



23 Marcus Clarke Street  
Canberra ACT 2601

GPO Box 3131  
Canberra ACT 2601

Our ref: PRJ1006615  
Contact officer: FOI Team  
Contact phone: 02 6243 1244

tel: (02) 6243 1111  
fax: (02) 6243 1199

18 April 2023

[www.accc.gov.au](http://www.accc.gov.au)

Rex Banner

**Sent via email to: [foi+request-10084-2a9e0d7b@righttoknow.org.au](mailto:foi+request-10084-2a9e0d7b@righttoknow.org.au)**

Dear Rex

### **Decision on freedom of information request**

I refer to your email dated 20 March 2023 in which you request access, under the *Freedom of Information Act 1982* (Cth) (the Act), to:

*'I am writing to request access to the anonymous dataset referenced by the Australian Energy Regulator (AER) in their document titled "Residential Energy Consumption Benchmarks" dated 9 December 2020. Specifically, I am requesting access to the dataset mentioned in the following quote from the document:*

*"The AER will then publish an anonymous dataset with the results of this project on its website. That dataset can then be used by members of the public, and by governments and researchers to inform energy policy. To protect your privacy the information you provide will be aggregated and de-identified. No individuals or households will be identifiable in the published dataset."*

*I request that the dataset be provided to me in a machine-readable format, such as CSV or Excel.'*

### **Decision**

You have requested access to the anonymous dataset referenced at Appendix D of the 'Residential Energy Consumption Benchmarks' report dated 9 December 2020 (**the Report**).

I have decided to release this document to you in full.

Please note, as specified in the Report, the anonymous dataset is also available for public download on the AER's website: <https://www.aer.gov.au/retail-markets/guidelines-reviews/electricity-and-gas-consumption-benchmarks-for-residential-customers-2020>.

Your review rights are set out in Attachment A.

I am authorised under s.23 of the Act to make this decision.

**Outstanding charges**

There are no charges payable in relation to the processing of your FOI request.

**Access to documents**

As you have requested the document in a 'machine-readable format, such as CSV or Excel', please find enclosed an Excel version of the granted document.

**Disclosure log**

In accordance with s.11C of the Act, I have decided to publish the document released on the ACCC's Disclosure Log. This will occur within ten business days of the documents being released to you.

Yours sincerely



Rebecca Fenech  
FOI Manager  
Specialist Advice and Services Division

Sent by email 18/04/2023

# Attachment A

## Information on rights of review

### ACCC Internal Review

Under s.54 of the FOI Act, you can ask for an internal review of this decision. If you request an internal review request, another officer of the ACCC will review your request and make a new decision.

#### **Timeframe for requesting internal review**

You have 30 days from the receipt of this decision to request an internal review.

You may seek an extension to this timeframe with our agreement.

#### **Is there a charge?**

There is no charge payable for requesting an internal review.

#### **Requesting an internal review**

Your request for internal review must be in writing and indicate that you are seeking an internal review. You will need explain why this decision should be changed.

Please send your internal review request to the FOI Team by either:

**Email:** [foi@acc.gov.au](mailto:foi@acc.gov.au)

**Post:** GPO Box 3131, Canberra ACT 2601

#### **When will the decision be made?**

We have 30 days from the receipt of your internal review request to make a decision.

If we do not make a decision within 30 days or such further period as the IC allows, the original decision is considered affirmed. In such circumstances, you can seek review of our deemed decision by the Information Commissioner.

### Review by the Information Commissioner

You can ask for a review of this decision by the Australian Information Commissioner (IC). The Office of the Australian Information Commissioner (OAIC) encourages applicants to seek internal review first, however you are not required to go through our internal review process before seeking review by the IC. If you do choose to seek an internal review, you can still seek IC review of the internal review decision if we refuse access to your request.

#### **Timeframe for requesting IC review**

You have 60 days from the receipt of an access refusal decision to request IC review.

You may seek an extension to this timeframe from the OAIC.

#### **Is there a charge?**

There is no charge payable for requesting an IC review.

## Requesting IC review

Your request for IC review must be in writing and include:

- your name and contact details
- a copy of the ACCC's decision that you disagree with (if you've received one)
- the reason(s) why you disagree with the decision

You can lodge your request for IC review in one of the following ways:

**Online:** <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review>

**Post:** GPO Box 5218, Sydney NSW 2001

**Fax:** +61 2 9284 9666

**Email:** [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)

## Complaint to the Information Commissioner

You can request the Information Commissioner to investigate action taken by the ACCC in relation to this FOI request. The Information Commissioner will consider your complaint and, if appropriate, conduct an investigation. Any investigation will be completely independent.

### Is there a charge?

There is no charge payable for making a complaint to the IC.

### Lodging an IC complaint

You must lodge your complaint in writing and give a clear and brief description of each issue you're complaining about and what outcome you'd like.

You can lodge a complaint in one of the following ways:

**Online:** <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint>

**Post:** GPO Box 5218, Sydney NSW 2001

**Fax:** +61 2 9284 9666

**Email:** [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)