



public interest
ADVOCACY CENTRE



**Ethnic Communities'
Council of NSW Inc.**

Submission to the AER Developing the Better Bills Guideline

22 September 2021

Contents

- 1. Introduction4
- 2. Response to Consultation Questions4
 - 2.1 AER consumer and behavioural insights4
 - Question 1: What are the key insights from our consumer and behavioural research? What are the key opportunities for the AER to improve consumer outcomes, including through the Guideline, that arise from the research? ..4**
 - 2.2 Improving energy bills7
 - Question 2: What additional or new insights do you have regarding the current problems with energy bills?7**
 - 2.3 Making energy bills simple and easy to understand8
 - Question 3(a): What are the key opportunities to ensure energy bills are simple and easy to understand?8**
 - Question 3(b): Which approach do you consider preferable and why? Are there other approaches we should consider?8**
 - 2.4 'Best offer' information.....10
 - Question 4: Would including 'best offer' information increase consumers' understanding of their bills? Are some consumers likely to find this more beneficial than others? What are the practical issues that need to be considered? Are there risks or potential downsides in including 'best offer' information on bills?10**
 - 2.5 Simplifying the regulatory framework and reducing cost to serve11
 - Question 5: How can we simplify the billing regulatory framework, through the Guideline or more broadly?11**
 - Question 6: Would this reduce the cost to serve? If so, how?11**
 - Question 7: What are the practical and implementation considerations we should be aware of in considering ideas to simplify the regulatory framework, and in developing the draft Guideline?11**
 - 2.6 Other views and information.....11
 - Question 8: Would you like to provide other information for the AER to consider at this stage?11**
- Continued engagement.....14

Recommendation 1

Include people with lived experience of being an edge user into the AER's better bills process.

Recommendation 2

Explore options for additional valuable information to be included on bills.

Recommendation 3

Hold additional focus groups with people who are having difficulty paying their bills.

Recommendation 4

Simple, standard language and terminology, determined through the Better Bills process, should be used across all forms of communication with consumers, not just bills.

Recommendation 5

The Better Bills Guideline should have a regular statutory review (for example, every 2 years) with a statutory timeline for implementation and a requirement for direct community engagement.

1. Introduction

We welcome the opportunity to respond to the Australian Energy Regulator's (AER) Developing the Better Bills Guideline Consultation Paper. This is an important process to ensure energy bills are a more effective communication tool for energy consumers.

The ability for consumers to obtain a fair deal, budget for their bills, understand and control their energy usage and access information regarding supports, is heavily dependent upon the information presented on their energy bills. Inadequate, inconsistent or confusing information has a significant potential to inflict harm on consumers.

Bills are likely to remain a central source of information and contact with energy businesses for many households, especially those who cannot or do not want to participate in more bespoke digital options. Whilst the way some consumers interact with energy services is changing, not all people have access to digital technology and for many, the concept of the two-sided market is a long way off. For many people, energy remains a mostly 'set and forget' arrangement. Even if apps are taken up, the initial novelty wears off and bills remain the main source of ongoing information and interaction. Bills are an ongoing reference and important for record keeping (including when digital reporting technology fails) that people can use to identify, understand and resolve potential disputes or issues. This is particularly important for many people who use their bills to gain advice and assistance from financial counsellors, Ombudsmen schemes, community service organisations and trusted friends and advisors.

When energy bills are designed to be accessible for people regarded as 'edge users', benefits can be gained for all consumers. Consumers need bills to be designed so that people who receive paper bills - or print out their electronic bills so they can read them more easily - as well as those who read them on a screen, can easily find and use the information they need and want.

2. Response to Consultation Questions

2.1 AER consumer and behavioural insights

Question 1: What are the key insights from our consumer and behavioural research? What are the key opportunities for the AER to improve consumer outcomes, including through the Guideline, that arise from the research?

Having reviewed the Behavioural Economics Team of the Australian Government's (BETA) *Improving Energy Bills: Interim Report* ('the BETA Report'), Better Bills Guideline Research Focus Groups (older/non-digital consumers) ('older/non-digital consumers focus groups report') and the Better Bills Guideline Behavioural and Consumer Research – Targeted focus group findings – Culturally and linguistically diverse consumers ('CALD consumers focus groups report'), we have identified the following issues:

- The most read elements of energy bills are the amount owing and the due date.¹ In the BETA Report, in all four groups, the correct responses for the metric amount, due date

¹ Behavioural Economics Team of the Australian Government (BETA), 'Improving Energy Bills: Interim Report', 10; Hall & Partners, 'Australian Energy Regulator Better Bills Guidelines Research Final Report',

and BPAY code, was 77%-79% on average.² Whilst this is the metric with the highest correct responses, it means that 21%-23% of responders did not know how to correctly find this most basic information. Considering that only a small percentage of respondents in the BETA research indicated that English was their second language,³ yet 21% people speak a language other than English at home,⁴ the percentage of people who can't find this basic information is likely to be much higher in the community. This was not highlighted in the Report, but a method needs to be found to achieve a much higher level of understanding so that energy bills can achieve their most basic of functions. Tight prescription around presentation of basic information (i.e., the front page of the energy bill) that uses inclusive design principles could help achieve this.

- A significant majority of people in the BETA Report would like to have best offer, reference price, plan summaries and benchmark information included in their bills.⁵ The older/non-digital consumers focus groups report found that people also want to know that discounts are applied, that historical data is included and what the payment options are.⁶ The CALD consumers focus groups report found that people also want to evaluate whether their bill is correct and look for discounts applied, historical and household comparison data and rate details.⁷ This indicates consumers are looking for a range of information on their bills to make sure they are being charged the correct amount and that this amount is a reasonable amount. This information might not be used immediately on receipt of a bill, but it needs to be available to access when it is needed.
- Bills based on sound design principles can mean that bills can vary in length and information without compromising comprehension.⁸ It is important to note however, that there was not much variation in how the front page information was presented. Consumers get used to finding the basic information they need and it can be confusing when they switch retailers and the information is arranged differently. We suggest greater prescription to how basic payment information is presented but that more broadly good design principles must be articulated in the Billing Guideline as they are crucial to improving energy bills for consumers.
- Shorter bills do not necessarily mean simpler bills⁹ and links to more information are a barrier.¹⁰ As such, providing helpful information on the bill is required wherever possible.
- The BETA Report showed that having a definitions box made no difference or perhaps even reduced comprehension.¹¹ In addition to using straight forward language, definitions could be integrated into the body of the bill, rather than separately in a box. If

7; Australian Energy Regulator (AER), 'Better Bills Guideline Behavioural and Consumer Research, Targeted focus group findings, Culturally and linguistically diverse consumers', 6.

2 BETA (n 1) 20.

3 During the Consultation session on 8 September 2021, the figure of around 4% was mentioned.

4 <https://www.abs.gov.au/ausstats/abs@.nsf/lookup/media%20release3>

5 BETA (n 1) 11.

6 Hall & Partners (n 1) 7.

7 AER (n 1) 6.

8 BETA (n 1) 19.

9 Ibid 20.

10 Ibid 21.

11 Ibid 22.

there was consistency of language across retailers, then over time consumers would be more familiar with terms used.

- The BETA Report indicated plan summaries helped with bill comprehension, although it did not necessarily help respondents choose a better plan.¹² Providing plan summaries is vital for transparency, understanding and consumer trust. People are entitled to, and should be provided with, clear information on how the amount they are being charged was calculated. This in turn may help people reduce their energy costs should they want and be able to, particularly if they know when their time of use costs are higher or lower. Switching to a better plan is complicated and separate from knowing and understanding what plan a consumer is on.
- We agree that the charging table is a vital component of the bill, allowing consumers to see how they have been charged. We note the style inspired by the BEworks research did not result in higher comprehension levels.¹³ We agree that this might be because the invoice style table is familiar but there remains a challenge that it is difficult to create a design that can capture the current and anticipated future variation in pricing models. We suggest guidelines be drawn using a combination of the current charging table and positive elements of the BEworks presentation. In doing so, the AER should consider that whilst three quarters of respondents could verify the supply change and rated the detailed supply charge breakdown as easy to understand, this means that a significant number of respondents could not verify the supply charge and/or did not rate the detailed supply charge breakdown as easy to understand.
- The inclusion of a 'best offer' notification substantially increased the proportion of respondents suggesting the bill recipient should compare their plan or switch to a better one,¹⁴ indicating there is value in including this information on bills.
- People value the inclusion of the reference price on the bill.¹⁵ There are concerns that although inclusion of the reference price could 'prompt some consumers to shop around'¹⁶ it could also 'induce complacency for consumers whose plans are below the reference price'.¹⁷ As it stands, the reference price is linked to the Default Market Offer (DMO) which is intentionally not representative of an efficient (fair) price as it does not represent a competitive price, let alone the best available. Using the DMO as the reference price is of questionable merit and is likely to be counterproductive. People want information about how their energy deal compares to the deals that are available. A reference price should be based on a fair and efficient price, not on the DMO. Otherwise, it lacks value for consumers and should be excluded.
- We note that BETA's 'literature review found mixed evidence on the effectiveness of benchmarks on energy bills.'¹⁸ There is some concern people might increase their energy use as a result of the table, although this seems unlikely given it would result in

¹² Ibid 24.

¹³ Ibid 25.

¹⁴ Ibid 29.

¹⁵ Ibid 31.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid 33.

increased bills. In addition, increased energy usage is not necessarily negative, as some energy consumers ration their energy use to unhealthy levels. In the past, retailers and ombudsman services have expressed concern about benchmark comparisons saying that they receive a lot of complaints that people believe that their usage is higher than it should be. However, the BETA Report, found that where the benchmark comparisons indicated higher than average usage, respondents were more likely to attribute an expensive bill to high usage rather than an expensive plan or a mistake and that 72% of respondents would find the benchmark comparison information helpful.¹⁹ We contend that the benchmark comparisons are an important tool for consumers to understand their usage, but they should be accompanied by information about the limitations of the comparison and where a consumer can access information about using energy wisely to help them address any concerns.

- The BETA Report found that most past energy use charts worked equally well.²⁰ Guidance could be provided about charts that lead to higher comprehension and those that lead to worse (i.e., the combined bar chart). Both the older/non-digital consumers focus groups report and the CALD consumers focus groups report found value with historical data,²¹ indicating this information should continue to be included on bills. Loss of historical data could be a barrier to switching retailers for many consumers and it would be helpful if a mechanism could be found (such as through the Consumer Data Right) to still include it on bills despite switching retailers.
- The BETA Report found that 87% of respondents with solar panels want information about their exports on their bill.²² We understand that whilst some solar households use apps to track their solar information and to pay close attention to it, many consumers just want an idea about production and export, to know their system is still working and/or get an understanding of how they can better utilise their solar system. This is best achieved by including solar information on the energy bill.

2.2 Improving energy bills

Question 2: What additional or new insights do you have regarding the current problems with energy bills?

Taking an inclusive design approach by designing energy bills to be accessible for all users can lead to financial, economic and social benefits.²³ This should include people with low English literacy, low numeracy skills, disability such as vision impairment, impairment due to age as well as those experiencing stress, including due to financial stress/bill payment difficulties. Cumulatively, these cohorts are likely to represent the majority or significant minority of consumers. Research has found “[i]nclusively designed products and services that have edge users in mind, can reach and benefit up to four times the size of the intended audience.”²⁴

¹⁹ Ibid 34.

²⁰ Ibid 36.

²¹ Hall & Partners (n 1); AER (n 1) 6.

²² BETA (n 1) 36.

²³ Centre for Inclusive Design, ‘The Benefit of Designing for Everyone’ (2019), i.

²⁴ Ibid 1.

Considering the value of designing for all users, we recommend including people with lived experience of being an edge user into the AER's better bills process. This is particularly important for the basic bill information where consumers are likely to benefit from having uniformity in the presentation of this information.

Recommendation 1

Include people with lived experience of being an edge user into the AER's better bills process.

2.3 Making energy bills simple and easy to understand

Question 3(a): What are the key opportunities to ensure energy bills are simple and easy to understand?

The key opportunities to ensure energy bills are simple and easy to understand are:

- Designing bills for all people (and including people with edge user lived experience into the design process) is likely to have benefits for a range consumers.
- Provide the essential payment information at the start of the bill in an easy-to-understand format, noting layout comments made during the consultation with older/non-digital consumers, who appreciate space to write notes on the bill.
- Provide detailed information about how the due amount was determined. This gives the bill transparency and legitimacy and provides the necessary information should there be a dispute – for both the consumer and anyone assisting the consumer such as a financial counsellor. Noting the issues posed by barriers such as links, wherever possible information should be on the bill itself, not just accessible elsewhere.
- Consumers must be made aware that assistance must be given by retailers and that other supports are available. This information should be clearly seen on the bill.
- Focus groups of CALD and older/non-digital consumers indicated a desire for energy saving information to be included on the bill.²⁵ Information should be framed around the healthy use of energy and indicate where a consumer should focus their attention and where making changes is unlikely to result in energy savings.
- Plain language and transparent information about the consumer's tariff and when it will end. If a consumer is on a time of use tariff, information about the different charges at different times and when that will change must be included.

Question 3(b): Which approach do you consider preferable and why? Are there other approaches we should consider?

Based on the responses in the BETA Report, the older/non-digital consumers focus groups report, and the CALD consumers focus groups report, we support the use of the structured comprehensive bill. The BETA Report found that:

²⁵ AER (n 1) 9; Hall & Partners (n 1) 17.

- '[The] 'basic bill' performed no better than the others – and perhaps worse on questions related to understanding how the bill was calculated'²⁶, and
- '[T]he Email-Style Bill with the clickable link performed substantially worse on this measure [past energy use, energy benchmarks and solar exports].'²⁷

The older/non-digital consumers focus groups report concluded:

The similarities of both bills are appreciated, however the underlying sense is that the comprehensive bill allows the ease of finding relevant and required information and the option to engage with more information if needed. The main hesitation towards the basic bill stems from a lack of availability of more detailed information if it should be required.²⁸

CALD consumers focus groups report concluded:

[P]articipants overwhelmingly indicated a preference for the complex bill.²⁹ This preference seems to have three key drivers:

- It is important to have access to this information when needed (e.g. to evaluate whether their bill is correct or to dispute incorrect charges).
- They value information that could help them save money on their bill (including energy-saving tips, benchmarking, and historical usage).
- They can choose not to read this information on a regular basis, but would find it difficult to access if it was not on their bill.³⁰

The additional information on the comprehensive and the structured comprehensive bill was important because it:

- Might be needed later and/or is good to have it as a record. For example, the CALD consumers focus groups report included the quote 'I believe all given information is necessary and I may need the information later on as a record.'³¹ A person from the older/non-digital consumers focus group said, 'It seems a waste to have all this space and nothing there. If people want more information they can have it, you don't always have to turn the bill over, but it is nice to have it there if you want it.'³²
- Provides transparency about how a bill was calculated.
- Is easily accessible should there be a problem with the bill or paying the bill. This information can then be easily accessed by the account holder, or someone assisting them, such as a financial counsellor.
- Helps build trust. As captured in the older/non-digital consumers focus group report: 'It feels like they actually want to help you by showing you how you could save money with

²⁶ BETA (n 1) 20.

²⁷ Ibid 21.

²⁸ Hall & Partners (n 1) 15.

²⁹ Footnote from the Report: * Note: This preference is stated in spite of the fact that the complex bill was described as 'the hard bill' by group facilitators, while the basic bill was described as 'the easy bill', which could have created a subconscious bias towards the basic bill; the 8 participants who indicated they preferred the basic bill were in the Arabic (1), Korean (1) and Urdu (6) language groups.

³⁰ AER (n 1) 10.

³¹ Ibid 8.

³² Hall & Partners (n 1) 14.

a different plan or even reducing your energy usage. My current company doesn't do that.³³

Although BETA's research did not indicate value in having greater space, consideration of layout and headings to make the bill easier to comprehend (i.e., the structured complex bill), and the CALD and older/non-digital consumers focus groups were not shown these bills, the CALD consumers focus groups report research found visual presentation including white space is important,³⁴ indicating the structured comprehensive bill might be preferred. Whilst in the older/non-digital consumers focus groups, a positive aspect of the basic bill was 'Easy to read without glasses and visually appealing',³⁵ again, indicating that combining this positive aspect with the information on the comprehensive bill would be seen as positive.

Energy bills should be designed to be understood by the bill recipients least able to understand it, particularly due to low English language literacy and people with vision impairment, rather than for a majority. This will not only help with comprehension for these people, but will have benefits for people across the community.

2.4 'Best offer' information

Question 4: Would including 'best offer' information increase consumers' understanding of their bills? Are some consumers likely to find this more beneficial than others? What are the practical issues that need to be considered? Are there risks or potential downsides in including 'best offer' information on bills?

We note that the presence of a 'best offer' notification substantially increased the proportion of respondents suggesting the bill recipient should compare their plan or switch to a better one and that best offer message was substantially more effective when it was more prominent on the bill.³⁶ We support requiring a 'best offer' notification in a prominent part of the bill, noting that 74% of respondents said they would value having this information on their bill.

Noting comments about people checking that the bill is about the right amount³⁷ – people tend to focus on the amount of energy they use rather than the rate they are being charged. 'Best offer' information is a reminder that the rate being charged is an important component of their bill.

Even if people do not act on this 'best offer' notification, it is important for transparency and the legitimacy of a contestable market. People need to know whether they are getting a fair deal.

Noting the presentation of the 'best retailer offer',³⁸ how and where this information is presented might make a difference to switching. For example, clear comparison information – including options to switch retailers – could be presented as:

³³ Ibid.

³⁴ AER (n 1) 8.

³⁵ Hall & Partners (n 1) 15.

³⁶ BETA (n 1) 29.

³⁷ Hall & Partners (n 1) 7.

³⁸ BETA (n 1) 28.

- Your current plan (Plan A) with Retailer A cost you (or we estimate will cost you) \$X a year.
 - You could potentially save \$X a year if you switched to Plan B at your current retailer (we estimate it would cost you \$X a year on this plan).
 - You could potentially save \$X a year if you switched to Plan C at Retailer C (we estimate it would cost you \$X a year on this plan).
 - You could potentially save \$X a year if you switched to Plan D at Retailer D (we estimate it would cost you \$X a year on this plan).

The best offer notification must take into account the consumer's circumstances both in terms of their energy use and payment history.

2.5 Simplifying the regulatory framework and reducing cost to serve

Question 5: How can we simplify the billing regulatory framework, through the Guideline or more broadly?

The billing regulatory framework should not necessarily be simplified. The end goal should be that consumers can understand their bills with minimal effort, know their options to reduce their bills should they wish to and can engage confidently with the market if they choose. Increased understanding is likely to be achieved with at least having prescription with how the basic information is presented on page one, ensuring that it is accessible for the vast majority of consumers. Then, even when switching retailers, consumers can easily find the basic information they need.

Question 6: Would this reduce the cost to serve? If so, how?

A standard cost of providing an essential service should be to provide easy-to-understand bills.

The AER should also examine what is the cost to consumers in the time taken and in stress, frustration and confusion trying to understand confusing bills with non-standard language and terminology, contacting their retailers, and/or ombudsman services for assistance in interpreting their bills.

Question 7: What are the practical and implementation considerations we should be aware of in considering ideas to simplify the regulatory framework, and in developing the draft Guideline?

Energy bills remain the most common tool consumers refer to, to help them understand their energy usage. Clarity and comprehension should be improved as it is likely to lead to better consumer outcomes longer term, even if there are some implementation costs. We would expect, however, that these costs would be minimal.

2.6 Other views and information

Question 8: Would you like to provide other information for the AER to consider at this stage?

No bills were tested that had significantly more information on it. The BETA Report explains that the two comprehensive bills have a similar amount of information that is available

currently on most bills.³⁹ Providing enough well-presented information on a bill so consumers understand their amount due and know how to manage the amount is empowering for consumers and could be a way to reduce calls and complaints to retailers and ombudsman services.

People often only have expectations of bill content based on what information they have been previously provided. They don't necessarily have high expectations or know they could expect more. With this in mind, there is scope to provide consumers with more helpful information on their energy bills. There might be scope for retailers to enable consumers to choose which additional information they receive and to easily change this preference over time as interest and other variables change. The CALD and older/non-digital consumers focus group reports indicated an interest for more information,⁴⁰ such as:

- Personalised historical data to allow year by year comparison.⁴¹ Currently this can't be provided when consumers switch retailers.
- Information about energy efficiency. This could include examples of the amount of energy different appliances generally use and energy saving tips included on the bill.⁴² On bill energy saving information should let people know which appliances generally consume the most energy, but also reassure people that some appliances, such as lights, usually use much less. Messaging should be framed to encourage using energy better to increase comfort and wellbeing and to save energy and money. On the bill there should also be information about details of any jurisdictional energy efficiency schemes with phone numbers and links to get more information. Phone numbers and links should be provided to access more advice about energy efficiency and should be appropriate for the consumer's climate zone, with a range of options across different budgets and tenancy situations.
- If a consumer is on a time of use tariff, the bill should include information and/or direct people to information about how to shift loads.
- With growing concern about climate change and people's desire to take action, carbon emissions information could be on bills as well as information about how to reduce emissions through energy efficiency, GreenPower and distributed energy resources.
- Information about their tariff and when it will end or whether it changed since the last billing period would help alert consumers that they might want to contact their retailer for a better offer, or switch retailers.

Recommendation 2

Explore options for additional valuable information to be included on bills.

We recommend holding additional focus groups with people who are having difficulty paying their bills. For these consumers, understanding the bill and why it is the amount it is, how to

³⁹ Ibid 14.

⁴⁰ AER (n 1) 9; Hall & Partners (n 1) 17.

⁴¹ Hall & Partners (n 1) 17.

⁴² Ibid., 17; AER (n 1) 9.

get assistance, how to reduce their bills and how to dispute a bill is of heightened importance. Being able to effectively communicate these actions to people in times of stress is likely to lead to bills that are easier to understand for all consumers. In particular:

- How to seek financial assistance, ensuring consumers are aware they are entitled to support from the retailer.
- Whether people can easily find information about concessions on their bills: which concession/s people are receiving and if they are not receiving them, that they might be eligible. Anecdotally, we have heard of people slipping off the Low Income Household Rebate in NSW. These consumers did not notice they were no longer receiving the rebate - it was picked up during energy audits.⁴³ A Report by the NSW Government found that during 2019-20, eligibility for concessions increased, yet the number of concession recipients decreased.⁴⁴ This is likely because of new people becoming eligible for income support as a result of COVID-19. Although for some people this eligibility may have been fleeting, it is important to note that there are few mechanisms to let people know that they are eligible for energy (and other) concessions. A way to address this would be to have much clearer information on the bill regarding eligibility and availability of concessions.⁴⁵
- Information about non-concession jurisdictional supports such as Energy Accounts Payment Assistance (EAPA) in NSW.
- How best to communicate financial terms on bills which do not have a straight forward 'amount owed' but have more complicated billing such as bill smoothing and/or have amounts in credit.
- How access to interpreter services could be improved.
- The value of paper billing.
- The importance of billing frequency.

Recommendation 3

Hold additional focus groups with people who are having difficulty paying their bills.

Any determination of simple, standard language and terminology should be used across all forms of communication with consumers, for example, website and advertisements, not just bills, customer retail contracts and energy offers.

Recommendation 4

Simple, standard language and terminology, determined through the Better Bills process, should be used across all forms of communication with consumers, not just bills.

⁴³ We would be happy to provide details of this information to the AER.

⁴⁴ NSW Government, 'NSW Energy Social Programs Annual Report 2019-20', 8.

⁴⁵ An additional way to address this would be for Service Australia to provide a list of the concessions available (not just energy) when people are notified they are eligible for income support.

The Better Bills Guideline should have a regular statutory review (for example, every 2 years) with a statutory timeline for implementation and a requirement for direct community engagement. This would enable the timely capture of changes in technology, innovation and community attitudes.

Recommendation 5

The Better Bills Guideline should have a regular statutory review (for example, every 2 years) with a statutory timeline for implementation and a requirement for direct community engagement.

Continued engagement

We would welcome the opportunity to meet with the AER and other stakeholders to discuss these issues in more depth.

Ethnic Communities' Council of NSW Inc
Physical Disability Council of NSW
Public Interest Advocacy Centre

Contact

Thea Bray
Policy Officer
Public Interest Advocacy Centre
Level 5, 175 Liverpool St
Sydney NSW 2000
T: (02) 8898 6500
E: tbray@piac.asn.au