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Attention: Mr Nicholas Brody
Regulatory Policy Manager
Energy Safe Victoria

By Email Only: consultation@energysafe.vic.gov.au

31 July 2024

Dear Nicholas,

Energy Infrastructure Safety Case Guidelines – Draft for Consultation

AGL Energy (AGL) appreciates the opportunity to provide feedback to Energy Safe Victoria (ESV) on its draft Energy Infrastructure Safety Case Guidelines (the Guidelines).

Proudly Australian since 1837, AGL delivers around 4.3 million gas, electricity, and telecommunications services to our residential, small, and large business, and wholesale customers across Australia. As a retailer of natural gas to residential and business customers in Victoria, AGL recognises the critical importance of minimising hazards and risks to people and property. AGL is obligated to submit and comply with a gas safety case pursuant to the *Gas Safety Act 1997 (Vic)* and the regulations made thereunder. We welcome recent legislative changes under the *Energy Legislation Amendment (Energy Safety) Act 2023 (Vic)* and in particular, revisions to the framework for reviewing and refreshing safety cases.

AGL notes the updated Guidelines are intended to support energy infrastructure companies to understand and comply with safety case obligations. In essence, AGL's feedback is that the *content* of the Guidelines is an accurate and clear representation of the legislative framework, however there is opportunity to provide greater *context* for the guidance having regard to the different types of entities that the Guidelines apply to. By virtue of the broad remit of the Guidelines, we appreciate there exists a natural tension of trying to provide wide-ranging, general advice whilst also catering for the specific operations of each entity. In this regard, AGL notes that the Guidelines could provide greater clarity to entities such as natural gas retailers through the following:

- a. **Differentiated guidance** – where appropriate, provide separate, distinct guidance that is relevant and reflective of the operations of the different types of entities that the Guidelines apply to (beyond the current 'electricity', 'gas' and 'pipeline licensee' distinctions). For example, Section 2.1.2 of the Guidelines has a specific focus on the operation of "facilities", which under s. 3 of the *Gas Safety Act 1997 (Vic)* can apply to a broad range of scenarios, including both physical assets and the provision of services.
- b. **Highlighting importance** – it would be beneficial for ESV to clarify any area(s) of emphasis or criticality with regard to the structure and content of safety cases for each entity type such as, for example, emergency response plans for gas retailers.
- c. **Better practice** – obligated entities may benefit from the use of better practice examples within the Guidelines that provide guidance relevant to their operations.

AGL appreciates the collaborative nature of its interactions with ESV on this topic to date and would be more than happy to support further refinement of the Guidelines if required.



If you have any questions in relation to this submission, please contact Liam Jones on ljones3@agl.com.au.

Yours sincerely,

Liam Jones

Liam Jones
Senior Manager Policy and Market Regulation