on our December 2020 consultation, this draft decision proposes changes to the classification and timeframes of breach reporting obligations that reflect a risk-based approach to compliance reporting requirements that align with the commission's energy compliance and enforcement policy.[1] This approach seeks to incorporate the potential level of impact and risk of harm to consumers and the broader energy retail market, and the extent to which an immediate response from the commission is required to monitor compliance and take enforcement action. Similar risk-based approaches are adopted by other regulators, including the Australian Energy Regulator, who regulates energy markets in some jurisdictions outside of Victoria.

During our review of the reporting guideline, the Victorian Parliament passed the Energy Legislation Amendment (Energy Fairness) Act 2021 (Energy Fairness Act). The Energy Fairness Act incorporates certain provisions that are currently included in the Energy Retail Code into legislation and designates some new civil penalty requirements. As a result of provisions moving to the Electricity Industry Act 2000 and Gas Industry Act 2001 (Industry Acts), and the anticipated passage of the Essential Services Commission (Compliance and Enforcement Powers) Bill 2021, we are proposing amendments to the Energy Retail Code. The Energy Retail Code is proposed to become the Energy Retail Code of Practice if the Essential Services Commission (Compliance and Enforcement Powers) Bill 2021 is passed. The proposed Energy Retail Code of Practice has been released for consultation simultaneously with this draft decision.[2] This review of the reporting guidelines also incorporates reporting requirements that align with those changes.

This draft decision proposes to amend the reporting guideline to:

1. change the classification of obligations and the reporting frequency
2. add a requirement to report breaches that may give rise to a material adverse impact on consumers or the Victorian energy market as soon as practicable
3. update clause-numbering to align with the proposed Energy Retail Code of Practice
4. provide minor changes and clarification for performance indicators and an update to the format of the reporting template.

We are seeking stakeholder views on the proposed changes and welcome submissions on the new classifications, reporting frequency and performance indicator draft decisions.

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[1] Essential Services Commission, Energy Compliance and Enforcement Policy, March 2019.

[2] Available on our webpage: https://www.esc.vic.gov.au/electricity-and-gas/inquiries-studies-and-reviews/making-energy-retail-code-practice.

Our draft decisions

Draft decision 1: Only time sensitive obligations are type 1 breaches

Our draft decision is that only time-sensitive obligations will be classified as type 1 to reflect the potential, or actual risk of critical harm to consumers and the need for an immediate response. These are life-support related obligations and family violence obligations where there is a threat to life or safety involved.

Draft decision 2: The majority of previously reported type 1 breaches are type 2 breaches

The majority of obligations will be classified as type 2, including many that were previously classified type 1. This is on the basis that a breach of most customer protections is serious, however, the breaches do not necessarily require an immediate (within two business days) response.

Draft decision 3: There will no longer be any type 3 breaches, instead significant breaches should be reported as soon as practicable

We propose to remove the 12 month reporting requirement for type 3 obligations. However, we require a licensee to self-report potential breaches of any other regulatory obligation or licence condition that is not classified as type 1 or 2 but that may give rise to a material adverse impact on consumers or the Victorian energy market as soon as practicable.

Draft decision 4: Retailers and distributors must report type 2 breaches within 30 calendar days of detection

Retailers and distributors must report type 2 breaches within 30 calendar days of being detected.

Draft decision 5: Retailers and distributors will no longer be required to submit quarterly type 1 summary reports

We have removed the requirement to submit a quarterly type 1 summary report signed by the CEO or Managing Director.

Retailers will still be required to submit an annual summary report signed by the CEO or Managing Director containing all type 1 and type 2 breaches and a summary of other breaches identified throughout the year. They will also need to submit a nil compliance report in instances where the licensee has no breaches to report for a relevant reporting period.

Draft decision 6: Retailers must report on new arrears performance indicators

Retailers must report on three new types of arrears indicators that were reported during coronavirus reporting - missed bills, deferred payments, and other debt where a customer is not engaged in a payment plan. These arrears indicators are not captured by the existing measure of tailored assistance arrears.

Draft decision 7: Retailers must report on new best offer performance indicators

Retailers must report on eight new best offer performance indicators on best offer messages for small business and the potential savings for residential and small business consumers.

Draft decision 8: The performance indicators template has been updated to reflect administrative updates

The performance indicators reporting template has been updated to take the form of a flat file, removing the need for manual completion of the existing formatted template. We have also made changes that clarify the intent and method for calculating certain measures.

Draft decision 9: The new reporting guidelines will commence in early 2022

The new reporting guidelines will commence at the same time as the Energy Retail Code of Practice taking effect, in early 2022. However, we propose transitional arrangements that would mean that limited compliance breach reporting under the new reporting guideline will be accepted by the commission while industry updates its systems.

The new performance reporting measures will commence from 1 July 2022.

Key dates

The key dates relating to this draft decision are as follows:

- 13 September 2021 – draft decision
- 5 October 2021 – stakeholder information session
- 25 October 2021 – submissions to consultation close
- Early 2022 – final decision released and new reporting guideline comes into effect, with transitional arrangements to apply.
- 1 July 2022 – new performance reporting requirements come into effect.

How to give us your feedback

We welcome feedback on our draft decision. Stakeholder submissions should be made via Engage Victoria by 25 October 2021.

Submissions will be published on the commission's website, except for any information that is commercially sensitive or confidential. Submissions should clearly identify which information is sensitive or confidential.

1. Introduction

Regulatory reporting is essential to ensure that we have accurate and timely information to inform our market monitoring, compliance and enforcement functions. The commission is required to report on the performance of retailers and their compliance with their obligations under the regulatory framework.[3] The two types of reporting obligations energy retailers and distributors report on are:

- **Breach reporting** – gas and electricity retailers and distributors must report to us when they have identified a situation where they have potentially or actually broken the energy rules. We set out the extent and type of information that must be reported to us.
- **Performance indicators –** gas and electricity retailers are required to report to us data on their performance in terms of market share, customer service and their support for consumers facing payment difficulty. We use this data to monitor and report on the energy market. The Victorian Energy Market Report is one way we report on how the energy market is performing.

We aim to update the reporting guideline annually, to ensure it contains all relevant breach reporting obligations and performance indicators to support our monitoring of licensee compliance and performance.

The importance of self-reported breaches in promoting transparency and trust in the energy market

Obligations in the regulatory framework aim to protect consumers, maintain integrity and rebuild trust in the Victorian energy market. The community expects that regulators are vigilant and take action when necessary. The commission intends to continue its work to build consumers' trust that energy businesses will act fairly and follow the rules.

One of the tools the commission uses to foster a transparent and trusted energy market in Victoria is monitoring compliance with legislation, licence conditions, and codes and guidelines through self-reporting of potential or actual breaches. We expect licensees to provide as much detail as possible about the breach, its root cause, the harm that may have resulted, and the steps that have been or will be taken (including proposed timings) to remedy the situation. The requirement to self-

[3] The reporting guideline outlines the performance indicators specified in section 54W(a)(i) and (b) of the Essential Services Commission Act 2001 (these are on disconnections, reconnections, and on 'any other indicators for the performance of an energy retailer the commission determines'). The 'compliance and enforcement reports' specified in section 54V of the Essential Services Commission Act 2001 is the Victorian Energy Market Report and its corresponding updates.

report may mean the matter is still under investigation by the retailer or distributor. This should not prevent prompt self-reporting of the facts as they stand and taking steps, in a timely manner, to determine the full extent of the issue and remedy the situation. This information helps identify potential:

- individual instances of non-compliance that informs potential compliance and enforcement action
- patterns of non-compliance by individual licensees that informs an assessment of that licensee's overall compliance and
- patterns of non-compliance across the sector that informs an assessment of whether particular obligations are understood across the industry.

Reforms to regulatory obligations since from January 2020

From January 2020 a number of regulatory reforms have taken effect in the Victorian energy market which include:

- strengthened protections for life support consumers that came into effect between 2 January 2020 and 1 July 2020
- rules to ensure energy contracts are clear and fair that came into effect on 1 July 2020
- requirements for retailers to support consumers making utility relief grant applications that came into effect on 1 October 2020
- changes to the back-billing rules that came into effect on 1 January 2021
- updated customer protections relating to communicating planned outages and the guaranteed service level scheme that came into effect between 1 January 2021 and 1 July 2021.

Our initial targeted update to the reporting guideline

On 9 December 2020, we held an industry forum, attended by 53 industry stakeholders (gas and electricity distributors and retailers, and representatives from industry organisations) to consult on a targeted update to the reporting guideline, with a focus on the reporting of potential breaches relating to recent reforms in 2020. We also proposed to introduce new performance indicators for electricity distributors, as outlined in our final decision on Electricity Distribution Code customer service standards.[4]

[4] Essential Services Commission, Electricity Distribution Code review – customer service standards: Final decision, 16 November 2020 (as amended on 22 December 2020), December 2020.

Stakeholder feedback on our targeted reporting guideline update

We received 11 written submissions on our proposed reporting guideline update from gas and electricity retailers and distributors. Eight submissions focused on breach reporting obligations and three on our proposed new performance indicators for electricity distributors.

Feedback on our performance indicator proposals from electricity distributors were relatively minor. They sought clarification on certain indicators and changes to ensure greater consistency with equivalent national reporting requirements. We took this feedback onboard in reaching our final decision, published on 16 April 2021,[5] with version 6 of the reporting guideline taking effect from 1 July 2021.

Stakeholders raised more substantial comments on our breach reporting proposals, including seeking greater clarity on the rationale for our proposed changes and the criteria used to determine how a breach is classified. Several stakeholders suggested a more fulsome review of breach reporting requirements. In light of this feedback, we decided to pause the proposed changes and instead conduct a wider review of breach reporting requirements.

Developments since our initial consultation

Since our initial consultation on the reporting guideline, we have had queries from stakeholders to clarify other performance obligations, and the passage of the Energy Fairness Act and Energy Code of Practice.

New stakeholder queries on existing retailer performance reporting measures

Throughout 2019-20, retailers sought clarification of some existing performance measures, including how these measures should be calculated. Retailer performance indicators were not subject to the updates to distributor performance indicators made in December 2020.

We held discussions with retailers during July - August 2021 on the proposed changes to the performance reporting measures outlined in this draft decision, including a new reporting template. All feedback has been incorporated in our proposed revised measures.

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[5] Essential Services Commission, Updating the Compliance and Performance Reporting Guideline: New performance indicators for electricity distributors – Final decision, 16 April 2021.

Alignment with the Energy Code of Practice

The commission is also currently consulting on the Energy Retail Code of Practice which is proposed to replace the current Energy Retail Code.[6] We proposed that, if the Essential Services Commission (Compliance and Enforcement Powers) Bill is passed, the commission will make the Energy Retail Code of Practice as part of the reform process.

This reporting guideline draft decision is being published at the same time as the consultation on the draft Energy Retail Code of Practice to provide stakeholders with the ability to understand how the proposed reporting requirements align with the proposed Energy Retail Code of Practice.

We are proposing to align the reporting guideline to reflect the proposed Energy Retail Code of Practice. This includes changes to clause references and that provisions to be designated as civil penalty requirements will be included in the reporting framework.

Alongside this draft decision, we have also published a detailed **Appendix C** which sets out our proposed classification changes. We have also cross-referenced current instrument references with the references for the proposed Energy Retail Code of Practice. The draft reporting guideline is at **Appendix D**.

Consultation and implementation timeframe

There is a six-week consultation period for stakeholders to provide feedback on this reporting guideline draft decision. The consultation period closes on **25 October 2021.**

We propose that the new reporting obligations will take effect simultaneously with the Energy Retail Code of Practice in early 2022.[7] This will ensure alignment between the regulatory scheme under the code and the application of the matching reporting guideline.

We propose that there would also be a period of transition where the commission will accept licensees providing limited reporting under the new Compliance and Reporting Guideline. This would require reporting only of those obligations currently required to be reported under version 6 of the reporting guideline. Where the current reporting guideline requires a breach of the Energy Retail Code, licensees will be required to report potential breaches of the equivalent provision of the Energy Retail Code of Practice (or industry act). For the period of transition, the current

[6] The commission is currently consulting on these changes in Making an Energy Retail Code of Practice.

[7] The date is subject to the passage of the relevant legislative amendments. The commission will confirm the effective date as soon as practicable

reporting classifications and timeframes will continue to be accepted by the commission until 1 July 2022.

We invite feedback from industry on our proposed implementation date and transitional arrangements, and feedback on the time needed to make necessary system changes to comply with the new reporting guideline.

This draft decision

This draft decision sets out our review of licensee breach reporting requirements. We have approached the review in three parts:

- reclassifying obligations based on an updated risk assessment (chapter two)
- updating the timeframes in which breaches must be reported (chapter three)
- minor changes to clarify performance indicators and incorporating the arrears measures from the coronavirus reporting (chapter four).

2. Reclassifying obligations

We have reviewed the classification of existing and new reporting obligations and reclassified obligations to reflect a risk-based approach. The reclassification has resulted in fewer type 1 obligations, the majority of obligations being reclassified as type 2, and the removal of the type 3 category. Type 1 obligations may have a critical risk to consumers. Type 2 obligations pose significant and moderate risks to consumers.

2.1. Our approach to reclassifying obligations

In our review of classifications, we considered the timelines for reporting and applied our risk-based approach to compliance and enforcement. The criteria we used to reclassify obligations was underpinned by the potential or actual risk of harm to consumers. In doing this, we have considered the potential customer impact of a breach, which can be consumer, financial or market confidence impacts. This has resulted in our proposal to reclassify only the obligations that have a critical impact to consumers as type 1. The majority of obligations that pose significant and moderate risks are classified as type 2. We have removed the type 3 category.

In updating the classifications, we have also had regard to our December 2020 stakeholder submissions about the regulatory burden posed by having a large number type 1 breaches and we consider our proposed reclassification of the majority of type 1 obligations addresses this feedback. This approach was applied to existing obligations and to new obligations.

The rationale for each category is summarised below and detailed in **Appendix C**.

Type 1

We propose to reduce the overall number of type 1 obligations to include only high-risk obligations, for which non-compliance is likely to have a critical or significant and/or immediate impact on the life, health and safety of consumers. On this basis, we propose that only time sensitive life support and family violence obligations will be classified as type 1 obligations.

Type 2

We are proposing that the majority of obligations are type 2, because a breach of most consumer protections is likely to pose significant and moderate risks but not necessarily require immediate notification to the commission.

This has resulted in most of the current type 1 obligations being reclassified as type 2. As soon as a breach is detected, the commission expects businesses to take steps to investigate the root cause and remedy the harm and it requires this information to be presented in breach reports. This is also part of the rationale for reclassifying breaches from type 1 to type 2 to ensure remediation occurs quickly and adequately and the commission is notified of a breach promptly (but not immediately).

There are also some additional type 2 obligations that are a result of our alignment with the proposed Energy Retail Code of Practice where the equivalent clauses in the retail code were not previously included in the reporting guideline.

Reclassification of current type 3 obligations to type 2

There are some obligations currently classified as type 3 that we propose to reclassify as type 2. This follows largely from the removal of the type 3 category. We consider that non-compliance with the reclassified obligations presents a moderate risk of impact to consumers or the broader retail market. These reclassified obligations include requirements relating to disconnection, family violence protections, bill and billing disclosure, record-keeping, clear and fair contracts terms and conditions.

Non-time sensitive life support obligations

The majority of life support obligations are proposed to be reclassified as type 1 obligations. However, there are some life support obligations on distributors that do not pose the same level of risk of impact and critical harm to consumers if breached. Distributors have obligations to update their records and notify the relevant retailer (and vice versa) when a customer has been de-registered from the life support register. Unlike the requirement to register a customer who has notified a licensee that a person residing at the supply address requires life support equipment – which has the potential to give rise to critical harm and is proposed to be type 1 – maintaining a register of consumers who may be legitimately deregistered would not directly impact the customer. We propose that these non-time sensitive life support requirements can be categorised as type 2.

Type 3

We propose to remove the type 3 obligation category. We consider that some previously categorised type 3 obligations have less significant impacts on consumers and also include obligations related that are substantially administrative (other than record keeping). Similarly, using this rationale, we propose to remove some type 2 obligations where we considered that the need for prompt reporting in all circumstances was not necessary.

Removal of the category of type 3 breach reporting obligations will reduce the regulatory burden on industry.

Breaches that may give rise to a material adverse impact

In addition to reporting type 1 and type 2 breaches within the relevant timeframes, licensees must report potential breaches of any other regulatory obligation, including licence conditions, that may give rise to a material adverse impact on consumers or the Victorian energy market as soon as practicable. The reporting obligation arises when a licensee has a reasonable basis to believe that a potential breach may have occurred which may have a material adverse impact on consumers or the market. The licensee should not wait until confirmation of either the breach or the materiality of harm before reporting the matter to the commission.

For example, this would require distributors to notify us as soon as practicable if they had failed to notify customers of a planned outage that would affect a large number of customers, or a widespread effect on commercial premises where the failure to notify of the outage may cause severe economic harm.

Licensees also have additional reporting obligations under the conditions of their licence. It is the commission's expectation that licensees will report to the commission in accordance with this guideline where it relates to a potential type 1 or type 2 breach, or where there is a potential breach that may cause a material adverse impact (as described above) and report to the commission in accordance with any licence condition for any other matters.

The manner in which a licensee meets or exceeds their reporting obligations by reporting to the commission in a timely, accurate and comprehensive manner may be taken into account in any enforcement action.

3. Updating breach reporting timeframes and other requirements

We have reviewed the reporting timeframes for each classification to better reflect their potential or actual impact consistent with the risk-based assessment breach reporting classification set out in chapter two. We do not propose to change the timeframes for type 1 obligations. We propose to change the reporting timeframes for type 2 obligations from 6 months to 30 calendar days from when a breach is detected.

However, the reclassification of the majority of obligations from type 1 to type 2 is expected to reduce regulatory reporting burden overall.

We note that these are maximum reporting timeframes. Our expectation is that if a breach of an obligation gives rise to a material adverse impact on consumers or the Victorian energy market, this information is reported as soon as practicable. We consider that a breach is 'detected' where a licensee has reasonable grounds to believe a reportable situation has arisen. That is, a licensee knows of facts or has sufficient evidence to consider that a breach may have occurred.

3.1. Proposed changes to reporting timeframes

Type 1

Type 1 obligations are those that are likely to have a significant or critical, and immediate impact on consumers, which increases exponentially if not remediated quickly. Therefore, it is important that licensees continue to report potential or actual type 1 breaches within two business days of detection to provide the commission with immediate visibility of the matter and any remediation.

We propose that where an incomplete type 1 report is submitted because the matter is still under investigation, the retailer or distributor will be required to submit an update report within 20 business days. This aligns with a similar requirement in the national framework.

The current reporting guideline requires retailers to provide a full report of all type 1 breaches quarterly and a full report containing all breaches (type 1, type 2, and type 3) annually. Both the quarterly and annual reports must be signed by the CEO or Managing Director of the retailer. Distributors are also required to submit a full report of all type 1 breaches quarterly that must be signed by the CEO or Managing Director of the distributor. We propose to remove the requirement for retailers and distributors to submit a quarterly report of all type 1 breaches.

We propose to retain the annual summary reports, including the requirement for the CEO or Managing Director of the licensee to sign off those reports. This will include a summary of type 1 and 2 breaches previously submitted and a summary of other breaches identified throughout the year. We consider that this requirement reflects governance best practice and oversight for senior management of compliance incidents and breaches, particularly for breaches that pose critical risk to consumers.

Type 2

Non-compliance with type 2 obligations is considered to have a potentially significant or moderate impact or harm to consumers. As noted, we propose that the majority of obligations be reclassified in the reporting guideline as type 2.

We consider that the current type 2 reporting timeframe of six months does not reflect this potential impact to consumers, nor does it provide adequate opportunity for intervention by the commission. We propose that type 2 breaches must be reported within 30 calendar days of the incident being detected. The 30 calendar days count begins on the day a potential or actual breach is detected. Where a reporting day falls on a public holiday or weekend, then the breach report is due on the next business day.

We also consider this reporting timeframe will enable a timely identification of compliance trends and issues in the market for obligations and customer protections that have the potential to have a significant impact on consumers if not remediated within a reasonable timeframe. It will also allow the commission to monitor the progress of remediation to ensure matters are adequately investigated and customer protections are upheld. Similarly, it will provide businesses time to adequately investigate and remediate breaches before they are required to submit a report to the commission.[8] We note that completion of an investigation should not delay the reporting.

Changes proposed to wrongful disconnection reporting

As a result of the proposed classification of disconnection-related obligations as type 2 breaches, potential or actual wrongful disconnections will also need to be reported within 30 calendar days of detection. For clarity, this includes any disconnections referred to Energy and Water Ombudsman (Victoria) or dispute resolution processes referred to the commission, even where the disconnection has not yet been determined as wrongful.

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[8] We note there is precedent in this timeframe for reporting. Changes to how Australian financial services (AFS) licensees and credit licensees are required to report breaches that take effect from 1 October 2021 include similar requirements; Australian Securities and Investments Commission, Changes to how AFS licensees and Australian credit licensees report breaches | ASIC - Australian Securities and Investments Commission, accessed 12 August 2021.

The requirement to report a potential or actual wrongful disconnection is distinct from the requirement to report wrongful disconnection payments. Consistent with the current approach, wrongful disconnection payments are to be batch reported by the last business day of the month following the wrongful disconnection payment being made to the customer.

Type 3

We propose to remove the type 3 classification.

4. Performance indicators

Performance data to monitor and report on the Victorian energy market. Our proposed changes focus on minor amendments and feedback from retailers in relation to the performance indicators that came into effect on 1 July 2021 in version 6 of the guideline.

4.1. Introducing new definitions and performance indicators

Following feedback from retailers in 2020–21, we propose to clarify existing and new indicators, to ensure consistency and clarity when retailers are submitting performance data. Definitions for new measures 'missed bill', 'other debt' and 'payment deferral' are detailed in **Appendix A**.

We propose including new performance indicators, which are largely based on the same indicators used in our voluntary reporting of customer debt during the coronavirus pandemic from 2020. We consider these inclusions will only require minor changes to retailer reporting processes, given that these measures have been reported on in 2020. We also propose to include additional indicators on best offer messages for small business and the potential savings for residential and small business consumers. We already have indicators on the best offer messages for residential customers and anticipate the proposed measures for small business and the potential savings will follow a similar logic to those. These are detailed in **Appendix B**.

4.2. Clarifying existing performance indicators

This draft decision also proposes minor changes to existing performance indicators to provide further clarify for reporting, as follows:

- specifies that small business consumers are those consuming less than 40MWh per year
- clarifies that certain indicators should be for data as at the last day of the reporting month
- clarifies that certain indicators should not overlap or double count
- clarifying the time of which arrears should be counted
- other minor edits for clarity.

These changes do not seek to change the intent of the existing indicators.

The proposed changes are described in Appendix B.

Appendix A: Definitions for performance indicators

Proposed new definitions

Proposed addition	Proposed definition	Justification for addition
Payment deferral	An amount due for which the payment date has been extended beyond the due date or put on hold.	This has been an important measure during 2020 and 2021 to understand the full extent of customer debt. We proposed to continue collecting this measure.
Other debt	An amount of arrears that a residential or small business customer owes – where the customer is not included in the customers receiving payment assistance or in the customers who have deferred payment, reported as at the end of the month.	This has been an important measure during 2020 and 2021 to understand the full extent of customer debt. We proposed to continue collecting this measure.
Missed bill	A bill that was not paid by the due date.	This has been an important measure during 2020 and 2021 to understand the full extent of customer debt. We proposed to continue collecting this measure.
Pro-rata usage	A proportionate allocation of electricity or gas usage for customers over the 12-month period. For example, if a business electricity customer had only been with a retailer for 6 months and one of the NMIs uses approximately 10 MWh per month, then this customer is a business electricity NMI consuming 120 MWh per year.	To clarify the calculation for counting the number of NMIs or MIRNs for each group of business electricity NMIs or MIRNs on market retail contracts (B050, B060, B070, and B120).

Appendix B: Proposed changes to performance indicators

Proposed modifications to existing performance indicators

In assessing the changes to existing performance indicators, we considered the objectives of the framework, the outcomes that could be determined, achievability and whether the original intent remained relevant. We also tested early versions of the proposed performance indicators at individual workshops with 15 retailers.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
B031	**Indicator:** Small Business Electricity NMIs on deemed contracts or occupier accounts on the Victorian Default Offer **Definition:** The count of small business electricity NMIs on the Victorian Default Offer that purchase electricity under a deemed contract or occupier account. This is to be measured as at the last calendar day of each reporting month and include both known and not-know customers to the retailer. Note: Exclude NMIs on deemed contract or occupier account where there was no consumption in the reporting period.	**Indicator:** Small Business Electricity NMIs on deemed contracts or occupier accounts on the Victorian Default Offer (consuming less than 40MWh per year) **Definition:** The count of small business electricity NMIs on the Victorian Default Offer that purchase electricity under a deemed contract or occupier account. This is to be measured as at the last day of each reporting month and include both known and not-known customers to the retailer. Note: Exclude NMIs on deemed contract or occupier account where there was no consumption in the reporting period.	To further clarify this performance indicator is for small business NMI consuming less than 40MWh per year and shown on the name of the indicator.
B099	**Indicator:** Business Gas Customers	**Indicator**: Small Business Gas Customers	To clarify this performance indicator is specifically for small business gas customers.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
	Definition: The count of business gas customer IDs with at least one business gas account with the retailer. This is to be measured as at the last calendar day of each reporting month.	**Definition:** The count of small business gas customer IDs with at least one business gas account with the retailer and consume less than 1,000 GJ per year. This is to be measured as at the last day of each reporting month.	
AS042	**Indicator:** Residential accounts receiving tailored assistance, having previously received standard assistance **Definition:** Reported separately for electricity and gas. The count of accounts that are receiving tailored assistance during the reporting month, who had previously received standard assistance within the last 6 months.	**Indicator:** Residential accounts receiving tailored assistance, having previously received standard assistance **Definition:** Reported separately for electricity and gas. The count of accounts that are receiving tailored assistance as at the last day of the reporting month, who had previously received standard assistance within the last 6 months.	To update the reporting period for this performance indicator to be as at the end of the reporting month.
AS061	**Indicator:** Residential accounts no longer receiving tailored assistance due to their total arrears being $0 or in credit **Definition:** The count of accounts that are no longer receiving tailored assistance and have total arrears of $0 or are in credit at the end of their plan during the reporting month. Reported separately for electricity and gas.	**Indicator:** Residential accounts no longer receiving tailored assistance due to their total arrears being $0 or in credit **Definition:** The count of accounts that are no longer receiving tailored assistance and have total arrears of $0 or are in credit at the end of their plan during the reporting month. Reported separately for electricity and gas. Note: Indicators AS061, AS062, AS070, AS080 are mutually exclusive and there should be no overlap or double counting.	To clarify the performance indicators AS061, AS062, AS070, and AS080 are to be mutually exclusive and no double counting.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
AS062	**Indicator:** Residential accounts no longer receiving tailored assistance and total arrears above $0 **Definition:** The count of accounts that are no longer receiving tailored assistance and have total arrears that are above $0 at the end of their plan during the reporting month. Reported separately for electricity and gas.	**Indicator:** Residential accounts no longer receiving tailored assistance and total arrears above $0 **Definition:** The count of accounts that are no longer receiving tailored assistance and have total arrears that are above $0 at the end of their plan during the reporting month. Reported separately for electricity and gas. Note: If an account is no longer receiving tailored assistance due to non-compliance, they should be reported against AS080 and not AS062. Indicators AS061, AS062, AS070, AS080 are mutual exclusive and there should be no overlap or double counting.	To clarify the performance indicators AS061, AS062, AS070, and AS080 are to be mutually exclusive and no double counting.
AS070	**Indicator:** Residential accounts no longer receiving tailored assistance due to switching, transferring or leaving the retailer **Definition:** The count of accounts that are no longer receiving tailored assistance because they switched / transferred to another retailer or otherwise left the retailer during the reporting month. Reported separately for electricity and gas.	**Indicator:** Residential accounts no longer receiving tailored assistance due to switching, transferring or leaving the retailer **Definition:** The count of accounts that are no longer receiving tailored assistance because they switched / transferred to another retailer or otherwise left the retailer during the reporting month. Reported separately for electricity and gas. Note: Indicators AS061, AS062, AS070, AS080 are mutual exclusive and there should be no overlap or double counting.	To clarify the performance indicators AS061, AS062, AS070, and AS080 are to be mutually exclusive and no double counting.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
AS080	**Indicator:** Residential accounts no longer receiving tailored assistance for not complying with requirements **Definition:** The count of accounts that are no longer receiving tailored assistance because of not complying with requirements during the reporting month. Reported separately for electricity and gas. As per clause 83(1)(a) and 83(1)(c) of the Energy retail code, which states that retailers must continue to provide assistance to a customer unless: a) the customer has refused or failed to take reasonable action towards paying for their on-going energy use and repaying their total arrears b) following discussion between the retailer and the customer of a revised proposal (i.e. a second iteration of the initial payment proposal) c) or the customer has refused or failed to take on reasonable action towards making payments towards the cost of their on-going energy use, following discussion between the retailer and the customer around varying the amount payable, or the frequency of those payments, or both, to give the customer more time to lower their energy costs.	**Indicator:** Residential accounts no longer receiving tailored assistance for not complying with requirements **Definition:** The count of accounts that are no longer receiving tailored assistance because of not complying with requirements during the reporting month. Reported separately for electricity and gas. As per clause 132(1)(a) and 132(1)(c) of the draft Energy Retail Code of Practice, which states that retailers must continue to provide assistance to a customer unless: a) the customer has refused or failed to take reasonable action towards paying for their on-going energy use and repaying their total arrears b) following discussion between the retailer and the customer of a revised proposal (i.e. a second iteration of the initial payment proposal) c) or the customer has refused or failed to take on reasonable action towards making payments towards the cost of their on-going energy use, following discussion between the retailer and the customer around varying the amount payable, or the frequency of those payments, or both, to give the customer more time to lower their energy costs.	To clarify the performance indicators AS061, AS062, AS070, and AS080 are to be mutually exclusive and no double counting.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
		Note: Indicators AS061, AS062, AS070, AS080 are mutual exclusive and there should be no overlap or double counting.	
AS091	**Indicator:** Average duration (days) of residential accounts currently receiving tailored assistance (since 1 January 2019) **Definition:** Reported separately for electricity and gas, the average number of total days from 1 January 2019 an account has been receiving tailored assistance and is still currently receiving assistance as at the last calendar day of the reporting month. Provide data separately for: a) customers who can pay at least their on-going usage, as defined in the definitions. b) customers who cannot pay their on-going usage, as defined in the definitions. Note: This indicator should only measure accounts that are still receiving tailored assistance as at the last day of the reporting month. The duration should not count days an account was not receiving assistance due to completion or suspension of assistance.	**Indicator:** Average duration (days) of residential accounts currently receiving tailored assistance (since 1 January 2019) **Definition:** Reported separately for electricity and gas, the average number of total days from 1 January 2019 an account has been receiving tailored assistance, starting from the plan creation date and is still currently receiving assistance as at the last day of the reporting month. Provide data separately for: a) customers who can pay at least their on-going usage, as defined in the definitions. b) customers who cannot pay their on-going usage, as defined in the definitions. Note: This indicator should only measure accounts that are still receiving tailored assistance as at the last day of the reporting month. The duration should not count days an account was not receiving assistance due to completion or suspension of assistance.	To clarify the calculation for this performance indicator is the average days duration from the plan creation date since 1 January 2019, and to include average duration of tailored assistance for customers currently receiving tailored assistance..
AR011	**Indicator:** Average total arrears of residential accounts receiving tailored assistance ($)	**Indicator**: Average total arrears of residential accounts receiving tailored assistance ($)	To clarify the cohort for this performance indicator is from AS022.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
	Definition: Reported separately for electricity and gas, the average total arrears of each account receiving tailored assistance as at the last calendar day of reporting month. Provide data separately for: (a) accounts who can pay at least their on-going usage, as defined in the definitions. (b) accounts who cannot pay their on-going usage, as defined in the definitions.	**Definition:** Reported separately for electricity and gas, the average total arrears of each account receiving tailored assistance as at the last day of reporting month. Provide data separately for: (a) accounts who can pay at least their on-going usage, as defined in the definitions. (b) accounts who cannot pay their on-going usage, as defined in the definitions. Note: These are the same accounts as referred to in AS022.	
AR031	**Indicator:** Residential accounts who commenced tailored assistance and their totals arrears **Definition:** Residential accounts who commenced tailored assistance during the reporting month and their totals arrears. Reported separately for electricity and gas. The count of accounts commencing tailored assistance during the reporting month, with total arrears on commencement that were: (a) Less than $55 (including credits) (b) Greater than $55 but less than or equal to $1,000 (c) Greater than $1,000 but less than or equal to $2,000 (d) Greater than $2,000 but less than or equal to $3,000 (e) $3,000 but less than or equal to $5,000	**Indicator:** Residential accounts who commenced tailored assistance and their totals arrears **Definition:** Residential accounts who commenced tailored assistance during the reporting month and their totals arrears. Reported separately for electricity and gas. The count of accounts commencing tailored assistance during the reporting month, with total arrears on commencement that were: (a) Less than $55 (including credits) (b) Greater than or equal to $55 but less than $1,000 (c) Greater than or equal to $1,000 but less than $2,000 (d) Greater than or equal to $2,000 but less than $3,000	To clarify the cohort for this performance indicator is from AR021. To capture customers who commenced tailored assistance with total arrears equal to $55.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
	(f) Greater than $5,000	(e) Greater than or equal to $3,000 but less than $5,000 (f) Greater than or equal to $5,000 Note: These are the same accounts as referred to in AR021.	
AR041	**Indicator:** Residential accounts receiving tailored assistance, with aged total arrears 12-24 months old **Definition:** Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of: (a) Greater than $1,000 but less than or equal to $2,000, where the total arrears is more than 12 months old but less than 24 months old (b) Greater than $2,000 but less than or equal to $3,000, where the total arrears is more than 12 months old but less than 24 months old (c) Greater than $3,000 but less than or equal to $5,000, where the total arrears is more than 12 months old but less than 24 months old (d) Greater than $5,000 where the total arrears is more than 12 months old but less than 24 months old Note: The age of the account's total arrears is to be counted from when the account	**Indicator:** Residential accounts receiving tailored assistance, with aged total arrears 12-24 months old **Definition:** Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last day of the reporting month of: (a) Greater than $1,000 but less than or equal to $2,000, where the total arrears is more than 12 months old but less than 24 months old (b) Greater than $2,000 but less than or equal to $3,000, where the total arrears is more than 12 months old but less than 24 months old (c) Greater than $3,000 but less than or equal to $5,000, where the total arrears is more than 12 months old but less than 24 months old (d) Greater than $5,000 where the total arrears is more than 12 months old but less than 24 months old Note: The age of the account's total arrears is to be counted from when the account	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
	had total arrears of more than $0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit.	had total arrears of more than $0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt. Also, these are the same accounts as referred to in AS022.	
AR042	**Indicator:** Residential accounts receiving tailored assistance, with aged total arrears older than 24 months **Definition:** Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of: (a) Greater than $1,000 but less than or equal to $2,000, where the total arrears is more than 24 months old (b) Greater than $2,000 but less than or equal to $3,000, where the total arrears is more than 24 months old (c) Greater than $3,000 but less than or equal to $5,000, where the total arrears is more than 24 months old. (d) Greater than $5,000, where the total arrears is more than 24 months old Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than $0, until that account had no total arrears, or is in credit.	**Indicator:** Residential accounts receiving tailored assistance, with aged total arrears older than 24 months **Definition:** Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last day of the reporting month of: (a) Greater than $1,000 but less than or equal to $2,000, where the total arrears is more than 24 months old (b) Greater than $2,000 but less than or equal to $3,000, where the total arrears is more than 24 months old (c) Greater than $3,000 but less than or equal to $5,000, where the total arrears is more than 24 months old. (d) Greater than $5,000, where the total arrears is more than 24 months old Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than $0, until that account had no arrears, that includes both	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
		initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt. Also, these are the same accounts as referred to in AS022.	
AR051	**Indicator:** Residential accounts not receiving tailored assistance, with aged total arrears 12-24 months old **Definition:** Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of: (a) Greater than $1,000 but less than or equal to $2,000, where the total arrears is more than 12 months old but less than 24 months old (b) Greater than $2,000 but less than or equal to $3,000, where the total arrears is more than 12 months old but less than 24 months old (c) Greater than $3,000 but less than or equal to $5,000, where the total arrears is more than 12 months old but less than 24 months old (d) Greater than $5,000, where the total arrears is more than 12 months old but less than 24 months old	**Indicator:** Residential accounts not receiving tailored assistance, with aged total arrears 12-24 months old **Definition:** Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last day of the reporting month of: (a) Greater than $1,000 but less than or equal to $2,000, where the total arrears is more than 12 months old but less than 24 months old (b) Greater than $2,000 but less than or equal to $3,000, where the total arrears is more than 12 months old but less than 24 months old (c) Greater than $3,000 but less than or equal to $5,000, where the total arrears is more than 12 months old but less than 24 months old (d) Greater than $5,000, where the total arrears is more than 12 months old but less than 24 months old Note: The age of the account's total arrears is to be counted from when the account	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
	Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than $0, until that account had no total arrears, or is in credit.	had total arrears of more than $0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt.	
AR052	**Indicator:** Residential accounts not receiving tailored assistance, with aged total arrears older than 24 months **Definition:** Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of: (a) Greater than $1,000 but less than or equal to $2,000, where the total arrears is more than 24 months old (b) Greater than $2,000 but less than or equal to $3,000, where the total arrears is more than 24 months old (c) Greater than $3,000 but less than or equal to $5,000, where the total arrears is more than 24 months old (d) Greater than $5,000 where the total arrears is more than 24 months old Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than $0, until that account had no total arrears, or is in credit.	**Indicator:** Residential accounts not receiving tailored assistance, with aged total arrears older than 24 months **Definition:** Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last day of the reporting month of: (a) Greater than $1,000 but less than or equal to $2,000, where the total arrears is more than 24 months old (b) Greater than $2,000 but less than or equal to $3,000, where the total arrears is more than 24 months old (c) Greater than $3,000 but less than or equal to $5,000, where the total arrears is more than 24 months old (d) Greater than $5,000 where the total arrears is more than 24 months old Note: The age of the account's total arrears is to be counted from when the account had total arrears of more than $0, until that account had no arrears, that includes both initial arrears and any accrued arrears, or is in credit. The total debt on the account is counted from the oldest debt.	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
D140	**Indicator:** Disconnections for non-payment of residential accounts who did not receive tailored or standard assistance **Definition:** Reported separately for electricity and gas, the number of accounts for which supply was disconnected for non-payment during each month within the reporting period who had not received tailored or standard assistance within the previous 6 months.	**Indicator:** Disconnections for non-payment (NMI or MIRN) for residential accounts which did not receive tailored or standard assistance **Definition:** Reported separately for electricity and gas, the number of NMIs or MIRNs for residential accounts which the supply was disconnected for non-payment during each month within the reporting period, which had not received tailored or standard assistance within the 6 months prior to the disconnection date.	To clarify this performance indicator is to measure disconnections at NMI or MIRN level. To clarify the calculation for the period of this performance indicator.
D150	**Indicator:** Residential accounts where their total arrears were transferred or sold to a collection agency/third party after disconnection **Definition:** Reported separately for electricity and gas. The count of residential accounts for which total arrears were transferred or sold after disconnection to a collection agency/third party after disconnection. Note: in accordance with the Energy Retail Code, the sale of debt can only occur no sooner than 10 days after disconnection.	**Indicator:** Residential accounts where their total arrears were referred or sold to a collection agency/third party after disconnection **Definition:** Reported separately for electricity and gas. The count of residential accounts for which total arrears were referred or sold after disconnection to a collection agency/third party after disconnection counted as at the date of the referral. Note: in accordance with the draft Energy Retail Code of Practice, the sale of debt can only occur no sooner than 10 days after disconnection.	To clarify this performance indicator is to count accounts that are referred or sold to a collection agency/third party after disconnection. To clarify the calculation for the period of this performance indicator.
D161	**Indicator:** Residential accounts with total arrears at	**Indicator:** Residential accounts with total arrears as	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
	disconnection who were disconnected for non-payment **Definition:** Reported separately for electricity and gas. The count of accounts with total arrears as at the last calendar day of the reporting month who were disconnected for non-payment during the reporting month: a) less than $55 b) greater than $55 but less than or equal to $1,000 c) greater than $1,000 but less than or equal to $2,000 d) greater than $2,000 but less than or equal to $3,000 e) greater than $3,000 but less than or equal to $5,000 f) greater than $5,000 Note: Our definition assumes that accounts' arrears are based on the unpaid invoices of a customer and covers the total arrears on an account.	at the time of disconnection who were disconnected for non-payment **Definition:** Reported separately for electricity and gas. The count of accounts with total arrears as at the time of the disconnection that were disconnected for non-payment during the reporting month: (a) Less than $300 (including zero or credit) (b) Greater than or equal to $300 but less than $1,000 (c) Greater than or equal to $1,000 but less than $2,000 (d) Greater than or equal to $2,000 but less than $5,000 (e) Greater than or equal to $5,000 Note: Our definition assumes that accounts' arrears are based on the unpaid invoices of a customer and covers the total arrears on an account. These are the same accounts as referred to in D050A.	To capture completed disconnections with total arrears less than $300.
D170	**Indicator:** Notices delivered to residential accounts related to unpaid bills and disconnection warning notices **Definition:** Reported separately for electricity and gas. The count of notices issued to an account where the amount outstanding all relates to	**Indicator:** Notices delivered to residential accounts related to unpaid bills and disconnection warning notices **Definition:** Reported separately for electricity and gas. The count of notices issued to an account where the amount outstanding is greater	To clarify the calculation for the period of this performance indicator.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
	the current billing period and is greater than $300 (inclusive of GST), where the account is not disconnected in that month. Provide data separately for: a) reminder notices about unpaid bills b) disconnection warning notices.	than $300 (inclusive of GST), where the account is not disconnected in that month. Provide data separately for: (a) reminder notices about unpaid bills (b) disconnection warning notices.	
CC010	**Indicator:** Calls to account line **Definition:** The total number of calls to a retailer's account line received during the financial year, including calls answered by an automated response service or IVR*, reported under a single 'energy' category. 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. * 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.	**Indicator:** Calls to account line **Definition:** The total number of calls to a retailer's account line received during the month, including calls answered by an automated response service or IVR*, reported under a single 'energy' category. 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. * 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.	To capture the monthly number of calls rather than total calls at the end of financial year. We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
CC020	**Indicator:** Calls to an operator **Definition:** The total number of calls to an operator or customer service officer received during the financial year, 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: - any calls abandoned before the customer opts to speak to an operator - IVR calls where the customer does not select an operator option 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. Note: By default, this will also enable calculation of calls handled by an IVR.	**Indicator:** Calls to an operator **Definition:** The total number of calls to an operator or customer service officer received during the month, 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: - any calls abandoned before the customer opts to speak to an operator - IVR calls where the customer does not select an operator option 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. Note: By default, this will also enable calculation of calls handled by an IVR.	To capture the monthly number of calls rather than total calls at the end of financial year. We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.
CC030	**Indicator:** Calls to an operator responded to within 30 seconds	**Indicator:** Calls to an operator responded to within 30 seconds	To capture the monthly number of calls rather than total calls at the end of financial year.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
	Definition: The total number of calls to an operator during the financial year, reported under a single 'energy' category, that were responded to within 30 seconds. Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard). 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.	**Definition:** The total number of calls to an operator during the month, reported under a single 'energy' category, that were responded to within 30 seconds. Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard). 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	We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
		place are not obliged to report on this indicator.	
CC040	**Indicator:** Average waiting time (in seconds) **Definition:** The average time in seconds waited by callers before an operator answered their call; reported under a single 'energy' category and calculated as follows: <u>total time waited by callers during the financial year</u> 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.	**Indicator:** Average waiting time (in seconds) **Definition:** The average time in seconds waited by callers before an operator answered their call; reported under a single 'energy' category and calculated as follows: <u>total time waited by callers during the month</u> 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.	To capture the monthly number of calls rather than total calls at the end of financial year. We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.

Reference	Currently states in the Compliance and Reporting Guideline Version 6	Proposed amendment	Justification for change(s)
CC050	**Indicator:** Abandoned calls **Definition:** The total number of calls abandoned during the financial year 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.	**Indicator:** Abandoned calls **Definition:** The total number of calls abandoned during the month 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.	To capture the monthly number of calls rather than total calls at the end of financial year. We are also correcting the template to refer to residential and business customers to be consistent with the reporting guideline.

Proposed additions to performance indicators

In assessing additions to performance indicators, we considered the objectives of the framework, the outcomes that could be determined, achievability and gaps in the suite of existing performance indicators. We also tested early versions of the proposed performance indicators at individual workshops with 15 retailers.

Proposed addition	Proposed definition	Justification for addition
B181	**Indicator:** Residential Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings **Definition:** The count of residential electricity NMIs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice). The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands: (a) greater than \$22 and less than or equal to \$50 (b) greater than \$50 and less than or equal to \$100 (c) greater than \$100 and less than or equal to \$150 (d) greater than \$150 and less than or equal to \$200 (e) greater than \$200 and less than or equal to \$250 (f) greater than \$250 and less than or equal to \$300 (g) greater than \$300 and less than or equal to \$400 (h) greater than \$400 Note: The total number of NMIs should equal B180.	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.

Proposed addition	Proposed definition	Justification for addition
B182	**Indicator:** Residential Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan **Definition:** The count of residential electricity NMIs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice). This percentage is calculated as: (annual total cost of the current plan *minus* <u>annual total cost of the deemed best offer)</u> the annual cost of the current plan This is to be reported by the following bands: (a) greater than 0% and less than or equal to 5% (b) greater than 5% and less than or equal to 10% (c) greater than 10% and less than or equal to 15% (d) greater than 15% and less than or equal to 20% (e) greater than 20% Note: The total number of NMIs should equal B180.	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.
B185	**Indicator:** Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer **Definition:** The count of small business electricity NMIs (consuming less than 40MWh per year) during the reporting month who received a message on their bill saying that they are not on the retailer's best offer	This indicator currently exists for residential – additional indicator for small business.

Proposed addition	Proposed definition	Justification for addition
B186	**Indicator:** Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings **Definition:** The count of small business electricity NMIs (consuming less than 40MWh per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice). The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands: (a) greater than $22 and less than or equal to $100 (b) greater than $100 and less than or equal to $200 (c) greater than $200 and less than or equal to $300 (d) greater than $300 and less than or equal to $400 (e) greater than $400 and less than or equal to $500 (f) greater than $500 and less than or equal to $600 (g) greater than $600 and less than or equal to $700 (h) greater than $700 Note: The total number of NMIs should equal B185.	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.

Proposed addition	Proposed definition	Justification for addition
B187	**Indicator:** Small Business Electricity NMIs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan **Definition:** The count of small business electricity NMIs (consuming less than 40MWh per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice). This percentage is calculated as: (annual total cost of the current plan *minus* <u>annual total cost of the deemed best offer)</u> the annual cost of the current plan This is to be reported by the following bands: (a) greater than 0% and less than or equal to 5% (b) greater than 5% and less than or equal to 10% (c) greater than 10% and less than or equal to 15% (d) greater than 15% and less than or equal to 20% (e) greater than 20% Note: The total number of NMIs should equal B185.	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.
B191	**Indicator:** Small Business Electricity NMIs that received information on their bill that they are on the retailer's best offer **Definition:** The count of small business electricity NMIs (consuming less than 40MWh per year) during the reporting month who received a message on their bill saying that they are on the retailer's best offer	This indicator currently exists for residential – additional indicator for small business.

Proposed addition	Proposed definition	Justification for addition
B201	**Indicator:** Residential Gas MIRNs that received information on their bill that they are not on the retailer’s best offer - annual savings **Definition:** The count of residential gas MIRNs that received a message on their bill during the reporting month, saying that they are not on the retailer’s best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice). The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands: (a) greater than $22 and less than or equal to $50 (b) greater than $50 and less than or equal to $100 (c) greater than $100 and less than or equal to $150 (d) greater than $150 and less than or equal to $200 (e) greater than $200 and less than or equal to $250 (f) greater than $250 and less than or equal to $300 (g) greater than $300 and less than or equal to $400 (h) greater than $400 Note: The total number of MIRNs should equal B200.	To monitor the count of NMIs that are not on the retailer’s best offer and the amount of their potential savings if they change plan.

Proposed addition	Proposed definition	Justification for addition
B202	**Indicator:** Residential Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan **Definition:** The count of residential gas MIRNs that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice). This percentage is calculated as: (annual total cost of the current plan *minus* <u>annual total cost of the deemed best offer)</u> the annual cost of the current plan This is to be reported by the following bands: (a) greater than 0% and less than or equal to 5% (b) greater than 5% and less than or equal to 10% (c) greater than 10% and less than or equal to 15% (d) greater than 15% and less than or equal to 20% (e) greater than 20% Note: The total number of MIRNs should equal B200.	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.
B205	**Indicator:** Small Business Gas MIRNs that received information on their bill that they are not on the retailer's best offer **Definition:** The count of small business gas MIRNs (consuming less than 1,000 GJ per year) during the reporting month who received a message on their bill saying that they are not on the retailer's best offer	This indicator currently exists for residential – additional indicator for small business.

Proposed addition	Proposed definition	Justification for addition
B206	**Indicator:** Small Business Gas MIRNs that received information on their bill that they are not on the retailer’s best offer - annual savings **Definition:** The count of small business gas MIRNs (consuming less than 1,000 GJ per year) that received a message on their bill during the reporting month, saying that they are not on the retailer’s best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice). The annual savings is calculated as annual total cost of the current plan minus annual total cost of the deemed best offer, and is to be reported by the following bands: (a) greater than $22 and less than or equal to $100 (b) greater than $100 and less than or equal to $200 (c) greater than $200 and less than or equal to $300 (d) greater than $300 and less than or equal to $400 (e) greater than $400 and less than or equal to $500 (f) greater than $500 and less than or equal to $600 (g) greater than $600 and less than or equal to $700 (h) greater than $700 Note: The total number of MIRNs should equal B205.	To monitor the count of NMIs that are not on the retailer’s best offer and the amount of their potential savings if they change plan.

Proposed addition	Proposed definition	Justification for addition
B207	**Indicator:** Small Business Gas MIRNs that received information on their bill that they are not on the retailer's best offer - annual savings as a percent of the annual total cost of current plan **Definition:** The count of small business gas MIRNs (consuming less than 1,000 GJ per year) that received a message on their bill during the reporting month, saying that they are not on the retailer's best offer, and the potential annual savings (as per clause 109(1) of the Energy Retail Code of Practice). This percentage is calculated as: (annual total cost of the current plan *minus* annual total cost of the deemed best offer) the annual cost of the current plan This is to be reported by the following bands: (a) greater than 0% and less than or equal to 5% (b) greater than 5% and less than or equal to 10% (c) greater than 10% and less than or equal to 15% (d) greater than 15% and less than or equal to 20% (e) greater than 20% Note: The total number of MIRNs should equal B205.	To monitor the count of NMIs that are not on the retailer's best offer and the amount of their potential savings if they change plan.
B211	**Indicator:** Small Business Gas MIRNs that received information on their bill that they are on the retailer's best offer **Definition:** The count of small business gas MIRNs (consuming less than 1,000 GJ per year) during the reporting month who received a message on their bill saying that they are on the retailer's best offer	This indicator currently exists for residential – additional indicator for small business.

Proposed addition	Proposed definition	Justification for addition
B230	**Indicator:** Residential accounts that missed bills during the month **Definition:** Reported separately for electricity and gas, the count of residential accounts that did not pay part or all bill amount as at the due date of the bill, during the reporting month.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.
B231	**Indicator:** Small business accounts that missed bills during the month **Definition:** Reported separately for electricity and gas, the count of small business accounts that did not pay part or all bill amount as at the due date of the bill, during the reporting month. Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.
AS100	**Indicator:** Small business accounts receiving payment assistance **Definition:** Reported separately for electricity and gas, the count of small business accounts receiving some form of payment assistance as at the last day of the reporting month. Note: Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. This indicator should be limited only to customers receiving their current round of payment assistance. Our definition assumes that customer arrears are based on the unpaid invoices of a customer.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.
AS110	**Indicator:** Residential accounts that deferred payments **Definition:** Reported separately for electricity and gas, the count of residential accounts deferring payments as at the last day of the reporting month.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.

Proposed addition	Proposed definition	Justification for addition
AS111	**Indicator**: Small business accounts that deferred payments **Definition**: Reported separately for electricity and gas, the count of small business accounts deferring payments as at the last day of the reporting month. Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.
AS120	**Indicator**: Other residential accounts with arrears **Definition**: Reported separately for electricity and gas, the count of other residential accounts with arrears - that are not included in the residential accounts receiving tailored assistance or in the residential accounts deferring payments, as at the last day of the reporting month.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.
AS121	**Indicator**: Other small business accounts with arrears **Definition**: Reported separately for electricity and gas, the count of other small business accounts with arrears - that are not included in the small business accounts receiving payment assistance or in the small business accounts deferring payments, as at the last day of the reporting month. Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.
AR060	**Indicator**: Average total arrears of small business accounts receiving payment assistance ($) **Definition**: Reported separately for electricity and gas, the average total arrears of each small business account receiving payment assistance as at the last day of the reporting month. Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. These are the same accounts as referred to in AS100.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.

Proposed addition	Proposed definition	Justification for addition
AR070	**Indicator**: Average total amount deferred by residential accounts ($) **Definition**: Reported separately for electricity and gas, the average total amount deferred by residential accounts as at the last day of the reporting month. Note: These are the same accounts as referred to in AS110.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.
AR071	**Indicator**: Average total amount deferred by small business accounts ($) **Definition**: Reported separately for electricity and gas, the average total amount deferred by small business accounts as at the last day of the reporting month. Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. These are the same accounts as referred to in AS111.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.
AR080	**Indicator**: Average total arrears of other residential accounts with arrears ($) **Definition**: Reported separately for electricity and gas, the average total arrears of other residential accounts with arrears - that are not included in the residential accounts receiving tailored assistance or in the residential accounts deferring payments, as at the last day of the reporting month. Note: These are the same accounts as referred to in AS120.	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.

Proposed addition	Proposed definition	Justification for addition
AR081	**Indicator**: Average total arrears of other small business accounts with arrears ($) **Definition**: Reported separately for electricity and gas, the average total arrears of other small business accounts with arrears - that are not included in the small business accounts receiving payment assistance or in the small business accounts which have deferred payments, as at the last day of the reporting month. Note: Small business accounts are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. These are the same accounts as referred to in AS121	This indicator is currently collected under the COVID-19 data collection. This is a useful indicator for future analysis.