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Tuesday, 7 December 2021

Re: Retailer Energy Productivity Scheme (REPS) Code Review – Draft Decision

On behalf of Your Energy Saving Solutions (YESS) we thank you for the opportunity to respond to the consultation paper on the Draft Decision of the Retailer Energy Productivity Scheme (REPS) Code Review.

Should you require any further information or have questions, please don't hesitate to contact either myself or Chris Cowan, Managing Director of Your Energy Saving Solutions on 0400 617 050 or chris@yess.net.au

Yours Sincerely,

Shelley Pollock
Operations Manager
Your Energy Saving Solutions Pty Ltd

Consultation Question 1

Do stakeholders support amending the existing requirement to provide an information statement to include the requirement to provide the name of the obliged retailer on whose behalf the activity is undertaken prior to commencement of the REPS activity (refer clause 6.1.2(b) of the draft REPS Code at Appendix 2)? Please provide evidence in support of, or a preferred alternative to, that proposal

The addition of the obliged retailer information to this form will provide significant barriers to service delivery relating to consumer confusion. If a customer is receiving the service on behalf of Retailer A's obligation but is themselves a customer of Retailer B, there is likely to be hesitation to continue or concern that signing off will affect their current supply agreement.

Should a customer have a complaint regarding work in progress or recently completed/unsubmitted work undertaken by a Third-Party Provider, there will not be any visibility by the retailer around the appointment/activity details in question until submission and file transfer - in short, the retailer will not be adequately equipped to action the complaint. Some activities have an onsite span exceeding one month. While the retailer will receive this work eventually, they will not be able to identify any issues or sufficiently provide any information to the customer while work is in progress. This complaint would need to be passed back to the Third-Party Provider for action or information, thus prolonging or potentially further upsetting an already aggrieved customer.

The focus should instead be placed on the retailer's obligation to ensure that their contractual requirements are robust enough with their provider/providers regarding complaints policies, procedures, and associated reporting. This should be reflected in the annual compliance plan and reviewed by the commission prior to commencement.

It is indicated that the addition of "line of sight" requirements has been due to activities being undertaken by third parties without retailer contract and/or approved compliance processes. YESS (Your Energy Saving Solutions) do not believe that the proposed changes will stop parties from "doing the wrong thing". Undertaking activities in the manner outlined is already a violation of the Code as it stands across multiple, critical levels - amending the code would not change rogue parties who already flagrantly disregard it.

Consultation Question 2

Do stakeholders support the introduction of minimum standards which must be applied by obliged retailers when conducting fit and proper person assessments (refer clause 6.6.2 of the draft REPS Code at Appendix 2)? Please provide evidence in support of, or a preferred alternative to, that proposal

Minimum standards of "fit and proper" are supported, however they require further clarification. There is still far too much room for ambiguity and interpretation which may not align with the Commission's intent.

- 6.6.2 (a) can be clearly demonstrated via training and relevant experience.
- 6.6.2 (b) is lacking definition and as such is open for personal interpretation.
- 6.6.2 (c) could be evidenced via a police clearance, however this again is open to interpretation.

6.6.3 states that evidence must be supplied to the satisfaction of the commission to show compliance with these requirements – this indicates that the Commission has some understanding or expectation as to what documents should be presented to evidence this. It would be best to remove ambiguity and state exactly what documents should be required to ensure uniformity for all retailers and providers and remove confusion.

Consultation Question 3

Do stakeholders support the clarification of record keeping requirements, such that obliged retailers must retain actual possession of all activity records for a period of five years following the completion of the activity (refer clause 4.3 of the draft REPS Code at Appendix 2) Please provide evidence in support of, or a preferred alternative to, that proposal

YESS supports the proposed record keeping requirements.

Consultation Question 4

Do stakeholders support the proposal to require the provision of information to customers at the commencement of the REPS activity (rather than at the time it is performed)? Please provide evidence in support of, or a preferred alternative to, that proposal

YESS support the provision of an information statement at the commencement of an activity, essentially “book ending” an activity for the customer and ensuring all relevant information is left with the customer as an activity progress.

The proposed provision of information to customers at the commencement of a REPS activity also addresses the issues raised in Consultation Question 1 which will ensure that customers will always have access to a clear and outlined complaints procedure which should also be outlined on the form.

It should also be noted that dates on Information Statements/Activity Records are not always going to be ‘one size fits all’ for every activity and some still require further clarification. As an example, APP1 Activities, the current methodology is to use the purchase date as the activity date and no claims are processed unless proof of the appliance being used at the address is verified, however, with such ambiguity, the date of delivery could also be the activity date as can the date that the customer fills in their application form and signs the information statement.

Clarification needs to be provided regarding submission date for REPS activities to ensure there are

no ambiguities amongst activity providers. Should this match the information statement (commencement date) or the activity record (completion date)

Consultation Question 5

Do stakeholders support the proposal that:

- ***the existence and amount of any co-payment must be clearly communicated to the customer at the time of booking a REPS activity, and***
- ***the existence and amount of any co-payment must be clearly set out on the information statement?***

Please provide evidence in support of, or a preferred alternative to, that proposal

YESS supports communication of the co-payment in advance however the amount of the co-contribution at the time of booking can only be communicated as Indicative amount for certain activities - full schedules of rates or variations must be provided.

There are occasional circumstances where unexpected additional costs must be included immediately prior to the commencement of installation. I.e. At the time of booking customer indicated they will ensure clear access, but they did not, and the appointment must be re-scheduled with a wasted visit fee, or the customer insisted their own REC is involved to prepare the electrical feed to a HWS or RCAC isolator, however on the eve of installation the customer changed their mind and ask the electrical feed or switchboard modification to be included in the REPS activity. It is the *possibility* of these costs that must be clearly communicated to the customer prior to the installation.

Should the co-contribution amount be fixed at the time of booking – it will result in having to cancel the booking where unforeseen additional costs are involved, and to-rebook for another time, with a new Information Statement, Appt Reference number, which could be few weeks away, thus resulting in low customer satisfaction.

YESS contend that a minimum co-payment should be quoted to the customer along with the statement that variations are possible and details on how these may apply should be declared.

Consultation question 6

Do stakeholders support the administrative amendments proposed to the Code? Please provide evidence in support of, or a preferred alternative to, that proposal?

YESS support the proposed administrative code amendments.