

Ref: 20240710AY:HP

10 July 2026

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

Dear Ms Jolly

Essential Energy's application for a Ring-fencing waiver to conduct its Plug and Play trial

Essential Energy welcomes the opportunity to respond to the AER's Consultation Paper. This submission should be read together with Essential Energy's Ring-fencing waiver application and Consolidated Response to AER and stakeholder questions¹, which contain the detailed evidence supporting the application. Rather than repeat that material, this submission focuses on the key propositions that Essential Energy considers should guide the AER's assessment of the waiver application.

The decision before the AER

The consultation process has raised a range of important questions regarding consumer demand, competition, market participation, trial design and the future role of Distribution Network Service Providers (DNSPs) in public Electric Vehicle (EV) charging infrastructure. These are legitimate matters for consideration and are addressed in detail in Essential Energy's Consolidated Response.

However, the decision before the AER is considerably narrower. The question is not whether DNSPs should have an ongoing role in contestable EV charging markets, nor whether a particular ownership or delivery model is the correct model. Rather, the question is whether a tightly scoped, independently funded and time-limited waiver should be granted to enable a trial that is funded in part by the Australian Renewable Energy Agency (ARENA) and Essential Energy's shareholder to generate the evidence needed to better inform future regulatory, policy and commercial decisions.

The proposed waiver should therefore be assessed on whether permitting a controlled, independently funded and reversible trial is in the long-term interests of consumers.

The purpose of the trial

The consultation has raised questions regarding consumer behaviour, utilisation, market participation and commercial viability. These are important questions. However, they are not deficiencies in the application – they are the very matters trial has been designed to test. The purpose of the waiver is to

¹ [Consolidated response to the AER and stakeholder questions - Essential Energy | Australian Energy Regulator \(AER\)](#)

enable evidence to be generated before enduring regulatory and policy decisions are made. Essential Energy's detailed response to these matters is set out in the Consolidated Response.

Competition remains protected

The proposed waiver does not alter the contestable nature of EV charging services. Essential Energy is not seeking to provide retail charging services, set prices, bill customers or manage customer relationships. Its role is limited to infrastructure ownership, installation and maintenance. Charge Point Operators remain responsible for all customer-facing and contestable services. The proposed trial therefore seeks to lower barriers to market participation while maintaining appropriate protections against cross-subsidisation and discrimination.

The value of the two-stream trial

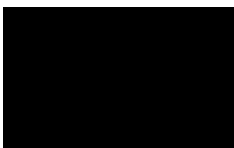
The Plug and Play program has been deliberately designed to test two complementary approaches. Stream 1 examines whether reducing deployment barriers alone is sufficient to stimulate commercial investment. Stream 2 examines whether shared infrastructure can support market participation where those barriers remain. The value of the program lies not in either stream individually, but in the evidence generated by comparing both approaches. Assessing Stream 2 in isolation risks overlooking the purpose of the trial.

Conclusion

Ultimately, the question before the AER is not whether the outcomes of the trial are already known. The question is whether consumers are better served by permitting a tightly governed, independently funded and reversible trial to generate evidence that will better inform future regulatory and policy decisions. Essential Energy submits that they are.

Essential Energy welcomes the opportunity to discuss this submission further. Please feel free to contact Adam Young, Regulatory Strategy Manager, [REDACTED]

Yours sincerely,

A large black rectangular redaction box covering the signature of the Head of Regulatory Affairs.

Head of Regulatory Affairs