

Retail guidelines review

Draft AER Retail Guidelines – Verbal submissions summary

Background

Australian Energy Regulator (AER) Consumers staff met with stakeholders who provided verbal submissions to the draft AER Retail Guidelines. In these meetings, we discussed their insights and feedback on specific elements of the Retail Guidelines. This summary of verbal submissions reflects the views of stakeholders shared with the AER during the consultation process, which ran from 5 June 2026 to 17 July 2026.

Stakeholders who provided verbal submissions summarised in this document included:

- Care Inc.
- ActewAGL
- Momentum Energy

This summary was prepared by AER staff and reviewed by stakeholders before publication.

Care Inc

Tuesday 23 June 2026

- Provided insight into their experience assisting customers in the ACT where customers experiencing payment difficulty may be referred between retailers and the ACT Civil and Administrative Tribunal (ACAT), which, in the ACT, plays a role in the market similar to energy and water ombudsman schemes in other jurisdictions. This mostly occurs where retailers, after reviewing a customer's capacity to pay in the context of establishing a payment plan, determine the customer is unable to afford a payment plan to meet their ongoing usage costs.
- In the past, the ACAT would manage or assist in the management of these arrangements for customers. However, following a review and some changes to their service delivery, ACAT now requires that there be a risk of imminent disconnection before providing assistance to energy customers in the ACT. For customers seeking assistance from their retailer due to payment difficulty, the risk of disconnection is not always imminent, which creates a gap where some customers who cannot afford to pay ongoing usage costs through a payment plan but where there is no imminent risk of disconnection do not receive appropriate support.
- Suggested the hardship guideline could address this gap by including clearer wording or acknowledgement of third-party hardship pathways in the ACT, such as by referring to unreasonable conditions set by these third parties.

ActewAGL

Thursday 16 July 2026

- Suggested the guidelines should clarify how obligations apply to flexible trading arrangements and secondary settlement points (SSP). Considered that additional guidance would help retailers understand how billing obligations and deemed better offer requirements should operate in where there are interrelated tariffs, customer arrangements and settlement points.
- Noted that implementing changes associated with flexible trading arrangements and the draft guidelines may require significant system, billing and template changes. They suggested transitional arrangements should be considered to support implementation and avoid the need for multiple rounds of system updates.
- Suggested the guidelines should clarify how obligations in the guidelines should be applied when they appear to conflict with other obligations, such as rules related to customers affected by family violence.
- Raised concerns about customers receiving multiple notices within a short time, particularly Benefit Change Notices and price variations communications. They noted this can create confusion for customers and highlighted practical challenges associated with notification timeframes and regulatory obligations.
- Suggested the guidelines should clarify obligations regarding the presentation of Basic Plan Information Documents.
- Broadly supported the proposed design principles but queried the intended scope for applying them to retailer communications. Suggested the guidelines clarify the extent to which retailers must apply the design principles when communicating with customers.

Momentum Energy

Thursday 16 July 2026

- Supported the overall direction of the draft guidelines but raised concerns about the proposed implementation timeframe. Noted that implementation complexity varies across guidelines parts and suggested a staged implementation approach which considered the most complex reforms and alignment with concurrent regulatory change.
- Raised concerns that the proposed deemed better offer framework as drafted could expand the scope of the deemed better offer framework, adding complexity for both customers and retailers.
- Supported the intent of enabling customers to access a better offer after receiving a better offer message while raising concerns that the proposed requirement for the deemed better offer to remain available for a reasonable period of time following the date it is given to the customer may not be practical.
- Noted that requiring retailers to specify the proportion of estimated consumption on customer bills may introduce complexity with limited customer benefit.
- Noted that mandatory contract requirements after each missed payment plan instalment may result in excessive contact for certain customers.