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Australian Energy Market Commission  
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Via <https://www.aemc.gov.au/contact-us/lodge-submission>

### **Reposit submission to Consumer protections in an evolving market issue papers**

Reposit welcomes the opportunity to comment on the AEMC's issue papers on the suitability of current consumer protections in an evolving energy market.

We support the need for the analysis outlined in the issue papers and have four main comments on: the types of new energy products and services that would come under the National Energy Customer Framework (NECF), gaps in the ACL regarding redress and enforcement for new energy products and services, data access to third parties, and billing requirements.

#### **The types of new energy products and services that would come under NECF**

In our view a key consideration of whether a new energy product or service is part of the supply of energy as an essential service, and therefore comes under NECF, is whether that product or service can interrupt the primary source of energy.

For instance, if there was a new energy service at a grid connected residence that provided demand response from a battery, that wouldn't fall under NECF as the control of that battery cannot interrupt the supply of grid (primary) energy. If instead this service provided demand response by controlling the output of an air-conditioner, it may be able to interrupt the supply of primary energy to this device and therefore could come under NECF as it could cause consumer harm. Other considerations in this example may be whether the interruption to supply is optional (e.g. an event by event opt-in system through an app), or up to the discretion of the demand response provider.

#### **Gaps in the ACL regarding redress and enforcement for new energy products**

New energy products are often maturing and improving over time. Overall this is great, products are improving and offering more value to customers even after they have been purchased. Another property of these products are they are often expensive, require professionals to install, and hard to re-sell to another party, which means the purchasers of the product can be effectively locked-in to the product after purchase.

There may be expectations that these products will improve after the time of purchase. For instance, many state subsidies approve only batteries which they deem VPP capable. Many of these batteries currently don't offer VPP products, yet the consumer may purchase the battery expecting it to offer innovative energy plans in the future, as it has been deemed VPP capable.

In our view there are circumstances under the ACL where it would be difficult to receive support or redress to situations where the product is made worse over time (such as the removal of a feature or access) or there is an expectation of improvement that is never

fulfilled (A VPP capable battery never offering a product utilising this). As switching costs for these products is often prohibitively high, we recommend measures and support be put in place to discourage anti-consumer behaviour against existing customers of the product.

### **Third party data access**

There is a growing amount of data in the energy industry and a key way to leverage this is allowing third parties to access this data on behalf of the customer to provide analytics, advice, and services. This will not only allow consumers to make better decisions on the energy products and services they receive, but also the ability for these consumers to have greater access to new energy services and energy markets.

### **Billing requirements**

Many new energy companies use customer information such as NMI, tariff structures and rates, usage information, etc to enhance products or services offered to customers. This information is often accessed through the customer's electricity bill. Currently, the structure and layout of bills varies widely between providers, making processes or instructions involving the bill difficult and overly complicated. Standardising the layout of bills would increase the ability to educate consumers on how to understand their bill, as well as reduce cost and complexity where this customer information is required by other energy companies.

We *enthusiastically* endorse the example raised at the AEMC workshop on 6 February 2020 that "The UK was mentioned as an example where bill must include a QR code to access to their billing details (NMI, rates, address, name of the plan, etc)."



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