

Our Ref: 18-D25-449

Dear electricity entity

**RE: ELECTRICITY INDUSTRY PERFORMANCE CODE – DIRECTION JANUARY 2025
(RETAIL REPORTING)**

This direction is issued under clause 1.6 of the Electricity Industry Performance Code (the Code, version 2) to clarify reporting requirements for retail entities.

Background

Clause 5.1.1 of the Code requires retail entities to submit a report on their actual performance against the performance indicators for the previous financial year by 31 August. Clause 5.2.1(c) specifies that these reports must include the performance indicators set out in Schedule 4.

Schedule 4 of the Code includes two categories of performance indicators; those based on the Australian Energy Regulator's (AER) guidelines and those specific to the Northern Territory. For AER-based indicators, Table 5 of the Code requires compliance with the AER (Retail Law) Performance Reporting Procedures and Guidelines (AER Guidelines), as updated from time to time.

The AER recently reviewed its Guidelines, with version 4 scheduled to commence on 1 July 2025. Under the Code, version 4 of the AER Guidelines will automatically apply to retail reporting unless directed otherwise by the Commission or the Code is amended. The Commission is currently reviewing the Code to assess which elements of version 4, if any, should apply to reporting in the Territory, and when. However, this review will not be complete before 1 July 2025.

To avoid potential confusion and provide time for the Commission to consider the costs and benefits of aligning to version 4 of the AER Guidelines in consultation with Territory retailers, the Commission is issuing this temporary direction.

Direction

Pursuant to clause 1.6 of the Code, the Commission directs retail entities to comply with version 3 of the AER (Retail Law) Performance Reporting Procedures and Guidelines for all relevant reporting under the Code for the 2024-25 reporting period and subsequent reporting periods, until further notice or a variation to the Code is made by the Commission.

A copy of version 3 of the AER (Retail Law) Performance Reporting Procedures and Guidelines is published on the Commission's website.

If you have any questions regarding this direction, please contact the Commission office on 08 8999 5480 or utilities.commission@nt.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Lyndon Rowe". The signature is written in a cursive style with a large, stylized "L" and "R".

Lyndon Rowe
Utilities Commissioner

6 January 2025