

Submissions delivered electronically to AERexemptions@aer.gov.au

Mila Sudarsono, A/g Director – Compliance and Enforcement
Australian Energy Regulator
GPO Box 3131
Canberra ACT 2601

7 April 2022

Re: Retail Exempt Selling Guideline – version 6 – March 2022

To Mila,

Thank you for providing stakeholders the opportunity to review and respond to the proposed changes to the Retail Exempt Selling Guideline. Energy Intelligence supports the general proposed draft changes to the Guideline and the two supporting documents; factsheet and template. There are two areas we would like to provide comments to.

Limited Retailer Contestability

In the *Notice of Draft Instrument: Retail Exempt Selling Guideline* (page 22) you have indicated this is outside the scope of this guideline however we feel it is worth noting once again. We believe the majority of exempt sellers/agents are equipped to bill on-market customers however there are limited retailers offering 'energy only' contracts. The fact sheet "*How to access retailer for your energy needs if you live in an embedded network*" is a helpful factsheet however the two main limitations remain: aged assets and retailer contestability. Upgrades to aged assets are likely cost prohibitive however, limited retailer contestability barriers should be scrutinised.

We would like to see pressure placed on retailers, and at a bare minimum the big 3's obligation to offer 'energy only' offers or exempt sellers can recover network costs directly from the retailer. Retailers would then be able to offer a standard electricity offer and customers receiving their bills from one retailer.

Change of Ownership; application for Individual Exemption

In Section 5 "Who should hold the exemption?" of the *Retail Final Exempt Selling Guideline* (page 14), we would like to seek further clarification of the change of ownerships when the site has been previously granted an individual exemption. Section 5 notes that "*you may need to submit a new individual exemption application for that site*". The process to apply for an individual exemption application is a sizeable exercise which could take months before the application is granted; well outside of the 20 business days for registered exemptions. New owners may require time to fully understand the services attached to the acquisition. We do however agree that it is essential for new exemption holders to be able to ensure compliance with all conditions of the exemption, including conditions that are attached to the individual exemption.

If you have any further queries or would like to discuss our submission in greater detail, please feel free to contact myself or Mussan. We look forward to reviewing the draft network exemption guidelines when this is available and would be happy to meet and discuss in person or virtually at any stage.

Yours sincerely,



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Managing Director



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