



EnergyAustralia

LIGHT THE WAY

2 March 2022

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Submitted electronically: <https://www.aemc.gov.au/contact-us/lodge-submission>

Dear Commissioners

Protecting customers impacted by family violence

EnergyAustralia is one of Australia's largest energy companies with around 2.4 million electricity and gas accounts in NSW, Victoria, Queensland, South Australia, and the Australian Capital Territory.

EnergyAustralia owns, contracts, and operates a diversified energy generation portfolio that includes coal, gas, battery storage, demand response, solar, and wind assets. Combined, these assets comprise 4,500MW of generation capacity.

EnergyAustralia appreciates the opportunity to participate in the AEMC's consultation, protecting customers impacted by family violence (*the consultation*). We are very grateful to the proponent (Red/Lumo Energy) for raising the request, and for the AEMC's prompt and professional consideration of this matter. EnergyAustralia accepts the gravitas of this matter, and while we are very supportive of the intent of the rule change, we believe there are a few amendments that should be considered.

EnergyAustralia has a family violence policy that covers all states and customer types, as we believe that all people are at risk of this situation happening regardless of where they live, and that everyone deserves this protection whether they be a residential customer, living in an embedded network, or operating a small business.

We acknowledge that the framework introduced by the ESCV is imperfect, but other than the inconsistencies between other regulatory requirements (such as, communication obligations requiring us to communicate in a method other than the way in which the family violence customer has requested), we do not believe the proposed changes are justified. Overall, the proposed differences with the Victorian requirements, at best remove any consistency and efficiency by having a national framework, and at worst limit the protection offered to customers experiencing family violence.

Not applying to small business customers

EnergyAustralia has had small business customers identify as experiencing family violence, to protect these customers from personal and financial risk, we have ensured the appropriate account security is provided in these instances. This can include removing the affected customer's personal information from a small business account that has shared access or applying the full family violence protections when it is a single account holder of a small business account.

Ultimately, we cannot see any justification for removing family violence protections from small business or embedded network customers, as it is inappropriate to assume that our support for these customers would not be beneficial.

Not requiring mandatory training for energy retailers' staff

We appreciate the proponent's position that training should not be regulated within the NERR, as this is something that is an implied requirement for complying with regulations; however, we believe the complexity and nuance required for managing the interaction with a family violence affected customer, justifies a divergence from normal accepted regulatory practise. Furthermore, we do not see any negative with a regulatory requirement for training, as this is something that the proponent believes will happen regardless.

Training equips retailer agents for the difficult conversations they will encounter when helping family violence customers, while prioritising that customer safety is not compromised. Additionally, training:

- Provides tools for early detection and trust building, so a retailer can better assist an impacted customer and achieve a better outcome.
- Assists agents in dealing with the perpetrator so that the customer's security is not compromised.
- Develops a company cultural awareness of family violence and its implications for both customers and staff.

EnergyAustralia believes the AER should work with family violence training specialists, to develop guidance that can aid retailers in designing their own training and development processes.

Not requirement for retailers to implement systems that minimise the need for a customer affected by family violence to repeatedly disclose details of their experience

EnergyAustralia believes it is in the best interest of a family violence customer to minimise the times they are required to disclose the details of their experience; however, we appreciate that a retailer should have discretion into how they are able to provide this solution to customers (this may not require an extensive technological build, depending on the retailers existing system). As an example, a retailer could have a simple option to flag a customer's account, and this will provide notification to the retailer agents that this customer is being impacted by family violence.

Does not require a retailer to refer a customer to an appropriate external support service.

EnergyAustralia accepts the proponent's concern that prescriptive regulation requiring retailers to refer a customer to an appropriate external support service could lead to a poor customer experience. We believe the ESC's consideration¹ of this matter remains appropriate and addresses the proponent's concerns:

"We did not propose that retailers inform a customer about assistance every time the customer makes contact. The proposed code amendment requires energy retailers to assess whether it is safe, respectful and appropriate before doing so. In assessing this, employees will need to draw on their family violence training, engage effectively with customers, and take into account all the circumstances of the customer. We also proposed to require energy retailers to maintain and publish a list of external family violence support services on their websites. Through our consultation process, we had learned that the retailer's website is an important means of accessing information where customers deem it unsafe to disclose or engage with their energy retailer about family violence"

¹ ESC's Energy Retail Code Changes to Support Family Violence Provisions for Retailers (final decision) 4.4.6

Finally, we believe the AER's final decision should provide guidance to retailers on what the AER deems acceptable regarding compliance with conflicting regulation, particularly, information requirements to customers that specify a form of communication that is contrary to the communication preferences of a family violence customer.

If you would like to discuss this submission, please contact me on 03 9060 1361 or Travis.Worsteling@energyaustralia.com.au.

Regards

Travis Worsteling

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