

Decision on the replacement of Wesfarmers Kleenheat Gas Pty Ltd's gas standard form contract

13 February 2013

Economic Regulation Authority

WESTERN AUSTRALIA

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Decision

1. Pursuant to section 11WF in conjunction with section 11WH of the *Energy Coordination Act 1994 (Gas Act)*, the Economic Regulation Authority (**Authority**) approves the replacement standard form contract for the supply of gas as submitted by Wesfarmers Kleenheat Gas Pty Ltd (**Kleenheat Gas**).

Reasons

2. On 20 December 2012, Kleenheat Gas submitted a replacement gas standard form contract for the Authority's approval.
3. According to Kleenheat Gas, the proposed amendments followed a detailed legal review by Kleenheat Gas's advisers of its current standard form contract to improve compliance with the relevant regulations in a number of areas and to make the contract consistent with the recent amendments to the *Compendium of Gas Customer Licence Obligations*.
4. Feedback was provided to Kleenheat Gas regarding the proposed amendments and the contract generally. In response to this feedback, Kleenheat Gas has made further amendments to the contract.
5. In accordance with the Authority's *Public Consultation Guidelines – For Electricity, Gas & Water Licences and Electricity & Gas Standard Form Contracts* (July 2006), the Authority provided a public consultation period of at least 15 business days between 11 January 2013 and 4 February 2013. No submissions were received.
6. Under the Gas Act, the Authority must not approve a standard form contract if it considers that the contract will not meet the requirements of the regulations in respect of such contracts, or will be inconsistent with the Act or any other written law, or will be inconsistent with any term, condition or provision of the licence concerned.
7. The Authority has considered Kleenheat Gas's replacement gas standard form contract and is satisfied that the contract meets the requirements of the Gas Act.