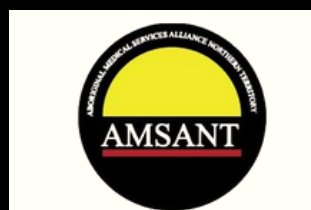


JOINT SUBMISSION IN RESPONSE TO THE NORTHERN TERRITORY UTILITIES COMMISSION ELECTRICITY PERFORMANCE CODE REVIEW

24 JUNE 2025

We call on the Northern Territory Utilities Commission to exercise its regulatory duty to ensure transparent public reporting for electricity services through:

1. Establishing standardised public reporting for licensed retailers operating in remote communities through the Electricity Industry Performance (EIP) Code
2. Including remote retail performance outcomes in the annual Northern Territory Electricity Retail Review - alongside data already reported for major networks
3. Applying consistent retail performance reporting requirements uniformly to all licensed retailers delivering essential electricity services to households across the Territory



BACKGROUND

On 13 May 2025, the Northern Territory Utilities Commission (**Commission**) published a draft decision (draft decision) on the 2024 review of the Electricity Industry Performance Code (**review** and **EIP Code**, respectively). The draft decision addresses several issues affecting First Nations households in the Territory, **including the important matter of electricity retail performance reporting requirements**.

The Commission acknowledges in its draft decision that “the current framework of delivering electricity in communities lacks publicly available performance reporting and service standards” (p. 11) **but proposes no immediate remedial action**.

Instead, the Commission has deferred responsibility, stating that “given responsibility for electricity service provision rests with the Territory Government, any changes to improve performance reporting and transparency should be led by the responsible departments in the first instance” (p. 11).

The Commission can support remote reporting through the EIP Code

We support introducing remote retail performance reporting in the Territory through the Commission for the following reasons:

1. Performance data on remote First Nations communities' energy services is unavailable across the Territory which is inconsistent with local and national reporting practices

Currently, there is no public reporting on household electricity services in remote First Nations communities served by Power and Water Corporation (PWC) / Indigenous Essential Services (IES) - creating a clear inconsistency with both local and national retail performance reporting practices.

2. Remote and First Nations households in the Territory experience distinct household energy security challenges, but there is no public data to monitor or support the needs of remote households

Nearly all remote First Nations households in the Northern Territory use prepaid electricity, a system the [Territory Government acknowledges](#) contributes to energy insecurity.

Despite known risks of self-disconnection - particularly during temperature extremes - and its impacts on health and wellbeing, there is currently no public data available to monitor or support the needs of remote households.

3. Performance data from remote communities is required for Closing the Gap Target 9B reporting and to support community organisations' service delivery roles

The Productivity Commission notes that [Target 9B](#) under Closing the Gap cannot currently be reported due to a lack of appropriate data, while Priority Reform 4 emphasises the need for shared access to regional-level data to support informed decision-making by Aboriginal and Torres Strait Islander communities ([see Productivity Commission, January 2024](#)).

Addressing this data gap in the Territory requires remote performance reporting by retailers in order to support community controlled organisations and inform remedial policy development.

4. Smart meter technologies enable comprehensive, cost effective reporting capabilities for retailers and PWC/IES has already demonstrated technical capability to meet reporting requirements

PWC/IES has already demonstrated technical capability to meet reporting requirements through existing smart meter infrastructure and data collection practices, with the benefits of consistent public reporting far outweighing the associated costs (see [PowerWater Customer Hardship Policy, submissions to the Commission](#)).

5. Remote reporting aligns with the Territory Government's commitment to the First Nations Clean Energy Strategy and the actions in that Strategy

The First Nations Clean Energy Strategy endorsed by all state and territory energy ministers, (see [First Nations Clean Energy Strategy](#)) commits to a range of actions and goals. These include improved energy access and outcomes of regional and remote First Nations households using prepayment systems, through actions such as mandatory reporting of self-disconnection data (see [Objective 1.1 of the First Nations Clean Energy Strategy](#)).

6. Remote reporting can be implemented through the Commission's existing regulatory framework

Remote reporting can be delivered efficiently through the Commission's existing regulatory mechanisms, ensuring consistent, transparent, and publicly accessible data on energy outcomes across the Territory.

By taking the lead, the Commission can address current reporting gaps without duplication, and support accountability through collaboration with the Territory Government, licensed retailers, and First Nations organisations.

7. Remote reporting falls within the Commission's regulatory duties, supports legitimate oversight, and aligns with national performance reporting frameworks to provide certainty for First Nations communities' interests

The Commission has relevant powers and functions in relation to licensed retailers including PWC/IES. Regulatory reporting of electricity performance indicators for remote First Nations communities, including those using prepayment, is already in place in Western Australia and South Australia. Given that similar reporting occurs in the Territory's major networks, extending this approach to licensed retailers in remote areas is both feasible and consistent with emerging national practice.

The draft decision is out of step with the work of other energy regulators that has underlined that early identification is effective protection against energy hardship and consequent harm. It is also at odds with national energy policy discourse - Energy Ministers' consultation on consumer reform through the Better Energy Customer Experiences process has explicitly called out the need to consider whether existing protections adequately meet the needs of First Nations.

8. The principles of transparency and accountability must apply equally in relation to essential service provision and energy outcomes for all Territory households, including those in remote communities

Performance reporting is essential for transparent and accountable regulation, yet current arrangements exclude remote First Nations communities, leading to unequal access to energy data that is critical for informing service improvements and meeting community needs.

9. The Commission should exercise its regulatory powers - independent regulatory reporting is needed to support effective remote electricity service provision in the Territory context

An independent regulator plays a vital role in ensuring transparency, monitoring, and accountability in contexts where essential services are delivered by monopoly utilities - particularly in remote areas where consumers and communities may have limited political influence or market power.

We encourage the Commission to reconsider the draft decision in light of the broad support for reforming remote reporting that this submission represents.

Enhancing transparency through these proposed reforms will:

- **improve accountability**
- **help to ensure the EIP Code remains relevant and effective for First Nations interests**
- **promote more equitable energy outcomes for all households across the Territory.**

For further information
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