

2 March 2022

Australian Energy Market Commission
GPO Box 2603
Sydney NSW 2000

Ref: RCC0042

Submitted via email to: ConsumerPolicy@aer.gov.au

RRC0042 Protecting customers affected by family violence – Tango Energy submission

Tango Energy thanks the Australian Energy Regulator (AER) for the opportunity to comment on the proposed rule change by Red Energy and Lumo Energy relating to protecting customers affected family violence, with the consultation paper published on 18 November 2021.

Tango Energy is the wholly owned subsidiary retail arm of Pacific Hydro Australia (PHA). PHA was founded in 1992, and is a leading owner, operator and developer of renewable energy assets. It operates a high quality, diversified portfolio of wind, hydro and solar assets with an installed capacity of 665 MW; it also has a development pipeline of substantial projects totaling over 1100 MW of potential capacity, as well as over 300 MW of energy storage solutions.

We are a relatively new and growing retailer with approximately 150,000 small and large customers as of February 2022. While our customer base is predominantly in Victoria, Tango Energy also recently started selling to small customers in New South Wales, Queensland, and South Australia and expects to grow our presence in those jurisdictions.

Please see the below outlining our responses to the submission questions. If you would like to discuss this submission in detail, please contact me at the details provided with the submission.

Yours sincerely,

Matthew Frost
Assurance and Compliance Analyst
Tango Energy Pty Ltd

Protecting customers affected by family violence

STAKEHOLDER FEEDBACK TEMPLATE

Please use this template if you wish to provide your feedback on the questions posed in the consultation paper. Please don't feel obliged to answer each question, but address those of particular interest or concern. Further context for each question can be found in the consultation paper.

SUBMITTER DETAILS

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DATE 3 March 2022

PROJECT DETAILS

NAME OF RULE CHANGE: Protecting customers affected by family violence

PROJECT CODE: RRC0042

PROPONENT: Red Energy and Lumo Energy

SUBMISSION DUE DATE: 3 March 2022

CHAPTER 1 – VIEWS ON THE RULE CHANGE PROPOSAL

Question 1– Red and Lumo’s rule change request

<p>What are your views on the effectiveness of the changes proposed by Red and Lumo in protecting customers affected by family violence?</p>	<p>Tango Energy considers that family violence is a complex societal issue that should ideally be handled by appropriately trained professionals. Notwithstanding this, Tango Energy appreciates the sentiment and policy rationale underpinning the changes proposed by Red and Lumo in relation to introducing provisions that increase protections for customers affected by family violence. Tango Energy considers that customers who are affected by family violence deserve consistent protections across all states, and this proposed rule change would facilitate greater regulatory consistency with Victoria. The proposed rule change would also provide retailers with certainty around their requirements under the NECF and the responsibilities they have when dealing and identifying customers affected by family violence.</p>
<p>What improvements and challenges should the Commission consider?</p>	<p>Tango Energy asks that the AEMC considers the requirement of mandatory family violence training for retailer staff as part of this rule change. The current requirements under the Victorian Energy Retail Code of Practice require training to be provided to certain retail staff members as well as requirements as to what must be addressed in the training. The rule change proposed by Red and Lumo omits this requirement. Removing this requirement could result in retailers not giving proper training to their staff in relation to how to identify and deal with family violence-affected customers. Inadequate training could result in an inadvertent perpetuation of emotional distress for affected customers due to the sensitivities surrounding family violence. The Royal Commission into Family Violence recommended comprehensive ongoing training for customer service staff to help identify customers experiencing family violence. The Commission’s findings concluded that affected customers trying to access support were often confronted with a lack of understanding from customer-facing staff which ultimately resulted in a poor experience for the affected customer.</p> <p>With this in mind, Tango Energy recommends that any mandatory training obligation be expressed in the form of broad guiding principles rather than a listed set of training requirements to provide retailers with greater flexibility to ensure their staff have the knowledge to handle customers affected by family violence with due sensitivity and respect.</p>

CHAPTER 2 – ADDITIONAL COMPONENTS THAT COULD BE INCLUDED IN THE RULE

Question 2 – Additional matters

<p>Are there matters you would like to see addressed in the National Energy Retail Rules beyond those considered in the proposed rule? These could be issues, protections or requirements. For instance, regarding the Victorian approach, compliance and enforcement, or ways to</p>	<p>Tango Energy considers that regulatory consistency with the Victorian framework is important to reduce potential implementation costs. Any imposition of additional obligations outside of those already in place in Victoria may not only result in further costs for energy retailers, but may also require further consultation to understand their application and effect on the energy sector.</p>
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minimise implementation costs?

CHAPTER 3 – ALTERNATIVE APPROACHES AND COMPLEMENTARY POLICY APPROACHES

Question 3: Alternative approaches

What regulatory approaches from other sectors should the Commission consider, to complement, amend or replace Red and Lumo's proposal? Please explain why that regulatory approach is being used and provide evidence of its effectiveness in protecting consumers from financial abuse.	Tango Energy has not suggested any alternative approaches for the reasons set out below.
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Could a broader cross-sector approach effectively address financial abuse in the energy sector? What would be its key aspects?	Tango Energy would caution against the implementation of any broad cross-sector approach due to the potential difficulty in aligning approaches across different sectors. Various sectors have implemented family violence protection frameworks, and implementation of any cross-sector approach would require industries to be aligned in both their approaches and their protections. This would require substantial consideration around how the individual industries operate and how uniform obligations can be implemented without creating operational complexities. If a cross-sector approach was to be considered, Tango Energy would strongly encourage extensive consultation be conducted with energy retailers in order to assess whether the approach would provide an overall benefit to customers affected by family violence.
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What existing jurisdictional provisions should the Commission take into account for this rule change?	As previously mentioned, Tango Energy recommends that the AEMC focuses on ensuring that the current proposed rule change is effective in promoting improved outcomes for those affected by family violence before considering any expansions or modifications beyond the requirements that are currently in place in Victoria.
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CHAPTER 4 – WHAT IS AN APPROPRIATE ASSESSMENT FRAMEWORK FOR THIS RULE CHANGE

Question 4: Assessment framework

Is the proposed assessment framework appropriate? What	Tango Energy considers that the assessment framework is appropriate and recommends that retailers be given flexibility in relation to developing and implementing their family violence policy to meet the needs of their individual
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amendments or additions would you suggest, and why?

businesses and the diverse socio-economic backgrounds of their customers. Too much regulatory prescription can lead to retailers viewing the development of a family violence policy as a means to 'ticking a box' and ensuring compliance rather than focusing on ensuring that their affected customers understand their protections, their ability to access assistance as well as any external assistance that may be available.