

POST IMPLEMENTATION PLAN

The Post Audit Implementation Plan (PAIP) is a separate document prepared by the licensee in response to the recommendations made in the Report. As it represents the licensee's views and actions it does not form part of the report, however it includes all key findings and recommendations that have been made in the report. For each recommendation the licensee has recorded responses and corrective actions, responsibility for the actions and a proposed date for completion.

Table of Current Audit Non Compliances/Recommendations (Unresolved)				
B. Unresolved during current Audit period				
Ref no/ 2018	Obl	Non Compliance/Controls Improvement (Rating / Legislative Obligation / ►Details of Non Compliance or inadequacy of controls)	Auditors' Recommendation	Proposed Management Action
1	235	<p>Rating: A1</p> <p>Lic Ref: C5.1, Code of Conduct clause 7.7(1)</p> <p>If a customer provides a retailer with confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address requires life support equipment, the retailer must comply with subclause 7.7(1).</p> <p>► The register includes details of the life support equipment required by each customer, as per the registration form requirements. The 2016 Code of Conduct no longer requires retailers to register the life support equipment of the customer.</p>	<p>1/2018 [OFI] Remove from the life support register and Procedure for Life Support Customers, the requirement to register details of the life support equipment by customer.</p>	Completed

2	6	<p>Rating: A1</p> <p>Lic Ref: C5.1, Electricity Industry Customer Transfer Code clause 3.2(2)</p> <p>A retailer must submit a separate data request for each connection point, unless otherwise agreed.</p> <p>► The Electricity Industry Customer Transfer Code (2004) linked on the PE website is out of date – current version is 2006.</p>	<p>2/2018 [OFI] Update the PE Website link to the current version 2018 Electricity Industry Customer Transfer Code.</p>	<p>Completed</p>
3	18	<p>Rating: B1</p> <p>Lic Ref: C5.1, Electricity Industry Customer Transfer Code clause 3.9(3)</p> <p>A retailer must not disclose a contestable customer's data to any other person without the verifiable consent of the contestable customer, except in the circumstances defined.</p> <p>► PE no longer exclusively uses their Request for Electricity Supply Proposal form when obtaining verifiable consent – instead, this is through written email communication with potential customers. This email does not specifically refer to the release of confidential information and the PE privacy policy.</p>	<p>3/2018 [OFI] Review the usage of email only verifiable consent with respect to confidentiality and privacy declarations, as per the current Request for an Electricity Supply Proposal form.</p>	<p>Perth Energy has reviewed this approach and has implemented verifiable consent through voice recordings.</p>
4	23, 143, 187	<p>Rating: A1</p> <p>Lic Ref: C5.1, Electricity Industry Customer Transfer Code clause 4.2(2)</p> <p>A retailer must submit a separate customer transfer request for each connection point, unless otherwise agreed.</p> <p>► The "New Gentrack Account & Electricity Customer Transfer" document has inadequate document control.</p>	<p>4/2018 [OFI] Ensure adequate document control in "New Gentrack Account & Electricity Customer Transfer" for better consistency across PE's internal processes and code compliance.</p>	<p>Perth Energy will apply updated document control to the Gentrack document. PE will investigate mirroring the process used for other procedures where the original is locked and only copies are generally available to users.</p> <p>Action: Manager Billing and GM EMR, Regulation Date: by end of April 2019</p>

5	118, 130	<p>Rating: B1</p> <p>Lic Ref: C25.1, Electricity Industry (Customer Contracts) Regulations 2005</p> <p>The published (and ERA approved) standard form contract (ESA.005.1117) is a different version to the versions provided to the audit (Standard Form Contract 2016-17, ESA.005.0816).</p> <p>Whilst there were differences in title and headings, a sample check of the text of both documents did not show material differences between the contracts.</p> <p>There was no evidence to show that the 2016-17 (ESA.005.0816) version of the standard form contract was used. However there was no evidence to indicate that this version has been approved by the ERA.</p> <p>▶ A licensee can only amend the standard form contract with the ERA's approval and Standard Form Contract replaced the previous version without the ERA's approval.</p>	<p>5/2018 [OFI] Ensure consistency in document versions for the approved licensee Standard Form Contract with that communicated internally and externally.</p>	<p>Perth Energy will investigate this discrepancy and ensure that only one version is nominated as the current document.</p> <p>Perth energy will update its procedures and training package to address this issue.</p> <p>Action: GM Retail Date: by end of April 2019</p>
6	132	<p>Rating: B1</p> <p>Lic Ref: C23.1, Code of Conduct clause 2.3(1)</p> <p>A retailer or electricity marketing agent must ensure that non-standard contracts, that are not unsolicited consumer agreements, are entered into in the manner set out, and the contract is provided as specified in clause 2.3(1).</p> <p>▶ The PE contract execution flow chart does not reference the timeframe requirements of this clause (for providing signed copies of non-standard contracts to customers).</p>	<p>6/2018 [OFI] Update the Contract Execution Flowchart to include the timeframe requirements of providing customers with their signed non-standard contracts.</p>	<p>Completed</p>
7	144, 243	<p>Rating: B1</p>	<p>7/2018 [OFI] The specific requirements regarding time frames should be addressed and</p>	<p>Completed</p>

		<p>Lic Ref: C5.1, Code of Conduct clause 3.1(2)</p> <p>Unless the customer agrees otherwise, a retailer must forward the customer's request for the connection to the relevant distributor that same day, if the request is received before 3pm on a business day; or the next business day if the request is received after 3pm or on a weekend or public holiday.</p> <p>▶ The PE process for new connections needs to clarify the submission time requirements of this clause, including the requirement to forward a customer's request for the connection to the relevant distributor before 3pm on a business day; or the next business day if the request is received after 3pm or on a weekend or public holiday.</p>	included as part of PE procedures.	
8	147	<p>Rating: B / NR</p> <p>Lic Ref: C5.1, Code of Conduct clause 4.2(2)</p> <p>If a residential customer informs a retailer that the customer is experiencing payment difficulties or financial hardship and the customer is assessed as experiencing payment difficulties or financial hardship, the retailer must not place that customer on a shortened billing cycle without that customer's verifiable consent.</p> <p>▶ It does not appear that this Code requirement is sufficiently captured by current PE procedures.</p>	<p>8/2018 [OFI] Add the restrictions around residential customers experiencing financial hardship and shortened billing cycles to relevant PE procedural and training documents.</p>	<p>Perth Energy will review and update its procedures and training documents in respect to customers experiencing financial hardship.</p> <p>Action: GM EMR, Regulation</p> <p>Date: by end of April 2019</p>
9	157, 159, 160	<p>Rating: A1</p> <p>Lic Ref: C5.1, Code of Conduct clause 4.6(1)</p> <p>A retailer must base a customer's bill on the following:</p> <ul style="list-style-type: none"> the distributor's or metering agent's reading of 	<p>9/2018 [OFI] Update billing processes to accurately reflect actual vs. estimated meter readings as provided by WP. Ensure billing templates are compliant with the obligations pertaining to estimated bills.</p>	Completed

		<p>the meter at the customer's supply address;</p> <ul style="list-style-type: none"> the customer's reading of the meter in the circumstances specified in subclause 4.6(1)(b); or if the connection point is a Type 7 connection point, the procedure is set out in the metrology procedure or Metering Code, or as set out in any applicable law. <p>▶ In accordance with the obligations requirement, PE relies entirely on the meter readings provided by WP. However, the audit discovered that while PE do not directly estimate meter readings, WP sometimes estimates meter readings, which are in turn provided to PE for billing purposes. Indirect estimates of meter readings are presented on PE bills as actual meter readings.</p>		
10	172, 300	<p>Rating: B2 Lic Ref: C5.1, Code of Conduct clause 4.16(1)(a)</p> <p>If a retailer has reviewed a customer's bill and is satisfied that the bill is correct, the retailer may require the customer to pay the unpaid amount. The retailer must advise the customer that the customer may request for a meter test in accordance with the applicable law; and also the existence and operation of the retailer's internal complaints handling processes and details of any applicable external complaints handling processes.</p> <p>▶ It does not appear that PE specifically reiterates the options available to customers with respect to meter testing and complaint handling in reply to each and every bill review.</p>	<p>10/2018 Include a template response covering Code requirements at the outcome of each and every bill review / complaint where no error is discovered. This could be a link to the Complaint Handling Procedure published online.</p>	Completed

11	174, 175, 299, 301, 312	<p>Rating: B2</p> <p>Lic Ref: C5.1, Code of Conduct clause 4.16(2)</p> <p>A retailer must inform a customer of the outcome of the review of a bill as soon as practicable.</p> <ul style="list-style-type: none"> ▶ Although it appeared that most timeframes were code compliant, there were both missing and incorrect acknowledgement / action dates in the Customer Complaints Registers that prevented these complaints from being checked for code compliance. 	<p>11/2018 Develop a more robust Complaint Register Process that ensures Customer Complaint Register dates are maintained and checked as part of internal audit processes, then routinely cross-checked with code requirements for compliance purposes.</p>	Completed
12	187	<p>Rating: B1</p> <p>Lic Ref: C5.1, Code of Conduct clause 5.1</p> <p>The due date on a bill must be at least 12 business days from the dispatch date of that bill unless otherwise agreed with a customer.</p> <ul style="list-style-type: none"> ▶ The PE "Electricity Supply Agreement: Application and Commercial Terms", being part of the non-standard contract, has a provision for a Payment Due Date that amends the requirements of this obligation on a per customer basis, however, we understand for standard customers, 14 calendar days is offered. ▶ Bill Statement No. 2146538, 16 Apr 18 allowed for 14 calendar days from the date of the bill, consistent with the Payment Due Date agreed with this customer. ▶ Bill Statement No. 2144882, 26 Mar 18, 2147370, 01 May 18 and 2149586, 01 Jun 18 allowed for more than 14 calendar days from the date of the bill. ▶ PE's Billing Procedures Overview does not reference due date requirements. 	<p>12/2018 [OFI] Confirm actual payment terms are consistent with what has been agreed with each customer's non-standard contract and standardise payment due dates at contract renewal.</p>	Completed

		<ul style="list-style-type: none"> ▶ PE's New Gentrack Account & Electricity Customer Transfer document states for small use customers, 12 business days (even if contract says 14 calendar days). ▶ Customer contract dated 2 Nov 16 specifies a payment due date of 12 business days. 		
13	220 221 222 226	<p>Rating: B2 Lic Ref: C5.1, Code of Conduct clause 6.10(1)</p> <p>A retailer must develop a hardship policy and hardship procedures to assist customers experiencing financial hardship in meeting their financial obligations and responsibilities to the retailer.</p> <ul style="list-style-type: none"> ▶ Procedures for compliance need to be improved to ensure that the requirements of Code of Conduct are met in a timely fashion. 	<p>13/2018 PE needs to review its control process to ensure that licence obligations are complied with in a timely fashion.</p>	<p>Perth Energy is strengthening its training processes. It is also strengthening its internal review of compliance across the business. This work will concentrate initially on the electricity (and gas) retail compliance area.</p> <p>Action: Manager Compliance and Risk</p> <p>Date: by end of May 2019</p>
14	240	<p>Rating: B2 Lic Ref: C5.1, Code of Conduct clause 7.7(6)</p> <p>A retailer must contact the customer to ascertain whether life support equipment is required or to request recertification in the manner and circumstances specified in subclause 7.7(6).</p> <ul style="list-style-type: none"> ▶ Evidence of the annual obligation to contact life support customers was not available for the audit. ▶ The life support register has columns for Validation Date and Re-certification date, but only Re-certification date appears to be actively used. 	<p>14/2018 Contact life support customers annually in accordance with Code requirements. Ensure the life support register and in particular, Validation Dates are being actively maintained for code compliance. Consider adding the life support register to internal audit processes.</p>	Completed
15	241	<p>Rating: B1 Lic Ref: C5.1, Code of Conduct clause 7.7(7)</p>	<p>15/2018 [OFI] Update life support register to include the full date of removal as evidence to ensure compliance with Code</p>	Completed

		<p>A retailer or a distributor must remove the customer's details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7).</p> <p>▶ The life support register has columns for Validation Date and Re-certification date, but only Re-certification date appears to be actively used.</p>	<p>timeframes, or ensure this is adequately controlled or maintained elsewhere as evidence of Code compliance.</p>	
16	280	<p>Rating: B2 Lic Ref: C5.1, Code of Conduct clause 10.3A</p> <p>At least once a year, a retailer must provide a customer with written details of the retailer's and distributor's obligations to make payments to the customer under Part 14 of this Code and under any other legislation in Western Australia, including the amount of the payment and the eligibility criteria for the payment.</p> <p>▶ Evidence of annual customer notification was requested for the audit period, but not provided by PE.</p>	<p>16/2018 Send and retain evidence of the annual communication with customers referring to PE's obligations under Part 14 of the Code.</p>	Completed
17	300	<p>Rating: B2 Lic Ref: C5.1 Code of conduct clause 12.1(3)</p> <p>A retailer or distributor must advise the customer in accordance with subclause 12.1(3)</p> <p>▶ It does not appear that PE specifically reiterates the options available to customers with respect to complaint handling, in reply to each and every complaint, including escalation of the complaint to the energy ombudsman.</p>	<p>17/2018 Include a template response covering Code requirements on each complaint handling reply. This could be a link to the Complaint Handling Procedure published online.</p>	Completed
18	307	<p>Rating: B2 Lic Ref: C5.1, Code of Conduct clause 13.3</p>	<p>18/2018 Amend internal processes to ensure that website publishing dates are as per Code</p>	Completed

		<p>The report specified in clause 13.1 must be published by the date specified by the ERA. In accordance with clause 13.3(2), a report is published if:</p> <ul style="list-style-type: none"> • copies are available to the public, without cost, in places where the retailer or distributor transacts business with the public; and • a copy is posted on the retailer or distributor's website. <p>▶ A request to publish the 2016 report within 7 calendar days was made on 20 Oct 2016 – no evidence was received to confirm this occurred.</p> <p>▶ A request to publish a revised 2017 report within 7 calendar days was made on 6 Oct 2017 – no evidence was received to confirm this occurred.</p> <p>▶ A second request to publish a revised 2017 report was made on 27 Oct 2017 and confirmed to be published on 13 Nov 2017. This is outside the normal 7 calendar day requirement of the ERA, however, in this instance, it does not appear that the ERA specified a timeframe for the re-publishing of the 2017 report.</p>	<p>requirements. As part of this, ensure evidence of website publishing dates is logged for auditing / compliance purposes.</p>	
Uncompleted from previous audit and unresolved during current Audit period				
19	144, 243	<p>Rating B1 Lic Ref: C5.1, Code of Conduct clause 3.1(2) Unless the customer agrees otherwise, a retailer must forward the customer's request for the connection to the relevant distributor that same</p>	<p>Refer Opportunity for Improvement 7.</p>	

		<p>day, if the request is received before 3pm on a business day; or the next business day if the request is received after 3pm or on a weekend or public holiday.</p> <ul style="list-style-type: none"> ▶ The PE process for new connections does not reference the submission time requirements of this clause. 		
20	172, 300	<p>Rating B2 Lic Ref: C5.1, Code of Conduct clause 4.16(1)(a)</p> <p>If a review of a bill has been conducted and the retailer is satisfied that the bill is correct, the retailer may require a customer to pay the unpaid amount; must advise the customer that the customer may request the retailer to arrange a meter test in accordance with the applicable law; and must advise the customer of the existence and operation of the retailer's internal complaints handling processes and details of any applicable external complaints handling processes.</p> <ul style="list-style-type: none"> ▶ It does not appear that PE specifically reiterates the options available to customers with respect to meter testing and complaint handling in reply to each and every bill review. 	Refer Recommendation 10.	
21	240	<p>Rating B2 Lic Ref: C5.1, Code of Conduct clause 7.7(6)</p> <p>A retailer must contact the customer to ascertain whether life support equipment is required or to request recertification in the manner and circumstances specified in subclause 7.7(6).</p> <ul style="list-style-type: none"> ▶ The letter template used to update life support details annually does not allow for requesting 	Refer Recommendation 13.	

		<p>re-certification every 3 years.</p> <ul style="list-style-type: none"> ▶ PE is not currently using the letter template for updating life support details – customers are not being contacted annually in accordance with Code requirements. ▶ The life support register does not include details on customer anniversary date (for a letter to be sent out within the window required by the Code) and re-certification date (so it is known when re-certification details must be requested). 		
22	241	<p>Rating B1</p> <p>Lic Ref: C5.1, Code of Conduct clause 7.7(7)</p> <p>A retailer or a distributor must remove the customer's details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7).</p> <ul style="list-style-type: none"> ▶ The schedule of Standard Terms and Conditions does not explicitly require for a person no longer requiring life support equipment to advise PE. ▶ Evidence of the one removal from the life support register was outside the audit period; however, it did not appear that this was confirmed by the customer in writing. ▶ The PE life support register only records date removed as month and year. 	Refer Opportunity for Improvement 14.	
23	307	<p>Rating B2</p> <p>Lic Ref: C5.1, Code of Conduct clause 13.3</p> <p>The report specified in clause 13.1 must be published by the date specified by the Authority. In accordance with clause 13.3(2), a report is</p>	Refer Recommendation 16.	

	<p>published if:</p> <ul style="list-style-type: none"> - copies of it are available to the public without cost, at places where the retailer or distributor transacts business with the public; and - a copy of it is posted on the retailer or distributor's website. <ul style="list-style-type: none"> ▶ A request to publish the 2013 report was made on 27 Sep 2013 and actioned the same day. ▶ A request to publish the 2014 report was made on 6 Feb 2015, outside of the 1 Oct 2014 requirement. ▶ The 2015 report was published in June 2016. 		
24	<p>Retail Licence condition 15.2</p> <p>A licensee must, unless otherwise notified in writing by the Authority, review the customer service charter within the timeframe specified, and submit to the Authority the results of that review within 5 days after it is completed.</p> <ul style="list-style-type: none"> ▶ The Authority has removed the requirement for electricity and gas retailers and distributors to produce and review a customer service charter. It is noted that reference to the customer service charter is still made on the Perth Energy Website and their bills in the additional information section. (OFI) 	<p>19/2018 [OFI] Remove references to the Customer Service Charter from the Standard Form Contract.</p>	<p>Perth Energy will remove the reference to the Customer Service Charter from the Standard Form Contract.</p> <p>Action: GM Retail Date: by end of April 2019</p>