

Compliance and Performance Reporting Guideline - Version 5 (Draft for comment)

Version 5

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Preface

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Revisions to this reporting guideline

Version no.	Date	Nature of amendment
2	10 November 2016	Inclusion of email address for submission of information and data. Minor amendments to correct administrative errors.
3	21 June 2017	Inclusion of obligations applicable to energy distribution license holders.
4	30 July 2018	Amendments to the energy retailer compliance reporting obligations and performance indicators to support the introduction of the payment difficulty framework. A number of administrative changes that affect both energy retailers and distribution businesses were also made.
5	13 September 2019	Amendments to the energy retailer compliance reporting obligations and performance indicators to support the introduction of the Victorian Default Offer (VDO) and other reforms around making retailers market information on prices to be easily comparable. A number of administrative changes that affect both energy retailers and distribution businesses were also made.

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Essential Services Commission **Compliance and Performance Reporting Guideline -**
Version 5 (Draft for comment)

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1. Reporting requirements

1.1. Purpose

This guideline sets out the reporting obligations for energy retailers and distributors to enable the commission to perform its functions under subdivision 3 of division 2 of part 7 of the Essential Services Commission Act (2001) (ESCA).

1.2. Application of this guideline

This guideline applies to all licensed Victorian electricity and gas retailers as a statutory condition of licence under section 23A of the Electricity Industry Act 2000 (Vic) (EIA) and section 33 of the Gas Industry Act 2001 (Vic) (GIA).

This guideline also applies to all licensed Victorian electricity and gas distributors as a condition of licence.

The guideline will be effective from 1 January 2020.

1.3. Antecedents

This guideline replaces the Compliance Reporting Manual (Energy Retail Businesses), October 2014 and the Energy Retail Performance Indicators, June 2013.

1.4. Commission's reporting obligations

The commission must publish a compliance and enforcement report “as soon as practicable after 30 June (but on or before 30 November) in each year”.¹ The report must cover the period of 12 months ending with 30 June. The commission must update the report each quarter “before the end of the next quarter”.

The report must include the following:

- a report on all enforcement action taken by the commission in respect of each energy retailer and distributors;

¹ ESCA section 54V

- a report on the extent to which each energy retailer and distribution businesses has complied, or failed to comply, with its obligations under its energy licence conditions and the provisions of any Code of Practice; and
- a report on the performance of each energy retailer measured against relevant performance indicators.

The performance indicators must include:

- disconnections and reconnections of electricity and gas;
- the extent to which the retailer has complied with its licence condition to make wrongful disconnection payments;
- the number of wrongful disconnection penalty notices and related information; and
- any other indicators the commission determines.²

As a deemed condition of their licence, retailers and distributors must give specified information to the commission to prepare this report. The commission must prepare and issue guidelines for this purpose.³

This guideline specifies the information the commission needs to fulfil its reporting obligations.

² ESCA section 54W.

³ EIA section 23A and GIA section 33.

1.5. Retailer reporting obligations

Electricity and gas retail licensees are required to report any potential or actual breach that the licensee believes has occurred, or is reasonably likely to occur, in accordance with this guideline.

Electricity and gas retail licensees are also required to report on their performance in accordance with this guideline.

1.5.1. Timing of reports

Breaches that must be reported under this guideline are set out in Chapter 2. Breaches are classified as type 1, type 2 or type 3. The classification determines the reporting schedule.

The reporting periods are set out in Table 1.1 below.

Type 1 reports

Type 1 breaches, other than wrongful disconnections, must be reported to us within two business days of detection. We may request that further information be provided after receiving the initial notification. A full report of all type 1 breaches must be made on a quarterly basis.

Wrongful disconnection reports

Wrongful disconnections do not need to be reported with type 1 breaches. Instead wrongful disconnections must be reported on a monthly basis.

Type 2 reports

Type 2 breaches must be reported bi-annually.

Type 3 reports

Type 3 breaches must be reported annually.

Performance indicator reports

Performance indicator data must be reported quarterly. Some indicators are only required on an annual basis.

Annual report

A full report containing all type 1, type 2, type 3 breaches must be submitted annually.

Table 1.1 Reporting obligations

Reporting obligation	Frequency	Timing
Type 1 breaches	Initial notification Full report - quarterly	Within two business days of identification For the period 1 July to 30 September – on or before 31 October. For the period 1 October to 31 December – on or before 28 February. For the period 1 January to 31 March – on or before 30 April. For the period 1 April to 30 June – on or before 31 August.
Wrongful disconnections	Monthly	Last business day of the month following the reporting period.
Type 2 breaches	Bi-annually	For the period 1 July to 31 December – on or before 28 February. For the period 1 January to 30 June – on or before 31 August.
Type 3 potential non-compliances	Annually	For the period 1 July to 30 June – on or before 31 August.
Performance indicators	Quarterly	For the period 1 July to 30 September – on or before 31 October. For the period 1 October to 31 December – on or before 31 January. For the period 1 January to 31 March – on or before 30 April. For the period 1 April to 30 June – on or before 31 July.

1.5.2. Form and content of reports

All reports of breaches and submission of performance data must be sent by email to compliance.reporting@esc.vic.gov.au.

Compliance reports

All initial notifications, quarterly, bi-annual and annual compliance reports must be made using the retailer compliance reporting template located on our website, as amended from time to time.

Monthly wrongful disconnection reports must be made using the wrongful disconnection reporting template located on our website, as amended from time to time.

Breach reports should provide as much information as possible. If any matter is still under investigation that should be noted in the template.

Performance reports

Performance indicator reports must be submitted using the relevant template located on our website, as amended from time to time.

1.5.3. Report sign off

The quarterly type 1 breach report and the annual type 1, 2 and 3 breach report must be signed off by the CEO or Managing Director of the retailer.

1.5.4. Nil reports

Where a retailer has no breaches to report for a relevant period the retailer is required to submit the applicable template in accordance with clause 1.5.2. The template should note that the retailer has no breaches to report for the relevant period.

1.6. Distributor reporting obligations

Electricity and gas distribution licensees are required to report any potential non-compliance that they believe has occurred, or is reasonably likely to occur, in accordance with this guideline.

1.6.1. Timing of reports

Breaches that must be reported under this guideline are set out in Chapter 2.

The reporting periods are set out in Table 1.2 below.

Type 1 reports

Distributors must provide initial notification of all type 1 breaches within two business days of identification, except for breaches of clause 5.5.1 of the Electricity Distribution Code. We may request that further information be provided after receiving the initial notification. A full report of all type 1 breaches must be made on a quarterly basis.

Clause 5.5.1 Electricity Distribution Code reports

Distributors must report breaches of clause 5.5.1 of the Electricity Distribution Code on a monthly basis.

Table 1.2 Reporting obligations

Reporting obligation	Frequency	Timing
Type 1 breaches⁴	Initial notification	Within two business days of identification.
	Full report – quarterly	For the period 1 July to 30 September – on or before 31 October. For the period 1 October to 31 December – on or before 28 February. For the period 1 January to 31 March – on or before 30 April. For the period 1 April to 30 June – on or before 31 August.
Breaches related to Electricity Distribution Code clause 5.5.1	Monthly	Within 10 business days of the start of the following month.

⁴ Except non-compliances with clause 5.5.1 of the Electricity Distribution Code.

1.6.2. Form and content of reports

All breach reports must be made using the distributor compliance reporting template located on our website, as amended from time to time.

Reports should provide as much information as possible. If any matter is still under investigation that should be noted in the template.

Clause 5.5.1 Electricity Distribution Code

The following information must be included when reporting breaches of clause 5.5.1 Electricity Distribution Code:

- the total number of planned outages undertaken for the month
- the total number of customers whose supply was interrupted
- the average duration of planned interruptions for the month.

Life support breaches

For breaches of clause 5.6.1(c) of the Electricity Distribution Code it is expected that the distributor will notify the commission of the potential non-compliance, as soon as the distributor becomes aware of it.

1.6.3. Report sign off

The quarterly type 1 breach report must be signed off by the CEO or Managing Director of the distributor.

1.6.4. Nil reports

Where a distributor has no breaches to report for a relevant period the distributor is required to submit the applicable template in accordance with clause 1.6.2. The template should note that the distributor has no breaches to report for the relevant period.

1.7. Audit

The information reported under this guideline may be subject to independent audit in accordance with the commission's audit framework.

2. Compliance reporting schedule

This chapter sets out the compliance reporting obligations as follows:

- Section 2.1 is applicable for energy retailers; and
- Section 2.2 is applicable for energy distribution businesses.

2.1. Energy retailers – Compliance reporting schedule

This section sets out retailer compliance reporting obligations.

Under the compliance reporting schedule outlined below, regulatory obligations are classified as type 1, type 2 or type 3 obligations. For energy retailers, type 1 regulatory obligations are those where:

- non-compliance has or could potentially have a significant impact on customers; and
- the impact of that non-compliance increases over time if it is not rectified quickly.

All breaches of type 1 obligations must be reported to the commission immediately.

Type 2 regulatory obligations are those where:

- non-compliance could have a moderate impact on customers; and
- the impact of that non-compliance increases over time.

Type 3 regulatory obligations are all other obligations.

2.1.1. Type 1 breaches – Energy retailers

ESC ref	Source of obligation	Description
<i>Retail Licence⁵</i>		
RB0020	Clause 6.1 & 6.2 [Electricity only]	A licensee must have a written Use of System Agreement with each distributor in whose distribution area customers are located. The licensee must not unreasonably refuse a new form of DUoS from a distributor under clause 4.8 of its distribution licence.
RB0060	Clause 5.1 & 5.3 [Gas only]	Compliance with reliability of supply standards; a licensee must demonstrate how it will meet its supply obligations on a peak demand day in accordance with commission standards. If a licensee is notified by the distributor of an interruption of supply, it must use reasonable endeavours to ensure that its customers comply with any reasonable requirement set out in the notice.
RB0030	Clause 8.1 [electricity] Clause 7.1 [gas]	A licensee must offer to supply electricity to any domestic or small business customer at tariffs published by the licensee and on terms and conditions approved by the commission and published by the licensee in the Government Gazette.
RB0040	Clause 12.2 & 12.5 [electricity] Clause 13.2 & 13.5 [gas]	The licensee must sell electricity/gas at tariffs & terms and conditions approved by the commission. The licensee must notify customers a last resort event has occurred.
RB0050	Clause 21 [electricity] Clause 23 [gas]	The licensee must comply with all applicable laws
RB0051	Section 40D EIA and section 48C GIA	A licensee is prohibited from entering into a contract with a small customer for the sale and supply of energy that imposes an exit fee unless certain conditions are met.

⁵ Clause numbers are based on the standard retail licence. For non-standard licences, the obligation refers to the breach as described.

Compliance reporting schedule

ESC ref	Source of obligation	Description
RB0052	Section 23C EIA [Electricity only]	A licensee must offer to sell electricity to a renewable energy customer at the same tariffs and on the same terms and conditions that it would offer to the customer if he or she was not a renewable energy customer.
RB0053	Section 46C EIA [Electricity only]	Retailers' obligations under clause 11(3)(a), (3)(b), (4) and (5) of the AMI Tariffs Order and clause 12(1), (2)(a) and (2)(b) of the AMI Tariffs Order
RB0054	Section 35A EIA Section 42A GIA	Retailers must input standing offer tariffs into the internet site nominated by the Minister as soon as practicable after the retailer publishes those tariffs under section 35 of the EIA.
RB0055	Section 36A(1) EIA Section 43A GIA	Retailers must input tariffs and terms and conditions into the internet site nominated by the Minister as soon as practicable after they are published.
RB0056	Section 40G EIA [Electricity only]	Retailers must input their published general renewable energy feed-in terms and conditions on the website nominated by the Minister.
RB0057	Section 40MAA EIA [Electricity only] Section 40ME EIA [Electricity only]	Retailers must input the ESC recommended general feed-in tariff in the website nominated by the Minister as soon as a declaration made under section 40MAA of the EIA has been published in the Government Gazette. Retailers must also offer to purchase solar generation from qualifying customers on relevant terms.
RB0058	Section 35 EIA [Electricity only]	A licensee must offer to supply and sell electricity to domestic and small business customers at tariffs determined by the licensee (subject to any relevant orders in council) and on terms and conditions determined by the licensee and approved by the commission. Tariffs and terms and conditions are to be gazetted at least one month before they come into effect. Amendments to terms and conditions are subject to approval of the commission.
RB0059	Clause 6 of the Order in Council under section 13 EIA [Electricity only]	A retailer's standing offer tariffs for sale of electricity to prescribed customers must comply with any Victorian Default Offer price determination made by the commission that is in force.
RB0061	Clause 7 Order in Council under section 13 EIA [Electricity only]	A retailer's regulated tariff standing offer for sale of electricity to prescribed customers must include one flat tariff that is available to each domestic customer; one flat tariff with a controlled load tariff that is available to each domestic customer with a controlled load; and one flat tariff that is available to each small business customer.

ESC ref	Source of obligation	Description
RB0062	Clause 8 Order in Council under section 13 EIA [Electricity only]	Electricity bills issued to a prescribed customer on or after 1 October 2019 must include prominent information in plain and clear English about how the customer may access the Victorian Default Offer from the retailer.
RB0063	Clause 15 Order in Council under section 13 EIA [Electricity only]	Until such time as the amendments to the Energy Retail Code required by clause 16(2)(a) come into force, a retailer that offers a discount to a domestic customer or a small business customer must disclose how the discount is calculated as against the Victorian Default Offer.
<i>Energy Retail Code</i>		
RB0100	Clause 19(1)	Designated retailers must provide certain information to consumers in connection with standard retail contracts.
RB0101	Clause 61 to 64 (excluding clause 63(1))	Retailers must provide the required information to consumers in connection with market retail contracts in the prescribed form.
RB0102	Clause 47	Small customers who enter into market retail contracts have a right of withdrawal. Retailers must create a record of each right of withdrawal exercised.
RB0141	Clause 93	A retailer must not offer a supply capacity control product to a residential customer for any credit management purpose.
RB0150	Clauses 111 to 115	The process which must be followed prior to de-energising of a customer's premises (other than by customer request).
RB0160	Clauses 116 and 117	When a retailer may not de-energise a customer's premises.
RB0170	Clauses 121 and 122A	Retailer's obligation to arrange re-energisation of a customer's premises and timing of re-energisation.
RB0180	Clauses 46(3) and 46(4)	A retailer must give notice to a customer as soon as practicable, and otherwise no later than the customer's next bill, of any variation to the tariff that affects the customer.
RB0181	Clause 70	When a retailer may terminate a standard retail contract. No termination charge can be imposed.

Compliance reporting schedule

ESC ref	Source of obligation	Description
RB0215	Clause 124	Outlines the obligations on a retailer when a customer provides a retailer with confirmation from a registered medical practitioner that a person residing at the customer's premises requires life support equipment.
RB0220	Clause 110(2)(f)	The existence, operation and contact details of the energy ombudsman must be shown on any disconnection warning notices.
RB0230	Clause 35A	Outlines the circumstances where a retailer may impose additional retail charges.
RB0250	Clause 57(1)	A retailer must not submit a request for the transfer of a small customer under the relevant Retail Market Procedures unless the retailer has obtained explicit informed consent from the customer to enter into the relevant customer retail contract and the retailer has a customer retail contract in place to enable the sale of energy to the customer at their premises.
RB1201	Clause 3D(1) and (2)	A retailer must create a record of each explicit informed consent required by the Energy Retail Code and provided by a small customer. A retailer must retain that record for at least 2 years. The record must be in the format required by clause 3D(2) of the Energy Retail Code.
RB1202	Clause 65(2) and (5)	Retailers must ensure that a "no contact list" is created and maintained for its retail marketers and must not make contact with a small customer whose name is on that list.
RB0740	Clause 68	Retailers must ensure that records are kept of all energy marketing activities carried out by it or on its behalf by retail marketers for a period of 12 months or for the period that a complaint or dispute remains unresolved, whichever is longer. Retailers must ensure that it has immediate access, or a right of immediate access, to each such record.
RB1203	Clause 55	Retailers must refer a residential customer to a relevant interpreter service if a referral is necessary or appropriate to meet the reasonable needs of the customer.
RB1204	Clause 16(4)	Retailers must obtain the explicit informed consent of a small customer for the entry by the customer into a market retail contract with the retailer.
RB0355	Clauses 30(2), 31(1), 31(2) and 31(3)	Sets out conditions under which a retailer may recover money from a customer who has been undercharged and conditions under which the retailer must repay a customer who has been overcharged.
RB0330	Clause 24(1)	Retailer obligations in relation to the frequency of issuing bills to customers on Standing Retail Contracts.

Compliance reporting schedule

ESC ref	Source of obligation	Description
RB0331	Clause 25(1)(e)	Retailers must prepare bills to a small customer can easily verify that the bill conforms to their contract and must include the pay-by date for the bill and the bill issue date.
RB1401	Clause 47A	Retailer obligation to give notice of a benefit change.
RB1402	Clause 76	Retailers must take steps to provide the forms of standard assistance to their residential customers.
RB1403	Clause 79	Residential customers who are in arrears are entitled to certain types of tailored assistance to make it easier to pay for their on-going energy use, repay their arrears and lower their energy costs.
RB1404	Clause 80	Retailers must provide customers who have not paid a bill on time and who contact the retailer, with information regarding the tailored assistance they are entitled to. Retailers must also contact customers who do not pay a bill on time and who have more than \$55 in arrears and provide them information about the tailored assistance available to them.
RB1405	Clause 81	Outlines the types of payment arrangements that a retailer must accept and may accept if a residential customer whose payments are in arrears.
RB1406	Clause 83	Provides that a retailer must continue to provide tailored assistance to a residential customer unless the customer has refused to take reasonable action towards paying for their on-going energy use or arrears or the customer is no longer facing payment difficulties.
RB1407	Clause 91	Provides that a retailer must not impose any conditions on the provision of assistance under the payment difficulty framework.
RB1408	Clause 92	Outlines the restrictions on retailers to recover or sell a residential customer's debt.
RB1421	Clause 106G	A retailer must not disclose or provide access to confidential information about an affected customer to any other person without the consent of the affected customer. To identify a safe method of communication with an affected customer, a retailer must take reasonable steps to elicit the affected customer's preferred method of communication and offer other methods of communication if the affected customer's preferred method of communication is not practicable. A retailer must keep a record of arrangements reached to this effect.
RB1422	Clause 106H	A retailer must provide a secure process designed to avoid the need for an affected customer to repeatedly disclose or refer to their experience of family violence.

ESC ref	Source of obligation	Description
RB1423	Clause 106I	Before taking action to recover arrears from an affected customer, a retailer must take into account the potential impact of debt recovery action at that time on the affected customer and whether other persons are jointly or severally responsible for the energy usage that resulted in the accumulation of those arrears.
RB1424	Clause 106Q	A retailer must maintain records that are sufficient to evidence its compliance with its obligations under Part 3A. These records must be retained for at least 2 years, or as long as the customer continues to receive assistance.
RB1425	Clause 70H	A retailer must provide a customer with clear advice about any terms pursuant to which the amounts payable by the customer may vary, the retailer's other generally available plans, the Victorian Default Offer and the impact that changing tariff structures may have on the customer.
RB1426	Clause 70I	A retailer must maintain records that are sufficient to evidence its compliance with its obligations under Part 2A, Division 2. These records must be retained for at least 2 years, or as long as the customer continues to receive assistance.
RB1427	Clause 70L	If a benefit change or a price change is going to occur the retailer must provide the customer who is party to the contract with a bill change alert. This clause provides what must be included in a bill change alert and that it must be provided in writing at least 5 days prior to the change taking effect.
RB1428	Clause 70M	A retailer must maintain records that are sufficient to evidence its compliance with its obligations under Part 2A, Division 3. These records must be retained for at least 2 years, or as long as the customer continues to receive assistance.
RB1429	Clause 70P	Where a retailer must complete a deemed best offer check they must identify the relevant deemed best offer for that customer. This clause also provides for how to calculate the deemed best offer for a customer.
RB1430	Clause 70Q	A retailer must complete a deemed best offer check by using the prescribed formula.
RB1431	Clause 70R	A retailer must provide a deemed best offer message on a bill or bill summary to a small customer at least once every 3 months for electricity and at least once every 4 months for gas. If a retailer and a small customer have agreed to a billing cycle with a regular recurrent period that differs from the retailer's usual recurrent period and is 3 months or longer, a deemed best offer message must be given once in each billing cycle.

ESC ref	Source of obligation	Description
RB1432	Clause 70X	A retailer must put, into the Victorian Retailer Portal website, accurate details of each standing offer and the Victorian default offer. This must include details in the form required by that internet site. Information uploaded to the Victorian Retailer Portal website must be written in plain English and be designed to be readily understandable by customers.
RB1433	Clause 21	A retailer may only estimate a customer's bill where the customer gives their explicit informed consent to estimation, the retailer is not able to reasonably or reliably base the bill on an actual meter reading, or metering data is not provided to the retailer by the responsible person. If estimations are permitted to be used as the basis for a customer's bill, the estimations must be based on the customer's reading of the relevant meter, historical metering data for the customer reasonably available to the retailer or the average usage of energy by a comparable customer over the period, if there is no historical metering data for the customer.
<i>Code of Conduct for Marketing Retail Energy In Victoria</i>		
RB0110	Clause 3.2, 3.5 and 3.6	Retailers must comply with laws relating to their marketing interactions with consumers, and must provide certain information to consumers. The retailer's obligations in relation to the conduct of marketing representatives and the provision of offer information to consumers.
RB0111	Clause 4.3	Retailer must take reasonable steps to conduct contract negotiations with a person who has the authority to enter into a contract for electricity supplied to the actual site.
RB0112	Clause 6	Retailers must establish and abide by procedures that comply with the National Privacy Principles.

2.1.2. Type 2 breaches – Energy retailers

ESC ref	Source of obligation	Description
<i>Retail Licence</i>		
RB0270	Clauses 9.1 to 9.3 & 9.5	A licensee is obliged to provide information to customers: <ul style="list-style-type: none"> - include certain information on bills issued to customers; - notify customers of changes to terms and conditions; - give notice to a customer who becomes a party to a deemed contract; and - notify customers of expiry of fixed term contracts.
<i>Energy Retail Code</i>		
RB0300	Clause 66	Requirement to observe 'no canvassing' signs.
RB0310	Clause 59A	Retailers must develop, make and publish on its website a set of procedures detailing the retailer's, distributor's or responsible person's procedure for handling small customer complaints and dispute resolution procedures. The procedures must be reviewed regularly, kept up to date and be substantially consistent with Australian Standards.
RB0320	Clause 19(2)	A retailer must as soon as practicable (but not later than the end of the next business day) after the request for the sale of energy is properly made, forward relevant details of the customer to the distributor for the premises concerned, for the purpose of: <ul style="list-style-type: none"> - updating the distributor's records, if the premises are energised; or - arranging for the energisation of the premises by the distributor, if the premises are not energised.
RB0340	Clause 25(1)(a) to (d) and (f) to (y)	Rules governing the minimum information to be included on a customer's bill.
RB0350	Clauses 20, 21 and 23	The bill must be based on actual meter readings at least once every 12 months or based on estimations as per prescribed conditions. Estimated bills may be applied under a bill smoothing arrangement.
RB0360	Clauses 26 and 32	The pay-by date for a bill for customers on Standing Retail Contracts must not be earlier than 13 business days from the bill issue date. Outlines the methods for the payment of a bill by a customer that a retailer must accept for both standard retail contracts and market retail contracts.

Compliance reporting schedule

ESC ref	Source of obligation	Description
RB0370	Clauses 40 to 45	The conditions under which a retailer may require and use a security deposit.
RB0380	Clause 34	The conditions under which a retailer may place a customer on a shortened collection cycle with the agreement of the customer.
RB0410	Clause 50	<p>Outlines the minimum requirement in relation to the terms and conditions of a market retail contract regarding complaints and dispute resolution information.</p> <p>All complaints must be handled according to the retailer's complaints and dispute resolution procedures.</p> <p>The retailer must inform the small customer of the outcome of the complaint.</p> <p>The retailer must advise the customer that the customer has a right to refer the complaint or dispute to the energy ombudsman.</p>
RB1110	Clause 25A	<p>Content of the information to be disclosed on electricity consumer bills includes emissions calculated as specified for current period and past year, with a graph and an adequate explanation of the graph.</p> <p>Format of the information to be approved by the commission.</p>
RB1300	Clause 15A	<p>A retailer must publish its standing offer on its website and on the website nominated by the Minister.</p> <p>The home page must link easily and logically to the standing offer.</p>
RB1370	Clauses 15D to 15F	An Energy Price Fact Sheet, Price and Product Information Statement, or an Offer Summary must be in plain understandable English and comply with applicable legislation and regulation.
RB1210	Clause 85	Details the minimum requirements for a financial hardship policy of a retailer.
RB1409	Clause 82	Provides that a retailer must contact and work with a residential customer whose payment of arrears is on hold if the customer fails to make payments towards their ongoing energy use or if they fail to implement practical assistance.
RB1410	Clause 87	Provides that communications to customers must be expressed in plain language, legible, presented clearly and appropriately and provided free of charge. In addition, this provision sets out the requirement to send written material by post unless the customer has given explicit informed consent to another method.
RB1411	Clause 89	Provides various obligations that retailers must comply with when dealing with customers or government including acting fairly, communicating clearly and unambiguously, providing assistance in a timely manner and comply with any guideline published by the commission.

Compliance reporting schedule

ESC ref	Source of obligation	Description
RB1412	Clause 94	Requires retailers to allow residential customers on standard retail contracts to pay with Centrepay. This clause also requires retailers to either transfer, without cost or penalty, a customer who is on a market retail contract to an alternative market retail contract which allows for payment by Centrepay or allow the market retail contract residential customer to pay by Centrepay.
RB1413	Clause 106J	A retailer must recognise family violence as a potential cause of payment difficulty.
RB1414	Clause 106K	A retailer must provide an affected customer with information about the availability of one or more external family violence support services at a time and in a manner that is safe, respectful and appropriate given the affected customer's circumstances. This clause also requires an up to date list of external family violence support services to be kept on the retailer's website.
RB1415	Clause 106L	A retailer can only seek documentary evidence of family violence when considering debt management and recovery or restrictions on de-energisation. This evidence must only be what is reasonably required for those purposes.
RB1416	Clause 106N	Provides that a retailer must have a family violence policy.
RB1417	Clause 106O	Provides that a retailer's family violence policy must be easily accessible on its website in a readily printable form.
RB1418	Clause 106P	Provides that a retailer must review its family violence policy at least once every two years.
RB1419	Clause 70Y	A retailer must ensure that an energy fact sheet for each current plan and the Victorian Default Offer is available to relevant customers within two business days of the plan becoming available. This fact sheet must be readily identifiable by a customer.
RB1420	Clause 70Z	A retailer must maintain records that are sufficient to evidence its compliance with its obligations under Part 2A, Division 5. These records must be retained for at least 2 years, or as long as the customer continues to receive assistance.
<i>Code of Conduct for Marketing Retail Energy In Victoria</i>		
RB0113	Clause 2.1 – 2.3	Responsibilities for when retailers contact consumers, information to be provided to consumers, requirements to keep 'no contact lists' and observe them, requirement to observe 'no canvassing' signs.

2.1.3. Type 3 breaches – Energy retailers

ESC ref	Source of obligation	Description
<i>Retail Licence</i>		
RB0490	Electricity purchase arrangements	Licensees must be registered with AEMO as a customer under the National Electricity Code. Licensees must have arrangements in place for the purchase of electricity. And any other necessary related authorisations, as are required if the Licensee is to be able to perform its obligations under contracts for the sale of electricity.
RB0620	Obligation to purchase gas	A Licensee must use its best endeavours to purchase or obtain a supply of gas on reasonable terms and conditions to meet its customer requirements.
RB0500	Clause 5	A Licensee can only provide an ‘energy only’ contract if a customer has entered into an agreement with a distributor for distribution services.
RB0510	Clause 6.4	If a Licensee is both a retailer and distributor, retail business must have UoSA with distribution business.
RB0520	Clause 7.2	Contracts with customers must be consistent with the Energy Retail Code. A Licensee cannot enter into a contract for the sale of electricity with a customer at a tariff that is different to the Licensee’s published tariffs unless the terms and conditions of the contract are materially different to those connected to the published tariff.
RB0531	Clause 9.6	The obligations of a retailer to provide information to vacant energised premises.
RB0540	Clause 11.2	Licensees must notify the commission prior to termination of arrangements with any agency where customers may pay bills.
RB0550	Clause 11 [electricity] Clause 12 [gas]	Licensee must enter into an agreement with the State for the provision of community services if directed by the Secretary to the Department of Human Services.

Compliance reporting schedule

ESC ref	Source of obligation	Description
RB0560	Clause 12.1 & 12.6 [electricity] Clause 13.1 & 13.6 [gas]	The Licensee must submit tariffs and terms and conditions to the commission on which it would act as a retailer of last resort and to notify and provide customers with electricity in the case of a last resort event. Outlines the timeframe for publication of ROLR tariffs, terms and conditions.
RB0580	Clause 17 [electricity] Clause 18 [gas]	A Licensee must ensure that separate accounts are prepared for its retail business.
RB0630	Clause 5.2 [gas only]	A Licensee must notify the distributor and AEMO of the Licensee's contractual arrangements with its customers relating to interruption of supply.
RB0640	Clause 9 [gas only]	Provision, replacement, installation, repair and maintenance of hot water metering installation. Timeframe for provision of service. Retailer interactions. Commission to decide fairness and reasonableness of terms and conditions of offer.
<i>Energy Retail Code</i>		
RB0750	Clause 63(1)	Form of disclosure to customers before and after contract formation.
RB0770	Clause 20A	A retailer must issue bills to a customer for the charging of the energy used in the delivery of bulk hot water in accordance with Schedule 6 of the Code and provide the prescribed minimum information.
RB0780	Clause 25(1)	A retailer must prepare a bill so that a small customer can easily verify that the bill conforms to their customer retail contract. This clause outlines what must be included in bills.
RB0800	Clauses 25(2) and 27(1)	Retailers must include amounts billed for goods and services (other than the sale and supply of energy) in a separate bill or as a separate item in an energy bill. If a bill includes amounts payable for goods and services other than the sale and supply of energy, any payment made by a small customer in relation to the bill must be applied firstly in satisfaction of the charges for the sale and supply of energy unless the customer otherwise directs or another apportionment arrangement is agreed to by the customer.

ESC ref	Source of obligation	Description
RB0810	Clauses 21(5) and 22	Outlines when a retailer may impose additional charges permissible for reading of previously inaccessible meter. Outlines the rules when a retailer wishes to charge proportionally bill for a period other than the usual billing cycle.
RB0820	Clauses 32(5) and 35B	A retailer must accept payments in advance. Merchant fees are only recoverable under a market retail contract.
RB0830	Clause 34(3)	Minimum notice requirements for a customer being placed on a shortened collection cycle.
RB0840	Clause 24(2)	Rules governing different recurrent periods for bills from the retailer's usual recurrent period.
RB0860	Clause 118	On request, a retailer must de-energise a customer and finalise the account.
RB0880	Clause 56	Retailer's obligation to: <ul style="list-style-type: none"> - publish on its website a summary of the rights, entitlements and obligations of small customers; - provide the information relating to the rights, entitlements and obligations as requested.
RB0890	Clause 28	A retailer must supply historical billing data within 10 days at request of current and previous customers free of charge, unless the information has already been provided within the previous 12 months or information is required going back more than two years.
RB1220	Clause 86	The retailer must publish its financial hardship policy on its website in a form easily accessible to customers and provide a copy to any residential customers on request. The retailer must also ensure that information is readily available to residential customers about the retailers financial hardship policy, assistance available under Division 1 and 2 of Part 3, approaches to lowering energy costs, and government and non-government assistance.
RB1230	Clause 106F	A retailer must ensure that training is provided to any person acting on its behalf who may engage with affected customers by any means of communication, or a manager of such a person, or is responsible for systems and processes that guide interactions with customers. This training must address the nature and consequences of family violence, the application of the retailer's family violence policy, how to identify affected customers and how to engage appropriately and effectively with affected customers.

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ESC ref	Source of obligation	Description
RB0730	Clause 1	Marketing representatives must receive adequate training and testing on specified matters. Copies of training records and manuals to be retained for at least 1 year following training and made available for independent audit as required.
<i>Retail Licence</i>		
RB1050	Clause 13.4	The terms and conditions of supply after a last resort event.
RB1060	Licence conditions	All other conditions of licence.

2.2. Energy distributors

This section sets out distributor compliance reporting obligations.

Energy distributors are required to report Type 1 breaches to the commission immediately, as described in Table 1.2. An exception is those breaches relating to clause 5.5.1 of the Energy Distribution Code, which should be included in a monthly summary report to the commission.

Type 1 regulatory obligations are considered to be those regulatory obligations where non-compliance would have a critical impact on customers and where the impact of that non-compliance increases over time if it is not rectified quickly.

2.2.1. Type 1 breaches – Energy distributors

Source of obligation	Description
<i>Electricity Distribution Code</i>	
Clause 5.6.1 Electricity Distribution Code [Electricity only]	<p>A customer or retailer may provide a distributor with confirmation from a medical practitioner/hospital that a person living in a home that they distribute power to requires life support equipment. In these cases, the distributor must:</p> <ul style="list-style-type: none"> – register the address as a life support address; – not disconnect the energy supply to the life support address; – provide the customer with written notice prior to a planned interruption. This written notice must either be: <ul style="list-style-type: none"> ○ four days prior to the planned interruption; or ○ longer than four days prior to the planned interruption if a longer period is requested by the customer, it is reasonably necessary and can be accommodated by the distributor; – advise the customer to prepare a plan of action in case of an unplanned interruption; and – provide the customer with an emergency telephone contact number.
Clause 5.5.1 Electricity Distribution Code [Electricity only]	<p>In the case of a planned interruption, the distributor must provide each affected customer with at least 4 business days written notice of the interruption. The notice must:</p> <ol style="list-style-type: none"> a) specify the expected date, time and duration of the interruption; and b) include a 24 hour telephone number for enquiries.
Clause 6.2 Electricity Distribution Code [Electricity only]	<p>Where a distributor does not supply electricity to a customer’s supply address on the day agreed with the customer, the distributor must pay to the customer \$70 for each day that it is late, up to a maximum of \$350.</p>
Clause 6.3.1 Electricity Distribution Code [Electricity only]	<p>A distributor must make a supply restoration payment to a customer of:</p> <ol style="list-style-type: none"> a) \$120 where the customer experiences more than 20 hours of unplanned sustained interruptions per year; or b) \$180 where the customer experiences more than 30 hours of unplanned sustained interruptions per year; or c) \$360 where the customer experiences more than 60 hours of unplanned sustained interruptions per year; or d) \$80 where the customer is supplied by a CBD feeder or an urban feeder and experiences an unplanned sustained interruption of more than 12 hours, and 20 hours or less of unplanned sustained interruptions in that year; or e) \$80 where the customer is supplied by a short rural feeder or a long rural feeder and experiences an

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unplanned sustained interruption of more than 18 hours, and 20 hours or less of unplanned sustained interruptions in that year.

For the purposes of calculating the periods above, an event to which clause 6.3.3 or 6.3.4 applies is not included. See clause 6.3.3 and 6.3.4 for further details.

Clause 6.3.2 Electricity Distribution Code [Electricity only] A distributor must make a low reliability payment to a customer of: \$120 where the customer experiences more than 8 unplanned sustained interruptions per year; or

- a) \$180 where the customer experiences more than 12 unplanned sustained interruptions per year; or
- b) \$360 where the customer experiences more than 24 unplanned sustained interruptions per year; and
- c) \$30 where the customer experiences more than 24 momentary interruptions per year; or
- d) \$40 where the customer experiences more than 36 momentary interruptions per year.

For the purposes of calculating the periods above, an event to which clause 6.3.3 or 6.3.4 applies is not included. See clause 6.3.3 and 6.3.4 for further details.

Clause 6.4 Electricity Distribution Code [Electricity only] Any payments required to be made by the distributor to a customer under this clause 6 must be paid by the distributor as soon as practicable after the obligation arises under clauses 6.1 or 6.2 and as soon as practicable following the end of the year in which the obligation arises under clause 6.3.

According to 6.1.1, if the distributor makes an appointment with a customer and is more than 15 minutes late for the appointment, the distributor must pay the customer \$30. According to 6.2, if a distributor does not supply electricity to a customer's supply address on the day agreed with the customer, the distributor must pay to the customer \$70 for each day that it is late, up to a maximum of \$350.

Other

Clause 2.2(b) Gas Distribution Code [Gas only] Where a distributor does not meet a Guaranteed Service Level in relation to a particular tariff V customer, the distributor shall ensure that tariff V customer is paid the applicable GSL payment as soon as practicable.

According to the glossary of the Gas Distribution System Code, Guaranteed Service Levels (GSL) are defined as the levels of service in connection with the distribution of gas to customers set out in Schedule 1, Part E to the Distribution System Code.

11(3)(a) AMI Tariffs Order [Electricity only] The distributor or retailer must provide interval metering data for at least 12 complete calendar months prior to the date of the request, where available.

11(3)(b) AMI Tariffs Order [Electricity only]	The distributor or retailer must use its best endeavours to provide data either within 10 business days of the date of the request or by another date agreed by the customer and retailer or customer and distributor.
11(4) AMI Tariffs Order [Electricity only]	If at least 12 complete calendar months of interval metering data is not available, the distributor or retailer must provide as much interval metering data as the distributor or retailer is able to provide.
11(5) AMI Tariffs Order [Electricity only]	The distributor or retailer may impose a charge for provision of interval metering data but only if: <ul style="list-style-type: none"> a) the small customer has made another request for this data within the last year; or b) the data requested is older than two years.

3. Performance indicator schedule

This section sets out energy retailer performance reporting obligations and is not applicable to energy distribution businesses.

Definitions

Total arrears: All unpaid invoices (bills past the pay-by-date of a customer) greater than \$0 including both initial arrears and any accrued arrears. Any reference to arrears is expected to capture total arrears.

Aged total arrears: The age (in days) of total arrears, measured from the first day total arrears are above \$0 and until total arrears return to \$0. Refer to performance indicators AR041, AR042, AR051 and AR052 for specifics on categories

Complaint: An expression of dissatisfaction made to an organisation, related to its products/services, or the complaints-handling process itself where a response or resolution is explicitly or implicitly implied. Complaints can be made in person, by telephone or in writing (for example, letter, email, facsimile). For the avoidance of doubt, complaints include the following type of contacts:

Where a customer expresses dissatisfaction and seeks a response or resolution regarding the conduct, action, proposed action, or failure to act by the retailer, its employees, agents, contractors or other representatives.

This includes:

- Failure by the retailer to observe its published or agreed practices or procedures or in respect of a product or service offered or provided by the retailer or its representatives;
- Where a customer threatens to involve, or enquired about the possibility of involving, a third party, for example, the jurisdictional energy ombudsman or Member of Parliament; or
- Where a complaint is directed to the retailer on behalf of the customer by an energy ombudsman scheme.

More than one complaint can be made per customer/call. For example, if a customer makes a billing complaint and then makes a marketing complaint during the same call then two complaints should be recorded.

Each individual customer contact that is a complaint should be recorded and categorised as a complaint, irrespective of the count of times the caller has made contact with a retailer on an issue.

Performance indicator schedule

Energy fact sheet: A fact sheet that displays key information about available energy offers, presented in a consistent format across retailers, to assist small customers in considering, comparing and selecting offers.

The fact sheet includes:

- A pricing table comparing estimates for three different household usage profiles
- Two price estimates for each profile:
 - a. A price estimate excluding conditional discounts; and
 - b. A price estimate including all available discounts.

Energy retailer/Retail business: The holder of a retail licence under the Essential Services Commission Act 2000 or in respect of those obligations under the Energy Retail Code.

Integrated Voice Response (IVR) or automated telephone system: Technology which allows customers to service their own enquiries by following the instructions and navigating menu choices via the telephone keypad or by speech recognition.

Residential customer: A person/individual who purchases energy principally for personal, household or domestic use. This person/individual will hold at least one residential account.

Business customer: A person/individual/company who purchases energy principally for a business premise/s. This person/individual/customer will hold at least one business account.

Customer number: The unique number which identifies a person who holds one or more account with a retailer. For example a customer may purchase electricity and gas from a retailer but would only hold one unique customer number with this retailer. Likewise, a customer may have multiple properties supplied by the same retailer and would therefore have all their accounts under one customer number/identifier.

Account: identifier/number used to bill and identify accounts for electricity and gas separately for the same customer. Note: This is not a count of the National Meter Identifier (NMI) or the Meter Installation Registration Number (MIRN).

- A **residential account** is an account on residential network tariffs
- A **business account** is an account on business or commercial network tariffs.

Note: This is not a count of the National Meter Identifier (NMI) or the Meter Installation Registration Number (MIRN)

Standard assistance account: A residential account where the account holder receives minimum standard forms of assistance, to help them avoid getting into arrears with their retailer (per clause

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76(2) (a)-(d) and clause 90 of the Energy Retail Code). At a minimum, standard assistance made available must include at least 3 of the following:

- Making payments of an equal amount over a specified period;
- Options for making payments at different intervals;
- Extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period; or
- Paying for energy use in advance.

Note: An account is receiving standard assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

Tailored assistance account: Where an account receives minimum standards of flexible and practical assistance that makes it easier for them to pay for at least their on-going usage, repay their total arrears over a two year period and lower their energy costs. There are requirements for two subsets of accounts:

- **Accounts who can pay at least their on-going usage**, where at a minimum, tailored assistance consists of (per clause 79(1)(a)-(d)(g) and clause 90 of the Energy Retail Code):
 - Repayment of arrears over not more than 2 years by payments at regular intervals of up to one month;
 - Advice from the retailer about payment options that would enable a customer to repay their arrears over not more than 2 years;
 - Specific advice about the likely cost of a customer’s future energy use and how this cost may be lowered;
 - Specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs
 - Any other assistance consistent with making it easier for customers to pay for their on-going energy use, repay their arrears and lower their energy costs.
- **Accounts who cannot pay their on-going usage**, where at a minimum tailored assistance consists of (per clause 79(1)(c)-(g) and clause 90 of the Energy Retail Code):
 - Specific advice about the likely cost of a customer’s future energy use and how this cost may be lowered;
 - Specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs;
 - Practical assistance to help a customer lower their energy costs;
 - An initial period of at least 6 months during which:
 - (i) repayment of the customer’s arrears is put on hold;

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(ii) the customer pays less than the full cost of their on-going energy use while working to lower that cost

- Any other assistance consistent with making it easier for customers to pay for their on-going energy use, repay their arrears and lower their energy costs.

Note: A customer is receiving tailored assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

Standard assistance customer: A residential customer where the customer holder receives minimum standard forms of assistance, to help them avoid getting into arrears with their retailer (per clause 76(2) (a)-(d) and clause 90 of the Energy Retail Code). At a minimum, standard assistance made available must include at least 3 of the following:

- Making payments of an equal amount over a specified period;
- Options for making payments at different intervals;
- Extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period; or
- Paying for energy use in advance.

Note: A customer is receiving standard assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance

Tailored assistance customer: A residential customer where the customer holder receives minimum standards of flexible and practical assistance that makes it easier for them to pay at least their on-going usage energy use, repay their total arrears over a two year period and lower their energy costs. There are requirements for two subsets of customers:

- **Customers who can pay at least their on-going usage**, where at a minimum, tailored assistance consists of (per clause 79(1)(a)-(d)(g) and clause 90 of the Energy Retail Code):
 - Repayment of arrears over not more than 2 years by payments at regular intervals of up to one month;
 - Advice from the retailer about payment options that would enable a customer to repay their arrears over not more than 2 years;
 - Specific advice about the likely cost of a customer’s future energy use and how this cost may be lowered;
 - Specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs
 - Any other assistance consistent with making it easier for customers to pay for their on-going energy use, repay their arrears and lower their energy costs.

- **Customers who cannot pay their on-going usage**, where at a minimum tailored assistance consists of (per clause 79(1)(c)-(g) and clause 90 of the Energy Retail Code):
 - Specific advice about the likely cost of a customer’s future energy use and how this cost may be lowered;
 - Specific advice about any government and non-government assistance (including Utility Relief Grants and energy concessions) available to help a customer meet their energy costs;
 - Practical assistance to help a customer lower their energy costs;
 - An initial period of at least 6 months during which:
 - (i) repayment of the customer’s arrears is put on hold;
 - (ii) the customer pays less than the full cost of their on-going energy use while working to lower that cost
 - Any other assistance consistent with making it easier for customers to pay for their on-going energy use, repay their arrears and lower their energy costs.

Note: A customer is receiving tailored assistance from the time they started receiving measures under this form of assistance until completion or suspension of assistance.

Victorian Default Offer (VDO): The Victorian Default Offer, introduced by the Victorian Government on 1 July 2019, as defined in the Gazette number S208.

3.1. Background indicators

Ref.	Indicators	Retailers are required to report the following data
B009	Residential Electricity Customers	The count of residential electricity customer IDs with at least one residential electricity account with the retailer. This is to be measured as at the last calendar day of each reporting month.
B010	Residential Electricity accounts on standard retail contracts	The count of residential electricity accounts, excluding the Victorian Default Offer, who purchase electricity under a standard retail contract, principally for personal, household or domestic use at premises. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month.
B011	Residential Electricity accounts on deemed contracts or occupier accounts	The count of residential electricity accounts who purchase electricity under a deemed contract or occupier account. This is to be measured as at the last calendar day of each reporting month.
B020	Residential Electricity accounts on market retail contracts	The count of residential electricity accounts who purchase electricity under a market retail contract, principally for personal, household or domestic use at premises. This is to be measured as at the last calendar day of each reporting month.
B021	Electricity customer accounts receiving the feed-in tariff	The count of unique residential electricity accounts that received the feed-in tariff during the reporting quarter. Note: Data is to be reported in quarterly intervals
B029	Business Electricity Customers	The count of business electricity customer IDs with at least one business electricity account with the retailer. This is to be measured as at the last calendar day of each reporting month.
B030	Small Business Electricity accounts on standard retail contracts (consuming less than 40MWh per year)	The count of business electricity accounts, excluding the Victorian Default Offer, that purchase electricity for a business premises under a standard retail contract and consume less than 40 MWh a year. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month
B040	Small Business Electricity accounts on market retail	The count of business electricity accounts that purchase electricity for a business premises under a market retail contract and consume less than 40 MWh a year. This is to be measured as at the last

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	contracts (consuming less than 40MWh per year)	calendar day of each reporting month.
B050	Business Electricity accounts (consuming between 40-100 MWh per year)	The count of business electricity accounts that purchase electricity for a business premises under a market retail contract and consume between 40-100 MWh a year. This is to be measured as at the last calendar day of each reporting month.
B060	Business Electricity accounts (consuming between 100-160 MWh per year)	The count of business electricity accounts that purchase electricity for a business premises under a market retail contract and consume between 100-160 MWh a year. This is to be measured as at the last calendar day of each reporting month.
B070	Business Electricity accounts consuming (consuming greater than 160 MWh per year)	The count of business electricity accounts that purchase electricity for a business premises under a market retail contract and consume greater than 160 MWh a year. This is to be measured as at the last calendar day of each reporting month.
B079	Residential Gas Customer number	The count of residential gas customer IDs, as at the last day of each reporting month, with at least one residential gas account with the retailer.
B080	Residential Gas accounts on standard retail contracts	The count of residential gas accounts, who purchase gas under a standard retail contract, principally for personal, household or domestic use at premises. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month
B081	Residential Gas accounts on deemed contracts or occupier accounts	The count of residential gas accounts who purchase gas under a deemed contract or occupier account. This is to be measured as at the last calendar day of each reporting month.
B090	Residential Gas accounts on market retail contracts	The count of residential gas accounts who purchase gas under a market retail contract, principally for personal, household or domestic use at premises. This is to be measured as at the last calendar day of each reporting month.
B099	Business Gas Customers	The count of business gas customer IDs with at least one business gas account with the retailer. This is to be measured as at the last calendar day of each reporting month.
B100	Small Business Gas accounts on standard retail contracts (consuming less than 1,000	The count of business gas accounts, that purchase gas for a business premises under a standard retail contract and consume less than 1000 GJ a year. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month

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	GJ per year)	
B110	Small Business Gas accounts on market retail contracts(consuming less than 1,000 GJ per year)	The count of business gas accounts that purchase gas for a business premises under a market retail contract and consume less than 1000 GJ a year. This is to be measured as at the last calendar day of each reporting month.
B120	Large Business Gas accounts (consuming greater than 1,000 GJ per year)	The count of business gas accounts that purchase gas for business premises on any contract type and consume more than 1000 GJ of gas a year. This is to be measured as at the last calendar day of each reporting month
B130	Residential Electricity accounts on the Victorian Default Offer	The count of accounts that purchase electricity under the residential Victorian Default Offer, principally for personal, household or domestic use at premises. This should include deemed contracts or occupier accounts and is to be measured as at the last calendar day of each reporting month
B140	Residential Electricity accounts on the Victorian Default Offer under a deemed contract or occupier account	The count of accounts that purchase electricity under a deemed contract or occupier account on the Victorian Default Offer. This is to be measured as at the last calendar day of each reporting month.
B150	Small Business Electricity accounts on the Victorian Default Offer	The count of accounts that purchase electricity principally for a business premises under the business Victorian Default Offer and consume less than 40 MWh a year. This is to be measured as at the last calendar day of each reporting month
B160	Residential Electricity accounts with bill change notices	The count of residential electricity accounts to be issued a bill change notices during the reporting month that purchase electricity, principally for personal, household or domestic use at premises, as required under 70L of the Code, as at the last calendar day of each month.
B170	Residential Gas accounts with bill change notices	The count of residential gas accounts to be issued a bill change notices during the reporting month, that purchase gas principally for personal, household or domestic use at premises, as required under 70L of the Code, as at the last calendar day of each month.
B180	Residential Electricity accounts that received information on their bill that they are not on the retailer's best offer	The count of residential electricity accounts during the reporting month who received a message on their bill saying that they are not on the retailer's best offer

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B190	Residential Electricity accounts that received information on their bill that they are on the retailer's best offer	The count of residential electricity accounts during the reporting month who received a message on their bill saying that they are on the retailer's best offer
B200	Residential Gas accounts that received information on their bill that they are not on the retailer's best offer	The count of residential gas accounts during the reporting month who received a message on their bill saying that they are not on the retailer's best offer
B210	Residential Gas accounts that received information on their bill that they are on the retailer's best offer	The count of residential gas accounts during the reporting month who received a message on their bill saying that they are on the retailer's best offer
B220	Customer read estimates submitted to retailer (self-read of meter)	Number of accounts that submitted to their retailer a self-reported meter read before the due date for payment of the bill, during the reporting month.

3.2. Assistance indicators

Ref.	Indicators	Retailers are required to report the following data
AS011	Residential customers receiving standard assistance	<p>The count of residential customer IDs on standard assistance as at the last calendar day of the reporting month. Regardless of the level of total arrears. This measure counts customer IDs once regardless of how many accounts are on standard assistance. Reported separately for electricity and gas. These customers should be receiving at least 3 of the following:</p> <ul style="list-style-type: none"> (a) making payments of an equal amount over a specified period; (b) options for making payments at different intervals; (c) extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period; (d) paying for energy use in advance. <p>Note: this indicator excludes customers that are on electricity or gas products that are generally available plans as structured prepaid/advance payment plans. The intention of this indicator is to capture customers that are on standard assistance to avoid getting into arrears, not to capture specific plan types or business models.</p>
AS012	Residential accounts receiving standard assistance	<p>The count of residential accounts on standard assistance as at the last calendar day of the reporting month. Regardless of the level of total arrears. Reported separately for electricity and gas.</p> <p>These customers should be receiving at least 3 of the following:</p> <ul style="list-style-type: none"> (a) making payments of an equal amount over a specified period; (b) options for making payments at different intervals; (c) extending by a specified period the pay-by date for a bill for at least one billing cycle in any 12 month period; (d) paying for energy use in advance. <p>Note: this indicator excludes customers that are on electricity or gas products that are generally available plans as structured prepaid/advance payment plans. The intention of this indicator is to capture customers that are on standard assistance to avoid getting into arrears, not to capture specific plan types or business models.</p>

AS021	Residential customers receiving tailored assistance	<p>The count of residential customer IDs with at least one account receiving tailored assistance (equivalent to or greater than the minimum assistance under tailor assistance) as at the last calendar day of the reporting month. Regardless of the level of total arrears. Reported separately for electricity and gas. This indicator should be broken down in to two subsets:</p> <p>(a) customers who can pay at least their on-going usage, as defined in the definitions. (b) customers who cannot pay their on-going usage, as defined in the definitions.</p> <p>Note: A customer could have multiple accounts with tailored assistance but we would expect this indicators measure these customers just once for the count of this indicator.</p>
AS022	Residential accounts receiving tailored assistance	<p>The count of residential accounts receiving tailored assistance (equivalent to or greater than the minimum assistance under tailor assistance) as at the last calendar day of the reporting month. Regardless of the level of total arrears. Reported separately for electricity and gas This indicator should be broken down in to two subsets:</p> <p>(a) customers who can pay at least their on-going usage, as defined in the definitions. (b) customers who cannot pay their on-going usage, as defined in the definitions.</p>
AS031	Residential accounts receiving tailored assistance and receiving electricity concessions	<p>The count of residential accounts receiving tailored assistance during the reporting month that are also an electricity concession. An electricity concession customer is a residential customer that is recorded by the retailer as eligible for and receiving an electricity concession, where the concession is administered by the retailer.</p> <p>This indicator should be broken down into two subsets:</p> <p>(a) An electricity concession account receiving tailored assistance as at the last calendar day of the reporting month who can pay at least their on-going usage, as defined in the definitions. (b) An electricity concession account receiving tailored assistance as at the last calendar day of the reporting month who cannot pay their on-going usage, as defined in the definitions.</p>
AS032	Residential accounts receiving tailored assistance and receiving gas concessions	<p>The count of residential accounts receiving tailored assistance during the reporting month that are also a gas concession. A gas concession customer is a residential customer that is recorded by the retailer as eligible for and receiving a gas concession, where the concession is administered by the retailer.</p> <p>This indicator should be broken down in to two subsets:</p>

		<p>(a) A gas concession account receiving tailored assistance as at the last calendar day of the reporting month who can pay at least their on-going usage, as defined in the definitions.</p> <p>(b) A gas concession account receiving tailored assistance as at the last calendar day of the reporting month customer who cannot pay their on-going usage, as defined in the definitions.</p>
AS041	Residential accounts who are commencing tailored assistance, having previously received standard assistance	Reported separately for electricity and gas. The count of accounts that are commencing tailored assistance during the reporting month, who had previously received standard assistance in the last 6 months.
AS042	Residential accounts who are receiving tailored assistance, having previously received standard assistance	Reported separately for electricity and gas. The count of accounts that are receiving tailored assistance during the reporting month, who had previously received standard assistance within the last 6 months.
AS050	Residential accounts who were offered practical assistance measures	<p>Reported separately for electricity and gas. The count of residential accounts that were offered practical assistance to reduce their energy cost in the reporting month. As per clause 79(1)(e) of the Energy Retail Code. Practical assistance to help a customer lower their energy costs including, but not limited:</p> <ul style="list-style-type: none"> • the tariff that is most likely to minimise the customer’s energy costs, based on the retailer’s knowledge of the customer’s pattern of energy use and payment history; and • practical assistance to help the customer reduce their use of energy, based on the customer’s pattern of energy use and on the circumstances of where the customer lives, provided there is scope for action to be taken for that purpose; and • information about how the customer is progressing towards lowering their energy costs given at sufficient intervals for the customer to be able to adequately assess that progress; <p>Note: In the additional notes field at the end of the template for electricity and gas retailers can provide further information on the type and extent of practical assistance measures offered to their customers.</p>
AS061	Residential accounts no longer receiving tailored assistance due to their total arrears being \$0	The count of accounts that are no longer receiving tailored assistance and have total arrears of \$0 at the end of their plan during the reporting month. Reported separately for electricity and gas.

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AS062	Residential accounts no longer receiving tailored assistance and total arrears above \$0.	The count of accounts that are no longer receiving tailored assistance and have total arrears that are above \$0 at the end of their plan during the reporting month. Reported separately for electricity and gas.
AS070	Residential accounts no longer receiving tailored assistance due to switching, transferring or leaving the retailer	The count of accounts that are no longer receiving tailored assistance because they switched / transferred to another retailer or otherwise left the retailer during the reporting month. Reported separately for electricity and gas.
AS080	Residential accounts no longer receiving tailored assistance for not complying with requirements	<p>The count of accounts customers that are no longer receiving tailored assistance because of not complying with requirements during the reporting month. Reported separately for electricity and gas.</p> <p>As per clause 83(1)(a) and 83(1)(b) of the Energy retail code, which states that retailers must continue to provide assistance to a customer unless the customer has refused or failed to take reasonable action towards paying for their on-going energy use and repaying their arrears, following discussion between the retailer and the customer of a revised proposal (i.e. a second iteration of the initial payment proposal); or the customer has refused or failed to take on reasonable action towards making payments towards the cost of their on-going energy use, following discussion between the retailer and the customer around varying the amount payable, or the frequency of those payments, or both, to give the customer more time to lower their energy costs.</p>
AS091	Average duration (days) of residential accounts currently receiving tailored assistance (since 1 January 2019)	<p>Reported separately for electricity and gas, the average number of total days from 1 January 2019 an account has been receiving tailored assistance as at the last calendar day of the reporting month. Provide data separately for:</p> <p>(a) customers who can pay at least their on-going usage, as defined in the definitions. (b) customers who cannot pay their on-going usage, as defined in the definitions.</p> <p>Note: This indicator should only measure accounts that are still receiving tailored assistance as at the last day of the reporting month. The duration should not count days an account was not receiving assistance due to completion or suspension of assistance.</p>

3.3. Arrears indicators

Ref.	Indicators	Retailers are required to report the following data
AR011	Average total arrears of residential accounts receiving tailored assistance (\$)	Reported separately for electricity and gas, the average total arrears of each accounts receiving tailored assistance as at the last calendar day of reporting month. Provide data separately for: <ul style="list-style-type: none"> (a) accounts who can pay at least their on-going usage, as defined in the definitions. (b) accounts who cannot pay their on-going usage, as defined in the definitions.
AR021	Average total arrears of residential accounts commencing tailored assistance (\$)	Reported separately for electricity and gas, the average total arrears of accounts upon commencement of tailored assistance during the reporting month. Provide data separately for: <ul style="list-style-type: none"> (a) accounts who can pay at least their on-going usage, as defined in the definitions. (b) accounts who cannot pay their on-going usage, as defined in the definitions.
AR031	Residential accounts who commenced tailored assistance and their totals arrears	Residential accounts who commenced tailored assistance during the reporting month and their totals arrears. Reported separately for electricity and gas. The count of accounts commencing tailored assistance during the reporting month, with total arrears on commencement that were: <ul style="list-style-type: none"> (a) Less than \$55 (b) Greater than \$55 but less than \$1,000 (c) Greater than \$1,000 but less than \$2,000 (d) Greater than \$2,000 but less than \$3,000 (e) \$3,000 or more
AR041	Residential accounts receiving tailored assistance, with total arrears 12-24 months old	Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of: <ul style="list-style-type: none"> (a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 12 months old but less than 24 months old (b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 12 months old but less than 24 months old (c) Greater than \$3,000 where the arrears is more than 12 months old but less than 24 months old

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		Note: The age of the accounts total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears.
AR042	Residential accounts receiving tailored assistance, with total arrears older than 24 months	<p>Reported separately for electricity and gas. The count of accounts receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:</p> <p>(a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 24 months old (b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 24 months old (c) Greater than \$3,000 where the arrears is more than 24 months old.</p> <p>Note: The age of the accounts total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears.</p>
AR051	Residential accounts not receiving tailored assistance, with total arrears 12-24 months old	<p>Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:</p> <p>(a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 12 months old but less than 24 months old (b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 12 months old but less than 24 months old (c) Greater than \$3,000 where the arrears is more than 12 months old but less than 24 months old</p> <p>Note: The age of the accounts total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears.</p>
AR052	Residential accounts not receiving tailored assistance, with aged total arrears older than 24 months	<p>Reported separately for electricity and gas. The count of accounts not receiving tailored assistance that are in total arrears as at the last calendar day of the reporting month of:</p> <p>(a) Greater than \$1,000 but less than \$2,000 where the arrears is more than 24 months old (b) Greater than \$2,000 but less than \$3,000 where the arrears is more than 24 months old (c) Greater than \$3,000 where the arrears is more than 24 months old.</p> <p>Note: The age of the accounts total arrears is to be counted from when the account had total arrears of more than \$0, until that account had no arrears.</p>

3.4. Disconnection indicators

Ref.	Indicators	Retailers are required to report the following data
D050A	Disconnection for non-payment (residential account)	<p>Reported separately for electricity and gas. The count of residential accounts whose supply was disconnected for non-payment during the reporting month.</p> <p>Note: These disconnections are as per clause 111A of the Energy Retail Code requiring that residential customers are only disconnected as a last resort for non-payment. If an account was disconnected twice in the same month, this is counted as two disconnections.</p> <p>Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>
D050B	Disconnection for non-payment (small business account)	<p>Reported separately for electricity and gas. The count of small business accounts whose supply was disconnected for non-payment during the reporting month.</p> <p>Note: If an account was disconnected twice in the same month, this is counted as two disconnections. Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Premises that are vacant at the time of disconnection should be excluded. Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>
D051A	Other disconnections (residential accounts)	<p>Reported separately for electricity and gas. The count of residential accounts disconnected during the reporting month that were not included in the indicator 'disconnections for non-payment' (residential accounts).</p> <p>Note: This indicator does not include disconnections due to non-payment (as per indicator D050A).</p> <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the</p>

		total for that period.
D051B	Other disconnections (small business accounts)	<p>Reported separately for electricity and gas. The count of small business accounts during the reporting month that were not included in the indicator 'disconnections for non-payment'.</p> <p>Note: Small business customers are those consuming less than 40 MWh of electricity or 1000 GJ of gas a year. This indicator does not include disconnections due to non-payment (as per indicator D050B).</p> <p>Only completed disconnections should be recorded. That is, where a disconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period.</p>
D060A	Reconnections within 7 days of disconnections for non-payment (residential accounts)	<p>Reported separately for electricity and gas. The count of residential accounts whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment (D050A) during the reporting month.</p> <p>Note: Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>
D060B	Reconnections within 7 days of disconnections for non-payment (small business accounts)	<p>Reported separately for electricity and gas. The count of small business accounts whose supply was reconnected in the same name and at the same address within 7 days of being disconnected for non-payment (D050B) during the reporting month.</p> <p>Note: Small business customers; that is, those consuming less than 40 MWh of electricity or 1000 GJ of gas a year.</p> <p>Only completed reconnections should be recorded. That is, where a reconnection has been requested by a retailer but not completed within the reporting month, it should not be counted in the total for that period. The 7 days are inclusive, with the day of disconnection being counted as the first day, and include weekends.</p>
D140	Disconnections for non-payment of residential	Reported separately for electricity and gas. The count of residential accounts whose supply was disconnected for non-payment during the reporting month who had not received standard or tailored

	accounts who did not receive assistance	assistance within the previous 6 months.
D150	Residential accounts where their total arrears were transferred to a collection agency/third party after disconnection	<p>Reported separately for electricity and gas. The count of residential accounts arrears that were transferred after disconnection to a collection agency/third party after disconnection.</p> <p>Note: in accordance with the Energy Retail Code, the sale of debt can only occur no sooner than 10 days after disconnection.</p>
D161	Residential accounts with total arrears at disconnection who were disconnected for non-payment	<p>Reported separately for electricity and gas. The count of accounts with total arrears as at the last calendar day of the reporting month who were disconnected for non-payment:</p> <ul style="list-style-type: none"> (a) Less than \$55 (b) Greater than \$55 but less than \$1,000 (c) Greater than \$1,000 but less than \$2,000 (d) Greater than \$2,000 but less than \$3,000 (e) \$3,000 or more <p>Note: Our definition assumes that accounts arrears are based on the unpaid invoices of a customer, and covers the total arrears on an account.</p>
D170	Notices delivered to residential accounts related to unpaid bills and disconnection warning notices	<p>Reported separately for electricity and gas. The count of notices issued to an account where the amount outstanding all relates to the current billing period and is greater than \$300 (inclusive of GST), where the account is not disconnected in that month. Provide data separately for:</p> <ul style="list-style-type: none"> (a) Reminder notices about unpaid bills (b) Disconnection warning notices.

3.5. Call centre indicators

Ref.	Indicators	Retailers are required to report the following data
CC010	Calls to account line	<p>The total number of calls to a retailer’s account line received during the financial year, including calls answered by an automated response service or IVR*, reported under a single ‘energy’ category. Excludes calls to sales, unless transferred after initial enquiry at the customer’s request.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p> <ul style="list-style-type: none"> • Integrated Voice Response (IVR) ~ technology which allows customers to service their own enquiries by following the instructions and navigating menu choices via the telephone keypad or by speech recognition.
CC020	Calls to an operator	<p>The total number of calls to an operator or customer service officer during received during the financial year, reported under a single ‘energy’ category. Where retailers use an automated or IVR telephone system, this includes those calls where the customer has selected the relevant operator option (that is, indicated they wish to be connected to an operator) and excludes all calls that do not require operator attention:</p> <ul style="list-style-type: none"> – any calls abandoned <i>before</i> the customer opts to speak to an operator – IVR calls where the customer does not select an operator option <p>Excludes calls to sales, unless transferred after initial enquiry at the customer’s request.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p> <p>Note: By default, this will also enable calculation of calls handled by an IVR.</p>
CC030	Calls to an operator responded to within 30 seconds	<p>The total number of calls to an operator during the financial year, reported under a single ‘energy’ category, that were responded to within 30 seconds.</p> <p>Includes calls abandoned within 30 seconds (on the basis that the caller has not allowed sufficient time for the retailer to meet its service standard).</p>

		<p>Where retailers use an automated or IVR telephone system, the measurement period is calculated from the time that the customer selects an operator option (that is, if the caller's enquiry is answered by the IVR, meaning they don't need to speak to an operator, the call is not counted). For non-IVR telephone systems, the measurement period commences when the call is received by the switchboard.</p> <p>Where a retailer provides an option to call the customer back within a specified time period (rather than have the customer wait on hold until the next operator is available), the call will be considered to have been answered within 30 seconds providing the caller selected the option within 30 seconds and the telephone call was returned by the call centre within the specified time.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>
CC040	Average waiting time (in seconds)	<p>The average time in seconds waited by callers before an operator answered their call; reported under a single 'energy' category and calculated as follows:</p> $\frac{\text{total time waited by callers during the financial year}}{\text{Calls to an operator } \textit{minus} \textit{ Abandoned calls}}$ <p>This indicator requires a retailer to report on the time waited by callers before a call is answered and so only answered calls are relevant. This indicator should not include abandoned calls, nor include the average waiting time before a call is abandoned.</p> <p>Where an IVR system operates, it is not appropriate to regard the call as answered as soon as the IVR system accepts the call</p> <p>Only calls from Victorian retail customers (residential and business) should be counted.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>
CC050	Abandoned calls	<p>The total number of calls abandoned during each month during the financial year while awaiting operator response after being forwarded to an operator, reported under a single 'energy' category. For retailers with an IVR telephone system, only those calls where the customer had already selected the operator option before abandoning the call are counted.</p> <p>Only calls from Victorian retail customers (residential and business) should be reported.</p> <p>Regulated entities with only large customers and no IVR telephone system in place are not obliged to report on this indicator.</p>

3.6. Complaints indicators

Ref.	Indicators	Retailers are required to report the following data
C010	Complaints – billing	<p>The count of complaints received during the reporting month, reported separately for electricity and gas*, including (but not limited to) those regarding:</p> <ul style="list-style-type: none"> – prices – overcharging (including incorrect meter readings) – high bills – billing errors – payment terms and methods – failure to receive government rebates – failure to provide advance notice of changes to price and benefits – debt recovery practices – imminent and actual disconnection – best offer. <p>* If a customer has both electricity and gas accounts with a retailer and makes a single billing complaint of a general nature (for example, relating to the retailer’s debt recovery practices), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>
C020	Complaints – marketing	<p>The count of complaints received during the reporting month, reported separately for electricity and gas*, including (but not limited to) complaints associated with a retailer’s or its agents/representatives’ actions in seeking to sign up a small customer for a contract for energy supply/service, and complaints regarding:</p> <ul style="list-style-type: none"> – sales approach or conduct – advertising campaigns – energy fact sheets – contract terms

		<ul style="list-style-type: none"> – sales techniques – unclear advice – misleading conduct. <p>* If a customer makes a single complaint regarding the marketing of both electricity and gas, retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>
C030	Complaints – customer transfers	<p>The count of complaints received during the reporting month, reported separately for electricity and gas*, regarding the financial responsibility for a customer’s electricity and/or gas account being transferred to either an existing or new retailer, and includes (but not limited to):</p> <ul style="list-style-type: none"> – failure to transfer within a certain time period – disruption of supply due to transfer – billing problems directly associated with transfer (for example, billing delays). <p>* If a customer makes a single complaint of a general nature regarding the transfer of both their electricity and gas accounts to a retailer (for example, failure to transfer within a certain time period), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>
C040	Complaints – other	<p>The count of complaints received during the reporting month, reported separately for electricity and gas*, that do not classify as a billing, marketing or customer transfer complaint. Examples include (but are not limited to):</p> <ul style="list-style-type: none"> – poor customer service – privacy issues – failure to respond to complaints – health and safety concerns. <p>* If a customer makes a single complaint of a general nature not specific to either electricity or gas (for example, a privacy concern), retailers will use discretion in categorising the complaint, including the possibility of recording two complaints.</p>