Submission on Draft AER (Retail) Exempt Selling Guideline, Version 5, November 2017

1. In Section 2 – Are you an energy seller?
   1. The statement “we do not consider energy is being sold where energy costs are only one part of another fixed charge (for example, a hotel tariff or rent that includes energy costs)” is unclear. As has been suggested by our body corporate committee (located in Queensland), including the cost of supply of unmetered electricity (and gas) to the apartments in the body corporate administration levy would result in these costs falling “outside the Energy Regulator requirements”.
   2. As these apartments are for holiday rental only and there are different occupancy rates (and hence different electricity usage) between apartments, this results in some owners subsidising the electricity usage of other owners.
   3. Is this what was intended by this Section?
2. I believe that deemed exemptions should also be registered with the AER so that the AER are aware of who is selling energy and can notify them about their responsibilities and also when further changes are made to the guidelines. At present if you are a deemed exempt retailer you may not be aware of your obligations and therefore customers of embedded networks are unlikely to be aware of their rights or the conditions that apply to an exempt retailer. I believe that I have been a customer of a deemed exempt retailer for approximately 6 years and it is only in this last year that I have had any awareness that I am in an embedded network. I am yet to ascertain whether the on-seller has a valid deemed exemption or not due to the complexity of the guidelines and changes to them over time. It appears that our on-seller was not aware of the need for exemptions or of requirements on they need to meet.
3. I whole heartedly support all the proposed changes for dispute resolution. I believe this is important as I have been informed that our on-seller does not have a dispute resolution process and it has not been clear on how I progress my dispute.
4. I strongly believe that the on-selling of LPG gas should also be included in your consideration. Our strata titled unit complex has a number of LPG bottles that connect to 24 apartments (20 lots) for heating (24 gas fireplaces) and 12 hot plates. This gas supply is unmetered and there are significant hurdles to metering:
   1. The gas supplier has indicated that they would be unlikely to agree to metering as this would result in significant compliance where the cost would be prohibitive
   2. There is not a separate gas pipe to each lot. There is only one gas pipe to each floor and where there are 2 lots per floor, they share a gas pipe.
   3. Although I have disconnected the gas in my unit, I am still being charged a percentage of the gas supply costs.