

4 September 2025



Ms Anna Collyer
Chair
Australian Energy Market Commission

Project Reference Code: RRC0064

Dear Ms Collyer

Improving Life Support Processes

Energy Queensland Limited (Energy Queensland) welcomes the opportunity to provide comment to the Australian Energy Market Commission (AEMC) in response to its *National Energy Retail Amendment (Improving life support processes) Rule 2025 – Consultation Paper*.

This submission is provided by Energy Queensland, on behalf of its related entities:

- Distribution network service providers (DNSPs), Energex Limited and Ergon Energy Corporation Limited; and
- Regional service delivery retailer, Ergon Energy Queensland Pty Ltd.

Our responses to the consultation questions proposed by the AEMC are provided in **Attachment 1** to this letter.

Should you require additional information or wish to discuss any aspect of this submission, please do not hesitate to contact me or Mark Simpson on 0467 837 450.

Yours sincerely

Alena Christmas
Manager Regulatory Affairs

Telephone: 0429 394 855
Email: alena.christmas@energyq.com.au

AEMC

Consultation paper: National Energy Retail Amendment (Improving life support processes) Rule 2025

STAKEHOLDER FEEDBACK TEMPLATE

SUBMITTER DETAILS

ORGANISATION: Energy Queensland Limited

CONTACT NAME: Mark Simpson

EMAIL: Mark.Simpson@energyq.com.au

PHONE: 0467 837 450

DATE 4 September 2025

PROJECT DETAILS

NAME OF RULE CHANGE: Improving life support processes

PROJECT CODE: RRC0064

PROPONENT: SA Power Networks and Essential Energy

SUBMISSION DUE DATE: 4 September 2025

CHAPTER 2 – THE PROBLEM RAISED IN THE RULE CHANGE REQUEST

Question 1: Theme 1. What is your view of the proposed definitions and whether they should be included in the NERR?

<ul style="list-style-type: none">What do you see as the key issues for including the proposed definitions in the NERR, for example:<ul style="list-style-type: none">Would adding/amending these definitions improve outcomes for life support consumers?	Energy Queensland agrees with the proposed definitions and considers they should be included in the National Energy Retail Rules (NERR). However, in relation to the proposed definition of life support equipment, we suggest that determining whether equipment is critical or assistive should not rely solely on the type of equipment. Instead, it should be based on an assessment by a registered medical practitioner. Equipment may shift from assistive to critical depending on duration of power loss (for example, 72 hours without power). We suggest a single listing of qualified equipment, with
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<ul style="list-style-type: none"> ○ Would they appropriately capture all needs of life support customers, including those that do not involve equipment, such as refrigeration for insulin pumps? ○ Is it appropriate to have the same list of equipment from which to draw the definitions of critical and assistive life support equipment? Are two different sets of lists needed, one for each type of equipment? ○ Are there any specific needs related to equipment that requires gas connection that we need to capture? 	<p>registered medical practitioner discretion to classify its criticality.</p> <p>Retailers currently have no way to consistently verify medical confirmation has been completed by a registered medical practitioner. Currently, the process relies on the publicly available register of practitioners published by the Australian Health Practitioner Regulation Agency to confirm the medical practitioner's registration status. It appears to us that the proposed rules would involve a similar process. It is our view that the proposed rules would benefit from a process that clarifies what occurs if practitioner details are incomplete or mismatched and it cannot be reasonably assessed whether the medical confirmation form meets requirements. For example, retailers or distributors could be given flexibility to determine whether a form has been properly completed.</p> <p>We also suggest there is a need for the AEMC to consider the process for existing life support registrations. For example, should there be transitional arrangements for existing life support registrations until new medical confirmations are obtained?</p>
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Question 2: Theme 1. What is your view of the proposed amendments to civil penalty provisions for breaches relating to notification and deregistration - based on proposed changes to definitions as outlined in section 2.1.1 above?

Are there unintended risks from the proposed changes as suggested in the rule change request?	Energy Queensland supports reducing civil penalties for breaches related to notification and deregistration. These breaches typically have minimal customer impact.
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Question 3: Theme 2: Is there confusion around who may deregister a premise when there is a change in the customer's circumstances?

<ul style="list-style-type: none"> • Should deregistering a premises be mandated as suggested? • Are there any unintended consequences of the proposed changes? • Are updates required to the AER Life support registration guide to clarify deregistration roles? • Are changes to B2B processes required due to the proposed changes? 	<p>Energy Queensland does not support mandatory deregistration. However, we agree that the current deregistration roles and responsibilities could benefit from further clarification.</p> <p>The role of initiating de-registration should not be limited to the 'registration process owner' as doing so creates barriers for customers which hinder customer engagement. Expanding the role of deregistration beyond the 'registration process owner' would not only prevent these barriers but also support efficient information sharing and appropriately balance costs and responsibilities across relevant market participants.</p> <p>Energy Queensland questions the proponents claim that discrepancies and industry confusion are substantial problems. Retailers are already incentivised to efficiently manage deregistration because of impacts life support registration has on operations and cost to serve. Reconciliation occurs every quarter to ensure life support records align between retailers and distributors. If discrepancies exist, they would be resolved between the parties as part of this reconciliation process.</p>
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	<p>As such, Energy Queensland suggests there is limited value in mandating deregistration. Rather, we see value in supporting flexibility to retain life support registration in certain circumstances, for example, where a retailer considers a customer may require additional or extensive assistance. While such instances are rare, flexibility is required to ensure customers who fall outside of the status quo can receive tailored protections. As such, we recommend deregistration remain discretionary.</p> <p>Further, it is our view that the proposed changes will result in additional market transactions and recipient/sender systems to facilitate the new tiers of life support equipment. Changes to the B2B process would be required either to split for assistive and critical equipment or provide ability to identify easily what value that record is. We also note that the AER guide should be updated to incorporate any amendments, including changes to definitions and roles.</p>
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Question 4: Theme 2: Do you have any views on requesting an updated medical certificate every four years?

<ul style="list-style-type: none"> Is it appropriate to create a permanent medical confirmation for critical life support customers with ongoing needs? <ul style="list-style-type: none"> Should this permanent confirmation also be extended to customers on assistive life support? Are the proposed roles for registered medical practitioners in the life support registration appropriate? Is it appropriate to compel deregistration for customers who do not provide a medical confirmation? 	<p>Energy Queensland is of the view that, if the proposed new definitions of critical and assistive life support equipment are implemented, a permanent medical confirmation would not be appropriate.</p> <p>While we recognise it is unlikely customers who require critical life support equipment will experience a change in circumstances related to their life support needs, we are of the view that ongoing engagement is necessary to ensure that customer details continue to be up to date and accurately reflect the customer's circumstances, especially if medical certificates are only updated every four years. It is our experience that customers who use critical life support equipment engage with their doctor regularly and so we consider a request to resubmit updated information via a new medical confirmation form once every four years would not create an overly onerous obligation for these customers.</p> <p>Further, we support amendments which enable the deregistration of customers where an updated medical confirmation form has not been received after a period of four years. The inability to request new medical confirmation forms has resulted in retailers being unable to de-energise premises for non-payment in circumstances where it has been suspected that life support equipment is no longer required.</p> <p>Energy Queensland supports the proposed roles for registered medical practitioners. We note that rebates available to users often extend beyond electricity rebates⁽⁶⁶⁾ and it is our experience customers are not consistently informed by their registered medical practitioner of potential eligible rebates available to them. It is our experience customers are not</p>
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	consistently informed by their registered medical practitioner of potential eligible rebates available to them.
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Question 5: Theme 2: Do you have any views on introducing a cap on registration attempts without medical confirmation?

<ul style="list-style-type: none"> Are there any unintended consequences from introducing a limit on registering without medical confirmation? Are there other issues and approaches we should consider? 	<p>Energy Queensland is supportive of the proposed introduction of a cap on registration attempts without medical confirmation. Currently, the regulatory framework does not provide options to manage the administrative burden and costs caused by this subset of customers.</p> <p>While we support amendments which would enable the option to request up-front medical confirmation where a customer has failed to provide medical confirmation on two prior occasions, we are of the view that this should be optional and allow flexibility to tailor support where needed for customers in circumstances where legitimate barriers are identified.</p>
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Question 6: Theme 2: Is there currently an inconsistency in how life support is assessed between different retailers and DNSPs?

<ul style="list-style-type: none"> Is back-up planning lacking for life support customers? Who should hold the responsibility for backup planning? Do the proposed templates capture all relevant information to ensure accurate life support registration and effectively protect and prioritise customers during planned and unplanned outages? Is there any information that should be added or removed? Is it appropriate for the AER to develop the proposed Medical Confirmation and Back-up plan templates? Are there unintended consequences or risks mandating the use of the suggested templates in the rules? 	<p>Energy Queensland agrees that it is important for customers to receive accurate information regarding life support processes and to understand what they need to secure their own wellbeing during a power outage. It is our experience that effective planning for outages remains a barrier faced by many life support users.</p> <p>Energy Queensland agrees that it would be beneficial for the AER to develop the medical confirmation form template for uniformity and consistency.</p> <p>Further, in relation to the proposed medical confirmation form for Life Support Equipment template published with the rule change request, we note that the templates propose publishing information which advises a customer that they will not be disconnected for non-payment. We do not support publicising this protection statement as it may risk customers not engaging with their retailer or seeking assistance available through their retailer's hardship program when experiencing payment difficulties.</p>
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Question 7: Theme 3: Would adding a nominated contact person improve the safety and experience of life support users?

<ul style="list-style-type: none"> Are there any privacy, safety, consent or implementation risks associated with this proposal? Should notifying the nominated contact person be 	<p>Energy Queensland does not support the proposed amendments to enable a nominated contact person. It is our view that this may increase privacy risks and add complexity for retailers and distributors when managing contact information.</p>
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<p>mandated for both planned and unplanned outages?</p> <ul style="list-style-type: none"> Are there any other issues we should consider in relation to this proposal? 	<p>For example, we consider system restrictions built to accommodate data sharing and multiple contact avenues such as consumer data rights and web-based interactions are not designed to support contact from an unauthorised third party and suggest amendments which enable this create privacy risks.</p> <p>Additionally, we encourage the AEMC to consider how the consent of a nominated contact person would be obtained to collect and use their personal information to ensure retailers and distributors comply with relevant privacy obligations.</p>
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Question 8: Should customers' electronic contact details be captured in the medical registration form?

<ul style="list-style-type: none"> Are there any unintended consequences of such a change? 	<p>Energy Queensland is supportive of customers' electronic contact details being captured in the proposed medical registration form. Customers expect up to date means of communication.</p> <p>Further, in relation to the proposed drafting of the changes to the NERR, we suggest the use of consistent terminology. 'Electronic means' is predominately used in the NERR to describe email <u>and</u> SMS however the proposed drafting of new rule refers to email <u>or</u> SMS.</p>
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Question 9: Should the rules be updated to explicitly clarify that SMS/email notification of planned outages to life support customers is permitted?

<ul style="list-style-type: none"> Would this improve outcomes for these customers? How can the rules ensure communications are conducted according to the customers' preferences? Are there any unintended outcomes from the proposed change? 	<p>Energy Queensland supports updating the NERR to explicitly allow SMS and email notifications. This aligns with customer preferences and improves communication effectiveness. SMS is particularly effective and widely used. Retailers and distributors should be allowed to use this method regardless of the customer's billing preference.</p> <p>However, we note that section 319 of the National Energy Retail Law requires that all notices be posted unless the customer has provided explicit informed consent to receive notices electronically. As such, it is important to note that whilst an email address may be provided by the customer, retailers could still be required to issue other specific notices via post.</p>
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Question 10: Theme 3: Noting a central database for storing medical confirmations is outside the scope of this rule change process, are there recommendations that could be made to progress the issue?

<ul style="list-style-type: none"> Are there any immediate concerns with this proposal? 	<p>Rule 126A of the NERR creates an obligation for retailers and distributors to retain medical confirmation and was introduced with the aim to reduce barriers for life support customers who switch retailers or premises by creating an obligation on the outgoing registration process owner to provide the customer with a copy of the medical confirmation previously used by the customer for life support registration.</p> <p>Energy Queensland questions how the introduction of a requirement to store medical confirmations via a central</p>
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	database would interact with this existing obligation. On face value, we do not consider there to be value in a central database, however, should this issue progress further, we would encourage additional consultation.
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Question 11: Assessment framework

<ul style="list-style-type: none">Do you agree with the proposed assessment criteria? Are there additional criteria that the Commission should consider, or criteria included here that are not relevant?	Energy Queensland broadly agrees with the proposed framework with reservations as listed above.
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