

**RE: Comments in relation to AER (Retail Law) Performance Reporting Procedures and Guidelines –
December 2017**

Email: MarketPerformance@aer.gov.au

Preamble

The AER (Retail Law) Performance Reporting Procedures and Guidelines Version 3 has been revised and released in draft in December 2017. The proposed amendments within the current Draft reflects the evolution of the Retail Energy market since the release of Version 2 in 2012, including the need for greater clarity of consumer outcomes in the face of growing concerns about energy affordability and hardship issues¹.

The guidelines is a requirement under the National Energy Retail Law (Retail Law) by the AER to publish retail market performance reports providing information on the following matters:

- A retail market overview;
- A retail market activities report, including information and statistics of activities of regulated entities;
- A report on the performance of retailers by reference to the hardship program indicators developed by the AER under s 287 of the Retail Law;
- A report on the performance of distributors by reference to distribution service standards and associated guaranteed service level schemes; and
- Where applicable, a report on the performance of distributors in relation to the small claims compensation regime under Part 7 of the Retail Law.

About Pooled Energy Pty Ltd

Pooled Energy is an Electricity Retailer in the National Electricity Market, authorised to sell retail electricity in NSW, Queensland, ACT, South Australia and Tasmania. Pooled Energy sells exclusively to swimming pool owners and operators, providing them with an integrated solution of advanced pool automation services and electricity.

Our pool automation system is a unique technology designed to provide customers spectacular, healthier water quality and savings in energy, chemicals, time and money. As an energy management company Pooled Energy strategy is to “pool the pools” to provide demand side management capability to the grid whilst improving customer amenity. Pooled Energy is Australian owned, based and operated and the solution has significant global potential.

¹ As noted in the Notice of Draft Instrument AER (Retail) Performance Reporting Procedures & Guidelines Version 3

Commentary

Pooled Energy Pty Ltd has agreed to format and manner of the majority of amendments made in Version 3 of the AER (Retail Law) Performance Reporting Procedures and Guidelines. Please see the following comments and respective recommendation below.

Section	Currently states	Proposed Amendment	Description of change	Pooled Energy Response
Amendments to Section 2: Obligation to submit information and data on performance to the AER				
2.3.5 Manner and form in which information and data must be submitted	(absent)	As per the draft Guidelines: <i>"Where there is more than a 10% variation in the data reported from the previous reporting period, then an explanation for the variation must be provided"</i>	Currently there is a provision that allows retailers to provide this information, but not mandatory. This amendment will assist the AER to report on reasons for substantial changes within a retailer's data.	<p>Comment: As a small energy retailer, a 10% variation in any one of Pooled Energy's datasets (currently our data are small volumes) may be unrealistic given a minimal increase/decrease in our volume may lead to a variation of far greater than 10%. In this instance, a variation of >10% may at times bear minimal risk to the organisation.</p> <p>Recommendation: Amend the clause to <i>"Where there is a significant variance of data reported from the previous reporting period that may increase the organisation's risk or operation's profile by more than 10%, retailers are required to provide an explanation outlining the reasons for the variation."</i></p>

Friday, 2 February 2018



In summary, Pooled Energy does not have any objections to changes made in Version 3 of the AER (Retail Law).

Should you have any questions about our comments above please contact Christina Barlow. Her email address is christinabarlow@pooledenergy.com

Kind Regards

A handwritten signature in black ink, appearing to read 'Greg Irving', written over a horizontal line.

Greg Irving
Vice Chairman & COO

