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25 September 2026

Alternative Electricity Services Team
Energy Policy WA
Department of Energy and Economic Diversification
Western Australian Government

By email: EPWA-AES@deed.wa.gov.au

Submission on the proposed Alternative Electricity Services Code of Practice 2027 – Single Property Network Services

Dear Alternative Electricity Services Team,

Active Utilities welcomes the opportunity to comment on the proposed *Alternative Electricity Services Code of Practice 2027*. We support clear and consistent protections for customers supplied through single property networks (SPNs).

We provide electricity services within embedded networks across Australia and have practical experience in customer onboarding, metering, billing, payment assistance, life-support arrangements, family-violence protections, complaints, disconnection and regulatory compliance. This includes operating under the Australian Energy Regulator and Victorian Essential Services Commission frameworks.

Much of the proposed Code aligns with customer protections and operating practices already established in other jurisdictions. This should assist implementation, particularly for providers and property owners operating SPNs across Australia.

Consistency is particularly important for obligations managed through billing systems and time-based workflows, including bill content, payment periods, reminder and disconnection notices, and life-support communications. Unnecessary differences require separate system configurations, templates and training and can increase the risk of human error.

Some flexibility is also needed to accommodate different property types, metering arrangements and occupancy models. Where the intended customer protection can be achieved in more than one way, appropriately controlled flexibility can support compliance without reducing customer protections.

Some differences will, of course, be necessary to reflect Western Australia's legislative and market arrangements. This submission focuses on a small number of areas where clarification or flexibility may improve customer outcomes and assist practical implementation. Registration and the SPN obligations are currently intended to commence on 1 July 2027, although the Reading Guide describes this timing as indicative.

Executive summary

Overall, the proposed customer-protection framework is supported. The main matters raised in this submission are:

- estimated billing where access to a meter cannot reasonably be obtained;

- the application and operation of standard and special tariffs;
- a process for occupants who consume electricity without establishing an account;
- access to government hardship assistance; and
- implementation and transitional arrangements.

The recommendations aim to maintain the proposed customer protections while supporting regular billing, reducing the risk of bill shock and providing clear and practical processes for customers and providers.

1. Estimated billing and meter access

The draft Code would prevent estimated consumption from being used for a customer's first three bills and limit estimates to two bills in a calendar year. It would also permit disconnection for denied meter access only after the customer has failed to provide access for at least nine consecutive months.

Actual meter readings should be used wherever reasonably practicable. We also understand the concern about estimates being used from the commencement of supply without reliable consumption data. However, a limited exception is needed where an actual reading cannot reasonably be obtained because access to the meter has not been provided.

If access cannot be obtained during a customer's first three billing periods, the provider may be unable to obtain an actual reading, calculate an estimated amount or issue a compliant consumption bill. The customer could therefore remain within the "first three bills" restriction for an extended period.

Continued consumption without regular billing may result in a substantial catch-up bill when an actual reading is eventually obtained, increasing the risk of bill shock and payment difficulty.

The draft does not specify when the nine-month meter-access period begins. It is unclear whether the period commences from the first unsuccessful access attempt, the first estimated bill or another date. Linking the period to an estimated bill would not resolve the issue where estimation is prohibited.

The restrictions may also make it more challenging for a new provider to assess and accept responsibility for an existing SPN. Compliance may depend on historical information about meter readings, estimated bills, access attempts and unresolved customer matters.

Where this information is incomplete or cannot be verified during due diligence, the incoming provider may be unable to determine whether an estimated bill is permitted or what action is required to obtain an actual reading. This uncertainty could make it difficult for providers to commit to taking over the servicing of an existing SPN.

Recommendation

The final Code should:

- permit estimated billing where an actual reading cannot reasonably be obtained because access to the meter has not been provided, including during the customer's first three billing periods, provided there is a reasonable basis for the estimate;
- not impose a fixed annual limit on estimates arising from continuing meter-access difficulties, provided the provider continues taking reasonable steps to obtain an actual reading;
- limit estimation for reasons other than meter access to no more than three consecutive bills;

- require each estimated bill to clearly identify that it is based on an estimate and explain the estimation method used;
- allow customers to submit a self-read where this is safe and consistent with privacy, site-access and building-management requirements, subject to reasonable validation by the provider; and
- reduce the meter-access disconnection period from nine months to six consecutive months.

The six-month period should commence on the date of the first documented unsuccessful access attempt, provided the attempt was reasonable.

Before disconnection, the provider should be required to:

1. make multiple reasonable attempts to contact the customer and arrange access;
2. explain clearly in writing why access is required;
3. provide reasonable opportunities for the customer to offer alternative access arrangements;
4. consider available alternative meter-reading methods, including a customer self-read where appropriate;
5. undertake the required vulnerability, family-violence and life-support checks; and
6. issue the prescribed disconnection notices.

Where a customer self-read is not accepted, the provider should inform the customer and explain the reason.

These changes would support regular billing and reduce the risk of bill shock while ensuring that disconnection for denied access remains a last resort and is subject to appropriate safeguards.

2. Standard and special tariffs

The proposed standard-tariff protections for small-use SPN customers are supported.

The applicable tariffs are:

- tariff A1 for residential customers;
- tariff L1 for non-residential customers consuming no more than 50 MWh in a 12-month period; and
- tariff L3 for non-residential customers consuming more than 50 MWh but no more than 160 MWh in a 12-month period.

However, there appears to be an inconsistency between clause 24 of the draft Code and the explanation provided in the Reading Guide.

Clause 24 describes the standard-tariff daily supply and usage components as amounts that must not exceed the corresponding components of tariff A1, L1 or L3. On its face, this appears to permit a provider to charge an amount below the applicable tariff component without using the special-tariff process.

The Reading Guide states that the standard tariff is not a price cap and that a special tariff should be used if any component is higher or lower than the corresponding component of the applicable standard tariff.

This distinction is important. If clause 24 permits lower charges, a provider could offer a straightforward discount without requiring the customer to opt in to a special tariff. If any lower component is instead treated

as a special tariff, the customer would need to opt in in writing and would generally be unable to opt out for 36 months.

Written opt-in provides an important informed-consent protection where a customer accepts a different tariff structure or additional service. It is less clear whether the same process and 36-month restriction are intended to apply solely because a provider charges less than the applicable standard-tariff component.

Further clarification would also assist providers and customers in understanding how an agreed special tariff operates during the 36-month period. In particular, the draft does not clearly address whether its price, tariff structure, terms or associated service may be materially changed, or what occurs if the customer vacates the premises before the period ends.

Providers will also need to retain evidence of the customer's written opt-in, the agreed tariff, the commencement date, the earliest opt-out date and any required notices.

Recommendation

The final Code and Reading Guide should be aligned and clearly state:

- whether a provider may charge less than an applicable A1, L1 or L3 component under clause 24 without using the special-tariff process;
- if a lower price requires a special tariff, whether written opt-in and the 36-month opt-out restriction are intended to apply to a straightforward discount that does not involve a different tariff structure or associated service;
- whether the price, tariff structure, terms or associated service forming part of a special tariff may be changed during the 36-month period;
- the notice, consent and opt-out rights applying to a material adverse change;
- when the special tariff and the customer's associated liability end if the customer vacates the premises;
- whether a customer experiencing financial hardship may move to the applicable standard tariff where remaining on the special tariff would prevent a sustainable payment arrangement;
- the information that must be provided before the customer opts in; and
- the records required to demonstrate the customer's informed agreement.

This clarification would provide certainty about how discounts and other tariff variations must be administered while preserving the intended pricing and informed-consent protections.

These comments relate to special tariffs carrying the ordinary 36-month opt-out rule and not to the separate arrangements proposed for SPNs wholly supplied from renewable sources.

3. Failure to establish an account

The draft Code does not appear to provide a specific process for circumstances in which an unidentified or unresponsive occupant consumes electricity without establishing an account.

In practice, electricity is often left connected between occupants for safety, continuity of supply and operational efficiency. This is particularly relevant where remote connection or disconnection is unavailable and a physical site visit would otherwise be required each time an occupant moves in or out.

An incoming occupant may therefore begin consuming electricity before contacting the provider. The provider may not initially know the occupant's identity, contact details or commencement date.

The proposed framework relies on an SPN agreement but does not appear to establish a process addressing:

- the basis on which electricity supplied before an agreement is established may be billed;
- the steps the provider must take to identify and contact the occupant;
- when an account may be established;
- what information may be obtained from a property owner or building manager; or
- whether disconnection is available if the occupant continues consuming electricity but does not establish an account.

This may leave the provider supplying electricity without a clear regulatory process for establishing responsibility for the associated charges. It may also result in unrecovered costs being borne by the SPN owner or indirectly by other customers.

Recommendation

A prescribed and appropriately timed failure-to-establish process should be included for SPN providers, similar in principle to the process available under the Victorian exempt-selling framework.

The process could require the provider to:

1. make reasonable attempts to contact the occupant;
2. provide written notices addressed to the occupant at the supply address;
3. seek available occupant information from the property owner or building manager where permitted;
4. explain clearly how the occupant can establish an account;
5. give the occupant a reasonable period to respond;
6. undertake vulnerability, family-violence and life-support checks where sufficient information is available; and
7. issue the prescribed notice before disconnection.

Disconnection should be available as a final step where the occupant continues consuming electricity but does not respond or establish an account after the required safeguards have been completed.

A clear process would reduce uncertainty, support consistent treatment of occupants and avoid reliance on informal or potentially inconsistent arrangements.

4. Access to government hardship assistance

The proposed requirement for SPN providers to maintain hardship policies and identify relevant financial counselling services and assistance programs for customers experiencing payment difficulty is welcomed.

The draft disclosure statement confirms that eligible SPN customers may access energy concessions and rebates through the Energy Concession Extension Scheme.

Eligible SPN customers may also be able to apply directly to RevenueWA for assistance through programs such as the Life Support Equipment Energy Subsidy and Thermoregulatory Dysfunction Energy Subsidy. These subsidies are paid directly to eligible applicants and do not appear to depend on the customer being supplied by a particular electricity provider.

However, the eligibility of SPN customers for the Hardship Utility Grant Scheme (HUGS), and the role of registered SPN providers in administering applications, remain unclear.

The published HUGS process requires an application to be initiated by the customer's utility provider after the provider has assessed the customer's hardship circumstances and established a payment arrangement. Currently published information does not identify registered SPN providers as participating utility providers.

This may result in SPN customers receiving the hardship protections required by the proposed Code but being unable to access the same government-funded assistance available to customers of participating utilities.

Recommendation

DEED, in consultation with the Department of Communities and other relevant agencies, should clarify:

- whether customers of registered SPN providers will be eligible for HUGS;
- whether registered SPN providers will be permitted to initiate and administer HUGS applications; and
- what requirements registered SPN providers would need to meet to participate in the scheme.

We recognise that HUGS eligibility and administration may sit outside the scope of the AES Code. If so, we would welcome referral of the issue to the relevant agencies so that the position can be clarified before the SPN obligations commence.

5. Implementation and transitional arrangements

Implementation of the proposed Code will require providers to update systems, documents and operational processes across customer onboarding, tariffs, billing, metering, hardship, family violence, life support, disconnection, complaints and regulatory reporting.

Where practicable, consistency in bill content, prescribed communications and regulatory timeframes would allow providers to adapt established system controls and workflows. This would reduce reliance on manual intervention and lower the risk of an incorrect jurisdictional requirement or timeframe being applied.

Where alignment is not appropriate, sufficient flexibility in how providers may demonstrate compliance would help accommodate different SPN property types, metering arrangements and operating models while maintaining the intended customer protections.

The proposed transitional arrangements, including the six-month period for billing-system changes, should assist providers in moving to the new framework.

Publication of the final Code and supporting guidance sufficiently in advance of commencement would also allow providers to:

- assess the final requirements;
- update and test relevant systems;
- prepare customer agreements and disclosure information;

- update operational processes and customer communications;
- train relevant staff; and
- communicate the changes to existing customers.

Practical transitional arrangements would also assist where compliance for an existing SPN depends on historical customer, metering, tariff or consent information that is unavailable or cannot reasonably be verified.

Supporting guidance on acceptable records and evidence of compliance would help providers implement the final requirements consistently.

Conclusion

The development of a clear customer-protection framework for SPNs is supported, and we appreciate the opportunity to contribute practical operational experience to the consultation.

The recommendations in this submission are intended to support the objectives of the proposed Code while allowing providers to bill customers regularly, manage meter-access issues, assist customers experiencing hardship and respond appropriately where an occupant has not established an account.

We would welcome the opportunity to discuss these matters further or provide practical examples to assist in finalising the Code.

Kind regards,

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Risk & Compliance