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Australian Energy Market Commission

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Strengthening standards for payment difficulty assistance – Consultation Paper

Origin Energy Limited (Origin) welcomes the opportunity to provide comments on the Australian Energy Market Commission's (AEMC) Strengthening standards for payment difficulty assistance Consultation Paper.

We continue to support efforts to refine the national energy customer framework (NECF) to ensure it is fit for purpose and is delivering its intended outcomes, including providing customers with easy access to early and effective assistance that supports them in managing their energy costs. However, we are concerned the proposed rule change risks reducing the quality of outcomes for consumers by diverting retailer resources away from providing tailored assistance to customers.

A ban on documentary evidence duplicates existing economy-wide legislation

A ban on requiring documentary evidence is not required as Australian Privacy Principle (APP) 3.1 in the Privacy Act 1988 (Cth.) already prohibits companies from over collecting personal information.

Also, while documentary evidence is not necessary for standard assistance programs, it is valuable for tailoring early and effective advice to the customer's circumstances. This includes providing more targeted support for customers to navigate the significant variation in government schemes, eligibility criteria and administration in the relevant jurisdiction.

Unnecessary prescription risks undermining the long-term interest of customers

We maintain our view that the current framework already allows retailers to interactively communicate with customers and offer tailored assistance on a case by case basis to those customers who are interested or require it. The risk of unintended outcomes from unnecessary regulatory prescription must be considered, including the risk that a customer accrues unmanageable debt to their own detriment.

If this rule change does progress, the AEMC will need to provide additional guidance on the intended operation of this rule. For example, how the information on the customer's capacity to pay must be considered against the other factors listed by the AEMC to inform the development of an effective payment plan. The AEMC should also clarify what would constitute a proportionate approach to adapting a payment plan where a customer's circumstances change, to avoid introducing material administrative burden for both customers and retailers.

We suggest an alternative perspective to considering the issues identified

The AEMC suggests this rule change seeks to address barriers to customers accessing assistance when experiencing payment difficulties, as well as the continued accrual of debt while on a payment plan. But as we noted in our submission to the AER's Review of payment difficulty protections in the NECF, the uptake of assistance is largely dependent on customer engagement which may be limited by

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customers being wary of advice and engagement from the customers selling them energy.[1] Given this we suggested it may be more effective to use independent parties.

The Energy & Water Ombudsman NSW (EWON) recently recommended a ‘radical change’ in terminology to remove references to ‘hardship’ from the NECF and refer instead to energy affordability programs to encourage customers to self-identify and support easier conversations with retailers.[2] EWON also recommended the state government support households that simply cannot afford to pay their energy costs and whose financial circumstances are unlikely to change. This is consistent with its 2020 advice that energy affordability frameworks alone will not make energy more affordable for customers with long-term affordability challenges.[3]

If the AEMC does proceed with this rule change request, it should also assess proposed changes against its ‘innovation and flexibility’ criterion.[4] This would help align proposed changes with the Energy and Climate Change Ministerial Council’s (ECMC) Better Energy Customer Experience (BECE) reforms to avoid creating the need for further changes in the short term. It would also require the AEMC to consider whether the proposed reforms support innovation in retail services and frameworks that enable retailers and customers to adapt to changes in markets, technologies, and broader policies.

If you wish to discuss any aspect of this submission further, please contact Clare Stark at clare.stark@originenergy.com.au or on 0458 286 194.

Yours Sincerely,

Steve Reid
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[1] Origin, Submission to AER Review of payment difficulty protections in the National Energy Customer Framework, 5 July 2024
[2] EWON, Spotlight on The harms of disconnection, April 2026
[3] EWON, Spotlight on The national energy affordability framework – it’s time for a change, December 2020
[4] AEMC, How the national energy objectives shape our decisions, Final guidelines, 2 July 2026