



## **Real-time data for consumers, ERC0399, RC0057**

**16 October 2025**

### **Report on rule not made within 12 months under NEL section 108A and NERL section 269**

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#### **Purpose**

The Australian Energy Market Commission (AEMC or Commission) is required under s. 108A of the National Electricity Law (NEL) and section 269 of the National Energy Retail Law (NERL) to publicly report on rules not made within 12 months of the publication of the notice of the commencement of the rule change process.

#### **Background**

On 10 October 2024, the AEMC initiated a rule change request from Energy Consumers Australia (ECA) that sought to improve consumers' access to real-time data from smart meters.

A consultation paper related to the ECA's rule change request was published on 10 October 2024. A directions paper was published on 30 January 2025, and a draft determination and draft rules were published on 11 September 2025.

#### **Reasons for the final rule determination not being made within 12 months**

The real-time data for consumers rule change (ERC0399/RRC0057) has received three extensions under section 107 of the NEL and section 266 of the NERL – on 9 January 2025, 24 April 2025, and 24 July 2025.

The issues raised in the rule change request are complex and required extensions to allow more time to examine, consider, and address them. The additional time enabled us to:

- publish and consult on a directions paper to better understand stakeholders' views on complex issues.
- commission an independent quantitative cost-benefit analysis, following stakeholder feedback raising complex issues in response to the directions paper.

The final determination for these rule changes has therefore not been made within 12 months of the publication of the notice under section 95 of the NEL and section 251 of the NERL.

#### **Expected time for making a final rule determination**

The final rule determination is expected to be made by **4 December 2025**.