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Attention: [REDACTED]

Australian Energy Market Commission

By Online Submission and Email: [REDACTED]

Reference Code: ERC0419

07 May 2026

Dear Lisa,

Supporting Compliance with Meter Maintenance Obligations – Draft Determination

AGL Energy (AGL) welcomes the opportunity to provide feedback to the Australian Energy Market Commission (the Commission) in response to the abovementioned Draft Determination (the Draft Determination).

AGL appreciates the Commission's efforts to engage collaboratively with industry to develop workable solutions to the meter maintenance issues raised by proponents and considered in the Consultation Paper. In particular, AGL considers that the Commission has adopted a considered approach to solution design, especially in relation to the proposed solutions *not* progressed to the Draft Determination stage.

In relation to the Draft Determination itself, AGL supports the Commission's measured reforms to improve compliance with meter maintenance obligations, while strongly urging clearer, more practical allocation of responsibilities to ensure the framework is effective. AGL recognises a role for retailers in supporting Metering Coordinators, but stresses that obligations must not shift compliance risk away from those best placed to manage it, with large customers playing a critical role in enabling access. To support workable implementation, AGL recommends refining retailer obligations to focus on informing and coordinating with customers, rather than requiring actions beyond their control. AGL also supports a flexible, principles-based exemption framework - administered by AEMO on a case-by-case basis - to better address real-world constraints, alongside pragmatic improvements to information sharing that reduce cost and complexity while strengthening compliance outcomes.

AGL's responses to the questions posed in the Draft Determination are contained within Annexure A herein.

If you have any questions in relation to this submission, please contact Liam Jones on ljones3@agl.com.au.

Yours sincerely,

A handwritten signature in black ink that reads "Liam Jones".

Liam Jones
Senior Manager Policy and Market Regulation



About AGL

Proudly Australian since 1837, AGL provides over 4.5 million gas, electricity, and telecommunications services to our residential, small, and large business, and wholesale customers across Australia. AGL operates the largest private electricity generation portfolio in Australia, with a total operated generation capacity of almost 8000 MW across Australia as of 30 June 2025. AGL owns Australia's largest privately-owned fleet of hydro assets and operates the largest portfolio of renewables and storage assets of any ASX listed company. Since 2006, AGL has invested billions of dollars in the construction and delivery of over 2 GW of renewable and firming capacity in the National Electricity Market (NEM).



Appendix A – AGL’s Responses to Draft Determination Questions

1. Obligations on retailers and large customers as the person who appointed the MC

- i. Do you agree that retailers and large customers should cooperate and provide reasonable assistance to MCs?

AGL refers to its feedback to the Commission in response to the Consultation Paper, in which we agreed that retailers have a role to play in supporting metering maintenance and compliance. However, we reiterate the importance of understanding the inherent limitations around the levels of support that retailers can reasonably provide. It is critical to ensure that the rule change does not merely reassign or transfer the risk of non-compliance from MCs to retailers. As will be discussed in response to question 1(a) below, we urge the Commission to consider the root cause of the issue and ensure that the solution apportions commensurate and realistic expectations on the various actors in meter testing, inspection and malfunction rectification obligations, including on large customers themselves.

Ultimately it is large customers who play the most critical role in ensuring that testing, inspection and malfunction rectification can occur as intended. While retailers can play a supporting role through the provision of information, there is limited evidence to suggest this is the root cause of MCs’ inability to comply with their obligations under the existing framework.

- ii. Should the Rules clarify or include any other obligations on retailers and large customers that would support MCs with their testing, inspection and malfunction rectification obligations?

AGL recommends that the proposed rules be refined and clarified to provide greater certainty for all parties involved.

In particular, AGL recommends that the proposed r. 7.6.2A(b) be refined as follows:

- i. **Facilitating supply interruptions:** the role of the retailer should be redefined to provide more certainty as to the nature and extent of the support required. AGL is concerned that ‘facilitate’ is a subjective term that could be interpreted widely by different parties leading to confusion as to the role of retailers, especially in relation to “facilitating access”. For the avoidance of any doubt, this new r. 7.6.2A(b)(1) could be restated as:

where requested by the Metering Coordinator, ~~facilitate a supply interruption at the connection point, including by agreeing~~ with the retail customer the date on which the supply interruption will take place and informing the retail customer of all relevant requirements and obligations to provide access to the metering installation on that date

- ii. **Resolve site access issues:** the Draft Determination makes reference to retailer obligations to ‘resolve site access issues’ and ‘facilitating access’, but a corresponding obligation does not exist within r. 7.6.2A(b)(2), which is limited to the retailer informing the retail customer of the proposed date of testing or inspection and the provision of further information to the retail customer. AGL would welcome clarifying commentary in the Final Determination to ensure that retailer’s obligations are aligned with how they are expressed in the Rules.
- iii. **Informing customers of any defects at a Metering Installation:** the new r. 7.9A provides that where the MC is unable to arrange for the testing, inspection or repair or a metering installation



due to a defect, then the MC can issue a notice to the person who appointed the MC requesting that “the defect at the metering installation be rectified”. It is important to note that where the MC was appointed by a retailer, then the retailer cannot in and of itself rectify the defect, nor can it realistically compel its customer to rectify the defect – it can only provide information to the customer about its requirements and obligations. Rule 7.9A(b)(1) also requires the retailer (where relevant) to “take all reasonable steps to arrange for the defect at the metering installation to be rectified”, which incorrectly characterises the actions the retailer might take to support defect rectification. AGL recommends that this provision be redrafted as such:

take all reasonable steps to inform the retail customer of its requirements and obligations to arrange for the defect at the metering installation to be rectified (including, where the person is a retailer, sending the notice under paragraph (a) to the retail customer at the premises); and

2. Circumstances where MCs may apply for an exemption with a longer period than specified in AEMO’s Exemption Procedure

- i. Do you agree that it is appropriate to allow MCs to apply for an exemption with a longer period than that specified in malfunctions AEMO’s Exemption Procedure, only in circumstances where a metering installation is not accessible, ready, or safe?

AGL agrees that MCs should be permitted to seek exemptions to malfunction repair timeframes under AEMO’s Exemptions Procedure where metering installations are not accessible, ready or safe.

However, while we believe these scenarios broadly capture the majority of foreseeable circumstances in which an exemption may be required, we recommend that the framework should not be exhaustive and should retain sufficient discretion to consider exemptions in extenuating circumstances outside of the MC’s control which might not otherwise conform to the proposed categories. We refer to AGL’s feedback provided in response to the Consultation Paper in which we argued for “a more pragmatic approach to the extension application process that considers a broader range of scenarios and allows for increased discretion”.

- ii. Do you agree MCs can effectively manage the size and number of family failures so they can be replaced within the specified timeframes in the NER and AEMO’s Exemption Procedure? If not, why and how can the Rules ensure family failures are repaired or replaced in a timely manner while balancing risk to inaccuracy in market settlement and customer billing from delayed meter repair or replacement? For example, allowing MCs to obtain an exemption for family failures that have a volume of meters over a certain threshold.

AGL refers to our feedback provided in response to the Consultation Paper in which we suggested there may be valid scenarios where MCs cannot repair individual or family malfunctions within the respective timeframes.

We agree with the Commission’s proposed approach of allowing AEMO to determine the appropriate extension timeframes on a case-by-case basis, provided this is supported by suitable and reasonable guidelines.

- iii. Does the draft rule appropriately balance reducing MC non-compliance with the Rules and the risk of greater meter inaccuracy from exempting malfunctioning meters? Do you agree the balance adopted in the draft rule would be in the long-term interest of consumers?



It is difficult to assess whether the draft rule adequately balances the benefits of reducing MC non-compliance and the risk of greater meter inaccuracy as those risks have not been quantified. It is clear however that the current framework is problematic and imposes unrealistic expectations on MCs. The proposed mechanism for AEMO to assess exemptions on a case-by-case basis and to require rectification plans should ensure that this balance is adequately managed.

- iv. Are there any other circumstances where MCs may need more time to repair a malfunction that the Commission should consider?

While AGL is not currently aware of any additional circumstances the Commission should consider, we nonetheless refer to our response to (a) above and support a non-exhaustive approach that allows for consideration of exceptional or other unforeseen circumstances.

3. Circumstances where MCs may apply for an exemption to testing and inspection timeframes in the NER

- a. Where a metering installation is not accessible, safe, or ready, do you consider MCs may require an exemption to both testing and inspection timeframes in the NER, or only for testing?

AGL supports an appropriate exemption framework for MCs in respect of both testing and inspection timeframes in the NER.

- b. Do you agree that it is appropriate to allow MCs to apply for an exemption to testing and inspection timeframes specified in Schedule 7.6.1 of the NER or their asset management strategy (as applicable), only in circumstances where a metering installation is not accessible, ready, or safe?

AGL refers to our response to Question 2(a) above and recommends that the Commission adopt the same approach in respect of exemptions to testing and inspection timeframes, which is to retain sufficient discretion to consider extraordinary circumstances.

- c. Are there any other circumstances where MCs may need more time to test and inspect metering installations that the Commission should consider?

While AGL is not currently aware of any additional circumstances the Commission should consider, we nonetheless refer to our response to (b) above and support a non-exhaustive approach that allows for consideration of exceptional or other unforeseen circumstances.

4. Ensuring available test certificates are accessible for newly appointed MCs

AGL is supportive of the proposed rule to ensure that previous test certificates for a metering installation are made available to the new/current MC within 10 business days of being requested. AGL makes the following specific comments on the proposed solution:

- i. We agree that certificates should only be provided 'on request'.
- ii. We agree with a flexible solution-agnostic approach that will allow MCs to determine the lowest-cost approach to sharing certificates, noting that we believe this will involve MC-to-MC processes rather than involving retailers as an intermediary which would be inefficient.
- iii. Notwithstanding our support for the proposal, we believe there may be instances where the new MC may not be able to readily identify the previous MC – for example, historical



information about a metering installation may not be visible to the current MC in MSATS. While this could conceivably limit the effectiveness of the new approach, it would still be preferable to the current arrangement.