

# Updating the Compliance and Performance Reporting Guideline

9 December 2020



# Context

- Licensees are required to notify the commission of any material breach of their licence or any order, code or guideline they are required to comply with as a condition of their licence.
- The Compliance and Performance Reporting Guideline (CPRG) sets out:
  - specific obligations that licensees (gas and electricity retailers and distributors) must report any potential or actual breaches of
  - performance reporting obligations for licensees (gas and electricity retailers).
- The CPRG was last updated in November 2019. This update of the CPRG (to version 6) will reflect reforms that have taken effect since, and specify further compliance breach reporting relating to existing code obligations

# Amendments to breach reporting – 2020 reforms

Reform project	Proposed changes to CPRG	Relevant instrument
Life support <i>Effective from Jan/Feb/Jul 2020</i>	Updating existing and adding new reporting obligations – as per our final decision	ERC (retailers) EDC (electricity distributors) GDSC (gas distributors)
Clear and fair contracts <i>Effective from 1 Jul 2020</i>	Adding new reporting obligations: <ul style="list-style-type: none"> <li>price changes once a year &amp; exempt retail market contracts</li> <li>pay-on-time discounts (cap &amp; honouring for customers receiving tailored assistance)</li> <li>aligning contract and benefit periods</li> <li>misleading or deceptive conduct &amp; false or misleading representations</li> <li>advertising conditional discounts &amp; using VDO as reference price</li> </ul>	ERC (retailers)
COVID protections <i>Effective from 1 Oct 2020</i>	Adding new reporting obligation – for assisting utility relief grant applications	Utility Relief Grant guideline (retailers)
Back-billing <i>Effective from 1 Jan 2021</i>	Adding new reporting obligations for distributors (equivalent to existing obligation for retailers)	EDC (electricity distributors) GDSC (gas distributors)
EDC customer service standards <i>Effective from 1 Jan/1 Apr/1 Jul 2021</i>	Updating existing and adding new reporting obligations: <ul style="list-style-type: none"> <li>guaranteed service level payments</li> <li>outage notifications</li> </ul>	ERC (retailers) EDC (electricity distributors)

# Amendments to breach reporting – pre-2020 obligations

Obligation area	Proposed changes to CPRG	Relevant instrument
GST pricing	Adding new reporting obligation	ERC – clause 3G(1)
Price and product information statements	Removing reporting obligations as clauses not used	ERC – clauses 15D-15F [removing RB1370]
Billing	Removing duplicate reporting obligation [currently included at RB1433 and RB0350]	ERC – clause 21 [removing RB0350]
Billing disputes	Adding new reporting obligation	ERC – clause 29(1), (2), (3), (5)(a), (6)(b), (7)
Tariff changes	Adding new reporting obligation	ERC – clauses 36(1) and 37
Best offer	Adding new reporting obligation	ERC – clause 70T
De-energisation	Adding new reporting obligation	ERC – clause 107
Standing offers	Adding new reporting obligation	GIA – section 42 (retailers)
Reporting requirements	Adding new reporting obligation	EIA – sections 23A(2) and 23A(3) GIA – sections 33(2) and 33(3) (retailers)

# New performance indicators for electricity distributors

- New performance reporting requirements will apply to electricity distributors from 1 July 2021, as set out in our 'Electricity Distribution Code review – customer service standards' final decision.
- As per the final decision, distributors will be required to report to us on:
  - time frames to connect and process applications for embedded generation such as solar and battery
  - all guaranteed service level data that is currently provided to the Australian Energy Regulator
  - smart meter unplanned outage data.
- We are meeting separately with distributors to discuss these indicators in more detail, to assist us in developing the reporting template.

## Next steps

- After this meeting we will circulate draft updated breach reporting templates via email.
- Any feedback or reflections, please write an email to us at [compliance.reporting@esc.vic.gov.au](mailto:compliance.reporting@esc.vic.gov.au).
- We'll be open to receiving anything by 15 January 2021, but reach out to us if you need more time.
- Our current plan is:

