



17 July 2026
Executive Director, DMO and Consumers
Australian Energy Regulator
Submitted by email: consumers@aer.gov.au

Australian Energy Regulator's Retail Guidelines Review

Dear Mr Harrigan

Alinta Energy welcomes the opportunity to respond to the Australian Energy Regulator's draft Retail Guidelines. As a retailer with over one million customers, Alinta Energy supports measures that simplify the guidelines and improve transparency, interpretation and application of relevant obligations where they deliver clear customer benefit.

However, the final Guideline must not operate as an overlay to the National Energy Retail Rules or expand existing obligations by implication. The Guideline should be clear, confined to its intended purpose and supported by sufficient implementation time.

The consultation has not identified any material deficiencies in the existing Guidelines that would support additional compliance requirements. Such requirements would impose costs that are ultimately borne by consumers and are not appropriate in a Guideline intended to simplify, consolidate and clarify existing obligations.

The proposed commencement date of 31 December 2026 is not workable if the final Guideline is released in late September 2026. Retailers will need time to design, build, test and implement system, policy, process and customer communication changes. A minimum of twelve months from the release of the final determination is required to achieve this.

Our detailed comments are set out below. Please contact Shaun Ruddy on [REDACTED] or at [REDACTED] if you wish to discuss this submission.

Yours sincerely

Graeme Hamilton
General Manager Policy & Regulation

Australian Energy Regulator Retail Guideline Review

Implementation timeframe

The proposed implementation timeframe is not sufficient to support orderly and effective implementation. If the final decision is released in late September 2026, a 31 December 2026 commencement date will not provide enough time to implement all required changes. The changes contemplated by the draft Guideline are not limited to wording updates and may require changes to billing and customer management systems, customer communication templates, policies, processes and vendor requirements. The shift to a more principles-based framework also requires internal alignment across Compliance, Product, Pricing, Billing, Digital and Delivery teams before requirements can be finalised.

For those reasons, the final Guideline should not commence until at least twelve months after publication, with that period used to allow retailers to implement changes progressively. The revised obligations should then apply in full at the end of the twelve-month transition period. During the transition period, a retailer should be taken to comply where it meets the obligations under either the existing Guidelines or the revised Guideline. This would allow retailers to adopt the revised framework in an orderly way, while maintaining clear and enforceable obligations throughout the transition.

This approach appropriately recognises that the consultation has not identified any material shortcomings in the existing Guidelines that would prevent their continued use as a suitable compliance framework during the transition period.

Principles-based obligations

Alinta Energy supports a more flexible, outcomes-focused approach to compliance. However, principles-based obligations should replace, not simply sit on top of, prescriptive obligations. Otherwise, the Guideline will create a more complex and onerous compliance framework. That complexity would carry implementation and ongoing compliance costs, ultimately borne by consumers, and is inconsistent with the stated objective of simplifying and clarifying the Guidelines.

Where principles-based obligations are retained, the Guideline should include worked examples and clear minimum expectations. Retailers need clear guidance on how compliance will be assessed so they can meet their obligations in a way that supports positive consumer outcomes.

Expansion of existing obligations

The consultation has not identified material failures in the existing guidelines. The AER has described the review as an exercise in improving and combining four guidelines. The final Guideline should remain consistent with that objective and should not expand obligations by implication, particularly through consumer duty concepts or broad principles-based requirements.

As no material failures have been identified with the existing guidelines, this further supports allowing appropriate time for full implementation post the release of the final decision on the Guideline, as there is no material risk to customers to do so.

Design principles

Alinta Energy supports simpler and clearer customer communications. However, design principles alone will not achieve that outcome while communications remain dominated by prescribed regulatory content. To improve comprehension, prescribed content and content-led

obligations should also be simplified.

The Guideline should clearly identify which communications are subject to the design principles, including whether non-regulated communications are captured. Without this clarity, retailers will face unnecessary compliance complexity.

The AER's behavioural research should also be applied cautiously. Some findings are based on supported qualitative interviews with small sample sizes, and the flexible-plan research did not test real-world decision-making or downstream outcomes such as complaints, debt or hardship.

The research indicates that comprehension remains difficult even in testing environments, which supports a restrained approach to additional disclosure.

Given the significance of this change, the AER should adopt a transitional enforcement approach. Early interpretive differences should not lead to enforcement action where a retailer has followed published guidance, acted in good faith and caused no customer detriment.

Deemed Better Offer

Deemed Better Offer obligations should remain simple and transparent. Added complexity risks reducing assessment accuracy and the value of the customer message. The Better Offer message should remain a simple annual cost comparison.

The proposed requirement that a Better Offer remain available for a reasonable period after the communication date introduces unnecessary uncertainty and operational complexity. It would require system changes to monitor offer availability, assessment timing and customer communications, and may limit retailers' ability to manage ordinary plan and pricing changes.

The Guideline should also recognise that events after a Better Offer message is issued may mean the offer is no longer available or applicable to the customer, including price variations, tariff reassignments or meter upgrades. Retailers should not be treated as non-compliant where later events outside their control mean the offer cannot be provided, provided the original message was accurate when issued.

Benefit Change Notices

Simplifying Benefit Change Notices will assist customer comprehension. However, the Guideline should not require a Benefit Change Notice merely because a price change alters the dollar value of a benefit while the benefit itself, such as the headline discount, remains unchanged.

That outcome would duplicate price change information, create inconsistent notice periods and add unnecessary complexity to annual pricing processes. The Guideline should distinguish clearly between a price change and the expiry or reduction of a benefit.

Bill notifications and bill content

Comparative information is most useful when presented on the bill. Extending the requirement to notices that accompany a bill risk diluting the message and would require retailers to review and rebuild multiple communication templates. It is also difficult to include comparative information accurately in SMS messages, given character limits and other mandatory messaging requirements.

No clear case has been made for requiring comparative information beyond the customer's bill.

The proposed inclusion of a retailer email address as identifying information may also reduce service quality. Retailers often use targeted email addresses for specific services, such as hardship support, while directing general enquiries through websites, apps, online chat and other channels. Requiring a generic email address may be less effective for customers than allowing retailers to direct customers to the most appropriate contact channel.

Bills should remain simple and focused on information customers need to manage their account. They should not become a vehicle for low-value information or promotional messaging, particularly where the existing framework already provides for key customer disclosures.

For example, requiring retailers to state the proportion of a bill based on estimated data, expressed as a percentage or number of days, is unlikely to materially assist customers. It would, however, require significant bill redesign and additional functionality, creating additional compliance costs that would ultimately be borne by consumers.

Payment plans and options

The draft Guideline would require retailers to offer a payment plan under their hardship policy to customers who leave the retailer with an outstanding debt. This obligation should not be retained in its current form.

Hardship payment plans are designed for an ongoing retailer-customer relationship. Once that relationship ends, the retailer's ability to assess capacity to pay and maintain the arrangement is materially reduced. For example, the previous retailer may no longer be able to assess the customer's expected energy use, particularly if the customer has moved property or their circumstances have changed.

Alinta Energy offers payment plans to customers with closed accounts where they have an outstanding debt, but these are managed outside the hardship program and consistent with the AER's sustainable payment framework. This is the more appropriate model for closed accounts.

If retained, this obligation would increase debt risk and require material system, policy and process changes. Those changes would impose additional compliance costs, increase costs for consumers and further demonstrate why the proposed implementation timeframe is not workable.

Plan information – Flexible Plans

Obligations for Flexible Plans must align with the related changes required for Energy Made Easy. This alignment is essential to maintain customer confidence in a market segment that is expected to grow.

The Energy Made Easy dependency is significant and does not appear to be resolved. Energy Made Easy requires data standard changes before it can receive flexible-plan information, and its display capability is still subject to technology change. Requiring retailers to build to assumed requirements now risks duplicated work without improving customer understanding.

That duplicated work would impose additional compliance costs and increase costs for consumers without improving customer understanding.

Obligations that depend on Energy Made Easy data standards, plan identifiers, plan linkage or display should not commence until the final data standard, test environment and production display capability are available.

Worked examples would also assist retailers to understand communication expectations for Flexible Plans. For example, clause 26(d) requires plan information documents to explain how the retailer will protect the customer from unreasonably high bills over a defined period.

A worked example would help clarify how this obligation applies where the customer must take independent action to access the potential benefit of a flexible product.