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Inquiry into Electricity Supply for Electric Vehicles

Legislative Council Economy and Infrastructure Committee

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Introduction

The Energy and Water Ombudsman (Victoria) (**EWOV**) welcomes the opportunity to provide input to the Legislative Council Economy and Infrastructure Committee's *Inquiry into Electricity Supply for Electric Vehicles*. This submission focuses on how effective consumer protections are a key strategy to help facilitate the take-up of electric vehicle ownership.

The growing market for Electric Vehicles (**EVs**) represents a critical step in reducing emissions and supporting Victoria's clean energy future. Together with bidirectional charging, this offers significant potential for consumers to reduce their energy bills while improving grid resilience and stability. Victoria is uniquely positioned to take advantage of this emerging technology, with 30% of households having solar¹ and near-universal installation of smart meters.² However, consumer confidence and trust will be essential to achieving widespread adoption of EVs.

EWOV provides free, fair and independent dispute resolution for Victorian energy and water consumers. Our experience demonstrates that strong consumer protections and accessible dispute resolution processes are vital for building trust in emerging technologies and markets. Without clear pathways for resolving issues, problems such as billing errors, installation disputes or challenges with participating in Virtual Power Plant (**VPP**) may undermine confidence to invest in new technologies, such as EVs and bidirectional charging.

Extending baseline consumer protections to include residential EV charging infrastructure and bidirectional charging services, offers a key strategy to support uptake of EVs.

This submission focuses on point 4 of the Inquiry's terms of reference, *Strategies to facilitate the take up of EV ownership, including the facilitation of bidirectional charging*, and outlines:

1. The value of dispute resolution as a key strategy to facilitate the take-up of EV ownership, and enabling bidirectional charging.
2. Key risks and potential barriers that may disincentivise consumers to take-up EVs and bidirectional charging.
3. Opportunities to extend baseline protections and establish independent dispute resolution through EWOV.

¹ Solar Victoria Media Release, [Slashing energy bills with a record year for solar](#), February 2025.

² Australian Competition and Consumer Commission, [Inquiry into the National Electricity Market](#), May 2022.

1. The value of dispute resolution

Consumer trust is fundamental to the successful take-up of EVs and participation in bidirectional charging. However, these new technologies introduce complexities into the energy and consumer market, from the point of installation and integration with household energy, to participation in VPPs and dynamic pricing arrangements. Without clear and accessible pathways to resolve issues, consumers face uncertainty and risk, which can slow adoption of these technologies, regardless of financial incentives or environmental benefits.

Dispute resolution as a market enabler

Ensuring consumers can access robust complaint handling and free, fair and independent external dispute resolution (**EDR**) processes as part of a broader consumer protection framework, offers an overarching strategy to help derisk the decision to invest in an EV and to participate in a bidirectional charging arrangement. When consumers know that an issue can be resolved quickly, fairly and at no cost, they are more willing to engage with new technologies and participate in the energy market through vehicle to home (**V2H**) and vehicle to grid (**V2G**) arrangements.

Gaps in the consumer energy resources consumer protections framework

Currently there is a gap in the consumer energy resources (**CER**) consumer protections framework for issues arising from the sale, installation or use of new energy products and services, including EVs, charging infrastructure and related services. Complaints often involve multiple parties (installers, distributors, retailers, aggregators etc), however existing agencies and regulators can only address parts of a consumer's issue, if at all. This leaves consumers without a clear pathway to resolution.

Alternative dispute resolution processes, such as the Victorian Civil and Administrative Tribunal (**VCAT**), are often costly, intimidating and slow. Without a single, accessible scheme that can address the full scope of an issue, consumer complaints can escalate, impacting overarching trust and confidence in the market.

Bidirectional charging arrangements, such as V2G, further increase complexity by integrating EVs into the energy system. Issues in these arrangements may have flow on effects to household energy bills, including payment difficulty. Remote access to, and control of, consumer assets like EVs introduces additional risks, such as reduced battery range. These issues are often interdependent and cannot be separated easily into distinct complaints.

Protections for EVs and bidirectional charging need to be aligned with broader energy market frameworks. Embedding robust complaint handling and EDR for these services as part of the broader CER reforms will ensure consumers have a clear, trusted pathway to resolve complaints. This is a practical, low-cost strategy to de-risk consumer decisions, encourage EV uptake and support Victoria's clean energy objectives.

Establishing effective dispute resolution

Establishing complaints handling and dispute resolution requires both effective internal dispute resolution and free and fair EDR. Internal dispute resolution is the first step in resolving complaints

and serves as an important accountability mechanism for providers to ensure their products and services meet reasonable consumer expectations. An effective internal dispute resolution process can help to maintain customer satisfaction and improve the relationship, or build customer loyalty. Establishing internal dispute resolution requires appropriate resourcing to ensure timely resolution of complaints, with guidance in place around complaint handling and emphasis on fairness.

EDR schemes enable consumers to escalate complaints where they have not been effectively resolved or where communication breaks down. An effective EDR scheme must be accessible (schemes should be free to ensure consumers do not face cost barriers to participation), fair (robust processes to consider both sides, establish key facts and identify the root cause of the dispute) and independent (trusted by both parties to deliver impartial outcomes).

State and Federal CER reforms

EWOV is pleased that both the Victorian and Commonwealth governments have recognised the need for reform to consumer protections, and in particular the need for EDR, to support the take-up of CER. We have previously provided submissions to both the Victorian Government's [Consumer Energy Resources \(CER\) Consumer Protections review](#) and the Commonwealth Government's [Better Energy Customer Experiences](#) consultation on this issue.

However, to date, work to implement these improvements has largely excluded EVs and bidirectional charging arrangements. Given the speed at which this technology is progressing and consumers' desire to engage in this market, it will be critical that all future CER reforms include EVs in scope of their consumer protections, such as establishing EDR, to effectively facilitate up-take.

2. Barriers to the take-up of EVs and bidirectional charging

While EWOV currently has a limited jurisdiction to consider complaints about EVs and EV charging infrastructure, observations from our complaint data highlight the need for accessible dispute resolution to build confidence in this market. Clear pathways for redress can help ease tensions that arise when issues such as these set out below begin to emerge.

Installation complexity and fragmented accountability

Multiple parties may be involved in the installation of private charging infrastructure, including a registered electrical contractor, the relevant distribution network, a retailer of charging infrastructure and the consumer's residential retail energy provider. We have observed that complaints that involve multiple parties can result in fragmented accountability, leaving consumers without a clear resolution pathway. EWOV's experience with similar cases involving solar installations show that when one or more parties fall outside a dispute resolution framework, complaints can remain unresolved and consumer frustration escalates.

Network capacity and upgrade costs

Some households may require costly upgrades to their mains supply to accommodate the additional electrical load of a fast EV charger or other electrification. Complaints we observe, often involve disputes about whether the upgrade relates to private mains or distribution assets, who should bear

the cost, or delays in completing the work. These issues can significantly increase the upfront cost of adopting EVs and create uncertainty for consumers.

Billing and tariff complexity

We have observed cases where incorrect tariffs were applied, resulting in unexpectedly high bills for consumers charging EVs at home. As dynamic and time-of-use (**ToU**) pricing becomes more common, consumers may struggle to understand how these tariffs apply to their usage, increasing the risk of bill shock and frustration with demand shifting programs. Without clear, comprehensible information and an escalation pathway when complaints are not resolved, consumers may opt out of arrangements designed to deliver both household savings and system-wide benefits, such as incentives to encourage charging during periods of peak supply.

Risks in bidirectional charging and aggregator arrangements

When consumers participate in V2G or VPP arrangements, their EV becomes part of the energy system. These arrangements often involve remote access and control of consumer assets, which can raise concerns about battery operation, reduced range and fairness of discharge practices or payment conditions. EWOV's complaint data on VPPs involving home batteries shows that consumers frequently report dissatisfaction with contract terms and aggregator practices, sometimes exiting VPPs arrangements and reverting to simpler flat tariffs. As VPP participation expands to include EVs, similar issues are likely to emerge.

Access to reliable public charging infrastructure

Access to reliable public charging infrastructure is another critical barrier, particularly for renters and residents in multi-unit residential buildings who cannot install private chargers. These consumers may be dependent on access to public charging infrastructure, which may be limited, unreliable or costly. Unlike households able to charge from their own solar panels or at off-peak rates, consumers reliant on public infrastructure may pay significantly higher rates to charge their vehicle, reducing the overall value proposition of an EV. This raises broader equity concerns and underscores the need for strategies that ensure affordable charging options for consumers without access to private charging infrastructure.

3. Embedding independent dispute resolution

As outlined, embedding robust dispute resolution within the EV charging and bidirectional system is a practical and low-cost strategy to build consumer confidence and support market growth. EWOV is uniquely positioned to deliver this function, drawing on our experience resolving complex energy disputes and identifying systemic issues across markets.

Benefits of using EWOV as an existing external redress scheme

Ombudsman schemes are established, trusted sources of independent, fair and efficient dispute resolution. Their core function is to generate and maintain public trust in the sectors they operate in. Using EWOV as the EDR body for residential EV charging infrastructure and bidirectional services would provide consumers with a clear, accessible pathway to resolve issues quickly and fairly.

Fair and reasonable jurisdiction

EWOV's Charter and Constitution enables us to consider any relevant laws, regulations or industry codes to determine what is fair and reasonable. This includes applying widely understood consumer protection provisions under Australian Consumer Law. This provides clarity for consumers and sets clear expectations for providers, supporting consistency and accountability across the market.

Accountability and assurance

EWOV operates in accordance with the Commonwealth Government's *Benchmarks for Industry-based Customer Dispute Resolution*, with independent performance assessment every five years. This ensures our processes remain accessible, independent, fair, efficient and effective.

Cost effective and timely resolution

Compared to formal legal or regulatory avenues, EWOV is a cost and time-effective way of resolving individual complaints. Consumers face no cost to bring their complaint, and providers are charged primarily based on complaint volumes, creating an incentive for strong internal complaint handling so that complaints don't arise and if they do, they are resolved by the provider.

Driving industry improvement

Through casework, EWOV identifies industry good practice and areas for improvement to products, services and complaint handling. We share these insights directly with industry and regulators, helping to prevent future disputes and improve consumer outcomes.

Early identification of systemic issues

EWOV's systemic investigation function ensures we can provide early insights to regulators and policymakers around emerging risks and trends. This proactive approach helps address issues before they become cause for widespread public concern, which will facilitate broader EV uptake and bidirectional charging.

Conclusion

EVs and bidirectional charging are essential to Victoria's clean energy transition, and it is critical that they are captured in the consumer protections framework for broader CER reforms. While there is recognition that current frameworks do not adequately cover CER consumers, EVs and bidirectional charging are often left out of the current reform process or left to be considered in future tranches of this work. However, this leaves consumers in this market exposed to complex risks and fragmented complaint pathways, impacting market engagement and up-take.

As EVs become integrated with the energy system through V2H and V2G arrangements, it will be even more critical that robust protections and accessible dispute resolution are in place. Embedding effective internal complaint handling and independent EDR now will help build trust and de-risk consumer decisions. To achieve Victoria's policy objectives, EVs and bidirectional charging must be fully included in consumer protection frameworks from the outset, supported by trusted mechanisms like EWOV to ensure fairness, accountability and confidence in this market.