

13 March 2025

Ms Jessica Curtis  
Project Leader  
Australian Energy Market Commission  
GPO Box 2603  
SYDNEY NSW 2001

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

## **National Energy Retail Rules Amendment (Improving the application of concessions to bills) Rule**

Dear Ms Curtis

ActewAGL welcomes the opportunity to comment on the Australian Energy Market Commission's (AEMC) "Improving the application of concessions to bills" Consultation Paper, dated 6 February 2025.

ActewAGL is supportive of initiatives that increase the number of eligible customers receiving concessions and rebates on their energy bills.

Broadly, ActewAGL currently confirms a customer's eligibility for concessions or rebates through sign-up processes (both over the phone and online), along with other interactions with the customer. As eligibility for concessions or rebates is determined by Services Australia, it is ActewAGL's view that information should be proactively provided from Services Australia to retailers, advising of customer eligibility.

### **1. What are the key barriers to consumers not receiving concessions or rebates at sign up?**

- Customers being unaware that they are eligible for a concession or rebate and not advising their retailer or a third-party sales channel (including where a customer becomes eligible after the initial sign-up process with their retailer). This may be due to a lack of information or awareness of the available concessions and rebates.
- The requirement for the eligible customer to be the account holder for the concession or rebate to apply. If there are other individuals in the household that are eligible, it would be beneficial for the concession or rebate to still apply.
- Customers not engaging with their retailer more generally, and therefore not providing the opportunity for their retailer to check if they are eligible for a concession or a rebate.
- In accordance with the Better Bills guideline, there are limitations on the additional information that can be provided through messaging on the first page(s) of the bill, where it is most likely to be observed.

## **2. What happens to consumer access to concessions or rebates when they transfer retailers?**

- When a customer changes retailer, any information regarding eligibility for concessions or rebates does not transfer to the customer's new retailer. The onus is on the customer's new retailer to seek confirmation of eligibility during the sign-up process.
- If all retailers are confirming a customer's eligibility for a concession or rebate during the sign-up process, there should not be a need for a new field in transfer files, or a new market transaction, as this information will already be captured through the sign-up process, prior to the transfer being completed.
- Eligibility for a concession or rebate can also change. If a customer was eligible while they were with a previous retailer, they may not continue to be eligible while with their current retailer.
- In many instances, the incumbent retailer will not have contact with the customer when they are transferring to another retailer (as the transfer is initiated by their new retailer).

## **3. How could retailers best ask or inform consumers about their eligibility for concessions or rebates at sign up?**

- Services Australia is best placed to undertake targeted communication to advise eligible consumers about available concessions and rebates. This would include information for new concession cardholders, so they are aware of the available benefits.
- ActewAGL currently confirms a customer's eligibility for concessions or rebates through sign-up processes (both over the phone and online), along with other interactions with the customer. ActewAGL also confirms a customer's eligibility for concessions or rebates when joining its Staying Connected hardship program.

## **4. What should occur during a transfer?**

- If all retailers are confirming a customer's eligibility for a concession or rebate during the sign-up process, there should not be a need for a new field in transfer files, or a new market transaction, as this information will already be captured through the sign-up process, prior to the transfer being completed.

- Eligibility for a concession or rebate can also change. If a customer was eligible while they were with a previous retailer, they may not continue to be eligible while with their current retailer.
- In many instances, the incumbent retailer will not have contact with the customer when they are transferring to another retailer (as the transfer is initiated by their new retailer).

**5. How could retailers inform or ask current customers about their eligibility for concessions or rebates?**

- As eligibility for concessions or rebates is determined by Services Australia, it is ActewAGL's view that information should be proactively provided from Services Australia to retailers, advising of customer eligibility. This would address a number of the barriers noted earlier in this response, including a lack of awareness from customers regarding eligibility for concessions or rebates.
- Information on concessions and rebates can be included in bill messaging and communications. However, as noted earlier, there are some limitations in where this information can be provided on the bill, in accordance with the Better Bills guideline.
- To verify a customer's eligibility for concessions and rebates, retailers will require the customer's consent along with their Customer Reference Number. As such, a 'one-off' verification check would not be possible without seeking this information from all customers.

**6. What are your views on compliance?**

- It is ActewAGL's view that civil penalties would not be an appropriate remedy for a breach of the proposed rules.
- According to the AEMC website, civil proceedings, including civil penalties, are most likely to be instituted where conduct:
  - resulted in significant detriment,
  - demonstrated a blatant, ongoing or serious disregard for the law,
  - is widespread, such that enforcement action is likely to have a significant deterrent effect,
  - is that of a person, business or sector that has a history of previous breaches of energy laws,
  - is of significant public interest or concern, or
  - involves a new or emerging market issue.

ActewAGL does not agree that this issue meets the listed criteria.

**7. Could consumer access to concessions and rebates be improved in a different or more efficient way?**

- As eligibility for concessions or rebates is determined by Services Australia, it is ActewAGL's view that information should be proactively provided from Services

Australia to retailers, advising of customer eligibility. This would address a number of the barriers noted earlier in this response, including a lack of awareness from customers regarding eligibility for concessions or rebates.

- Services Australia is best placed to undertake targeted communication to advise eligible consumers about available concessions and rebates. This would include information for new concession cardholders, so they are aware of the available benefits.
- It is key for the AEMC's reform package to adequately balance implementation and operational costs, against the short, medium, and long-term interests of consumers. The rule change should not inadvertently limit initiatives already underway in the industry by diverting resources to additional regulatory changes.

## 8. Assessment framework

- ActewAGL has no further comments regarding the proposed assessment criteria.

If you wish to discuss any aspect of ActewAGL's submission, please contact Kate Dean at [kate.dean@actewagl.com.au](mailto:kate.dean@actewagl.com.au).

Yours sincerely



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