

16 March 2022

Tamsyn Hinksman
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Essential Services Commission of South Australia
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OFF-GRID ENERGY CONSUMER PROTECTION FRAMEWORK REVIEW

Dear Tamsyn

We would like to thank you for the opportunity to provide input into the of review of the regulatory framework for off-grid electricity and gas markets. We offer the following feedback.

1.1. Comparison of consumer protections across off-grid gas and electricity.

The proposal to set a standard requirement for both electricity and gas consumer protections based on the strongest current requirement is supported.

Contractual Information Disclosure

- Given the remote locations we operate in, customer capacity to receive written documentation by post within 10 business days may not be achievable. Clarification is required that email, post and referral to website are all acceptable forms to “provide” a written notice with key information.

Billing

- Our bills currently include the contact details for Concessions SA. We are a small organisation with a small customer base we do not support the amount of concession or itemising of all rebates on bills given maintaining this level of information will be administratively heavy.

1.2. Establishing an Off-Grid Electricity Retail Code.

The proposal to develop and enforce an off-grid electricity code for all off grid electricity licensees is supported.

A single document that outlines all the consumer protections applicable to all licence holders is much simpler and clearer than having consumer protections embedded in individual licences, making it easier to access and understand for customers, licence holders and regulators.

2.1. Hardship Protections.

Hardship Policy, Programs and Processes

The proposal to require retailers to have documented policies and processes around hardship is supported.

However, we ask due consideration be given to the relatively limited administrative capacity of small off-grid retailers/distributors compared to most of their on-grid counterparts to which the National Energy Consumer Framework (NECF) applies.

Payment Options/Payment Plans/Late Payment Fees

The proposals to require retailers to offer Centrepay as a payment option, to take a customer's capacity to pay into account when setting payment plans and to waive late fees for payment plan customers are supported.

These are already standard practice for Cowell Electric, so it should not pose a material administrative impact should they be required by an off-grid retail code.

2.2. Disconnection Protections.

Customer Applied for Assistance

The proposal to align with the National Energy Retail Law (NERL) condition that a customer can not be disconnected if they have formally applied for a rebate, concession or relief and a decision on that application has not been made, is supported.

Protected Period

The proposal to align the protected period with the NERL is supported for post-pay customers.

Unresolved Complaints

The proposal to align with the NERL condition that a customer can not be disconnected where a complaint has been made in relation to the proposed reason for disconnection and that complaint remains unresolved is supported.

Life Support Equipment

The proposal to align the Life Support Equipment (LSE) definitions/obligations with obligations in the National Energy Retail Rules (NERR) is not supported.

We respectfully request due consideration must be given to the relatively limited administrative capacity of small off-grid retailers/distributors compared to most of their on-grid counterparts to which the NECF/NERR applies. This is particularly so given the on-grid framework's gearing towards retailers holding responsibility for proactively managing customers who have identified that they would like to apply for life support customer status vs the current off-grid framework which is more focused on individual customer responsibility for obtaining medical sign off before registering a life support device.

Increasing both the scope and the administrative burden of the existing off-grid (retail licence and pre-payment code) life support definition seems counter intuitive as it would potentially reduce the capability during an outage for distribution first responders to identify and prioritize customers that have a genuine life dependent need for power supply.

3.2. Prepayment – Support for Customers Experiencing Payment Difficulties.

The proposals to introduce a standard contract that covers both pre-pay and post-pay arrangements, and to remove the pre-pay trial period and subsequent right to charge exit and reversion costs, are supported.

3.3. Prepayment - Retailer Public Reporting Requirements.

The proposal to introduce standard quarterly reporting at an aggregate level on the number and duration of self-disconnections, number of times emergency credit was accessed and number of times the minimum requirement for customer follow up was met is supported.

3.4. Prepayment – Customer Consultation Groups.

The proposal to allow an umbrella off-grid pre-payment consultation group is supported.

3.5. Prepayment – Explicit Informed Consent Document.

The proposal to develop a standard explicit informed consent document (along the lines of the document provided to the 2021 Prepayment Meter System Code Review) is supported.

We request the Commission gives due consideration to the relatively limited administrative capacity of small off-grid retailers/distributors compared to their larger on-grid counterparts to which the NCEF/NERL applies.

While it may be reasonable to consider the NCEF/NERL to be the benchmark for customer protections, it must also be recognised that it may become counter-productive if those benchmarks pose such an administrative or financial burden on small retailers that they can not realistically be met.

Yours sincerely



Ann-Marie Wiseman

ELECTRICITY DISTRIBUTION & RETAIL COORDINATOR