

02 August 2024

By email only: networkoutagereview@deeca.vic.gov.au

Network Outage Review
Department of Energy, Environment and Climate Action

Dear Network Outage Review Expert Panel and the Department of Energy, Environment and Climate Action,

Submission to the Network Outage Review Interim Report

We appreciate the opportunity to provide our feedback on the Network Outage Review Expert Panel Interim Report (the **Interim Report**), regarding the 13 February power outages.

As extreme weather events continue to increase, it is imperative that Victorians' access to essential services is protected and prioritised by Government, regulators and industry.

We strongly support the Panels' recommendations provided in this report and affirm the important roles that the Essential Services Commission (**ESC**), the Department of Energy, Environment and Climate Action (**DEECA**) and the Victorian Government have in ensuring that Victorian communities are protected against, and provided ongoing support to recover from, outage events. We submit that the Victorian Government, the ESC and the energy distribution and retail industries prioritise the proposed solutions of the Interim Report.

About Consumer Action

Consumer Action is an independent, not-for profit consumer organisation with deep expertise in consumer and consumer credit laws, policy and direct knowledge of people's experience of modern markets. We work for a just marketplace, where people have power and business plays fair. We make life easier for people experiencing vulnerability and disadvantage in Australia, through financial counselling, legal advice, legal representation, policy work and campaigns. Based in Melbourne, our direct services assist Victorians and our advocacy supports a just marketplace for all Australians.

Question 1. *How well has the Interim Report captured the key issues in the operational response of Victoria's network businesses to the 13 February event?*

We believe that the Interim Report captures the key issues that have caused significant impacts on Victorian communities during the February network outage.

The Interim Report highlights the essential nature of the supply of electricity and telecommunications, as a crucial aspect of our lives, communities and safety, especially during emergencies. For these reasons we support the solutions outlined to ensure that access to essential services is prioritised before, during and after future adverse weather events.

Question 2. *What are your thoughts on the solutions in the Interim Report to improve outcomes for customers during power outages?*

We support the report's proposed solutions in ensuring that prevention and recovery systems are comprehensively integrated with communities at every level, and methods of accountability are further strengthened to ensure that industry's obligations are maintained.

We provide support and more detailed feedback on specific solutions covered in the Interim Report below.

1. Coordination before, during and after emergencies

We support the Expert Panel's consideration in the Interim Report that distribution businesses' roles and responsibilities must be more explicitly incorporated into Emergency Management Plans both at a State and Municipal level, and more broadly integrated within emergency planning in the community. We agree that this would strengthen the oversight and accountability of distribution businesses, importantly by distributing knowledge across the ecosystem of their role in a coordinated response.

We further submit that DEECA and Emergency Victoria should prioritise further funding and resourcing to Municipalities and local communities to further strengthen their continued development of training, response planning and recovery. For example, resourcing communities to deliver training and planning with the 'Energy Ready Toolkit'¹.

2. Planning for life support customers

We strongly support the solutions outlined by the Expert Panel regarding life support customers. We highlight the important role that the ESC holds in ensuring that retailers are meeting their obligations in collecting, validating and updating life support customer data, and we support the Panel's recommendation that the ESC prioritises enhancing retailers' accountability as part of the Energy Retail Code of Practice² review.

We believe it's imperative that Government and industry prioritise reviewing life support customer protections and systems to ensure that Victorians requiring life support are provided priority assistance and rapid response in emergency events. Further, retailers' obligation to ensure the accuracy and maintenance of the life support register is a crucial aspect of ensuring that vulnerable people are provided with protections from disconnection where possible, and priority response in outage events. We support the ESC in investigating retailers'

¹ Institute for Sustainable Futures, [Energy Ready: empowering energy-resilient communities | University of Technology Sydney \(uts.edu.au\)](https://www.uts.edu.au/research/energy-ready) accessed via the *Network Outage Review Interim Report* p.22

² Essential Services Commission, Energy Retail Code of Practice Review, [Energy Retail Code of Practice review | Engage Victoria](https://www.engage.vic.gov.au/energy-retail-code-of-practice-review)

implementation of their obligations in this regard, and their continued investigation and enforcement where it's found retailers have not met these obligations.

We support the 'critical needs life support customer' category and the co-development of an outage back-up plan template to be integrated with GP's IT systems³. We submit that the ESC and DEECA consider the further development of additional categories of vulnerable consumers who may not meet the definition of life support customer, yet remain at higher vulnerability to extreme weather and power outages. This could provide an additional 'constantly connected' category as part of a vulnerability register to identify those who may require different types of support, which can be accounted for in emergency response plans.

3. The provision of accurate and timely information to the community

The Interim Report highlights the essential nature of both the supply of electricity and telecommunications to our lives and communities. The function of these essential services is an integral part of ensuring the provision of accurate and timely information to affected communities during an emergency, and in Victorians being able to stay connected to protect each other from risks associated with social isolation.

We support the Panel's proposed solutions to enhance and integrate telecommunications into existing critical infrastructure forums, and further submit that telecommunication service provision should be further strengthened as an essential service through Victorian regulatory and legislative reform.

4. Timeliness of relief

Lastly, we wish to highlight our support for the solutions outlined in the Interim Report regarding timely relief, specifically in automating compensation to consumers affected by an outage event.

Our initial submission included accounts from Victorians affected by power outages, who had subsequently contacted the National Debt Helpline (NDH) seeking financial hardship advice and assistance⁴. As identified by callers to the NDH, there have been lasting effects on Victorians, notably in their experience of ongoing financial difficulty due to additional costs incurred to meet essential needs during the event.

When we contacted them for their feedback for the Network Outage Review, in each case, people raised that they continued to experience ongoing financial difficulties months after the event, due to the additional costs they faced to buy food and petrol. In some cases, people interviewed were still paying off credit card or Buy Now Pay Later debts incurred as a result of the network outage.

For these reasons, we support automating payments as this would ensure timely relief is provided to Victorians experiencing a network outage. We support the proposed initial payment outlined in the report, and further submit that an initial payment must be a benchmark amount, reasonably calculated to meet an adequate supply of food, emergency provisions and petrol costs at minimum.

We further submit that the Network Outage Review and the ESC conduct further investigation into the administration of the Prolonged Power Outage Payment Program with a view to providing payments to Victorians who were eligible and did not receive them during the February 13 outage event.

³ State of Victoria, *Network Outage Review Interim Report* June 2024, p.27

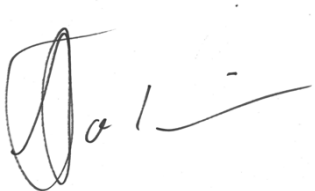
⁴ Consumer Action Law Centre, *Submission to the Network Outage Review*, May 2024 [Network Outage Review - Consumer Action Law Centre](#)

We appreciate the invitation to provide our feedback to the Network Outage Review Interim Report.

Please contact Policy Officer **Eirene Tsolidis Noyce** at **Consumer Action Law Centre** on 03 9670 5088 or at eirene@consumeraction.org.au if you have any questions about this submission.

Yours Sincerely,

CONSUMER ACTION LAW CENTRE

A handwritten signature in black ink, appearing to read 'Stephanie Tonkin', with a stylized flourish at the end.

Stephanie Tonkin | Chief Executive Officer

