



26 May 2022

Anna Collyer
Chair
Australian Energy Market Commission
PO Box A2449
Sydney South NSW 1235

Submitted online: www.aemc.gov.au

Dear Ms Collyer

Improving Consultation Procedures in the Rules – Draft Determination

Origin Energy Limited (Origin) welcomes the opportunity to provide comments on the Australian Energy Market Commission's (AEMC) Improving consultation procedures in the rules Draft Determination.

Origin is supportive of the draft rule, which would maintain two-rounds of consultation as the standard default process and introduce new expedited single-round and minor / administrative change processes. This approach will ensure stakeholders retain the ability to comprehensively assess and engage with more complex procedural changes and facilitate more efficient consultation where appropriate. We have provided further comments on specific aspects of the proposed framework below.

1. Expedited process

The 'non-controversial' test as defined in the National Electricity Law (NEL) is an appropriate criterion for determining if a change can follow the expedited consultation process, noting stakeholders and decision-makers are familiar with this framework. Given there is a risk the complexity of a proposed change and its resultant impact may not be initially understood, we support providing stakeholders with the flexibility to request a shift from an expedited consultation process to the standard process. However, to allow stakeholders to better assess the merit of pursuing an expedited process, we also recommend:

- extending the timeframe for stakeholders to request such a change from within two weeks of the draft instrument being published to three; and
- requiring AEMO to set out the rationale for using the expedited process when publishing a draft instrument and associated explanatory paper.

2. Standard process

Origin recommends extending the minimum timeframe for the first round of consultation from four weeks to six weeks to allow more detailed analysis and feedback to be prepared by stakeholders. To the extent there are concerns around the resultant impact on the overall implementation timeframe, the time allocated to the consulting party to publish draft and final reports could be reduced from 10 weeks. With respect to the latter, we consider a timeframe in the order of 6-8 weeks would be more appropriate, as the second round of consultation does not generally result in a significant change relative to the preceding draft position.

3. Engagement with consulting party

Origin is supportive of retaining the ability for stakeholders to request individual meetings with the consulting party. As noted in our response to the initial Consultation Paper, one-on-one discussions are a valuable complement to stakeholder forums rather than a barrier. Retaining these meetings will therefore allow productive discussion which can facilitate improved procedural outcomes.

4. Extending the expedited and minor / administrative processes to gas

We agree with the proposal to remove the extended consultative procedure applied under the National Gas Rules (NGR) and replace it with the standard consultative approach. However, we also recommend the expedited and minor / administrative processes are also applied in the NGR to ensure the same efficiency benefits can be achieved when updating gas market instruments.

If you wish to discuss any aspect of this submission further, please contact Elise Lefever at elise.lefever@originenergy.com.au

Yours Sincerely,



Steve Reid
Group Manager, Regulatory Policy