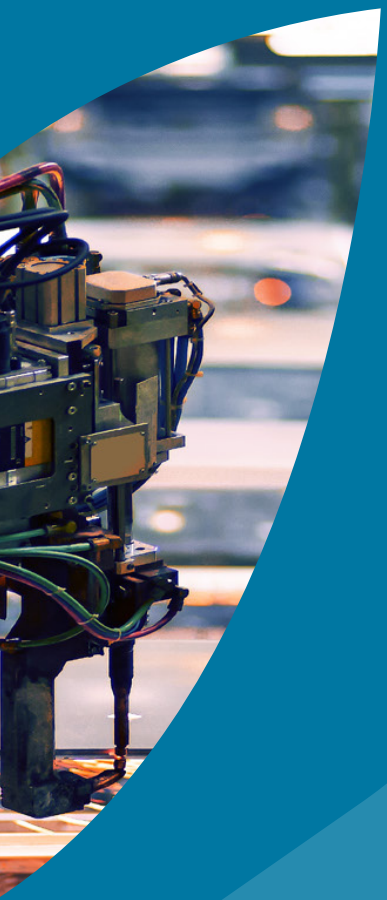
Review of Queensland Energy Legislation

Part 1: Options paper

A consultation paper containing summarised regulatory impact statements

October 2019









Queensland Government

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Executive summary

This consultation paper proposes options to improve Queensland's state energy laws by creating a future-focused framework.

The key characteristics of the proposed framework are: **flexibility**, to support and adapt to a diverse and evolving industry; **clear rules** for operators and regulators; and **better alignment** with applied national laws.

The characteristics of flexibility, clear rules and better alignment are important now and will be even more important in the future. This is because **the energy sector is in a phase of rapid change**. This change was not imagined when the state energy laws were first designed over 25 years ago.

While sections of the laws have been updated from time to time, such updates have always been with a discrete purpose in mind. The laws have never had a major, holistic review.

As a result, some design elements of these laws are locked into an out-of-date view of the sector. For example, the laws were designed for centrally managed supply arrangements and at a time that Queensland's energy sector operated in isolation from other Australian states and territories. Today, energy is increasingly supplied via decentralised arrangements, facilitated by solar and battery technology. Also, Queensland now trades its energy supply with other states in the National Energy Market (NEM). This means that our state energy laws need to work well with applied national laws.

For customers, the proposed framework will offer *peace of mind*. Regardless of how the energy sector changes in the future the laws will protect the safety and high standards that customers expect and rely on every day.

For industry, the framework would deliver *clarity*. The energy sector is governed by a sometimes confusing mix of Commonwealth, applied national and state laws. These changes would simplify the regulatory landscape so industry can readily understand the operating rules.

For emerging technology and models, the new framework would release the energy sector from some past regulatory structures, and provide a fair and *balanced approach* to regulation that promotes innovation, while guarding against risk.

What would the new framework look like?

Flexibility

In some cases, improving individual regulations is not enough; more significant adjustment to underlying structures may be required to re-set the laws so they can operate more effectively.

- The review is recommending the overarching **purpose** of state energy laws be updated to acknowledge national energy objectives, state energy priorities and the need to balance economic and environmental intentions. These changes would guide how the laws are interpreted and applied.
- A **new standards and codes framework** is proposed. Queensland's energy laws were traditionally based on segmenting the industry into a few categories and applying prescriptive rules to each group. For many years, this type of regulation worked because the supply model was static. This approach is less effective now as there is a growing number of energy supply models. The proposed standards and codes framework would acknowledge this growing diversity by replacing existing obligations (currently found in primary and subordinate legislation, codes and conditions) with a single standards and codes framework that can be applied effectively to any type of supply model.
- The proposed shift from prescriptive rules to more adaptive rules also calls for a rethink of how rules are enforced. A **new regulatory toolkit** is proposed. It is a single set of enforcement powers that can be

applied, based on risk and supported by guidance material. Making the rules simpler and more effective to enforce means efforts can be directed into effective monitoring and detection.

- The **Energy and Water Ombudsman Queensland** (EWOQ) provides valued fast, fair and free dispute resolution services for small customers. The review has identified opportunities for the EWOQ to be **more flexible** and responsive to changing customer profiles. Greater flexibility would mean customers of traditional and non-traditional energy services can have access to the EWOQ.
- The review identified opportunities to improve how government performs its role. Stakeholders are invited to provide feedback on two options to **clarify governance arrangements** of the Queensland Regulator and the Queensland Competition Authority (QCA).

Clear rules

The review has identified ways to improve the efficacy and efficiency of specific regulation, fill gaps in legislation and remove out-of-date legislation.

- A proposed **new approach to network licensing** that leverages the national approvals process: Under this approach, state approvals processes for networks and non-traditional players in the energy sector seamlessly interact with national ones. The benefits of this approach are less red tape and confusion for industry, less duplication of regulatory effort and greater transparency for customers.
- To unlock **access and choice for regional energy customers**:
  - A proposal to give recognition in legislation to the importance of **choice** for regional Queenslanders. This would mean choice is formally considered when regional tariffs and product options are designed for regional customers.
  - A proposal to expand the **regional feed-in tariff** (FiT) to systems up to 100 kW (up from 30 kW), and make the tariff more technology neutral. This would allow up to 5500 additional regional customers to access the FiT.
- To draft the rules in a way that **avoids barriers** to new technologies/entrants and are **not easily outdated** by technological advances. For example the review is proposing to allow traditional supply entities to make use of new technologies (i.e. removing barriers to supplying customers via stand-alone power systems).

Better alignment with applied national laws

Greater harmonisation with applied national laws and processes saves public time and money, reduces confusion for industry and provides consistency for customers.

- Proposals to adjust a number of **definitions** and categories. These include ‘generating plant’ and ‘electrical installation’ (among others). Consistent language and terminology would help Queensland to leverage national processes, aid compliance, and reduce double handling in the future.
- The review has identified opportunities to **remove duplication,** such as energy efficiency labelling requirements, from state energy laws. Removing duplication reduces administrative burden and declutters regulation, which translates into savings and clarity for industry, particularly smaller entities.

Stakeholders are invited to give feedback on the proposals contained in this paper.

Section 1: Background

The Queensland Government is reviewing its state energy laws: the *Electricity Act 1994* (Electricity Act), the *Gas Supply Act 2003* (Gas Supply Act), the *Energy and Water Ombudsman Act 2006* (Energy and Water Ombudsman Act), and the *Liquid Fuel Supply Act 1984* (Liquid Fuel Supply Act).

This legislation includes rules about:

- who can generate electricity, and who can supply electricity and gas
- what technical requirements apply to electricity and gas customers, and to industry
- when electricity and gas companies can access and install equipment on private and public lands
- retail and feed-in tariff pricing, including when price control can be exercised
- access to dispute resolution services such as the Queensland Energy and Water Ombudsman
- managing electricity, gas and liquid fuel supply emergencies.

Why are we reviewing these laws?

Queensland's electricity laws were initially written over 25 years ago and reflect a system when our electricity was only supplied in a linear model to customers, and Queensland's energy sector and energy laws operated in isolation from other Australian states and territories.

Since then, the energy sector has undergone rapid transformation. New technologies, increased consumer participation and expectations are changing the ways energy is made, supplied, and used. Queensland is now also part of the NEM which means Queensland's energy sector is governed by a mix of state and national energy laws.

The purpose of the review is to assess how well Queensland's state energy legislation serves our current and future needs, and to see if it is fit for purpose, serves the public interest, and complements other regulation including national energy laws. The review also meets the requirements of the *Statutory Instruments Act 1992* to review the Electricity Regulation 2006, Gas Supply Regulation 2007, and Energy and Water Ombudsman Regulation 2007.

Stages of the project

The review – currently at Stage 2 – is being conducted in three stages.

Stage 1	**Issues Paper**	**The Issues Paper was released in May 2018** **We received feedback from 42 submissions, five workshops and various stakeholder meetings**
Stage 2	**Options Paper (Consultation Regulatory Impact Statement)**	This Options Paper invites feedback on proposal to improve Queensland's state energy laws
Stage 3	**Decision Paper (Decision Regulatory Impact Statement)**	This Decision Paper will set out the Queensland Government's policy position for changing energy legislation Legislative amendments will be developed for Government approval after the Decision Paper is finalised

Issue identification and analysis, and options development

Stage 1 of the review received feedback from the energy industry, government, business and the community, which informed our understanding of current and potential issues with Queensland's state energy laws. Building on feedback provided by stakeholders, the current laws were assessed for: **appropriateness** (whether there is a need for regulatory intervention), **effectiveness** (whether the current regulatory intervention achieves its objective), and **efficiency** (whether the regulation is the least cost means of achieving the objective).

For detailed information on the Stage 1 stakeholder feedback, go to: ***Part 2, Section 3.1***

This process identified four core issues with the current state energy legislation:

1. There is duplication and lack of alignment with national and other laws.
2. Existing state legislation locks in an outdated view of the energy sector.
3. Some energy customers will be treated differently if changes are not made.
4. The structures that support government action could be improved (for regulation, enforcement, dispute resolutions and emergencies).

This Stage 2 Options Paper sets out a range of recommended options to improve Queensland's state energy laws (to address the core issues referred to above). These recommendations are based on regulatory impact assessments and underpinned by detailed issue/s analysis and option consideration and assessment. The recommended options in this paper are anticipated to deliver a future focused framework which: is **flexible** to support and adapt to a diverse and evolving industry, has **clear rules** for operators and regulators, and better **aligns** with applied national laws.

For detailed information on the core issues go to: ***Part 2, Section 1.2***

How to read this Stage 2 Options Paper

This is a large project. The full Options Paper comprises over 300 pages. We appreciate that not all readers will be in a position to read the full paper, and so **have split the Options Paper into two parts**:

- Part 1 contains the key information to understand the recommended options.
- Part 2 contains additional detailed information, including in-depth contextual and technical information on all options considered.

Across both parts of the Options Paper the following terms are consistent, to allow a reader to move between the two documents easily.

Topics: The Options Paper is structured around 11 topics. These topics originate from the Stage 1 Issues Paper and have remained relevant for the purposes of this Stage 2 Options Paper.

T1. Purpose of state energy laws (i.e. the objectives of the Acts)
T2. Energy efficiency and demand management
T3. Interactions with other laws
T4. Licensing
T5. Powers of entry and resumption
T6. Technical requirements
T7. Price control
T8. Dispute resolution
T9. Customer protections
T10. Emergency powers
T11. Offences and enforcement

Regulatory impact statements (RIS): A RIS has been prepared for each of the 11 topics. Each RIS provides information on the issue/s, the options considered to address the issues/, analysis of potential impacts of each option, and, where relevant, identifies a recommended option.

RISs are provided in short and long form:

- Short form RISs are provided in Part 1 under "Summarised regulatory impact statements" *(approximately 1.5 pages per topic)*.
- Long form RISs are provided in Part 2 under "Detailed regulatory impact statements" *(approximately 10 to 30 pages per topic)*.

Options: In most cases, three options have been developed per topic with one of those options put forward as the *recommended option.* In a few cases, no clear option, or a hybrid option is proposed.

For a summarised list of all of the recommended options contained in this Options Paper, go to ***Part 1, Table A1***

Questions: Throughout and at the end of each of the detailed RISs are stakeholder questions. When providing feedback, readers may choose to answer these questions or provide general feedback on the
Options Paper (see below for how to respond to this Options Paper).

For a summarised list of all of the questions contained in this Options Paper, go to ***Part 1, Table A2***

Have your say

Industry, community organisations and individuals are invited to provide feedback on the proposals set out in this options paper. This feedback will inform the Stage 3 Decision Paper.

Written submissions: Stakeholders are requested to provide feedback by completing a questionnaire, found at:
https://www.getinvolved.qld.gov.au/gi/consultation/5811/view.html .

- Stakeholders are able to save their responses in the questionnaire as they go.
- The questionnaire is a mix of closed and open-ended questions. Open-ended questions allow up to 800 words per question. Stakeholders can type or copy and paste text into the fields.

For a list of all of the questions contained in this Options Paper, go to ***Part 1, Table A2***

For guidance on submitting your feedback through the questionnaire please email energyreview@dnrme.qld.gov.au.

It is intended that all responses to the questionnaire will be published on the review webpage. If you would prefer that your submission, or a part of your submission, is not published, please indicate this clearly.

Consultation closes 31 January 2020.

Stakeholder workshops: The Department of Natural Resources, Mines and Energy (DNRME) will also be conducting workshops to gather in-depth stakeholder input on specific topics. Stakeholders will be invited to these workshops in due course.

Section 2: Summarised regulatory impact statements

This section contains 11 summarised RISs. Each summary provides information on the issue/s, the options considered to address the issue/s and analysis of potential impacts of each option. Most summaries put forward a recommended option.

Each summarised RIS has a corresponding detailed RIS, see below for details.

Topics		Part 1	Part 2
T1	Purpose of state energy laws (i.e. the objectives of the Acts)	Section 2.1	Section 2.1
T2	Energy efficiency and demand management	Section 2.2	Section 2.2
T3	Interaction with applied national laws	Section 2.3	Section 2.3
T4	Licensing	Section 2.4	Section 2.4
T5	Powers of entry and resumption	Section 2.5	Section 2.5
T6	Technical requirements	Section 2.6	Section 2.6
T7	Price control	Section 2.7	Section 2.7
T8	Dispute resolution	Section 2.8.1 Energy and Water Ombudsman fee options for embedded networks	Section 2.8.1
		Section 2.8.2 Energy and Water Ombudsman	Section 2.8.2
		Section 2.8.3 Other disputes	Section 2.8.3
T9	Customer protection	Section 2.9	Section 2.9
T10	Emergency powers	Section 2.10	Section 2.10
T11	Offences and enforcement	Section 2.11.1 Structural arrangements	Section 2.11
		Section 2.11.2 Penalties	

2.1 Purpose of state energy laws (i.e. the objectives of the Acts)

Example issue: The Electricity Act contains the objective "establish a competitive market", but this goal was achieved in the 1990s and 2000s. The recommended option would remove this and other out-of-date objectives and align the objectives to the National Electricity Objective (NEO), the National Gas Objective (NGO) and Queensland's strategic energy priorities.

Context

The legislated purpose of an Act guides how the law is interpreted and applied. In the energy sector, where state and applied national laws intersect, the stated purpose of state energy law can simultaneously acknowledge alignment with other laws and highlight state priorities.

Assessment of current issues

The legislated purpose of Queensland's state energy laws were written before applied national laws were introduced, and at a stage when introducing competition into the energy sector was a key priority. Stakeholder feedback to the Stage 1 Issues Paper suggested changes that:

- align with applied national energy objectives e.g. price, quality, safety, reliability and security of supply
- support the priorities of the Queensland Government to suit the unique challenges faced by the state such as regional and remote characteristics.

The Liquid Fuel Supply Act does not have a stated legislated purpose.

Recommended option

Three options were assessed:

- Option 1: Status quo. No legislative changes.
- Option 2: Align purpose of Electricity Act and Gas Supply Act with national energy objectives.
- Option 3: Align purpose of Electricity Act and Gas Supply Act with national energy objectives and state priorities. Introduce legislated purpose for Liquid Fuel Supply Act.

Under option 3, the purposes of the Electricity Act and Gas Supply Act to would be updated to:

- Promote the long term interests of consumers with regard to the price, quality, safety and reliability of electricity and gas services i.e. the national energy objectives.
- Promote efficient, economic and environmentally sound energy supply and use i.e. the state priorities.
- A purpose would be created for the Liquid Fuel Supply Act, focusing on emergency management and the promotion of biofuels. No change would be made to the Energy and Water Ombudsman Act purpose.

Option 3 is recommended to improve the meaning and usefulness of the current legislated purposes in the Electricity and Gas Supply Act by recognising the important role of applied national laws, and a focus on state energy priorities which balance economic and environmental aims. Introducing a legislated purpose to the Liquid Fuel Supply Act will assist with interpretation. No adjustment is proposed to the Energy and Water Ombudsman legislated purpose, which remains relevant. A purpose would be created for the Liquid Fuel Supply Act.

More information on this topic is at *Part 2, detailed RIS, Section 2.1*

2.2 Energy efficiency and demand management

Example issue: Queensland electricity distributors are required to prepare demand management plans under state and applied national law. The recommended option will remove this obligation from state law, except for isolated networks which are not covered by applied national law.

Context

Queensland's state electricity laws duplicate applied national laws for demand management and energy efficiency. Demand management and energy efficiency regulation aim to lower electricity costs for consumers and reduce environmental pollution through energy conservation, reduced emissions and improved network utilisation.

Assessment of current issues

There is some duplication of demand management and energy efficiency laws.

1. Performance standards and energy labelling regulations in the Commonwealth *Greenhouse and Energy Minimum Standards Act 2012* (the GEMS Act). These were introduced to replace state and territory legislation. Queensland's provisions are no longer used.
2. Queensland electricity distributors must plan and report on demand management activities under both applied national rules and state regulation. The national requirements are more extensive than the state requirements. They do not currently apply to 33 isolated networks operated by Ergon Energy, though a recent review of national regulatory frameworks for stand-alone power systems recommends including stand-alone power systems in current planning and reporting requirements.

Recommended option

Three options were assessed:

- Option 1: Status quo. No legislative change.
- Option 2: Remove all state energy efficiency and demand management regulation.
- Option 3: Remove state regulation only to the extent it duplicates other laws.

Option 3 is recommended to remove duplication between state and applied national rules while maintaining demand management reporting for isolated networks. This is not the least cost option for distributors, but costs are proportionate to benefits of retaining regulation for a part of Queensland not covered by applied national laws. Removing duplication is estimated to save distributors approximately $20 000 per year. If Queensland decides to apply changes recommended under the stand-alone power system review, the state-specific obligation would fall away.

More information on this topic is at *Part 2, detailed RIS, Section 2.2*

2.3 Interaction with applied national laws

Example issue: There are some differences in definitions across state and applied national laws. For example, there is no definition for a 'generating plant' in the Electricity Act. This creates complexity when dealing with new technology, including virtual power plants and large-scale batteries. The recommended option to align definitions in Queensland's state electricity laws with applied national laws, will close regulatory gaps and leverage national reforms in the future.

Context

A complex mix of laws apply to the regulation and governance of energy in Queensland. In fact, the laws being reviewed as part of this project comprise a relatively modest part of the mix. When so many laws have a role to play in the sector, it is important to capitalise on opportunities to reduce complexity and align similarities.

Assessment of current issues

A number of issues have been identified in relation to interactions with applied national laws:

Definitions: State and applied national laws adopt different definitions for technical matters. Inconsistent terminology between state and applied national laws can create unnecessary complexity for industry and users.

Distributed energy resource register (the DER Register): The DER Register is an important instrument for efficient future planning of the network and operating the power system as it transforms. The Australian Energy Market Commission recommended state laws play a stronger role in supporting the DER Register, e.g. via placing direct requirements on electricians to provide information about distributed energy resources. However, as requirements already exist under state law, activities to promote awareness and compliance may be a better response.

Information gathering powers: the Queensland Government needs holistic oversight of energy issues impacting on the state – particularly for matters that cross state and applied national law boundaries. The state legislation already provides that QCA may conduct a review into any matter relating to the Queensland electricity market or reticulated processed natural gas market. However, it has no supporting information gathering powers.

Recommended option

Three options were assessed:

- Option 1: Status quo. No legislative change, but in relation to the DER Register, information and awareness activities be undertaken to support compliance with existing rules.
- Option 2: Partial integration. State law places a new direct obligation on electrical installers to update the DER Register. Information gathering power given to the QCA to support its review and advice functions, but limited to regulated entities under state law. No changes to definitions.
- Option 3: Alignment with other jurisdictions. Key definitions in state law aligned with applied national laws, a direct obligation placed on electrical installers to provide a certificate of safety when connecting any device to the relevant network and the QCA would be able to request information from any relevant person to support its review and advice functions.

For the DER Register, option 1 is recommended. It is the least cost impact, is the least complex and is expected to have equivalent outcomes to the other options. **For definitions and information gathering powers, option 3** is recommended as it would reduce complexity and support better operation of the regulatory framework, now and in the future.

More information on this topic is at *Part 2, detailed RIS, Section 2.3*

2.4 Licensing

Example issue: Licensing under the Electricity Act was designed for large participants operating under a centralised mode. Today, in addition to Queensland's electricity licencing arrangements, there is a national 'licence' (or registration process) to enter the NEM, and participants come in a range of shapes and sizes. The types of electricity participants that it was designed to fit are now also licensed by applied national law (i.e. is duplicated), and there is currently no well-fitting licence for the new types of generators and networks.

Context

A licensing regime applies to electricity generation and network activities, and to gas distribution activity. Approximately 68 entities hold licences, mostly for generation. An additional 77 entities are authorised under 'special approval' arrangements. Numerous further carve outs and exemptions also exist, covering thousands of small-scale activities (e.g. generation equal to or under 30MW, on-supply networks).

Licensing manages risk including technical competence, financial strength, honesty, and environmental harm. These factors are scrutinised by the Regulator before issuing a licence. The process takes four months or longer for more complex applications and imposes costs on applicants and the Regulator with application fees set well below cost.

Assessment of current issues

Changes in the sector have affected the risk profile of different activities:

- National registration processes now also scrutinise technical competence and financial strength, meaning there is less likelihood of poor quality projects. This reduces the value of additional assessment of these factors at a state-level.
- Grid connected generation projects are smaller, meaning failure of an individual project will have less system impact. This reduces the value of individual licensing.
- Complex stand-alone power systems which provide electricity to small groups of regional customers are becoming more feasible, heightening the risk posed by smaller-scale activities. This means additional oversight may be needed.
- Gaps exist in the licensing categories, exemptions and carve outs that did not contemplate micro-grids, stand-alone power systems and batteries, and community owned assets. For these models, the system is unnecessarily confusing and complex to navigate.

Stakeholders suggested state and national processes for licensing be aligned, duplication be removed and proposed changes be made to address risks, gaps and confusion for new and emerging technology.

Recommended option

Three options were assessed:

- Option 1: Status quo. No legislative changes.
- Option 2: National alignment. Remove duplication and align to the national framework.
- Option 3: Remove licensing function. Grid connected entities would use national registration and state obligations moved to a standards framework. Reserve powers to ban technologies on environmental grounds are retained.

Option 2 is recommended for network activity as it would deliver a significant positive impact on customer outcomes and clarify the operating environment for newer business models. There is no preferred option for generation activity.

More information on this topic is at *Part 2, detailed consultation RIS, Section 2.4*

2.5 Powers of entry and resumption

Example issue: When the Electricity Act was written, distributors provided all metering services. Following Power of Choice reforms, metering coordinators arrange for meters to be installed and maintained, but they don't have the same access rights as distributors. The recommended option will give metering coordinators the same rights as distributors to enter property to install and maintain meters.

Context

Energy infrastructure is predominantly located on land that is not owned by energy industry participants. Powers of entry and resumption give industry access to private and public land so they are able to build, operate, maintain and repair infrastructure, read meters, connect and disconnect customers, and remove old infrastructure. These powers are commonly conferred on industry participants to support safe, reliable and cost effective energy.

Assessment of current issues

Concerns relating to alignment between powers and roles include:

- powers conferred on generation entities
    - are inconsistent with their role e.g. access to read meters, or
    - do not appear to have been used e.g. recognition as a constructing authority to enter property to assess suitability for proposed works
- powers to support meter installation and readings are not directly conferred on those responsible, but rely on complex arrangements
- smaller 'exempt' networks may need rights to access works for operation, maintenance and repair to support system safety and reliability.

Issues relating to operational matters include:

- delays and safety issues where distributors are restricted in accessing works in land-locked properties and in emergencies
- inefficiencies from electricity retailers being unable to access distributor-controlled power industry locks to perform their metering responsibilities
- road safety concerns arising from power pole replacement activities in clear zones, and time delays and budget impact of rescheduling road works where energy entities fail to meet agreed timeframes.

Recommended option

Three options were assessed:

- Option 1: Status quo. No legislative changes.
- Option 2: Partial adjustment. Legislative amendments to address identified issues.
- Option 3: Full adjustment. All networks would be given equivalent rights, generator rights would be removed, networks would need road authority agreement to undertake replacements, and any party exercising access rights would need to have a code in place.

Option 2 is recommended. Status quo has not been successful and involves unnecessary cost and complexity. The more interventionist approach (option 3) appears disproportionate to the issues raised.

More information on this topic is at *Part 2, detailed RIS, Section 2.5*

2.6 Technical requirements

Example issue: Technology is constantly evolving and the Electricity Act contains some prescriptive provisions that inhibit innovative solutions. For example the Act potentially locks networks into delivering 'poles and wires' solutions, despite advances in solar photovoltaic (PV) systems and batteries. The recommended option will remove barriers within state law to networks supplying connections via stand-alone power systems, to complement work being done at a national level.

Context

Technical regulation supports an energy system and individual connections which are safe, reliable, secure and of high quality. Broadly, the framework consists of standards of: technical performance e.g. network reliability standards; powers conferred on industry e.g. for meter placement; and restrictions placed on end users e.g. restrictions on what can be connected to the network. Technical requirements can impact system costs and services. Prescriptive or outdated requirements can create barriers and unnecessary costs.

Assessment of current issues

A number of stakeholders suggested that technical standards be completely removed, or placed in standards, codes, policies or guidelines rather than in legislation or regulation. Doing this would make it easier to update technical standards when needed. Other issues raised in submissions were:

- unnecessary restrictions on distributors from providing services via stand-alone power systems
- need for technical restrictions to deal with sensitivity of isolated networks to solar installations
- need for clear rules about battery installations, and role of distributor to approve
- the Electricity Act's definition for 'electrical equipment' excludes equipment operated by extra-low voltage meaning battery systems (including the current market leader) are not captured.

Recommended option

Three options were assessed:

- Option 1: Status quo. No legislative adjustment.
- Option 2: Individual amendments. Legislative amendments to address identified issues.
- Option 3: Standards and codes framework that consolidates current rules (legislation, regulation, Distribution Network Code, licence conditions) into a standards and codes framework administered by the QCA and supported by technical expertise as required.

  Options 2 and 3 also include changes to: allow networks to supply connections via stand-alone power systems if there are benefits; clarify that users must apply to network before connecting export-capable batteries; and allow meter providers to isolate supply.

Option 2 is recommended for gas networks with specific metering difficulties to be addressed through amendment. **Option 3** is recommended for electricity as it provides a central reference point and resolves technical issues in the short and long term. Cost impacts for option 3 are justified by expected long term benefits that option 1 and option 2 cannot deliver. These benefits include greater flexibility to adapt and change, and respond to new and emerging energy models.

More information on this topic is at *Part 2, detailed RIS, Section 2.6*

2.7 Price control

Note: The Government has recently comprehensively examined electricity retail prices and feed-in tariff arrangements including the Solar Bonus Scheme. Pricing policy decisions such as the 2016 deregulation of retail prices in South East Queensland, and funding arrangements for the Community Service Obligation are out of scope for this review.

Example issue: Electricity storage - such as batteries - is an emerging technology. At present the regional feed-in tariff does not apply to exporting energy from a battery. The recommended option will remove this prohibition to allow new solutions that aggregate stored energy from many homes into a tradeable, clean energy source.

Context

Price controls are generally used to address power imbalances between customers and providers which could lead to unfair price practices. Stronger controls are applied in the regional electricity market than in South East Queensland where customers have greater retail choice. While limited competition exists within the reticulated gas market, few protections are afforded to small customers, as gas is subject to strong competitive pressures from other fuels.

Assessment of current issues

The key price control issue raised by stakeholders was lack of choice in regional Queensland. Although regulated notified prices give customers a range of tariff choices, in practice 99.94 % of residential customers in regional Queensland are on the same primary tariff, indicating that the existing choice options are not necessarily lining up with real needs. Considerations when setting tariffs do not currently extend to choice, but focus on cost-reflectivity and uniform tariff pricing within a narrow range.

Other issues include:

- size and technology limitations on regional feed-in tariffs which cause some customers to miss-out on credits for exports and may restrict participation in virtual power plants
- administrative inefficiencies, including limited information gathering powers and dual processes.

The issues paper also sought comment about the role, benefits and disadvantages of Schedule 8 of the Electricity Regulation which sets maximum amounts customers pay for some activities. However, there was insufficient feedback to inform the development of options. To ensure this issue is fully addressed, the government will separate it from this consultation process and refer it to the QCA for further investigation. The QCA will report back to government on the outcomes of its analysis.

Recommended option

Three options were assessed:

- Option 1: Status quo. Minor non-legislative action to drive efficiencies.
- Option 2: Targeted reform. Legislative changes to expand regional feed-in tariffs (up to 100kW systems + batteries).
- Option 3: Improve efficiency and effectiveness. Option 2 proposals plus measures to direct pricing entity to consider choice and administrative efficiencies.

Option 3 is recommended as it provides the most benefits in terms of certainty for industry, choice in regional areas, and most potential to achieve system efficiencies.

More information on this topic is at *Part 2, detailed RIS, Section 2.7*

2.8 Dispute resolution

There are three parts to Section 2.8: Dispute resolution.

The first two parts concern the Energy and Water Ombudsman.

Section 2.8.1 is about an immediate issue. The Council of Australian Governments (COAG) Energy Council has decided that embedded networks should have access to the services of the Energy and Water Ombudsman, and Section 2.8.1 deals with the discrete issue of the fee structure that should apply to complaints by customers in embedded networks.

Section 2.8.2 is a more future-focused issue. It considers what the best structure for the Energy and Water Ombudsman is, to allow it to respond to changes in the sector.

These papers have been separated for the following reasons:

- To give stakeholders an easier reading and consultation experience, especially as the stakeholders for these issues are not identical. Separation means that stakeholders who only wish to comment on, for example, the immediate issue of embedded network complaint fees, can do so easily.
- To allow stakeholders to provide feedback on a current issue and the freedom to provide different feedback on a future focused issue. If we combined the two parts, some stakeholders may feel pressure to respond a particular way in order to achieve the outcome they desire in the short term, even if they hold a different view about the longer term structure of the Energy and Water Ombudsman.
- To provide the best possible outcome for both issues. The outcomes of stakeholder feedback on Section 2.8.1 are relevant to Section 2.8.2 (regardless of which option is preferred).

The third part concerns the dispute resolution mechanisms for energy and public entities. This mechanism operates differently to the Energy and Water Ombudsman scheme and separation allows for a more fulsome regulatory impact statement to be completed on its characteristics.

2.8.1 Dispute resolution – Energy and Water Ombudsman fee options for complaints by embedded network customers

Example issue: At present small customers in embedded networks (e.g. in caravan parks, retirement villages, apartment blocks, etc.) do not have access to the Energy and Water Ombudsman's services, as other small customers do. The Queensland Government is undertaking work to enable embedded network customers to access the Ombudsman's services. As part of this work, it is examining the best fee structure for such complaints. The recommended option is centred on a sliding fee structure based on the number of customers in the embedded network.

Context

The Energy and Water Ombudsman is a free, fair and independent dispute resolution service, for small customers, funded by industry participants.

Assessment of current issues

At present embedded network customers in Queensland do not have access to the free services of the Energy and Water Ombudsman.

However, as a result of a number of national reform and consultation processes undertaken by the Australian Energy Market Commission and the Australian Energy Regulator (e.g. Issues Paper: *Access to dispute resolution services for embedded network customers*), there is now a clear policy direction (supported by the COAG Energy Council) that embedded network customers should be able to access the services of the Energy and Water Ombudsman, like other small energy customers.

To enable embedded network customers to access the services of the Energy and Water Ombudsman, the Queensland Government is considering the most appropriate fee options for complaints by these customers (i.e. the fees that the relevant 'exempt sellers' would pay).

Recommended option

Three options were assessed:

- Option 1: fees based on full cost recovery.
- Option 2: fees based on the capping of fees.
- Option 3: fees based on a sliding scale that relates to the number of customers the embedded network 'exempt seller' has.

Option 3 is recommended. This option goes part way to covering the costs associated with an Ombudsman investigation while acknowledging the exempt seller's ability to pay. This option also minimises the level of cross-subsidisation that may be required (by either the Energy and Water Ombudsman or retailers).

The Queensland Government is also considering the timing of the commencement of the user-pays fee scheme. In order to be as informed as possible, it is recommended that the fee scheme be deferred for 12 months. It is also recommended there be no annual membership fee for 'exempt sellers'.

More information on this topic is at *Part 2, detailed RIS, Section 2.8.1*

2.8.2 Dispute resolution – Energy and Water Ombudsman Queensland

Example issue: Legislation sets out the types of complaints the Energy and Water Ombudsman can consider. Stakeholders suggested the Ombudsman have greater flexibility to set its own jurisdiction. For example, the process to change Queensland's legislation to enable customers in embedded networks to access the Ombudsman has taken years of work, while equivalent customers in other states are already able to access their Ombudsman's services. Ongoing change in the energy sector is anticipated to require regular review of scope.

Context

Queensland's Energy and Water Ombudsman is a statutory body. Ombudsman schemes in other key jurisdictions are set up as companies limited by guarantee.

Assessment of current issues

In Queensland, all aspects of complaints considered by the Energy and Water Ombudsman are tightly regulated: who can make a complaint, who a complaint can be made against, the subject matter of a complaint. In a fast-moving sector, this degree of prescription is unnecessarily restrictive.

Fees and budget rules are similarly restrictive, leading to a situation where the Energy and Water Ombudsman hands back hundreds of thousands of dollars to industry each year, rather than invest in efficiency improvements.

Some other NEM jurisdictions have successful energy and water Ombudsman schemes operating under a company structure, rather than statutory arrangements. This provides significantly greater subject matter and budget flexibility. These company schemes achieve similar performance outcomes in terms of satisfaction at a lower cost, though such schemes do not have dedicated regional offices (as exist in Queensland).

Consumer groups, the Energy and Water Ombudsman Advisory Council and industry participants requested improvements to the current arrangements to increase flexibility and reduce costs.

Recommended option

Three options were assessed:

- Option 1: Status quo. No change.
- Option 2: Statutory entity with greater flexibility. Ombudsman remains statutory authority, increased flexibility to adjust scope of complaints and cost recovery arrangements, and stronger powers to review systemic issues.
- Option 3: Company limited by guarantee. Ombudsman becomes a company overseen by an independent board, subject to commercial standards for financial management and reporting.

Option 2 is recommended. The option provides flexibility for the future and it comparatively low cost to implement. The option also maintains continuity for Ombudsman staff.

More information on this topic is at *Part 2, detailed RIS, Section 2.8.2*

2.8.3 Dispute resolution – the Regulator

Example issue: For small customers the Queensland Government has appointed an arm's length administrator (the Energy and Water Ombudsman) to consider complaints according to a clearly defined process. For complaints by energy and public entities no similar single administrator has been appointed. Instead the role is shared between the QCA and the Regulator. The recommended option would appoint the QCA to handle these types of complaints, in a restructure that aligns with regulatory best practice.

Context

Mechanisms for dispute resolution for energy and public entities provide an important safety net that allows a complainant to have their concerns heard in a clear, simple, quick and inexpensive way. While most disputes between energy entities will be considered by the Australian Energy Regulator (AER) under applied national laws, where the dispute involves a public entity or relates to access to an off-grid network, state law applies.

Currently, disputes between energy entities, and between energy and public entities are very rare, however, as the energy sector diversifies, a wider range of participants may join the sector. This type of dispute resolution function will serve an important role in enabling different market players to participate on an equal footing with larger, more established entities.

Assessment of current issues

For public and energy entities, the dispute resolution mechanism is less structured than for small customers. Instead, the nature of the complaint determines: who will consider the complaint (the Regulator or the QCA), whether the complaint is considered according to formal or ad hoc procedures, who will pay the costs of the process, and in the case of appeal who will review the decision (e.g. the Governor in Council).

Stakeholders supported continuation of a dispute resolution mechanism for energy and public entities and recommended improvements to the current dispute resolution mechanism, noting the benefits of an escalated process of resolution (e.g. one that starts with structured mediation and moves to final and binding decisions by the decision making body).

Recommended option

Three options were assessed:

- Option 1: Status quo. No changes but published guidelines for dispute resolution.
- Option 2: Amend. QCA to have jurisdiction with high level principles to manage dispute resolution.
- Option 3: Remove. Remove dispute resolution functions from legislation.

Option 2 is recommended as this option is most likely to achieve the overall objectives of the dispute resolution function, aligns with regulatory best practice, and makes it consistent with the mechanism for small customers.

More information on this topic is at *Part 2, detailed RIS, Section 2.8.3*

2.9 Customer protection

Example issue: Around 30 per cent of customers in Queensland receive an electricity or gas rebate to help pay the cost of their energy supply. These rebates are paid via energy retailers. The framework proposed under the recommended option would provide for the government to enter into agreements with 'exempt sellers' to administer concessions in addition to retailers. This would mean all eligible customers, even those on off-grid networks who buy their energy from an exempt seller, can receive appropriate financial assistance.

Context

The majority of customer protections in the energy sector are provided under the *National Energy Retail Law (Queensland)* (the NERL(Q)) and the Australian Consumer Law. Given this, only a small number of express protections apply in state law. In addition to dispute resolution and price control (assessed separately), state legislation includes:

- customer protections in the form of distribution network codes requiring service levels for customers e.g. connection timeframes
- retailer requirements for community service agreements to administer government concessions e.g. electricity rebate and gas rebate.

Assessment of current issues

Customer protection obligations in state legislation generally only extend to traditional suppliers: electricity and gas distributors, and energy retailers. While energy retailers are required to administer concessions on behalf of exempt sellers, not all exempt sellers will have a direct retail relationship (i.e. stand-alone systems). Without additional flexibility to provide for these and other new service situations under the network codes and concessions arrangements, there is a risk customers may be locked out of protections on the basis of a service model they may have limited control over.

In its submission, Energy Queensland flagged that a recent change to the definition of a 'customer' in the NERL(Q) has affected the application of the law to customers who receive supply from distribution businesses, but do not otherwise purchase electricity from a retailer.

Recommended option

Three options were assessed:

- Option 1: Status quo. No changes.
- Option 2: Partial adjustment. Adjust definition of 'customer', Minister able to enter into concessions agreement with exempt sellers in stand-alone systems, codes may deal with service levels in large exempt networks (i.e. over 100 people).
- Option 3: Full adjustment. Adjust definition of 'customer'. Minister able to enter into concessions agreement with exempt sellers (not just stand-alone power systems as in option 2) and codes may deal with service levels on any exempt network (not just those over 100 people as in option 2).

Option 3 is recommended as it provides maximum flexibility to manage changes in service delivery models into the future, with built in safeguards to ensure that no agreement is entered into, or code made without an assessment of benefits and cost imposts.

More information on this topic is at *Part 2, detailed RIS, Section 2.9*

2.10 Emergency powers

Example issue: Under the Gas Supply Act, participants are obligated to provide information to the government to assist with supply emergency planning. There is no similar provision in the Electricity Act and instead participants proffer this information to the Queensland Government on a voluntary basis. The recommended option will modernise supply emergency provisions of the Electricity Act and the Liquid Fuel Supply Act so they reflect contemporary best practice.

Context

Emergency powers are a necessary element of emergency management frameworks that seek to minimise disruption of electricity, gas and liquid fuel supply. National processes and laws provide the primary response for electricity, gas and liquid fuel supply events and emergencies in Queensland. In practice, the interaction between these various laws means there is a small, but critical safety net role for Queensland's state energy emergency powers. This includes emergency provisions to support communities who are not connected to the national electricity grid. At the moment this includes the 33 isolated communities, but is likely to include other customers as technology enables more distributed energy solutions. The collation of information from Queensland energy participants supports the government's role in supporting the Australian Energy Market Operator (AEMO) to manage national supply emergencies through effective risk management and contingency planning.

Assessment of current issues

Stakeholders expressed support for state emergency powers and identified opportunities to modernise existing powers. Analysis of emergency provisions in the NEM jurisdictions and state legislation also identified opportunities to improve emergency and information request powers in the Electricity Act and Liquid Fuel Supply Act.

- Accurate and timely information is essential for effective risk management and contingency planning. Current planning processes for electricity rely on participants giving information to the department on a voluntary basis. While these arrangements are working well, they may need regulatory support as the range of participants diversifies.
- In an emergency it is important that decisions are made by the most appropriate people, in a timely way. The Electricity Act and Liquid Fuel Supply Act only provide for outdated emergency management processes (e.g. Governor in Council, gazettal notices, petrol rationing tickets) which are not workable and likely to delay government action in an emergency event.

Recommended option

Two options were assessed:

- Option 1: Status quo. No legislative amendments.
- Option 2: Modernise emergency powers. Change the Electricity Act to replace the rationing order provisions with powers for Minister to declare an electricity supply emergency and make emergency directions. The Electricity Act and the Liquid Fuel Supply Act would be amended to include information request powers to support emergency management planning.

Option 1 is recommended for gas. **Option 2** is recommended for liquid fuels and electricity. Option 2 has no significant costs, it delivers a better safety net for non-grid connected customers, is consistent with other NEM jurisdictions and complements national supply emergency processes.

More information on this topic is at *Part 2, detailed RIS, Section 2.10*

2.11.1 Offences and enforcement – structural arrangements

Example issue: The QCA and the Regulator are responsible for various administration and enforcement roles under the legislation. Some duplication exists. This creates unnecessary complexity. Simplifying the arrangements to either consolidate roles within one body, or separate responsibility for administration and enforcement in line with best practice could support better outcomes.

Context

The Regulator (Chief Executive of the Department of Natural Resources, Mines and Energy or 'DNRME') is principally responsible for compliance and enforcement of state legislation, and also has some administrative functions in terms of assessing and granting licences. By contrast, the QCA is predominantly responsible for administrative matters like making and amending distribution codes, setting price controls and monitoring and reviewing the energy markets. However, it also has a minor enforcement role in relation to codes.

Assessment of current issues

The current split of administration and enforcement between the Regulator and the QCA potentially creates confusion of responsibility. For example, where conduct may contravene a code as well as offence provisions and licence conditions, the QCA and the Regulator will both play an enforcement role (i.e. QCA in relation to the code and the Regulator for the offence and licence condition). While the arrangements have been working effectively, there is the potential for gaps or duplication in information collection, industry expertise, effective administration and enforcement.

Recommended option

Two sub-options were assessed:

Sub option A: Consolidate

The QCA would be responsible for both administration and enforcement of the legislation. This is a simple structure. It would reduce the risk of industry confusion and may lead to more comprehensive insights into regulatory issues, more consistent engagement with industry, consumers, governments and other regulators, and more informed consideration of regulatory risks. However, it exacerbates the risk of regulatory capture and could increase costs on industry as QCA operates on a cost recovery basis.

Sub option B: Split

The Regulator would be solely responsible for enforcement of the legislation and the QCA would be solely responsible for administration of the legislation. This aligns with regulatory best practice and would deliver a clearer compliance and reporting framework and transparent administrative processes. As this model is closest to existing arrangements, disruption would be minimal. However, industry would continue to be required to deal with two agencies.

No option is recommended. Stakeholders are asked to provide feedback on the options presented.

More information on this topic is at *Part 2, detailed RIS, Section 2.11*

2.11.2 Offences and enforcement – penalties

Example issue: The current offences and enforcement framework has some gaps and overlaps, and does not provide a full suite of enforcement options. For example, if a device is interfering with the supply of other customers, the only remedy is to disconnect the supply of the offending customer. A more appropriate and less intrusive solution may be to allow the distributor to disconnect the offending device. The recommended option will update the offences list to remove duplication, close gaps, give the Regulator a more effective toolkit, and restructure the roles of the QCA and the Regulator.

Context

An effective offences and enforcement framework is an essential component of any well-functioning legislation: rules have little meaning if breaking them has no consequence. Offences and enforcement arrangements promote compliance with the legislation by prohibiting or compelling particular conduct, and setting out consequences for non-compliance. These are complemented by mechanisms to detect and respond to non-compliance. Different approaches apply to energy entities and individuals.

Assessment of current issues

Stakeholder feedback and examination of the legislation identified various issues:

- Additional offences: a number of stakeholders called for additional offences or higher penalties, however these would largely create overlap or be inconsistent with the Criminal Code.
- Consequential amendments: if recommended options are adopted, some consequential amendments to the enforcement arrangements may be needed.
- Other remedies: technology advances in energy storage units and micro-embedded generators could see customers connecting multiple devices to the network. The current framework does not allow non-compliant devices to be disconnected. Instead, the framework allows the customer's premises to be disconnected from the network (effectively cutting power to all devices in the home, even the complying ones).
- Detection and response to breaches: currently, the Regulator has a range of tools for monitoring and responding to suspected contraventions, but they are not uniformly available. There are also opportunities for the Regulator to raise awareness of the rules and associated penalties.

Recommended option

Three options were assessed:

- Option 1: Status quo. No legislative change, but greater focus on raising awareness of rules.
- Option 2: Modernise offences and enforcement tools. Update offences to remove duplication etc. and expand regulatory toolkit.
- Option 3: Modernise and structural adjustment. Modernise offences and enforcement tools as per option 2 and undertake structural adjustment of QCA and DNRME roles either sub option (a) or (b) (as set out above, under Section 2.11.1 Offences and enforcement – structural arrangements).

Option 3 (a) or (b) is recommended to modernise both the tools and framework that support offences and enforcement.

More information on this topic is at *Part 2, detailed RIS, Section 2.11*

Table A1: Summary of the recommended options

Topics			Recommended options

T1	Purpose of state energy laws (i.e. the objectives of the Acts)	Section 2.1	OPTION 3
			• The purposes of the Electricity Act and Gas Supply Act would be updated to:
			  o promote the long-term interests of consumers with regard to the price, quality, safety and reliability of electricity and gas services (i.e. the national energy objectives)
			  o promote efficient, economic and environmentally sound energy supply and use (i.e. the state priorities)
			• A purpose would be created for the Liquid Fuel Supply Act, as at present it does not have one
			• The purpose of the Energy and Water Ombudsman Act would remain unchanged

T2	Energy efficiency and demand management	Sections 2.2	OPTION 3 • Remove duplicate requirements for energy efficiency labelling and demand management reporting for grid-connected services
T3	Interaction with applied national laws	Section 2.3	OPTION 1 for DER Register • Existing legislative obligations would be supported by an information and awareness program targeting electrical installers and the sellers of energy storage systems OPTION 3 for definitions (Electricity Act) and information gathering powers (Gas Supply Act and Electricity Act) • Key definitions would be adjusted for better alignment with national energy laws • QCA would be able to request information from any relevant person to support its review and advice functions
T4	Licensing	Section 2.4	OPTION 2 for distribution activity • Streamline electricity and gas distribution licences and electricity generation licences to align with national process • Adjust the licensed activity in relation to electricity distribution to ensure that commercial operators of stand-alone power systems are included, whether supply is provided to an individual customer or many customers NO RECOMMENDED OPTION for generation activity
T5	Powers of entry and resumption	Section 2.5	OPTION 2 • Extend rights of entry to remove infrastructure to include land remediation • Allow network entities to pass through neighbouring properties in emergency situations and in land-locked areas where no other feasible access exist • Require distribution entities to provide access to power industry locks to retailers or metering coordinators

			• The standards and codes framework outlined in T6: Technical Requirements may enable industry or the QCA to develop land access codes and/or standards • Expand consultation obligations on electricity entities to include having regard to road safety when identifying mutually beneficial arrangements for replacements • Amend Gas Supply Act to enable the public entity to consider road safety when making a condition about gas infrastructure on, or proposed to be built on a road • Provide a timeframe (e.g. within 20 business days) for energy entities to notify road authorities of emergency works undertaken on roads, rather than as soon as practicable • Require energy entities who fail to meet agreed timeframes for works on roads to compensate road authorities for associated rescheduling costs (excluding force majeure) • Reduce rights of generation entities • Give metering coordinators metering access • Confer appropriate access rights on non-traditional suppliers who supply work that is in the public interest
T6	Technical requirements	Section 2.6	OPTION 2 for gas networks • Amend Gas Supply Act to address specific metering issues OPTION 3 for electricity • QCA to administer, supported by appropriate technical expertise, a standards and codes framework. This framework would replace existing technical obligations found in the Electricity Act, Electricity Regulation, Electricity Distribution Network Code and authority conditions, while incorporating the following changes: o allow networks to supply connections via Stand-Alone Power Systems if there are benefits o expand scope of Distribution Network Code beyond metering for isolated networks o adjust definition of electrical equipment to include extra-low voltage storage systems o clarify that users must lodge application with network before connecting battery capable of exporting o enable meter providers to isolate supply when working on meters o remove provisions relating to meter placement and customer obligation to pay housing costs of meters
T7	Price control	Section 2.7	OPTION 3 • Use existing delegation powers to include customer choice in regional price determination • Expand regional FiT (up to 100kW systems + batteries) and make more technology neutral • Strengthen information request powers for price monitoring
T8	Dispute resolution	Section 2.8.1 Energy and Water Ombudsman fee options for	OPTION 3 • Base fees on a sliding scale that relates to the number of customers an embedded network 'exempt seller' has

		embedded networks	
		Section 2.8.2 Energy and Water Ombudsman	OPTION 2 • Improve flexibility of the Ombudsman going forward: statutory entity with greater flexibility
		Section 2.8.3 Regulator	OPTION 2 • Amend Electricity Act and Gas Supply Act to make QCA responsible for dispute resolutions, supplemented by high level principles
T9	Customer protection	Section 2.9	OPTION 3 • Adjust the definition of 'customer' to focus on supply of electricity rather than retail sales relationship • Minister is able to enter into concessions agreement with exempt sellers (not just stand-alone power systems as in option 2) • Allow codes to deal with service levels on any exempt network (not just those over 100 people as in option 2), subject to open process, including cost assessment
T10	Emergency powers	Section 2.10	OPTION 1 for gas No legislative amendments OPTION 2 for liquid fuels and electricity • Amend the Electricity Act to replace the rationing order provisions with powers for Minister to declare an electricity supply emergency and make emergency directions • Amend the Electricity Act and the Liquid Fuel Supply Act to include information request powers to support emergency management planning
T11	Offences and enforcement	Section 2.11.1 Structural arrangements	NO RECOMMENDED OPTION. Stakeholders are asked to provide feedback on the two sub-options presented: QCA responsible for administration and enforcement of legislation; or Regulator responsible for enforcement and the QCA responsible for administration of the legislation
		Section 2.11.1 Penalties	OPTION 3 • Consequential amendments complemented by education • Offences adjusted to remove duplicative or ineffectual offences • An improved regulatory toolkit (a single framework of enforcement powers that can be applied based on risk and supported by guidance material) • Customers who fail to complete connection agreement for storage or embedded generation may face disconnection of equipment (rather than disconnection of premises)

Table A2: Summary of the survey questions for stakeholders

Part 2 of the Options Paper contains 11 detailed RISs. At the end of each detailed RIS are a series of questions for stakeholders. Stakeholders are requested to respond to these questions via an online survey found at https://www.getinvolved.qld.gov.au/gi/consultation/5811/view.html.

To assist stakeholders who wish to prepare their responses before entering them into the online survey, a list of all questions is provided below.

These questions are identical to the ones contained in the online survey. Open ended questions have a maximum limit of 800 words. The online survey allows respondents to skip any questions they wish.

Energy Legislation Review Stage 2 Options Paper, online survey (preview)

Respondent details
R1: I am responding to the Energy Legislation Review Stage 2 Options Paper as

- an individual
- a company/organisation/agency

Individual respondent details
Age

Name (For example: John Robinson)

Email address (For example: jrobinson@yahoo.com)

Please re-enter your email address

Company/ Organisation/ Agency respondent details
Name of company/organisation/agency

Name of the best contact person from your company /organisation /agency (For example: John Robinson)

Title of contact person (For example: Policy officer)

Email address of contact person (For example: jrobinson@energycompany.com)

Please re-enter email address

Phone number of contact person (For example: (07) 3391 XXXX)

Topic 1 Purpose of state energy laws (i.e. the objectives of the Acts)
Q1.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank (I have no interest in this topic)

Q1.2 Why?

Q1.3 Thinking of your preferred option, would you like to suggest any improvements?

Topic 2 Energy efficiency and demand management
Q2.1 Of the options considered for this Topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank (I have no interest in this topic)

Q2.2 Why?

Q2.3 Thinking of your preferred option, would you like to suggest any improvements?

Topic 3 Interaction with applied national laws

Q3.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- The recommended hybrid option
- I do not like any of the options
- Blank - I have no interest in this topic

Topic 4 Licensing

Q4.1.1 For generation, of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank - I have no interest in this topic

Q4.1.2 Why?

Q4.1.3 For generation, thinking of your preferred option, would you like to suggest any improvements?

Q4.2.1 For network businesses, of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank - I have no interest in this topic

Q4.2.2 Why?

Q4.2.3 For network businesses, thinking of your preferred option, would you like to suggest any improvements?

Q4.3 FEEDBACK WANTED on electric vehicle charging stations and licensing. Stakeholder feedback is sought on the benefits, disadvantages and risks of licensing electric vehicle charging stations under the Electricity Act, or via the exemptions framework.

- I would like to provide feedback

- Blank (I have no interest in providing feedback)

Topic 5 Powers of entry and resumption

Q5.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank (I have no interest in this topic)

Q5.2 Why?

Q5.3 Thinking of your preferred option, would you like to suggest any improvements?

Q5.4 FEEDBACK WANTED Electric vehicles and powers of entry. Stakeholder feedback is sought on the benefits, disadvantages and risks of classifying electric vehicles connected at premises as part of an electrical installation for the purposes of entry.

- I'd like to provide feedback
- Blank (I have no interest in providing feedback)

Topic 6 Technical requirements

Q6.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- The recommended hybrid option
- I do not like any of the options
- Blank (I have no interest in this topic)

Q6.2 Why?

Q6.3 Thinking of your preferred option, would you like to suggest any improvements?

Q6.4 FEEDBACK WANTED Electric vehicles and network connection agreements. Stakeholder feedback is sought on the advantages, disadvantages and risks of requiring electric vehicle owners to seek network approval under the Electricity Act to install an electric vehicle charger which is configured to export, or to otherwise inform the network of their purchase.

- I'd like to provide feedback
- Blank (I have no interest in providing feedback)

Q6.5 FEEDBACK WANTED Electric vehicles and definition of electrical installation. Stakeholder feedback is sought on the advantages, disadvantages and risks of extending the definition of electrical installation to electric vehicles.

- I'd like to provide feedback
- Blank (I have no interest in providing feedback)

Q6.6 FEEDBACK WANTED Excluded customers. Stakeholder feedback is sought on the whether any adjustment may need to be made to either the National Energy Retail Law (Queensland) or

the definition of excluded customer in the Electricity Act to account for new technology (e.g. solar and batteries) or new stand-alone power systems (noting the AEMC is also considering this issue).

- I'd like to provide feedback
- Blank (I have no interest in providing feedback)

Q6.7 FEEDBACK WANTED Electric vehicles charging stations and technical regulation. Stakeholder feedback is sought on whether the framework for technical standards under the Electricity Act should apply to electric vehicle charging stations.

- I'd like to provide feedback
- Blank (I have no interest in providing feedback)

Topic 7 Price control

Q7.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank (I have no interest in this topic)

Q7.2 Why?

Q7.3 Thinking of your preferred option, would you like to suggest any improvements?

Q7.4 FEEDBACK WANTED Electric vehicles and price control. Stakeholder views are sought on the advantages, disadvantages and risks of extending price protections to operators of commercial electric vehicle charging stations.

- I'd like to provide feedback
- Blank (I have no interest in providing feedback)

Q7.5 FEEDBACK WANTED Retail products, services and innovation. Stakeholder views are sought on the value of building greater flexibility into retail products and services for regional customers to address new technologies, and how this could be achieved.

- I'd like to provide feedback
- Blank (I have no interest in providing feedback)

Q7.6 FEEDBACK WANTED Electric vehicles and regional feed-in tariff. Stakeholder views are sought on the advantages, disadvantages and risks of facilitating feed-in tariff payments in regional areas for exports from electric vehicles.

- I'd like to provide feedback
- Blank (I have no interest in providing feedback)

Topic 8 Dispute resolution

Topic 8.1 EWOQ: Embedded network customer fee options

Q8.1 FEEBACK WANTED Stakeholder views are sought on embedded network customer fee options.

- I'd like to provide feedback
- Blank - I have no interest in providing feedback

Q8.1.1 What type of energy disputes are likely to arise between 'exempt sellers' and their customers?

Q8.1.2 What dispute resolution mechanisms do embedded network customers currently use in order to have their energy disputes settled? Are customers aware of and successfully using existing mechanisms? Are there any issues with the current mechanisms?

Q8.1.3 Are there any stakeholder groups that the department should consider, and consult with, when assessing potential options for embedded network customers?

Q8.1.4 Is the predicted number of complaints reasonable based on the information available?

Q8.1.5 Do you agree with the proposal for all residential 'exempt sellers' to be automatically deemed to be Energy and Water Ombudsman scheme participants?

Q8.1.6 Do you agree with the proposal NOT to require 'exempt sellers' to pay an annual participation (membership) fee? If not, why.

Q8.1.7 Do you agree that the proposed fees for 'exempt sellers' under option 3 are fair and reasonable, and proportionate to the level of impact the issue or complaint may have on the 'exempt sellers' customer? If not please explain why.

Q8.1.8 Are there any other user-pays fee options the department should consider?

Q8.1.9 Do you see any issues with delaying the implementation of the user-pays fee scheme for at least 12 months in order to gather data to increase awareness and understanding of the Energy and Water Ombudsman services before fees are payable?

Topic 8.2 EWOQ: general

Q8.2.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank (I have no interest in this topic)

Q8.2.2 Why?

Q8.2.3 Thinking of your preferred option, would you like to suggest any improvements?

Topic 8.3 Dispute resolution - Regulator

Q8.3.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank (I have no interest in this topic)

Q8.3.2 Why?

Q8.3.3 Thinking of your preferred option, would you like to suggest any improvements?

Topic 9 Customer protections

Q9.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3
- I do not like any of the options
- Blank (I have no interest in this topic)

Q9.2 Why?

Q9.3 Thinking of your preferred option, would you like to suggest any improvements?

Q9.4 FEEDBACK WANTED Electric vehicles. Stakeholder feedback is sought on the advantages, disadvantages and risks of including electric vehicle customers within the definition of customer.

- I would like to provide feedback
- Blank - I have no interest in providing feedback

Topic 10 Emergency provisions

Q10.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- The recommended hybrid option
- I do not like any of the options
- Blank (I have no interest in this topic)

Q10.2 Why?

Q10.3 Thinking of your preferred option, would you like to suggest any improvements?

Q10.4 FEEDBACK WANTED Operator of last resort (OoLR) and stand-alone power systems. Stakeholder feedback is sought on the adequacy of ss. 130 and 131 to manage potential issues relating to third party stand-alone power systems, in light of Australian Energy Market Commission stand-alone power systems work.

- I would like to provide feedback
- Blank - I have no interest in providing feedback

Q10.5 FEEDBACK WANTED Emergency powers. What should be the threshold for an emergency supply declaration? What should be the scope of Ministerial direction powers taking account of Ministerial direction powers in other NEM jurisdiction? Would there be an ongoing need for a restriction regulation?

- I would like to provide feedback
- Blank - I have no interest in providing feedback

Topic 11 Offences and penalties

Q11.1 Of the options considered for this topic, which one do you prefer?

- Option 1
- Option 2
- Option 3a
- Option 3b
- I do not like any of the options
- Blank (I have no interest in this topic)

Q11.2 Why?

Q11.3 Thinking of your preferred option, would you like to suggest any improvements?

Demographics
Postcode

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