



## **Draft National Energy Retail Amendment (Accelerating smart meter deployment) Rule 2024**

The Australian Energy Market Commission makes the following Rule 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 (Tasmania) Act 2012* of Tasmania;
- (e) the *National Energy Retail Law (Queensland) Act 2014* of Queensland; and
- (f) the *Australian Energy Market Act 2004* of the Commonwealth.

Anna Collyer  
Chairperson  
Australian Energy Market Commission

## **Draft National Energy Retail Amendment (Accelerating smart meter deployment) Rule 2024**

### **1 Title of Rule**

This Rule is the *Draft National Energy Retail Amendment (Accelerating smart meter deployment) Rule 2024*.

### **2 Commencement**

Schedule 1 of this Rule commences operation on [25 July 2024].

Schedule 2 of this Rule commences operation on [26 June 2025].

Schedule 3 of this Rule commences operation on [25 July 2024].

### **3 Amendment to the National Energy Retail Rules**

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

### **4 Amendment to the National Energy Retail Rules**

The National Energy Retail Rules are amended as set out in Schedule 2.

### **5 Savings and Transitional Amendment to the National Energy Retail Rules**

The National Energy Retail Rules are amended as set out in Schedule 3.

**Schedule 1      Amendment to the National Energy Retail Rules**

(Clause 3)

**[1] Rule 59A              Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(1) and substitute “[Deleted]”.

**[2] Rule 59A              Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(2), excluding the note, and substitute:

- (2) If a retailer proposes to undertake a *new meter deployment*, or if a small customer’s *meter* is to be replaced with a Type 4 or Type 4A *meter* (even where it is not a *new meter deployment*), the retailer must give to the small customer a notice in writing or electronically no earlier than 60 business days and no later than 4 *business days* before the retailer proposes to replace the small customer’s *meter*.

**[3] Rule 59A              Notice to small customers on deployment of new electricity meters (SRC and MRC)**

In rule 59A(3), after “A notice under subrule (2)”, omit “(a) and (b)”.

**[4] Rule 59A              Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(3)(a) and substitute

- (a) the reason for the *new meter deployment* or, where not a *new meter deployment*, the replacement of the *meter*.

**[5] Rule 59A              Notice to small customers on deployment of new electricity meters (SRC and MRC)**

In rule 59A(3)(b), after “replace the customer’s *meter*”, insert “and of any associated supply outage”.

**[6] Rule 59A              Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(3)(c) and substitute “a summary of the services available to the small customer as a result of obtaining a Type 4 *meter*”.

**[7] Rule 59A Notice to small customers on deployment of new electricity meters (SRC and MRC)**

In rule 59A(3)(e), omit “and”.

**[8] Rule 59A Notice to small customers on deployment of new electricity meters (SRC and MRC)**

After rule 59A(3)(f), insert the following:

- (g) the party the customer should contact to resolve issues, and details of dispute resolution options;
- (h) how the customer can access data from the *meter*;
- (i) the customer’s rights and responsibilities regarding the new *meter*; and
- (j) any changes to the customer’s contract as a result of the *new meter deployment* or *meter* replacement, including regarding and tariff changes.

**[9] Rule 59A Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(4) and substitute “[Deleted]”.

**[10] Rule 59A Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(5) and substitute “[Deleted]”.

**[11] Rule 59A Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(6) and substitute “[Deleted]”.

**[12] Rule 59A Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(7) and substitute the following:

- (7) A retailer must not proceed with the replacement of the *meter* at the premises (whether under the proposed *new meter deployment* or otherwise) if, before the date of the *new meter deployment* or other replacement, the provision of customer retail services to the premises commences under a customer retail contract with a different small customer.

**[13] Rule 59A**                      **Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(8) and substitute “[Deleted]”.

**[14] Rule 59A**                      **Notice to small customers on deployment of new electricity meters (SRC and MRC)**

Omit rule 59A(9) and substitute “[Deleted]”.

**[15] New rule 59AA**    **Customer request for Type 4**                      ***meter***

After rule 59A, insert a new provision as follows:

**59AA**                      **Customer request for a Type 4**                      ***meter***

- (1) If a small customer has a *meter* other than a Type 4 *meter*, they may request that their retailer replace the *meter* with a Type 4 *meter*.
- (2) If a small customer requests that their *meter* be replaced in accordance with subrule (1), the retailer must arrange for a Type 4 *meter* to be installed in accordance with clauses 7.8.10A, 7.8.10B and 7.8.10C of the NER.

**[16] Rule 59C**                      **Retailer interruption to supply - electricity (SRC and MRC)**

In rule 59C(3), omit “under rule 59A(2)(b)” and substitute “under rule 59A(2)”.

## Schedule 2      Amendment to the National Energy Retail Rules

(Clause 4)

### [1] Rule 59AAA      Site defect notices

After rule 59AA, insert a new provision as follows:

#### 59AAA      Site defect notices

##### (1)      Site defect notice procedure

- (a)      Where a *metering coordinator* is unable to install a *meter* at a small customer's premises due to a site defect, the *metering coordinator* must notify the relevant retailer of the site defect.
- (b)      Within 5 business days of being notified by the *metering coordinator*, the *retailer* must notify the relevant small customer of the site defect and request that the defect be rectified (**first notice**).
- (c)      If the *retailer* has not received confirmation from the small customer that the site defect has been rectified within 40 business days of issuing the first notice, the *retailer* must send a second notice to the small customer no less than 40 business days and no more than 45 business days after issuing the first notice to the customer (**second notice**).
- (d)      If the retailer has not received confirmation from the small customer that the site defect has been rectified within 40 business days of issuing the second notice, the retailer must use best endeavours to contact the customer to confirm whether the site defect has been rectified.
- (e)      If the small customer confirms that the site defect has been rectified, the retailer is required to progress the installation in accordance with the timelines set out in clauses 7.8.10, 7.8.10A, 7.8.10B, 7.8.10C of the NER.
- (f)      If, after 40 *business days* of issuing the second notice, the small customer confirms that the site defect has not been rectified, or if the retailer is not able to contact the small customer to confirm, then the retailer is not required to complete the installation of the *meter* unless and until the customer notifies the retailer that the site defect has been rectified.

##### (2)      Retailer switching

If a *small customer* changes retailer during the notification process set out under subrule (1), then the incoming *retailer* must complete any remaining steps of the process.

## **Schedule 3 Savings and Transitional Amendment to the National Energy Retail Rules**

(Clause 5)

### **[1] Schedule 3 Savings and Transitional Rules**

In Part 19, after Division 1, insert the following:

#### **Division [X] Rules consequential on making of the National Energy Retail Amendment (Accelerating smart meter deployment) Rule 2024**

##### **1 Change to tariffs or charges resulting from meter replacement**

- (1) If a small customer's *meter* is replaced and, because of that replacement, there is any variation to the tariffs and charges that affect the customer, then:
  - (a) (a) the retailer must issue a notice under rule 46 at least 30 business days before any variation in the tariff or charge is applied to the customer; and
  - (b) when the retailer issues the notice, in addition to the requirements of rule 46(4A), the retailer must also include the following information in the notice:
    - (i) that the small customer can request an estimate of what the small customer's historical bill would have been under the varied tariff or charge, compared to the bill that the customer received under the previous tariff or charge (to the extent that the small customer's meter has smart meter data available to allow the comparison); and
    - (ii) details regarding how to understand, monitor and manage their electricity usage (for example, through available apps or in-home displays).

##### **2 Scope and application**

- (1) This Division [X] applies only where the variation to the tariff or charge occurs between 1 July 2025 and 31 December 2030.

[END OF RULE AS MADE]

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