



ENERGY & WATER  
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Ms Stephanie Flechas  
Adviser  
Australian Energy Market Commission  
PO Box A2449  
Sydney South NSW 1235

Submitted online

11 February 2020

Dear Ms Flechas,

## **Submission to the Australian Energy Market Commission's ("AEMC") Consumer Protections Issues Paper 2**

The Energy and Water Ombudsman (SA) Limited ("the Scheme" or "Energy & Water Ombudsman SA") welcomes the opportunity to comment on the AEMC's Consumer Protections Issues Paper 2 ("Issues Paper 2").

Energy & Water Ombudsman SA is the independent energy and water ombudsman scheme in South Australia. It receives, investigates and facilitates the resolution of complaints from customers of energy and water providers about (*inter alia*) the connection, supply or sale of electricity, gas or water.

### **Background**

As part of its annual assessment of the energy markets, the AEMC explored how retail competition is influencing behind the meter battery technology innovation and conducted a mapping exercise of consumer protections under the National Energy Customer Framework (NECF) and the Australian Consumer Law (ACL).

We are responding to the AEMC Issues Paper that focusses on the traditional sale of energy, released on 12 December 2019.

### **Submissions**

#### *Explicit Informed Consent*

The Scheme supports the continuation of EIC rights. We understand the operation of EIC in relation to CDR will be dealt with through implementation of the CDR.

### *Cooling-Off Periods*

The Scheme notes that disconnection fees are applicable in the NEM and may effectively act as an exit fee for transferring customers. They can be as high as \$144.55.<sup>1</sup>

The Scheme also notes that a customer may not have received their welcome pack, with their contract and full terms and conditions, at the time of signing up to an offer.

### *NECF Review*

The Scheme considers that it would be timely to initiate a full review of the NECF, as the framework has been in operation for a lengthy period and the market has undergone significant change over that time. Issues such as customer hardship and compensation for unexpected losses have emerged as warranting further consideration.

Thank you for consideration of this submission. Should you require further information or have any enquiries in relation to this submission, please contact Jo De Silva via [jo.desilva@ewosa.com.au](mailto:jo.desilva@ewosa.com.au) or phone (08) 8216 1851.

Yours sincerely,



Jo De Silva  
Policy and Communications Lead  
Energy and Water Ombudsman SA

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<sup>1</sup> St Vincent de Paul (2019) Additional Fees and Charges at [https://www.vinnies.org.au/icms\\_docs/313121\\_Additional\\_Fees\\_Charges.pdf](https://www.vinnies.org.au/icms_docs/313121_Additional_Fees_Charges.pdf)