

Commission Chair  
Australian Energy Market Commission  
GPO Box 2603  
SYDNEY NSW 2001

**Lodged via online portal**

16 April 2026

Dear Commissioners

**RE: Submission on Rule Change: *Improving life support processes***

**1. Introduction**

The Australian Energy Council (**AEC**) welcomes the opportunity to provide feedback on the Essential Services Commission (**ESC**) draft decision and the Australian Energy Market Commission (**AEMC**) draft determination relating to improving life support processes.

The AEC is the peak body for energy retailers and generators operating in competitive markets. Our members generate and sell energy to over 10 million homes and businesses and are committed to delivering a reliable, affordable and decarbonised energy system for consumers. The AEC supports net zero by 2050 and recognises the electricity sector's role in reducing Australia's emissions. Our members are major investors in renewables, firming and storage technologies that are critical to ensuring that customers continue to receive reliable and sustainable energy supply as we navigate the energy transition.

The AEC supports the overall objective of improving outcomes for customers who rely on life support equipment and recognise that life support protections are among the most important consumer protections in the energy framework. We support reforms that improve the accuracy of life support registers, clarify roles and responsibilities, improve communication with life support customers and support better outcomes during planned and unplanned outages. We also broadly support the direction of the proposed reforms across both the ESC and AEMC processes, particularly the focus on improving register accuracy, clarifying roles and responsibilities, improving communication processes and aligning Victorian and national frameworks where possible.

At the same time, the effectiveness of the final framework will depend on whether it is clear, proportionate and operationally workable. Feedback from members consistently highlights the following key considerations:

- the need for clear allocation of responsibility between retailers and distributors;
- the importance of minimising duplication and complexity in processes, particularly from a customer perspective; and
- the requirement for implementation timeframes that reflect the scale of system and operational change required.

We have received detailed feedback from members, reflected throughout this submission, which indicates that reforms should be carefully targeted to address identified risks without introducing unnecessary system build, privacy concerns or operational burden.

## 2. Identifying customers with life-threatening conditions

The AEC notes that both the ESC and AEMC propose allowing medical practitioners to identify life support users with life-threatening conditions through the medical confirmation process. We broadly support this approach in principle, as improved information may assist distributors, emergency agencies and governments to better plan for and respond to outages.

However, it is important that identifying customers with life-threatening conditions does not create different levels of regulatory protection or expectations of prioritised restoration that energy businesses cannot operationally deliver. All life support customers should continue to receive the same regulatory protections, regardless of whether a life-threatening condition is identified.

We also note that capturing additional information through the medical confirmation process will require system changes, updates to data handling processes and adjustments to information sharing arrangements between retailers, distributors and other parties. Implementation timeframes should reflect the scale of these changes.

In this context, members have raised concerns regarding the scope of information proposed to be collected. In particular, it is not clear that all proposed data fields are necessary to achieve the policy objective. Collecting information beyond what is required for operational or safety purposes may introduce privacy risks and increase compliance burden without delivering commensurate benefits.

Clear guidance will therefore be required on:

- the purpose for which this information is collected;
- how it will be used; and
- the respective roles of retailers, distributors and emergency services in managing and responding to this information.

## 3. Accuracy of register

The AEC supports reforms that improve the accuracy of life support registers and clarify roles and responsibilities for registration and deregistration processes. In general, we support the proposal for retailers to be responsible for life support registrations and deregistrations, as retailers are the primary point of contact for customers and are best placed to manage customer information and ongoing communication.

This includes:

- asking new customers whether life support protections are required at sign-up;
- improving timeframes for information sharing between retailers and distributors;
- standardising medical confirmation forms; and
- improving information sharing relating to embedded network customers.

We also support improvements to deregistration processes that ensure customers are removed from the register when appropriate, while maintaining safeguards to avoid wrongful deregistration. Member retailers have noted that decisions regarding deregistration where medical confirmation has not been provided can be complex and may require case-by-case judgement. Requirements to document these decisions should therefore be proportionate and practical to implement.

### *Register ownership and customer transfers*

A key issue identified by members relates to how life support registrations are managed when customers transfer between retailers.

While the proposed framework seeks to clarify responsibilities, aspects of the current design risk creating ambiguity in churn scenarios. In particular, there is a risk that legacy life support flags may persist at a site, even where the incoming retailer has confirmed that no life support requirement exists.

This creates the potential for “stale” or “sticky” registrations that are not actively maintained and may undermine the accuracy of the register over time.

To address this, we submit that the framework should make clear that:

- the incoming retailer’s assessment, based on direct customer interaction at onboarding, is the authoritative source of truth; and
- distributors should update their records in accordance with retailer advice, rather than maintaining independent or legacy flags.

Providing clarity on this point would reduce the need for reconciliation processes and minimise unnecessary back-and-forth communications between retailers and distributors.

### *Process efficiency*

Members have also emphasised the importance of ensuring that processes for maintaining register accuracy are proportionate and efficient.

While information sharing between parties remains important, duplicative or unnecessary business-to-business (B2B) transactions can introduce operational complexity without improving outcomes. This is particularly relevant in high-volume scenarios such as customer churn.

In this context, where a customer does not indicate a life support requirement upon transfer to a new retailer, the absence of registration following direct customer confirmation should be sufficient, unless there is a clear reason to trigger further validation.

### *Customer experience*

From a customer perspective, simplicity and clarity are critical.

Overly complex or duplicative processes, particularly during retailer transfers, may create confusion and reduce the effectiveness of the framework. A clearer model, in which customers inform their retailer of life support needs and rely on that retailer to manage the process end-to-end, is likely to deliver better outcomes than a multi-party approach involving overlapping responsibilities.

## **4. Medical confirmation and annual check-ins**

The AEC supports the objective of ensuring that life support registers remain accurate over time. Periodic confirmation processes can play an important role in maintaining register integrity.

However, the introduction of annual check-in requirements will create additional operational processes, system changes and customer contact obligations for retailers. These processes will require investment and careful design to ensure they improve accuracy without creating unnecessary administrative burden for customers or retailers.

#### *Practical operation*

Members have raised a number of practical questions regarding how annual check-in requirements would operate in practice. These include how check-in cycles interact with customer transfers between retailers, changes in premises, and customer-initiated contact.

Greater clarity on these scenarios would assist retailers in designing processes that are both compliant and efficient. In particular, the AEC submits that:

- a new registration event (including where a customer transfers to a new retailer) should reset the check-in cycle, to avoid duplicative or unnecessary customer contact shortly after onboarding;
- customer-initiated contact confirming continued life support needs should, where appropriate, be capable of satisfying check-in requirements, particularly where this occurs close to a scheduled check-in date; and
- the framework should provide flexibility in how check-ins are conducted, including recognition of both written and digital communication channels, and the ability to integrate check-ins with existing customer engagement processes.

#### *Proportionality of check-in requirements*

Members have also indicated that a uniform annual check-in requirement may not be appropriate across all customer cohorts.

For example:

- customers with permanent or long-term medical conditions may not require frequent reconfirmation; and
- large commercial or industrial customers may already have established internal processes and may view mandatory annual check-ins as duplicative.

Accordingly, we submit that consideration should be given to introducing flexibility or exemptions for certain customer segments, or allowing retailers to apply a risk-based approach to check-in frequency where appropriate safeguards are in place.

#### *Safeguards and unintended outcomes*

It will also be important to ensure that check-in requirements do not inadvertently increase the risk of wrongful deregistration.

Customers on life support registers may be experiencing vulnerability, illness or communication barriers, and may not always be able to respond to contact requests within prescribed timeframes. Clear guidance should therefore be provided on how retailers should manage non-response scenarios, including appropriate escalation pathways and safeguards prior to any deregistration action.

## 5. Embedded networks

The AEC supports clarifying information sharing responsibilities between retailers, distributors and embedded network operators.

Embedded network arrangements can involve multiple parties and complex information flows. Clear allocation of responsibilities, supported by well-defined business-to-business processes, will be critical to ensure that life support information is accurately shared and protections are applied consistently.

We also note that implementation of new information sharing requirements relating to embedded networks will require changes to systems and processes. Implementation timeframes should reflect the scale of these changes.

### *Guidance and consistency*

Members have highlighted the need for clear and accessible guidance for exempt sellers and parties operating within embedded networks, particularly given the varying levels of regulatory maturity across participants.

In particular, guidance should:

- clearly articulate the roles and responsibilities of each party in the life support registration and notification process;
- ensure that information flows are streamlined and avoid duplication or ambiguity; and
- provide practical examples or scenarios to support consistent implementation across different embedded network configurations.

Providing this level of clarity will support consistent application of the framework and reduce the risk of errors or gaps in life support protections.

## 6. Communications with life support customers

The AEC supports allowing customers to nominate a secondary contact person and to receive communications through their preferred channels. These measures have the potential to improve customer safety and communication outcomes, particularly where customers may not be able to respond directly to outage notifications.

We also support flexibility in communication methods, provided that customers can continue to receive communications through alternative channels where required.

### *Secondary contact arrangements*

Members have raised concerns regarding the proposed inclusion of secondary contact details within the medical confirmation form. Embedding secondary contact information within a form intended for medical practitioners risks conflating distinct processes, including medical certification, consent and customer account management. This may create confusion for customers and introduce privacy and consent risks. Our members have communicated to us that:

- the collection and validation of secondary contact information should be clearly separated from the medical confirmation process;

- retailers are best placed to obtain and manage secondary contact consent through existing customer engagement processes, including appropriate identity verification and consent mechanisms; and
- including secondary contact fields within the medical confirmation form may create ambiguity regarding the role of medical practitioners and increase the risk of incomplete or improperly authorised consent being captured.

#### *Privacy and data minimisation*

More broadly, we submit on the importance of applying data minimisation principles across the framework. For example, requirements to capture additional information such as the relationship between the customer and secondary contact may exceed what is functionally necessary and introduce additional privacy risk without delivering clear operational benefits.

Similarly, we query the necessity of sharing certain personal information, such as the name of the life support customer, with distributors where this information is not required for distributors to perform their functions. Limiting the collection and sharing of personal data to what is strictly necessary will reduce privacy risk, simplify compliance obligations and support customer trust.

### **7. Implementation timeframes and system changes**

The AEC submits that sufficient implementation timeframes will be critical to ensure that reforms are implemented safely and effectively. We note that the proposed reforms will require significant changes across retailer and distributor systems and processes, including:

- updates to customer information and billing systems;
- changes to business-to-business information sharing processes;
- enhancements to customer communication systems;
- updates to internal procedures and compliance frameworks;
- staff training; and
- customer communication and education activities.

These changes will need to be coordinated across multiple parties, including retailers, distributors and embedded network operators. Implementation timeframes should reflect both the scale of these changes and the need for coordinated delivery across the market.

#### *Timing and alignment with existing obligations*

Members have highlighted that the proposed implementation timelines may conflict with other major industry obligations and reform programs. These include seasonal pricing changes (such as July and August updates) and other significant system and market changes scheduled for later in the year. We consider that without appropriate sequencing, there is a risk that overlapping implementation requirements will create resource constraints, competing priorities and increased implementation risk. This may ultimately impact the quality and consistency of outcomes for customers.

Accordingly, the AEC submits that implementation timelines be reviewed and, where necessary, re-phased to better align with existing industry cycles and avoid peak operational periods.

#### *Transitional arrangements*

We consider that well-sequenced transitional arrangements will be essential to support a smooth transition to the new framework. In particular:

- responsibilities should transfer at clearly defined points in time; and
- the need for parallel processes or dual systems should be minimised wherever possible.

In our view, clarity on these elements is likely to reduce implementation complexity and support more consistent outcomes across the market.

#### *Role clarity during implementation*

We also wish to emphasise the importance of clearly allocating responsibilities between retailers and distributors during the transition period. We note that there is strong support for a model in which customers are directed to their retailer as the primary point of contact for life support registration from commencement, rather than maintaining parallel entry points through distributors. In this way, a clear allocation of responsibility in this way would simplify customer journeys, reduce duplication of effort and support a more efficient implementation of the new framework.

### **8. Longer-term opportunities**

The AEC notes that some stakeholders have identified longer-term opportunities to improve life support processes, including the potential development of a centralised life support register or enhanced data sharing arrangements between market participants. While these initiatives may offer benefits, they would require careful consideration of privacy, governance, system costs and implementation complexity.

Members have also communicated to us that a number of challenges identified in the current reform process, including register accuracy, duplication of processes and reconciliation requirements, are linked to the limitations of the current decentralised data architecture. Over time, there may be merit in exploring more streamlined or centralised approaches to life support data management, provided that appropriate governance and privacy protections are in place and that the benefits justify the costs.

However, we consider that the immediate priority should be to ensure that the current reforms are implemented effectively. Introducing more fundamental structural changes in parallel may increase complexity and implementation risk in the short term.

### **9. Conclusion**

The AEC supports reforms that strengthen protections for life support customers and improve the accuracy and reliability of life support processes.

To achieve these objectives, the final framework should:

- clearly allocate responsibilities between market participants;
- adopt streamlined and proportionate processes that minimise unnecessary complexity; and
- provide sufficient time for implementation, supported by clear transitional arrangements.

The AEC and its members look forward to continuing to work with the ESC, the AEMC and other stakeholders to ensure that the final framework delivers improved protections for life support customers while remaining practical and efficient to implement across the market.

Please do not hesitate to contact us if you wish to discuss this submission further.

Yours sincerely,

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