



National Energy Retail Amendment (Estimated meter reads) Rule 2018 No. 4

under the National Energy Retail Law as applied by:

- (a) the National Energy Retail Law (South Australia) Act 2011 of South Australia;
- (b) the National Energy Retail Law (ACT) Act 2012 of the Australian Capital Territory;
- (c) the National Energy Retail Law (Adoption) Act 2012 of New South Wales;
- (d) the National Energy Retail Law (Queensland) Act 2014 of Queensland;
- (e) the National Energy Retail Law (Tasmania) Act 2012 of Tasmania; and
- (f) the Australian Energy Market Act 2004 of the Commonwealth.

The Australian Energy Market Commission makes the following Rule under the National Energy Retail Law.

John Pierce
Chairman
Australian Energy Market Commission

National Energy Retail Amendment (Estimated meter reads) Rule 2018 No. 4

1 Title of Rule

This Rule is the National Energy Retail Amendment (Estimated meter reads) Rule 2018 No. 4.

2 Commencement

This Rule commences operation on 1 February 2019.

3 Amendment of the National Energy Retail Rules

The National Energy Retail Rules are amended as set out in Schedule 1.

Schedule 1 Amendments of the National Energy Retail Rules

(Clause 3)

[1] Rule 20 Basis for bills (SRC and MRC)

In subrule 20(1)(a)(i), omit "and rule 21".

[2] Rule 20 Basis for bills (SRC and MRC)

After subrule 20(1)(a)(i), insert:

- (ii) on an estimation of the customer's consumption of energy, as provided by rule 21; or

[3] Rule 20 Basis for bills (SRC and MRC)

Renumber existing subrule 20(1)(a)(ii) to (iii).

[4] Rule 21 Estimation as basis for bills (SRC and MRC)

In subrule 21(1), after "A retailer may", insert "only".

[5] Rule 21 Estimation as basis for bills (SRC and MRC)

In subrule 21(2), after "the estimations", omit "may" and substitute "must".

[6] Rule 21 Estimation as basis for bills (SRC and MRC)

In subrule 21(2)(a), omit ";" and substitute "(which may be a customer read estimate, as defined in subrule (3A));"

[7] Rule 21 Estimation as basis for bills (SRC and MRC)

In subrule 21(3), after "on an estimation", insert ", and (if applicable) that the estimation is based on the customer's reading of the relevant *meter* under subrule (2)(a)."

[8] Rule 21 Estimation as basis for bills (SRC and MRC)

After subrule 21(3), insert:

(3A) If:

- (a) a small customer receives a bill based on an estimate, other than a customer's reading of the relevant *meter*; and
- (b) where the bill under paragraph (a) is for the supply of electricity, the consumption of electricity at the customer's premises is not recorded by an interval *meter*, being a *meter* that records consumption derived from interval *metering data*,

the small customer may request an adjusted bill based on the customer's reading of the relevant *meter* (a **customer read estimate**) by providing the retailer with the customer read estimate before the due date for payment of the bill under paragraph (a).

(3B) On each occasion when the conditions in subrules (3A)(a) and, as applicable, (b) are met, the retailer must inform the small customer in writing:

- (a) that the customer may request an adjusted bill in accordance with subrule (3A); and
- (b) of any changes to the customer's payment obligations if the customer makes such a request; and
- (c) how the customer can obtain the information under subrule (3C).

(3C) A retailer must make available to small customers at no charge and in clear, simple and concise language for the purposes of subrule (3A):

- (a) guidance on how to read the customer's *meter*; and
- (b) the types of information the customer is required to provide when lodging the customer read estimate; and
- (c) instructions on the methods by which the customer can lodge the customer read estimate.

(3D) Where:

- (a) a small customer requests an adjustment to a bill based on an estimate in the circumstances set out in subrule (3A) by providing the retailer with a customer read estimate; and
- (b) the retailer receives the customer read estimate before the due date for payment of the bill; and
- (c) the customer read estimate is provided in accordance with the guidance and requirements provided by the retailer under subrule (3C),

the retailer must, promptly and at no extra charge, provide the small customer with an adjusted bill based on the customer read estimate.

(3E) If:

- (a) the customer read estimate was received on or after the due date for payment of the bill; or
- (b) the customer read estimate is not provided in accordance with the guidance and requirements provided by the retailer under subrule (3C),

the retailer may reject the customer read estimate and, if it does so, must promptly notify the small customer in writing of the specific reasons for its decision.

Note:

For example, specific reasons that a retailer might provide for rejecting a customer read estimate for the purposes of subrule (3E)(b) include:

- the number value of the customer read estimate provided for cumulative energy consumed is smaller than a previous actual read of the *meter*; or
- where the customer read estimate is provided in the form of a photograph of the *meter*, that the *meter* display is not clearly visible or the photograph does not show the correct *meter* installed at the small customer's premises.

(3F) The retailer must set out a process under its standard complaints and dispute resolution procedures for a small customer to attempt to rectify a customer read estimate that is not accepted under subrule (3E)(b).

(3G) If the retailer does not accept the customer read estimate under subrule (3E), the retailer must inform the small customer in the same notice required to be provided under that subrule, that the customer may:

- (a) lodge a dispute with the energy ombudsman where the customer is not satisfied with the retailer's decision after the customer has followed the process under subrule (3F); and
- (b) separately, request the retailer to review the bill under rule 29.

(3H) If under subrule (3B)(b) a retailer has advised a small customer of changes to the customer's payment obligations, and those changes include a new date for payment of the customer's bill, any benefits provided under the retailer's contract with the customer for payments made by the due date must be applied with respect to the new date for payment.

[9] Rule 29 Billing disputes (SRC and MRC)

Omit subrule 29(5)(b) and substitute:

- (b) the retailer may require the customer to pay for the cost of the check or test if the check or test shows that the *meter* or *metering data* was not faulty or incorrect.

[10] Rule 29 Billing disputes (SRC and MRC)

Omit paragraphs (c) and (d) of subrule 29(5).

[11] Rule 29 Billing disputes (SRC and MRC)

After subrule 29(5), insert:

(5A) For the purpose of subrule (5), a small customer request made under subrule 21(3A) is not to be treated as a request for the *meter* reading or *metering data* to be checked or the *meter* tested.

[12] Rule 29 Billing disputes (SRC and MRC)

In subrule 29(6)(b), omit subparagraph (iii).

[END OF RULE AS MADE]
