Tech Council

Consumer Energy Tech Alliance

13 June 2025

Ms Stephanie Jolly
Executive General Manager, Consumer, Policy and Markets Division
Australian Energy Regulator
GPO Box 520
Melbourne VIC 3001

RE: CPU's ring-fencing waiver application for providing kerbside EV charging infrastructure

Dear Ms Jolly,

The **Consumer Energy Technology Alliance (CETA)** welcomes the opportunity to participate in the AER's consultation regarding CPU's ring-fencing waiver application for providing kerbside EV charging infrastructure. CETA is an initiative of the Tech Council of Australia that brings together industry leaders and innovators in consumer energy technology. CETA's goal is to ensure tech innovation, consumer empowerment, and fair competition are at the forefront of policy and industry discussions.

We enclose our position statement, "**Consumer Energy Technology Alliance Calls for Fair Competition in EV Charging**", as our submission to the inquiry. Reflecting on the key consultation areas, this statement highlights the following:

- **3.1 - Nature of the market insufficiency**: uptake and infrastructure deployment are already accelerating under current competitive market settings. There is no clear evidence that the absence of kerbside charging constitutes a market failure of sufficient scale to warrant intrusive and experimental regulatory interventions—particularly those that would compromise key consumer protections, such as ring-fencing requirements.
- **3.3 - Competition impacts on the kerbside EV charging market**: CETA is concerned this proposal would reduce competition, limit innovation, and risk increasing electricity bills for Victorian consumers.

We also draw the AER's attention to the Tech Council of Australia's *Tech Jobs Update*[1] (May 2023) which highlights the critical role that technology jobs will play in Australia's economic future, particularly in emerging sectors like EV infrastructure.

The report shows tech employment is growing at twice the rate of other jobs (8% versus 4%) with 935,000 Australians already employed in tech roles. Importantly for Victorian residents, tech jobs are growing many times the rate of other industries, creating pathways for workers transitioning from traditional sectors. CETA encourages the AER to support competitive EV infrastructure funding models that maximise job creation and open pathways for Victorians.

For further information, please contact Sebastian Brash, Policy Manager – CETA, on [redacted]

Yours sincerely,

Madeleine Houghton
[redacted]
(On behalf of the Consumer Energy Technology Alliance)

[1] The Tech Council of Australia, *Jobs Update,* 2023

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Consumer Energy Tech Alliance

Consumer Energy Technology Alliance Calls for Fair Competition in EV Charging

The Consumer Energy Technology Alliance (CETA) is an initiative of the Tech Council of Australia that unites leaders in consumer-energy technology to keep innovation, consumer empowerment and fair competition at the centre of the nation's energy transition. CETA's core objective is simple: empower consumers, keep power prices affordable and reliable, and preserve open, competitive markets for Australia's energy-technology innovators.

Australia is at a pivotal juncture for public EV charging. The *2024 State of Electric Vehicles* data show EVs captured 9.5 per cent of new-car sales to September 2024 (up from 8.4 per cent in 2023 and 150 per cent higher than 2022). Public infrastructure is also scaling fast—high-power charging sites grew 90 per cent year-on-year to 1,059 locations (1,849 chargers) by mid-2024.

These figures confirm two things. First, the market is in its infancy, so decisions taken now will shape competition and consumer costs for decades. Second, uptake and infrastructure are already accelerating under existing competitive settings, leaving no clear evidence that the absence of kerbside charging constitutes a market failure of sufficient scale to warrant intrusive and experimental regulatory interventions—particularly those that would compromise key consumer protections, such as ring-fencing requirements.

CPU's waiver application arrives at exactly this inflection point. A rapidly expanding cohort of new entrants is driving innovation in behind-the-meter services—home-energy management, battery storage and public EV-charging—while energy incumbents are signalling a desire to enter the same markets. How the AER addresses this dynamic will set an important benchmark for preserving space for competition and innovation, and its findings are likely to guide energy-policy thinking nationwide. Establishing a clear, well-governed framework now will secure balanced competition and lasting consumer benefits across every jurisdiction.

Any policy intervention must continue to uphold the National Electricity Objective—advancing the long-term interests of consumers in price, quality and reliability—while also crowding in, not crowding out, private capital. This submission sets out how policymakers can strike that balance: preserving open competition, safeguarding affordability and supporting technology innovation as EV uptake accelerates.

Fair competition is essential to delivering energy affordability

Distribution Network Service Providers across Australia are seeking changes to ring-fencing rules originally designed to protect consumers. These waivers would let DNSPs treat kerb-side chargers, and often as part of their Regulated Asset Base (RAB), earning a virtually risk-free, regulator-set return that is recovered through network tariffs paid by every customer, whether or not they ever plug in an EV.

Currently, EV charging infrastructure is not classified as a distribution service. Allowing infrastructure to be deployed under monopoly conditions could eliminate market competition, discourage efficiency, and stifle innovation. By socialising costs and locking in guaranteed profits for decades, this model would dull incentives to cut prices and ultimately

lift household energy bills. This outcome directly conflicts with consumer affordability, genuine choice, and prudent use of public funds.

Proven alternatives foster innovation and affordability

Kerb-side charging is an essential part of the infrastructure mix, alongside home, workplace and fast charging. Large-scale kerb-side deployment via the RAB is therefore a high-risk first move; it should be contemplated only after competitive tenders, utilisation-based subsidies and targeted incentives for home- and workplace charging have been fully explored and found insufficient—especially when EVs still comprise barely 1.5 per cent of the national fleet.

Emerging technologies such as bidirectional EV charging (vehicle-to-grid and vehicle-to-home) illustrate the kind of consumer-focused innovation that flourishes in a fair, competitive market. Start-ups and automakers are now trialling chargers that let parked EVs discharge energy back into homes or the grid—unlocking bill savings for drivers and new ancillary-service revenue for networks. These business models depend on open access, dynamic pricing signals and the freedom to experiment—conditions unlikely to thrive if publicly accessible chargers sit inside a single regulated asset base.

International practice shows more effective pathways. The United Kingdom's Local Electric Vehicle Infrastructure (LEVI) fund has delivered more than 10 000 chargers through open tenders that blend modest public grants with private capital. Competitive rounds led by the NSW Government and ARENA demonstrate the same dynamic in Australia—diverse providers, faster roll-outs and lower per-site costs than RAB funding could achieve.

CETA calls for fair and competitive market rules

CETA urges the AER to maintain policies that foster genuine competition and innovation in EV infrastructure. Public funding should stimulate—not stifle—private sector innovation and consumer-focused solutions. Australian consumers deserve reliable, affordable EV charging options without being forced to subsidise monopolies with guaranteed returns.