

03 August 2015

General Manager—Retail Markets Branch
Australian Energy Regulator
GPO Box 520
Melbourne VIC 3001

Submitted via Email: AERinquiry@aer.gov.au

Dear Ms Proudfoot,

Re: Amendments to AER Retail Pricing Information Guidelines V4.0

Red Energy is a 100% Australian owned and operated subsidiary of Snowy Hydro Ltd and is part of the Snowy Hydro retail portfolio which services approximately 1 million customers. Red Energy currently retails electricity and gas in Victoria, and electricity in NSW and South Australia.

We welcome the opportunity to provide this submission on the Amendments to the Retail Pricing Information Guidelines (the Amended Guidelines). Red Energy remains supportive of the Australian Energy Regulator's (AER) proposal to simplify the Guidelines in the interests of encouraging greater participation by consumers.

Red Energy is concerned however that the manner in which the Amended Guidelines propose to limit how retailers can advertise offers and products in the market, as opposed to the presentation of pricing, is outside of the scope of the Retail Pricing Guidelines set out in the National Energy Retail Law. Section 61(2) clearly states that "the purpose of the guideline is to provide retailers guidance in the presentation of standing and market offer pricing, and thereby assisting consumers consider and compare prices offered by retailers".

Red Energy believes that the marketing of offers and products by retailers more appropriately falls within the scope of the Competition and Consumer Act 2010 (Cth) and the Australian Consumer Law included within. Red Energy does not agree that these provisions need to be duplicated in the Amended Guidelines, in line with the Statement of Intent made by the AER in 2014¹ regarding best practice regulation.

If you have any further comments or queries in relation to this submission please do not hesitate to contact Ben Barnes, Regulatory Manager on 03 9425 0530.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ramy Soussou".

Ramy Soussou
General Manager – Regulatory Affairs and Stakeholder Relations
Red Energy Pty Ltd

¹ AER Statement of Intent in response to the Government's Statement of Expectations, <https://www.aer.gov.au/node/26292>, 2014