

Ref: 20250904 JF:HP

04 September 2025

Mr Rudolf Zverina
Australian Energy Market Commission
SYDNEY NSW 2000
Submitted via Online Portal

Dear Mr Zverina,

Improving Life Support Processes – Consultation Paper (RRC0064)

Essential Energy welcomes the opportunity to respond to the Australian Energy Market Commission's (AEMC) *Improving Life Support Processes Consultation Paper* (the Consultation Paper). Essential Energy manages over 183,000 km of powerlines, covering 95 per cent of NSW and serving approximately 900,000 customers in regional, rural and remote communities.

Essential Energy and SA Power Networks lodged the “#BetterTogether – Better Protections for Life Support Customers rule change request” in August 2024. The intent and scope of that request remain unchanged: targeted process improvements to definitions, registration/deregistration and communications to better support life-support users while retaining all existing NERR protections.

Accordingly, as an original proponent, this submission does not seek to re-prosecute the merits already set out in the rule change request and the AEMC's consultation paper. Instead, we reiterate our strong support for the proposed reforms under Themes 1–3 and focus our comments on developments since August 2024 and practical implementation considerations.

In addition, Essential Energy acknowledges that the proposed rule will require a moderate uplift to systems and capabilities across industry participants, including Essential Energy. On balance, we consider these changes proportionate and necessary to deliver better outcomes for customers dependent on critical life-support equipment.

This proposal is the result of comprehensive engagement through the Energy Charter

This rule change request, a joint Essential Energy and SA Power Networks proposal, was developed following extensive consultation and collaboration by the Energy Charter. This proposal was developed as part of the Energy Charter's #BetterTogether Initiative which has also co-developed a national medical registration process, back-up plan template and a national awareness campaign. This, in turn, was informed by research conducted by the Australian Energy Foundation in 2022, which surveyed 4,000 Life Support customers. Our proposal is also informed and endorsed by the Life Support Medical Advisory Group and Lived Experience Panel, consisting of representatives of customers, community groups, energy businesses and the medical industry.

This comprehensive engagement, undertaken over more than two years, means this rule change request is developed both by and for Life Support customers, and has been directly informed and supported by the individuals and organisations that best understand their needs.

Events since the rule change request was submitted reinforce its value

On 17 October 2024, less than two months after the rule change request was submitted, an extreme storm approximately 50 km south of Broken Hill resulted in seven collapsed and two damaged towers on Transgrid's 220kV X2 line. Power to Broken Hill was disrupted. The storm also resulted in some damage to an Essential Energy 66 kV line supplying areas outside of Broken Hill, including Menindee, White Cliffs, Wilcannia and Tibooburra. Back-up power is provided by two diesel-powered gas turbine generators in Broken Hill, owned and operated by Transgrid. The single serviceable gas turbine generator available was not sufficient to meet consumer demand from Broken Hill and surrounding areas. The communities of Broken Hill and surrounding areas experienced repeated and extended supply interruptions over the subsequent two weeks, until power was restored on 31 October 2024.

The impact of these outages on Far West NSW communities was profound, with the impacts of supply interruptions exacerbated for Life Support customers. Essential Energy mobilised its workforce to assist the community throughout the outages, and sought to prioritise support to the 577 registered life support customers in the region. This included providing additional direct communications with these customers via phone and SMS to provide updates on their expected time for supply restoration, welfare checks, and the provision of small generators where possible. Essential Energy worked with NSW Government agencies on the ground, including with NSW Health, to prioritise the supply of emergency generators to Life Support customers with critical needs.

However, this event highlighted several challenges in identifying and prioritising support:

- ▶ **Triaging of customers was hampered by a lack of accessible information.** Essential Energy's database of Life Support customers does not include information to indicate customers' medical condition, their specific needs or the equipment they use and therefore made it difficult to understand which customers were most at risk or 'critical'. NSW Health maintains records of patients that include these details, which can help to identify those customers with critical health needs and required continuous power, but typically requires patient consent to share this information under the *Health Records and Information Privacy Act 2002 (NSW)*.¹ This legislation enables healthcare providers to provide patient information during an emergency where it is 'impracticable or unreasonable to seek consent',² but this provision is unlikely to apply during planned outages, and delays in providing this information may occur when there is uncertainty about what constitutes an emergency. Seeking to clarify which customers are most at risk or 'critical' upfront, would alleviate these issues.
- ▶ **Communications challenges are exacerbated during emergencies.** With power outages also impacting telecommunications infrastructure, some Life Support customers could not be contacted in a timely manner, hampering Essential Energy's efforts to prioritise support. This was overcome in this instance through collaboration with NSW Health, and with the assistance of other NSW Government agencies to carry out the emergency supply of generators to identified customers. This

¹ NSW Legislative Assembly Committee on Environment and Planning 2025, [Inquiry into the electricity outages affecting Far West NSW in October 2024 – Final Report](#), pp. 64-65.

² [Health and Information Privacy Act 2002 \(NSW\)](#), No. 71, Schedule 1, Section 11.

further highlights the importance of energy providers having immediate access to reliable information to ensure resources can be prioritised without delay and efficiently deployed during emergencies.

The electricity outages in Far West NSW highlight the importance of progressing with these reforms, and this has been reinforced through Essential Energy's experience during subsequent emergency events, including the response to Tropical Cyclone Alfred in February and March 2025, and severe flooding affecting large parts of NSW, particularly the Mid North Coast, in May 2025.

Essential Energy's teams live and work in the communities they serve, and our representatives are among the first responders during major emergency events. These events demonstrate the need for energy providers to have the information and resources they need to prioritise support to customers who need it most, including Life Support customers. Essential Energy considers the proposed reforms would help achieve this and reduce the likelihood of more serious impacts on customers with critical health needs.

The AEMC should be cognisant of potential related reforms in NSW

An Inquiry by the NSW Legislative Assembly Committee on Environment and Planning into the electricity outages in Far West NSW in October 2024 released its Final Report in June 2025. This identified the issues raised in the section above,³ and made two recommendations in relation to issues related to Life Support customers, specifically:

- ▶ **Recommendation 13:** *That the NSW Government explore potential legislative amendments to health information protection laws to clarify when critical health information can be shared during an emergency without first seeking consent of the relevant patient. These amendments should make clear that this information should be shared with relevant government and non-government organisations involved in the emergency response, where that information is needed to protect the health, safety or life of individuals.*
- ▶ **Recommendation 14:** *That, in addition to recommendation 13, the NSW Privacy Commissioner publish guidance as a matter of urgency clarifying when, under existing NSW laws, healthcare and service providers can share with energy providers the health information of patients dependent on life support machines and other medical electrical devices during a significant electricity outage.⁴*

The NSW Government is due to respond to the Committee's report by 5 December 2025. If the NSW Government supports these recommendations, or proposes alternative changes, these may intersect with the purpose and/or timing of the changes to the National Energy Retail Rules proposed in this rule change request. We encourage the AEMC to engage with NSW policy makers, including NSW Health and the NSW Privacy Commissioner, to ensure alignment between National Energy Retail Rules and any state reforms on health information sharing.

The cost of inaction is likely to greatly exceed the minor costs of implementation

The reforms proposed in the rule change request would not be overly costly, but could have broad-ranging and substantial benefits. With the right design, any upfront cost and time required to update the register

³ [Ibid.](#) See Findings 17 and 18, and the section titled Emergency support and management for Life Support Customers and other vulnerable residents, pp. 63-68.

⁴ [Ibid.](#), p. 63.

of Life Support customers and ensure it remains a robust, reliable and efficiently managed resource will be minimised.

On the other hand, inaction is likely to come with significant costs – financial, economic and social. As Essential Energy’s experience in response to emergency events has shown, the absence of capacity to efficiently prioritise support for Life Support customers means targeted support must be provided to a large number of customers during emergencies. Diffuse allocation of resources, compounded by other challenges such as telecommunications outages and access issues, risks some Life Support customers with critical needs not receiving the urgent support they require. With the increasing frequency and intensity of emergency events, the risk to these customers is likely to grow over time.

Conclusion

We look forward to engaging further with the AEMC through this consultation process to achieve these critical reforms. If you have any questions in relation to this submission, please contact Anders Sangkuhl, Regulatory Strategy Manager via email at anders.sangkuhl@essentialenergy.com.au or Jon Frazer, Regulatory Strategy Senior Specialist via email at jon.frazer@essentialenergy.com.au.

Yours sincerely,



Mike Cole
Head of Customer