

21 April 2023

Energy Policy WA
Locked Bag 11
Cloisters Square WA 6850

Submitted via email by [REDACTED] to EPWA-Submissions@dmirs.wa.gov.au

Consultation draft of the Electricity Industry Amendment (Alternative Electricity Services) Bill 2023

The Australian Energy Council (the “**AEC**”) welcomes the opportunity to make a submission on the consultation draft (“**Consultation Guide**”) of the Electricity Industry Amendment (Alternative Electricity Services) Bill 2023 (“**Draft Bill**”) published by Energy Policy WA.¹

The AEC is the peak industry body for electricity and downstream natural gas businesses operating in the competitive wholesale and retail energy markets. Our members collectively generate the overwhelming majority of electricity in Australia, sell gas and electricity to millions of homes and businesses, and are major investors in renewable energy generation. The AEC supports reaching net-zero by 2050 as well as a 55 percent emissions reduction target by 2035, and is part of the Australian Climate Roundtable promoting climate ambition.

The AEC provides the following feedback on the Consultation Guide:

Question 1 – Do you have any comments to make on the proposals to:

(a) extend AES protections to large use customers

The AEC supports this proposal and agrees with the Alternative Electricity Services (“**AES**”) framework being extended to services provided to small and large-use customers.

(b) include an option to ‘fast track’ applications

The AEC supports this proposal noting our below comments addressing question 5.

(c) allow the AES Code of Practice to include pricing control obligations?

The AEC supports this proposal and agrees that the heads of powers for the AES framework should be modified to allow pricing controls to be adopted in the AES Code of Practice. The AEC also considers that stakeholders should be consulted about the form that such pricing controls may take.

¹ See [Consultation draft of the Electricity Industry Amendment \(Alternative Electricity Services\) Bill 2023](#)

Question 2 – Do you have any comments on:

(a) establishing a requirement that the maximum time that a registration can remain in place or be renewed for must not exceed 15 years?

The AEC supports a maximum timeframe of 15 years when granting a registration or renewal. However, the AEC notes that the Economic Regulation Authority (“**ERA**”) has discretion to grant a registration up to 15 years, and registrations for the same services with noticeably different durations could be problematic.

(b) the ability for the AES Code of Practice to make provisions relating to meter connections and/or access to net zero emission energy sources?

The AEC supports the AES Code of Practice having the ability to address meter connections, particularly if it improves customer protections by regulating metering types and standards.

The AEC also supports customers of an AES provider having the ability to access electricity generated from renewable sources on the basis that it is practical and at the customer’s cost.

Question 5 – Do you have any other comments?

The AEC is largely supportive of the Draft Bill and considers that it will assist in improving customer protection and market confidence. It is also important that procedural fairness is built into the proposed changes and the AEC recommends that the Draft Bill is amended to provide for an independent review of ERA decisions by the Electricity Review Board under section 130(2) of the Electricity Industry Act 2004.

Conclusion

The AEC appreciates this opportunity to provide feedback on the Consultation Guide and Draft Bill.

Please do not hesitate to contact Graham Pearson, Western Australia Policy Manager by email on [REDACTED] or by telephone on [REDACTED] should you wish to discuss this further.

Yours sincerely,

Graham Pearson
Policy Manager, Western Australia
Australian Energy Council