

16 July 2026



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

Email: consumers@aer.gov.au

Dear Mr Harrigan,

Retail Guidelines Review Draft Report

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 (EEQ).

EEQ welcomes the intent of this review to modernise the AER's retail-specific guidelines and consolidate the four separate guidelines into a single Retail Guideline. EEQ acknowledges that the draft Retail Guideline largely achieves this objective by bringing together requirements previously contained across four separate guidelines, creating a more streamlined and accessible reference point for retailers.

Nonetheless, EEQ is concerned that the draft Retail Guideline largely retains the highly prescriptive nature of the existing guidelines while introducing new and updated design principles with which retailers must comply. Rather than simplifying compliance obligations, this approach risks increasing complexity by requiring retailers to navigate both detailed prescriptive requirements and broader principles-based expectations. In particular, we question how the continued reliance on prescription aligns with the AER's stated objective of moving towards a more principles-based regulatory framework. This also appears inconsistent with the policy direction reflected in the Energy and Climate Change Ministerial Council's rule change proposal, *Requiring retailers and distributors to engage with customers in a way that meets their needs*¹, which states:

"Currently, the National Energy Customer Framework (NECF) is largely focussed on prescriptive engagement obligations and activity-based compliance activities for the supply and sale of traditional energy from the grid. This typically includes information disclosure to satisfy explicit informed consent requirements, complying with the Australian Energy Regulator's (AER) guidelines for bill presentation, and meeting strict notification timeframes for benefit changes or upcoming disconnections. This current approach to the rules assumes a one-size-fits all engagement approach will benefit customers and is not reflective of

¹ <https://www.aemc.gov.au/rule-changes/requiring-retailers-and-distributors-engage-customers-way-meets-their-needs>.

real customer circumstances. The difference between what is legally required, and customer-centred engagement that results in good outcomes, leaves many customers without meaningful assistance until their situation has escalated.”

Given this, the prescriptive nature of the draft Retail Guideline appears inconsistent with broader reform efforts to move away from a rules-based, one-size-fits-all approach which does not meet the needs of all customer types.

EEQ also notes that the draft Retail Guideline reproduces several obligations already contained in the National Energy Retail Law (NERL) and National Energy Retail Rules (NERR). While EEQ recognises the intent to provide retailers with a single point of reference for understanding obligations, we suggest that legislative or regulatory obligations reproduced within the Retail Guideline be referenced consistently throughout the document. We also note that changes to the NERR or NERL will necessitate the development of a new version of the Retail Guideline, creating additional administrative burden and increasing the risk of inconsistencies arising between the guideline and the underlying legislative and regulatory requirements.

Consultation timing and approach

This consultation occurs during the busiest time of year for a retailer. As this may be the first, and potentially only, opportunity for retailers to review the draft guideline in detail, EEQ is concerned that retailers may not have sufficient opportunity to consider changes arising from this consultation prior to the final guideline being published. We suggest the AER include an additional consultation phase to enable retailers to consider changes made to the draft guideline in response to stakeholder submissions. As part of this additional step, EEQ requests the AER provide more detailed explanations of its decisions in the consultation documents.

Billing

EEQ is concerned that the draft Retail Guideline introduces additional billing obligations that appear inconsistent with the original intent of the Better Bills Guideline (BBG), which sought to simplify billing requirements and reduce retailers’ cost to serve.

Bill content requirements have increased over time. Prior to the BBG, retailers were required under the NERR to include 24 items of information in a customer’s bill. Under the BBG, this increased to 39 items. Under the draft Retail Guideline, the number of required bill content requirements has increased to 44. In EEQ’s view, the cumulative effect of these obligations risks undermining the simplification objectives that underpinned the BBG reforms and is inconsistent with the intent of the Australian Government and the Australian Energy Market Commission to move away from prescriptive based regulation. EEQ again suggests that retailers are best placed to develop their bill template in response to the needs of their customers – one size does not fit all with respect to customer billing.

Hardship

EEQ considers the hardship component of the draft Retail Guideline remains overly prescriptive, limiting retailers’ ability to innovate and tailor support arrangements to customers experiencing payment difficulty. The proposed approach places emphasis on procedural requirements, potentially at the expense of outcomes-focused engagement.

EEQ also suggests this approach does not adequately recognise the diversity of retailer operating models, including those that adopt more flexible and adaptive methods to support customers while still delivering positive customer outcomes.

EEQ has also prepared specific comments on the draft provisions, which are enclosed.

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

Yours sincerely

[REDACTED]

Mark Simpson
A/Manager Regulatory Affairs

Telephone: [REDACTED]

Email: [REDACTED]

Enc:- EEQ comments on draft provisions of the Retail Guidelines

AER Retail Guidelines 2026 – Energy Queensland (Ergon Energy Queensland) comments on draft provisions

AER reference 314974

Clause	Description	EEQ comments
Part 2	Definitions	
	Annual usage history	EEQ suggests the terms “communication date” and “bill issue date” should be consistent.
Part 3	Design Principles	
6, 7	Design principles objective	EEQ questions the suggestion that the design principles support a shift to principles-based regulation when the approach of the Retail Guideline appears to take a prescriptive approach.
10(c)	Adapt communications to CALD customers	EEQ is unclear what the AER means by “ <i>be appropriately adapted to the needs of culturally and linguistically diverse customers</i> ” and encourages the AER to clarify how retailers should interpret this provision in practice.
11, 12 and 13	Criteria for communications to prioritise comprehension And Key information to be prominent	EEQ suggests that the application of the criteria relating to design principles cannot be applied to all types of communications. For example, colour, headings, font etc cannot be applied to SMS. As the AER is broadening the application of these principles beyond billing to other forms of communication, EEQ suggests the AER reconsider how these design principles can be applied in practice.
Part 5	Plan information	
25	Plan information details	EEQ does not offer “energy plans” in the same way that other retailers do. For the purposes of Energy Made Easy (EME) and the Better Bills Guideline (BBG), EEQ has interpreted the requirement to present

Clause	Description	EEQ comments
		energy plans such that each regulated tariff is an energy plan. However, in the context of the requirements in draft clause 25, EEQ seeks clarity that this remains the appropriate approach.
Part 7	Customer bills	
Tier 1		
54	Issue bill every 100 days	EEQ questions the need to restate this NERR obligation in the Retail Guideline. We also note that NERR 24(1) is not referenced.
59(b)	Amount due and due date	EEQ suggests the AER needs to be more specific with this obligation and clearly state what is required or permitted for compliance. For example, EEQ notes the AER published guidance in October 2024¹ clarifying retailers can: - present multiple amounts and due dates for outstanding as Tier 1 information on a customer bill - state payment arrangements including SmoothPay and direct debit as Tier 1 information on a customer bill.
59(i)	A short message prompting the customer to check the 'understand your bill' section to see if they have received a rebate or concession	EEQ acknowledges that while this message may be relevant to some customers, it is unlikely to be relevant to all customers. EEQ questions if this information is sufficiently important that it should appear on the first page of every customer's bill. EEQ notes that a similar requirement featured in the suite of bill contents in the NERR prior to the existence of the BBG but was removed with the publication of the BBG.

¹ <https://www.aer.gov.au/system/files/2024-10/AER%20letter%20to%20industry%20-%20Better%20Bills%20Guideline%20compliance%20review%20-%201%20October%202024.pdf>

Clause	Description	EEQ comments
59(k)	Propose email address for the customer to make account enquiries	EEQ suggests the AER permit retailers to include, as Tier 1 information, an email address for customers to send account enquiries. This reflects some customers' preference to use an established digital channel and may reduce call centre volumes and wait times.
59	Government-mandated messages	EEQ suggests any, and all, bill messages required by Australian and State/Territory Governments should be classified as Tier 1 information and should not be subject to application and approval by the AER.
Tier 2		
62(a)	A summary of <i>plan information</i>, excluding <i>plan information</i> required by clause 25(c) (charges, rates, tariffs and <i>energy payments</i>) and 25(d) (fees, discounts, incentives and rewards) 25. <i>Plan information</i> includes, but is not limited to: e) contract terms and customer obligations f) a link to plan information documents.	For draft clause 25(e), EEQ suggests it is unreasonable to require retailers to summarise contract terms and customer obligations on bills. EEQ's standard retail contract is 15 pages long and even a summary of contract obligations in our welcome pack is not sufficiently brief to include on every bill. For draft clause 25(f), EEQ suggests it is unreasonable to require the plan summary to include a weblink for the customer's selected plan – it will be too long to include on the bill. Further, this requirement seems unnecessary for paper bills as customers are unlikely to refer to this weblink.
62(b) ii)	Meter serial numbers	EEQ welcomes the inclusion of meter numbers as Tier 2 information, consistent with our submission to the AER related to version 1 of the BBG.
62(b) viii)	Payment plan payments	EEQ notes this new term is not defined in Part 2 of the draft Retail Guideline.

Clause	Description	EEQ comments
		EEQ requests further clarity regarding the AER's expectations for how this information is to be presented. For example, how are payments made under a payment plan to be differentiated from other payments?
63(a)	Specify the proportion of the customer's billing period that is estimated (for example, as a percentage or number of days)	While EEQ supports the principle of billing transparency, EEQ questions the practical usefulness of this proposed new information requirement. For premises with basic accumulation meters, bills are based entirely on actual reads or estimated data, meaning the proportion is either 0 or 100 per cent. We suggest this additional detail is of no value to these customers. For premises with smart meters, bills are based on actual data procured daily from the meters. However, bills can be informed by estimated data where interval data is missing (noting there are up to 288 intervals per day). If bills are partially informed by substituted usage data EEQ notes that neither the retailer nor the customer has any way to avoid its occurrence or act to rectify the situation. Unlike for basic meters where customers may provide their own substituted information, where intervals are missing, they are substituted by the Metering Coordinator in accordance with the process set out in the Metrology Procedure Part B. The retailer then issues bills based on this information published to AEMO systems. EEQ suggests introducing a requirement to specify the proportion of a billing period that is estimated has the potential to generate distrust in smart meters at a time when widespread smart meter deployment is underway. Further, this information can generate distrust towards retailers despite retailers not being able to influence the outcome. EEQ suggests the inclusion of this information will create problems for retailers which will have to explain this issue to customers and lead to billing disputes. EEQ notes the rationale for the inclusion of this information is not explained in the consultation documents. Instead, EEQ recommends the AER apply a reasonable threshold for missing interval data (e.g. 10 per cent) above which customers should be informed.

Clause	Description	EEQ comments
63(b)	State that the relevant proportion is 'based on an estimation'	As explained above in relation to draft clause 63 (a), EEQ questions the practical usefulness of this proposed new requirement. EEQ suggests this new requirement has the potential to generate distrust in smart meters at a time when widespread smart meter deployment is underway.
73	Bill notifications	EEQ questions if it is reasonable to expect this information be included in SMS communications.
Part 8	Customer hardship policies	
86(g)	Proof of family violence	EEQ acknowledges that customers entering hardship programs may be affected by family violence. However, EEQ suggests the inclusion of this reference in this context is unnecessary as it duplicates NERR clause 76l.
	Standardised statements	
Standardised statement 3	"If you are in our program, we will not charge you any fees or charges (except network charges)."	EEQ suggests this new text is misleading and should be amended. EEQ notes the potential for customers to interpret this text to mean they will not be billed for anything other than network charges while on the program, i.e. no energy usage charges, daily service charges, or other prescribed fees. EEQ suggest that the standardised statements must be unambiguous.
Standardised statement 3	"If you miss a payment, we will contact you by your preferred method of communication to see if you need help. If we can't reach you through this method, we will try at least twice more through	EEQ notes the new text stating retailers will contact customers via their " <i>preferred method of communication</i> ". In our experience, a subset of customers in our hardship program screen calls so they do not have to engage with EEQ. We are aware that discussing personal circumstances is difficult and often confronting for customers. This is why we offer a range of communication channels to communicate with customers in vulnerable circumstances. Restricting the channels available to engage hardship customers places the customer at increased risk of not receiving a retailer's contacts. We

Clause	Description	EEQ comments
	other methods such as SMS, email, post, phone call, over a period not less than 10 business days.”	recommend that a full suite of communication channels continue to be available to retailers to contact a customer, especially where some forms are known to enable more prompt engagement than others. EEQ also notes this text could conflict with our existing AER approved Hardship Policy which specifies how EEQ will attempt to contact a customer, with the first attempt being an SMS three business days after a broken/completed arrangement, followed by SMS, warning letter, phone call etc.
Standardised statements 4 and 5		EEQ notes that these statements are very similar and could potentially be repeating information. EEQ suggests the AER review the content of these statements and consider the potential for them to be combined under the heading “Supports to help you pay your energy bill.”
Standardised statement 7	“We can help you save energy There are ways to reduce the amount of energy you use, which can help save you money.” “When you are in our hardship program, we can discuss with you ways to use less energy. Depending on where you live, you may be eligible for energy efficiency upgrades.”	EEQ suggests the first sentence be refined to: “There are ways to reduce your energy use and lower your costs / save you money.” In relation to the new draft text relating to ‘energy efficiency upgrades’ these would largely not be available through retailers, but rather from governments. As the availability of support funding for energy efficiency upgrades varies between jurisdictions, we suggest this specific text not be included in the standardised statements. Instead, EEQ suggests the AER consider more generic text about the availability of other forms of non-continuous assistance funding which offsets customers’ energy costs, e.g. Queensland’s Home Emergency Energy Assistance Scheme.