

23 December 2025



Mr Adam Day
Executive Director, DMO and Consumers
Australian Energy Regulator
GPO Box 520
MELBOURNE VIC 3001

Email: consumers@aer.gov.au

Dear Mr Day,

Retail Guidelines Review Consultation Paper (AER24010022)

Energy Queensland Limited (Energy Queensland) welcomes the opportunity to provide comment to the Australian Energy Regulator (AER) in response to the *Retail guidelines review - Consultation paper* (consultation paper). This submission is provided by Energy Queensland on behalf of its related entity, regional service delivery retailer Ergon Energy Queensland Pty Ltd (Ergon Energy Retail).

Ergon Energy Retail supports the review to ensure the Benefit Change Notice Guidelines, Better Bills Guideline (BBG), Customer Hardship Policy Guideline and Retail Pricing Information Guidelines remain fit for purpose in a rapidly evolving retail energy market, particularly as three of the four guidelines were published in 2018–2019.

Ergon Energy Retail acknowledges the potential benefits of consolidating the four guidelines into a single instrument to simplify the regulatory framework and promote consistency. However, the consultation paper does not clearly explain how consolidation would improve alignment or identify the issues the AER seeks to address. Additional detail is required on the problems driving this proposal and the intended solutions to enable retailers to assess potential unintended consequences and provide meaningful feedback. Ergon Energy Retail therefore requests more information on the proposed form and structure of a consolidated guideline before commenting.

Ergon Energy Retail notes the AER's intent to support better outcomes for all customers by reducing the cost of regulations that may be overly prescriptive. However, this objective at face value appears inconsistent with the recent trend towards increased prescription, as seen in the BBG and standardised hardship policy statements. Highly prescriptive requirements assume customers are uniform, constrain innovation, and limit a retailer's ability to meet diverse needs. Instead, Ergon Energy Retail prefers a principles-based approach that achieves policy objectives while allowing for flexibility. Variations in retailer communications, including bills, often reflect customer preferences and should not be considered problematic. For example, the BBG's prescriptive bill layout led to a spike in customer complaints about missing or unclear information such

as total debt owing and direct debit arrangements, resulting in confusion and poor customer experiences. This initially had the inverse effect of driving calls into Ergon Energy Retail's call centre.

Similarly, Ergon Energy Retail considers the current AER approval process for hardship policies preferable to universal terms. In our view, guidelines should provide strategic intent and examples rather than mandate wording, thereby ensuring retailers can implement protections tailored to customer needs. Tailoring communications is critical as hardship circumstances vary significantly based on different financial pressures, personal challenges, or support requirements. A one-size-fits-all approach risks ignoring these differences, reducing the effectiveness of assistance and potentially disengaging customers who need help the most.

Ergon Energy Retail also urges the AER to consider existing communication obligations under the National Energy Retail Rules (NERR), particularly for vulnerable customers. In particular, the number and content requirements of notices can overwhelm customers, for example where English is a second language. Ergon Energy Retail notes that one vulnerable customer recently received 20 notices in three months due to NERR requirements. Again, flexibility in communication frequency and method is essential to ensuring support is meaningful and customer-centric.

Detailed responses to the consultation paper's questions are found in the attached response template.

Should the AER require additional information or wish to discuss any aspect of this submission, please contact either myself, or Andrew Bozin on [REDACTED].

Yours sincerely

[REDACTED]

Alena Christmas
Manager Regulatory Affairs

Telephone: [REDACTED]
Email: [REDACTED]

Enc:- Energy Queensland comments on the Retail Guidelines Review Consultation Paper

AER Consultation Paper on the Retail Guidelines Review – Energy Queensland comments

AER reference 24010022

Question #	Consultation Paper Section	AER Question	Energy Queensland Response
1	2.2	How can we make sure the combined guidelines are easy for stakeholders to use, including retailer staff who will be responsible for implementing the requirements?	<p>Our regional service delivery retailer, Ergon Energy Queensland (Ergon Energy Retail) acknowledges that consolidating the four guidelines aims to improve usability for retailers. We note the guidelines were published at different times and recognise the opportunity to contemporise content and ensure stylistic consistency.</p> <p>However, the four documents currently span over 100 pages, and it is unclear how the AER intends to clarify, simplify, and streamline obligations to enhance usability. Even minor amendments can have significant system and process implications. Ergon Energy Retail therefore seeks further detail on the proposed changes to each guideline to assess potential unintended consequences.</p> <p>At a high level, Ergon Energy Retail offers the following operational suggestions:</p> <p>1. Reduce prescriptiveness</p> <p>Guidelines should articulate clear objectives and principles, enabling retailers to determine the best way to achieve them and improve customer experience. Excessive prescription limits flexibility and innovation. For example, the Better Bills Guideline’s (BBG’s) rigid bill layout requirements removed key information from the front page of a customer bill, resulting in confusion and a surge in complaints. Customers often misinterpret the amount owing on the front page of their bill to be the total amount owing, leading to shock when reminder or disconnection notices are issued.</p> <p>2. Improve format and accessibility</p>

Question #	Consultation Paper Section	AER Question	Energy Queensland Response
			<p>Guidelines should explain the intent and desired outcomes of requirements, not just the rules. A consolidated guideline should include clear navigation, section summaries, and quick-reference fact sheets to support retailer staff.</p> <p>3. Provide practical examples</p> <p>Ergon Energy Retail recommends that the AER include examples of compliant practices across diverse scenarios, such as complex plans. This will help retailers develop solutions without mandating a single uniform approach.</p>
2	3.1.1	How could we adapt the design principles to different communications and where is more specific formatting guidance required?	<p>Ergon Energy Retail does not support extending design principles beyond retailer bills and is concerned about potential scope creep. While high-level design principles can be useful, those contained in the BBG offer little value given its prescriptive nature. Extending design, content, and presentation requirements to other communications undermines a retailer's flexibility to tailor its communications to customer needs.</p> <p>Despite the findings of the review by the Behavioural Economics Team of the Australian Government (BETA), Ergon Energy Retail considers the BBG has introduced new issues, including customer confusion over bill layout and key information, increased customer contacts, government agencies requiring AER approval for cost-of-living messages, and reduced flexibility for retailers to innovate. This, in our view, suggests limitations in the BBG's prescriptive approach rather than the customer benefits it was intended to deliver.</p> <p>Ergon Energy Retail therefore recommends retailers retain flexibility to use alternative communication methods informed by customer engagement and preferences.</p>
3	3.1.2	How could we make communications more accessible for customers?	<p>Ergon Energy Retail acknowledges the importance of ensuring customer communications are accessible but is concerned about the expanding scope of this initiative. Customers generally do not face barriers to accessing retailer communications due to the extensive communication obligations under the National Energy Retail Rules (NERR), which set minimum standards for information and engagement. Retailers are strongly incentivised to</p>

Question #	Consultation Paper Section	AER Question	Energy Queensland Response
			<p>ensure accessibility and use multiple channels and methods to deliver content effectively to customers.</p> <p>It is retailers who have direct experience engaging with customers and understanding their preferences. In our view, a prescriptive approach limits our ability to respond to feedback and tailor communications to a customer’s needs. While Ergon Energy Retail supports initiatives to improve assistance for vulnerable customers, the AER must strike a balance between prescription and enabling retailers to foster engagement. Amendments to the guidelines should promote flexibility and empower retailers to collaborate with customers based on customer needs rather than a one-size-fits-all approach. Retailers must be able to retain discretion to adapt communication methods to individual needs, and we point to the success of the flexibility the AEMC allowed in engaging with customers impacted by family violence as evidence of this approach.</p>
4	3.1.3	How could benefit change notices be improved to make it easier for customers to understand and take action when their benefit is changing?	Ergon Energy Retail offers no comment.
5	3.2.1	How will secondary settlement points change energy plans and energy plan information?	<p>Ergon Energy Retail acknowledges the growing complexity of electricity products and services driven by new technologies, market reforms and customer expectations.</p> <p>Ergon Energy Retail notes that the <i>Unlocking CER benefits with flexible trading</i> rule change will be fully implemented in November 2026 but it is unclear at this time how the introduction of this reform will be operationalised in retailers’ offers. We suggest it may be premature to consider specific requirements for this reform.</p>

Question #	Consultation Paper Section	AER Question	Energy Queensland Response
6	3.2.2	How could our guidelines make complex energy plan information more relevant and easier to understand?	<p>Ergon Energy Retail acknowledges the growing complexity of the electricity sector and of electricity products and services, driven by new technologies and enabled by market reforms.</p> <p>It is incumbent on retailers to ensure energy plan information is understandable and transparent. Ergon Energy Retail notes most customer needs are simple, and that complex energy pricing arrangements are only attractive to a small number of sophisticated customers. However, Ergon Energy Retail cautions against attempts to over-simplify complex energy plan information, which may appear to assist customers but risks giving some customers a false sense of understanding.</p>
7	3.2.3	How could we improve transparency and reduce customer confusion in relation to energy plan names?	<p>In general, plan and tariff names should remain short, concise, and avoid unclear terms. This approach, combined with plain English requirements alongside effective retailer support, will help customers make informed decisions and reduce confusion.</p> <p>However, Ergon Energy Retail acknowledges that some retail tariff structures are inherently complex and this is expected to increase as customers adopt new technologies. It is our experience that a customer's understanding of tariffs is influenced by how their retailer explains these tariffs rather than the names assigned to them. While we note effectively naming plans may reduce confusion, the key remains how retailers engage with and support their customers when discussing plan options.</p>
8	3.3.1	How could we ensure better offer messages are clear, relevant and trusted?	Ergon Energy Retail offers no comment.
9	3.3.2	Where should customers receive better offer messages and how could we ensure the messages are clear and	Ergon Energy Retail offers no comment.

Question #	Consultation Paper Section	AER Question	Energy Queensland Response
		appropriate for different kinds of communications?	
10	3.3.3	What should we consider in defining the term 'deemed better offer', including in relation to how better offers are identified and how much a customer would need to save?	Ergon Energy Retail offers no comment.
11	3.4.1	How could we improve transparency of fees and charges in plan information and on Energy Made Easy without making plan information too complex for customers?	Ergon Energy Retail notes opportunities to align the nomenclature and units of measurement in the Retail Pricing Information Guideline and the BBG. For example, statement of prices should be consistent across different communication formats, for example \$/kWh and \$/day.
12	3.4.2	What information would be useful for customers in embedded networks to understand their energy plan and how it compares with others in the market?	Ergon Energy Retail offers no comment.
13	3.5.1	What specific changes could we make to the standardised statements in hardship policies to make them more consumer friendly?	<p>Ergon Energy Retail supports flexibility in communications and customer-facing policies. However, if the AER continues to require standardised statements in hardship policies, Ergon Energy Retail recommends the following refinements to Table 1 of Clause 89 of the Customer Hardship Policy Guideline (CHPG), under the heading "<i>What we will do to help you</i>":</p> <ol style="list-style-type: none"> 1. The statement in 1 & 2 "you tell us you are having trouble paying your bill", should be defined further to incorporate ongoing circumstances, such as:

Question #	Consultation Paper Section	AER Question	Energy Queensland Response
			<p>“you tell us you are having trouble paying your bills by the due dates on an ongoing basis.”</p> <p>This additional clarification would assist customers in understanding that hardship support is intended for sustained payment difficulties and encourages ongoing customer engagement with their retailer.</p> <p>2. Within standardised statements 1-3, the points relating to “broken payment plans” and “requested payment extensions” under “We will recommend you speak to a staff member to help you join our hardship program if you have” need to be further defined.</p> <p>Specifying that these indicators relate to a history of broken payment plans or repeated requests for extensions would provide clearer guidance for both customers and retailers. This is important because, in our experience, occasional extensions or isolated broken plans do not necessarily indicate a need for specialist assistance. This approach has, in practice, caused offence and increased complaints from customers who feel such offers imply difficulty managing their account when that is not the case. Ergon Energy Retail therefore considers these indicators should serve as guidance only.</p> <p>The statements “We will assess your application for hardship assistance by [retailer insert deadline]” and “We will let you know if you are accepted into our hardship program within [retailer to insert x business days] from receipt of the application” should be removed or retailers should be able to tailor these statements.</p> <p>Ergon Energy Retail notes that this statement implies a hand-off process or delayed response to hardship entry, which may not apply to all retailers or operating models. For example, Ergon Energy Retail has designed its process so that the first point of contact can immediately onboard a customer into our hardship program without</p>

Question #	Consultation Paper Section	AER Question	Energy Queensland Response
			<p>requiring a separate assessment. Prescriptive timelines can create unnecessary complexity and, in our experience, do not always reflect operational realities.</p> <p>More broadly, retailers operate under diverse and evolving models. Since the last review in 2019, Ergon Energy Retail has adopted new approaches to meet changing customer and industry needs. Flexibility is essential to ensure guidelines remain relevant and practical without requiring frequent reviews.</p> <p>While standardised statements can support vulnerable customers, mandating strict adherence increases compliance costs and limits innovation. Retailers should be empowered to incorporate statements in ways that align with their operating models. Given this, Ergon Energy Retail recommends that the AER revise the CHPG to position standardised statements as examples or guidance rather than mandatory wording, allowing retailers to customise language where necessary to maintain clarity, operational efficiency, and customer-centric outcomes.</p>
14	3.5.2	What concession and rebate information should be included on energy bills?	<p>Ergon Energy Retail suggests that the existing approach to presenting rebate and concession information on customer bills is appropriate.</p> <p>Ergon Energy Retail again notes that enabling automation matching would make it simpler for customers and government agencies to ensure all customers entitled to receive a concession or rebate are identified and payments are made.</p>
15		Any other feedback?	<p>In the consultation paper, emphasis is placed on the need for additional communication from retailers to customers. As a general comment, the <i>Spam Act 2003</i> (Cth) (Spam Act) should be considered in this context. Electronic communications (email and text) sent by businesses must be compliant with the requirements of the Spam Act. It is becoming increasingly difficult for retailers to categorise messages as either commercial or non-commercial under the Spam Act. A message categorised as a commercial communication triggers the requirement under the Spam Act to include an unsubscribe option in the</p>

Question #	Consultation Paper Section	AER Question	Energy Queensland Response
			<p>message. The potential conflict is between balancing regulatory requirements to provide information to customers with the requirement in the Spam Act to permit customers to unsubscribe from receiving commercial electronic messages.</p> <p>In addition, the AER's Retail Pricing Information Guidelines are enabled by sections 61-63 of the National Energy Retail Law and any amendments to the AER Retail Pricing Information Guidelines should align with these provisions.</p>