



National Energy Retail Amendment (Customer access to information about their energy consumption) Rule 2014 No. 2

Under the National Energy Retail Law as applied by:

- (a) the National Energy Retail Law (South Australia) Act 2011 of South Australia;
- (b) the National Energy Retail Law (ACT) Act 2012 of the Australian Capital Territory;
- (c) the National Energy Retail Law (Adoption) Act 2012 of New South Wales;
- (d) the National Energy Retail Law (Tasmania) Act 2012 of Tasmania;
- (e) Australian Energy Market Act 2004 of the Commonwealth;

the Australian Energy Market Commission makes the following Rule under the National Energy Retail Law.

John Pierce
Chairman
Australian Energy Market Commission

National Energy Retail Amendment (Customer access to information about their energy consumption) Rule 2014 No. 2

1 Title of Rule

This Rule is the *National Energy Retail Amendment (Customer access to information about their energy consumption) Rule 2014 No. 2*.

2 Commencement

Schedule 1 commences operation on 1 March 2016.

Schedules 2 and 3 commence operation on 1 September 2015.

3 Amendment of the National Energy Retail Rules

The National Energy Retail Rules are amended as set out in Schedule 1.

4 Amendment of the National Energy Retail Rules

The National Energy Retail Rules are amended as set out in Schedule 2.

5 Savings and Transitional Amendments to the National Energy Retail Rules

The National Energy Retail Rules are amended as set out in Schedule 3.

Schedule 1 Amendments of the National Energy Retail Rules

(Clause 3)

[1] Rule 3 Definitions

In Rule 3, insert the following definitions in alphabetical order:

customer authorised representative means a person authorised by a:

- (a) small customer to act on its behalf under rules 56A and 56B; or
- (b) customer to act on its behalf under rule 86A.

metering data provision procedures has the same meaning as in the NER.

[2] Rule 28 Historical Billing Information (SRC and MRC)

Omit rule 28(2) and substitute:

- (2) Historical billing data provided to the small customer for the previous 2 years must be provided without charge, but may be provided subject to a reasonable charge where the data requested is for an earlier period or has been requested more than:
 - (a) four times in any 12 month period, in the case of the supply of electricity; or
 - (b) once in any 12 month period, in the case of the supply of gas.

[3] New Rule 56A Energy consumption information - supply of electricity only

After rule 56, insert:

56A Energy consumption information - supply of electricity only

- (1) A retailer must, on a request by a small customer or a *customer authorised representative*, provide information about that customer's energy consumption for the previous 2 years in the manner and form required by the *metering data provision procedures*.
- (2) Subject to paragraph (3), information referred to in paragraph (1) must be provided without charge.

- (3) Information under paragraph (1) may be provided subject to a reasonable charge where it has been requested:
- (a) more than four times in any 12 month period;
 - (b) in a different manner or form than that specified in the *metering data provision procedures*; or
 - (c) by a *customer authorised representative* as part of a request for information about more than one small customer.

Application of this rule to standard retail contracts

- (4) This rule applies in relation to standard retail contracts.

Application of this rule to market retail contracts

- (5) This rule applies in relation to market retail contracts (other than prepayment *meter* market retail contracts).

[4] New Rule 56B Historical billing and energy consumption information - supply of electricity only

After rule 56A, insert:

56B Historical billing and energy consumption information - supply of electricity only

- (1) A reference to a retailer in rules 28 and 56A is a reference to a small customer's current retailer.
- (2) If a small customer or *customer authorised representative* requests from the small customer's previous retailer historical billing or energy consumption information for a period within two years prior to the date of the request then, even though the small customer's contract with the previous retailer may otherwise have terminated, the previous retailer must provide the person that made the request with any of the information requested that is then retained by, or otherwise available to, the previous retailer, to the extent that information relates to the period in which the small customer was a customer of the previous retailer. The previous retailer may provide this information subject to a reasonable charge.

Application of this rule to standard retail contracts

- (3) This rule applies in relation to standard retail contracts.

Application of this rule to market retail contracts

- (4) This rule applies in relation to market retail contracts (other than prepayment *meter* market retail contracts).

[5] Rule 86 Provision of information

Omit rule 86 and substitute:

86A Provision of information - supply of electricity

- (1) In the case of supply of electricity, a distributor must, on request by a customer, *customer authorised representative* or a customer's retailer, provide information about the:
- (a) customer's energy consumption for the previous 2 years in the manner and form required by the *metering data provision procedures*; or
 - (b) distributor's charges.
- (2) Subject to paragraph (3), information referred to in paragraph (1) must be provided without charge.
- (3) Information under paragraph (1) may be provided subject to a reasonable charge where it has been requested:
- (a) directly by a customer more than 4 times in any 12 month period;
 - (b) in a different manner or form than that specified in the *metering data provision procedures*; or
 - (c) by a *customer authorised representative* as part of a request for information about more than one customer.

86B Provision of information - supply of gas

- (1) In the case of supply of gas, a distributor must, on request by a customer or a customer's retailer, provide information about the customer's energy consumption or the distributor's charges, but information requested more than once in any 12 month period may be provided subject to a reasonable charge.

Schedule 2 Amendments of the National Energy Retail Rules

(4)

[1] Schedule 1 Model terms and conditions for standard retail contracts

Omit clause 9.4 and substitute:

9.4 Your historical billing information

Upon request, we must give you information about your billing history for the previous 2 years free of charge. However, we may charge you if you require information going back more than 2 years or we have already given you this information:

- (a) 4 times in the previous 12 months, where this contract relates to electricity; or
- (b) in the previous 12 months, where this contract relates to gas.

[2] Schedule 1 Model terms and conditions for standard retail contracts

After clause 9.4 insert new clause 9.4A:

9.4A Your electricity (only) consumption information

Upon request, we must give you information about your electricity consumption for up to 2 years free of charge. However, we may charge you if:

- (a) we have already given you this information 4 times in the previous 12 months; or
- (b) the information requested is different in manner or form to any minimum requirements we are required to meet; or
- (c) the information is requested by a representative you have authorised to act on your behalf, and that request is part of a request the representative makes to us in relation to more than one customer.

[3] Schedule 2 Model terms and conditions for deemed standard connection contracts

Omit clause 15.2 and substitute:

15.2A Access to information - electricity only

Upon request, we must give you information about your energy consumption or our charges for customer connection services for up to 2 years free of charge. We may charge you a reasonable fee for information requested;

- (a) more than 4 times in the previous 12 months; or
- (b) that is different in manner and form to any minimum requirements we are required to meet; or
- (c) by a representative you have authorised to act on your behalf, and that request is part of a request the representative makes to us in relation to more than one customer.

15.2B Access to information - gas only

Upon request, we must give you information about your energy consumption or our charges for customer connection services. We may charge you a reasonable fee for information requested more than once in any 12 month period.

**Schedule 3 Savings and Transitional Amendments to the
National Energy Retail Rules**

(Clause 5)

[1] Schedule 3 Savings and Transitional Rules

After part 4, insert:

**Part 5 Rules consequential on the making of
National Energy Retail Amendment
(Customer access to information about
their consumption) Rule 2014**

1 Definitions

Amending Rule means National Energy Retail Amendment (Customer access to information about their energy consumption) Rule 2014.

required alterations means the amendments set in Schedule 2 of the Amending Rule.

2 Variation date

Retailers and distributors must make the required alterations to their standard retail contracts and standard connection contracts respectively by 28 February 2016.

3 Effective date

The required alterations must take effect no later than 1 March 2016.

[END OF RULE AS MADE]
