

4 August 2022

Australian Energy Market Commission
GPO Box 2603
Sydney NSW 2000

Email: aemc@aemc.gov.au

AEMC Ref: RRC0042.

RE: NATIONAL ENERGY RETAIL AMENDMENT (PROTECTING CUSTOMERS AFFECTED BY FAMILY VIOLENCE) RULE 2022

Next Business Energy thanks the Commission for the opportunity to provide a submission on the draft Protecting Customers Affected By Family Violence Rule. Next Business Energy P/L (NBE) is a 100% Australian owned and operated electricity retailer. NBE is focussed on providing competitively priced electricity to businesses in Victoria, New South Wales, South Australia, Queensland, and the ACT.

Next Business Energy supports the provision of protections to customers who are subject, or are escaping domestic violence, and implementation of retail rules, and processes to support such customers, NBE currently has a Family Violence policy and process in place in Victoria, that is also generally applicable to all customers (not just Victorian customers).

However, NBE is very concerned about how this rule is drafted to apply to *affected customers*, and how that drafting makes the rule applicable to businesses that are not natural persons and applicable to business trading locations. As I am sure the Commission understands, as drafted these rules will apply to any affected customer, even those that are not a “person” (companies etc) who are not natural individuals.

NBE considers that the definition affected customers should amended to apply to only natural persons who are affected customers. This would allow the rule to apply to sole traders, who operate from a residential property.

In addition, NBE considers that all debt related, and payment difficulty aspects of the rule should be limited the primary residence of the affected person and not to business and trade premises. Retailer should also be able to request supporting information from customer claiming that business premises is used as their residence.

As an example, Next Business Energy does not understand how it will be practicable to apply the rule to properties and affected customers that are operated on a commercial basis. Such customers must continue to trade while being solvent, and in most circumstances the very act of operating a business requires that its location to be made public in several generally available sources (websites etc). NBE also notes that protection of affected persons in such public/business locations is available via apprehended violence and similar protection orders.

Next Business Energy fully supports the intention of the draft rule to protect family violence victims. However, given the nature of the penalties attached to non-compliance, NBE remains very concerned as to how this rule will operate in practice with regards to customers who not natural persons, or who are running businesses from the affected customer account(s), and how the debt and payment

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difficulty aspects of the rule are to be applied to the debts incurred by businesses and business premises.

We respectfully request that the Commission address these concerns via further consultation with stakeholders to consider how these concerns can be addressed in the final version of the proposed rule.

Should you wish to discuss our submission further, or if you require additional regarding our views on the Draft rule in relation to small business customers, please do not hesitate to contact me on 0419 388 283 or via email at andrew@nextbusinessenergy.com.au



Andrew Mair

Manager Regulation and Compliance.