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Australian Energy Market Commission

Submitted online: www.aemc.gov.au

Streamlining payment difficulty protections – Draft determination

Origin Energy Limited (Origin) welcomes the opportunity to comment on the Australian Energy Market Commission's (AEMC) Streamlining payment difficulty protections draft determination. Origin supports the objective of improving outcomes for customers experiencing payment difficulty by making the framework clearer, more consistent, and easier to apply. We consider the strongest reforms are those that simplify and clarify expected outcomes while preserving retailers' ability to tailor assistance to each customer's circumstances and preferences.

We are concerned that rather than supporting more effective and efficient engagement with customers, the proposed framework simply increases the volume of information that must be provided. In our experience 'over' provision of information leads more customers to disengage from offers of assistance. We are also concerned that the practicalities of implementing some aspects of the draft rule will risk suboptimal outcomes for customers. Additionally, a longer implementation period is required to update systems, communications, training, and assurance processes to robustly protect customers and supports consistent compliance.

The remainder of this submission sets out targeted amendments that would help align the draft rule with outcomes that better achieve the long-term interest of consumers. These amendments should help ensure customers, who are interested or require assistance, across a broader range of circumstances to consistently receive effective and efficient assistance navigating payment difficulties.

Theme 1: clarifying and strengthening disconnection protections

Origin supports defining when the AER should assess compliance with disconnection protections in the rules to reduce complexity and the risk of inconsistent outcomes for customers of different retailers. However, under the current draft rule, a retailer could still be treated as non-compliant if it cancels a disconnection request to avoid harm identified through its ongoing assurance activity, i.e. the disconnection request is cancelled as the retailer consider it no longer complies with the NERR. The incentive for retailers to continue to undertake robust assurance activity through the disconnection process to ensure errors or changes in customer circumstances are identified before any harm arises must be preserved.

The final rule should therefore amend retailers' obligations to clarify they are still required take steps to cancel a service order for a disconnection request as soon as practicable if they become aware, or have reason to believe, that a request no longer complies with the NERR. This clarification complements the requirement for retailers to only commence disconnection as a last resort by ensuring assurance activities continue to occur before a site is disconnected. Without this amendment, retailers may need to redirect resources from customer-facing assurance processes towards managing additional compliance engagement with the AER as even cancelled disconnection requests would be treated as non-compliant and may trigger enforcement action.

Similarly, we consider additional guidance is required to support effective implementation of the requirement to use at least two communication channels. The final rule should recognise there may be situations where using multiple channels may not be practical or appropriate, for example to comply with family violence protections or when a customer has provided only one contact method. The final rule should address these situations by clarifying how a retailer can demonstrate compliance in situations

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where two safe and available communication channels do not exist, as well as provide guidance on the default channels to be used where no preference has been identified.

Finally, Origin supports clarifying that all customers should be able to access the protection provided by the minimum disconnection amount framework. We already voluntarily apply the minimum disconnection amount consistently to reflect its intended purpose to protect all customers, as well as to achieve the efficiencies associated with simpler processes and systems. Expressly reflecting this purpose in the NERR should promote more consistent and effective outcomes for a broader range of customer. However, regulators and policy makers must still consider the risk that this could result in customers accruing a higher level of debt.

Theme 2: streamlining and improving payment difficulty assistance information for customers

Origin supports, in principle, aligning definitions in the rules with the law to streamline payment difficulty assistance eligibility. We have previously advocated for approaches that ensure customers do not need to self-identify as experiencing payment difficulty before receiving assistance. However, the AEMC should consider how implementing the proposed definition may impact related obligations in the rules and ensure the broader framework allows retailers to target assistance according to customer needs and preferences. For example, the use of rigid criteria to mandate an 'over' provision of information in the Victorian Payment Difficulty can overwhelm customers which leads to reduced and less constructive engagement with their retailers. It also diverts retailer resources away from developing more targeted advice for those most in need.

Origin supports requiring retailers to provide customers with assistance tailored to their individual circumstances and preferences. However, requiring retailers to provide information about "all relevant government funded energy charge rebate, concession or relief schemes" is unworkable. It is impractical for retailers to advise on, and customers to engage with, the plethora of schemes administered by different organisations and governments, each with materially different eligibility criteria and administrative processes. One solution could be for the AEMC to maintain a reference list of government rebates, concessions and relief schemes that may be relevant, similar to its 'Targets statement for greenhouse gas emissions'. We suggest retailers should instead be required to direct customers to the most relevant up-to-date resources for their location, such as government websites. This would be consistent with the Energy & Water Ombudsman SA's approach to direct consumers to a central Australian Government registry of resources, rather than duplicating that material itself.[1]

Design of payment difficulty frameworks should recognise the broader context

Origin is concerned that the AEMC's 'themes' are premised on the assumption that more frequent and detailed communications will automatically improve customer outcomes. It is not just the advice offered by retailers that determines the outcome for that customer, it is also whether the customer engages and takes up the assistance. In this context it is important to clarify The Justice and Equity Centre survey cited by the AEMC asked New South Wales customers whether they 'remember' their retailer attempting to contact them before disconnection, not whether contact occurred. This is not evidence that contact did not occur, particularly given the AER has not found an equivalent occurrence of non-compliant disconnections in NSW. The Victorian experience also reinforces the risk that providing too much information can overwhelm customers and cause them to disengage, reduce uptake, and undermine the quality of interactions with their retailer. In our experience, effective engagement is achieved through targeted, actionable advice that reflects the customer's circumstances and preferences.

Additionally, it is important that reforms to the payment difficulty framework are informed by practical, customer-focused insights from Ombudsman and energy advocates around the country. For example,

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[1] EWOSA, EWOSA Newsletter – Customer Corner, July 2026

the Energy & Water Ombudsman NSW has observed that customers may engage more readily with "affordability" support than with programs framed around "hardship" or "payment difficulty".[2] It also advises that energy affordability frameworks alone will not make energy more affordable for customers with long-term affordability challenges so governments have an obligation to support households that cannot afford their energy costs and whose financial circumstances are unlikely to change.

Finally, Origin is concerned about the proposed implementation timeframe, particularly given the number of parallel regulatory processes currently underway. Retailers will need time to interpret the final rule, update systems, revise customer communications, train staff and establish assurance processes. Even what may be perceived to be relatively minor regulatory changes require careful implementation, and this is especially important where the obligations apply to customers experiencing hardship or payment difficulty. Origin recommends a minimum 12-month implementation period from publication of the final rule to support effective, consistent, and robust implementation.

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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[2] EWON, Spotlight on The harms of disconnection, April 2026