



7 August 2024

Submission: Wholesale Market Monitoring and Reporting Draft Guideline

The Australian Pipelines and Gas Association (APGA) represents the owners, operators, designers, constructors and service providers of Australia's pipeline infrastructure, connecting natural and renewable gas production to demand centres in cities and other locations across Australia. Offering a wide range of services to gas users, retailers and producers, APGA members ensure the safe and reliable delivery of 28 per cent of the end-use energy consumed in Australia and are at the forefront of Australia's renewable gas industry, helping achieve net-zero as quickly and affordably as possible.

APGA welcomes the opportunity to contribute to the Australian Energy Regulator's consultation on the Wholesale Market Monitoring and Reporting (WMMR) Guidelines. It is appreciated that is the goal of both the AER and APGA to achieve a framework that provides the AER with the information necessary to fulfil its functions, without creating additional and unnecessary burden on participants.

APGA supports the multiple opportunities provided to industry to engage closely with the AER on addressing concerns and issues throughout this process. We look forward to continuing this collaborative approach across all future engagement with the AER.

Alignment with existing reporting

Amendments to the national energy laws require the AER to monitor and review the performance, effective competition and efficient functioning of wholesale gas markets. This necessarily introduces some overlap with the Australian Competition and Consumer Commission (ACCC) inquiry into gas supply arrangements in Australia. The Gas Inquiry is intended to be completed in 2030.

In the interim both the ACCC and the AER will produce reports examining the operation of gas markets, more or less simultaneously and relying on much the same data. Hence, a useful addition to the Guideline would be a section outlining the separate scopes of the Gas Inquiry, overlaps and the AER's approach to avoiding potential. Additionally, the Guidelines should outline if and how the AER intends to take on the functions of the Gas Inquiry from the ACCC.

Approach to reporting and information collection

APGA supports reducing the burden on reporting for market participants, including the use of existing reporting instruments where possible. APGA agrees that the AER should consider replicating these reporting frameworks, obligations and timelines in the first instance, which has been indicated to us through engagement.

The 2023 Pipeline Information Disclosure reforms require pipeline operators to report significant information on their websites (and to provide copies of this information to the AER) under Part 10 of the NGR, alongside existing reporting such as for the Gas Bulletin Board under Part 18. Some of this information is relevant to the intentions of the WMMR functions, such as financial reporting and actual prices payable.

We look forward to contributing further to the process of developing the AER's information collection instruments.

Use of information collected

Section 5.2 of the Guideline outlines where information collected by the AER to fulfil its WMMR function may be used by the AER to exercise other functions or powers under the Electricity, Gas and Retail Laws and Rules.

APGA understands the AER has queries about the legality of accessing information provided to itself under other existing functions, or provided to the ACCC – notably the ACCC Gas Inquiry, despite the AER/ACCC Information Policy. APGA considers the provision in section 5.2 of the Guidelines will provide more certainty around access to collected information for other purposes, and will ideally reduce future information collection requirements for other AER reporting.

To discuss any of the above feedback further, please contact me on +61 422 057 856 or jmccollum@apga.org.au.

Yours sincerely,



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