



Draft National Energy Retail Amendment (Estimated meter reads) Rule 2018 No. 3

under the National Energy Retail Law to the extent 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 (Queensland) Act 2014 of Queensland;
- (e) the National Energy Retail Law (Tasmania) Act 2012 of Tasmania; and
- (f) the 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

Draft National Energy Retail Amendment (Estimated meter reads) Rule 2018 No. 3

1 Title of Rule

This Rule is the Draft National Energy Retail Amendment (Estimated meter reads) Rule 2018 No. 3.

2 Commencement

This Rule commences operation on 1 February 2019.

3 Amendment of the National Energy Retail Rules

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

Schedule 1 Amendments of the National Energy Retail Rules

(Clause 3)

[1] Rule 20 Basis for bills (SRC and MRC)

In rule 20(1)(a)(i), omit "and rule 21".

[2] Rule 20 Basis for bills (SRC and MRC)

After rule 20(1)(a)(i), insert:

- (ii) on an estimation of the customer's consumption of energy, as provided by rule 21; or

[3] Rule 20 Basis for bills (SRC and MRC)

Renumber existing rule 20(1)(a)(ii) to (iii).

[4] Rule 21 Estimation as basis for bills (SRC and MRC)

In rule 21(1), after "A retailer may", insert "only".

[5] Rule 21 Estimation as basis for bills (SRC and MRC)

In rule 21(2), after "the estimations", omit "may" and substitute "must".

[6] Rule 21 Estimation as basis for bills (SRC and MRC)

In rule 21(2)(a), before "; or", insert "(referred to in this rule as a **customer read estimate**)".

[7] Rule 21 Estimation as basis for bills (SRC and MRC)

In rule 21(3), omit "." and substitute ", and if based on a customer read estimate, that the bill is based on the customer's reading of the relevant *meter*".

[8] Rule 21 Estimation as basis for bills (SRC and MRC)

After rule 21(3), insert:

(3A) Where a small customer's bill is based on an estimate, other than a customer read estimate, the retailer must inform a small customer in writing:

- (a) that the customer may request an adjusted bill (based on a customer read estimate) by providing the retailer with a customer read estimate before the due date for payment of the bill; and
- (b) if the customer requests an adjusted bill in accordance with paragraph (a), of any changes to the customer's payment obligations; and
- (c) how the customer can obtain the information under subrule (3B).

- (3B) A retailer must make available to small customers at no charge and in clear, simple and concise language for the purposes of subrule (3A):
- (a) guidance on how to read the customer's *meter*; and
 - (b) the types of information the customer is required to provide when lodging the customer read estimate; and
 - (c) instructions on the methods by which the customer can lodge the customer read estimate.

(3C) Where:

- (a) a small customer requests an adjustment to a bill based on an estimate in the circumstances set out in subrule (3A) by providing the retailer with a customer read estimate; and
- (b) the retailer receives the customer read estimate before the due date for payment of the bill; and
- (c) the retailer reasonably considers the customer read estimate is provided in accordance with the guidance and requirements provided by the retailer under subrule (3B),

the retailer must promptly provide the small customer with an adjusted bill based on the customer read estimate.

(3D) If:

- (a) the customer read estimate was received on or after the due date for payment of the bill; or
- (b) the retailer does not reasonably consider the customer read estimate is provided in accordance with the guidance and requirements provided by the retailer under subrule (3B),

the retailer may reject the customer read estimate and, if it does so, must promptly notify the small customer in writing of the reasons for its decision.

(3E) The retailer must set out a process under its standard complaints and dispute resolution procedures for a small customer to attempt to rectify a customer read estimate that is not accepted under subrule (3)(D)(b).

(3F) If the retailer does not accept the customer read estimate under subrule (3)(D)(b), the retailer must inform the small customer that the customer may lodge a dispute with the energy ombudsman where the customer is not satisfied with the retailer's reasons for not accepting the customer read estimate.

[9] Rule 29 Billing disputes (SRC and MRC)

In rule 29(5)(b), omit "(which the retailer may request be paid in advance); and" and substitute "if the check or test shows that the *meter* or *metering data* was not faulty or incorrect."

[10] Rule 29 Billing disputes (SRC and MRC)

Delete paragraphs (c) and (d) of rule 29(5).

[11] Rule 29 Billing disputes (SRC and MRC)

After rule 29(5), insert:

- (5A) For the purpose of subrule (5), a small customer request made under subrule 21(3C) is not to be treated as a request for the *meter* reading or *metering data* to be checked or the *meter* tested.
-