Executive Director, DMO and Consumers
Australian Energy Regulator
GPO Box 3131
Canberra ACT 2601

23 December 2025

To the Executive Director,

**Retail Guidelines Review – Consultation paper**

ENGIE Australia & New Zealand (ENGIE) appreciates the opportunity to respond to the Australian Energy Regulator (AER) on the Retail Guidelines Review Consultation Paper.

The ENGIE Group is a global energy operator in the businesses of electricity, natural gas and energy services. In Australia, ENGIE operates an asset fleet which includes renewables, gas-powered generation, and battery energy storage systems. ENGIE also provides electricity and gas to retail customers across Victoria, South Australia, New South Wales, Queensland, and Western Australia.

## General remarks

ENGIE welcomes the AER's commitment to simplifying the retail regulatory framework and reducing the cost of regulatory obligations that may be overly prescriptive or no longer fit for purpose. Clear and well-designed guidelines play an important role in providing clarity to rule-level obligations, helping retailers to ensure practical and consistent outcomes for customers. Effective guidance from the AER is essential to provide regulatory certainty, reduce unnecessary compliance costs and support the efficient implementation of new rules and regulatory reforms.

This is particularly important in the context of the recently finalised Energy Consumer Reforms, which introduce several new and interrelated obligations that are directly relevant to this review, including those concerning the definition and placement of the deemed better offer. With implementation of the broader suite of reforms now underway, timely progression of this review is critical to provide the regulatory clarity required to support effective operationalisation by retailers.

The AER's approach to revising the guidelines should also recognise the central role retailers play as the primary point of contact for customers engaging with the energy market. Retailers have a direct insight into customers' preferences and support needs. A revised guideline should allow retailers greater flexibility to exercise judgement in how regulatory objectives are met. The current set of rigid and highly prescriptive requirements, particularly those contained in the Better Bills Guideline, can in practice hinder rather than support effective customer engagement. This review therefore represents an opportunity to better align regulatory intent with customer expectations and outcomes.

ENGIE provides detailed answers to the consultation questions below:

## Approach to combining the guidelines

**Question 1:** 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?

ENGIE considers that consolidating each of the retail guidelines into a single document is likely to have minimal practical benefit. While ENGIE is supportive of efforts to reduce duplication and remove irrelevant requirements, each of the guidelines serve a distinct purpose and are managed by separate teams within the business.

ENGIE also has concerns that combining the guidelines could unintentionally broaden the scope of future reviews and changes. If a review is triggered for one section, there is a risk that the entire consolidated document could be subject to revision, potentially resulting in frequent and wide-ranging updates. This could create operational uncertainty for retailers, particularly where minor adjustments in one area prompt wholesale changes across unrelated obligations. ENGIE is aware that the AEMC has recently released AER five rule change requests based on recommendations from the Payment Difficulty Review, which would likely result in further amendments to a consolidated guideline. Careful consideration of these factors is therefore essential to ensure that consolidation does not inadvertently increase compliance complexity or undermine regulatory certainty.

## Improving retail communications

**Question 2:** How could we adapt the (BBG) design principles to different communications and where is more specific formatting guidance required?

ENGIE is cautious about extending the design principles established in the Better Bills Guideline to other forms of communication, particularly the tiered information requirements. As highlighted in Appendix A, customers have reported that their bills are difficult to understand, particularly when it relates to how credits and the amount payable are calculated and displayed. The layout and figures often cause confusion, resulting in a high volume of calls to customer care. In ENGIE's view, these issues largely arise from the highly prescriptive manner the principles are applied within the Better Bills Guideline.

This concern is reinforced by the process for seeking approval to implement changes in response to such customer feedback, which is particularly onerous for both the retailer and regulator. ENGIE considers that the AER's decision-making in this process has often been inconsistent, creating operational uncertainty. For instance, ENGIE has previously submitted several applications to the AER under sections 33 and 34 of the Better Bills Guideline. One such request was for a text box that would have provided a summary of the balance brought forward, if any, from the previous billing period for small customers.[1] This information, removed due to the design principles and tiering requirements of the guideline, was highly requested by customers, and in ENGIE's view, would have provided increased context and transparency if included in the tier 1 section of the bill. This request was refused.

Extending the design principles, especially the tiered information requirements, to other forms of communication, such as retailers' websites, apps and email communications, would significantly reduce their ability to respond to customers' needs. Unlike energy bills, which are comparably static, these channels of communication evolve frequently in response to changes in customer behaviour. On a practical level, enforcing these design principles in a similar manner across a wider range of communications would result in a high volume of approval requests and create an unnecessary administrative burden for the AER and retailers. ENGIE considers that should these design principles and tiering requirements be extended beyond bills, they need to be applied in a genuinely principles-based manner across the board allowing retailers appropriate discretion in how those principles are applied. Retailers have direct accountability to customers and a strong incentive to ensure that communications are clear and easy to understand.

**Question 3:** How could we make communications more accessible for customers?

ENGIE believes that there are several changes that can be made to customer communications, particularly the bill, to make them more accessible and easier to understand.

ENGIE believes that the Better Bills Guideline can be amended to remove unnecessary prescription and provide retailers with greater flexibility to meet customer needs through their bill without the burdensome AER approval process. As outlined in Appendix A, several customers have noted that the layout of the bill is complex and confusing, however tiering requirements prevent retailers from pursuing customer friendly changes. Other changes could also be made to make the bill more accessible to customers. In addition to the including an account summary prominently on the bill as mentioned above, ENGIE believes that the inclusion of an email address, online chat option and contact hours on the first page of the bill would make key information easier for customers to find.

Additionally, ENGIE agrees that the current placement of ombudsman contact details on energy bills can lead to customers contacting the ombudsman in error. Retailers should be the first point of contact to address customer enquiries and complaints. ENGIE's preference here would be for the ombudsman's contact details to be located to a less prominent position on the bill rather than for additional explanatory detail to be provided.

**Question 4:** How could benefit change notices be improved to make it easier for customers to understand and take action when their benefit is changing?

[1] Australian Energy Regulator 2024, Application under sections 33 and 34 of the Better Bills Guideline, 7 May.

ENGIE agrees that some of the requirements in the Benefit Change Notice Guidelines are "no longer helpful for customers as they used to be."[2] For instance, information provision requirements in section 4 may no longer be required due to changes to Energy Made Easy. The website now has the capability to retrieve a customer's consumption data based off their NMI, reducing the need for this to be manually inputted.

Moreover, ENGIE considers that the guideline might benefit from clarity on the following aspects of the guideline:

- Whether an improvement in a benefit should trigger a 'benefit change notice'. Should improvements be treated as benefit changes, this could unintentionally disincentivise retailers from improving the benefits provided to customers, particularly where such changes might activate the requirements of the new rule 48C of the National Energy Retail Rules from 1 July 2026.

- Whether changes to non-financial benefits should be considered a 'benefit change'. Retailers often have limited control over benefits, particularly then they are sourced from a third-party, and cannot guarantee their ongoing availability. Including them within the scope of benefit change notices may create unrealistic compliance expectations and unnecessary complexity.

## Managing increasing complexity

**Question 5:** How will secondary settlement points change energy plans and energy plan information?

ENGIE considers that there should be a high degree of flexibility in how retailers communicate information relevant to secondary settlement points, particularly in relation to the presentation of billed or credited amounts and explanations of how applicable tariffs, credits or charges have been calculated. As secondary settlement points are not scheduled to commence until December 2026, introducing overly prescriptive requirements at this early stage would risk constraining innovation and act as a barrier to retailers developing plans tailored to individual customer circumstances.

Additionally, ENGIE also considers it premature to introduce functionality for secondary settlement points within Energy Made Easy at this stage. It is likely that only a limited number of offers will be available following commencement, and that these will be highly tailored to specific customers. Developing comparison functionality at this point risks embedding assumptions that may not reflect future product designs and could necessitate further revisions. Functionality to support secondary settlement points should therefore be developed at a later stage, once there is greater clarity and experience with how these products operate in practice.

**Question 6:** How could our guidelines make complex energy plan information more relevant and easier to understand?

[2] Australian Energy Regulator 2025, Retail guidelines review – Consultation paper, 12 November, p. 11.

ENGIE reiterates the importance of maintaining flexibility for regulatory requirements, as complex and prescriptive differentiated requirements would risk deterring retail market innovation and become less relevant over time. Retailers are best placed to understand their customers and should retain discretion over how different plans are communicated to different customer cohorts.

**Question 7:** How could we improve transparency and reduce customer confusion in relation to energy plan names?

ENGIE contends that there is not a strong case for introducing prescriptive rules on how energy plan names are determined and presented to customers, particularly in the context of more innovative plans being introduced in the market. Approaches where product names are tiered, such as in health insurance, are not well suited to energy offerings where products vary significantly in design, purpose and value to customers. For instance, products such as solar feed in tariff arrangements and virtual power plant (VPP) participation plans cannot be meaningfully categorised into a linear hierarchy without misrepresenting their features and confusing customers.

As the issue of same named-plans was centred around confusion relating to the better offer message, ENGIE considers that the recent AER decision to include an explanatory message on bills should be given sufficient time to take effect before any additional requirements are contemplated.[3]

## Making it easier to access a better offer

**Question 8:** How could we ensure better offer messages are clear, relevant and trusted?

**Question 9:** Where should customers receive better offer messages and how could we ensure the messages are clear and appropriate for different kinds of communications?

**Question 10:** 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?

ENGIE does not believe there is sufficient evidence and justification of a clear and systemic market failure for additional compliance measures around the better offer beyond what the AEMC proposed in the '*Improving the ability to switch to a better offer'* rule change. ENGIE has previously highlighted that current processes to switch are as user-friendly as possible and can be completed within a few minutes for online sign-ups.[4] Indeed, in their draft determination the AEMC has also outlined that that there was little evidence to suggest that the time and effort to switch to a better offer is too high. Likewise, as indicated in the consultation paper, BETA's impact report shows that the better offer message is performing as intended. This is supported by a recent ACCC which shows the share of customers on new plans rising from

[3] Australian Energy Regulator 2025, Letter to retailers - Clarifying expectations regarding the energy bill relief message, 19 June.

[4] ENGIE 2025, Submission: Improving the ability to switch to a better offer – Draft Determination, 31 July, p.2.

29 to 42% and an increase in the uptake of the better offer, suggesting that customers are responding as intended to the better offer messaging.[5]

As ENGIE has contended previously, the key barrier greater customer switching may be insufficient price dispersion in the retail energy market to encourage customers to engage. Surveys by Energy Consumers Australia indicate that a key reason behind why customers may not switch is because 'savings didn't make it worth it'[6]. In order to make the incentive to switch more meaningful to customer, ENGIE supports increasing the best offer savings threshold from $22 to $50 to align with changes made in Victoria.

Considering the recent AEMC rule changes that require retailers to provide better offer information through accompanying communications, ENGIE considers it essential that this requirement be limited to emails where the bill is provided as an attachment or via a link, and only in instances where bill-summary information is included in the body of the email. Other communication channels, such as SMS or app notifications, are significantly more constrained and are not suited to conveying detailed regulatory messaging. Imposing prescriptive requirements on these channels would introduce unnecessary cost and complexity, discourage their ongoing use, and ultimately risk undermining customer engagement and timely payment.

Additionally, ENGIE considers that any definition of 'deemed better offer' should ensure that the inclusion of non-financial benefits remains optional. In many cases it is not possible to assign a reliable financial value to these types of benefits, and requiring retailers to do so would introduce unnecessary complexity. It would also be costly and burdensome for retailers to update their best offer calculation methodologies to incorporate an additional factor that cannot always be meaningfully quantified. Moreover, as this definition will materially impact retailers ongoing implementation of the AEMC's '*Assisting Hardship Customers*' rule change, it is critical that the AER progress a definition early. Given that this review is not scheduled to conclude until September 2026, and the rule change must be implemented by December 2026, retailers may not have sufficient time to prepare if the final definition significantly differs from the expectations retailers are working to.

## Improving price transparency

**Question 11:** 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?

ENGIE does not have extensive comments in relation to the display of fees and charges in plan information and Energy Made Easy but considers that any requirements to display fees should be focussed on those charges that are frequent and relevant to the customer's experience. While many fees and charges arise in the ordinary operation of a retail energy contract, others such as special meter read fees for instance, are only incurred in specific or infrequent circumstances. The guideline should therefore prioritise the clear

[5] Australian Competition and Consumer Commission 2025, Inquiry into the National Electricity Market 18 December, p.2.

[6] Energy Consumers Australia 2024, Energy Consumer Sentiment Survey June 2024, p.10.

presentation of fees that customers are likely to incur in the normal course of their contract, while allowing less frequent charges to be communicated in a way that is proportionate and contextually appropriate.

**Question 12:** What information would be useful for customers in embedded networks to understand their energy plan and how it compares with others in the market?

ENGIE does not have any comments.

### Improving payment assistance information

**Question 13:** What specific changes could we make to the standardised statements in hardship policies to make them more consumer friendly?

ENGIE is cautious about making large-scale changes to the AER Customer Hardship Guideline at this time, particularly since the AEMC has released several AER rule change requests arising from the Payment Difficulty Review, which will likely create further amendments to this guideline. Notwithstanding this, ENGIE considers that there are targeted improvements that could be made to standardised statements to enhance their clarity and consumer comprehension. For instance, greater consistency in terminology could be beneficial, as the current statements refer interchangeably to concepts such as a ‘better energy plan’ and the ‘right energy plan’. Given the recent AEMC rule changes, referring to a ‘better offer’ might be more consistent. Additionally, the standardised statements could be more logically grouped to clearly distinguish between customer actions and retailer obligations, including when customers can seek assistance, what steps are required to access support, and the range of assistance retailers may offer.

**Question 14:** What concession and rebate information should be included on energy bills?

ENGIE supports the removal of the Better Bills Guideline energy bill relief message that was specific to the Energy Bill Relief Program, as it is no longer required.

In relation to concession notifications being included on a customer’s first and final bill, ENGIE considers that introducing such bespoke messages for specific bill types would create lead to greater system complexity and operational burden for retailers. If the AER determines that a concession-related message is appropriate for the front page of customers’ bills, ENGIE’s preference is that retailers have the option and the flexibility to provide this on all bills rather than just the first and final.

### Concluding Remarks

ENGIE looks forward to working closely with the AER to ensure that the retail guidelines remain fit for purpose, delivering outcomes that genuinely benefit customers while supporting efficient and practical implementation by retailers.

Should you have any queries in relation to this submission please do not hesitate to contact us on, telephone, [redacted].

Yours sincerely,

[redacted]

[redacted]

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