

QCOSS

Queensland Council
of Social Service

Review of the National Energy Retail Law in Queensland

Discussion Paper



March 2019

About QCOSS

The Queensland Council of Social Service (QCOSS) is the state-wide peak body representing the interests of individuals experiencing or at risk of experiencing poverty and disadvantage, and organisations working in the social and community service sector.

For 60 years, QCOSS has been a leading force for social change to build social and economic wellbeing for all. With members across the state, QCOSS supports a strong community service sector.

QCOSS, together with our members continues to play a crucial lobbying and advocacy role in a broad number of areas including:

Place based activities

Citizen led policy development

Cost of living advocacy

Sector capacity and capability building

QCOSS is part of the national network of Councils of Social Service lending support and gaining essential insight to national and other state issues.

QCOSS is supported by the vice-regal patronage of His Excellency the Honourable Paul de Jersey AC, Governor of Queensland.

Lend your voice and your organisation's voice to this vision by joining QCOSS. To join visit [the QCOSS website](http://www.QCOSS.org.au) (www.QCOSS.org.au).

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Introduction

QCOSS is pleased to make a submission into the Department of Natural Resources, Mines and Energy (DNRME) review of the National Energy Retail Law (NERL) in Queensland.

In July 2015, Queensland signed up to the national regulatory arrangements, commonly referred to as the National Energy Consumer Framework (NECF). At this time, Queensland also introduced several specific changes (derogations) that only apply in Queensland. DNRME has now released a Discussion Paper to assess how well these laws are meeting their objectives of increasing efficiency, improving consumer protections and delivering a net benefit to Queensland. The Discussion Paper also poses several additional questions to seek feedback on other ways to maximise the effectiveness of the NERL and improve customer outcomes more broadly.

In this submission, QCOSS has set out our overall position on the NECF and where further reform is needed. We have concentrated our recommendations on where the Queensland Government can strengthen customer protections through additional state-specific derogations, or where there are opportunities to introduce state-based policies or programs to support consumer improved outcomes. QCOSS's focus in providing this advice is on those consumers who may be experiencing, or at risk of experiencing, hardship or vulnerability.

This submission addresses each of the questions as set out in the Discussion Paper. Several case studies are provided as **Appendix A**. A table is included as **Appendix B** to set out the QCOSS position on each of the Queensland-specific derogations.

QCOSS position

QCOSS's overall position is that there are clear deficiencies in the National Energy Customer Framework (NECF), with evidence mounting that it is not working in the interests of consumers, and particularly for consumers experiencing financial hardship or vulnerability.

Evidence from the Australian Energy Regulator (AER)ⁱ and financial inclusion research undertaken by QCOSS clearly demonstrates that despite the adoption of the NECF in 2015, many Queensland households continue to experience poor outcomes. For example:

- Disconnections for non-payment increased to almost 28,000 Queensland households in 2017/18, which is the highest rate of disconnections (1.41 per cent) in any jurisdiction in the National Energy Market (NEM).
- 18,600 households across the NEM were on a retailer hardship program in June 2018. This represents only one per cent of customers, despite current research on financial resilience demonstrating that up to 16 per cent of the population struggle with the cost of living on a daily basis.ⁱⁱ These indicators suggest that the number of households experiencing hardship in the energy market are grossly understated, which indicates that hardship programs are not fit for purpose and/or there are barriers to entry.
- Across the NEM, only 22 per cent of hardship program participants exit the hardship program successfully, which strongly suggests that hardship programs are not working effectively.
- Consumers are accessing pay day loans to pay their electricity bill or cover reconnection costs. In New South Wales (NSW) a recent survey indicated that up to 12 per cent of people used pay day loans or pawnbroker to pay for reconnection.ⁱⁱⁱ
- Consumers that live in residences where electricity is provided via an embedded network face practical barriers that prevent them from accessing the customer protections and rights enshrined in the NECF. Queensland has the highest number of embedded networks across the NEM and these are growing in number due to trends in higher density urban development, which means a growing proportion of consumers are

excluded from accessing the consumer rights they are entitled to.

- Placing the onus on energy consumers to ‘shop around’ does not work for everyone and this is evident in the relatively large proportion of customers (18 per cent) still on Standing Offers in SEQ and the number of consumers who do not switch or engage with further plans after their benefit period has ceased.
- The market has become overly complex and confusing, especially for consumers on a low income or who may be experiencing vulnerability. Even where consumers have engaged in the market, they are often on inappropriate plans that do not match their needs, and which can lead to them losing large discounts and paying unfair inflated base prices when they do not pay on time.

QCOSS is not alone in acknowledging that the operation of the competitive retail market has not provided benefits for customers. This view is supported by recent reforms from the Australian Competition and Consumer Commission (ACCC)^{iv}, AER^v and Australian Energy Market Commission (AEMC)^{vi}. It remains to be seen how effective the reforms emanating from the ACCC inquiry and the associated reviews and rule changes being conducted by the AER and AEMC will be, and to what extent they will (or can) address the current systemic problems and achieve improved outcomes for consumers. Unfortunately, the move to a national framework has in many instances slowed the responsiveness of the energy market to changes to the rules and increased the complexity of consultation that stakeholders must navigate to address systemic issues and improve outcomes for consumers.

QCOSS therefore considers that this review is an opportunity to assess the current situation and reset the consumer protections to achieve better outcomes for Queensland consumers. We recognise the limitations of this review to address all issues across the energy market and acknowledge that this review is taking place at a time when some of these issues are being actively reviewed and consulted on at the national level. However, it is critical that energy consumer protections are not reduced to the lowest common denominator in the interests of national consistency. It is our view that state governments have a responsibility to address gaps and barriers in the NECF that are negatively impacting on consumer outcomes.

Our submission has been developed around the following principles, and we urge DNRME to also adopt these principles when making decisions as part of this review:

- ✓ Energy is an essential service. Australia’s energy systems exist to serve the community and underpin every aspect of our lives.
- ✓ No energy consumer should be disconnected from electricity for inability to pay.
- ✓ All Queensland consumers should have equal access to energy consumer protections.
- ✓ All consumers should know their rights and be able to activate them.
- ✓ All energy consumers should have access to hardship programs and should not be exited from a hardship program for inability to pay.
- ✓ Education and support programs must be tailored to the needs of consumers and delivered with an understanding that different customers have different abilities, preferences and needs.
- ✓ Consumer protections must be improved as result of this review, not reduced.

Key outcomes

Overall, it is vital that energy consumer protections are **stronger** as a result of this review, not weaker. To achieve this, QCOSS recommends the following outcomes be pursued as urgent priorities for the Queensland Government to address as a result of this review and in inclusion where appropriate in NERL (Qld):

1. Level the playing field between retailers and consumers.

Consumer education and awareness

One of the key recommendations reiterated by QCOSS throughout this submission is for the Queensland government to **invest in a targeted consumer education and advocacy program delivered through trusted community organisations**. Consumer education and awareness programs can help address issues associated with:

- Comprehension – to ensure that customers understand the prices and fees, how the retail market works and that they have rights to customer protection; and
- Suitability – to ensure that customers are sufficiently informed to make decisions that ensure they get the right plan and a fair deal – and that they remain in this situation.

Some customers are difficult to reach due to certain barriers that result in them not engaging with retailers. In QCOSS' experience, the best way to reach these consumers is through a program that funds community organisations who have a trusted relationship and are well placed to understand their specific needs. Such a program could be designed by incorporating the best elements of approaches with similar objectives, such as the not-for-profit brokerage (see Question 16) and *Switched On Communities*.

Consumer empowerment

While community education is important, the energy market places a significant expectation on consumers to 'take control', 'shop around' and 'actively participate' in the energy market. If the market relies on consumers to be empowered and take action to regularly shop around, it is important that the framework requires the market to communicate clearly what consumers are paying for so they can easily compare offers, notify consumers when changes are being made to their plans and/or contracts, and provide timely information about where to go to compare offers when changes occur. At a minimum, QCOSS recommends DNRME address the following issues:

- Increase consistency in terminology across retailers' bills.
- Require retailers to provide Standing Offer customers in SEQ advance notice of price increases as well as annual advice on alternative lower cost market contacts and information about Energy Made Easy.
- Ensure Energy Made Easy is fit for purpose for Queensland consumers, especially consumers in receipt of Queensland Government concessions and paper bills.

Consumer protections

It is our view that it is not always possible for consumers to actively participate in the market, especially for consumers who may be experiencing hardship or vulnerability. In those instances, consumer protections must kick in to level the playing field and prevent consumer detriment. QCOSS recommends that the Queensland Government:

- Retain all existing derogations to ensure that consumer protections are stronger, not weaker, as a result of this review.
- Retain protections for Standing Offer customers in SEQ by extending the ban on new fees and charges and restricting the frequency of price increases to annually.
- Require retailers to check concessions eligibility upfront
- Require retailers to offer concession card recipients and hardship program participants the best available price and waive all fees.
- Requiring all retailers to make an offer to a customer, regardless of credit history.

- Put in a provision for GSL regime in the NERL (QLD) and extend GSLs requirements to retailers, matching distributors' payment amounts and thresholds for lack of notice of retailer-initiated planned interruptions and failure to meet agreed installation dates as well as for wrongful disconnection.

2. Address inequities caused by digital barriers.

Digital exclusion has created inequities in terms of access to Energy Made Easy, additional charges and preferential treatment for online customers. The Queensland Government can address these inequities by:

- introducing additional protections to prohibit retailers from charging fees for receiving paper bills.
- investing in a customer education and advisory program delivered through trusted community organisations (as described above). This should provide options for face-to-face and telephone support for consumers who may be digitally excluded.
- ensuring that government programs do not exclude consumers who experience digital barriers.

3. Ensure retailers act to improve their practices in supporting consumers experiencing hardship.

QCOSS acknowledges that the AER's Hardship Guideline will go some way to improving retailer hardship policies. However, they still fall short in a number of areas and there is scope for the Queensland Government to further strengthen customer protections by:

- Strengthening requirements on retailers' staff training and call centre scripting to ensure they provide accurate information on state-based concessions.
- Introducing a 'debt trigger' of \$55 to identify customers in payment difficulty.
- Requiring retailers to waive all fees for hardship customers and ensure concession card holder and hardship customers are on the best deal.
- Investing in a consumer education and advisory program to ensure customers are aware of their rights with respect to hardship policies.

4. Ensure all consumers are protected and can access the consumer protections they are entitled to.

There are many consumers who are not benefiting from the customer protections in the NECF due to practical barriers created by supply arrangements such as in card operated meter (COM) communities or embedded networks. These issues are especially critical for DNRME to address as card operated meters are unique to Queensland, and Queensland also has the highest number of embedded networks across the NEM.

It is not acceptable to have legislation 'on paper' which provides consumer protections that are not actually being applied in practice and which consumers are completely unaware they are entitled to. The Queensland Government must implement strategies to ensure that all consumers, and especially COM customers and customers in embedded networks, are aware of, and can access, the consumer protections they are entitled to.

5. Do no harm – prohibit products and services that risk leaving consumers worse off.

QCOSS emphatically does not support any move towards prepayment meters and the evidence demonstrates that such consumers are not able to access full consumer protections under the NECF.

QCOSS acknowledges that there are benefits to low income and vulnerable consumers of digital meters such as monthly bills and reduced bill shock. However, QCOSS' view is that the rollout of digital meters should not be fast tracked for vulnerable customers without clarity on the implementation of cost reflective pricing and its associated assignment policy. QCOSS does not support mandatory assignment of cost reflective pricing for consumers with digital meters until it can be established that vulnerable customers will not be worse off.

Response to questions

Q1. Are there further actions that could be taken by government, industry or consumer groups to improve customer awareness and use of the AER's Energy Made Easy website?

Yes. QCOSS recommends the Queensland Government prioritise the following actions to improve the awareness and use of Energy Made Easy (EME) for Queensland consumers:

- ✓ Address current gaps in functionality of the EME website
- ✓ Improve retailers' consistency of terminology on bills
- ✓ Fund a targeted customer education and advisory program delivered through trusted community organisations.

1. Address current gaps in the functionality of the EME website.

QCOSS is currently participating in the AER's EME redevelopment project, which aims to upgrade and enhance EME. Some of the changes being implemented as part of this project include allowing consumers to upload electronic bills and improving accessibility through the employment of different languages. While QCOSS welcomes such changes, we remain concerned that gaps remain which exclude low income and vulnerable consumers from successfully using EME. Our key concerns are that:

- The AER is proposing not to allow customers to incorporate the value of concession payments into EME. Without the ability to compare offers that incorporate the value of their concession benefit, the use of EME is greatly reduced for these customers as they are unable to compare like with like. We note that the Victorian comparison website - Victorian Energy Compare^{vii} - has this functionality.
- The AER is also proposing to only allow customers to upload PDF electronic bills, rather than scanned or photos of paper bills.

In order to level the playing field, it is incumbent on the Queensland Government to ensure that EME is appropriate and fit for purpose as the main independent comparison website available to consumers in Queensland, and especially consumers in receipt of Queensland Government concessions. We note that the NSW Government has developed its own comparison website^{viii}. While QCOSS is not advocating for the Queensland Government to develop its own comparison tool, this may be required in the future should these issues not be addressed through the AER's EME redevelopment project.

Recommendation One: QCOSS recommends that DNRME work with the AER to ensure that EME is fit for purpose for Queensland consumers, especially consumers who receive a Queensland Government concession and those who receive a paper bill.

2. Improve consistency of terminology on bills.

While we acknowledge there has been work done by the AER to improve the consistency of terminology on retailers' Price Factsheets, the terminology on bills remains confusing. It must be recognised that consumers predominantly use their bill to locate the necessary

information to fill out the EME online form and compare results. Until bills can be easily read and understood by consumers, tools like EME will have limited use.

QCOSS originally identified this problem in 2015/16, when we partnered with the Chamber of Commerce and Industry Queensland (CCIQ) to engage and educate small business and residential consumers across SEQ on comparing energy deals. The project directly engaged more than 2,855 residential and small business consumers across SEQ through face-to-face workshops and online webinars. This work identified that the use of inconsistent and misleading terminology on bills was a major barrier to customers being able to read their bills and access the information required to fill out the EME online form, as per the following extract from the project's final report as submitted to the Department.

“The use of confusing and unclear terminology was a primary source of frustration for workshop participants who simply wanted to compare “apples with apples”. The different terminology on retailer’s bills in particular made it difficult for customers to make direct comparisons between offers. For example, retailers vary in their descriptions of Tariff 11 (i.e. some call it ‘Peak’ and others ‘Tariff 11 Residential’). For customers with Tariff 31 and 33, it was even more confusing with descriptions of these tariffs varying widely including ‘Dedicated circuit’, ‘CTL2’, ‘Controlled Load’ and ‘Controlled supply (economy)’.

In some instances, the terminology used on bills was not only confusing, but also misleading. For example, some retailers use the term “Peak” to describe Tariff 11 on their bills. ...Many customers saw the term “Peak” on their bill and assumed they were on a “Time of Use” tariff. As a result, they then incorrectly selected ‘Time of Use’ as their tariff type when entering their information into the Energy Made Easy price comparator. This affected the results they were given about the offers suitable for them. Greater consistency and accuracy of the terms used by retailers to describe tariffs and charges is a key requirement to maximise the ability of consumers to shop around with confidence”.^{ix}

Despite QCOSS and other consumer advocates highlighting terminology on bills as an important issue, the AER has not extended the language requirements in its Retail Pricing Information Guideline (RPIG) to bills and contracts. In the final RPIG, the AER notes that the language requirements outlined “...do not extend to contracts or to bills. However, retailers should seek to maintain consistency across these documents wherever possible”.^x Unfortunately for consumers, retailers have not sought to do this voluntarily. In the absence of any action being taken by the AER or retailers, QCOSS recommends that DNRME address this matter as a state-specific derogation through the NERL (Qld).

Recommendation Two: QCOSS recommends that DNRME introduce a state-specific derogation to require the AER’s language requirements to apply to the terms used on retailers’ bills.

3. Invest in a targeted customer education and advisory program delivered through trusted community organisations.

The best way to improve energy literacy to support improved awareness and use of the EME website is by funding local and specialist community organisations to provide tailored information to different customer cohorts delivered through trusted sources. One example of this was the Switched On Communities program funded by the Queensland Government in partnership with AGL.^{xi} This program had the objective to boost awareness and use of EME, but also wider objectives to improve awareness of other aspects of the energy market such as energy efficiency, pricing and contract conditions, hardship provisions and consumer rights and protections.

We note the ACCC recommended funding for this program in recommendation 38 of their final report which states that:

“The Australian Government and the relevant state or territory government should fund (to a value of \$5 per household in each NEM region, or \$43 million NEM-wide,

per annum) a grant scheme for consumer and community organisations to provide targeted support to assist vulnerable consumers to improve energy literacy. This grant scheme should be modelled on the approach taken by the Queensland Council of Social Service in administering the Switched On Communities program. This targeted support will assist vulnerable consumers to participate in the retail electricity market and choose an offer that suits their circumstances."

QCOSS's involvement in Switched On Communities has provided us with a strong understanding of the features which make consumer education programs like this a success. An important feature of the program was how the mix of projects were able to collectively address the diversity of individual needs by utilising different approaches tailored to specific audiences. There was also sufficient flexibility provided to the projects to enable them to respond to new opportunities or change approach if they encountered unexpected challenges. Some examples of this are outline in the Box 1 below.

Recommendation Three: QCOSS recommends that DNRME invest in a targeted consumer education and advisory program delivered through trusted local community organisations.

Box 1: Flexible approaches working together: Switched on Communities

- **Queenslanders with Disability Network (QDN)** used games and interactive workshops to engage people with a disability – and focused on the particular energy usage needs of people who may have medical equipment or medical needs which impact their energy needs.
- **Multilink** focused on assisting customers to overcome language barriers when reading bills and communicating with retailers. Multilink translated many resources and held workshops and one-on-one sessions that were often more time consuming than other projects, due to the use of interpreters.
- **Mangrove Housing**, a community housing provider, found that due to the complex needs of their tenants, they needed to follow up their workshops with one-to-one support to assist people to call a retailer. Without this step, many of the tenants did not take action even though they had been positive about doing so at the workshop.
- **The Council on the Ageing (COTA)** had initially anticipated that large group sessions would be the best way to reach the maximum number of seniors, however they quickly identified that smaller groups were more beneficial to enable educators to tailor the information to the specific circumstances of people the group and enable deeper level of conversations and support through peer discussion.
- **The Laidley Neighbourhood Centre** encountered challenges in their home visits due to poor phone signal and lack of internet access in some parts of the Lockyer Valley, which made it impossible to call retailers or use the EME website. They implemented different options such as holding appointments at their office or local libraries and running more workshop-style events.
- **The Salvation Army's** project provided a phone number to provide Queensland-specific energy advice to customers via their MoneyCare helpline. Many of the other projects were able to refer customers to this phone line for additional support if they were not able to engage through the other avenues being provided.

Q2. What more could be done to assist those customers who do not have internet access?

QCOSS recommends the Queensland Government take the following actions to address digital barriers for consumers as part of this review:

- Invest in a targeted consumer education and advocacy program with delivery through trusted community organisations (including delivery of support through face-to-face communications and via telephone).
- Protect consumers who are digital excluded from fees and charges associated with paper billing.
- Ensure government-funded programs do not exclude consumers who experience digital barriers.

QCOSS is pleased to see the Discussion Paper has identified digital barriers as an issue to be addressed through this review. The evidence on digital inclusion is concerning as highlighted in the Box 2 below.

To address these range of barriers, QCOSS reiterates our earlier recommendation that the Queensland Government fund a targeted customer education and advocacy program delivered through trusted community organisations to different consumer cohorts, and that this program include delivery of support through a mix of channels including face-to-face and telephone.

Recommendation Four: QCOSS recommends that the Queensland Government invest in a targeted consumer education and advisory program delivered through trusted community organisations.

Recommendation Five: QCOSS recommends that the Queensland Government does not roll out programs that not accessible to consumers who face digital barriers.

While consumer education and advocacy is an important piece of the puzzle, it can only go so far to addressing the inequities that digitally excluded consumers experience in the market. Digital barriers present challenges for many consumers, not only in terms of restricting their access to information and resources such as EME, but also resulting in them being excluded from certain 'online only' offers or being charged an additional fee for paper billing. Under the current arrangements (to June 2020), there are no fees and charges permitted for paper billing on Standing Offers. QCOSS recommends this protection be extended permanently to protect Standing Offer customers from paper billing fees. This will also ensure that consumer protections are not weakened in the future as a result of this review. Some retailers are voluntarily exempting concession card holders from paper billing charges on their market offers. QCOSS recommends this be made a requirement across all retailers to level the playing field and facilitate active switching by customers affected by these charges.

Recommendation Six: QCOSS recommends that DNRME ensure that any new fees and charges, including fees for paper billing, are permanently banned on Standing Offer contracts and for concession card holders on market contracts.

Box 2: Digital Inclusion in Queensland

The Swinburne University of Technology's Digital Inclusion Index for Queensland reveals relatively low levels of digital inclusion across several cohorts including (Index 100 is the highest):

- low income households 41.2
- older Australians 45
- people who did not complete secondary school 47.6
- people with a disability 50.1
- people not in labour force 50.5

The increasing complexity and digitalisation of many products and services risks increasing social and economic exclusion. This is particularly unacceptable when digital exclusion presents barriers or additional costs in accessing an essential service such as energy. The

reasons for digital exclusion are complex and cover a range of issues not easily overcome, including a lack of access to digital devices, low digital literacy and skills, affordability of devices and data, and blackspots and slow internet speeds.

Q3. Should the Queensland 10-day advance notice requirement for price increases under market retail contracts be retained, or should Queensland adopt the new national requirement to provide five business days' notice?

QCOSS recommends the Queensland Government retain the 10-day timeframe for advance notice of price increases under market retail contracts, and also extend the requirement to Standing Offer customers. Australia Post cites “2-6 business days” as the standard delivery window for regular mail, subject to time of lodgment and destination location.^{xii} Given this, there is no clear rationale to reduce the timeframe to 5 business days as it risks consumers not receiving their notification until after the price increase has kicked in. QCOSS recommends that all notification periods be extended to a minimum of 10 business days to reflect community expectations and the realities of the Australian postal service, especially in rural parts of South East Queensland.

QCOSS is also seeking clarity that the Queensland Government is amending the Queensland derogation to ensure all the additional benefits of the new national rule (National Energy Retail Amendment (Advance Notice of Price Changes) Rule) “Final Rule” apply to Queensland consumers. The Discussion Paper (P13) highlights some of these additional benefits such as the requirement for retailers to inform consumers that they can request their historical billing and usage data, and that the notice be delivered in the consumer’s preferred method of communication. However, there are other benefits set out in the Final Rule^{xiii} that are important to extend to Queensland consumers, including that the notification include:

- consumers’ existing tariffs, their new tariffs and the date the price change occurs
- billing and energy usage data to assist in assessing the impact of the price change
- tariffs and charges expressed as GST inclusive (with this made clear on the notice)

Recommendation Seven: QCOSS recommends that DNRME retain the 10-day timeframe for advance notice requirements for price increases under market offer retail contracts, with the added benefits as set out in the National Energy Retail Amendment (Advance Notice of Price Changes) Rule.

The 10-day advance notification of price increases is intended as a trigger to allow customers time to consider their options and take up another offer if they wish to do so. QCOSS considers that this trigger is especially important to encourage Standing Offer to shop around. Hence, QCOSS expects that Standing Offer consumers in SEQ should be provided with the same notification as market offer customers in SEQ.

Recommendation Eight: QCOSS recommends that DNRME extend the derogation as it applies to market offer consumers to also apply to Standing Offer consumers in SEQ.

Q4. Do you believe that the commencement of the NECF has positively affected the level of customer protection or customers service provided to small energy customers in Queensland? Can you provide examples of what has worked well or poorly?

QCOSS recognises the introduction of the NECF represented an improvement in consumer protections across many areas, compared to the previous state-based framework. As an essential service it is very important that there are adequate consumer protections in place. However, despite these improvements and the adoption of the NERL and its consumer framework in 2015, many Queensland households continue to experience poor outcomes in the market, as evidenced by indicators related to disconnections; numbers on retailer's hardship plans; poor success rates on exit from hardship programs; and practical access to concessions and hardship programs for people living in embedded networks.

Such poor outcomes indicate that the customer protections put in place under NECF are not working effectively and are not in the interests of consumers. This has been recognised in the recent ACCC Review of Electricity Prices and the AER Review on the effectiveness of retailer hardship programs as well as major review and an updating of the regulatory process for new embedded networks.

It remains to be seen how effective the proposed new changes will be and to what extent they will (or can) address the current systemic problems and achieve improved outcomes for low income and vulnerable consumers. QCOSS has identified several areas where the NECF is failing consumers and what the Queensland Government can do to address these. These include in the following areas:

- Provisions for customer in hardship
- Embedded network customers
- Card operated consumers access to consumer protections

Provisions for customers in hardship

To support residential customers who are having difficulty paying their electricity and gas bills, the NERL includes provisions relating to customer hardship policies. Despite having these policies in place since 2015 there is compelling evidence demonstrating that the hardship policies are not working in Queensland. The AER's own indicators show how:

- The numbers on retailers' hardship programs were about 18,600 households in June 2018 which is still only at one per cent of customers. It is well known from research on financial inclusion that there is up to 16 per cent of the population at risk or in financial hardship. This suggests that only a fraction of those who should be on a hardship program are actually getting support.
- About 22 per cent only exit hardship programs successfully and even though this is a likely to be higher in Queensland (as Ergon Retail's rate is over 50 per cent), it strongly suggests that the current hardship programs are not working.
- Although the numbers on hardship programs have decreased in Queensland by six per cent between June 2017 and June 2018 it is noted that over the two years the numbers on hardship programs have barely changed.
- The Energy and Water Ombudsman Queensland (EWOQ)^{xiv} also confirms rising numbers of complaints about poor practice by retailers.

It is QCOSS view that retailers are using their hardship policies as "glorified debt collection" without effective assistance for consumers and which inevitably leads to disconnection. Research^{xv} by the Public Interest Advocacy Centre (PIAC) in NSW shows that a large number of customers were being disconnected without being offered a payment plan or hardship support. This evidence also demonstrates that a large majority of people being disconnected are amongst the more vulnerable in society.

"Our survey showed that 66 per cent of disconnected households have at least one mental, intellectual or physical illness or disability in the household, and that 71 per cent of people who were disconnected were facing at least one type of disadvantage, such as being a sole parent or unemployed, or living with a disability."

Worryingly, in order to get reconnected, 27 per cent of households cut back on buying food and other groceries, and 13 per cent delayed medical or dental appointments. Whilst 12 per cent used a credit card to get back on, 12 per cent got a loan through a pawn broker or money lender, exacerbating their debts. Early intervention by the retailer and an effective hardship policy is likely to prevent the disconnection and the accumulation of additional debt.

QCOSS has collected a number of case studies that clearly demonstrates the failure of retailers' existing hardship policies. **Appendix A** sets out some case studies.

It is well recognised by the AEMC, AER and ACCC as well as customer advocates that reform is needed in the provision and implementation of retailer hardships. The AER has now developed a new Hardship Guideline for retailers which will be finalised on 1 April 2019. All retailers must develop new policies to be effective from 1 October 2019 onwards.

QCOSS has engaged fully with the AEMC and AER processes and has made four submissions^{xvi} to the consultation process. QCOSS acknowledges that the Final Hardship Guideline and standardised statements are significant reforms which will go some way to improving retailer hardship policies. However, they still fall short in a number of areas and there is scope for the State to further strengthen customer protections as part of this review and where appropriate include in NERL (QLD). These areas include:

- ✓ Improving retailer training requirements, especially with respect to state-based concessions
- ✓ Introducing a derogation to trigger early identification of customers experiencing payment difficulty
- ✓ Ensuring all customers are aware of their rights with respect to hardship policies
- ✓ Requiring retailers to waive all fees for customers in financial hardship

Improve retailer training requirements

QCOSS is aware of poor outcomes for consumers experiencing payment difficulties when the retailer staff they encounter are not adequately trained in jurisdictional concessions, as highlighted in Case Study 4 (**Appendix A**). Retailer staff who are unfamiliar with different jurisdictional issues have provided incorrect or incomplete information to vulnerable customers, resulting in them missing out on crucial support. The terms of administration of state-based concessions are contained in the contract between the retailer and the DNRME. It appears that currently the provision of this information is at retailer's discretion, and as such practice is poor.

QCOSS therefore recommends that these contracts be reviewed to introduce stronger requirements such as:

- All staff working in call centres and hardship teams must undertake training on state-based concessions and that this training be updated as changes are made to concession schemes.
- All retailers to revise call centre scripting to ensure that concessions information is accurate and referral pathways for application are current and up-to-date.

Recommendation Nine: QCOSS recommends that DNRME review its contracts with retailers who administer state-based concessions and revise the terms to strengthen requirements to ensure retailers are providing accurate and up-to-date information.

Introduce triggers to ensure earlier identification of customers experiencing payment difficulty

QCOSS consistently believes that the sole criterion for entry to a retailer hardship program should be that a customer is experiencing payment difficulties. The AER has specified several "gate keeping" practices that the retailers cannot do (for example, specifying that a customer must be referred by a financial counsellor or that they undergo a budget assessment or make a number of payments up front before going on the program). However, even with the implementation of the AER's Final Hardship Guideline, consumers' entry into hardship programs will effectively remain in part at the discretion of retailers who have demonstrated

unreliability and inconsistency in their assessments of customers' levels of vulnerability and capacity to sustain payment plans.

QCOSS recommends applying a quantified 'debt trigger' amount in retailer customer hardship policies. The Victorian Essential Services Commission's Payment Difficulty Framework^{xvii}, specifies that a customer who has missed payment of a bill and owes in excess of \$55 must be provided with clear and unambiguous advice on the assistance the customer is entitled to.

The AER has committed to reviewing the impact of this approach in Victoria with a view to implementation if it is found to be benefitting customers.^{xviii} QCOSS welcomes this development and acknowledgement by the AER that this measure is likely to be benefit consumers with payment difficulty. However, QCOSS's view is that this measure should be implemented now. Retailers operating nationally are required to adopt this measure for consumers in Victoria and so there is likely to be little additional retailer costs associated with the Queensland Government acting now to introduce a debt trigger in Queensland.

Recommendation Ten: QCOSS recommends that DNRME proactive address identified hardship issues by introducing a derogation to allow for a "debt trigger" of \$55 to identify consumers who are experiencing payment difficulties.

Ensure customers are aware of their rights with respect to hardship policies

QCOSS recognises that low income and vulnerable customers are often difficult to reach and engage with through mainstream channels, and this may be a factor in why many people are not accessing hardship programs. This situation is unlikely to change with the new hardship policies and standardised statements.

Based on our experience, we have found that one of the most effective mechanisms to reach low-income and vulnerable customers is via the community organisations they come into contact with on a day-to-day basis. These organisations have a strong reputation and trust within their local communities, and their staff have specific expertise in engaging and assisting people on a range of issues, including the cost of living. This can also be a way for retailers to give effect to customer rights. One size does not fit all and being able to address diversity based on individual circumstances is important to ensure fair and equitable outcomes. It is QCOSS' view that this would complement the current improved framework for hardship customers, and that this type of support fits in with earlier recommendations around investing in a consumer education and advisory program more broadly as well as potentially the brokerage/support model which QCOSS addresses below. However, given that the new Hardship Guideline and standardised statements are a relatively significant reform, QCOSS view is that they warrant a separate communications and engagement campaign to raise awareness amongst the community sector.

Recommendation 11: QCOSS recommends that DNRME invest in a targeted consumer education and advisory program to promote and build awareness of the new hardship Guideline and Standardized Statements delivered through trusted local community organisations.

Reduce costs for customers in financial hardship

There are two options for reducing costs for customers in financial hardship, including customers who are in receipt of concessions (as an indicator of potential vulnerability in the energy market):

1. Waive all fees - Under the NECF, late fees must be waived for customers who have been identified as being in financial hardship. However, there is no explicit requirement to waive other penalties imposed on hardship customers for late payment, such as the loss of conditional discounts.
2. Best available offer - Hardship customers and concession card holders should be put on the best available offer to give them the best chance of covering their costs and/or paying off their debt.

Recommendation 12: QCOSS recommends that DNRME introduce a derogation to require retailers to reduce costs for customers in financial hardship by waiving all fees and ensuring all concession card recipients and hardship program participants are on the best available offer.

Embedded network customers

In November 2017, the AEMC published their final report from a review of the regulatory arrangements for embedded networks and is currently consulting with industry and consumer stakeholders on how best to implement the findings. In our submission to that process^{xix}, QCOSS identified key issues for Queensland consumers including:

- high risk of non-compliance with the AER Guidelines by on-supplier or third party agent
- limited regulatory monitoring and enforcement of customer regulatory requirements (for example in billing, access to payment plans or hardship, or to concessions)
- lack of access to effective and free dispute resolution
- lack of practical access to alternative suppliers or market products, especially for renters
- lack of access to informed choice as residents do not receive any information about the arrangements when comparing properties or when entering into a lease
- complexity and confusion emerging from the presence of multiple agencies with regulatory responsibility and additional legislation that applies to on-supply beyond the core framework of protections established under the National Energy Retail Law.

The AEMC has attempted to address most of these issues with new requirements to improve visibility of embedded networks through registration of exempt sellers and off-market child connection points, standardisation of network charging arrangements, billing processes and data formats to allow easier switching for customers in embedded networks, and additional restrictions on exemption conditions. The effectiveness of these new conditions remains to be seen, with full implementation of the legislative changes proposed for mid to end 2020.

While QCOSS welcomes these changes, the majority of these conditions will only apply to *new* embedded networks set-up after implementation and will therefore provide no solution for the high number of customers in legacy embedded networks in Queensland. The AEMC reports there are now more than 200,000 embedded network customers.^{xx} Given the absence of any reporting requirements for exempt sellers prior to implementation, the total figures for existing embedded networks and their customers have to be regarded as estimates at best. There are a diverse range of embedded networks in Queensland and they involve body corporates, private landlords and owner-occupiers of 'six pack' unit developments, occupants of caravan parks and manufactured homes, residents of retirement villages and lifestyle communities, many of whom are vulnerable consumers.

For people living in legacy embedded networks to get the benefit of these new reforms there must be a transition process for operators and customers. Within this transition it is important that the different and diverse needs of embedded networks are identified and changes are carefully tailored to make sure that all consumer protections are transferred equitably. It will be important therefore that the transition process establishes the locations of legacy embedded networks and identifies responsible sellers and their customers. Without a reliable register of legacy embedded networks to work from, regulators will be unaware of the nature and extent of transitional work required and hampered in their future monitoring and compliance oversight.

Therefore, before full implementation of the new framework (which requires exempt sellers to be registered with AER), QCOSS recommends the Queensland Government undertake to identify every embedded network and exempt seller within its jurisdiction through an extensive search of distributor network connections and local government planning approvals for apartment buildings, retirement villages, commercial complexes and other constructions where embedded networks are known or most likely to be in place.

Establishing a reliable register of embedded networks in Queensland will also help address the current situation of limited regulatory monitoring and enforcement of customer regulatory requirements (for example around billing, access to payment plans or hardship programs, concessions) as well as lack of access to effective and free dispute resolution services for customers of embedded networks.

Currently, without a register, the number of concessions paid to eligible consumers in embedded networks cannot be determined. An accurate register of embedded networks would enable cross-referencing of the Department of Communities Concession Services information with retailer hardship programs to ensure that the consumers who are entitled to receive assistance are receiving it. As the Queensland Government controls concessions expenditure, any instrument that allows for greater scrutiny and reconciliation of payments should be considered a valuable tool.

Finally further consultation with the small businesses and residential customers of those embedded networks could reveal historic billing practices that reflect gaps in the application of consumer protections. This data could inform new State-based strategies to ensure consumer protections are extended to these consumers. The strategy could include the measures required to bring each of the embedded networks into alignment with both National and State regulations and develop a strategy to meet AER timeframes for full implementation. This process would also provide a reconciliation tool to validate AER's register of exempt sellers and embedded networks.

Recommendation 13: QCOSS recommends that DNRME ensure that all embedded network customers are aware of, and are accessing, the consumer protections they are entitled to. This could be achieved by:

- **setting up a register of embedded networks in Queensland that identifies every embedded network and exempt seller within Queensland. This will require an extensive search of distributor network connections and local government planning approvals for apartment buildings, retirement villages, commercial complexes and other constructions where embedded networks are known or most likely to be in place.**
- **working with embedded network operators and customers to build education and awareness around the regulatory framework to ensure consumer protections are being activated by customers, including access to concessions such as HEEAS.**
- **extending access to the Energy and Water Ombudsman Queensland to embedded network customers to ensure complaints and instances of non-compliance are captured.**

Card Operated Meter (COM) consumers

In 2014 QCOSS produced a report^{xxi} into the experiences of Aboriginal and Torres Strait Islanders' energy consumers, living in remote communities in Queensland, where electricity is supplied using card-operated pre-payment meters. The research was triggered by substantial anecdotal evidence from the community sector about widespread instances of customers frequently going without electricity in these communities and being excluded from accessing energy concessions and rebates.

In response to this Report the Queensland Government did act to put in place the legislation to ensure consumers in COM communities were able to access the Queensland Government Electricity Rebate in conjunction with the digital meter rollout for COM communities. However, it is not clear to what extent these communities have access to other concessions^{xxii} including the Home Energy Emergency Assistance Scheme (HEEAS) as well as Ergon's Customer Assist Program.

Of particular concern to QCOSS is:

- Whether or not COM households are able to access HEEAS; and

- that there is effectively no program for people who are not able to pay for electricity other than automatic disconnection.

Because HEEAS payments are made to the customer's retailer to credit against the customer's outstanding debts, COM meter customers have effectively been excluded from the program as households do not accumulate debt/have an account.

It is understood that some work was carried by the COM Working Group to address this effective exclusion, the COM Working Group of the then Department of Energy and Water Supply (2016) drafted the following exception for potential insertion into the HEEAS Guidelines:

“Card operated meters (COM) are a form of prepaid meter used within selected communities in the Ergon region of Queensland. As COM households prepay electricity, there is never a debt on the account. COM households are exempt from the requirement to have an energy account debt. To be eligible for HEEAS grants, COM households must be at risk of going without power due to a financial emergency. The households will need to demonstrate they meet the criteria as set out above for other customers.

As COM households do not have an energy debt, the average HEEAS payment has been used as a guide to determining the HEEAS grant amount. Payment of HEEAS to COM households is \$500 in power cards. SSQ may issue the prepaid cards in one or multiple lots as it deems appropriate.”

Whether or not the HEEAS Guidelines now include these provisions is not known. Moreover, as there is no transparent monitoring of the extent to which people in COM communities can access HEEAS and the other concessions, it is not known if consumers in COM communities are able to exercise their rights as set out under the NERL^{xxiii} with respect to concessions. It is likely that this is the case as there has been no promotion or awareness around these other concessions and HEEAS in the COM Communities and therefore people are not aware of their rights.

Further QCOSS is aware that the rights of people in COM communities to access hardship programs are not exercised if they are unable to pay their bills due to financial hardship. People are effectively automatically disconnected until they have funds again to buy powercards. It is acknowledged that the current hardship program is too bureaucratic and complex to apply in the COM Communities and that a new approach would need to be developed to ensure that people get the same outcomes with respect to hardship programs as consumers who are connected to the grid.

There is a clear need to establish the scope and scale of the automatic disconnection as well as develop ways to administrate hardship provisions for COM Communities customers. We acknowledge that Ergon Retail is keen to have 12 months of data (from the new digital meters) in each community to understand better the number and duration of self-disconnects and that they are also currently looking at developing systems so that HEEAS, disaster and even distribution GSL payments can be made to COM Communities.

It is important to ensure that this work is given a high priority and once these new systems are put in place that focus is also given to an effective community engagement program across all the communities to ensure that they can access these programs. We acknowledge that community engagement is a focus in Energy Queensland (EQ) Indigenous Connection Plan but more needs to be done to support vulnerable people to manage their usage and bills. We make the following recommendations (drawing on our recent report^{xxiv} on energy issues in indigenous communities) to strengthen and build capacity and capability in communities around energy literacy and so people can access the customers protections under the NERL which they are entitled to:

Recommendation 14: QCOSS recommends that DNRME work with Ergon Retail to invest in a program to build education and awareness across COM communities about

the regulatory framework to ensure consumer protections are being activated by customers, including access to concessions such as HEEAS.

Q5. Are any of the Queensland specific modifications to strengthen the customer protection framework considered important to be retained? Please explain your reasons.

It is QCOSS's position that the outcome of this review must result in *improved* consumer protections for Queensland consumers, and therefore we do not support removing or reducing any of the Queensland specific modifications. We have some suggestions for amending the existing derogations. Please refer to the table in **Appendix B** for our full comments on the individual derogations.

Recommendation 15: QCOSS recommends all state-specific derogations be retained to ensure consumer protections are not reduced as a result of this review. Further, we recommend that derogations be strengthened to ensure:

- That the derogation to ban new fees and charges for customers on Standing Offer be extended permanently.
- That the restriction on increasing Standing Offer prices be maintained at annually (rather than every six months) and that Standing Offer customers also receive advance notification price increases.
- That the derogation that requires retailers to tell consumers about flexible payment options upfront, such as pay in advance, be extended to also require retailers to check concessions eligibility upfront.

Q6. Are there any other considerations the Department should have in regard to making an assessment of the NECF on customer protection in Queensland?

We note this question is posed in the context of the *customer protection indicators* and *customer service indicators* that DNRME will adopt to determine the impact of NECF on customers protections in Queensland. We understand that the objective is to use a set of core indicators to discern broad trends in customer outcomes.

Under the NERL, the AER is responsible for reporting on the performance of energy retailers and distributors. The AER's *Retail market performance reports* include information on customer service and complaints, the handling of customers experiencing payment difficulties, prepayment meters, debt levels on entry to hardship programs, numbers exiting successfully from hardship programs, concessions, disconnections and reconnections. The Performance Reports also include an overview of the retail market and the hardship program indicators. The AER produces an annual performance report and may also in addition to this publish more regular updates on retail performance. All of this information provides a good source of data at a point in time as well as over time. As the Discussion Paper points out it will be important to analyse these data not in isolation and to decipher the relationships between the different indicators such as the numbers on hardship programs and disconnections.

Important also will be to include other indicators that provide a wider understanding of a household's financial situation and hence capacity to pay their electricity bill. For example, we know from other sources of data including the Australian Bureau of Statistics (ABS) Financial Stress Indicators^{xxv} and the recent National Australia Bank (NAB) Financial Resilience Report^{xxvi} that a much higher proportion of the population is in financial stress or at risk of financial stress than the numbers on energy hardship plans indicate. The Financial Resilience report contains indicators such as:

- Just one in two Australians are in a position to prepare for a rainy day, with three or more months' worth of savings to provide a buffer for unexpected costs;
- One in six Australians are finding it tough to meet the necessary costs of living; and

- Australians in financial hardship are also paying the most to access small amounts of credit, with one in five reporting they had used high cost credit such as payday lenders.

These indicators suggest that the number of consumers on energy hardship programs are grossly understated which indicates that the hardship programs are not fit for purpose and/or that there may be barriers to entry. Another recent example which QCOSS was made aware of at the Financial Counsellors Association Conference 2019 is that there is a growing number of consumers in Queensland paying their electricity bills or reconnection fee with a loan from a payday lender or pawn broker. These consumers are clearly in financial hardship but are not captured in the data on their retailers' hardship programs.

There are also a number of key recent research documents which contain indicators which can also provide useful information on customer outcomes. Such research is very useful in understanding the social and economic consequences when customer protections are not working and fail to prevent disconnection. QCOSS refers DNRME to the following two:

- Public Interest Advocacy Centre (PIAC), *Close to the Edge*^{xxvii}. This report shows how utility disconnections are hitting struggling families the hardest and are compounding existing disadvantage and accumulating other debt.
- Victorian Council of Social Service (VCOSS), *Battling On: Persistent Energy Poverty*^{xxviii}.

Recommendation 16: QCOSS recommends that DNRME consider all the AER Indicators in its annual Market Performance Report as well as indicators on finance stress and other relevant research when assessing NECF's performance in Queensland.

Q7-12 No comments

Q13. Should retailers be required to contact all standing offer customers on an annual basis to provide updated advice on alternative lower cost market contracts?

Yes. QCOSS recommends that retailers be required to contact all Standing Offer customers on an annual basis to provide updated advice on alternative lower cost market contracts. This contact should also require the retailer to:

- provide a referral to the EME website so the consumer has the opportunity to compare that offer with those of other retailers
- clearly state any conditions attached to the market offer, such as pay on time discounts.

Additionally, we recommend that the 10-day advance notification of price increases (as discussed in Question 3) also be extended to Standing Offer customers to encourage those customers to investigate options for a better deal on a regular basis.

Recommendation 17: QCOSS supports DNRME's proposal to require retailers to contact all Standing Offer customers on an annual basis to provide updated advice on alternative lower cost market contracts. QCOSS recommends this advice also includes a referral to the Energy Made Easy website, and that the requirement for retailers to provide 10 days' advance notification of price increases also be extended to customers on Standing Offer contracts.

Q14. Would the Victorian requirement for retailers to include their lowest generally available offer in customers' bills and notices be of benefit to Queensland consumers?

QCOSS recommends that retailers should put concession card recipients and hardship customers on the best generally available offer automatically when they sign up or when they enter the hardship program. If a conditional discount is not met (such as pay on time) then these consumers should not lose the discount and should not have to pay the late fee.

Recommendation 18: QCOSS recommends that DNRME introduce a derogation that requires retailers to put all concession card holders and/or customers on their hardship program on the generally available lowest offer available when they sign up or enter the hardship program. If the conditional discount is not met (such as pay on time) then these consumers must be protected from losing their discount and/or paying a late fee.

Q15. Are there any other options that the Department should consider to make it easier for customers to understand and compare offers?

Yes. Please refer to QCOSS’s earlier comments and recommendations in Questions 1 and 2.

Q16. How could a ‘not for profit brokerage service’ work best in Queensland? How could it be funded? Should it only apply to vulnerable customers?

QCOSS strongly believes that sustainable co-investment into a collaborative approach to educate and assist vulnerable energy consumers is long overdue in Queensland. It is not surprising therefore that QCOSS has recommended several times throughout this submission that the Queensland Government invest in a consumer education and advisory program delivered through trusted community organisations. We consider these recommendations align with the objectives and intent of a not-for-profit brokerage service, and thus we recommend DNRME pursue an approach which adopts the best elements of both approaches into a unique model that is tailored for the specific needs of Queensland consumers. A not for profit brokerage service which aims to *just* connect up consumers with the most appropriate and affordable energy plan (whether that be with their current retailer or through switching to a new retailer) is in our view too narrow a service and misses the opportunity to provide wider energy literacy support and assistance which can lead to empowerment of consumers.

An integrated service model would be seeking the following key outcomes:

- ✓ Improve the accessibility of information to consumers on issues around energy efficiency and electricity usage, understanding bills and contracts, and what assistance and consumer protections are available.
- ✓ Enhance the capacity of local community organisations so they have the skills and resources to engage, educate, and assist consumers engaging in the energy market.
- ✓ Ensure the service is inclusive in reaching a diversity of vulnerable households, including those experiencing literacy or language barriers.
- ✓ Create linkages to capture and share data, stories and evidence to help inform decision making by government and industry stakeholders.

The service should be based on there being a trusted relationship between the consumer and deliverer of the service, as the service provider may also become their advocate in dealing with energy retailers while seeking the best energy deal as they seek to also apply for concessions, rebates and other assistance. The integrated service should have up-to-date and comprehensive knowledge of the Queensland retail energy system, including the roles of the Energy and Water Ombudsman Queensland, AER, DNRME, Office of Fair Trading, and act within the guidelines.

Below in Box 3 are some of QCOSS’s initial observations about the operation of not-for-profit brokerage services in other states. However, QCOSS recommends that DNRME consult further on this approach.

Recommendation 19: QCOSS recommends that DNRME consult further with consumer and community groups in developing a program or service that meets the holistic needs of Queensland consumers.

Box 3: Example of a “not for profit” brokerage based on an integrated service model

QCOSS is aware of several recent examples of not for profit brokerage services including the National Debt Hotline (NDH) run by Consumer Action Law Centre in Victoria, and the Your Energy Broker (YEB) run by Brotherhood of St Laurence in Victoria. NDH deals with a wide range of financial and credit issues offering advice and referrals over the telephone while YEB specifically aims to switch customers to a better energy plan. NDH makes appointments for face to face sessions with financial counsellors and YEB makes appointments for face to face sessions with YEB staff, either in a public meeting place or in a caller’s home.

Combining elements of these services could result in an integrated service system consisting of the following components:

- State-based hotline
- Network of local community organisations offering multiple service delivery options targeted different customer cohorts

State-based hotline:

Similar to the NDH, energy hotline staff could respond to enquiries made by phone, email or online. Callers could go through a triage system to identify the level and nature of assistance required and the most appropriate method of service delivery to achieve it. The hotline service would assess if an enquiry can be addressed immediately over the phone or if it requires a face-to-face session or referral to a specialist community organisation. Factors such as literacy and numeracy, cultural considerations, intellectual and physical barriers would be taken into account to determine if the caller would benefit from referral to receive tailored assistance from a local service provider. The triage process could work as follows:

- Low level – Immediate Response: Caller may have already been looking at energy deals and need clarification on the process of switching, or may have received a letter from their retailer about changes to their current plan that they don't understand and want independent advice on. These requests may be resolved quickly over the phone.
- Intermediate level – Referral to specialist support: The caller may have no English literacy skills and need a face to face session with an interpreter trained in EME to explain how to use it. Hotline staff could connect the caller with a warm referral to the local service provider that best suits their needs.
- High Level – Intensive support required: Caller may not be confident to call retailers, may not have a computer or internet connection, may live with disability, have cultural barriers, could be a carer or otherwise unable to attend an out-of-home session. Hotline staff would refer to an appropriate local service provider and make the appointment booking while the caller is on the phone.

Network of local community organisations with multiple service delivery options:

With adequate training and resourcing for the participating community organisations, this program could work with the State hotline to ensure that energy advocates would be embedded in various community service organisations to accept referrals from the State-based energy hotline and carry out the requested service.

There are many options for funding this model. One example is the ACCC Recommendation 38 (outlined in our response to Question 1 of this submission) which states that *“the Australian Government and the relevant state or territory government should fund (to a value of \$5 per household in each NEM region, or \$43 million NEM-wide, per annum) a grant scheme for consumer and community organisations to provide targeted support to assist vulnerable consumers to improve energy literacy...”*

This model could include a matched payment towards the pool by all energy businesses—generators, transmission and distribution network businesses, and energy retailers. The pooled funds could then be allocated several ways:

- Fee for Service model: the participating local service provider invoices the program manager for services as they occur, with a set schedule of fees. This may work for smaller organisations that do not have the capacity to employ dedicated staff but instead have staff capable of delivering services as the need arises.
- Grant program: each local service provider receives a grant for an agreed amount taking into account the volume and level of service they can accommodate. This may suit larger organisations that might offer the service across SEQ as well as offer limited functions in regional Queensland.

A combination of both service delivery models would develop energy literacy skills in community services staff in energy literacy, providing a deeper pool of human resources to draw upon when energy market changes need to be communicated, for example the recent changes to the hardship guideline. The program could also be expanded if competition develops in regional Queensland or whenever a general energy literacy program is required.

The grant program could be managed by the hotline operator or alternatively both components could be managed by another body that assumes full responsibilities for the management of the program.

Q17. Are there any other options or mediums (other than the internet) that could be used to provide a similar service to a broker arrangement?

Yes. QCOSS supports investment in a consumer education and advisory program delivered through trusted local community organisations similar to the Switched On Communities model, as outlined in our responses to Questions 1 and 2 above.

Q18. Are there other ways to make the energy market a more level playing field for low income and vulnerable or disadvantaged households?

In addition to our earlier comments and recommendations, QCOSS puts forward three new proposals for change and calls on the Queensland Government to put in derogations to implement the changes:

- All retailers must make an offer available to consumers (and those with concessions cards are put on the best available deal from the onset) regardless of their credit history
- That there are NERL provisions for a Guaranteed Service Levels (GSL) regime and that this include GSLs to apply to energy retailers.

Consumers' Credit History

QCOSS has observed that since the NECF was introduced, energy retailers now have ability to conduct credit checks on potential customers – which enables them to reject customer who they deem too 'risky'. Case Study 5 (**Appendix A**) highlights how a very vulnerable consumer was actively excluded from participating the market and exercising any choice over her retailer or plan.

This case study highlights the inequity of opportunity for all to participate in the market. Not everyone can shop around so consumer protections are required. In this case, only the default retailer at the premises was obligated to supply the customer, and only at the Standing Offer price. However, further protections could be introduced to ensure the customers experiencing, or at risk of experiencing, are not excluded from the market and forced onto higher priced contracts which is counter to their needs. QCOSS urges DNRME to investigate this matter further and ensure that vulnerable consumers are not excluded from benefiting from the market due to their credit history. Two ways to achieve this would be for DNRME to introduce state-specific derogations to:

- Obligate all retailers to make an offer to a customer regardless of credit history, not just the default retailer.
- Ensure that concession card holders, or customers identified as at risk of financial hardship, are placed on the best available offer from the outset, regardless of credit history.

Recommendation 20: QCOSS recommends that DNRME introduce derogations to obligate all retailers to make an offer to a customer regardless of credit history and

require that concession card holders and customers identified as being at risk of hardship are placed on the best available price from the outset.

Guaranteed Service Levels

The QCA has just completed a major review^{xxix} of the GSL Scheme. This scheme is given legal effect under the Electricity Industry Code and since the introduction of NECF only relates to distributors and not to retailers.

In its recent determination the QCA explains^{xxx} that:

“Before the Queensland Government adopted the NECF in July 2015, the Electricity Industry Code applied to distributors and retailers. Pursuant to the Electricity Act in force before the NECF was adopted, the Electricity Industry Code identified service levels (though not payments) provided by retailers as being in-scope for the Code.

However, when the government adopted the NECF, the Electricity Industry Code was replaced by the Electricity Distribution Network Code. The explanatory notes to the Act that amended section 120C of the Electricity Act stated that the amendments reflected that retail activities would generally be a matter for the National Energy Retail Law (Queensland) rather than the Electricity Act or codes made under the Electricity Act. The explanatory notes added that distribution network codes would principally concern the activities of distribution network operators, but may contain provisions concerning retailers”.

The QCA also says that *“Most of the retail matters that the Electricity Industry Code once covered are now regulated by the AER, and the GSL scheme applies only to the distributors”.*

In their submissions^{xxxi} to the QCA’s Review QCOSS and other stakeholders recommended that retailers be held equally responsible for GSL payments to customers where breaches relate to a retailer-initiated planned outage, metering installation delay or wrongful disconnection (similar to the current Victorian scheme). The QCA did not recommend that the GSL scheme be extended to retailers and provided a number of reasons for their decision including that this issue was outside the scope of its Review and that there should be a separate processes for considering whether or not to extend the GSL scheme to retailers^{xxxii}. The QCA mentioned that in their view a review of the energy legislation by the Queensland Government was the appropriate place to consider this matter. We therefore recommend that the Review of the NERL (Qld) includes scope for the Queensland Government to consider the merits of including a provision for a GSL scheme.

QCOSS view is that it would be beneficial for the review of the NERL (Qld) to also include consideration of the relevance to Queensland consumers of the NERL’s provision for a GSL regime and that regime include a GSL regime applying to energy retailers.

Recommendation 21: QCOSS recommends that DNRME include a provision in the NERL (Qld) for a GSL Regime.

QCOSS view is that the GSL Regime relating to retailers includes at least GSLs and payments for:

- Wrongful disconnection
- Retailer-initiated planned interruptions for installation and other metering work

QCOSS’ view is that it is reasonable for a customer to expect that they won’t be wrongfully disconnected. Currently, distributors are responsible for a GSL payment when wrongful disconnection occurs. This does not provide an adequate incentive for retailers to protect customers from wrongful disconnection. QCOSS recommends that retailers be required to pay a GSL payment for wrongful disconnection similar to the current Victorian scheme.

Retailers and distributors are required to share information on their life support registers to avoid disconnecting customers on life support equipment. At present, distributors are regularly fined for breaching their obligations to users listed on the life support register, mainly for disconnecting such users without providing four business days written notice before planned maintenance. If the wrongful disconnection of a life support customer is a result of a retailer-initiated planned outage, the distributor must make a GSL payment to the customer. This does not provide an adequate incentive to retailers to avoid service interruption to life support customers.

Recommendation 22: QCOSS recommends that the Queensland Government implement a GSL Scheme for retailers to provide a further incentive for them to meet their requirements to protect all customers from wrongful disconnections

Retailers in Queensland do not currently have GSL obligations and associated penalties to install meters within a specific timeframe. Previously, under the Queensland Electricity Distribution Network Code, residential and small business customers could receive compensation for poor service by distributors, including for slow installation of a meter and other connection equipment at new premises. Since the Australian Energy Market Commission (AEMC) rule change in December 2017, distributors are no longer responsible for metering and so are no longer liable for any financial recognition of the customer's inconvenience in these circumstances. The responsibility for this failure to meet customer expectations should now be formally transferred to retailers and metering service coordinators through extension of the distributors' GSL scheme to retailers.

In addition, retailer-initiated planned interruptions for installation and other metering work should be subject to the same notice requirements as those for distributor outages.

Recommendation 23: QCOSS recommends that the Queensland Government extend GSLs requirements to retailers, matching distributors' payment amounts and thresholds for lack of notice of retailer-initiated planned interruptions and failure to meet agreed installation dates.

Q19. Do you think allowing the introduction of pre-payment meters in Queensland would assist customers to better manage their electricity bills and usage? And if so, why?

QCOSS does not agree that pre-payment meters would assist consumers to better manage their electricity bills and usage. The benefits presented in the Discussion Paper (such as enabling the consumer to keep track of usage, increasing consumer knowledge of how and when they use electricity, receiving alerts when consumption increases as well as access to concessions which can keep consumers connected) are all available to consumers without a prepayment meter. There are some fundamental differences with a prepaid meter and a grid connected meter which results in a diminution of consumer protections for the latter consumers. These differences for consumers on prepayment meters are:

- That the consequence of not responding to alerts or experiencing payment difficulty is immediate disconnection.
- That they currently cannot access certain concessions such as HEEAS.

Recommendation 24: QCOSS strongly recommends that DNRME does not allow the introduction of pre-payment meters in Queensland.

Q20. Should the implementation of digital meters (and monthly billing) be fast-tracked for vulnerable customers?

QCOSS does not support the fast-tracking of digital meters as a standalone item to assist customers experiencing vulnerability. Digital meters are a tool that can deliver benefits to consumers by allowing for more frequent billing and providing real-time information on energy usage which can facilitate behaviour change. However, digital meters are best delivered alongside energy literacy information and consumer education to achieve improved outcomes

for consumers experiencing vulnerability. QCOSS has partnered with DNRME in the Energy Savvy Families and Sunny Savers programs which have included the provision of a digital meter for participating households. QCOSS has done so in good faith that these consumers, and any vulnerable consumers receiving a digital meter as part of any future rollout, are fully protected from being:

- Charged higher metering costs in the future as a result of having a digital meter, relative to what they otherwise would have been charged.
- Shifted onto cost reflective tariffs without consent or appropriate education to support them to make an informed decision, or
- Disconnected remotely for non-payment.

Q21. Do you consider that the overall operation of the NERL (Qld) has furthered the interests of Queensland energy consumers? If so, please specify why, or why not.

QCOSS's overall position is that there are clear deficiencies in the National Energy Customer Framework (NECF), with evidence mounting that it is not working in the interests of consumers, and particularly for consumers experiencing hardship or vulnerability.

QCOSS therefore considers that this review by the Queensland Government is an opportunity to assess the current situation and level the playing field between consumers and retailers. It is critical that energy consumer protections are not reduced to the lowest common denominator in the interests of national consistency, and it is vital that energy consumer protections are **stronger** as a result of this review, not weaker. QCOSS trusts that this submission provides sufficient detail on where consumer protections could be strengthened to improve outcomes for Queensland consumers.

Appendix A: Case Studies

Case study 1: Bob – failure to identify and respond to customers in hardship

Bob is 49 years old. He has worked in the building industry most of his life. He lost his casual employment when he broke his ankle outside of work hours last October and went onto Centrelink payments 6 weeks later. His sickness allowance is \$610 per fortnight. He also receives \$150 per fortnight to care for his son. His rent is \$660 per fortnight, leaving the father and son \$100 for food, electricity, transport, telecommunications, medications and other living expenses. Bob had never been on Centrelink payments before and did not realise he could get an electricity rebate now with his Health Care Card just by telling the retailer his card details.

The first electricity bill after his accident was due in November. Bob realised he would not be able to pay it and contacted the retailer before the due date. He explained that he was unable to pay it because he had lost his job. This did not trigger access to the retailer's hardship program. Instead he was offered a payment plan of \$60 per fortnight. At that time he didn't know exactly how much his Centrelink payments would be or when he would receive the first payment. He asked for a smaller payment amount of \$20 but was told that he had to cover his usage so that he wouldn't fall behind. He agreed even though he knew he wouldn't be able to sustain it, as he was worried that he would be disconnected if he didn't.

By the time the second bill arrived in January, he had only paid two of the payments and now owed his retailer \$450. He contacted the energy retailer again, but they said because he had already broken his first payment agreement, they wanted him to pay them \$80 immediately to avoid disconnection. He did not have \$80 in his bank account. He told them his Centrelink income and the amount left after rent and food. They advised him to contact QCOSS for information on where he could get further assistance. It is unclear to QCOSS why the referral was made to us as we do not provide financial counselling or other direct services to customers. At no time did the retailer mention their own retailer hardship program or the Queensland Government's Home Energy Emergency Assistance Scheme (HEEAS) which would have paid the entire \$450 bill. It was only at this point that they asked him if he had a concession card and applied the concession from that date onwards but said they could not backdate it to the start date on the card or the date he first called them.

QCOSS advised him to call the retailer again, tell them that he was still experiencing financial hardship and ask to go on their hardship program. He was told to insist that they generate a HEEAS application and provide the application number to him over the phone. Once a HEEAS application is generated, a customer cannot be disconnected until the outcome is known. Bob was angry that his retailer had not told him this and instead forced him to ring and tell his story to even more people. He said his situation was humiliating enough without having to call retailers and beg for consideration. He said he had never missed paying an electricity bill with that retailer before his accident and thought they should have taken that into account.

Case study 2: John – no access to hardship programs or best deal available

John is 32 years old and lives alone in a rental property in the Logan area since his mother, who John had been caring for, passed away about 18 months earlier. John had been struggling to pay his electricity bills during this time and had accumulated a debt of \$6,000. He was on a Pay On Time discount (which he never received) and was receiving the Queensland government's electricity rebate. His only income is Newstart Allowance - about \$450 per fortnight.

When John engaged with his retailer, they asked him to pay \$300 per fortnight to cover the expected usage and accumulated debt. He was obviously unable to sustain this amount on Newstart Allowance and kept missing payments. When he tried to talk to his retailer, he was not offered any assistance beyond the payment plan and he was not able to negotiate a more sustainable amount. He would often get frustrated that the retailer was not listening to him. After 18 months of this, and numerous periods of being without power, John sought help from a community organisation called Multilink.

John had been without power for five days when he came to Multilink. The retailer was asking John for an upfront payment of \$1,500 to be reconnected. Multilink spent almost an hour on the phone to the retailer to get John reconnected before the weekend. It was around 4pm on a Friday afternoon and the retailer was insisting that they could not do it as it was past 5pm – they were in a state that had daylight savings. Multilink renegotiated the payment plan and the retailer eventually offered \$50 per fortnight, an amount that would leave John in debt indefinitely. John was never offered a cheaper deal (he was left on the Pay On Time discount which he never received), no-one ever spoke to him about the Home Energy Emergency Assistance Scheme, and he was never offered any other assistance to try to get his bills down or address the large accumulated debt. The retailer would not let John switch retailers until the debt was repaid.

After three months of persistent contact by Multilink, the retailer offered John a payment a payout figure of \$1,500. He was able to borrow this money from his dad, paid out the amount and immediately switched to another retailer.

John was never offered any hardship assistance from his retailer. A payment plan was not enough.

Case Study 3: BC – systemic issues revealed in retailer response

BC was unable to pay his most recent electricity bill which was \$679, and much higher than the usual bill of around \$350. His call history to Retailer B is as follows:

- 23 August – BC spoke to his retailer and was told that they would send him an application form to the Home Energy Emergency Assistance Scheme (HEEAS) in the post.
- 31 August – BC followed up and was told that it would be there by following Tuesday
- 4 September – BC referred to resolutions department who told him that the form had been sent but that it would be sent again
- 11 September – BC spoke to resolutions department again who provided him with the grant number XXX XXXX
- 18 September – BC spoke to the resolutions department again and was given the QCOSS phone number. BC is also annoyed that Retailer B has put the onus back on him to resolve by giving him the QCOSS number. BC does not have access to internet, email or printer so cannot access the form himself on QCOSS website.

Case Study 4: Retailer not meeting obligations under NERR - Sc 33 (3)

Client M contacted me (community worker) for assistance with her electricity bill. M meets the eligibility for HEEAS grant as she has a Health Care Card, spent \$550 on a new fridge last month and does not believe she has received HEEAS in the past. She has been a customer of her retailer for less than a year. Client M contacted her retailer on Thursday 4/10 to request HEEAS application form. Client M's first language is not English, so the retailer provided an interpreter, who happened to be the same interpreter that had been used in my initial conversation with M, so the interpreter had good understanding of the purpose of the call.

We spoke to retailer staff member "J" and explained that we wanted to apply for HEEAS. J directed us to the QCOSS website to obtain the application form, and said it is not available from the retailer. I asked if we could get the application number and due date to enter into the form. J said these were only available from Dept Communities Concession Services.

Client M also offered to set up \$40/fortnight payment plan. J attempted to transfer our call to credit management team but as soon as J left the conversation we heard the end of call survey and then the phone disconnected. No payment plan had been set up, but I encouraged M to make small payments fortnightly at the post office.

We then called Concession Services, and a staff member there confirmed that the application number and due date must be generated by the retailer and that the application will not be accepted by Dept Communities without this. They suggested we call the retailer again and ask to speak to a manager. We called the retailer again, this time without the interpreter (as we were running out of time). We spoke to a different staff member "B" who tried to tell us that the account number and payment due date were the same as the application number and application due date. I asked to speak to a manager, was put on hold and then staff member B returned to tell me he would get somebody from their hardship team to call back with the details. I clarified that this information would be released to me (Community Worker) if M was not present, staff member B said it would be.

There was no response from the retailer for two days so I called the retailer again on 8/10, and spoke to Staff member "C". I explained that I need an application number and due date to progress a HEEAS application. C accessed M's file and read notes from phone calls last week. I acknowledged that I had obtained the HEEAS form from QCOSS website but required the application number and due date. C said that she could see that a message had been sent to their hardship team but that the application can take 8-10 week and that the retailer has no control over the outcome of the HEEAS application. I agreed with this but explained that I need the application number in order to lodge the form before the 8-10 weeks will start. C again told me that Dept Communities Concession Services supply this number. I stated that I had contacted them last week and that they had advised that the retailer must generate the number. C said there is nothing that the retailer could do at this time and we need to wait the 8-10 weeks before we can expect to hear from the hardship team. Each of the 3 retailer staff members I spoke to put me on hold at least once to check details.

I contacted Concession Services on 9/10 to inform them of the barrier to accessing HEEAS. They offered to follow up with the retailer and arranged for a form to be sent to M. M came to (Community Organisation) on 22/10. Client M above was offered a \$208 discount if she paid the bill on time but unfortunately did not have the funds available.

I have concerns about how the retailer is responding to customers experiencing hardship. A number of our clients have switched to them because of their advertised discounts but if they experience financial hardship they lose the discounts anyway, and from the above experience are also being kept out of accessing government hardship provisions. This is something that clients should be able to do on their own.

Case Study 5: Fourth Time Lucky

29.01.18: During sign-up to a crisis accommodation property, the client (ST) tried to connect power to the house. Called Retailer A who advised Energex would be out to connect the power tomorrow.

30.01.19: The next day the housing team inspected the property and found no power connected. They called Retailer A who advised they had not sent through request due to ST's poor credit rating.

The housing team then called Retailer B. After being on the phone for 50 minutes they advised the same, even though she had an existing account with Retailer B they declined to connect electricity.

31.01.19: ST then was able to connect to Retailer C overnight via her phone. She advised the housing team the next day that Energex would be out to connect the power that day. The Housing team went to property and checked. The power had been connected.

06.02.19: ST was advised by Retailer C they had declined her service due to her credit check.

The housing team called Energex who advised Retailer D were responsible for providing essential power to that property (default retailer). The housing team then called Retailer D and advocated for the client. ST was signed up to Retailer D the next day.

Appendix B: Existing Queensland derogations

Queensland modifications to enhance consumer protection (as listed in Appendix 2 of Discussion Paper)	QCOSS position	Rationale / Comments
<p>Standing offer price for electricity to match notified price</p> <p>[Section 22A(2)]</p>	Retain	This is to give effect to regulated prices under the Uniform Tariff Policy for the Ergon Distribution area
<p>New fees and charges on standing offers for electricity (no new types of fees and charges on standing offers for electricity for the first four years of deregulation in SEQ (i.e. until 30 June 2020)</p> <p>[Section 22A(4)]</p>	Extend permanently	Standing offers prices tend to be higher than market offers especially after the discounts. There may be barriers for standing offer customers to move to a market offer and therefore as a principle this is an important derogation going forward. DNRME needs to explain what these fees and charges are, what might be the consumer impacts before deciding that this derogation be removed.
<p>An electricity retailer cannot vary standing offer price for one year following deregulation in SEQ, unless variation is to lower the price</p> <p>[Section 23(9)(a)]</p>	Go back to 12 monthly restriction and require standing offers to also receive notification of price increases as market customers do.	QCOSS is seeking clarification that this derogation has expired and now defaulted to six monthly under NERL? We note that this is not mentioned in the discussion paper.
<p>An electricity retailer must give customers at least 10 business days' notice of any standing offer price increase</p> <p>[Section 23(9)(b)]</p>	Retain	Please see response to Q3 of this submission for more details.
<p>An electricity retailer may reduce its standing offer price at any time</p> <p>[Section 23(9)(c)]</p>	Retain	This derogation maintains consistently with Section 23(9)(a).
<p>Card operated meter – extend the terms and</p>	Retain	COM customers are located in discrete communities and

<p>conditions for standard contracts to COM customers for electricity</p> <p>[Part 2, Division 10A]</p>		<p>are amongst the most disadvantaged communities in Queensland. It is not clear how a market contract would work so it is necessary that a COM consumer is deemed to be on a standard contract.</p> <p>QCOSS has made some additional comments about COM consumers and the extent to which they are able to access consumer protections in this submission. Please see response to Q.4</p>
<p>Retailers must give customers on retail market contracts at least 10 business days' notice of price increases</p> <p>[Section 46(4)]</p>	<p>Retain</p>	<p>Please see response to Q3 of this submission for more details.</p>
<p>Retailers must offer at least one retail market contract with no early termination fee, and the exit fee for an electricity market contact cannot be more than \$20</p> <p>[Section 49A(1) and 49B]</p>	<p>Retain</p>	<p>These are important customer protections that will ensure that there are no barriers to switching.</p>
<p>A disconnection warning notice for a small customer must include, among other things, information on government funded energy rebates, concessions or relief schemes.</p> <p>[Section 110(2)(c)]</p>	<p>Retain</p>	<p>This is an important customer protection that may prevent disconnection.</p>
<p>Retailers must tell consumers about flexible payment options upfront, such as pay in advance</p>	<p>Retain – and in addition include requirement that they also inform consumers about what concessions and hardship policies are available</p>	<p>This is an important point of information.</p>
<p>Retailers cannot charge customers for meter tests upfront</p>	<p>Retain</p>	<p>The meter may not be working and it may not be fault of the consumer.</p>

References

- ⁱ Australian Energy Regulator (2018), Annual Report on Compliance and Performance of the Retail Energy Market 2017-18. This report can be found at this link: <https://www.aer.gov.au/retail-markets/performance-reporting/annual-report-on-compliance-and-performance-of-the-retail-energy-market-2017-18>
- ⁱⁱ National Australia Bank (2018), Financial Resilience in Australia 2018. This report can be found at this link: <https://www.csi.edu.au/research/project/financial-resilience-australia-2018/>
- ⁱⁱⁱ Public Interest Advocacy Centre (2018), Close to the Edge. This report can be found at this link: <https://www.piac.asn.au/2018/11/22/report-utility-disconnections-hitting-struggling-families-hardest/>
- ^{iv} In its Retail Price Inquiry, the Australian Competition and Consumer Commission (ACCC) described the situation as “*unacceptable and unsustainable*” and noted that the approach to policy, regulatory design and promotion of competition in the energy sector has not worked well for consumers and needs to be “reset”.
- ^v The AER Chair has stated that “*our Hardship Review showed a wide variation in practices across retailers and a disconnect between retailers’ policies and practical assistance offered to customers.*”
- ^{vi} With regards to customers in embedded networks, the Australian Energy Market Commission (AEMC) noted that “*the existing regulatory framework for embedded networks is no longer fit for purpose*”. AEMC information Sheet <https://www.aemc.gov.au/market-reviews-advice/updates-regulatory-frameworks-embedded-networks>
- ^{vii} Victorian Energy Compare Website can be found at this link: <https://www.energy.gov.au/victorian-energy-compare>
- ^{viii} NSW Government Energy Switch Comparison Tool <https://www.service.nsw.gov.au/transaction/use-energy-switch-comparison-tool>
- ^{ix} More details can be found in the final report for this project which was submitted to the Department in January 2017 (**Attachment A**).
- ^x AER Retail Pricing Information Guidelines Version 5.0, April 2018. Page 13. <https://www.aer.gov.au/system/files/AER%20Retail%20Pricing%20Information%20Guidelines%20-%20Version%205.0%20-%20April%202018.pdf>
- ^{xi} The final report of the Switched On Communities program, provided to the Department in September 2017, is attached (**Attachment B**).
- ^{xii} Australia Post. 2019. <https://auspost.com.au/business/shipping/domestic-shipping/delivery-speeds-and-coverage>
- ^{xiii} AEMC (September 2018), National Energy Retail Amendment (Advance Notice of Price Changes) Rule. Rule can be found at this link: https://www.aemc.gov.au/sites/default/files/2018-09/Final%20Determination_2.pdf
- ^{xiv} Energy and Water Ombudsman Queensland (2018), Annual Report 2017/18 reports that complaints about electricity retailers increased by 37 per cent during 2017-18 across all primary issues
- ^{xv} Public Interest Advocacy Centre (2018), Close to the Edge. The report can be found at this link: <https://www.piac.asn.au/2018/11/22/report-utility-disconnections-hitting-struggling-families-hardest/>
- ^{xvi} QCOSS (2018 and 2019), These four submissions can be found on the QCOSS Energy Submission page at the following link: <https://www.qcross.org.au/energy-submissions>

^{xvii} Essential Services Commission (2018). Payment Difficulty Framework, More information can be found at this link: <https://www.esc.vic.gov.au/sites/default/files/documents/payment-difficulty-framework-finaldecision-20171009.pdf>

^{xviii} AER (2019) Customer Hardship Guideline P. 10, footnote 17. The Guideline can be found at the following link: <https://www.aer.gov.au/system/files/AER%20Draft%20Customer%20Hardship%20Policy%20Guideline%20-%204%20February%202019.pdf>

^{xix} QCOSS (2017), Submission to AEMC review of regulatory arrangements for embedded networks. This submission can be found at this link: <https://www.aemc.gov.au/sites/default/files/content/8d4b0b38-2c59-459f-abd6-73df10369088/MarketReview-Submission-RPR0006-Queensland-Council-of-Social-Service-170518.pdf>

^{xx} AEMC update on regulatory frameworks for embedded network customers as at 30 August 2018

^{xxi} QCOSS (2014), Empowering Remote Communities. This report can be found at this link: https://www.qcoss.org.au/sites/default/files/20140819_QCOSS%20Report%20on%20Remote%20PPM%20Customers%20Final.pdf

^{xxii} Other concessions include: Medical and Cooling Electricity Rebate, Life Support Electricity Rebate

^{xxiii} For example, NERL Section 44 (d) and (e)) states that retailers provide information on what assistance is available. Also under the NERL Section 46 and Rule 7 information has to be provided on hardship policy.

^{xxiv} QCOSS (2018), Energy Issues in Indigenous Communities: Woorabinda. The Report can be found at the following link: <https://www.qcoss.org.au/qcoss-report-energy-issues-indigenous-communities-woorabinda>

^{xxv} ABS Financial Stress Indicators. These can be found at this link: <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/6523.0~2013-14~Main%20Features~Financial%20Stress%20Indicators~33>

^{xxvi} NAB (2018), Financial security and the influence of economic resources. This report can be found at the following link: <https://nabnews.efront-flare.com.au/wp-content/uploads/2018/12/2018-Financial-Resilience-in-Australia.pdf>

^{xxvii} PIAC (2018), Close to the Edge. This report can be found at this link: <https://www.piac.asn.au/2018/11/22/report-utility-disconnections-hitting-struggling-families-hardest/>

^{xxviii} VCOSS (2018), Battling on: Persistent Energy Poverty. This report can be found at this link: <https://vcoss.org.au/policy/battling-on-persistent-energy-hardship/>

^{xxix} Queensland Competition Authority (2019), *2020 Review of GSLs*. More information can be found at the following link: <http://www.qca.org.au/Electricity/Industry/Review-of-Minimum-Service-Standards/Final-Report/2020-Review-of-GSLs#finalpos>

^{xxx} Queensland Competition Authority (2019), *2020 Review of GSLs* Section, P50

^{xxxi} QCOSS (2018), Submission to the 2020 Review of GSLs. This submission and other stakeholders submissions can be found at the following link: <http://www.qca.org.au/Electricity/Industry/Review-of-Minimum-Service-Standards/Final-Report/2020-Review-of-GSLs#finalpos>

^{xxxii} Queensland Competition Authority (2019), *2020 Review of GSLs* P56.