

Decision on the amendment
of the Electricity Generation and Retail
Corporation's (t/a Synergy)
electricity standard form contract

11 December 2013

Economic Regulation Authority

WESTERN AUSTRALIA

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Decision

1. Pursuant to section 51, in conjunction with section 52, of the *Electricity Industry Act 2004 (Act)*, the Economic Regulation Authority (**Authority**) approves amendments to the standard form contract for the supply of electricity to small use customers as submitted by the Electricity Retail Corporation (t/a **Synergy**).

Reasons

2. Synergy submitted amendments to its electricity standard form contract for the Authority's approval.
3. Following an internal review of the amended contract's compliance with legislation including Australian Consumer Law, feedback was provided to Synergy regarding the proposed amendments and the contract generally. In response to this feedback, Synergy made further amendments to the contract.
4. In accordance with the Authority's *Public Consultation Guidelines – For Electricity, Gas & Water Licences and Electricity & Gas Standard Form Contracts* (July 2006), the Authority undertook public consultation on the amendments in December 2011/January 2012. One submission was received.
5. In response to the submission and the Authority's comments, Synergy made further amendments to the contract, some of which introduced new provisions which altered Synergy's contractual liability to its customers.
6. The Authority undertook a further round of public consultation on the revised amendments in March/April 2013 and received one submission. In response, Synergy amended the liability provisions. In recognition of the anticipated merger of Synergy and Verve Energy, Synergy also amended the contract to change the name from the Electricity Retail Corporation (ABN 71 743 446 839) to the Electricity Generation and Retail Corporation (ABN 58 673 830 106).
7. The contract is scheduled to come into effect on 1 January 2014.
8. Synergy submitted its revised amended standard form contract for the Authority's approval on 2 December 2013.
9. Under the 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.
10. The Authority has considered Synergy's amended electricity standard form contract and is satisfied that the contract meets the requirements of the Act.