



26 July 2019

Ms Sarah Proudfoot
General Manager
Consumer and Markets Branch
Australian Energy Regulator
GPO Box 520
Melbourne, VIC 3001

Email: RPIGconsultation@aer.gov.au

Dear Ms. Proudfoot,

RE: AER Draft Retail Pricing Information Guidelines

Origin Energy appreciates the opportunity to provide a submission in response to the Australian Energy Regulator's (AER) draft Retail Pricing Guidelines (RPIG).

We support the AER's objective is to achieve consistency between the Retail Pricing Information Guideline with the Australian Competition and Consumer Commission's (ACCC) Electricity Retail Code (ERC).

Clarity and Practicality of Application

The AER has been structured into three different Parts:

- Part A - applies to retailers that are not regulated by the ERC;
- Part B - applies to retailers supplying electricity to small customers in distribution regions to which the ERC does apply; and
- Part C - commonly applies to all retailers who are required to comply with Part A and/or Part B.

References to retailer obligations throughout this document stemming from Part A and Part C should be interpreted as including any third party involved in marketing, publishing or advertising energy plans, unless otherwise stated.

The AER has included new clause 18 which states:

The obligations in Part B should be interpreted as applying to electricity retailers, as the Electricity Code applies to electricity retailers. Where it would assist customers, the AER expects that retailers should make arrangements so that third parties and agents acting on behalf of retailers who are involved in marketing, publishing or advertising of energy plans also comply with the obligation in Part B of these Guidelines

Origin considers that the AER should make clear which obligations apply or do not apply to third parties, because large sections of Part B do not apply to both. There are sections in Part B that do not apply to third parties, and information that would be more usefully included in Part C and result in consistent messaging to customers. The AER has attempted to retain the existing order of provisions and include the aspects of the ERC into this order where appropriate, however this may not be the most effective way to introduce these additional requirements.

For instance, the entirety of Part B Section 4 (with the possible exception of clauses 137 and 153, where it is unclear, and 4.7 *Language requirements*) applies directly or as guidance to the information required

to create plan documents using Energy Made Easy and is not relevant to third parties. Sections 5 and 6 likely apply to third parties and retailers alike. Part B should apply only to the form and generation of plan documents, irrespective of the party that generates them. Part C would then apply commonly to retailers and third parties regardless of the customer location.

For these reasons, having the delineation between the different Parts would streamline the RPIG in such a way would make the application clearer, and by extension make the RPIG more easily enforceable, both in the generation of fact sheets and ensuring the appropriateness and consistency of customer interactions.

The AER has also proposed an ambitious timeline to implement the updated RPIG, intending to publish the final RPIG either late August or early September to achieve an implementation date of 1 October 2019. Origin would urge the AER to consider whether this is workable, particularly considering the concurrent review being undertaken by the AEMC in response to the ACCC's Retail Pricing Inquiry Final Report (REPI Report) Recommendation 8.

The outcome of this consultation may result in a further requirement to review the RPIG, as the RPIG plays a part in facilitating the lessened visibility of offers where they are reserved for the save or win-back activity. It is this lessened transparency to which the Recommendation responds.

If you have any questions regarding this submission, please contact Courtney Markham in the first instance on (03) 9821 8086 or Courtney.Markham@originenergy.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sean Greenup', written over a faint circular stamp or watermark.

Sean Greenup
Group Manager Regulatory Policy
sean.greenup@originenergy.com.au