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Electronic submission – RRC0009

Dear Greg

### **Strengthening protections for customers requiring life support equipment**

United Energy (UE) appreciates the opportunity to respond to the AEMC consultation on strengthening protections for customers requiring life support.

UE agrees and is supportive of the AER rule change proposal to strengthen the protections afforded to life support customers by improving the clarity of the registration and de-registration processes and timeliness of these processes. The AER recognizes that life support registers have grown and have become increasingly inaccurate over time making compliance costs higher and making management of genuine life support customers more difficult.

The AER proposed rules drafting has a number of steps to receive medical confirmation and to de-register life support which provide for a registering party centric process. The registering party could be the distributor or the retailer. UE have a number of suggestions regarding the proposed rules which could assist with clarity and certainty for all the parties involved.

### **Registration of life support and medical confirmation form needs to clarify fuel type**

The medical confirmation form and registration process as currently drafted does not clarify which fuel the life support registration status is being sought. Rule 123A (4) (b) (iii) should be clear the type of equipment considered to be life support including the fuel required to power that equipment.

Where a retailer is a dual fuel retailer, the correct underlying distributor needs to be notified eg the gas distributor or the electricity distributor. It is important that the life support status correctly reflect life support equipment that requires electricity only, life support equipment that requires gas only or life support equipment that may need to be registered for both fuels with two different distributors.

Ultimately ensuring the correct distributor is notified and that life support registration occurs only in the appropriate fuel will meet the increased transparency and certainty for customers and the transparency, certainty and efficiency for retailers and distributors.

Where consumers are unclear which fuel is required to power equipment on initial registration, retailers could elect to set the flag for both fuels. However by the end of the registration process with medical confirmation the specific fuel requirement should be clear and accurately reflected in the correct distributors life support register. In this case, the retailer should have an obligation to de-register and

notify the respective distributor to remove the unnecessary life support flag, this will better meet the NERO and the AEMC criteria outlined.

### **Notification timeframes with customers should clarify business days**

The AER proposed rules have a number of retailer or distributor customer notifications. Ideally these could be met via electronic means but if this were not an option, the timeframes need to be more reflective of Australia post delivery arrangements. Regular mail has a delivery of 2-6 business days, priority post 1-4 business days at 1.5 times the price, registered mail 2- 6 business days and 5 times the price or express mail, next business day and 6 times the price.

For example the drafting in Rule 124 (1) (b) requires that no later than 5 days after customer advice, the customer must be provided with certain information. The drafting should reflect that the customer may wish to be provided with written posted information and a time frame of 6 business days would be more reflective of the timeframes provided by Australia Post.

UE suggest that the drafting in the following clauses be amended from 5 days to 6 business days – 124 (1) (b), 124(2) (b), 124 (3) (b), 124 (4) (b). Similarly interactions with the customer in 125 (7) (a), 125 (8) (a), 125 (9) (a) (i) and (b) (i), 125 (10) (a) (ii) and (second) (a) (i) should refer to the 2 or 3 day notification requirements as business days. This would allow more efficient interactions with customers during week days to confirm de-registration of life support status.

### **De-registration of premises**

The current rules for registration as life support requires a medical certificate to confirm the life support equipment requirement. Where a customer fails to provide a medical confirmation after 2 reminder confirmation notices and a further attempt to contact the customer followed by a de-registration notice the life support requirement should be de-registered. To ensure that the life support lists do not continue to grow and become more inaccurate the obligation should be amended from "may" de-register to "must" de-register. The current reluctance to de-register without correct medical confirmation has led to the inaccuracy in the life support registers. Further if retailers afford life support registration for both fuels on initial notification and then the medical confirmation is only required for one fuel, the other fuel must be de-registered.

Where a customer has a genuine life support need they will be under a medical practitioner who could be contacted to provide the medical confirmation. The preference is to require de-registration and make the process transparent and efficient, any exception to the de-registration process should be rare rather than the normal allowed practice. Drafting in 125 (1) and (4) should reflect the "must" obligation to de-register.

### **De-registration notice to the other party**

The drafting in 125 (5) and (6) require the registering party to provide a copy of the *deregistration notice* to the other party. UE suggest that the registering party notify the other party that a de-registration notice has been sent by a B2B customer details notification once the life support status can be de-registered. It should not be necessary to provide a copy of the actual notice provided to the customer.

### **Accurate registration of life support**

Where a customer or a distributor communicates with a retailer about life support equipment the retailer must give the distributor relevant information about the premises for the purposes of updating the

distributors register. The drafting in 124B (1) (a) should include for the avoidance of doubt that a distributor can request a copy of the medical confirmation form where they wish to ascertain that the life support equipment is registered against the correct fuel/distributor.

### **Distributor – customer life support reconciliation**

We recognize that the rule proposal is unable to deal with the past registration/de-registration issues readily, however where a distributor has made the effort to contact life support customers and improve the accuracy of its register, it should be clear that customers who no longer require life support should be validated and de-registered.

Rule 125 (11) makes it clear that a retailer or distributor can at any time request the customer to advise if life support registered under Rule 124 (old or new Rule) is no longer required. Distributors do seek to update life support registers to ensure they are accurate by requesting that customers confirm in writing if there is a continuing life support need. Where a customer responds to a distributor in writing confirming that there is no longer a life support need, the distributor should be obliged to notify the retailer and the retailer confirm the deregistration request in 3 days and then process the de-registration.

A new Rule 125 (12) should be drafted to advise that where the customer has advised the distributor in writing that the person requiring life support no longer resides at the premises or no longer requires life support, then the distributor should advise the retailer and the retailer should follow the verification step for de-registering in 125 10 second (a) so that life support registers can accurately reflect the customer advised and validated updated status. This is a pragmatic way to improve the accuracy of the existing life support register at the time that the new Rules commence.

### **Transition**

If the final rule requires changes to the B2B Procedures, it would be beneficial to allow a realistic timeframe between the making of the Rule and the effective date to allow B2B Procedures to be updated and implemented across the industry.

Should you have any questions in relation to the above please do not hesitate to contact me (03) 8846 9856.

Yours sincerely

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