



Performance Audit Report 2021

AER Retail Pty Ltd

ERL18

Audit Report	Authorisation	Name	Position	Date
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This report was prepared by representatives of GES Pty Ltd in relation to the above named client's conformance to the nominated audit standard(s). Audits were undertaken using a sampling process and the report and its recommendations were reflective only of activities and records sighted during this audit process. GES Pty Ltd shall not be liable for loss or damage caused to or actions taken by third parties as a consequence of reliance on the information contained within this report or its accompanying documentation. The client had the opportunity for review to ensure no commercially sensitive information was disclosed.

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GLOSSARY

AER	AER Retail
AEMO	Australian Energy Market Operator
BMS	Business Management System
CRM	Customer Relationship Management
CTR	Customer Transfer Request
ERL18	Retail Licence for AER Retail Pty Ltd
ERA	Economic Regulation Authority
ESA	Electricity Supply Agreement
ETAC	Electricity Transfer Access Contract
LUC	Large Use Customer
NMI	National Meter Identifier
NSC	Non Standard Contract
MW	MegaWatt
RRN	Retailer Reference Number
RFP	Request for Proposal
SCONRRR	Steering Committee on National Regulatory Reporting Requirements
SFC	Standard Form Contract
SUC	Small Use Customer
SWIN	South West Interconnected Network
SWIS	South West Interconnected System
VC	Verifiable Consent
WEM	Wholesale Electricity Market
WPN	Western Power Networks

1. EXECUTIVE SUMMARY

Advanced Energy Resources (AER) Retail Pty Ltd was issued an Electricity Retail Licence (ERL18) on 21 November 2012 by the Economic Regulation Authority (ERA) under sections 7(4) and 15(1) of the Electricity Industry Act 2004. The retail licence ERL18 expires on 20 November 2027.

AER Retail Pty Ltd (AER Retail) is an electricity retailer which operates electricity sales in Western Australia. As an electricity retailer AER Retail liaises directly with consumers and ensures that their energy requirements are met.

During the audit period, 1 December 2017 to 30 November 2021, AER Retail reported as part of the Annual Performance Audit Reports the following number of customer accounts as at June 30;

Report Year	No. of SUC Customer Accounts	No. of LUC Customer Accounts	No. of Total Customer Accounts
2018	12	61	73
2019	26	49	75
2020	20	53	73
2021	14	48	62

AER Retail does not supply any small use customers on Standard Form Contracts. All of their small use customers were supplied on Non-Standard Contracts during the audit period. These Customer Contracts comprise of an Electricity Supply Agreement (ESA) and Terms & Conditions.

Section 13 of the Electricity Industry Act 2004 requires as a condition of every retail licence that the licensee must, not less than once in every period of 24 months (or any longer period that the Authority allows) calculated from the grant of the licence, provide the Authority with a Performance Audit report by an independent expert acceptable to the Authority. Geographe Environmental Services (GES) has been approved by the Authority (Ref: D240252 Date: 2/11/21) to undertake the works subject to an audit plan approved by the Authority (Ref D242390 Date 04/01/2022).

This is Licensee's third electricity retail licence Performance Audit and the audit has been conducted to assess the Licensee's compliance with its licence conditions.

The previous 2017 Performance Audit Report identified three non-compliances, which were considered to be minor administrative issues: obligations 124 and 306 (late submission to the ERA of AERs annual compliance report for 2017) and obligation 292 (Code of Conduct not available on AERs website. One of the non-compliances (obligation 292) was resolved during the previous audit period and required no further action. The Audit made two recommendations for obligations 124 and 306, which were addressed in a Post Audit Implementation Plan (PAIP) provided by AER. The corrective actions for both 124 and 306 were not effective and are included in the current audit report. However, the Auditor considers the likely root cause was also related to a change in personnel and awareness to the requirements.

The Auditor considers that AER Retail has generally adequate controls in place that are appropriate to the nature and scale of its activities with improvement needed in relation to currency and effectiveness of documentation of policies and procedures and development of processes to monitor compliance with the retail licence obligations. A summary of findings and recommendations arising from the current audit are detailed below:

Table 1 - Summary of Non-Compliances & Recommendations Performance Audit 2021

OBLIGATION REF & SOURCE	DETAILS OF NON- COMPLIANCE	RECOMMENDATIONS
29 <i>Electricity Industry Customer Transfer Code 2016</i> Clause 4.7	Failure to nominate a transfer date in accordance with the specified timeframes.	01/2021 - In order to ensure the nominated transfer date is compliant with the specified times frames in the Customer Transfer Code, the Licensee should strengthen control processes and revise relevant Customer Transfer Policy and Procedure. Undertake the following corrective actions: <ul style="list-style-type: none"> ▪ Update Customer Transfer Policy and Procedure to reflect the consideration of public holidays, meter types installed or required and the nominated transfer date to not be greater than 50 days after the date CTR submitted or to check if the CTR had previously been submitted. ▪ Update the New Customer Checklist and/or SUC - Non Standard Contract - Offer Document ((i.e., Commercial Terms) to include a check to confirm consideration has been given for times frames in particular public holidays. Noted that if the New Customer Checklist was not always used then the SUC - Non Standard Contract would be more effective control measure. ▪ Ensure the organisation has established a process for change management in relation to legislative and other requirements i.e., legislative changes, amendments to Build Pack. ▪ Notify the network operator of the issue relating to circumstances where CTRs that did not meet the specified timeframes could be submitted into the Web Portal and actively be involved in finding solutions. Submission of a Change to Build Pack Request is recommended
87	The NSC did not specifically include details of AERs obligations under clause 10.1(3) in	02/2021 -Include the requirement to give or make available to the customer reasonable information on the AER's tariffs, fees and charges, within 8 business days of the date of receipt.

OBLIGATION REF & SOURCE	DETAILS OF NON- COMPLIANCE	RECOMMENDATIONS
<i>Electricity Industry Customer Contracts Regulations 2005 - Regulation 13</i>	relation to provision of tariff information within 8 business days clause.	Reference to the requirement that if requested by the customer the information relating to tariffs, fees and charges must be given in writing. Establish internal control and monitoring process to ensure compliance with the 8 business day rule, Microsoft Teams To Do List and Key Tasks and establish internal audit program to review compliance requirements.
108 <i>Electricity Industry Act 2004 - Licence Condition 6.4.</i>	Due to non-compliance with the following obligations the Licensee NSC was noted to be non-compliant with the <i>Electricity Industry Act 2004</i> : <ul style="list-style-type: none"> > 87 > 188 	Review the NSC as detailed in Recommendation 02/2021 and 07/2021
124 <i>Electricity Industry Act 2004 - Licence Condition 4.5.1</i> 306 <i>Code Of Conduct 2018 - Clause 13.2</i>	The reporting requirements (including the Annual Performance Report required by the Clause 13.2 of the Code of Conduct) were submitted outside the prescribed timeframes on 3 occasions and the Licensee failed to include all the applicable the non-compliance in the subsequent annual compliance report.	03/2021 - Develop Control Procedures in relation to the correct collection and handling of data that the Licensee supplies to ERA and/or compliance related activities in order to facilitate accurate and timely reporting of information to the ERA, for example a compliance register would facilitate this process. Incorporate change management processes in the corrective action as detailed in Recommendation 10/2021 (C).
133 <i>Code of Conduct - Clause 2.3(2)</i>	For the duration of the audit period when entering a NSC, the Licensee, did not include a reference to general information on the safe use of electricity in the NSC new contract process. The Licensee used a NSC and confirmation of inclusion of all information as specified in subclause 2.3(2) with the exception of 2.3(2)(j) was noted.	04/2021 -Amend the Welcome Letter, NSC control procedure and other relevant documentation to reference the obligation and refers customers to Western Power Website for information. A reference to the information on the company's website by creating a link to Western Power's site.
139 <i>Code Of Conduct 2018 - Clause 2.5(2)</i>	The Licensee reported in the 2020 Annual Compliance Report, that on one occasion, a BDM did not have identity card and contact information for the customer to contact AER Retail and verify a query.	05/2021 -Develop a Marketing Compliance process or other such appropriate control process to verify compliance
155 <i>Code Of Conduct 2018 - Clause 4.5(1)</i>	Bills did not comply with particulars in relation to subclauses (h) (i) and (r)	06/2021 - Review the billing process and ensure the particulars required on bills are included.
188 <i>Code Of Conduct for the Supply of Electricity to Small Use Customers 2018</i> Clause 5.2	Unless otherwise agreed with a customer, a retailer must offer the customer at least the payment methods prescribed in clause 5.2.	07/2021 - Review the SUC bill template, NSC and AER Website and update as required to ensure accurate reflection of agreed payment options (i.e., include direct debit options). Ensure change management processes in relation to a change of contact details include the update requirements to the billing template.

OBLIGATION REF & SOURCE	DETAILS OF NON- COMPLIANCE	RECOMMENDATIONS
189 <i>Code Of Conduct 2018</i> - Clause 5.3	Agreement with the customer for the date of commencement of the direct debit facility was made; and the frequency of the direct debits was not able to be determined. A date of the direct debit being authorised.	08/2021 - Update the Direct Debit form to ensure the requirements of the Code of Conduct are included.
299 B2 <i>Code Of Conduct 2018</i> - Clause 12.1(2)	AER Retail's internal process for handling complaints and resolution addressed Clauses 12.1(2)(b) but did not expressly comply with: <ul style="list-style-type: none"> ➤ Clause 12.1(2)(a) comply with Australian Standard AS/ISO 10002-2014; ➤ Clause 12.1(2)(c) detail how a retailer will handle complaints about the retailer* or marketing (the Licensee did not use electricity marketing agents); and ➤ The Complaints Resolution Factsheet referenced the superseded AS/ISO 10002:2006 and not AS/ISO 10002-2014 as required by the Code of Conduct. 	10/2021 (A) Review and amend the complaints handling process (including the Complaint Resolution Factsheet, the Complaint Dispute Register and relevant training requirements) and develop a flow chart that distinguishes 'complaints' from 'queries' ensure it accurately reflects the requirements of the Complaint Handling Process and aligns with the Code of Conduct PART 12 - Complaints and Dispute Resolution. Consideration of the following documents is also required: <ul style="list-style-type: none"> ▪ Customer Complaint Guidelines – October 2016 ▪ SCONRRR Guideline - National Regulatory Reporting Requirements in its Final Paper, National Energy Retail Performance Indicators. (B) Review and implement Document Control Procedures. Specifically, to ensure: <ul style="list-style-type: none"> ▪ Record date document implemented ▪ Identify version control ▪ Record management approval and review (C) Review and implement Change Management Procedures. Specifically, to ensure the Licensee can demonstrate review of documentation in consideration of; <ul style="list-style-type: none"> ▪ Changes to legislations ▪ Changes to roles within or contractors supporting the organisation ▪ Outcomes from responses to complaints, incidents or corrective actions arising from audit processes. (D) Review the suitability of the implementation of a CRM to support in complaints handling process.
302 <i>Code Of Conduct 2018</i> - Clause 12.2	AER during the development and implementation of the complaints handling process has not considered the Customer Complaint Guidelines – October 2016 approved by the ERA. Specifically, the obligation to differentiate customer 'queries' from 'complaints' was not evidenced or referenced in the complaints handling process. Awareness to the requirement was also not demonstrated as examples of communication which could be considered a complaint under the guideline were not recorded in the complaints handling process.	As for recommendation 09/2021.

The previous Performance Audit Report was for the period 1 December 2014 to 30 November 2017. A Performance Audit Report 2017 was submitted to the ERA for review and published on their website. As a result of the Licensee high level of compliance the ERA decided to increase the period

covered by this audit from 36 months to 48 months (Refer ERA Notice 3 May 2018). As such, the 2021 Performance Audit is for the period 1 December 2017 to 30 November 2021. There were no substantial changes to the retail licence or AER Retail since the previous Performance Audit.

The 2017 Performance Audit Report noted several obligations that were not applicable to the Performance Audit scope as at the time AER Retail did not have:

- pre-paid meters
- residential customers
- customers requiring life support equipment
- non-contestable customers

It was confirmed by the Licensee and support by the evidenced provided during the documentation review and the site visit that the above obligations were also not applicable for the current audit period.

2. AUDIT OPINION

Qualified Audit Opinion

We have undertaken a reasonable assurance engagement on AER Retail’s (the Licensee) compliance, in all material respects, with the Electricity Retail Licence (ERL18) (the Licence) and all applicable obligations from the Electricity Compliance Reporting Manuals (June 2020, July 2018 and July 2017) released during the audit period (Licence Obligations) (together referred to as the “Licence Conditions”) for the period from 1 December 2017 to 30 November 2021. The assurance engagement was undertaken in accordance with the Economic Regulation Authority’s (ERA) 2019 Audit and Review Guidelines – Electricity and Gas Licences.

In our opinion, based on the procedures we have performed and the evidence we have obtained, except for the effects of the matters described in Basis for Qualified Opinion, AER Retail has complied, in all material respects, with the Licence Conditions for the period from 1 December 2017 to 30 November 2021. The Auditor considers the Licensee has an established compliance framework that achieved a satisfactory level of compliance with the conditions of their licence.

Basis for Qualified Opinion

With respect to the audit period 1 December 2017 to 30 November 2021, as a result of identified control inadequacies, AER Retail’s did not comply with the Licence Conditions as detailed below:

Table 2 - Summary of Non-Compliances Performance Audit 2021

Reference Number & Licence Obligation ¹		Reference to Recommendation/Non-Compliance
29	<p>Customer Transfer Code 2016 - Clause 4.7</p> <p>A retailer must nominate a transfer date in a customer transfer request in accordance with specified timeframes, except if the customer transfer request is to reverse an erroneous transfer.</p>	<p>01/2021 - Failure to nominate a transfer date in accordance with the specified timeframes</p>
87	<p>Customer Contracts Regulations 2005 - Regulation 13</p> <p>A non-standard contract must describe the retailer’s obligations in relation to the provision of prices and tariff information.</p>	<p>02/2021 - The NSC did not specifically include details of AERs obligations under clause 10.1(3) in relation to provision of tariff information within 8 business days clause and as such were not communicated to the customer.</p>
108	<p>Electricity Industry Act 2004 - Licence Condition 6.4.1</p> <p>A retail or integrated regional licensee must not supply electricity to a small use</p>	<p>02/2021 & 07/2021 - Due to non-compliance with the following obligations the Licensee NSC was noted to be non-compliant with the <i>Electricity Industry Act 2004</i>:</p> <p style="padding-left: 20px;">➤ 87</p>

Reference Number & Licence Obligation ¹		Reference to Recommendation/Non-Compliance
	customer otherwise than under a standard form contract or a non-standard form contract that complies with the Act.	➤ 188
124	<p>Electricity Industry Act 2004 - Licence Condition 4.5.1</p> <p>A licensee must provide the ERA, in the manner prescribed, with any information that the ERA requires in connection with its functions under the Electricity Industry Act.</p>	03/2021 - The reporting requirements were submitted outside the prescribed timeframes on 3 occasions in 2018 and the Licensee failed to include all the applicable the non-compliance in the subsequent annual compliance report.
306	<p>Code Of Conduct 2018 - Clause 13.2</p> <p>The report specified in clause 13.1 must be provided to the ERA by the date, and in the manner and form, specified by the ERA.</p>	
133	<p>Code of Conduct - Clause 2.3(2)</p> <p>A retailer or electricity marketing agent must ensure that the information specified in subclause 2.3(2) is provided to the customer before entering into a non-standard contract.</p>	04/2021 - For the duration of the audit period when entering a NSC, the Licensee, did not include a reference to general information on the safe use of electricity in the NSC new contract process. The Licensee used a NSC and confirmation of inclusion of all information as specified in subclause 2.3(2) with the exception of 2.3(2)(j) was noted.
139**	<p>Code Of Conduct 2018 - Clause 2.5(2)</p> <p>A retailer or electricity marketing agent who meets with a customer face to face must:</p> <ul style="list-style-type: none"> • wear a clearly visible and legible identity card showing the information specified in subclause 2.5(2)(a); and • provide the written information specified in subclause 2.5(2)(b) as soon as practicable following a request by the customer. 	05/2021 - The Licensee reported in the 2020 Annual Compliance Report, that on one occasion, a BDM did not have identity card and contact information for the customer to contact AER Retail and verify a query.
155	<p>Code Of Conduct 2018 - Clause 4.5(1)</p> <p>A retailer must include the minimum prescribed information in subclause 4.5(1) on a customer's bill, unless the customer agrees otherwise.</p>	06/2021 – Evidence sighted that bills did not always comply with particulars in relation to subclauses (h) (i) and (r)
188	<p>Code Of Conduct 2018 - Clause 5.2</p> <p>Unless otherwise agreed with a customer, a retailer must offer the customer at least the payment methods prescribed in clause 5.2.</p>	07/2021 - Payment options available on the SUC bills were not as detailed in the NSC.
189	<p>Code Of Conduct 2018 - Clause 5.3</p>	08/2021 – Agreement with the customer for the date of commencement of the direct debit facility was made; and the

Reference Number & Licence Obligation ¹		Reference to Recommendation/Non-Compliance
	Prior to commencing a direct debit facility, a retailer must obtain a customer's verifiable consent and agree with the customer the date of commencement of the facility and the frequency of the direct debits.	frequency of the direct debits was not able to be determined. A date of the direct debit being authorised but reference to the commencement date was not included
280	Code Of Conduct 2018 - Clause 10.3A 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.	09/2021 – Evidence of communication by the Licensee of Service Standard Payment obligations for 2018 and 2019 years was not confirmed.
299	Code Of Conduct 2018 - Clause 12.1(2) The complaints handling process under subclause 12.1(1) must comply with the requirements specified in subclauses 12.1(2)(a), (b) and (c) and be made available at no cost.	10/2021 - (AER Retail's internal process for handling complaints and resolution addressed Clauses 12.1(2)(b) but did not expressly comply with: <ul style="list-style-type: none"> ➤ Clause 12.1(2)(a) comply with Australian Standard AS/ISO 10002-2014; ➤ Clause 12.1(2)(c) detail how a retailer will handle complaints about the retailer* or marketing (the Licensee did not use electricity marketing agents); and ➤ The Complaints Resolution Factsheet referenced the superseded AS/ISO 10002:2006 and not AS/ISO 10002-2014 as required by the Code of Conduct.
302	Code Of Conduct 2018 - Clause 12.2 Retailer must comply with any guideline developed by the ERA to distinguish customer queries from complaints.	

¹ The reference number allocated to the licence obligation in the Electricity or Gas Compliance Reporting Manual.

Recommendations to address the non-compliances are detailed in Table 1 & 8. The recommendations made by the Auditor align with “good electricity industry practice” and relate to organisational awareness of compliance requirements, (specifically any reportable compliance requirements), enhancing the effectiveness of organisational Control Procedures as well implementing revised internal compliance processes, such as internal audit and training.

Opportunities for improvement identified that relate to the Performance Audit findings have been provided directly to the Licensee and have not been included in this document as required by the 2019 Audit and Review Guidelines – Electricity and Gas Licences section 5.1.8

As required by the Audit Guidelines (refer section 5.3) the licensee must submit a post-audit implementation plan, with the audit report. The PAIP must be a separate document and must be developed by the Licensee.

AER Retail’s Responsibilities for Compliance with the “Licence Conditions”

AER Retail is responsible for:

- (a) Compliance with the Licence as evaluated against the conditions within the Licence, for the period 1 August 2017 to 31 August 2021
- (b) Identifying risks that threaten the conditions within the Licence identified above being met
- (c) Identifying suitable compliance requirements as specified by the conditions within the Licence (d) Identifying, designing and implementing controls to enable the conditions within the Licence to be met and to monitor ongoing compliance.

Our Independence and Quality Control

We have complied with the independence and other relevant ethical requirements relating to assurance engagements, which a fundamentally based on confidentiality, integrity, objectivity, and independence, skills and competence. We applied quality management system controls as defined by ISO 9001 in undertaking this assurance engagement.

Assurance Practitioner’s Responsibilities

Our responsibility is to express an opinion on AER Retail’s compliance, in all material respects, with the licence obligations as evaluated against its Licence Conditions for the period from 1 August 2017 to 31 August 2021. ASAE 3100 requires that we plan and perform our procedures to obtain reasonable assurance about whether AER Retail has complied, in all material respects, with the licence obligations as evaluated against its Licence Conditions for the period from 1 August 2017 to 31 August 2021.

Inherent Limitations

Assurance engagements are subject to inherent limitations, together with the internal control structure, it is possible that misstatement, error or non-compliance with the compliance requirements may occur and not be detected.

A reasonable assurance engagement relating to the current audit period does not indicate compliance for future audit periods.

3. PERFORMANCE AUDIT

The Licensee has issued a Consultancy Brief to undertake its third Performance Audit as required by its Electricity Retail Licence (ERL18). The Performance Audit Report is to be provided to the Economic Regulation Authority (ERA/the Authority) to assess the Licensee's level of compliance with the licence conditions. The Performance Audit was conducted in accordance with the 2019 Audit and Review Guidelines – Electricity and Gas Licences (Audit Guidelines).

The purpose of the Performance Audit was to assess the effectiveness of measures taken by the Licensee to meet the conditions of its licence conditions.

3.1 Performance Audit Scope

The Performance Audit is an audit of the effectiveness of measures taken by the licensee to meet the performance criteria specified in the Licence (refer Section 13(2) of the Electricity Act 2004). Performance criteria are defined within Condition 1 of the Licence as:

- The terms and conditions of the Licence
- Any other relevant matter in connection with the applicable legislation that the ERA determines should be part of the Performance Audit.

There were no areas of special focus prescribed by the ERA in relation AER Retail's Performance Audit.

The Performance Audit encompassed an assessment of the following five key areas using the risk evaluation model (based on ISO 31000:2018) as detailed in the Audit Guidelines (Appendix 3):

1. Process compliance: the effectiveness of systems and procedures throughout the audit period, including the adequacy of internal controls.
2. Outcome compliance: the actual performance against the prescribed licence standards throughout the audit period.
3. Output compliance: the existence of the output from systems and procedures throughout the audit period (specifically, proper records which provide assurance that procedures are consistently followed, and controls are maintained).
4. Integrity of reporting: the completeness and accuracy of the compliance and performance reports provided to the ERA.
5. Compliance with any individual licence conditions – the actual performance against the requirements imposed on the specific licensee by the ERA or specific matters raised by the ERA.

The Performance Audit Report is required to identify areas of non-compliance and recommends corrective action as necessary (Refer Appendix 1 for assessment effectiveness and recommendations where applicable).

The Performance Audit Report is an assurance engagement to report on AER Retail's compliance with the licence obligations as evaluated against its Licence Conditions and involves performing procedures to obtain evidence about the compliance activity and controls implemented to meet the conditions within the Licence. The procedures selected depend on our judgement, including the identification and assessment of risks of material noncompliance with the licence obligations as evaluated against its Licence Conditions.

The audit procedures included the following within the scope of the Performance Audit Report:

- 2019 Audit and Review Guidelines: Electricity and Gas Licences (Audit Guidelines)
- July 2017 Electricity Compliance Reporting Manual
- July 2018 Electricity Compliance Reporting Manual
- June 2020 Electricity Compliance Reporting Manual
- Compliance Enforcement Policy 2016
- 2021 Audit Plan as developed and approved by the ERA;
- 2017 Performance Audit – ERL18
- 2017 Post Audit Implementation Plan
- Interviews with AER Retail personnel
- Review of applicable documents (as defined in the Audit Plan), systems and walkthrough of processes
- Detailed sample testing and data analysis where obligations were rated as a priority 3 and above in the approved audit plan

A detailed list of documents reviewed during the Performance Audit is included in Appendix 2.

The Performance Audit was conducted in accordance with ISO 31000 Risk Management – Guidelines, APES 110 Code of Ethics and the following Standards on Assurance Engagement issued by the Auditing and Assurance Standards Board:

- ASAE 3000 - Assurance Engagements Other than Audits or Reviews of Historical Financial Information
- ASAE 3100 - Compliance Engagements.
- Auditing Standard ASA 315 - Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and Its Environment
- Auditing Standard ASA 500 - Audit Evidence
- Auditing Standard ASA 530 - Audit Sampling

AER Retail as the retail licence holder is responsible for compliance with the condition of the Electricity Retail Licence (ERL18).

The Audit Guidelines (March 2019) section 5.1.5 requires assessment of recommendations from the previous audit that were resolved during the current audit or review period or are unresolved at the end of the current audit or review period.

Performance Audit Excluded Conditions

There were some Electricity Compliance Reporting Manual obligations for ERL18 that have been excluded from the audit because they are not applicable to AER Retail. During the Audit Period, the Type 1 reporting requirements applicable to ERL18 were obligations 234, 235 and 236. It was noted that Obligation 236 (subclause 7.7(2) of the Code of Conduct) is a Type 1 reporting obligation, except when a registered life support equipment customer notifies the retailer that the customer’s supply address no longer requires registration as a life support equipment address, which is a Type 2 reporting obligation. During the audit period AER Retail did not have small or large use customers on life support. Excluded compliance obligations were detailed in the Audit Plan. Deviations from the Audit Plan are detailed in Section 4.1.

Table 3 - Obligations Excluded from the Audit Report

OBLIGATIONS EXCLUDED FROM THE PERFORMANCE AUDIT	
Ref*	Justification for Exclusion
56 - 59 ^Δ	Not Applicable – As identified in obligation 55, AER Retail did not have any disputes in relation to the Customer Transfer Code during the audit period.
107 ^Δ	Not Applicable – The Licensee did not exercise <i>the Land Administration Act 1997</i> in relation to taking an in interest in land or an easement over land.
110	Not Applicable – The Licensee has not been designated under s71(1) of the Electricity Act as the supplier of last resort.
120	Not Applicable – The Licensee has not been prescribed individual performance standards by the Authority.
136, 147., 191-196, 200, 202-227, 231, 294-295	Not Applicable – The Licensee does not have residential customers as such this Clause is not applicable to the audit scope.
245-271	The Licensee does not have any pre-payment meters as such this Clause is not applicable to the audit scope.
275-279	The Licensee does not have any non-contestable customers as such this Clause is not applicable to the audit scope.

* Electricity Compliance Reporting Manual – June 2020

^Δ Deviation from audit plan

The Retail Licence compliance elements that were included in the scope of this audit are as defined in Table 7 and are further detailed in Appendix 1.

3.2 Performance Audit Methodology

We have undertaken a document review, attended a site visit to interview personnel (refer as listed in table 4) and have been demonstrated the application of some key operational systems.

The site audit was conducted in AER Retail’s Myaree offices on the 3rd February 2022 to access information, make enquiries and interview relevant personnel. Other than services provided by the Billing Administrator, the Auditor confirms there were no other functions performed by another entity on behalf of the Licensee that required review. Support services utilised in relation to billing were engaged as an additional control measure for checking the billing undertaken by the Licensee. The process was detailed and reviewed during the audit. This Performance Audit report is an accurate representation of the Auditor’s findings and opinions.

During the site visit the Auditor assessed the License’s controls. Where the Licensee’s controls changed during the audit period, the auditor examined both the former and current controls.

The types of audit procedures and audit evidence obtained were specified in the Audit Plan and were commensurate with the Audit Priority allocated to the Licence obligations. The Audit Priority assigned to the licence obligation and the strength of the Licensee’s control environment (refer Table 4 below) guided the nature and extent of the audit procedures applied. The Auditor used their professional judgement to determine what constituted sufficient audit evidence and undertook adequate review of all Licence Obligations to confirm the Audit Priority allocated in the Audit Plan (refer Appendix 1 & 2 for detail).

Table 4 - Description of Controls Assessed

Controls	Description of Controls
Control Environment	The licensee’s management philosophy and operating style, organisational structure, assignment of authority and responsibilities, the use of internal audit, the use of information technology, training and the skills and experience of the relevant staff members.
Information System	The suitability of the licensee’s information systems to record the information needed to comply with the licence, accuracy of data, security of data and documentation describing the information system.
Control Procedures	The presence of systems and procedures to monitor compliance with the licence and to detect or prevent instances of non-compliance or under-performance.
Compliance Attitude	The action taken by the licensee in response to any previous audit or review recommendations, and an assessment of the licensee’s attitude towards compliance.
Outcome Compliance	The actual performance against standards prescribed in the licence throughout the audit or review period.

Additionally, where a licence obligation required the Licensee to develop processes to ensure they completed the activities within a prescribed timeframe such as responding to customer complaints, connecting and re-connecting customer or providing annual compliance and performance reports to the

ERA suitable audit procedures were engaged to determine whether the Licensee complied with these licence obligations in a timely manner. of the outcome compliance was considered in the determination of the Licensee’s performance.

Where the Auditor identified inadequacies with the controls, they have been disclosed in the observations section of the report. The Performance Audit methodology required the Audit to review both current and former controls, however, as detailed in the Audit Guidelines only controls currently in place were rated.

Further as specified in the Audit Guidelines (refer section 4.2.1) the Licensee’s controls (control environment and control procedures) were only assessed and a control rating provided for:

- Audit priority of 1, 2 or 3 – licence obligations with an assigned audit priority of 1, 2 or 3. If the auditor raises an audit priority after the planning stage from 4 or 5 to 1, 2 or 3, the auditor must also assess the licensee’s controls.
- Non-compliant – licence obligations that the auditor has rated non-compliant.(i.e., compliance rating of 2, 3 or 4).

It is confirmed that that the Licensee provided assistance to the Auditors, as required by Section 4.1 of the Audit Guidelines (2019) by providing the audit team;

- Access to the facilities and business premises identified in the audit and review plan.
- Access to materials and information sources that the auditors needed to conduct the audit or review, including data, reports, records and any other relevant information that were available.
- Access to the relevant personnel at the Myaree office attended during the site visit.
- An introduction to persons, other than employees of the licensee, who are relevant to the audit and review, such as the Billing Contractor.

Table 4 - List of Personnel Who Participated in the Performance Audit

No.	Name	Company	Position Description
1	Clare Nicholas	AER Retail	Operations Manager
2	[REDACTED]	Contractor	Billing Administrator
3	Luca Castelli	AER Retail	Managing Director.

In executing the Audit Plan the Auditor provided the Licensee with an audit program addressing in detail the compliance obligations and the detailed description extracted from the relevant legislation. The Licensee used the document as an internal compliance audit guide and as such self-assessed compliance and rectified some non-compliances identified. However, not all of these corrective actions

were completed within the audit period. Where applicable, the effectiveness of corrective actions have been considered in the report.

The Performance Audit required 80 hours of Nicole Davies time.

3.3 Performance Audit Objectives

The Performance Audit has been conducted in order to assess the effectiveness of AER Retail's and level of compliance with the conditions of its Electricity Retail Licence ERL18.

3.4 Performance Audit Summary of Findings

A two-dimensional rating scale (refer Section 5.1.6.1 of the Audit Guidelines and Table 5 below) was used in the Audit report to summarise the controls and compliance rating for each licence condition. Each obligation was rated for both the adequacy of existing controls and the compliance with the relevant licence obligation. The methodology for the Audit was clearly defined in the Audit Plan.

Table 5 - Audit Compliant and Control Rating Scales

Performance Audit Compliance & Controls Rating Scales			
Controls Rating		Compliance Rating	
Rating	Description	Rating	Description
A	Adequate controls – no improvement needed	1	Compliant
B	Generally adequate controls – improvement needed	2	Non-Compliant – minor impact on customers or third parties
C	Inadequate controls – significant improvement needed	3	Non-Compliant – moderate impact on customers or third parties
D	No controls evident	4	Non-Compliant – major impact on customers or third parties
N/P	Not Performed – A controls rating was not required	N/R	Not rated – No activity took place during the audit period

As required by the Audit Guidelines Section 5.1.6.1, Table 7 lists the number of licence obligations that were given each combination of compliance and controls ratings. The table allows licensees and the ERA to confirm the auditor has rated all relevant licence obligations, and provides a simple summary of the licensee's compliance during the audit period.

Table 6 - Compliance and Controls Ratings Summary Table

		Compliance Rating					
		1	2	3	4	N/R	TOTAL
Controls Rating	A	1	1	-	-	2	4
	B	-	12	-	-	-	12
	C	-	-	-	-	-	-
	D	-	-	-	-	-	-
	N/P	75	-	-	-	96	171
	TOTAL	76	13	-	-	98	187

Table 7 - Performance Audit Compliance Summary

Ref No. ^A	Retail Licence Reference	Audit Priority	Controls Rating*					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
9 ELECTRICITY INDUSTRY CUSTOMER TRANSFER CODE 2016 – LICENCE CONDITIONS AND OBLIGATIONS												
6	Clause 3.2(2)	4					N/P	1				
7	Clause 3.4(1)	4					N/P	1				
8	Clause 3.5(3)	4					N/P					N/R
9	Clause 3.6(2)	4					N/P					N/R
16	Clause 3.9(1)	4					N/P	1				
17	Clause 3.9(2)	4					N/P					N/R
18	Clause 3.9(3)	4					N/P	1				
19	Clause 3.9(4)	4					N/P	1				
23	Clause 4.2(2)	4					N/P	1				
24	Clause 4.3	4					N/P	1				
25	Clause 4.4(1)	4					N/P	1				
26	Clause 4.4(2)	4					N/P					N/R
27	Clause 4.5(1)	4					N/P	1				
28	Clause 4.6(3)	4					N/P					N/R
29	Clause 4.7	4		B					2			
30	Clause 4.8(2)	4					N/P					N/R
34	Clause 4.9(6)	4					N/P	1				
39	Clause 4.11(3)	4					N/P	1				
40	Clause 4.12(3)	5					N/P	1				
43	Clause 4.15	5					N/P					N/R
44	Clause 4.16	4					N/P	1				
45	Clause 4.17	4					N/P	1				
48	Clause 5.2	4					N/P	1				
48A	Clause 6.1	4					N/P	1				
49	Clause 6.2	4					N/P	1				
52	Clause 6.4(1)	4					N/P					N/R
53	Clause 6.4(2)	4					N/P	1				
54	Clause 6.6	4					N/P	1				
55	Clause 7.1(1)	5					N/P					N/R
11 ELECTRICITY INDUSTRY (CUSTOMER CONTRACTS) REGULATIONS 2005 – LICENCE CONDITIONS AND OBLIGATIONS												
79	Regulation 5	4					N/P	1				
80	Regulation 6	4					N/P	1				

Ref No. [^]	Retail Licence Reference	Audit Priority	Controls Rating*					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
81	Regulation 7	4					N/P	1				
82	Regulation 8	4					N/P	1				
83	Regulation 9	4					N/P	1				
84	Regulation 10	4					N/P	1				
85	Regulation 11	4					N/P	1				
86	Regulation 12	4					N/P	1				
87	Regulation 13	4		B					2			
88	Regulation 14	4					N/P	1				
89	Regulation 15	4					N/P	1				
90	Regulation 16 and 34	4					N/P	1				
91	Regulation 17	4					N/P	1				
92	Regulation 18	4					N/P	1				
93	Regulation 19	4					N/P	1				
94	Regulation 20	4					N/P	1				
95	Regulation 21	4					N/P	1				
96	Regulation 32	4					N/P	1				
97	Regulation 33(2)	4					N/P					N/R
98	Regulation 33(2) and (4)	4					N/P	1				
100	Regulation 38	4					N/P					N/R
12 ELECTRICITY INDUSTRY ACT 2004 – LICENCE CONDITIONS AND OBLIGATIONS												
101*	Licence Condition 5.3.1	4					N/P	1				
105	Licence Condition 4.2.1	4					N/P	1				
106	Licence Condition 4.1.1	5					N/P					N/R
108	Licence Condition 6.4.1	4		B					2			
109	Licence Condition 6.6.1	4					N/P					N/R
111	Licence Condition 6.1.1	4					N/P	1				
13 ELECTRICITY LICENCES – LICENCE CONDITIONS AND OBLIGATIONS												
114	Licence Condition 6.3.1	4					N/P					N/R
116	Licence Condition 6.4.2	4					N/P					N/R
117	Licence Condition 6.4.3	4					N/P					N/R
118	Licence Condition 6.5.1	4					N/P					N/R
119	Licence Condition 4.3.1	4					N/P	1				
121	Licence Condition 5.3.2	4					N/P	1				
123	Licence Condition 4.4.1	4					N/P					N/R

Ref No. [^]	Retail Licence Reference	Audit Priority	Controls Rating*					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
124	Licence Condition 4.5.1	1		B					2			
125	Licence Condition 3.8.1 & 3.8.2	4					N/P	1				
126	Licence Condition 3.7.1	4					N/P	1				
14 CODE OF CONDUCT FOR THE SUPPLY OF ELECTRICITY TO SMALL USE CUSTOMERS 2018 – CONDITIONS & OBLIGATIONS												
MARKETING												
130	Code of Conduct, clause 2.2(1)	4					N/P					N/R
131	Code Of Conduct, Clause 2.2(2)	4					N/P					N/R
132	Code Of Conduct, Clause 2.3(1)	4					N/P	1				
133	Code Of Conduct, Clause 2.3(2)	4		B					2			
135	Code Of Conduct, Clause 2.3(5)	4					N/P	1				
137	Code Of Conduct, Clause 2.4(2)	4					N/P	1				
138	Code Of Conduct, Clause 2.5(1)	4					N/P					N/R
139**	Code Of Conduct, Clause 2.5(2)	4		B					2			
140	Code Of Conduct, Clause 2.6	4					N/P	1				
141	Code Of Conduct, Clause 2.9	4					N/P					N/R
142	Code Of Conduct, Clause 2.10	4					N/P					N/R
CONNECTION												
143	Code Of Conduct, Clause 3.1(1)	4					N/P	1				
144	Code Of Conduct, Clause 3.1(2)	4					N/P	1				
BILLING												
145	Code Of Conduct, Clause 4.1	4					N/P	1				
146	Code Of Conduct, Clause 4.2(1)	4					N/P					N/R
148	Code Of Conduct, Clause 4.2(3)	4					N/P					N/R
149	Code Of Conduct, Clause 4.2(4)	4					N/P					N/R
150	Code Of Conduct, Clause 4.2(5)	4					N/P					N/R
151	Code Of Conduct, Clause 4.2(6)	4					N/P					N/R
152	Code Of Conduct, Clause 4.3(1)	4					N/P					N/R
153	Code Of Conduct, Clause 4.3(2)	4					N/P					N/R
154	Code Of Conduct, Clause 4.4	4					N/P	1				
155	Code Of Conduct, Clause 4.5(1)	4		B					2			
156	Code Of Conduct, Clause 4.5(3)	4					N/P					N/R
157	Code Of Conduct, Clause 4.6	4					N/P					N/R
158	Code Of Conduct, Clause 4.7	4					N/P					N/R
159	Code Of Conduct, Clause 4.8(1)	4					N/P					N/R

Ref No. [^]	Retail Licence Reference	Audit Priority	Controls Rating*					Compliance Rating					
			A	B	C	D	N/P	1	2	3	4	N/R	
160	Code Of Conduct, Clause 4.8(2)	4					N/P						N/R
161	Code Of Conduct, Clause 4.8(3)	4					N/P						N/R
162	Code Of Conduct, Clause 4.9	4					N/P						N/R
163	Code Of Conduct, Clause 4.10	4					N/P						N/R
164	Code Of Conduct, Clause 4.11(1)	4					N/P						N/R
165	Code Of Conduct, Clause 4.11(2)	4					N/P						N/R
168	Code Of Conduct, Clause 4.14(1)	4					N/P	1					
169	Code Of Conduct, Clause 4.14(2)	4					N/P						N/R
170	Code Of Conduct, Clause 4.14(3)	4					N/P						N/R
171	Code Of Conduct, Clause 4.15	4					N/P						N/R
172	Code Of Conduct, Clause 4.16(1)(A)	4					N/P						N/R
173	Code Of Conduct, Clause 4.16(1)(B)	4					N/P						N/R
174	Code Of Conduct, Clause 4.16(2)	4					N/P						N/R
175	Code Of Conduct, Clause 4.16(3)	4					N/P						N/R
176	Code Of Conduct, Clause 4.17(2)	4					N/P						N/R
177	Code Of Conduct, Clause 4.18(2)	4					N/P						N/R
178	Code Of Conduct, Clause 4.18(3)	4					N/P						N/R
179	Code Of Conduct, Clause 4.18(4)	5					N/P						N/R
180	Code Of Conduct, Clause 4.18(6)	5					N/P						N/R
181	Code Of Conduct, Clause 4.18(7)	5					N/P						N/R
182	Code Of Conduct, Clause 4.19(1)	4					N/P						N/R
183	Code Of Conduct, Clause 4.19(2)	5					N/P						N/R
184	Code Of Conduct, Clause 4.19(3)	4					N/P						N/R
185	Code Of Conduct, Clause 4.19(4)	5					N/P						N/R
186	Code Of Conduct, Clause 4.19(7)	5					N/P						N/R
PAYMENT													
187	Code Of Conduct, Clause 5.1	4					N/P	1					
188	Code Of Conduct, Clause 5.2	4		B					2				
189	Code Of Conduct, Clause 5.3	4		B					2				
190	Code Of Conduct, Clause 5.4	4					N/P	1					
197	Code Of Conduct, Clause 5.7(1)	4					N/P	1					
198	Code Of Conduct, Clause 5.7(2)	4					N/P						N/R
199	Code Of Conduct, Clause 5.7(4)	4					N/P						N/R
201	Code Of Conduct, Clause 5.8(2)	4					N/P						N/R

Ref No. [^]	Retail Licence Reference	Audit Priority	Controls Rating*					Compliance Rating					
			A	B	C	D	N/P	1	2	3	4	N/R	
201A	Code Of Conduct, Clause 5.8(3)	5					N/P						N/R
PAYMENT DIFFICULTIES & FINANCIAL HARDSHIP													
228	Code of Conduct, Clause 6.11	4					N/P	1					
DISCONNECTION & INTERRUPTION													
229	Code Of Conduct, Clause 7.1(1)	4					N/P						N/R
230	Code Of Conduct, Clause 7.2(1)	4					N/P						N/R
232	Code Of Conduct, Clause 7.4(1)	4					N/P						N/R
234	Code Of Conduct, Clause 7.6	2	A					1					
235	Code Of Conduct, Clause 7.7(1)	2	A										N/R
236	Code Of Conduct, Clause 7.7(2)	2	A										N/R
240	Code Of Conduct, Clause 7.7(6)	4					N/P						N/R
241	Code Of Conduct, Clause 7.7(7)	4					N/P						N/R
RECONNECTION													
242	Code Of Conduct, Clause 8.1(1)	4					N/P						N/R
243	Code Of Conduct, Clause 8.1(2)	4					N/P						N/R
PRE-PAYMENT METERS													
245-271 Not Applicable to ERL18 as no pre-payment meters are used													
INFORMATION & COMMUNICATION													
272	Code Of Conduct, Clause 10.1(1)	4					N/P	1					
273	Code Of Conduct, Clause 10.1(2)	4					N/P						N/R
274	Code Of Conduct, Clause 10.1(3)	4					N/P						N/R
280	Code Of Conduct, Clause 10.3A	4	A						2				
281	Code Of Conduct, Clause 10.4	4					N/P						N/R
282	Code Of Conduct, Clause 10.5	4					N/P						N/R
290	Code Of Conduct, Clause 10.9	4					N/P	1					
291	Code Of Conduct, Clause 10.10(1)	4					N/P						N/R
292	Code Of Conduct, Clause 10.10(2)	4					N/P	1					
297	Code Of Conduct, Clause 10.12(2)	4					N/P						N/R
COMPLAINTS & DISPUTE RESOLUTION													
298	Code Of Conduct, Clause 12.1(1)	4					N/P	1					
299	Code Of Conduct, Clause 12.1(2)	4		B					2				
300	Code Of Conduct, Clause 12.1(3)	4					N/P	1					
301	Code Of Conduct, Clause 12.1(4)	4					N/P						N/R
302	Code Of Conduct, Clause 12.2	4		B					2				

Ref No. [^]	Retail Licence Reference	Audit Priority	Controls Rating*					Compliance Rating					
			A	B	C	D	N/P	1	2	3	4	N/R	
303	Code Of Conduct, Clause 12.3	4					N/P						N/R
304	Code Of Conduct, Clause 12.4	4					N/P						N/R
REPORTING													
305	Code Of Conduct, Clause 13.1	4					N/P	1					
306**	Code Of Conduct, Clause 13.2	4		B					2				
307	Code Of Conduct, Clause 13.3	4					N/P	1					
SERVICE STANDARD PAYMENTS													
308	Code Of Conduct, Clause 14.1(1)	4					N/P						N/R
310	Code Of Conduct, Clause 14.2(1)	4					N/P						N/R
312	Code Of Conduct, Clause 14.3(1)	4					N/P						N/R
315	Code Of Conduct, Clause 14.7(1)	4					N/P						N/R
15 ELECTRICITY INDUSTRY METERING CODE 2012 – LICENCE CONDITIONS AND OBLIGATIONS													
324	Clause 3.3B	4					N/P						N/R
339	Clause 3.11(3)	4					N/P						N/R
371	Clause 4.5(1)	5					N/P						N/R
372	Clause 4.5(1)	5					N/P						N/R
373	Clause 4.5(2)	4					N/P						N/R
388	Clause 5.4(2)	4					N/P	1					
402	Clause 5.17(1)	4					N/P	1					
406	Clause 5.19(1)	5					N/P						N/R
407	Clause 5.19(2)	5					N/P						N/R
408	Clause 5.19(3)	4					N/P	1					
410	Clause 5.19(6)	5					N/P	1					
416	Clause 5.21(5)	4					N/P	1					
417	Clause 5.21(6)	4					N/P	1					
435	Clause 5.27	4					N/P						N/R
448	Clause 6.1(2)	4					N/P	1					
451	Clause 7.2(1)	5					N/P	1					
453	Clause 7.2(4)	4					N/P						N/R
454	Clause 7.2(5)	4					N/P	1					
455	Clause 7.5	4					N/P	1					
456	Clause 7.6(1)	4					N/P	1					
457	Clause 8.1(1)	5					N/P						N/R
458	Clause 8.1(2)	5					N/P						N/R

Ref No. [^]	Retail Licence Reference	Audit Priority	Controls Rating*					Compliance Rating					
			A	B	C	D	N/P	1	2	3	4	N/R	
459	Clause 8.1(3)	5					N/P						N/R
460	Clause 8.1(4)	4					N/P						N/R
461	Clause 8.3(2)	5					N/P						N/R

[^]Obligation No. Electricity Compliance Reporting Manual – June 2020

* indicates obligation was reclassified during the audit period from N/R to Type 2 (Refer Amendment Record - Electricity Compliance Reporting Manual – June 2020). Prior to this period the rating was N/R

** Non-Compliance in 2017 Performance Audit or Non-Compliance Report submitted during the audit period.

Note: A Controls Rating is mandatory for audit priorities 1, 2, or 3 and a comprehensive report of the audit findings is included in Appendix 1.

3.5 Summary Performance Audit Recommendations & Action Plans

Recommendations made within the report are summarised as detailed below and will be reviewed and included in the post audit implementation plan (if required) by the licensee to ensure compliance with requirements.

Table 8 - A Resolved during the current audit period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	DATE RESOLVED & ACTION TAKEN BY THE LICENSEE	AUDITORS' COMMENTS
09/2021	280 A2 <i>Code Of Conduct for the Supply of Electricity to Small Use Customers 2018</i> Clause 10.3A Evidence of communication by the Licensee of Service Standard Payment obligations for 2018 and 2019 years was not confirmed.	Resolved – 5 June 2020 Established a process to monitor the requirement and ensure service standard payment obligations were communicated. Note: Service Standard Factsheet provided for 2019 but evidence of the communication was not provided as such resolved date June issue of May invoices.	Further Action Required /Details of Further Action Required Verified the communication of service standard payment obligations in June with May invoices for the 2020 and 2021 years. No further action required.

Table 9 - B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
01/2021	29 B2 <i>Electricity Industry Customer Transfer Code 2016</i> Clause 4.7 Failure to nominate a transfer date in accordance with the specified timeframes.	In order to ensure the nominated transfer date is compliant with the specified times frames in the Customer Transfer Code, the Licensee should strengthen control processes and revise relevant Customer Transfer Policy and Procedure. Undertake the following corrective actions: <ul style="list-style-type: none"> ▪ Update Customer Transfer Policy and Procedure to reflect the consideration of public holidays, meter types installed or required and the nominated transfer date to not be greater than 50 days after the date CTR submitted or to check if the CTR had previously been submitted. ▪ Update the New Customer Checklist and/or SUC - Non Standard Contract - Offer Document ((i.e., Commercial Terms) to include a check to confirm consideration has been given for times frames in particular public holidays. Noted that if the New Customer Checklist was not always used then the SUC - Non Standard Contract would be more effective control measure. ▪ Ensure the organisation has established a process for change management in relation to legislative and other requirements i.e., legislative changes, amendments to Build Pack. <p>Notify the network operator of the issue relating to circumstances where CTRs that did not meet the specified timeframes could be submitted into the Web Portal and actively be involved in finding solutions. Submission of a Change to Build Pack Request is recommended</p>	Refer to the PAIP
02/2021	87 B2 <i>Electricity Industry Customer Contracts Regulations 2005 - Regulation 13; and Code Of Conduct 2018 - Clause 10.1(3)</i> The NSC did not specifically include details of AERs obligations under clause 10.1(3) in relation to provision of tariff information within 8 business days clause.	Include the requirement to give or make available to the customer reasonable information on the AER's tariffs, fees and charges, within 8 business days of the date of receipt. Reference to the requirement that if requested by the customer the information relating to tariffs, fees and charges must be given in writing. Establish internal control and monitoring process to ensure compliance with the 8 business day rule, Microsoft Teams To Do List and Key Tasks and establish internal audit program to review compliance requirements.	Refer to the PAIP

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p>Licence obligation reference number² /</p> <p>Controls and Compliance Rating</p> <p>Legislation / Section, Clause or Regulation /</p> <p>Details of Non-Compliance or Inadequacy of Controls</p>		
	<p>108</p> <p>B2</p> <p><i>Electricity Industry Act 2004 - Licence Condition 6.4.</i></p> <p>Due to non-compliance with the following obligations the Licensee NSC was noted to be non-compliant with the <i>Electricity Industry Act 2004</i>:</p> <ul style="list-style-type: none"> > 87 > 188 	<p>Review the NSC as detailed in Recommendation 02/2021 and 07/2021</p>	<p>Refer to the PAIP</p>
03/2021	<p>124 & 306</p> <p>B2</p> <p><i>Electricity Industry Act 2004 - Licence Condition 4.5.1; and</i></p> <p><i>Code Of Conduct 2018 - Clause 13.2</i></p> <p>The reporting requirements (including the Annual Performance Report required by the Clause 13.2 of the Code of Conduct) were submitted outside the prescribed timeframes on 3 occasions and the Licensee failed to include all the applicable the non-compliance in the subsequent annual compliance report.</p>	<p>Develop Control Procedures in relation to the correct collection and handling of data that the Licensee supplies to ERA and/or compliance related activities in order to facilitate accurate and timely reporting of information to the ERA, for example a compliance register would facilitate this process. Incorporate change management processes in the corrective action as detailed in Recommendation 10/2021 (C).</p>	<p>Refer to the PAIP</p>
04/2021	<p>133</p> <p>B2</p> <p><i>Code of Conduct - Clause 2.3(2)</i></p> <p>For the duration of the audit period when entering a NSC, the Licensee, did not include a reference to general information on the safe use of electricity in the NSC new contract process. The Licensee used a NSC and confirmation of inclusion of all information as specified in subclause 2.3(2) with the exception of 2.3(2)(j) was noted.</p>	<p>Amend the Welcome Letter, NSC control procedure and other relevant documentation to reference the obligation and refers customers to Western Power Website for information. A reference to the information on the company's website by creating a link to Western Power's site.</p>	<p>Refer to the PAIP</p>
05/2021	<p>139</p> <p>B2</p> <p><i>Code Of Conduct 2018 - Clause 2.5(2)</i></p> <p>The Licensee reported in the 2020 Annual Compliance Report, that on one occasion, a BDM did not have identity card and contact information for the customer to contact AER Retail and verify a query.</p>	<p>Develop a Marketing Compliance process or other such appropriate control process to verify compliance</p>	<p>Refer to the PAIP</p>

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p>Licence obligation reference number² /</p> <p>Controls and Compliance Rating</p> <p>Legislation / Section, Clause or Regulation /</p> <p>Details of Non-Compliance or Inadequacy of Controls</p>		
06/2021	<p>155</p> <p><i>Code Of Conduct 2018 - Clause 4.5(1)</i></p> <p>B2</p> <p>Bills did not comply with particulars in relation to subclauses (h) (i) and (r)</p>	<p>Review the billing process and ensure the particulars required on bills are included.</p>	<p>Refer to the PAIP</p>
07/2021	<p>188</p> <p>B2</p> <p><i>Code Of Conduct for the Supply of Electricity to Small Use Customers 2018</i></p> <p>Clause 5.2</p> <p>Unless otherwise agreed with a customer, a retailer must offer the customer at least the payment methods prescribed in clause 5.2.</p>		
08/2021	<p>189</p> <p>B2</p> <p><i>Code Of Conduct 2018 - Clause 5.3</i></p> <p>Agreement with the customer for the date of commencement of the direct debit facility was made; and the frequency of the direct debits was not able to be determined. A date of the direct debit being authorised.</p>	<p>Update the Direct Debit form to ensure the requirements of the Code of Conduct are included.</p>	<p>Refer to the PAIP</p>
10/2021	<p>299</p> <p>B2</p> <p><i>Code Of Conduct 2018 - Clause 12.1(2)</i></p> <p>AER Retail's internal process for handling complaints and resolution addressed Clauses 12.1(2)(b) but did not expressly comply with:</p> <ul style="list-style-type: none"> ➤ Clause 12.1(2)(a) comply with Australian Standard AS/ISO 10002:2014; ➤ Clause 12.1(2)(c) detail how a retailer will handle complaints about the retailer* or marketing (the Licensee did not use electricity marketing agents); and ➤ The Complaints Resolution Factsheet referenced the superseded AS/ISO 10002:2006 and 	<p>(A) Review and amend the complaints handling process (including the Complaint Resolution Factsheet, the Complaint Dispute Register and relevant training requirements) and develop a flow chart that distinguishes 'complaints' from 'queries' ensure it accurately reflects the requirements of the Complaint Handling Process and aligns with the Code of Conduct PART 12 - Complaints and Dispute Resolution. Consideration of the following documents is also required:</p> <ul style="list-style-type: none"> ▪ Customer Complaint Guidelines – October 2016 ▪ SCONRRR Guideline - National Regulatory Reporting Requirements in its Final Paper, National Energy Retail Performance Indicators. 	<p>Refer to the PAIP</p>

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
302 B2	<p><i>Code Of Conduct 2018 - Clause 12.2</i></p> <p>AER during the development and implementation of the complaints handling process has not considered the Customer Complaint Guidelines – October 2016 approved by the ERA. Specifically, the obligation to differentiate customer 'queries' from 'complaints' was not evidenced or referenced in the complaints handling process. Awareness to the requirement was also not demonstrated as examples of communication which could be considered a complaint under the guideline were not recorded in the complaints handling process.</p>	<p>not AS/ISO 10002-2014 as required by the Code of Conduct.</p> <p>(B) Review and implement Document Control Procedures. Specifically, to ensure:</p> <ul style="list-style-type: none"> ▪ Record date document implemented ▪ Identify version control ▪ Record management approval and review <p>(C) Review and implement Change Management Procedures. Specifically, to ensure the Licensee can demonstrate review of documentation in consideration of;</p> <ul style="list-style-type: none"> ▪ Changes to legislations ▪ Changes to roles within or contractors supporting the organisation ▪ Outcomes from responses to complaints, incidents or corrective actions arising from audit processes. <p>(D) Review the suitability of the implementation of a CRM to support in complaints handling process.</p>	Refer to the PAIP

² The reference number allocated to the licence obligation in the Electricity or Gas Compliance Reporting Manual.

4. STATUS OF RECOMMENDATIONS FROM THE 2017 PERFORMANCE AUDIT

There were three non-compliances noted in the previous audit period. One non-compliance was resolved to the satisfaction of the Auditor and the ERA prior to end of audit period, and was in relation to publishing a copy of the Code of Conduct on AERs website as required by the Small Use Customer Code. The corrective actions for the remaining 2 con-compliances (obligations 124 and 306) were submitted in a post audit implementation plan as published by the ERA.

The corrective actions for both 124 and 306 were considered to be not effective and are again included in the current audit report. However, the Auditor considers the likely root cause was also related to a change in personnel and awareness to the requirements and as such has addressed this in the recommendation made.

The current status of the previous audit recommendations is shown in Table 10.

Table 10 - Status of Recommendations for Non-Compliances from the Previous Audit

A 2017 Non-Compliance Resolved During Current Audit Period				
REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT	AUDITORS' RECOMMENDATION	DATE RESOLVED	DETAILS OF FURTHER ACTION REQUIRED
	Licence obligation reference number ¹ / Controls and Compliance Rating Legislation / Clause / Details of Non-Compliance or Inadequacy of Controls			
2/2017	292 B2 Code of Conduct for the Supply of Electricity to Small Use Customers 2018 Clause 10.10(2) Code was not on the website.	Ensure Code of Conduct was published to the AER Website.	30 Dec 2017	No further action required

B 2017 Non-Compliance Unresolved During Current Audit Period			
REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ¹ / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	DATE RESOLVED (& MANAGEMENT ACTION TAKEN)	AUDITORS COMMENTS
1/2017	124 B2 Retail Licence Condition 16.1 Not all compliance reports on time.	Resolved 2019 Reporting Year Management addressed the requirement, however, a change in personnel resulted in the repeated non- compliance for 2018 reporting year.,	Management developed a control process and compliance was noted for the 2019-2021 reporting years. Development of a change management process was also recommended to ensure effectiveness of corrective action. (refer Recommendation 03/2021)
3/2017	306 B2 Code of Conduct for the Supply of Electricity to Small Use Customers 2018 Clause 13.2 Not all compliance reports on time.	As above.	As above

¹ Refers to electricity retail licence obligation in the Electricity Compliance Reporting Manual 2020

4.1 Deviation from the Audit Plan

As required by section 5.1.4 of the Audit and Review Guidelines – 2019, Auditors must identify any licence obligations that were assessed after the approval of the audit plan by the ERA, as ‘not applicable’ or if the auditor has revised the audit priority for one or more licence obligations. The following table describes the deviations from the Audit Plan and explains the revision;

Table 11 - Audit Plan Deviations

REF	OBLIGATION REFERENCE	DEVIATION DESCRIPTION
56, 58, 59	Electricity Industry (Customer Transfer) Code 2016, Clause 7.1(2- 4) Dispute Resolution Procedures. Note: 56/58/59 – Type [NR] & 57 Type [2]	Audit Priority - Priority 4 (Note 57 Priority 4) Deviation – Not Applicable Explanation of Revision – As identified in obligation 55, AER Retail did not have any disputes in relation to the Customer Transfer Code.
107 Type [2]	Electricity Industry Act 2004, Licence Condition 4.1.1 A licensee must pay the costs of taking an interest in land or an easement over land.	Audit Priority - Priority 4 Deviation – Not Applicable Explanation of Revision – AER Retail did not take an interest in land or easement over land using powers defined by the <i>Land Administration Act 1997</i> during the audit period.

<p>166 Type [2]</p>	<p>Code Of Conduct for the Supply of Electricity to Small Use Customers, Clause 4.12(1) - If a retailer offers alternative tariffs and a customer applies to receive an alternate tariff and demonstrates to the retailer that they satisfy the conditions of eligibility, a retailer must change the customer to an alternate tariff within 10 business days of the customer satisfying those conditions.</p>	<p>Audit Priority - Priority 4 Deviation – Not Applicable Explanation of Revision –AER Retail did not offer alternative tariffs and as such no customer applied to receive alternative tariffs.</p>
<p>167 Type [2]</p>	<p>Code Of Conduct for the Supply of Electricity to Small Use Customers, Clause 4.12(1) - If a customer's electricity use changes, and the customer is no longer eligible to continue to receive an existing more beneficial tariff, a retailer must give the customer written notice prior to changing the customer to an alternative tariff.</p>	<p>Audit Priority - Priority 4 Deviation – Not Applicable Explanation of Revision –AER Retail did not offer alternative tariffs and as such no customer applied to receive alternative tariffs.</p>

APPENDIX 1- AER RETAIL PERFORMANCE AUDIT

OCTOBER 2021

Table 12 - Performance Audit Findings

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS		
No. [TYPE]	OBLIGATION REFERENCE AND DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
9 ELECTRICITY INDUSTRY CUSTOMER TRANSFER CODE – LICENCE CONDITIONS AND OBLIGATIONS		
6 Type [2]	Clause 3.2(2) - A retailer must submit a separate data request for each connection point, unless otherwise agreed.	<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period AER Retail submitted a separate data request for each connection point. The Licensee did not undertake an alternate agreement with Western Power. Any change to the process would require the agreement of Western Power. AER Retail was not authorised to change functionality of the Web Portal.</p> <p>DOCUMENTS/SYSTEMS: Western Power Build Pack, Western Power Portal, 2, 14, 22, 23</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Compliance with the requirement was inherent in the design of the Western Power Portal (the Portal).</p> <ul style="list-style-type: none"> ▪ The Web Portal only allowed one NMI per data request. ▪ A NMI Standing Data Request must specify the NMI and Checksum ▪ The Western Power Build Pack defined the processes, procedures and methods used to communicate between the network operator and code participants. Specifically, Customer Transfer and Standing Data Procedure. ▪ Customer Transfer Policy and Procedure specifically referenced the requirement.

			<ul style="list-style-type: none"> Managing New Customers Accounts Procedure referenced the New Customer Checklist as a control measure for ensure process is followed correctly. It was noted this checklist was not always utilised and when it was it was stored on the customer files. <p>Outcome Compliance: Separate data requests were made for each connection point (i.e, exit or bi-directional point).</p> <p>Output Compliance: Web Portal provided a history of data requests for the audit period. All requests for historical consumption data or requests for standing data were made using the Web Portal. Web Portal showed 70 Completed, 6, Withdrawn, 2 Rejected CTRs during the audit period.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION - NIL		
7 Type [2]	Clause 3.4(1) - A retailer must submit a data request electronically and must not submit more than a prescribed number of standing or historical data requests in a business day, unless otherwise agreed.		<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period data requests were submitted electronically (via the Portal) and AER Retail did not submit to Western Power in a business day more than the prescribed number of standing or historical data requests in a business day (i.e., 100). There were no instances where alternate agreements were requested.</p> <p>DOCUMENTS/SYSTEMS: Western Power Portal, Build Pack, 10, 14</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Portal restricted the number of requests for standing and historical consumption data to 100 per day and the Licensee was unable to exceed prescribed number of requests unless a request to do so was sought from WP.</p> <ul style="list-style-type: none"> The Portal was utilised for standing data and historical consumption data requests. The Western Power Build Pack referred to the request day as the business day where the request was received by the participant before Close of Business (or the next business day if the request was submitted on a non-business day). Build Pack referred to end of Business Day End of Day is defined as 11:59 Western Standard Time.

			<ul style="list-style-type: none"> ▪ Downloading Data - New Customer did not specifically refer to the requirement but detailed the procedure for access to the portal, obtaining, standing data, historical meter data, checking site addresses. ▪ Web Portal provided a history of data requests for the audit period ▪ The Licensee demonstrated during the site audit the report for all data requests. <p>Outcome Compliance: The Operations Manager confirmed data requests during the audit period did not exceed the max number on any given day.</p> <p>Output Compliance: All requests for historical consumption data or requests for standing data were made using the Web Portal.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION - NIL		
8 Type [2]	Clause 3.5(3) - A retailer must withdraw a request for historical consumption data if the contestable customer's verifiable consent ceases to apply before the network operator provides the historical consumption data.		<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period AER required verifiable consent required for historical consumption data. There were no instances where verifiable consent ceased to apply or was withdrawn by customers before WP provided the historical consumption data.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 8, 10, 15, 16, 17, 99, 116</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Downloading Data - New Customer stated the VCF must be obtained but did not specifically refer to the requirement of withdrawal of a request for historical consumption data and did not define the parameters for expiry of Verifiable Consent (i.e., as defined by Clause 1.5 of the Customer Transfer Code).</p> <ul style="list-style-type: none"> ▪ There were no parameters on the VCFs reviewed that indicated expiry of the verifiable consent as per C1.5 of the Customer Transfer Code as such consent was considered valid until the historical consumption data is provided or the transfer occurred or the first

			<p>anniversary of the date the VC was first given. All VCFs sampled indicated the consent was not expired.</p> <ul style="list-style-type: none"> VCF was maintained as required, however, depending on the source of the potential customer (i.e, Broker, direct customer contact, AER customer contact) the VCF varied in content. All VCFs sampled included the reference to disclosure of information to parties as defined by 3.9(3)(a)(i) and in some instances stated if disclosure were to be required express permission would be sought. The Licensee maintained records for verifiable consent forms for standing or historical data requests. Where Brokers have been seeking quotations on behalf of the customers a record of the VCF was maintained by the Licensee. Back-up procedures and testing of back-up processes was confirmed by the Operations Manager via third party service provider. <p>Outcome Compliance: No instances where verifiable consent ceased to apply before WP provided the historical consumption data.</p> <p>Output Compliance: Records of verifiable consent were kept by the Licensee electronically.</p> <ul style="list-style-type: none"> Samples were sighted during the site visit. <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
9 Type [2]	Clause 3.6(2) - A retailer must pay any reasonable costs incurred by the network operator for work performed in relation to a request for historical consumption data that has been subsequently withdrawn.		<p>COMPLIANCE FINDING: In relation to withdrawing a request for historical consumption data, the Operations Manager confirmed during the audit period there were no withdrawn historical consumption data requests that incurred costs and as such no payments were made to WPN for work performed.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, WP invoices, 7, 14, 29, 116</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p>

			<p>Process Compliance: Web Portal referred to historical consumption data as Metering History and NMI Standing Data as Standing Data</p> <ul style="list-style-type: none"> ▪ Downloading Data - New Customer procedure or the New Customer Checklist did not specifically refer to the requirement. ▪ The control procedures did not specify the ability to withdraw a meter data request by end of business day that WPN received the request. ▪ There were no non-energy invoices issued by WP in relation to work performed in relation to a request for historical consumption data that was subsequently withdrawn. <p>Outcome Compliance: No payments were required to be made to WP for withdrawn historical consumption data requests.</p> <p>Output Compliance: The Licensee did not electronically notify WP that it withdrew a request for historical consumption data during the audit period. Non-energy invoices supported the finding.</p> <p>Integrity of Reporting: Type 2 accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
	2021 RECOMMENDATION - NIL		
16 Type [2]	<p>Clause 3.9(1) A retailer may only use data relating to a contestable customer to provide that customer with a quotation for the supply of electricity by the retailer; or to initiate a transfer of that customer.</p>		<p>COMPLIANCE FINDING: In relation to AER’s obligations following receipt of data, the Operations Manager confirmed that during the audit period, AER Retail only used data relating to a contestable customer to provide that customer with a quotation for the supply of electricity by the retailer; and/or to initiate a transfer of that customer.</p> <p>DOCUMENTS/SYSTEMS: Western Power Portal, 2, 8, 10, 14, 15*, 16, 17, 103, 116</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Portal was used to obtain meter data history and initiate customer transfer.</p> <ul style="list-style-type: none"> ▪ The control procedures reviewed did not specify the requirement. ▪ VCFs sampled specified the consent was for the purposes of both quotation or electricity supply (i.e. the development of an ESA) or specifically referenced the Code.

				<p>Outcome Compliance: Meter Data History was only used to quote or to initiate a Customer Transfer (i.e, develop an ESA).</p> <p>Output Compliance: Meter Data History and Customer Transfer requests were maintained within the web portal.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2021 RECOMMENDATION - NIL			
17 Type [2]	<p>Clause 3.9(2) - A retailer must not aggregate a contestable customer's historical consumption data with that of other contestable customers for the purposes of internal business development, if requested not to do so by the customer.</p>			<p>COMPLIANCE FINDING: In relation to AER's obligations following receipt of data, the Operations Manager confirmed during the audit period that there were no requests by contestable customers to not aggregate their historical consumption data with that of other contestable customers for the purposes of internal business development.</p> <p>DOCUMENTS/SYSTEMS: Western Power Portal, 2, 10, 14, 17</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: AER Retail processes provided for the aggregation of a contestable customer's historical consumption data with other contestable customers' historical consumption data, with the intention to use the aggregated data for internal business development purposes. <ul style="list-style-type: none"> ▪ The control procedures reviewed did not specify the requirement. </p> <p>Outcome Compliance: No customer requests were received regarding not aggregating historical consumption data.</p> <p>Output Compliance: Licensee had implemented systems such as the Customer List which could be used to record requests if received.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2021 RECOMMENDATION - NIL			

18 Type [2]	Clause 3.9(3) - 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>COMPLIANCE FINDING: The Licensee confirmed, during the audit period that following receipt of data, no contestable customer data was provided to any other person without written consent, other than those defined in 3.9(3)(a)(i).</p> <p>DOCUMENTS/SYSTEMS: 32, 33, 116</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: VCF was maintained as required, however, depending on the source of the potential customer (i.e, Broker, direct customer contact, AER customer contact) the VCF varied in content. All VCFs sampled included the reference to disclosure of information to parties as defined by 3.9(3)(a)(i) and in some instances stated if disclosure were to be required express permission would be sought.</p> <ul style="list-style-type: none"> ▪ The Non-Standard Offer document and the Non-Standard Contract Terms & Conditions did not specifically refer to this requirement. <p>Outcome Compliance: Contestable customers data only provided to an employee, officer, agent, contractor, consultant or technical advisor of the <i>retailer</i> who agrees to be bound by the undertakings under this clause 3.8(3);</p> <p>Output Compliance: Use of a consultant to assist with the verification process of the billing system was noted and provided for under 3.9(3)(a)(i). Passwords were applied to data spreadsheet to ensure access limited to authorised personnel. VCFS referenced disclosure of information as permitted.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
19 Type [2]	Clause 3.9(4) - A retailer must keep a copy of the verifiable consent received from a contestable customer for two years.		<p>COMPLIANCE FINDING: As required following receipt of data, AER confirmed that during the audit period, electronic copies of verifiable consent received from a contestable customer in relation to historical consumption data were maintained.</p>

			<p>DOCUMENTS/SYSTEMS: 10, 14, 116</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Non-Standard Offer document and the Non-Standard Contract Terms & Conditions did not specifically refer to this requirement.</p> <ul style="list-style-type: none"> ▪ It was understood there were backup processes for data security. ▪ VCF obtained by Brokers were also available for customers. ▪ Copies of the verifiable consent were sighted during the site visit. ▪ Licensee policy was to maintain digital records and it was noted VCF records that were received more than the required 2 years were also kept. <p>Outcome Compliance: In practice the Licensee maintained all copies of verifiable consent and did not dispose of records. The AER common drive files contained the information.</p> <p>Output Compliance: Verifiable consent forms were kept indefinitely, and such complied with the 2 year requirement.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
23 Type [2]	Clause 4.2(2) - A retailer must submit a separate customer transfer request for each connection point, unless otherwise agreed.		<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, AER Retail submitted separate customer transfer requests (CTRs) for each connection point.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 23</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Customer transfers requests were facilitated by the Western Power Portal.</p>

			<ul style="list-style-type: none"> ▪ Compliance with this requirement is inherent in the design of the portal which constrained customer transfer requests to single requests for connection points. ▪ The portal did not allow transfer requests for more than one NMI at a time. ▪ The Portal recorded all CTRs and was reviewed for the audit period. ▪ Licensee has established several control procedures and checklists in relation to CTRs. ▪ Change to Web Portal process would require communication with WP. <p>Outcome Compliance: Licensee demonstrated the use of the Web Portal and verification of these operational parameters.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION - NIL		
24 Type [2]	Clause 4.3 - A retailer’s reason for a transfer must be specified in the customer transfer request form as either to transfer a contestable customer to the retailer that submitted the customer transfer request or to reverse an erroneous transfer.		<p>COMPLIANCE FINDING: During the audit period, the Licensee used the Portal for all CTRs. The Web Portal required the reason for transfer to be specified, that being for either “Erroneous Transfer” or “New Customer Transfer”.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 11, 23</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: All transfers were conducted via the portal. Compliance with requirement was inherent in the portal design as the Web Portal required that either “Erroneous Transfer” or “New Customer Transfer” be checked as a condition of acceptance.</p> <ul style="list-style-type: none"> ▪ Licensee demonstrated the use of the Web Portal and verification of these operational parameters. ▪ There were no Erroneous Transfers during the audit period as reflected in the Web Portal and the Erroneous Transfer Register.

				<p>Outcome Compliance: During the audit period there were 77 New Customer Transfers and 0 Erroneous Transfers.</p> <p>Output Compliance: The Portal recorded the CTRs and was reviewed for the audit period.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			
25 Type [2]	Clause 4.4(1) - A retailer may only submit a customer transfer request if it has an access contract for the network unless it is to reverse an erroneous transfer.			<p>COMPLIANCE FINDING: The Licensee met the prerequisites to submitting a CTR, as AER a valid ETAC with Western Power for the duration of the audit period. Web Portal access was facilitated by WPN.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 11, 23, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Western Power controlled access to the Portal. AER Retail was required to have an ETAC to facilitate this process.</p> <ul style="list-style-type: none"> ▪ CTR process as described in the Build Pack Procedure for Customer Transfer and Standing Data request had auto validation features for when the CTR did not specify a valid access contract, applicable to the incoming retailer. ▪ ETAC valid during the audit period.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
				<p>Outcome Compliance: The Licensee had a valid ETAC and access to the Portal for the duration of the audit period.</p> <p>Output Compliance: The ETAC executed on 18/12/2012 and the ETAC expires 17/12/2027.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	2021 RECOMMENDATION - NIL			

26 Type [2]	Clause 4.4(2) - A retailer that submits a customer transfer request to reverse an erroneous transfer must ensure the transfer was made in error and, if it is an incoming retailer, confirm the identity of the previous retailer.		<p>COMPLIANCE FINDING: As there were no erroneous transfers during the audit period, the prerequisites to submitting a CTR, specifically where the Licensee had to ensure the transfer was made in error did not apply.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 11, 22, 23</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Customer Transfer Policy and Procedure detailed the requirements in the event of an erroneous transfer.</p> <ul style="list-style-type: none"> ▪ The Customer Transfer Policy and Procedure did not detail the measures taken by the Licensee to reduce the likelihood (i.e., consultation with the customer) or respond to an erroneous transfer. ▪ The Licensee maintained an Erroneous Transfer Register. ▪ It was noted the Build Pack detailed the process. <p>Outcome Compliance: The Web Portal records indicated were no erroneous transfers during the audit period.</p> <p>Output Compliance: Web Portal controlled the process and a review of Customer Transfers indicated there were no occurrences of erroneous transfers. Also reflected in the Erroneous Transfer Register.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
27 Type [2]	Clause 4.5(1) - A retailer must submit a customer transfer request electronically and must not submit more than a prescribed number of customer transfer requests in a business day or with the same nominated transfer date, unless otherwise agreed.		<p>COMPLIANCE FINDING: In relation to submitting a CTR, during the audit period there were no instances observed where the more than the prescribed limit of 20 CTRs was exceeded on a business day or on a day with same nominated transfer date. The Web Portal was used to submit all CTRs electronically.</p>

			<p>DOCUMENTS/SYSTEMS: Web Portal, 23</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance:</p> <ul style="list-style-type: none"> ▪ Compliance was inherent in the Web Portal design as it constrained the number of transfers to less than the prescribed number ▪ It was noted the Build Pack detailed the process. <p>Outcome Compliance: During the audit period maximum 10 CTRs submitted in a business day and max 10 CTRs with the same nominated transfer date</p> <p>Output Compliance: The Web Portal limits customer transfers to the prescribed limit of 20, which limit also applies to transfers with the same nominated transfer date. All transfers were requested electronically via the Western Power Web Portal. An export of all CTRs was reviewed and confirmed prescribed number of CTRs complied.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1
2021 RECOMMENDATION - NIL			
28 Type [2]	<p>Clause 4.6(3) - A retailer must withdraw a customer transfer request if the contestable customer’s verifiable consent ceases to apply before the transfer occurs.</p>		<p>COMPLIANCE FINDING: During the audit period, AER’s representations and warranties in relation to a CTR were met. There were no instances where a CTR was withdrawn because verifiable consent ceased to apply.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 22, 23, 29-33, 99, 117.</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: As reflected in the Customer Transfer Policy and Procedure, if a customer did not wish to proceed the verifiable consent was not provided (i.e. not signed ESA) and no CTR would occur.</p>

			<ul style="list-style-type: none"> ▪ Customer Transfer Requests were only submitted after an Electricity Supply Agreement was signed, witnessed, and countersigned. This process was considered verifiable consent. ▪ Customer Transfer Policy and Procedure stated the VCF must be obtained prior to transfer, compliance the requirement of withdrawal of a consent would be applied if the customer withdrew during the cooling off period. The ESA defined the parameters for expiry of Verifiable Consent (i.e., 10 day cooling off period). ▪ It was noted that withdrawal of consent to transfer would constitute breach of contract following a 10 business day cooling off period. ▪ Customer consent was not managed as part of the Build Pack Processes noted as “Pre-conditions” ▪ Sample of ESA’s and transfer dates were reviewed. ▪ Verifiable Consent to transfer (i.e. ESA) was independent process from Verifiable Consent to access meter data history or standing data or verifiable consent to direct debit. ▪ No complaints or disputes were recorded which would indicate the process was not effectively implemented. <p>Outcome Compliance: No CTRs were undertaken where VC had ceased to apply.</p> <p>Output Compliance: The Licensee developed Customer Transfer Policy and Procedure for CTRs.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
29 Type [2]	Clause 4.7 - A retailer must nominate a transfer date in a customer transfer request in accordance with specified timeframes, except if the customer transfer request is to reverse an erroneous transfer.		<p>COMPLIANCE FINDING: The Licensee failed to nominate a transfer date in accordance with the specified timeframes on 2 occasions during the audit period. On all occasions the Portal indicated “Date Not Within Allowed Number of Days”. Non-Compliance was noted in relation to the 2 CTRs rejected. The cause of the rejected CTR was due to public holidays and it was noted that the Licensee rescheduled the CTR within the required timeframe. The Licensee also omitted reporting the non-compliance in the Annual Compliance Reports for 2018, 2019, 2020 and 2021 years.</p> <p>Unless the CTR was to reverse an erroneous transfer, the <i>Customer Transfer Code</i> specified lead times required i.e., 3 business days in the metropolitan area to transfer customers to the new retailer, and 5 business days for non-metropolitan areas. These dates were subject to increased</p>

		<p>timeframes for the metropolitan and non-metropolitan areas and if the contestable customers premise required meter read or change, these were 8 and 15 days respectively.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 2, 11, 23, 55, 65, 69, 75</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Web Portal was used to nominate the transfer date for CTRs and the Web Portal included a table with reference to the specified timeframes on the CTR submission screen</p> <ul style="list-style-type: none">▪ It was understood that the Transfer Type and the Nominated Transfer Date fields were compulsory. As such the CTRs with nominated transfer dates were entered into the Web Portal.▪ The Portal did not automatically account for public holidays when submitting the CTR and the CTR could be rejected.▪ Customer Transfer Policy and Procedure did not reference the CTR dates should account for public holidays, lead times for meter types, nominated transfer date not greater than 50 days after the date CTR submitted or to check if the CTR had previously been submitted.▪ New Customer Checklist was not always utilised by the Licensee but included a check to “Monitor CTR to ensure transfer on required date”.▪ SUC - Non Standard Contract - Offer Document (i.e., Commercial Terms) included a supply start date but did not reference the consideration of prescribed timeframes.▪ The Build Pack defined the processes, procedures and methods used to communicate between the network operator and code participants.▪ Build Pack - Customer Transfer and Standing Data Procedure: 29 November 2019 detailed the process and was updated during the audit period. Refer Submission Rules 6 in section 4.1.2▪ The Build Pack specified codes on listed rejected CTR events.▪ The Build Pack has been developed by consultative process between code participants.
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		<p>Outcome Compliance: Transfer dates were nominated on 2 occasions outside the prescribed timeframes for CTRs</p> <p>Output Compliance: Web Portal provided a history of CTR status for all CTRs submitted and an indication of the reason the CTR was rejected. Review of CTRs during the audit period indicated the rejected Customer Transfers. Review of Erroneous Transfer Register.</p> <p>Integrity of Reporting: Type 2 obligation was not accurately reported in the following compliance reports:</p> <ul style="list-style-type: none"> ➤ 2 CTRs rejected in the 2020 Annual Compliance Report 						
	<table border="1"> <tr> <td>PRIORITY</td> <td>CONTROLS RATING</td> <td>COMPLIANCE RATING</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">B</td> <td style="text-align: center;">2</td> </tr> </table>	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	4	B	2	
PRIORITY	CONTROLS RATING	COMPLIANCE RATING						
4	B	2						
	<p>01/2021 RECOMMENDATION – In order to ensure the nominated transfer date is compliant with the specified times frames in the Customer Transfer Code, the Licensee should strengthen control processes and revise relevant Customer Transfer Policy and Procedure. Undertake the following corrective actions:</p> <ul style="list-style-type: none"> ▪ Update Customer Transfer Policy and Procedure to reflect the consideration of public holidays, meter types installed or required and the nominated transfer date to not be greater than 50 days after the date CTR submitted or to check if the CTR had previously been submitted. ▪ Update the New Customer Checklist and/or SUC - Non Standard Contract - Offer Document ((i.e., Commercial Terms) to include a check to confirm consideration has been given for times frames in particular public holidays. Noted that if the New Customer Checklist was not always used then the SUC - Non Standard Contract would be more effective control measure. ▪ Ensure the organisation has established a process for change management in relation to legislative and other requirements i.e., legislative changes, amendments to Build Pack. ▪ Notify the network operator of the issue relating to circumstances where CTRs that did not meet the specified timeframes could be submitted into the Web Portal and actively be involved in finding solutions. Submission of a Change to Build Pack Request is recommended. 							
30 Type [2]	<p>Clause 4.8(2) - A retailer must pay any reasonable costs incurred by a network operator for providing and/or installing a meter if a customer transfer request is withdrawn.</p>	<p>COMPLIANCE FINDING: With respect to the 6 withdrawals of CTR's during the audit period, the Operations Manager confirmed, AER Retail was not required to pay reasonable costs incurred by a network operator for providing and/or installing a meter.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 22, 23, 118</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Customer Transfer Policy and Procedure did not specify this requirement.</p>						

				<ul style="list-style-type: none"> There were no non-energy invoices were issued by WP relating to costs incurred for providing and/or installing a meter where a customer transfer request was withdrawn. All the CTRs withdrawn were withdrawn on the same date submitted. <p>Outcome Compliance: There were 6 CTRs withdrawn during the audit period and no costs incurred by WP for providing or installing a meter.</p> <p>Output Compliance: Web Portal used to record CTRs and status. Non-energy invoices issued by WP indicated reason for payment.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2021 RECOMMENDATION - NIL				
34 Type [2]	Clause 4.9(6) - A network operator and retailer must agree to a revised nominated transfer date in certain circumstances.			<p>COMPLIANCE FINDING: During the audit period the Operations Manager confirmed and demonstrated that AER and WP agreed to revised nominated transfer dates in circumstances where objections to a CTR were encountered.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Communication with Western Power, 22, 23, 29</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Licensee communicated with the Western Power to revise the nominated transfer dates. Sample email communications were sighted.</p> <ul style="list-style-type: none"> The Customer Transfer Policy and Procedure specified this requirement. <p>Outcome Compliance: There were a number of occasions where Western Power and the Licensee had to agree to a revised nominated transfer date.</p> <p>Output Compliance: Communication processes established electronically through the Web Portal and email communication with Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2021 RECOMMENDATION - NIL				

39 Type [2]	Clause 4.11(3) - A network operator and the retailer must take certain action if the contestable customer's meter is not read on the nominated transfer date.		<p>COMPLIANCE FINDING: During the audit period the Operations Manager confirmed and demonstrated that in relation to the transfer, AER accepted all Western Power's reasonable endeavours to set a new nominated transfer date which was as close as practicable to the original nominated transfer date.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, email communication with WP, 14, 22, 23, 119</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Customer Transfer Policy and Procedure specified this requirement. <ul style="list-style-type: none"> ▪ The Operations Manager confirmed that WP communicated electronically but that the Portal did not alert the Licensee and the status had to be regularly reviewed. ▪ The New Customer Checklist included task to "Monitor CTR to ensure transfer on required date". It was noted the New Customer Checklist was not always utilised. ▪ Build Pack Customer Transfer and Standing Data Procedure: November 2019 was amended to reflect meter type and meter read requirements in relation to this clause during the audit period. </p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			<p>Outcome Compliance: WP and AER revised nominated transfer dates as required.</p> <p>Output Compliance: The Web Portal electronically notified the Licensee of a rejected CTR or contacted via email to ensure any areas requiring attention were addressed.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
40 Type [NR]	Clause 4.12(3) - The parties to an access contract must negotiate in good faith any necessary amendments to the access contract arising from certain circumstances		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period AER Retail negotiated a Deed of Variation to the ETAC in relation to Bidirectional Services.</p> <p>DOCUMENTS/SYSTEMS: Western Power Portal, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p>

				<p>OBSERVATIONS: Process Compliance: The ETAC did not expire during the audit period.</p> <ul style="list-style-type: none"> ▪ It was noted Western Power Portal and Build Pack processes detailed the requirement for a valid access contract number to be provided in use of the system ▪ The Licensee’s controls procedures did not specify this requirement. <p>Outcome Compliance: The Licensee had valid ETAC and negotiated with Western Power a Deed of Variation in relation to bidirectional services.</p> <p>Output Compliance: ETAC Deed of Variation.</p> <p>Integrity of Reporting: Type NR not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	1	
	2021 RECOMMENDATION – NIL			
43 Type [NR]	Clause 4.15 - In the case of a transfer to reverse an erroneous transfer, a network operator and all affected retailers (and, if applicable, AEMO) must act in good faith to ensure that the affected contestable customer has the same rights and obligations as if the erroneous transfer had not occurred.			<p>COMPLIANCE FINDING: During the audit period there were no instances that required rectification of an Erroneous Transfer.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 11, 22, 23</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Customer Transfer Policy and Procedure specified this requirement.</p> <ul style="list-style-type: none"> ▪ The Managing Customer Accounts Procedure and New Customer Checklist referenced requirement to “Monitor CTR to ensure transfer on required date” ▪ Licensee had established an Erroneous Transfer register. ▪ It was noted that the Build Pack required WPN to provide the incoming retailer with the meter readings (if any) that the incoming retailer would have received, had the erroneous transfer not occurred. <p>Outcome Compliance: There were no erroneous transfers during the audit period.</p>

	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Output Compliance: The Web Portal provided notifications and customer transfer types could be reviewed. The Licensee also maintained an Erroneous Transfer register which accurately reflected no occurrences.</p> <p>Integrity of Reporting: Type NR not required to be reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
44 Type [2]	<p>Clause 4.16 - A verifiable consent given by a contestable customer in relation to the lodgement of a customer transfer request must be retained by the incoming retailer for two years, except in the case of a customer transfer request to reverse an erroneous transfer</p>			<p>COMPLIANCE FINDING: The Licensee confirmed that as the incoming retailer, AER must retain copies of verifiable consent. (i.e., noted NSC were considered verifiable consents). The NSCs or VCs were maintained electronically and were not disposed during the audit period. A third-party service provider ensured external cloud backup processes established for data security.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 23, 29, 32-33, 117</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Customer Transfer Policy and Procedure specified this requirement. <ul style="list-style-type: none"> ▪ It was noted that the VC given by a contestable customer for a CTR was evident as the customers signed ESA. ▪ A Customer Contracts List was maintained. ▪ It was customer consent is a pre-condition of the Build Pack procedures. </p> <p>Outcome Compliance: Archived ESA were maintained electronically.</p> <p>Output Compliance: Signed ESA's were sighted during the site visit. Back up processes were established to ensure integrity of data.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
2021 RECOMMENDATION - NIL				

45 Type [2]	Clause 4.17 - A previous retailer must not bill a contestable customer for charges incurred after the transfer time, except in the case of an erroneous transfer.		<p>COMPLIANCE FINDING: During the audit period the Licensee confirmed, that AER as a previous retailer did not bill past transfer time. Exceptions did not apply as there were no erroneous transfers.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 11, 22, 23</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Customer Transfer Policy and Procedure specified this requirement. <ul style="list-style-type: none"> Invoicing was based on meter data provided through the Web Portal. Protocols related to the Web Portal would result in meter data not being available for the licensee to bill a customer after the transfer time. <p><u>Outcome Compliance:</u> The Web Portal prevent meter data from being issued after the transfer date and as such prevent bill charges from being incurred after the transfer date.</p> <p><u>Output Compliance:</u> Web Portal CTRs records and meter data history verified contestable customers were not charged after the transfer time, except in the case of an erroneous transfer.</p> <p><u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p> </p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
48 Type [2]	Clause 5.2 - A network's communication rules apply in respect of data and information communication between the network operator and a retailer under this Code.		<p>COMPLIANCE FINDING: The Licensee confirmed awareness that the Metering Code's communication rules apply. In practice the communication rules were applied using the Web Portal as required by the retail licence. During the audit period, AER Retail communicated with Western Power via the web portal and in line with the Build Pack requirements.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 22</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p>

			<p>OBSERVATIONS: Process Compliance: Customer Transfer Policy and Procedure specified this requirement.</p> <ul style="list-style-type: none"> As defined by the Metering Code 2012 “communication rules” incorporated and largely comprised the suite of technical documents known as the “Build Pack”. The Build Pack was not specifically referenced by the Customer Transfer Policy and Procedure. During the audit the Build Pack was accessible on Western Power website as the following https://www.western/Power.com.au/industry/manuals-guides-standards/build-pack/ <p>Outcome Compliance: Licensee utilised the Web Portal and communicated with Western Power as required.</p> <p>Output Compliance: Web Portal notification and execution of functions within the Portal.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION - NIL		
48A Type [2]	Clause 6.1 - All notices must be in writing and delivered as described in subclauses 6.1(a)-(c)		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, requirements for valid notices were met in all instances where communication with Western Power was intended to be a recognised as a valid notice. The notice or other communication of information was via means as described in subclauses 6.1(a)-(c). General queries and communication with Western Power Liaison contact were routinely undertaken via email or telephone.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack,</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Customer Transfer Policy and Procedure did not specify this requirement.</p> <ul style="list-style-type: none"> The use of email communication, post and notifications via the Web Portal were evidenced during the site audit.

			<ul style="list-style-type: none"> The communication rules set out the methods (including delivery of notices by post, facsimile (although use of facsimile has been phased out for the Licensee and Western Power do not communicate via facsimile) or email to the nominated address or number) and protocols (i.e., Web Portal) approved for use by Western Power and AER Retail to exchange or provide information and data as required under the Code. It was noted that the Customer Transfer Code references the application of the Metering codes communication rules
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1
	<p>2021 RECOMMENDATION - NIL</p> <p>Outcome Compliance: AER Retail communicated with Western Power as required. It was noted the used of facsimile was not undertaken by Western Power or AER Retail.</p> <p>Output Compliance: Email communications, letters, CRM logs regarding phone calls and Web Portal communications.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>		
49 Type [2]	<p>Clause 6.2 - A licensee's notice in relation to a data request or customer transfer request must identify the connection point to which it relates.</p>		<p>COMPLIANCE FINDING: As data requests were performed within the Web Portal, the Licensee's requirement to ensure notices under Part 3 or Part 4 identified the connection point was inherent in the process.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 23</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: All transfers and data transactions were done electronically via the Web Portal which used the National Meter Identifier or NMI as a distinct and universal identifier or code for each connection point in the electricity market.</p> <ul style="list-style-type: none"> Noted the connection point related to both exit and bidirectional point. The NMI was noted in the Build Pack procedures specified NMI as a mandatory field and included validation processes to ensure the correct NMI was referenced (i.e. NMI and NMI checksum)

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>Outcome Compliance: The Web Portal required the specification of the connection point. All CTRs reviewed included the NMI in the required field.</p> <p>Output Compliance: Web Portal recorded all CTRs and information included relating to the connection point (i.e., NMI)</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
52 Type [2]	Clause 6.4(1) - A retailer must notify its contact details to a network operator within three business days of a request.			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period the network operator did not make a request for AER as a retailer to notify its contact details.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27-28, 40-43</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Communication between the network operator and AER Retail was not impacted during the audit period.</p> <ul style="list-style-type: none"> ▪ The control procedures did not refer to the compliance requirements i.e. 3 business days recording. ▪ Evidence to confirm communication throughout the audit period was provided for review. ▪ Although no request was made the Licensee’s systems facilitated the recording compliance with the 3 business day rule should a request be made via records of email communication. ▪ The Licensee notified Western Power 16/1/2018 of the intent to move offices on 22/1/2018. It was noted Western Power advised they would update Schedule 6 of the ETAC. An updated scheduled was not provided for review. <p>Outcome Compliance: Communication and contact details were provided as required and no request was made from WP.</p> <p>Output Compliance: Web Portal access, communication, notifications and email and phone communications evident during the audit period.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	

	2021 RECOMMENDATION - NIL		
53 Type [2]	Clause 6.4(2) - A retailer must notify the network operator of any change in its contact details at least three business days before the change takes effect.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, AER as a retailer, notified changes to contact details 3 business days prior to the change taking effect.</p> <p>DOCUMENTS/SYSTEMS: 27, 28, 40-43</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee notified Western Power 16/1/2018 of the intent to move offices on 22/1/2018.</p> <ul style="list-style-type: none"> ▪ It was noted Western Power advised they would update Schedule 6 of the ETAC. ▪ The Licensee’s systems facilitated the recording compliance with the 3 business day rule via records of email communication. ▪ Communication between the network operator and AER Retail was not impacted during the audit period. ▪ Although the control procedures did not refer to the compliance requirements, compliance was noted due to the awareness of the requirement by management. i.e. 3 business days recording. ▪ Evidence to confirm communication throughout the audit period was provided for review. <p>Outcome Compliance: The Licensee was notified within 3 business days of the change to contact details.</p> <p>Output Compliance: Web Portal access, communication, notifications and email and phone communications evident during the audit period.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION - NIL		
54	Clause 6.6 - A network operator or a retailer must send required electronic communications to the applicable electronic		<p>COMPLIANCE FINDING: In relation to the requirements for electronic communication, the Licensee confirmed for the duration of the audit period that the use of the Western Power portal</p>

Type [2]	communication address, in accordance with the communication rules		<p>met the requirements of the communication rules. All transfers and data transactions were done electronically via the portal. Other communications were by email to the correct addresses.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Web Portal and email communication processes were central to the functions of the retail licence.</p> <ul style="list-style-type: none"> ▪ The communication rules set out the methods (including delivery of notices by post, facsimile (although use of facsimile has been phased out for the Licensee and Western Power do not communicate via facsimile) or email to the nominated address or number) and protocols (i.e., Web Portal) approved for use by Western Power and AER Retail to exchange or provide information and data as required under the Code. ▪ It was noted that the Customer Transfer Code referenced the application of the Metering codes communication rules <p>Outcome Compliance: AER Retail communicated with Western Power as required and maintained access to the Web Portal. It was noted the used of facsimile was not undertaken by Western Power or AER Retail.</p> <p>Output Compliance: Email communications, letters, and Web Portal communications.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
55 Type [NR]	Clause 7.1(1) - For a dispute in respect of a matter under, or in connection with, the Electricity Industry Customer Transfer Code, the disputing parties must meet, within five business days of a request by one of those parties, and attempt to resolve the dispute through negotiations that are conducted in good faith		<p>COMPLIANCE FINDING: In relation to dispute resolution procedures, the Operations Manager confirmed that during the audit period the Licensee did not engage in dispute with regards to the Customer Transfer Code.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 27, 28</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Customer Transfer Policy and Procedure referenced dispute resolution under the Customer Transfer Code and included a dispute register.</p> <ul style="list-style-type: none"> There were no disputes recorded in the dispute register. <p>Outcome Compliance: There were no disputes with Western Power, other retailers or AEMO during the audit period.</p> <ul style="list-style-type: none"> Although no requirement to meet in relation to a dispute arose during the audit period the Licensee’s systems facilitated the recording compliance with the 5 business day rule should the circumstance present, via email communications. <p>Output Compliance: Email communications and Operations Manager confirmation provided assurance.</p> <p>Integrity of Reporting: Type NR not required to be reported in the compliance reports</p>
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			
11 ELECTRICITY INDUSTRY (CUSTOMER CONTRACTS) REGULATIONS 2005 – LICENCE CONDITIONS & OBLIGATIONS			
79 Type [2]	Regulation 5 - A non-standard contract must be in a format that is easy to read and expressed in clear, simple and concise language.		<p>COMPLIANCE FINDING: The format and expression of the Licensee’s Non-Standard Contract (NSC) was clear, simple and concise language.</p> <p>DOCUMENTS/SYSTEMS: 26, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Customer Information and Communication Policy expressed the requirement for information provided to customer to be written in clear, simple, and concise language and in a format which is easily understandable.</p>

			<ul style="list-style-type: none"> ▪ The NSC Contract or ESA (Electricity Supply Agreement) consisted of: <ul style="list-style-type: none"> ➢ SUC - Non Standard Contract - Offer Document (i.e., Commercial Terms); and ➢ SUC - Non Standard Contract - Terms & Conditions ▪ It was noted there were no customer complaints regards NSC's during the audit period. ▪ The Operations Manager confirmed the Licensee only had one version of the NSC throughout the audit period. However, there was not document control on the SUC - Non Standard Contract - Offer Document. ▪ All small-use customers were signed onto NSC during the audit period. <p>Outcome Compliance: The format and expression of the NSC was easy to read and expressed in clear, simple, and concise language.</p> <p>Output Compliance: Records of the executed NSC were maintained by the Licensee and samples provided for review.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
80 Type [2]	Regulation 6 - A non-standard contract must specify when it comes into effect and the period for which it has effect.		<p>COMPLIANCE FINDING: The Commercial Terms of the Licensee's NSC specified the duration of the contract. Specifically, when the contract came into effect and the period for which it came into effect (i.e. end date).</p> <p>DOCUMENTS/SYSTEMS: 29, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The NSC outlined the supply term (i.e, Supply commencing, Term, Offer Valid Until) on the Commercial Terms</p> <ul style="list-style-type: none"> ▪ A sample of the Customer NSCs were reviewed during the site visit. ▪ Contract details were recorded in the AER Contracts List during the audit period. <p>Outcome Compliance: The customers were aware of the duration of the contract.</p>

	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	Output Compliance: Signed NSC, customer list spreadsheet and the CRM verified assurance. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.
	4	N/P	1	
2021 RECOMMENDATION – NIL				
81 Type [2]	Regulation 7 - A non-standard contract must specify certain information about the retailer.			<p>COMPLIANCE FINDING: The Licensee's SUC - Non Standard Contract - Terms & Conditions contained the details of AER as required.</p> <p>DOCUMENTS/SYSTEMS: 33, 34</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The NSC contained the required information, the telephone, website and email details were omitted from the Commercial Terms.</p> <ul style="list-style-type: none"> ▪ The Commercial Terms did not reference Telephone, website or email details. This was not considered a non-compliance by the auditor as both documents provided together to the customer. ▪ Document Control was not applied to the Commercial Terms. ▪ Noted the SFC on the ERA website was just the Standard Form Contract - Terms & Conditions. <p>Outcome Compliance: It was confirmed that the following marked* were missing on the SUC - Non Standard Contract - Offer Document but were all on the SUC - Non Standard Contract - Terms & Conditions:</p> <ul style="list-style-type: none"> (a) Company name (b) ABN (c) Registered & Business Office (d) Postal address

				(e) Telephone Number * (f) Email Address * (g) Internet website address* Output Compliance: Records of non-standard contracts provided process to confirm the assurances and a review of the ASIC website confirmed accuracy. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	RECOMMENDATION – NIL			
82 Type [2]	Regulation 8 - A non-standard contract must give an exact description of the goods and services that the retailer will provide under the contract.			COMPLIANCE FINDING: During the audit period, the Licensee’s Non-Standard Contracts for Small Use Customers detailed an exact description of goods and services that the Licensee provided under the contract. DOCUMENTS/SYSTEMS: 33 – 34 PERSONNEL INTERVIEWED: Operations Manager OBSERVATIONS: Process Compliance: NSC contracts included a description of good and services provided under the contract. Outcome Compliance: Compliance with the obligation was confirmed during the site visit review of executed contracts and document review – Clause 1. Output Compliance: The contracts used by the Licensee complied with the requirements and were reviewed during the site audit. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	RECOMMENDATION - NIL			
83 Type	Regulation 9 - A non-standard contract must require the customer to pay for electricity supplied under the contract.			COMPLIANCE FINDING: During the audit period, the Licensee’s Non-Standard Contracts for Small Use Customers specified the customers obligation to pay for electricity supplied under the contract.

[2]				<p>DOCUMENTS/SYSTEMS: 33 - 34</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> NSC contracts required the customer to pay for electricity supplied under the contract – Clause 4. <u>Outcome Compliance:</u> Compliance with the obligation was confirmed during the site visit.. <u>Output Compliance:</u> The contracts used by the Licensee complied with the requirements and were reviewed during the site audit. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
2021 RECOMMENDATION - NIL				
84 Type [2]	<p>Regulation 10 - A non-standard contract must prohibit the customer from tampering with, or bypassing, network equipment or allowing any other person to do so.</p>			<p>COMPLIANCE FINDING: During the audit period, the Licensee’s Non-Standard Contracts for Small Use Customers included provisions in relation to the interference with network equipment. Specifically, to prohibit the customer from tampering with, or bypassing, network equipment or allowing any other person to do so.</p> <p>DOCUMENTS/SYSTEMS: 33 - 34</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> NSC contracts prohibited interference with the network – Clause 15. <u>Outcome Compliance:</u> Compliance with the obligation was confirmed during the site visit.. <u>Output Compliance:</u> The contracts used by the Licensee complied with the requirements and were reviewed during the site audit. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	

2021 RECOMMENDATION - NIL			
85 Type [2]	Regulation 11 - A non-standard contract must describe the circumstances under which a retailer has the right to disconnect supply and is required to reconnect supply		<p>COMPLIANCE FINDING: During the audit period, the Licensee’s Non-Standard Contracts for Small Use Customers described the circumstances under which AER Retail had the right to disconnect and was required to reconnect supply.</p> <p>DOCUMENTS/SYSTEMS: 33 - 34</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> NSC contracts described disconnection (Clause 9) and reconnection circumstances (Clause 10) <u>Outcome Compliance:</u> Compliance with the obligation was confirmed during the site visit. <u>Output Compliance:</u> The contracts used by the Licensee complied with the requirements and were reviewed during the site audit. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1
2021 RECOMMENDATION - NIL			
86 Type [2]	Regulation 12 - A non-standard contract must require the retailer to deal with security deposits and the payment of interest in the manner that is specified.		<p>COMPLIANCE FINDING: During the audit period, the Licensee’s Non-Standard Contracts for Small Use Customers outlined the circumstances in which a security deposit would be required, how it would be kept and identified accounting records. Reference to the payment of accrued interest was also referenced.</p> <p>DOCUMENTS/SYSTEMS: 33 - 34</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p>

				<p>Process Compliance: NSC contracts described security deposits – Clause 13.</p> <ul style="list-style-type: none"> Noted the Licensee did not require security deposits during the audit period. <p>Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements.</p> <p>Output Compliance: Customer contracts assured compliance with respect to Standard and non-standard Small Use Customer contracts.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			
87 Type [2]	Regulation 13 - A non-standard contract must describe the retailer's obligations in relation to the provision of prices and tariff information.			<p>COMPLIANCE FINDING: The Licensee's SUC NSC accurately described AERs obligation in relation to the provision of prices and tariff information. However, the NSC did not specifically include details of AERs obligations under clause 10.1(3) in relation to provision of tariff information within 8 business days clause.</p> <p>DOCUMENTS/SYSTEMS: 5, 26, 29, 32-33, 117</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: AERs obligations in relation to the provision of tariff information within 8 business days under clause 10.1(3) of the Code of Conduct were included in the Customer Information and Communication Policy not the NSC as required and as such were not communicated to the customer.</p> <ul style="list-style-type: none"> Any applicable NSCs subject to tariff changes were monitored in the AER Contracts List. Example of communication of tariff changes were provided for review. However, process to monitor compliance with 8 business day rule not well established. Refer to Obligations 272-274 for further information relating to tariff information. <p>Outcome Compliance: Billing Administrator confirmed generally there were no tariff or price changes applied to SUC NSC during the audit period as they were bundled fixed term and price contracts. Where contracts included CPI increases evidence of communication was provided.</p>

	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2	<p>Output Compliance: Customer communication via emails, customer bills reflected changes in relation to changes to tariffs, fees and charges. AER Contracts List monitored contracts subject to tariff changes.</p> <p>Integrity of Reporting: Type 2 obligation not accurately reported in the compliance reports for 2018-2021.</p> <ul style="list-style-type: none"> ➤ Failure to provide tariff information within 8 business days clause for 2018-2021 reporting years.
<p>02/2021 RECOMMENDATION – Include the requirement to give or make available to the customer reasonable information on the AER’s tariffs, fees and charges, within 8 business days of the date of receipt. Reference to the requirement that if requested by the customer the information relating to tariffs, fees and charges must be given in writing. Establish internal control and monitoring process to ensure compliance with the 8 business day rule, Microsoft Teams To Do List and Key Tasks and establish internal audit program to review compliance requirements.</p>				
88 Type [2]	<p>Regulation 14 - A non-standard contract must describe the procedures to be followed by the retailer in relation to the preparation, issue and review of customer bills.</p> <p>14. Billing A customer contract must describe the procedures to be followed by the retailer in relation to the preparation, issue and review of the customer’s bills.</p>			<p>COMPLIANCE FINDING: During the audit period, the Licensee’s NSC described the Billing procedures followed by AER Retail in relation to the preparation, issue and review of the customer’s bills.</p> <p>DOCUMENTS/SYSTEMS: 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: NSC described the procedures to be followed by the retailer in relation to the preparation, issue (Clause 8) and review of customer bills (clause 10).</p> <p>Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements.</p> <p>Output Compliance: All versions of the NSC during the audit period were reviewed.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
<p>2021 RECOMMENDATION - NIL</p>				

89 Type [2]	Regulation 15 -A non-standard contract must describe the matters relating to the termination of the contract that are specified in the regulation.		<p>COMPLIANCE FINDING: The Licensee’s Non-Standard Contract (NSC) described the matters relating to the termination of the contract that are specified in the regulation.</p> <p>DOCUMENTS/SYSTEMS: 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: NSC described the matters relating to the termination of the contract that are specified in the regulation – Clause 22 Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements. Output Compliance: All versions of the NSC during the audit period were reviewed Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	
2021 RECOMMENDATION – NIL			
90 Type [2]	Regulation 16 and 34 - A non-standard contract must inform the customer that the provisions of the contract may be amended without the customer’s consent and describe the process for amending the contract, including requirements for approval and the way in which the amendment will be published. The non-standard contract must require the retailer to notify the customer of any amendment to the contract.		<p>COMPLIANCE FINDING: In relation to amendment of the contract and Licensee’s NSC informed the customer of all obligations as required by the Regulations for the duration of the audit period.</p> <p>DOCUMENTS/SYSTEMS:32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The NSC informed the Customer of amendments to the contract – Clauses 1, 4.3, 5, 6 & 26.9:</p> <ul style="list-style-type: none"> ▪ the provisions of the contract may be amended without the customer’s consent ▪ described the process for amending the contract, including requirements for approval and the way in which the amendment will be published. ▪ Notification processes of any amendment to the contract.

				<p>Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements.</p> <p>Output Compliance: All versions of the NSC during the audit period were reviewed</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION – NIL			
91 Type [2]	Regulation 17 - A non-standard contract must specify the assignment of rights and obligations, including assignment without the customer's consent.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's NSC specified AER Retail's rights and obligations, including assignment without the customer's consent.</p> <p>DOCUMENTS/SYSTEMS: 33 – 34</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The NSC informed the Customer of the Licensee's assignment rights– Clause 26.1 Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements. Output Compliance: All versions of the NSC during the audit period were reviewed Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			
92 Type [2]	Regulation 18 - A non-standard contract must describe the procedures that must be followed by the retailer in responding to a complaint made by a customer.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's NSC detailed their complaints handling processes available to the customer.</p> <p>DOCUMENTS/SYSTEMS: 32-33</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The NSC informed the Customer of AERs complaints processes – Clause 21.</p> <ul style="list-style-type: none"> ▪ The NSC did not fully describe the procedures but referred the customer to contact the Licensee for a copy of the Complaints Policy (referred to as the Complaints Resolution Factsheet.) ▪ Complaint Resolution Factsheet were provided to the customer with the contract. ▪ The Complaints Policy referred to management of complaints in accordance with Australian Standard on Complaints Handling (AS/NZS 10002:2006). This standard was updated in 2014. <p>Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements.</p> <p>Output Compliance: All versions of the NSC during the audit period were reviewed</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1
2021 RECOMMENDATION - NIL			
93 Type [2]	Regulation 19 -A non-standard contract must specify the process that must be taken by the retailer to ensure information held by the retailer is treated confidentially.		<p>COMPLIANCE FINDING: In relation to confidentiality, the Licensee’s NSC detailed AER Retail’s processes undertaken to ensure the customers information held by the Licensee was treated confidentially for the duration of the audit period.</p> <p>DOCUMENTS/SYSTEMS: 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The NSC informed the Customer of AERs confidentiality controls and processes – Clause 23</p>

			<p>Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements.</p> <p>Output Compliance: All versions of the NSC during the audit period were reviewed</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION – NIL		
94 Type [2]	Regulation 20 - A non-standard contract must specify the governing legislation, the effect of an invalid or unenforceable provision, the way in which notice may be given and the use of electronic communication by the retailer.		<p>COMPLIANCE FINDING: During the audit period, the Licensee’s NSC specified governance by the laws of the state Western Australia, the effect of an invalid or unenforceable provision, the way in which notice may be given and the use of electronic communication by the retailer</p> <p>DOCUMENTS/SYSTEMS: 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The NSC informed the Customer of AERs of the governing legislation - Clause 26.3 and 26.6 and 26.7</p> <p>Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements.</p> <p>Output Compliance: All versions of the NSC during the audit period were reviewed</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION - NIL		

95 Type [2]	Regulation 21 - A non-standard contract must not include a provision that excludes, restricts or modifies the Code of Conduct for the Supply of Electricity to Small Use Customers unless it is authorised by the Code.		<p>COMPLIANCE FINDING: During the audit period, the Licensee’s NSC did not contain a provision that excludes, restricts or modifies the Code of Conduct for the Supply of Electricity to Small Use Customers unless it is authorised by the Code.</p> <p>DOCUMENTS/SYSTEMS: 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The NSC informed the Customer of the application of laws - Clause 26.2 <u>Outcome Compliance:</u> Non-standard Small Use Customer contracts did specify the requirements. <u>Output Compliance:</u> All versions of the NSC during the audit period were reviewed <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports.</p>	
	PRIORITY	CONTROLS RATING		COMPLIANCE RATING
	4	N/P		1
2021 RECOMMENDATION - NIL				
96 Type [2]	Regulation 32 - A non-standard contract must include details about the cooling off period specified in the regulation.		<p>COMPLIANCE FINDING: During the audit period, the Licensee’s NSC included details about the cooling off period as specified by the regulation and other required refer section of NSC on unsolicited consumer agreement.</p> <p>DOCUMENTS/SYSTEMS: 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The NSC informed the Customer of the cooling off period – Clause 22 and Attachment A.</p>	

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>Outcome Compliance: Non-standard Small Use Customer contracts did specify the requirements.</p> <p>Output Compliance: All versions of the NSC during the audit period were reviewed</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
97 Type [2]	Regulation 33(2) - A non-standard contract must allow the customer to terminate the contract at any time with no less than 5 days' notice.			<p>COMPLIANCE FINDING: In relation to termination of contract by the customer, the Licensee's NSC's were fixed term contracts and as such were not required to include Regulation 33(2).</p> <p>DOCUMENTS/SYSTEMS: 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The NSC were fixed term contracts and under regulation 33(1) this obligation did not apply. Outcome Compliance: The actual performance against obligations prescribed was not applicable throughout the audit period Output Compliance: The nature of NSC excluded the requirement. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
2021 RECOMMENDATION - NIL				
98 Type [2]	Regulation 33(2) and (4) -A non-standard contract that is a fixed contract must describe the matters relating to the termination of the contract specified in the regulation			<p>COMPLIANCE FINDING: In relation to termination of contract by the customer, the Licensee's NSC described the requirement that a fixed term contract must authorise the customer to terminate the contract at any time by giving notice to the retailer not less than 20 days before the day on which the customer wants the contract to end. Additionally, it specified amount the payable by the</p>

			<p>customer, by way of penalty, in the event that the customer terminated the contract before the expiry of the term of the contract.</p> <p>DOCUMENTS/SYSTEMS: 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The NSC described the matters relating to the termination of the contract specified in the regulation – Clause 22 and definitions of “early termination charge” <u>Outcome Compliance:</u> The actual performance against obligations prescribed was not applicable throughout the audit period <u>Output Compliance:</u> The nature of NSC excluded the requirement <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1
2021 RECOMMENDATION – NIL.			
100 Type [2]	Regulation 38 - If a licensee becomes aware of a customer taking a supply of electricity that is deemed to be supplied under the licensee’s standard form contract, the licensee must notify the customer within 5 days after becoming aware of it and provide specified information.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, there was no requirement to notify the customer of a default supplier and as such no customers were supplied under the SFC.</p> <p>DOCUMENTS/SYSTEMS: ERA Website, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> There were no customers supplied under a SFC. <u>Outcome Compliance:</u> SFC was not used during the audit period. <u>Output Compliance:</u> Executed customer records were all NSC and the Operations Manager confirmed compliance.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING

	4	N/P	N/R	Integrity of Reporting: Type 2 obligation accurately reported in the compliance report.
2021 RECOMMENDATION - NIL				
12 ELECTRICITY INDUSTRY ACT - LICENCE CONDITIONS AND OBLIGATIONS				
101* Type [2]	Licence Condition 5.3.1 - A licensee must provide the ERA with a Performance Audit conducted by an independent expert acceptable to the ERA, not less than once every 24 months.			<p>COMPLIANCE FINDING: This was the third Audit conducted by an independent auditor for the Licensee since the licence was granted on 21 November 2012. The current audit confirmed that during the audit period, the 2017 Performance Audit report dated, 30 March 2018, was provided to the ERA in for the audit period of 36 months from 1 December 2014 to 30 November 2017.</p> <p>DOCUMENTS/SYSTEMS: Correspondence with the ERA, ERA Website, 120, 121</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The 2017 Performance Audit was noted to be available for review on the ERA website.</p> <ul style="list-style-type: none"> ▪ The requirement for the current audit was monitored by Operations Manager and the Company Director in the Microsoft Teams To Do and Key Dates List. ▪ Email communications and correspondence with the Secretariat was provided for review. ▪ GES was appointed with the Authority’s approval to undertake the performance audit for the audit period on the 2 November 2021 (Authority Document Ref: D240252). ▪ Audit & Review Plan developed and approved in accordance with Audit Guidelines <p>Outcome Compliance: 2017 Performance Audit was published, and the ERA released a notice in relation to the audit report and the post-audit implementation plan (PAIP).</p> <p>Output Compliance: The publication of the 2017 Performance Audit and the PAIP and the increase in audit period from 36 to 48 months indicated compliance with the obligation.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	

	4	N/P	1	Integrity of Reporting: ERA Type NR for compliance reports 2018-2019 and was amended to Type 2 obligation in June 2020 and was accurately reported in the compliance reports for 2020 and 2021.
	2021 RECOMMENDATION - NIL			
105 Type [2]	Licence Condition 4.2.1 - A licensee must pay the prescribed licence fees to the ERA according to clauses 6, 7 and 8 of the <i>Economic Regulation Authority (Licensing Funding) Regulations 2014</i> .			<p>COMPLIANCE FINDING: The Licensee paid the prescribed licence fees to the ERA in accordance with the obligations, according to clauses 6, 7 and 8 of the <i>Economic Regulation Authority (Licensing Funding) Regulations 2014</i>.</p> <p>DOCUMENTS/SYSTEMS: Correspondence with the ERA, ERA Website, 120, 121</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Licensee has established a shared compliance calendar in Microsoft Teams To Do and Key Dates List.</p> <ul style="list-style-type: none"> ▪ Proactive email communications between the Licensee and the ERA were noted to ensure compliance. ▪ Payment of 2021 Annual License fee was not provided for review but confirmation of payment within the required timeframe was confirmed by the Operations Manager. <p>Outcome Compliance: The licence fees were paid as required.</p> <p>Output Compliance: Confirmation of payments made during audit period was undertaken with the ERA for the 2018-2020 years. The 2021 payment was due 22/12/2021 and confirmed by the licensee as being paid.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			
106 Type	Licence Condition 4.1.1 - A licensee must take reasonable steps to minimise the extent, or duration, of any interruption, suspension, or restriction of the supply of electricity due to an			COMPLIANCE FINDING: AER Retail has limited capacity to minimize the extent or duration of any interruption, suspension, or restriction of the supply of electricity due to an accident,

[2]	accident, emergency, potential danger, or other unavoidable cause.	emergency, potential danger, or other unavoidable cause. Western Power as the Network provider fulfil this obligation. DOCUMENTS/SYSTEMS: NIL PERSONNEL INTERVIEWED: Operations Manager OBSERVATIONS: Process Compliance: There were no control procedures or systems in place throughout the audit period. Compliance with the requirement was not within the Licensee’s capability. <ul style="list-style-type: none"> ▪ AER depends on systems established by Western Power as the network operator to minimise the extent or duration of any interruption, suspension, or restriction of the supply of electricity ▪ It was noted AER responded to customers queries relating to unplanned outages and directed them Western Power’s website and communicated directly with the customer in relation to planned outages as advised by Western Power if required. 		
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	Outcome Compliance: Nil Output Compliance: Nil Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports
2021 RECOMMENDATION – NIL				
108 Type [2]	Licence Condition 6.4.1 - A retail or integrated regional licensee must not supply electricity to a small use customer otherwise than under a standard form contract or a non-standard form contract that complies with the Act.	COMPLIANCE FINDING: The Licensees control procedures ensured that all new contracts processed were checked for small-use customer compliance prior to processing. The Licensee did not supply electricity to a small use customer under a standard form contract. Due to non-compliance with the following obligations the Licensee NSC was noted to be non-compliant with the <i>Electricity Industry Act 2004</i> : <ul style="list-style-type: none"> ➤ 87 ➤ 188 		

		<p>DOCUMENTS/SYSTEMS: 32, 33, 60, 122</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee had established and implemented NSC and SFC compliant with the Act with the exceptions noted above.</p> <ul style="list-style-type: none"> ▪ Requirement of the Electricity Industry Act 2004 that the Licence application not to be granted unless standard form contract approved. AER Retail has a retail licence ERL18 and the Standard Form Contract (Draft March 2017) was published on 16/5/2017 prior to grant of licence and was available on the ERA website. ▪ It was noted the SFC on the ERA website did not contain the correct address for the Licensee. The Licensee requested the ERA updated the address on the website on 19/7/2019. <p>Outcome Compliance: SUC were supplied with a NSC however deficiencies were identified during the current audit.</p>		
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2	<p>Output Compliance: The standard form contract or a Non-Standard Contract and the signed SUC Commercial Terms provided assurance with the obligation to supply under a NSC but do not confirm compliance with the Act.</p> <p>Integrity of Reporting: Type 2 obligation not accurately reported in the compliance reports</p>
2021 RECOMMENDATION – Refer to Recommendations 02/2021 & 07/2021				
109 Type [2]	Licence Condition 6.6.1 - A licensee must comply with any direction by the ERA to amend the standard form contract and do so within the period specified			<p>COMPLIANCE FINDING: For the duration of the audit period, the licensee did not receive any direction by the ERA to amend the standard form contract.</p> <p>DOCUMENTS/SYSTEMS: ERA Website</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee communicated with the ERA throughout the audit period and has not been requested to amend the SFC.</p>

				<p>Outcome Compliance: Noted AER Retail's SFC contract has not been amended since March 2017</p> <p>Output Compliance: The current SFC was amended outside the audit period. https://www.erawa.com.au/electricity/electricity-licensing/standard-form-contracts</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
111 Type [2]	Licence Condition 6.1.1 - A retail, distribution or integrated regional licensee must not supply electricity to small use customers unless the licensee is a member of an approved scheme and is bound by, and compliant, with any decision or direction of the electricity ombudsman under the approved scheme.			<p>COMPLIANCE FINDING: The Licensee was member of an approved scheme and there were no decisions or directions by the electricity ombudsman issued during the audit period.</p> <p>DOCUMENTS/SYSTEMS: Energy and Water Ombudsman Website</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: AER Retail listed as Service Provider on The Energy and Water Ombudsman website.</p> <p>Outcome Compliance: AER was listed a member of the Energy and Water Ombudsman who could take complaints about electricity, gas and water companies and providers licenced by the Economic Regulation Authority to operate in Western Australian.</p> <p>Output Compliance: https://energyandwater.ombudsman.wa.gov.au/service-providers/service-provider-contacts</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			
13 ELECTRICITY LICENCES – LICENCE CONDITIONS AND OBLIGATIONS				
114 Type	Licence Condition 6.3.1 - A licensee must ensure that an electricity marketing agent of the licensee complies with the Code			

[2]	of Conduct for the Supply of Electricity to Small Use Customers 2018.	<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period they did not engage marketing agents. The Operations Manager confirmed the majority of customers were obtained by AER Retail’s Business Development Managers or Brokers.</p> <p>DOCUMENTS/SYSTEMS: 2, 4, 14, 16, 18, 26</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: AER has not engaged any Electricity Marketing Agents for the audit period and has therefore not had to report any breaches by an electricity marketing agent.</p> <ul style="list-style-type: none"> ▪ The Licensee had established control procedures for marketing, potential customers, customer communication and related sales functions with consideration of the requirements of the Conduct for the Supply of Electricity to Small Use Customers 2018. ▪ It is understood that tendering companies represent the customer and as tender companies are engaged directly by customers, they would be considered a customer representative and not an electricity marketing agent. Therefore, it was not AER Retail’s obligation to ensure that tender companies comply with the Code. <p>Outcome Compliance: AER did not engage marketing agents.</p> <p>Output Compliance: Nil</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>	
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			
116 Type [NR]	Licence Condition 6.4.2 - A licensee must, if directed by the ERA, review the standard form contract and submit to the ERA the results of that review within the time specified.	<p>COMPLIANCE FINDING: For the duration of the audit period, the licensee did not receive any direction by the ERA to review the standard form contract and submit to the ERA the results of that review within the time specified.</p> <p>DOCUMENTS/SYSTEMS: ERA Website</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p>	

				OBSERVATIONS: Process Compliance: The Licensee communicated with the ERA throughout the audit period and has not been requested to review the SFC. Outcome Compliance: Noted AER Retail’s SFC contract has not been amended since March 2017 Output Compliance: The current SFC was amended outside the audit period. https://www.erawa.com.au/electricity/electricity-licensing/standard-form-contracts Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
117 Type [NR]	Licence Condition 6.4.3 - A licensee must comply with any direction given by the ERA in relation to the scope, process and methodology of the standard form contract review.			COMPLIANCE FINDING: For the duration of the audit period, the licensee did not receive any direction by the ERA in relation to the scope, process and methodology of the standard form contract review. DOCUMENTS/SYSTEMS: ERA Website PERSONNEL INTERVIEWED: Operations Manager OBSERVATIONS: Process Compliance: The Licensee communicated with the ERA throughout the audit period and has not been given direction by the ERA in relation to the scope, process and methodology of the standard form contract review. Outcome Compliance: Noted AER Retail’s SFC contract has not been amended since March 2017 Output Compliance: The current SFC was amended outside the audit period. https://www.erawa.com.au/electricity/electricity-licensing/standard-form-contracts Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
118	Licence Condition 6.5.1 - A licensee can only amend the standard form contract with the ERA’s approval			COMPLIANCE FINDING: For the duration of the audit period, the licensee request any amendments by the ERA to the standard form contract.

Type [2]			<p>DOCUMENTS/SYSTEMS: ERA Website</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee communicated with the ERA throughout the audit period and has not requested the ERA to amend the SFC. Outcome Compliance: Noted AER Retail's SFC contract has not been amended since March 2017 Output Compliance: The current SFC was amended outside the audit period. https://www.erawa.com.au/electricity/electricity-licensing/standard-form-contracts Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
119 Type [2]	Licence Condition 4.3.1 - A licensee and any related body corporate must maintain accounting records that comply with the Australian Accounting Standards Board Standards or equivalent International Accounting Standards.		<p>COMPLIANCE FINDING: For the duration of the audit period, AER Retail maintained its financial records in compliance with Public Practice Standards as it is a non-reporting entity. It is a trading entity reporting to and on behalf of its directors and shareholders. Australian Accounting Standards Board Standards (AASBs) is required for reporting entities. As such, the Public Practice Standards is equivalent to the AASB's in that AER Retail is complying with the applicable standard.</p> <p>DOCUMENTS/SYSTEMS: ERA Website, Financial Reports</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Third party annual financial reports prepared in accordance with Australian Accounting Standards Board Standards Outcome Compliance: Reviewed financial reports during the site visit.</p>

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>Output Compliance: Xero accounting systems and financial data maintained for the purpose of the preparation of annual financial reports.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
2021 RECOMMENDATION – NIL				
121 Type [2]	Licence Condition 5.3.2 - licensee must comply, and require its auditor to comply, with the ERA's standard audit guidelines for a Performance Audit			<p>COMPLIANCE FINDING: The 2017 Performance Audit was conducted in accordance with the ERA's standard Audit Guidelines. The Licensee engaged GES for the audit period 1 December 2017 to 30 November 2021 and the engagement process adhered to the requirements of the Audit Guidelines.</p> <p>DOCUMENTS/SYSTEMS: 123, 124</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee and the Auditor complied with the Audit Guidelines and ERA Audit Plan approval process demonstrated this. Outcome Compliance: The Audit and the Audit Report prepared in accordance with the Audit Guideline.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>Output Compliance: Correspondence with the ERA, Licensee and the Auditor verified the compliance with the process.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
123 Type [2]	Licence Condition 4.4.1 - In the manner prescribed, a licensee must notify the ERA, if it is under external administration or if there is a significant change in the circumstances that the licence was granted which may affect the licensee's ability to meet its obligations.			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period AER Retail was not under external administration and there were not significant changes affecting the Licensee's ability to meet its obligations.</p> <p>DOCUMENTS/SYSTEMS: Nil</p>

				<p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee’s control procedures or systems do not specifically reference this requirement. Outcome Compliance: The Licensee was not under external administration, nor did they experience a significant change in the circumstances Output Compliance: There were no specific control processes. Reliant on tacit knowledge of management team. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
124 Type [2]	Licence Condition 4.5.1 - A licensee must provide the ERA, in the manner prescribed, with any information that the ERA requires in connection with its functions under the Electricity Industry Act			<p>COMPLIANCE FINDING: During the audit period the Licensee complied with payment of prescribed fees, however, non-compliance was noted in regards to the dates for the submission of reporting requirements and the failure to include the non-compliance in the subsequent annual compliance report. Compliance could not be determined from the evidence provided of the dates of publishing The Performance Reporting Datasheets to the AER website.</p> <p>DOCUMENTS/SYSTEMS: 46-78, 121</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Process Compliance: The non-compliances occurred because the Control Procedures in relation to the correct collection and handling of data that the Licensee supplies to ERA and/or

			<p>compliance related activities were not adequate to ensure accurate and timely reporting of information to the ERA. This was rectified and ongoing compliance noted.</p> <ul style="list-style-type: none"> ▪ Additionally, the responsible person changed roles without the appropriate transfer of responsibility/authority. ▪ 2018 PAIP developed was not effective in preventing the non-compliance in 2018 reporting year. ▪ Implemented Microsoft Teams To Do and Key Dates List which was regularly monitored. <p>Outcome Compliance: The Licensee had the following provision of information requirements during the audit period;</p> <ul style="list-style-type: none"> ▪ Annual Compliance Report - Compliance Reports due for submission by the 31 August annually were submitted on time, with the exception of the 2018 Report which submitted on 21 September 2018. (Note: Reporting years 2018-2021 within audit scope) ▪ Standing Charges Data – Standing data due for submission by the 30 September annually were submitted on time, with the exception of the 2018 Standing Data which was submitted 17 October 2018 (Note: Reporting years 2018-2021 within audit scope) ▪ Electricity Retail Licence Performance Reporting Datasheets – The Electricity Retail Performance Reporting datasheets due for submission by the 30 September annually were submitted on time, with the exception of the 2018 Performance Reporting year which was submitted on 12/10/2018 (Note: Reporting years 2018-2021 within audit scope) ▪ Non-Compliance Obligations Omitted from the Annual Compliance Report – There were a number of non-compliances omitted from the Annual Compliance Reports as identified in this report (refer Table 1)
PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>Output Compliance: Performance Reports, Annual Compliance reports, emails and communication with the ERA provided assurance of the requirements. The dates of publishing the Performance Reports to the website were not always demonstrated in the evidence provided.</p> <p>Integrity of Reporting: Type 2 obligations not always accurately reported in the compliance reports.</p>
1	B	2	
<p>03/2021 RECOMMENDATION – Develop Control Procedures in relation to the correct collection and handling of data that the Licensee supplies to ERA and/or compliance related activities in order to facilitate accurate and timely reporting of information to the ERA, for example a compliance register would facilitate this process. Incorporate change management processes in the corrective action as detailed in Recommendation 10/2021 (C).</p>			

125 Type [2]	Licence Condition 3.8.1 & 3.8.2 - A licensee must publish any information as directed by the ERA to publish, within the timeframes specified.		<p>COMPLIANCE FINDING: During the Audit Period the Licensee was required to publish the Electricity Retail Licence Performance Reporting Datasheets for the reporting years 2018-2021. Communication for the 2020 Reporting year was sighted and noted to be compliant. The Operations Manager confirmed the datasheets were published as required within the 7 calendar day timeframe as specified by the ERA, however, the process could not be verified by the communication provided.</p> <p>DOCUMENTS/SYSTEMS: AER Retail Website, email correspondence with the ERA, 67,73, 135, 136</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Emails provided confirmed the publishing within the 7 days timeframe for the 2018-2021 performance reports. <ul style="list-style-type: none"> ▪ 2018 Performance Report submitted late but published with the timeframe advised by the ERA. Outcome Compliance: The Operations Manager confirmed 2018 – 2021 reports were published within 7 days.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION – NIL.			
126 Type [2]	Licence Condition 3.7.1 - All notices must be in writing, unless otherwise specified.		<p>COMPLIANCE FINDING: During the Audit Period the Licensee demonstrated evidence of notices and correspondence with ERA in regards to AER Retail’s Retail Licence obligations.</p> <p>DOCUMENTS/SYSTEMS: Refer Appendix 2</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p>

			OBSERVATIONS: Process Compliance: Customer Information and Communication Policy does not specifically refer to this requirement. <ul style="list-style-type: none"> ▪ The use of a CRM to record outgoing communications with the stakeholders was not implemented during the audit period Outcome Compliance: Compliance was noted through review of communication provided. Output Compliance: Emails, correspondence and reports published on websites provided assurance. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
14 CODE OF CONDUCT – LICENCE CONDITIONS AND OBLIGATIONS			
MARKETING			
130 Type [2]	Code of Conduct, clause 2.2(1) - A retailer or electricity marketing agent must ensure that standard form contracts, which are not unsolicited consumer agreements, are entered into according to the manner set out, and the contract is provided as specified, in clause 2.2(1).		COMPLIANCE FINDING: The Operations Manager confirmed that AER Retail did not enter into a Standard Form Contract (SFC) during the audit period. DOCUMENTS/SYSTEMS: 29, 32-33 PERSONNEL INTERVIEWED: Operations Manager OBSERVATIONS: Process Compliance: There were no controls procedures established as SFC not used. Outcome Compliance: Compliance not assessed as did not use SFC Output Compliance: Contracts List all NSC for SUC. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			

131 Type [2]	Code of Conduct, clause 2.2(2) - Subject to subclause 2.2(3), the retailer or electricity marketing agent must give to the customer the specified information in subclause 2.2(2) no later than on, or with, the customer's first bill.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that AER Retail did not enter into a Standard Form Contract (SFC) during the audit period.</p> <p>DOCUMENTS/SYSTEMS: 29, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> There were no controls procedures established for entering into a standard form contract as SFC not used. <u>Outcome Compliance:</u> Compliance not assessed as did not use SFC <u>Output Compliance:</u> Contracts List all NSC for SUC. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION – NIL			
132 Type [2]	Code of Conduct, clause 2.3(1) - A retailer or electricity marketing agent must ensure that non-standard contracts, which are not unsolicited consumer agreements, are entered into according to the manner set out, and the contract is provided as specified, in clause 2.3(1).		<p>COMPLIANCE FINDING: For the duration of the audit period the Licensee when supplying electricity to customers entered into a NSC. AER Retail's control procedures identified the signing of the ESA as the customers' verifiable consent.</p> <p>DOCUMENTS/SYSTEMS: 14, 32-33, 119</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Compliance through the execution of the NSC acceptance process. <ul style="list-style-type: none"> ▪ All NSC's were required to be signed and executed by both parties in order to be processed. ▪ New Customer Checklist specifically referred to the requirement. It was noted completed checklists were not always completed in monitoring customer accounts. </p>

			<p>Outcome Compliance: A review of sample NSC confirmed the process.</p> <p>Output Compliance: The SUC - Non Standard Contract - Offer Document (i.e., Commercial Terms) included acknowledgement that a copy of the NSC (i.e., SUC - Non Standard Contract - Terms & Conditions) was received and understood. Signed NSC would provide assurance of this process.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	<p>PRIORITY</p> <p>4</p>	<p>CONTROLS RATING</p> <p>N/P</p>	<p>COMPLIANCE RATING</p> <p>1</p>
	<p>2021 RECOMMENDATION - NIL</p>		
<p>133 Type [2]</p>	<p>Code of Conduct, clause 2.3(2) - A retailer or electricity marketing agent must ensure that the information specified in subclause 2.3(2) is provided to the customer before entering into a non-standard contract.</p>		<p>COMPLIANCE FINDING: For the duration of the audit period when entering a NSC, the Licensee, did not include a reference to general information on the safe use of electricity in the NSC new contract process. The Licensee used a NSC and confirmation of inclusion of all information as specified in subclause 2.3(2) with the exception of 2.3(2)(j) was noted.</p> <p>DOCUMENTS/SYSTEMS: 14, 32-33, 119</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The NSC contained the information with exception of 2.3(2)(j)</p> <ul style="list-style-type: none"> ▪ The Operations Manager confirmed the customer was given a welcome letter enclosing a copy of the executed contract and advised a start date but this letter and the NSC did not reference safe use of electricity. The Welcome letter was not provided for review. <p>Outcome Compliance: Code of Conduct on AER website and NSC referenced this.</p> <p>Output Compliance: the Licensee's NSC included the required inform for entering into a non-standard contract:</p> <ul style="list-style-type: none"> ▪ details of any right the customer may have to rescind the NSC during a cooling-off period and the charges that may apply if the customer rescinded the NSC – Clause 22.2 and Attachment A

			<ul style="list-style-type: none"> ▪ how to get a copy of the code and details of tariffs, fees and charges and what services the customer expects under the contract and any limitations to that service - Clauses 1, 4, 19 and 21 ▪ scope of the Code of Conduct included in NSC – Clause 2. ▪ Compliance with the Code of Conduct is inferred as stipulated governed by WA state laws and the code is regulated under the laws. Does not expressly state comply – Clause 2 and 26.3 ▪ how AER may assist if the customer was experiencing payment difficulties or financial hardship – Clause 2 and 8.4 ▪ Western Powers telephone number for faults and emergencies – Clause 26.9 ▪ How to make a complaint – Clause 21 <p>Integrity of Reporting: Type 2 obligation was not accurately reported in the compliance reports 2018-2021.</p> <ul style="list-style-type: none"> ➢ Failure to provide information in relation to the general information on the safe use of electricity was not included in the 2018-2021 Annual Compliance reports.
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2
<p>04/2021 RECOMMENDATION – Amend the Welcome Letter, NSC control procedure and other relevant documentation to reference the obligation and refer customers to Western Power Website for information. A reference to the information on the company’s website by creating a link to Western Power’s site.</p>			
135 Type [2]	<p>Subject to subclause 2.3(5), a retailer or electricity marketing agent must obtain the customer’s verifiable consent that the specified information in subclause 2.3(2) and 2.3(4), as applicable, has been provided.</p>		<p>COMPLIANCE FINDING: For the duration of the audit period, the Licensee entered into a NSC for SUC, and a signed NSC was considered verifiable consent for Terms and Conditions (many of which were to ensure compliance with the code of conduct). Specific, confirmation of compliance with 2.3(2) was noted</p> <p>DOCUMENTS/SYSTEMS: 14, 32-34, 119</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The control procedure specifically addressed these requirements.</p> <ul style="list-style-type: none"> ▪ It was noted that Clause 2.3(4) was not applicable to the Licensee.

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>Outcome Compliance: All NSC were signed and New Customer Checklist monitored requirements.</p> <p>Output Compliance: Signed NSC provided assurance of obligation.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
137 Type [2]	Code of Conduct, clause 2.4(2) - A retailer or electricity marketing agent must provide contact details, including a telephone number, to a customer and ensure that the customer is able to contact the retailer or electricity.			<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period, AER provided contact details, including a telephone number, to customers and ensured that the customer was able to contact the retailer or electricity</p> <p>DOCUMENTS/SYSTEMS: 4, 14, 119</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>Process Compliance: The Marketing Policy specifically referred to the requirement.</p> <ul style="list-style-type: none"> ▪ It was understood the non-compliance detailed in obligation 139 was in relation to a follow up meeting <p>Outcome Compliance: Customers were provided with requirements.</p> <p>Output Compliance: A marketing policy was developed and required the AER employees to comply with the requirements. No formal checklist was established to verify compliance and compliance was reliant on the tacit knowledge of the employee.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports and as a non-compliance in the 2020 report.</p>
2021 RECOMMENDATION – NIL				
138 Type [2]	Code of Conduct, clause 2.5(1) - A retailer or electricity marketing agent must, on request, provide a customer with the information specified in subclause 2.5(1).			<p>COMPLIANCE FINDING: With respect to contact for the purposes of marketing, the Operations Manager confirmed during the audit period no requests were made by customers for information specified in subclause 2.5(1) (a) and (b). It was noted that this information was provided within</p>

			<p>the Complaints Resolution factsheet, and subclause 2.5(1) (c) is referenced on the BDMs Business Cards and/or ID Card.</p> <p>DOCUMENTS/SYSTEMS: 4, 8, 16, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Marketing Policy specifically referred to the requirement. <ul style="list-style-type: none"> ▪ The Licensee had developed a complaints resolution factsheet to provide to the customer. ▪ Requirement not included in the Potential Customers Policy or the Customer Quotation Sheet. ▪ Process for information to be communicated with customers under new contract but not prospective customers. Outcome Compliance: There were no specific requests for the information and the Licensee provided the information as part of company information pack. Output Compliance: A marketing policy was developed and required the AER employees to comply with the requirements. No formal checklist was established to verify compliance and compliance was reliant on the tacit knowledge of the employee. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports </p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
139** Type [2]	<p>Code Of Conduct, Clause 2.5(2) - A retailer or electricity marketing agent who meets with a customer face to face must:</p> <ul style="list-style-type: none"> • wear a clearly visible and legible identity card showing the information specified in subclause 2.5(2)(a); and • provide the written information specified in subclause 2.5(2)(b) as soon as practicable following a request by the customer. 		<p>COMPLIANCE FINDING: In relation to contact for the purposes of marketing, the Operations Manager confirmed control procedures and training was provided to all AER employees, however the Licensee reported in the 2020 Annual Compliance Report that an AER Representative had failed to bring his identity card to a follow up meeting. It was understood no requests were made for information specified in subclause 2.5(2)(b), however all of this information (subclause 2.5(b)(i) – (vi) was also made available on their business cards which were routinely left with any customers with whom they meet face to face.</p> <p>DOCUMENTS/SYSTEMS: 4, 14, 119</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Marketing Policy specifically referred to the requirement. <ul style="list-style-type: none"> In response to the non-compliance reported in the 2020 Compliance Report AER reaffirmed the requirements with personnel. [REDACTED] Outcome Compliance: The Licensee did not meet the requirements on the code on 1 occasion during the audit period. Output Compliance: A marketing policy was developed and required the AER employees to comply with the requirements. No formal checklist was established to verify compliance and compliance was reliant on the tacit knowledge of the employee. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports and as a non-compliance in the 2020 report.</p>
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2
05/2021 RECOMMENDATION – Develop a Marketing Compliance process or other such appropriate control process to verify compliance.			
140 Type [2]	Code Of Conduct, Clause 2.6 - A retailer or electricity marketing agent who visits a person's premises for the purposes of marketing must comply with any clearly visible signs indicating that canvassing is not permitted at the premises, or no advertising is to be left at the premises.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, AER adhered to any requirements restricting canvassing or advertising signs. Further, all BDMs were made aware of their obligations and were compliant with any clearly visible signs indicating that canvassing is not permitted at the premises, or no advertising is to be left at the premises.</p> <p>DOCUMENTS/SYSTEMS: 4, 8, 16, 32-34, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Marketing Policy referred to the requirements relating to no canvassing or advertising signs. <ul style="list-style-type: none"> AER did not engage marketing agents. Outcome Compliance: No complaints were made in regards to this obligation.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING

	4	N/P	1	<p>Output Compliance: Control procedures established, training and complaints register established.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
141 Type [2]	Code Of Conduct, Clause 2.9 - An electricity marketing agent must keep a record of complaints from customers or persons who are contacted by, or on behalf of, the electricity marketing agent for the purposes of marketing; and provide the electricity ombudsman with all of the information that it has relating to a complaint, within 28 days of receiving a request for that information.			<p>COMPLIANCE FINDING: The Operations Manager confirmed that there were no marketing agents engaged and as such no electricity marketing agent complaints during the audit period.</p> <p>DOCUMENTS/SYSTEMS: 4, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: AER did not engage marketing agents.</p> <ul style="list-style-type: none"> ▪ No complaints and no request for information from the Ombudsman were made in regards to this marketing agents during the audit period. <p>Outcome Compliance: The Complaints Register recorded the required information.</p> <p>Output Compliance: Complaint's register established and no use of marketing agents.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2021 RECOMMENDATION - NIL				
142 Type [2]	Code Of Conduct, Clause 2.10 - An electricity marketing agent must keep a record, or other information, required under the Code for at least 2 years after the last time that a customer or person was contacted by, or on behalf of, the electricity marketing agent, or after receipt of the last contact from, or on behalf of, the electricity marketing agent, whichever is later			<p>COMPLIANCE FINDING: The Operations Manager confirmed that there were no marketing agents engaged during the audit period and as such no records to be kept.</p> <p>DOCUMENTS/SYSTEMS: 4, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: AER did not engage marketing agents.</p>

				<ul style="list-style-type: none"> No complaints and no request for information from the Ombudsman were made in regards to this marketing agents during the audit period. <p>Outcome Compliance: The Complaints Register recorded the required information.</p> <p>Output Compliance: Complaint’s register established and no use of marketing agents.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
CONNECTION				
143 Type [2]	Code Of Conduct, Clause 3.1(1) - If a retailer agrees to sell electricity to a customer or arrange for the connection of the customer’s supply address, the retailer must forward the customer’s request for the connection to the relevant distributor.			<p>COMPLIANCE FINDING: During the audit period the Licensee confirmed AER adhered to the obligation to forward connection application. Once executed the NSC the SUC’s request was forwarded to Western Power via the Web Portal.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 22, 29, 32-33, 117</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The control procedures did not specifically refer to the obligations as the NSC provided for otherwise agreement.</p> <ul style="list-style-type: none"> Compliance with this requirement was evident on the Web Portal. The NSC specified supply date and CTR were arranged within this timeframe. Delays outside the control of the Licensee were provide for. <p>Outcome Compliance: NSC were executed and CTR undertaken in accordance with the requirements.</p> <p>Output Compliance: Customer Contracts List, Web Portal, email communication with Western Power, the licensee and the customer and executed contracts provided assurance of this process.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			

144 Type [2]	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 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>COMPLIANCE FINDING: During the audit period the Licensee confirmed AER adhered to the obligation to forward connection application. Once executed the NSC the SUC's request was forwarded to Western Power via the Web Portal in line with the requirements specified in the Commercial Terms.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 22, 29, 32-33, 117</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The control procedures did not specifically refer to the obligations as the NSC provided for otherwise agreement. <ul style="list-style-type: none"> ▪ Compliance with this requirement was evident on the Web Portal. ▪ The NSC specified supply date and CTR were arranged within this timeframe. Delays outside the control of the Licensee were provide for. Outcome Compliance: NSC were executed and CTR undertaken in accordance with the requirements.</p> <p>Output Compliance: Customer Contracts List, Web Portal, email communication with Western Power, the licensee and the customer and executed contracts provided assurance of this process.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
BILLING			
145 Type [2]	Code Of Conduct, Clause 4.1 - A retailer must issue a bill no more than once a month and at least once every 3 months, except for the circumstances specified in subclause 4.1.		<p>COMPLIANCE FINDING: AER Retail's billing procedures ensured, bills were issued once a month and no more frequently.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-33, 125, 126</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy specifically referenced the requirement.</p> <ul style="list-style-type: none"> ▪ The Licensee's NSC for duration of the audit period noted in general the Billing Cycle once a month unless changed. ▪ Changes to billing cycle were permitted under the Code of Conduct with the agreement of the Licensee and the Customer. Provision for this was made within the NSC. ▪ There was no adjustment of the reference to the billing cycle during the audit period ▪ The Billing Administrator used a pre-billing checklist in the preparation of all bills. ▪ Billing delays were noted in the sample of SUC Bills reviewed but did not exceed 3 months. <p>Outcome Compliance: SUC Customer bills were issued monthly.</p> <p>Output Compliance: Billing process and customer bills.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
146 Type [2]	Code Of Conduct, Clause 4.2(1) - For the purposes of subclause 4.1(a)(ii), a retailer has given a customer notice if, prior to placing a customer on a shortened billing cycle, the retailer advises the customer of the information specified in subclause 4.2(1).		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no customers on a shortened billing cycle. There were no residential customers.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Licensee's NSC for duration of the audit period noted in general the Billing Cycle once a month unless changed.</p> <ul style="list-style-type: none"> ▪ Changes to billing cycle were permitted under the Code of Conduct with the agreement of the Licensee and the Customer. Provision for this was made within the NSC.

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<ul style="list-style-type: none"> There was no adjustment to the billing cycle during the audit period for SUC. <p>Outcome Compliance: SUC Customer bills were issued monthly. Output Compliance: Billing process and customer bills. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
148 Type [2]	Code Of Conduct, Clause 4.2(3) - A retailer must give a customer written notice of a decision to shorten the customer's billing cycle within 10 business days of making the decision.			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no customers on a shortened billing cycle.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy and the NSC did not incorporate the requirement for written notice or 10 business day rule.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Outcome Compliance: SUC Customer bills were issued monthly. No shortened cycles. Output Compliance: Billing process and customer bills. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
149 Type [2]	Code Of Conduct, Clause 4.2(4) - A retailer must ensure that a shortened billing cycle is for a period of at least 10 business days.			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no customers on a shortened billing cycle.</p> <p>DOCUMENTS/SYSTEMS: 1, 5</p>

				<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Billing Policy and the NSC did not incorporate the requirement for minimum 10 day billing cycle.</p> <p>Outcome Compliance: SUC Customer bills were issued monthly. No shortened cycles.</p> <p>Output Compliance: Billing process and customer bills.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
150 Type [2]	Code Of Conduct, Clause 4.2(5) - On request, a retailer must return a customer who is subject to a shortened billing cycle to the billing cycle that previously applied if the customer has paid 3 consecutive bills by the due date.			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no customers on a shortened billing cycle or returned to previous billing cycle..</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Billing Policy and the NSC did not incorporate the requirement for minimum 10 day billing cycle.</p> <p>Outcome Compliance: SUC Customer bills were issued monthly. No shortened cycles.</p> <p>Output Compliance: Billing process and customer bills.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
151	Code Of Conduct, Clause 4.2(6) - A retailer must inform a customer, who is subject to a shortened billing cycle, at least			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no customers subjected to shortened billing cycle.</p>

Type [2]	every 3 months about the conditions upon which the customer can be returned to the previous billing cycle.		<p>DOCUMENTS/SYSTEMS: 1, 5, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The Billing Policy and the NSC did not incorporate the requirement for to inform customer how to return to normal billing cycle. <u>Outcome Compliance:</u> SUC Customer bills were issued monthly. No shortened cycles. <u>Output Compliance:</u> Billing process and customer bills. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	
2021 RECOMMENDATION - NIL			
152 Type [2]	Code Of Conduct, Clause 4.3(1) - Notwithstanding clause 4.1, on receipt of a request by a customer, a retailer may provide the customer with a bill that reflects a bill-smoothing arrangement with respect to any 12-month period.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, there were no SUC customers on a bill smoothing arrangement.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The Billing Policy detailed the requirements for bill smoothing. <ul style="list-style-type: none"> ▪ the NSC did not incorporate bill smoothing. ▪ Some customers did pay a regular amount but this was not a smoothing arrangement. <u>Outcome Compliance:</u> SUC Customer bills were issued monthly. No bill smoothing was undertaken by Licensee. <u>Output Compliance:</u> Billing process and customer bills. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	

	2021 RECOMMENDATION - NIL			
153 Type [2]	Code Of Conduct, Clause 4.3(2) - If a retailer provides a customer with a bill under a bill-smoothing arrangement, the retailer must ensure that the conditions specified in subclause 4.3(2) are met.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, there were no SUC customers on a bill smoothing arrangement.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy detailed the requirements for bill smoothing including the conditions specified in subclause 4.3(2). <ul style="list-style-type: none"> ▪ the NSC did not incorporate bill smoothing. ▪ Some customers did pay a regular amount but this was not a smoothing arrangement. Outcome Compliance: SUC Customer bills were issued monthly. No bill smoothing was undertaken by Licensee. Output Compliance: Billing process and customer bills. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>	
	PRIORITY 4	CONTROLS RATING N/P		COMPLIANCE RATING N/R
	2021 RECOMMENDATION - NIL			
154 Type [2]	Code Of Conduct, Clause 4.4 - A retailer must issue a bill to a customer at the customer's supply address, unless the customer has nominated another address or an electronic address.		<p>COMPLIANCE FINDING: In relation to how bills were issued, the Operations Manager confirmed that during the audit period, bills were sent to the nominated electronic address, or other nominated address if required as defined by the NSC.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p>	

				<p>Process Compliance: Billing details as specified in the NSC</p> <ul style="list-style-type: none"> SUC - Non Standard Contract - Offer Document records contractual contact details. Provision of email permits electronic communication. Bills were generally emailed. Billing Policy did not reference the obligations. <p>Outcome Compliance: Executed NSC specified the contractual contact details.</p> <p>Output Compliance: NSC included the contractual contact details and customer bills</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			
155 Type [2]	Code Of Conduct, Clause 4.5(1) - A retailer must include the minimum prescribed information in subclause 4.5(1) on a customer's bill, unless the customer agrees otherwise.			<p>COMPLIANCE FINDING: In reference to the particulars on each bill, sample bills applicable to the audit period were reviewed, compliance with the relevant minimum prescribed information was evident. It was noted that subclauses 4.5(1)(b),(c),(j),(k) and (bb) were not applicable to the licensee as they did not have any customers with the meter type 7 specified and they did not have any residential customers.</p> <p>However, non-compliances was noted in relation to subclauses (h), (i) and (r) see below:</p> <p>(h) <i>the applicable tariffs</i>; - the applicable tariffs were not correctly referenced on a bill where 2 different tariff applied during the invoicing period due to resign of NSC and change in tariffs (Refer document 101 in Appendix 2).</p> <p>(i) <i>the amount of any other fees or charges and details of the service provided</i> - as an invoice where two different billing rates applied, one under the previous fixed term NSC and one under the resigned NSC, specified the amount on the invoice for the variation as a credit card charge. It was noted the customer email communication clearly specified the charges and the calculations however the variation was not reflected on the bill as required (Refer document 101 Appendix 2).</p> <p>(r) <i>a summary of the payment methods</i> – the customer bills do not reflect the payment by credit card or phone. Communications were noted in relation to the payment of bills via the credit card.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, AER Website, 1, 5, 32-33, 100, 101</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Bill templates and billing processes have been developed and implemented to ensure compliance.</p> <ul style="list-style-type: none"> ▪ The Licensee engaged the support of a Billing Contractor and third party services engaged to ensure bills were accurately prepared ▪ The reference to “more payment options coming soon” was applicable to the audit period. ▪ The Annual Performance reports indicated that there were 1-2 customers on an instalment plan at any one time during the audit period. ▪ No control processes relating to internal monitoring or audits of retail licence obligations were established. ▪ <p>Outcome Compliance: SUC Customer Bills sampled met most of the requirements.</p> <p>Output Compliance: The SUC customer bills provided a means to assess assurance with the requirements.</p> <p>Integrity of Reporting: Type 2 obligation not accurately reported in the compliance reports for the 2018-2021 reporting years.</p>
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2
06/2021 RECOMMENDATION – Review the billing process and ensure the particulars required on bills are included.			
156 Type [2]	Code Of Conduct, Clause 4.5(3) - If a retailer identifies and wishes to bill a customer for a historical debt, the retailer must advise the customer of the amount of the historical debt and its basis, before, with, or on the customer’s next bill.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, there were no historical debts identified or billed.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p>

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Process Compliance: The Billing Policy specifically included the requirement.</p> <p>Outcome Compliance: SUC Customer Bills sampled met the requirements.</p> <p>Output Compliance: The SUC customer bills provided assurance with the requirements.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
157 Type [2]	<p>Code Of Conduct, Clause 4.6 - Subject to clauses 4.3 and 4.8, 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 the meter at the customer's supply address; • 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>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, the bills were based on the Western Power's reading and there were no customers reading meters or Type 7 connection points.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 29, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Billing Policy specifically included the requirement.</p> <ul style="list-style-type: none"> ▪ Billing Cycle Processing-WP-Data-Process developed for downloading and storing Western power meter data ready for Monthly Billing ▪ The Licensee engaged the support of a Billing Contractor and has third party services engaged to ensure bills were accurately prepared <p>Outcome Compliance: SUC Customer Bills sampled met the requirements.</p> <p>Output Compliance: The SUC customer bills, billing spreadsheets and Western Power data files provided assurance with the requirements.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Process Compliance: The Billing Policy specifically included the requirement.</p> <p>Outcome Compliance: SUC Customer Bills sampled met the requirements.</p> <p>Output Compliance: The SUC customer bills, billing spreadsheets and Western Power data files provided assurance with the requirements.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				

158 Type [NR]	Code Of Conduct, Clause 4.7 - Other than in respect of a Type 7 connection, a retailer must use its best endeavours to ensure that the meter reading data is obtained as frequently as required to prepare its bills.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, Western Power was responsible for issuing AER Retail with daily “Meter Data Notifications” via the Web Portal. There were no instances of failure to provide meter data (estimated or actual) for invoicing purposes.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The Billing Policy specifically referred to the obligations. <ul style="list-style-type: none"> ▪ The Billing Administrator indicated that SUC were not prepared until actual data was available. Minimal delays to bill preparation were encountered as result. </p> <p><u>Outcome Compliance:</u> Review of SUC bills reflected use of actual meter data.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			<p><u>Output Compliance:</u> The monthly Pre-Billing Checklist was used to record checklist of activities prior to the Billing period. SUC Bills provided assurance to the process.</p> <p><u>Integrity of Reporting:</u> Type NR obligation not required to be reported in the compliance reports</p>
159 Type [2]	Code Of Conduct, Clause 4.8(1) - If a retailer is unable to reasonably base a bill on a reading of the meter, a retailer must give the customer an estimated bill.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER Retail did not issue estimated bills and only used actual meter data to prepare the bills.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Billing Administrator confirmed bill issue was delayed if actual meter data was not available.</p> <p><u>Outcome Compliance:</u> Monthly SUC bills were prepared based on actual data.</p>

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Output Compliance: Estimated data was highlighted in the meter data process and resolved prior to the preparation of bills. The monthly Pre-Billing Checklist was used to record checklist of activities prior to the Billing period. SUC Bills provided assurance to the process.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
160 Type [2]	Code Of Conduct, Clause 4.8(2) - In circumstances where a customer's bill is estimated, a retailer must clearly specify on the customer's bill the information required under subclause 4.8(2).			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER Retail did not issue estimated bills and only used actual meter data to prepare the bills</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Billing Administrator confirmed bill issue was delayed if actual meter data was not available. Outcome Compliance: Monthly SUC bills were prepared based on actual data. Output Compliance: Estimated data was highlighted in the meter data process and resolved prior to the preparation of bills. The monthly Pre-Billing Checklist was used to record checklist of activities prior to the Billing period. SUC Bills provided assurance to the process.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
2021 RECOMMENDATION – NIL				
161 Type [2]	Code Of Conduct, Clause 4.8(3) - On request, a retailer must inform a customer of the basis and the reason for the estimation. ⁸ ⁸ Refer to clause 4.8(4) of the code for a definition of an estimated bill in situations where the meter reading is partly based on estimated data (including interval meters).			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER Retail received as no estimated bills were issued no requests by customers for information regarding the basis and reason for an estimation.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p>

				<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Billing Administrator confirmed bill issue was delayed if actual meter data was not available. <u>Outcome Compliance:</u> Monthly SUC bills were prepared based on actual data. <u>Output Compliance:</u> Estimated data was highlighted in the meter data process and resolved prior to the preparation of bills. The monthly Pre-Billing Checklist was used to record checklist of activities prior to the Billing period. SUC Bills provided assurance to the process. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2021 RECOMMENDATION - NIL				
162 Type [2]	Code Of Conduct, Clause 4.9 - In accordance with clause 4.19, if a retailer gives a customer an estimated bill and the meter is subsequently read, the retailer must include an adjustment on the next bill to take account of the actual meter reading.			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER Retail received as no estimated bills were issued as such no adjustments were undertaken.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Billing Administrator confirmed bill issue was delayed if actual meter data was not available. <u>Outcome Compliance:</u> Monthly SUC bills were prepared based on actual data. No adjustments were noted in the sample. <u>Output Compliance:</u> Estimated data was highlighted in the meter data process and resolved prior to the preparation of bills. The monthly Pre-Billing Checklist was used to record checklist of activities prior to the Billing period. SUC Bills provided assurance to the process. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	

	2021 RECOMMENDATION - NIL		
163 Type [NR]	Code Of Conduct, Clause 4.10 - If a customer satisfies the requirements specified in subclause 4.10, a retailer must use its best endeavours to replace an estimated bill with a bill based on an actual reading.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER Retail received as no estimated bills were issued no requests by customers for meter readings were made.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Billing Administrator confirmed meter tests were not undertaken during the audit period. <ul style="list-style-type: none"> The Billing Policy specified the obligations. Outcome Compliance: Monthly SUC bills were prepared based on actual data. No meter tests were requested.</p> <p>Output Compliance: Estimated data was highlighted in the meter data process and resolved prior to the preparation of bills..</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
	2021 RECOMMENDATION - NIL		
164 Type [2]	Code Of Conduct, Clause 4.11(1) - If a customer requests the meter to be tested and pays a retailer’s reasonable charge (if any) for doing so, a retailer must request the distributor or metering agent to do so.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, there were no meter investigations (i.e meter tests) requested by SUC.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Billing Administrator confirmed meter tests were not undertaken during the audit period. <ul style="list-style-type: none"> The Billing Policy specified the obligations. <u>Outcome Compliance:</u> Monthly SUC bills were prepared based on actual data. No meter tests were requested. <u>Output Compliance:</u> Estimated data was highlighted in the meter data process and resolved prior to the preparation of bills. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
165 Type [2]	Code Of Conduct, Clause 4.11(2) - If the meter is tested and found to be defective, the retailer's reasonable charge for testing the meter (if any) is to be refunded to the customer.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, there were no meter investigations (i.e meter tests) requested by SUC.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Billing Administrator confirmed meter tests were not undertaken during the audit period. <ul style="list-style-type: none"> The Billing Policy specified the obligations. </p>

				<p>Outcome Compliance: Monthly SUC bills were prepared based on actual data. No meter tests were requested.</p> <p>Output Compliance: Estimated data was highlighted in the meter data process and resolved prior to the preparation of bills.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
168 Type [NR]	Code Of Conduct, Clause 4.14(1) - If a customer requests a retailer to issue a final bill at the customer's supply address, a retailer must use reasonable endeavours to arrange for that final bill in accordance with the customer's request.			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER Retail used reasonable endeavours to arrange for final bills in accordance with customer's requests.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 24, 32-33, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Compliance with this requirement is detailed in the Billing Policy</p> <ul style="list-style-type: none"> ▪ There were no customer complaints raised during the audit period. <p>Outcome Compliance: Monthly SUC bills did not reflect alternative tariffs as SUC NSC are fixed price and fixed term</p> <p>Output Compliance: Estimated data was highlighted in the meter data process and resolved prior to the preparation of bills.</p> <p>Integrity of Reporting: Type NR not required to be reported in the compliance report</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			
169 Type [2]	Code Of Conduct, Clause 4.14(2) - Subject to subclause 4.14(3), if a customer's account is in credit at the time of account closure, a retailer must, in accordance with the customer's instructions,			<p>COMPLIANCE FINDING: The Billing Administrator confirmed during the audit period there were no customers who had an account in credit at the time of closure.</p>

	transfer the amount of credit to another account that the customer has with the retailer or a bank account nominated by the customer, within 12 business days or other agreed time.			<p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: All final bills were handled in accordance with the Billing Policy</p> <ul style="list-style-type: none"> ▪ The Billing Policy referred to the 12-business day rule for refund. ▪ Bills were prepaid for the period of supply and such were not in credit. <p>Outcome Compliance: Final bills confirmed the process.</p> <p>Output Compliance: Billing Administrator supported the</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2021 RECOMMENDATION - NIL				
170 Type [2]	Code Of Conduct, Clause 4.14(3) - If a customer's account is in credit at the time of account closure and the customer owes a debt to a retailer, the retailer may use that credit to offset the debt owed to the retailer by giving the customer written notice. If any amount remains after the set off, the retailer must ask the customer for instructions to transfer the remaining amount in accordance with subclause 4.14(2).			<p>COMPLIANCE FINDING: The Billing Administrator confirmed during the audit period there were no customers who had an account in credit and owed a debt to AER at the time of closure.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: All final bills were handled in accordance with the Billing Policy</p> <ul style="list-style-type: none"> ▪ Bills were prepaid for the period of supply, and such were not in credit. <p>Outcome Compliance: Final bills confirmed the process.</p> <p>Output Compliance: Billing Administrator supported the</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2021 RECOMMENDATION - NIL				

171 Type [2]	Code Of Conduct, Clause 4.15 - retailer must review a customer's bill on request by the customer, subject to the customer paying: <ul style="list-style-type: none"> that portion of the bill under review that the customer and a retailer agree is not in dispute; or an amount equal to the average amount of the customer's bill over the previous 12 months (excluding the bill in dispute) and any future bills that are properly due. 		<p>COMPLIANCE FINDING: The Billing Administrator confirmed there were no instances during the audit period where the customer requested a review of an invoice.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Any bill review would be handled in accordance with the Billing Policy</p> <ul style="list-style-type: none"> Regular communication with customers. In general email records demonstrated efficient response times where customer contact was initiated. Customer bill reviews requested related to LUC not SUC. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power. Confirmed no bill review by Billing Administrator.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
172 Type [2]	Code Of Conduct, Clause 4.16(1)(A) - 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>COMPLIANCE FINDING: The Billing Administrator confirmed there were no instances during the audit period where the customer requested a review of an invoice and as such procedures applicable following the review of a bill were not required.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p>

			<p>OBSERVATIONS: Process Compliance: The Billing Policy specifically referred to the requirement to advise the customer may request a meter tests and the existence of the complaints handling processes.</p> <ul style="list-style-type: none"> ▪ In general email records demonstrated efficient response times where customer contact was initiated. ▪ Customer bill reviews requested related to LUC not SUC. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION – NIL			
173 Type [2]	Code Of Conduct, Clause 4.16(1)(B) - If a retailer has reviewed a customer's bill and is satisfied that the bill is incorrect, the retailer must adjust the bill in accordance with clauses 4.17 and 4.18.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed there were no instances during the audit period where the customer requested a review of an invoice and as such procedures applicable following the review of a bill were not required.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Bill reviews were handled in accordance with the Billing Policy and the Pre-Billing Checklist.</p> <ul style="list-style-type: none"> ▪ No SUC bills were reviewed and found to be incorrect. ▪ The Billing Policy contained procedures for adjusting bills if required. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R

	2021 RECOMMENDATION - NIL		
174 Type [2]	Code Of Conduct, Clause 4.16(2) - A retailer must inform a customer of the outcome of the review of a bill as soon as practicable.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed there were no instances during the audit period where the customer requested a review of an invoice and as such procedures applicable following the review of a bill were not required.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Bill reviews were handled in accordance with the Billing Policy and the Pre-Billing Checklist.</p> <ul style="list-style-type: none"> ▪ No SUC bills were reviewed and found to be incorrect. ▪ The Billing Policy contained procedures for informing customer of the outcome of the bill review as soon as practicable. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
	2021 RECOMMENDATION - NIL		
175 Type [2]	Code Of Conduct, Clause 4.16(3) - If a retailer has not informed a customer of the outcome of the review of a bill within 20 business days from the date of receipt of the request for review, the retailer must provide the customer with notification of the status of the review as soon as practicable.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed there were no instances during the audit period where the customer requested a review of an invoice. As such no customers were informed of a bill review result in excess of the 20 business days from date of receipt of the request for the review.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Bill reviews were handled in accordance with the Billing Policy and the Pre-Billing Checklist.</p> <ul style="list-style-type: none"> ▪ No SUC bills were reviewed and found to be incorrect. ▪ The Billing Policy contained procedures for informing customer of bill review within 20 business days. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
176 Type [2]	Code Of Conduct, Clause 4.17(2) - If a retailer proposes to recover an amount undercharged as a result of an error, defect, or default for which the retailer or distributor is responsible (including where a meter has been found to be defective), a retailer must do so in the manner specified. ⁹ ⁹ Manner specified in subclause 4.17(2).		<p>COMPLIANCE FINDING: The Billing Administrator confirmed there were no instances during the audit period where AER recovered an undercharged amount in relation to a bill review or otherwise.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Billing Policy contained procedures for adjusting bills as a result of an undercharge</p> <ul style="list-style-type: none"> ▪ No examples of SUC were identified. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING

	4	N/P	N/R	Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.
2021 RECOMMENDATION - NIL				
177 Type [NR]	Code Of Conduct, Clause 4.18(2) - If a customer (including a customer who has vacated the supply address) has been overcharged as a result of an error, defect, or default for which a retailer or distributor is responsible (including where a meter has been found to be defective), the retailer must: <ul style="list-style-type: none"> • use its best endeavours to inform the customer within 10 business days of the retailer becoming aware of the error, defect, or default; and • subject to subclauses 4.18(6) and 4.18(7), ask the customer for instructions for the credit or repayment of the amount. 			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, there were no instances where a customer (including a customer who has vacated the supply address) was overcharged as a result of an error, defect, or default for which a retailer or distributor is responsible (including where a meter has been found to be defective).</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy contained procedures for adjusting bills as a result of an overcharge <ul style="list-style-type: none"> ▪ No examples of SUC were identified. Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2021 RECOMMENDATION - NIL				
178 Type [2]	Code Of Conduct, Clause 4.18(3) - A retailer must pay the amount overcharged in accordance with the customer's instructions within 12 business days of receiving the instructions.			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, there were no instances where a customer (including a customer who has vacated the supply address) was overcharged and required payment within 12 business days.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p>

			<p>OBSERVATIONS: Process Compliance: The Billing Policy contained procedures for paying overcharged amounts within 12 business days.</p> <ul style="list-style-type: none"> No examples of SUC were identified. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			
179 Type [NR]	Code Of Conduct, Clause 4.18(4) - If instructions regarding repayment of an overcharged bill are not received within 5 business days of a retailer making the request, a retailer must use reasonable endeavours to credit the amount overcharged to a customer's account.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, there were no instances where a customer (including a customer who has vacated the supply address) was overcharged and AER did not receive instructions under subclause (2) within 5 business days of making the request.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy contained procedures for paying overcharged amounts including the obligation to within 5 business days if instructions were not received as requested.</p> <ul style="list-style-type: none"> No examples of SUC were identified. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			

180 Type [NR]	Code Of Conduct, Clause 4.18(6) - There the amount overcharged is less than \$100, a retailer may proceed to deal with the matter as outlined in subclause 4.18(6).		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, there were no instances where a customer was overcharged.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The Billing Policy contained procedures for paying overcharged amounts including the obligation to within notify the customer of the overcharge if less than \$100 (Billing Policy referenced less than \$75). <ul style="list-style-type: none"> ▪ No examples of SUC were identified. <u>Outcome Compliance:</u> Customer bills and adjustments, email communications demonstrated assurance.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	5	N/P	N/R
2021 RECOMMENDATION - NIL			
181 Type [NR]	Code Of Conduct, Clause 4.18(7) - A retailer may, by giving the customer written notice, use an amount overcharged to set off a debt owed to the retailer, provided that the customer is not a residential customer experiencing payment difficulties or financial hardship. If, after the set off, there remains an amount of credit, the retailer must deal with the amount of credit in accordance with subclauses 4.18(2) or 4.18(6), as applicable.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, bill reviews were handled in accordance with the Billing Policy. No examples of overcharge used to set off debt were identified in relation to SUC.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p>

			<p>Process Compliance: The Billing Policy contained procedures for paying overcharged amounts including the obligation provide written notice of the intent to offset debt.</p> <ul style="list-style-type: none"> ▪ No examples of SUC were identified. ▪ AER did not supply to residential customers. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			
182 Type [2]	Code Of Conduct, Clause 4.19(1) - If a retailer proposes to recover an amount of an adjustment which does not arise due to any act or omission of a customer, the retailer must comply with the requirements specified in subclause 4.19(1).		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, no bill adjustments were required in relation to SUC.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Billing Policy contained procedures for bill adjustments and included the requirements of subclause (1) (a-c).</p> <ul style="list-style-type: none"> ▪ No examples of SUC were identified. ▪ AER did not supply to residential customers. <p>Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			

183 Type [NR]	Code Of Conduct, Clause 4.19(2) - If the meter is read under either clause 4.6 or clause 4.3(2)(d), and the amount of the adjustment is an amount owing to the customer, the retailer must: <ul style="list-style-type: none"> • use its best endeavours to inform the customer within 10 business days; and • subject to subclauses 4.19(5) and 4.19(7), ask the customer for instructions about the repayment of the amount. 		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, bill adjustments were handled in accordance with the Billing Policy. No bill reviews were related to SUC. No instances occurred where meter read examples resulted in adjustments for SUC being required.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy contained procedures for meter reads and bill adjustments and included the requirements for bill smoothing, basis of bills and estimations. <ul style="list-style-type: none"> ▪ No examples of SUC were identified. ▪ AER did not undertake bill smoothing. ▪ AER did not use estimated meter data. </p> <p>Outcome Compliance: Meter reads in audit period were not related to SUC and did not result in adjustments to the customer.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power. (Original bills provided assurance in the instances of meter reads and subsequent adjustments).</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	5	N/P	N/R
2021 RECOMMENDATION - NIL			
184 Type [2]	Code Of Conduct, Clause 4.19(3) - If a retailer receives instructions under subclause 4.19(2), the retailer must pay the amount in accordance with the customer's instructions within 12 business days of receiving the instructions.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, bill adjustments were handled in accordance with the Billing Policy. As no payments were required, there was no requirement for compliance with 12 business days.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy contained procedures for bill adjustments and payments within 12 business days. <ul style="list-style-type: none"> ▪ No examples of SUC were identified. Outcome Compliance: Meter reads in audit period were not related to SUC and did not result in adjustments to the customer.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
	2021 RECOMMENDATION - NIL		
185 Type [NR]	Code Of Conduct, Clause 4.19(4) - If a retailer does not receive instructions under subclause 4.19(2), within 5 business days of making the request, the retailer must use reasonable endeavours to credit the amount of the adjustment to the customer's account.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, bill reviews were handled in accordance with the Billing Policy. As no payments were required, there was no requirement for compliance with 5 business days.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy contained procedures for bill adjustments and payment or credit within 5 business days. <ul style="list-style-type: none"> ▪ No examples of SUC were identified. Outcome Compliance: Meter reads in audit period were not related to SUC and did not result in adjustments to the customer.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
			<p>Output Compliance: Sample bills reviewed. Communications with Western Power. (Original bills provided assurance in the instances of meter reads and subsequent adjustments).</p>

	5	N/P	N/R	Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports
2021 RECOMMENDATION - NIL				
186 Type [NR]	Code Of Conduct, Clause 4.19(7) - A retailer may, after notifying the customer in writing, use an amount of an adjustment to set off that customer's debt owed to the retailer, provided that the customer is not a residential customer in payment difficulties or financial hardship. If, after the set off, there remains an amount of credit, the retailer must deal with that amount in accordance with subclause 4.19(2) or, if the amount is less than \$100, subclause 4.19(5).			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, bill reviews were handled in accordance with the Billing Policy. As no payments required, there was no requirement for compliance.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 24, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy contained procedures for bill adjustments and set offs for debts. <ul style="list-style-type: none"> ▪ No examples of SUC were identified. ▪ AER did not supply to residential customers. Outcome Compliance: Customer bills and adjustments, email communications demonstrated assurance.</p> <p>Output Compliance: Sample bills reviewed. Communications with Western Power.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
2021 RECOMMENDATION - NIL				
PAYMENT				
187 Type [2]	Code Of Conduct, Clause 5.1 - 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>COMPLIANCE FINDING: For the duration of the audit period, the Billing Administrator confirmed, that the billing software and pre-billing checklist specified bills for small use customers had 14 Day Payment Terms as specified in the NSC</p>

			<p>DOCUMENTS/SYSTEMS: 1, 5, 32-33, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The NSC facilitated otherwise agreement for payment due dates with small use customers. <ul style="list-style-type: none"> The NSC required that the due date was at least 14 days from the date of the bill – Clause 8.3. Outcome Compliance: SUC Bills reviewed confirmed the compliance with the NSC due date specified.</p> <p>Output Compliance: Sample bills reviewed. Pre-Billing Checklist and billing software assured compliance with the obligation.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL			
188 Type [2]	Code Of Conduct, Clause 5.2 - Unless otherwise agreed with a customer, a retailer must offer the customer at least the payment methods prescribed in clause 5.2.		<p>COMPLIANCE FINDING: The Code of Conduct clause 5.2 provides for the option for AER Retail to contractually agree to payment methods. The Licensee’s NSCs required that “the range of payment options that you can choose from by referring to your bill, or by visiting our website”.</p> <p>Payment options available on the SUC bills were not as detailed in the NSC. Noted the payment options referenced were made available by the Licensee (if the Licensee requested) but not included on the bills.</p> <p>The NSC stated payment options listed on bills and made note of bill payments via credit card with fees published from time to time or via AER website. Payment of bill via credit card was not an option included on the customer bills. Customers who made payments via credit card were noted</p>

				<p>to have contacted the Licensee directly to arrange. SUC NSC also referenced the AER Website would contain payment options. This was not evident on a review of the AER website.</p> <p>DOCUMENTS/SYSTEMS: AER Website, 1, 5, 32-33, 41, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: A review of the SUC bills specified payment options by mail or EFT and indicated more payment options would be coming soon.</p> <ul style="list-style-type: none"> ▪ The statement relating to more payment options coming soon was noted on the SUC invoice in 2018 and still in 2021. ▪ The NSC stated the payment options were on AER website. This was not verified through a review of the AER website. ▪ It was noted a process for direct debit was also available and utilised by some customers but was not communicated to customers on bills under the payment options or through NSC. ▪ NSC also noted payment by credit cards would incur a transaction fee and fees would be advised on bills or published to the website. Evidence of this was not observed in the sample of invoices reviewed. ▪ It was noted the Licensee moved premise in 22 January 2018. SUC bills reviewed following this date in February and March 2018 still referenced the previous address. The details were noted to be updated and invoices in April 2021 sampled reflected the correct address. ▪ There were no SUC complaints in relation to bill payments during the audit period. ▪ The previous audit noted options of in person, mail, credit card and by phone via credit card or debit card. This could not be verified for in person, credit card or phone payments from a review of the bills and NSC. <p>Outcome Compliance: Customer payment methods were included on the bills but did not accurately reflect the arrangements of the NSC.</p> <p>Output Compliance: Customer bills, executed NSC and banking statements reflected the payments of SUC bills.</p> <p>Integrity of Reporting: Type 2 obligation not accurately reported in the compliance reports for the 20218-2021 years</p>
	<p>PRIORITY</p> <p>4</p>	<p>CONTROLS RATING</p> <p>B</p>	<p>COMPLIANCE RATING</p> <p>2</p>	

				➤ Failure to ensure payment options available on the SUC bills were as detailed in the NSC
<p>07/2021 RECOMMENDATION – Review the SUC bill template, NSC and AER Website and update as required to ensure accurate reflection of agreed payment options (i.e., include direct debit options). Ensure change management processes in relation to a change of contact details include the update requirements to the billing template.</p>				
189 Type [2]	Code Of Conduct, Clause 5.3 - Prior to commencing a direct debit facility, a retailer must obtain a customer’s verifiable consent and agree with the customer the date of commencement of the facility and the frequency of the direct debits.	<p>COMPLIANCE FINDING: For the duration of the audit period on the instances where AER Retail had established a direct debit facility with the customer it was noted that the customer’s verifiable consent was obtained. However, agreement with the customer for the date of commencement of the facility was made; and the frequency of the direct debits was not able to be determined. A date of the direct debit being authorised but reference to the commencement date was not included.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-34, 41, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Direct debit facilities were established for customers as requested.</p> <ul style="list-style-type: none"> ▪ Email communication associated with the establishment of the direct debit was not provided for review and may have contained the missing compliance requirements on the Direct Debit form. ▪ It was noted there were no customer complaints in relation direct debits during the audit period. <p>Outcome Compliance: Direct debit verifiable consent was obtained but did not meet all the requirements of Clause 5.3.</p> <p>Output Compliance: Copies of direct debit authority forms.</p> <p>Integrity of Reporting: Type 2 obligation not accurately reported in the compliance reports 2018-2021.</p>		
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	2	
<p>08/2021 RECOMMENDATION – Update the Direct Debit form to ensure the requirements of the Code of Conduct are included.</p>				

190 Type [2]	Code Of Conduct, Clause 5.4 - Upon request, a retailer must accept payment in advance from a customer. This will not require a retailer to credit any interest to the amounts paid in advance. Subject to clause 6.9, and unless otherwise agreed with a customer, the minimum amount for an advance payment that a retailer will accept is \$20.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed the during the audit period AER Retail accepted requests for payments in advance.</p> <p>DOCUMENTS/SYSTEMS: 1, 5, 32-33, 41, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Acceptance of payments in advance was not defined in the Billing Policy or the NSC. Outcome Compliance: Advance payments were accepted by SUC when requested. AER did not request advance payments by SUC. Output Compliance: Financial records provided assurance in relation to advance payments. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	
2021 RECOMMENDATION - NIL			
197 Type [2]	Code Of Conduct, Clause 5.7(1) - A retailer must not require a customer, who has vacated a supply address, to pay for electricity consumed at the customer's supply address in the circumstances specified in subclause 5.7(1).		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that in the instances where a customer vacated the supply address during the audit period, AER did not require the customer to pay for supply after the provision of notice as defined in the NSC.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 32-33, 41, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The NSC detailed requirements in relation to vacating a supply address.</p> <ul style="list-style-type: none"> ▪ The Licensee confirmed that no customers were evicted from their supply address during the audit period. ▪ Web Portal did not provide AER data in the event the customer churned.

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>Outcome Compliance: The NSC detailed the requirements in relation to providing notice for vacating a supply address.</p> <p>Output Compliance: Customer communication. No requirements to pay after vacating where notices was provided.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
198 Type [2]	Code Of Conduct, Clause 5.7(2) - If a customer reasonably demonstrates to a retailer that the customer was evicted or otherwise required to vacate a supply address, a retailer must not require the customer to pay for electricity consumed at that supply address from the date the customer gave the notice to the retailer.			<p>COMPLIANCE FINDING: The Licensee confirmed that there were no customers who vacated a supply address due to eviction or were otherwise required to vacate during the audit period.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 32-33, 41, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy did not directly contain a checklist for eviction or vacation of a supply address. <ul style="list-style-type: none"> ▪ The NSC detailed requirements in relation to vacating a supply address or eviction. Outcome Compliance: The NSC detailed the requirements in relation to providing notice for vacating a supply address. Customer communication was maintained.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Output Compliance: Customer communication. No requirements to pay after vacating where notices was provided.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance report</p>
2021 RECOMMENDATION - NIL				
199 Type [2]	Code Of Conduct, Clause 5.7(4) - Notwithstanding subclauses 5.7(1) and (2), a retailer must not require a previous customer to pay for electricity consumed at the supply address in the circumstances specified in subclause 5.7(4).			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period there were no instances where a previous customer was required to pay for electricity consumed at the supply address in the circumstances specified.</p>

				<p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 32-33, 41, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy did not reference the requirement. <ul style="list-style-type: none"> ▪ The NSC detailed AERs requirements. ▪ Code of Conduct Clause 1.10 allowed for AER to specify the details in the NSC. Outcome Compliance: No previous customer to pay for electricity consumed at the supply address. Output Compliance: Customer bills. Web Portal data. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2021 RECOMMENDATION - NIL				
201 Type [2]	Code Of Conduct, Clause 5.8(2) - A retailer must not recover, or attempt to recover, a debt from a person relating to a supply address other than the customer who the retailer has, or had, entered into a contract for the supply of electricity to that supply address.			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, there were no occurrences where anyone, but the customer as the contract holder of the supply address, has paid for electricity supplied.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 32-33, 41, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy did not reference the requirement. <ul style="list-style-type: none"> ▪ The NSC detailed AERs requirements. ▪ Code of Conduct Clause 1.10 allowed for AER to specify the details in the NSC. Outcome Compliance: No previous customer to pay for electricity consumed at the supply address. Output Compliance: Customer bills. Web Portal data. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	

2021 RECOMMENDATION - NIL			
201A Type [NR]	Code Of Conduct, Clause 5.8(3) - A retailer may transfer one customer's debt to another customer if requested by the customer owing the debt, providing the retailer obtains the other customer's verifiable consent to the transfer.		<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no requests to transfer debt to another customer.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 1, 5, 32-33, 41, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Billing Policy did not reference the requirement. <ul style="list-style-type: none"> ▪ The Licensee did not receive any requests. ▪ Code of Conduct Clause 1.10 allowed for AER to specify the details in the NSC. Outcome Compliance: No alternate customer paid for electricity consumed at the supply address. Output Compliance: Customer bills. Customer communication. Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	5	N/P	N/R
2021 RECOMMENDATION - NIL			
PAYMENT DIFFICULTIES & FINANCIAL HARDSHIP			
OBLIGATIONS 202-227 NOT APPLICABLE TO ERL18 - Licensee does not have residential customers			
228 Type [2]	Code of Conduct, Clause 6.11 - A retailer must consider any reasonable request for alternative payment arrangements from a business customer who is experiencing payment difficulties.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, AER Retail considered all reasonable requests for alternative payment arrangements, including extended payment terms and direct debit arrangements.</p> <p>DOCUMENTS/SYSTEMS: 1, 106-110, 113-115</p>

		PERSONNEL INTERVIEWED: Operations Manager	
		OBSERVATIONS:	
		<p>Process Compliance: The Billing Policy specifically referred to this obligation.</p> <ul style="list-style-type: none"> The Operations Manager confirmed the Licensee communicated with customer to check if they were encountering difficulties with the payment of bills during COVID. <p>Outcome Compliance: There were no disconnections in relation to non payment of bills.</p> <p>Output Compliance: Records of communication with customers in relation to late payment Debtors lists.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>	
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION - NIL		
DISCONNECTION & INTERRUPTION			
229 Type [2]	Code Of Conduct, Clause 7.1(1) - Prior to arranging for a disconnection of a customer's supply address for failure to pay a bill, a retailer must give the customer a reminder notice, which contains the information specified in subclause 7.1(1)(a), not less than 15 business days from the dispatch date of the bill. The retailer must use its best endeavours to contact the customer to advise of the proposed disconnection and give the customer a disconnection warning, in the manner and timeframes specified in subclause 7.1(1)(c).		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER Retail complied with all general requirements of subclause 7.1(1a-c) in relation to disconnection for failure to pay a bill. The Licensee did not arrange a disconnection and did not disconnect any customers for failure to pay a bill.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 6, 9, 32-33, 106-115</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Disconnection and Reconnection Policy detailed the requirement.</p> <ul style="list-style-type: none"> Reminder notices were sent in accordance with requirements. Reminder notices were manually generated. The Billing Administrator was aware of the obligations It was noted in relation to circumstances where the customer failed to pay a bill, that the Licensee had provided more than the required timeframes and had liaised extensively with the customer.

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Outcome Compliance: A sample review of reminder notices confirmed compliance</p> <p>Output Compliance: Email communications with customer. Customer bills.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
230 Type [2]	Code Of Conduct, Clause 7.2(1) - A retailer must not arrange for a disconnection of a customer's supply address for failure to pay a bill in the circumstances specified in subclause 7.2(1).			<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER Retail did not arrange to disconnect any customers for failure to pay a bill and as such was not required to comply with the limitations on disconnection for failure to pay bill.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 6, 9, 32-33, 106-115</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Disconnection and Reconnection Policy detailed the requirement.</p> <ul style="list-style-type: none"> ▪ Reminder notices were sent in accordance with requirements. ▪ Reminder notices were manually generated. ▪ The Billing Administrator was aware of the obligations. ▪ Debt recovery processes with one SUC were in accordance with the requirements and the customer churned prior to the arrangement of disconnection. AER recovered debts as legally required.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Outcome Compliance: A sample review of reminder notices confirmed compliance</p> <p>Output Compliance: Email communications with customer. Customer bills.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
232 Type	Code Of Conduct, Clause 7.4(1) - Unless the conditions specified in subclause 7.4(1) are satisfied, a retailer must not arrange for			COMPLIANCE FINDING: The Billing Administrator confirmed, that during the audit period, there were no instances where the Licensee arranged for disconnection and no customers denied

[2]	the disconnection of a customer’s supply address for denying access to the meter.	access to the meter and as such AER Retail did not arrange disconnection a customer’s supply address for denying access to the meter. DOCUMENTS/SYSTEMS: 6, 9, 32-33, 106-115 PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator OBSERVATIONS: Process Compliance: The Disconnection and Reconnection Policy detailed the requirement. <ul style="list-style-type: none"> ▪ Sample of disconnection notices were reviewed and reminder notices. ▪ Disconnection notices was not in relation to the customer for denying access to the meter ▪ No actual disconnection of a SUC occurred during the audit period. Outcome Compliance: No disconnections occurred. Output Compliance: Reminder, notices, bills, email communication. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports		
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
2021 RECOMMENDATION - NIL				
234 Type [1]	Code Of Conduct, Clause 7.6 - Subject to subclause 7.6(3), a retailer or distributor must comply with the limitations specified in subclauses 7.6(1)-(2) when arranging for disconnection or disconnecting a customer’s supply address.	COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period, AER complied with the General limitations on disconnection. In respect to 7.6(3) the customer did not request disconnection and the disconnection was not in carried out for emergency reasons. DOCUMENTS/SYSTEMS: 6, 9, 32-33, 38, 106-115 PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator OBSERVATIONS: Process Compliance: The Disconnection and Reconnection Policy detailed the requirement. <ul style="list-style-type: none"> ▪ Sample of disconnection notices were reviewed and reminder notices. ▪ No actual disconnection of a SUC occurred during the audit period. 		

				<ul style="list-style-type: none"> No customer complaints were received and the complaints register did not reflect any. <p>Outcome Compliance: No disconnections occurred.</p> <p>Output Compliance: Reminder, notices, bills, email communication.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	2	A	1	
2021 RECOMMENDATION - NIL				
235 Type [1]	Code Of Conduct, Clause 7.7(1) - 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>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no small use customers on life support.</p> <p>DOCUMENTS/SYSTEMS: 3, 12, 13, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Life Support Policy detailed the requirement.</p> <ul style="list-style-type: none"> Noted the Commercial Terms and Managing Customer Accounts do not include a reference to checking if the customer is on life support. The NSC specified the customer to communicate life support requirements. Life Support Register was established but had no records. <p>Outcome Compliance: No SUC on life support</p> <p>Output Compliance: Life Support Register, Email communication with Customer, Western Power.</p> <p>Integrity of Reporting: Type 1 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	2	A	N/R	
2021 RECOMMENDATION - NIL				
236 Type [1/2]	Code Of Conduct, Clause 7.7(2) - A retailer must undertake the actions specified in subclauses 7.7(2)(e)-(g), if a customer registered with a retailer under subclause 7.7(1) notifies the retailer:			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no small use customers on life support.</p> <p>DOCUMENTS/SYSTEMS: 3, 12, 13, 32-33</p>

	<ul style="list-style-type: none"> • that the person requiring life support equipment is changing supply address; • that the customer, but not the person requiring life support equipment, is changing supply address; • of a change in contact details; or • that the address no longer requires registration as life support equipment address. 	<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Life Support Policy detailed the requirement.</p> <ul style="list-style-type: none"> ▪ Noted the Commercial Terms and Managing Customer Accounts do not include a reference to checking if the customer is on life support. ▪ The NSC specified the customer to communicate life support requirements. <p>Outcome Compliance: No SUC on life support</p> <p>Output Compliance: Life Support Register, Email communication with Customer, Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports (as no life support customers.)</p>	
	<p>PRIORITY</p> <p>2</p>	<p>CONTROLS RATING</p> <p>A</p>	<p>COMPLIANCE RATING</p> <p>N/R</p>
<p>2021 RECOMMENDATION - NIL</p>			
<p>240 Type [2]</p>	<p>Code Of Conduct, Clause 7.7(6) - A retailer must contact the customer to ascertain whether life support equipment is required or to request re-certification in the timeframe, manner and circumstances specified in subclause 7.7(6).</p>	<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no small use customers on life support.</p> <p>DOCUMENTS/SYSTEMS: 3, 12, 13, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Life Support Policy detailed the requirement.</p> <ul style="list-style-type: none"> ▪ Noted the Commercial Terms and Managing Customer Accounts do not include a reference to checking if the customer is on life support. ▪ The NSC specified the customer to communicate life support requirements. ▪ Life Support Register was established but had no records. <p>Outcome Compliance: No SUC on life support</p>	
	<p>PRIORITY</p>	<p>CONTROLS RATING</p>	<p>COMPLIANCE RATING</p>

	4	N/P	N/R	<p>Output Compliance: Life Support Register, Email communication with Customer, Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
241 Type [2]	Code Of Conduct, Clause 7.7(7) - retailer or a distributor must remove the customers' details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7).			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no small use customers on life support.</p> <p>DOCUMENTS/SYSTEMS: 3, 12, 13, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Life Support Policy detailed the requirement.</p> <ul style="list-style-type: none"> ▪ Noted the Commercial Terms and Managing Customer Accounts do not include a reference to checking if the customer is on life support. ▪ The NSC specified the customer to communicate life support requirements. ▪ Life Support Register was established but had no records. <p>Outcome Compliance: No SUC on life support</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Output Compliance: Life Support Register, Email communication with Customer, Western Power.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
RECONNECTION				
242 Type	Code Of Conduct, Clause 8.1(1) - A retailer must arrange to reconnect a customer's supply address if the customer remedies their breach, makes a request for reconnection and pays the			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period AER did not re-connect any SUC supply addresses after being disconnected for the specified reasons.</p>

[2]	retailer's reasonable charges (if any) for reconnection, or accepts an offer of an instalment plan for the retailer's reasonable charges.	<p>DOCUMENTS/SYSTEMS: 6, 9, 29, 32-33, 106-115</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The Disconnection and Reconnection Policy detailed the requirement. <ul style="list-style-type: none"> ▪ No disconnections of SUC occurred during the audit period. <u>Outcome Compliance:</u> A sample review of reminder notices confirmed compliance <u>Output Compliance:</u> Email communications with customer. Customer bills <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>	
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			
243 Type [2]	Code Of Conduct, Clause 8.1(2) - A retailer must forward the request for reconnection to the relevant distributor within the timeframes specified in subclause 8.1(2).	<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period AER did not re-connect any SUC supply addresses after being disconnected for the specified reasons.</p> <p>DOCUMENTS/SYSTEMS: 6, 9, 29, 32-33, 106-115</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The Disconnection and Reconnection Policy detailed the requirement. <ul style="list-style-type: none"> ▪ No disconnections of SUC occurred during the audit period. <u>Outcome Compliance:</u> A sample review of reminder notices confirmed compliance <u>Output Compliance:</u> Email communications with customer. Customer bills <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>	
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1
2021 RECOMMENDATION - NIL			

PRE-PAYMENT METERS		
245-271 NOT APPLICABLE TO ERL18 – no pre-payment meters are used. All obligations applicable to Retail Licences from 245-271 are excluded from the audit scope.		
INFORMATION & COMMUNICATION		
272 Type [2]	Code Of Conduct, Clause 10.1(1) - A retailer must give notice of any variations in its tariffs, fees and charges, to each of its customers affected by the variation no later than the next bill in the customer's billing cycle.	<p>COMPLIANCE FINDING: The Billing Administrator indicated, that in general, SUC were not required to be advised of any tariff variations as the NSC were fixed term and fixed price. This change in the development of the SUC Commercial Terms was introduced within the audit period. Where CPI increases applied, variations were communicated via email and in the next bill under customers billing cycle.</p> <p>Noted that instance where a customer bill with changes to tariff information was provided in the customers next bills cycle.</p> <p>DOCUMENTS/SYSTEMS: 26, 32-33, 116, 126, 131, 132, 134</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Customer Information and Communication Policy and the NSC Clause 4.3 specified the requirement.</p> <ul style="list-style-type: none"> ▪ Email communication with customer in relation to tariff, fees and charges. ▪ The NSC contract detailed calculations CPI charges. ▪ SUC bills showed CPI tariff increases (where applicable during the audit period) ▪ Pre-Billing Checklist (refer Prebill Setup Checklist tab) established and included check for new prices/changes and CPI. <p>Outcome Compliance: A sample review of bills confirmed compliance</p> <p>Output Compliance: NSC, customer emails and customer bills provided assurance of the process.</p>

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports
2021 RECOMMENDATION - NIL				
273 Type [2]	Code Of Conduct, Clause 10.1(2) - On request and at no charge, a retailer must give or make available to a customer reasonable information on its tariffs, fees and charges, including any alternative tariffs that may be available to that customer.			<p>COMPLIANCE FINDING: During the audit period the Billing Administrator confirmed, AER Retail received no requests to provide information on its tariffs, fees and charges. It was confirmed by AER that they provided the information to SUC on bills, would not charge for the requests and they did not offer alternative tariffs. This was noted to be consistent with the NSC.</p> <p>DOCUMENTS/SYSTEMS: 26, 29, 32-33, 116</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: As required by Clause 10.1(2) of the Code of Conduct the NSC must give (i.e, provided in email communication) or make available (i.e. NSC referenced publishing of changes to website) information to the customer on tariffs, fees and charges.</p> <ul style="list-style-type: none"> ▪ The Operations Manager confirmed that during the audit period there were no network charges passed onto small use customers as bundled ESAs and specified in the Commercial Terms. ▪ It was noted the NSC provided for the potential charge of network fees. ▪ The Customer Information and Communication Policy detailed if required that additional network charges be included in customer bills. ▪ CPI charges were passed on if applicable in the Commercial Terms and detailed via AER Contracts List. ▪ The NSC referenced publishing of changes to fees on the website. AER website did not include such information. ▪ Changes to fees after the supply term ends were communicated to the customer. (i.e., continue at contracted rate or new ESA entered into).

			<ul style="list-style-type: none"> ▪ Changes to contract fees and changes due to contract renewal were renegotiated under a new ESA or charged at the Standard Electricity Price (NSC Clause 22.5(k) which was to be published on the AER Website. ▪ Standard Electricity Price was not published on the AER Website. ▪ Billing Administrator confirmed no customers charged at Standard Electricity Price during the audit period. ▪ There was no search function on the AER website or obvious reference to fees. ▪ The NSC referenced sending the full list of fees from time to time or publishing of changes to website. AER website did not include information in relation to fees. ▪ The NSC contract detailed calculations CPI charges. SUC bills showed CPI tariff increases. <p>Outcome Compliance: Emails were given to customers advising of changes to tariffs, fees and charges and although was noted that the AER website did not include such information. Confirmed no evidenced of network charges fees in the review of invoices sampled.</p> <p>Output Compliance: NSC, Customer bills and customer email communication provided assurance of the process. AER Website did not provide information on fees.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION – NIL			
274 Type [2]	Code Of Conduct, Clause 10.1(3) - retailer must give or make available to a customer the information requested on tariffs, fees and charges within 8 business days of the date of receipt and, if requested, provide the information in writing.		<p>COMPLIANCE FINDING: During the audit period the Billing Administrator confirmed, AER Retail was not requested to provide information on tariffs, fees and charges, as such there was no requirement to meet the timeframes for provision of information within 8 business days of the date of receipt of request and provide the information in writing.</p> <p>DOCUMENTS/SYSTEMS: 26, 29, 32-33, 38, 100, 101, 116, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p>

			<p>OBSERVATIONS: Process Compliance: The Customer Information and Communication Policy included a reference to the 8 business day rule.</p> <ul style="list-style-type: none"> ▪ Pre-Billing Checklist (refer Prebill Setup Checklist tab) established and included check for new prices/changes and CPI. ▪ There were no customer complaints in relation to billing. ▪ The Licensee's general policy was to communicate this information via email <p>Outcome Compliance: Noted that instance where a customer bill with changes to tariff information was provided information greater than 8 days from the changes of the tariff with resigned NSC (i.e. contract signed 20/5/20 for change to prices commence 15/5/20, information communicated to the customer with the contract and first bill on 3/7/20).</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
	2021 RECOMMENDATION – NIL		
280 Type [2]	Code Of Conduct, Clause 10.3A - 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>COMPLIANCE FINDING: The Operations Manager confirmed, with the exception of the 2018 year, AER provided customers at least once a year written details of their obligations to make payments to the customer under Part 14 of Code of Conduct including the amount of the payment and the eligibility criteria for the payment.. All subsequent years were said to be compliant.</p> <p>Evidence of communication by the Licensee of Service Standard Payment obligations for 2018 and 2019 years was not confirmed.</p> <p>Noted Service Standard Factsheet provided for 2019 but evidence of the communication was not provided as such resolved date considered as June issue of May invoices 2020.</p> <p>DOCUMENTS/SYSTEMS: 20, 21, 26, 38, 79-81, 121,128, 129</p>

			<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Service Standard Payments and Customer Information and Customer Communication Policies referenced the requirement.</p> <ul style="list-style-type: none"> The Microsoft Teams To Do List and Key Dates referenced the communication of the Service Standard Factsheet (May annually). Implemented for part of audit period. The Complaints Disputes register provided for the recording of a service stand payment being made. <p>Outcome Compliance: Requirement to send Service Standard Factsheet was monitored by the management team through the To Do List and Key Dates (verified 2019-2021).</p> <p>Output Compliance: Annual email sent to SUC with their May invoice and with the Service Standards Factsheet attached was (e.g., 128).</p> <p>Integrity of Reporting: Type 2 obligation not reported accurately reported in the compliance reports for 2018 and 2019</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	A	2
<p>09/2021 RECOMMENDATION – Establish a process to monitor the requirement and ensure service standard payment obligations were communicated.</p> <p>The Licensee addressed the non-compliance with the development of a Service Standard Factsheet 2019-2021 and the establishment of a compliance monitoring process (i.e. Teams To Do List and Key Dates). Evidence of email communication was available for the years 2020 and 2021 and as such were confirmed as compliant and example of the communication provided for review. There are no further recommendations.</p>			
281 Type [2]	Code Of Conduct, Clause 10.4 - On request and at no charge, a retailer must give, or make available to, a customer general information on cost effective and efficient ways to utilise electricity, and the typical running costs of major domestic appliances.		<p>COMPLIANCE FINDING: During the audit period the Operations Manager confirmed, AER Retail did not receive any requests from customers related to general information on cost effective and efficient ways to utilise electricity; and the typical running costs of major domestic appliances.</p> <p>DOCUMENTS/SYSTEMS: 26, 29, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Customer Information and Customer Communication Policy referenced the requirement.</p> <ul style="list-style-type: none"> NSC Clause 25(a)(iv) specified AER would supply the information if requested.

			<ul style="list-style-type: none"> The Licensee does not have specific control procedures defined to record occurrences. Customer emails would provide evidence however for the purposes of the audit verification confirmation of the compliance was provided by tacit knowledge of AER management. AER Website did not include general information on cost effective and efficient ways to utilise electricity, and the typical running costs of major domestic appliances. AER Contracts List could record occurrence. <p>Outcome Compliance: No requests were made during the audit period.</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			
282 Type [2]	Code Of Conduct, Clause 10.5 - If asked by a customer for information relating to the distribution of electricity, a retailer must give the information to the customer or refer the customer to the relevant distributor for a response.		<p>COMPLIANCE FINDING: During the audit period the Operations Manager confirmed, AER Retail did not receive any requests from customers related to the distribution of electricity. As such, the Licensee did not refer the customer to the relevant distributor for a response.</p> <p>DOCUMENTS/SYSTEMS: 26, 29, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Customer Information and Customer Communication Policy referenced the requirement.</p> <ul style="list-style-type: none"> NSC Clause 25(a)(v) specified AER would supply the information if requested. The Licensee does not have specific control procedures defined to record occurrences. Customer emails would provide evidence however for the purposes of the audit verification confirmation of the compliance was provided by tacit knowledge of AER management. <p>Outcome Compliance: No requests recorded or reported by management.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
			<p>Output Compliance: Email communications with customer would reflect. The NSC Clause 25(a)(v) included a reference to this requirement</p>

	4	N/P	N/R	Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports
2021 RECOMMENDATION - NIL				
290 Type [NR]	Code Of Conduct, Clause 10.9 - To the extent practicable, a retailer and distributor must ensure that any written information that must be given to a customer by the retailer or distributor or its electricity marketing agent under the Code of Conduct is expressed in clear, simple, concise language and in a format that is easy to understand.			<p>COMPLIANCE FINDING: A sampled review of the documentation provided by the Licensee during the audit period confirmed, AER Retail's processes provided for written information to be expressed in clear, simple, concise language and in a format that was easy to understand.</p> <p>DOCUMENTS/SYSTEMS: 26, 29, 32-33, 38</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Examples of documentation reviewed included NSC, bills, information sheets, emails, responses to queries, communication of tariff changes, website information etc. Specific document references are detailed for each obligation and referenced in Appendix 2 Outcome Compliance: Written communication was provided to the customers. No customer complaints were recorded.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>Output Compliance: Complaints register and process would record customer concerns, email communication provided assurance to the process.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	4	N/P	1	
2021 RECOMMENDATION - NIL				
291 Type [2]	Code Of Conduct, Clause 10.10(1) - On request, a retailer and a distributor must inform a customer how to obtain a copy of the Code of Conduct.			<p>COMPLIANCE FINDING: During the audit period the Operations Manager confirmed, AER Retail did not receive any requests on how to obtain a copy of the Code of Conduct.</p> <p>DOCUMENTS/SYSTEMS: AER Website, 26, 32-33</p>

				<p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: A copy of the Code of Conduct 2018 was available on the AER website.</p> <ul style="list-style-type: none"> ▪ NSC Clause 25(a)(i) specified AER would supply the information if requested. ▪ Customer Information and Customer Communication Policy referenced the requirement. Noted the policy referred to the 2016 version of the Code of Conduct and not the 2018 version. ▪ Welcome letter was not reviewed for information. <p>Outcome Compliance: No requests were made to the Licensee for copies of the Code of Conduct.</p> <p>Output Compliance: AER Website, internal control procedures and the NSC provided assurance compliance with this obligation.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
292** Type [2]	Code Of Conduct, Clause 10.10(2) - A retailer and distributor must make electronic copies of the Code of Conduct available on their websites, at no charge.			<p>COMPLIANCE FINDING: A review of AER Retail website verified the Code of Conduct was available on their website, at no charge.</p> <p>DOCUMENTS/SYSTEMS: AER Retail Website</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The Code of Conduct linked under Electricity and compliance on AER Website.</p> <ul style="list-style-type: none"> ▪ This was a non-compliance noted in the 2017 but the corrective action was closed out and noted to be on the website. The effectiveness of the corrective action is still applicable. ▪ Noted there was no search function on the website.

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>Outcome Compliance: http://www.advancedenergy.net.au/wp-content/uploads/2017/07/Code-of-Conduct-for-the-Supply-of-Electricity-to-Small-Use-Customers-2018.pdf</p> <p>Output Compliance: Assurance of access to the Code of Conduct was provided through accessing the link above.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
RECOMMENDATION – NIL				
297 Type [2]	Code Of Conduct, Clause 10.12(2) - On request, a retailer must advise a customer of the availability of different types of meters or refer the customer to the relevant distributor for a response.			<p>COMPLIANCE FINDING: During the audit period the Operations Manager confirmed, AER Retail did not receive any requests from customers related to the availability of different types of meters or refer the customer to the relevant distributor for a response. However, it was noted that meters upgrades are detailed on the Commercial Terms and reference to the Network Operator is made.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 22, 26, 32-33,</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Customer Information and Customer Communication Policy referenced the requirement.</p> <ul style="list-style-type: none"> ▪ The Licensee does not have specific procedures established to record occurrences <p>Outcome Compliance: No specific requests about meter types were made, however, discussions relating to meter upgrades were included in the Customer Quotation Process and CTR.</p> <p>Output Compliance: Customer quotations, email communications and meter upgrade requirement as specified by Western Power in CTR process in the Web Portal.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
2021 RECOMMENDATION - NIL				

COMPLAINTS & DISPUTE RESOLUTION			
298 Type [2]	Code Of Conduct, Clause 12.1(1) - A retailer and distributor must develop, maintain and implement an internal process for handling complaints and resolving disputes.		<p>COMPLIANCE FINDING: During the audit period, AER Retail met the obligation to establish a complaints handling process.</p> <p>DOCUMENTS/SYSTEMS: 5, 25, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The NSC included reference to the complaints handling process and developed Complaints Resolution Factsheet.</p> <ul style="list-style-type: none"> ▪ The licensee provided a copy of the ERA Customer Complaint Guidelines - December 2016 as part of their control procedures ▪ A Complaints Manual as referenced in the previous 2017 Audit Report was not provided for review. <p>Outcome Compliance: Reference to the complaints handling process was included in the NSC and the SUC bills sampled. The Operations Manager advised there were no customer complaints during the audit period.</p> <p>Output Compliance: There were no customer complaints recorded in the Complaints Register as confirmed by the Operational Manager.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION - NIL`			
299 Type [2]	Code Of Conduct, Clause 12.1(2) - The complaints handling process under subclause 12.1(1) must comply with the requirements specified in subclauses 12.1(2)(a), (b) and (c) and be made available at no cost.		<p>COMPLIANCE FINDING: AER Retail's internal process for handling complaints and resolution addressed Clauses 12.1(2)(b) but did not expressly comply with:</p> <ul style="list-style-type: none"> ➢ Clause 12.1(2)(a) comply with Australian Standard AS/ISO 10002-2014; ➢ Clause 12.1(2)(c) detail how a retailer will handle complaints about the retailer* or marketing (the Licensee did not use electricity marketing agents); and

		<p>➤ The Complaints Resolution Factsheet referenced the superseded AS/ISO 10002:2006 and not AS/ISO 10002-2014 as required by the Code of Conduct. Compliance with the requirements specified in subclauses 12.1(2) (b) and (d) was confirmed.</p> <p><i>*Note: Distinction between handling complaints “by” the Licensee and “about” the Licensee were not specified in the Complaints Handling Process.</i></p> <p>Additionally, as required by Clause 12.2 - AER must comply with the Customer Complaint Guidelines – October 2016 developed by the ERA to distinguish customer “queries” from “complaints”. The AER complaints handling process did not refer or differentiate the definition of a complaint as detailed in the Customer Complaint Guidelines S3.2 Distinguishing ‘complaints’ (Refer obligation 302).</p> <p>DOCUMENTS/SYSTEMS: 5, 25, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The NSC included reference to the complaints handling process and developed Complaints Resolution Factsheet.</p> <ul style="list-style-type: none"> ▪ One of the key changes to the AS/ISO 10002:2006 compared to the 2014 version was that the 2006 standard focussed on customer satisfaction whereas 2014 focussed on the complaints handling process. ▪ While the Complaints Resolution Factsheet detailed the requirements as specified in subclauses 12.1(2) (b) and (d) it was primarily focused on customer satisfaction. ▪ The Complaints Resolution Factsheet was not subject to document control, referenced the 2006 version of AS/ISO 10002 and had no date reference. It was noted the address was updated in 2018 to reflect the move to the new premises ▪ The Complaint Resolution Factsheet did not reference how AER Retail would handle complaints about the retailer, electricity marketing agents or marketing. It was noted no marketing agents were engaged.
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			<p>Outcome Compliance: Complaints procedures were implemented but were not reflective of all requirements. It was noted there were no complaints recorded in the Complaints Register.</p> <p>Output Compliance: Complaint Register was established but systems to differentiate between as complaint and query as required were not established.</p> <ul style="list-style-type: none"> Complaints if lodged were to be lodged in writing or via the phone. <p>Integrity of Reporting: Type 2 obligation was not accurately reflected the Licensee records and reported in the compliance reports for the reporting years 2018-2021..</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	B	2
	<p>10/2021 RECOMMENDATION:</p> <p>(A) Review and amend the complaints handling process (including the Complaint Resolution Factsheet, the Complaint Dispute Register and relevant training requirements) and develop a flow chart that distinguishes 'complaints' from 'queries' ensure it accurately reflects the requirements of the Complaint Handling Process and aligns with the Code of Conduct PART 12 - Complaints and Dispute Resolution. Consideration of the following documents is also required:</p> <ul style="list-style-type: none"> Customer Complaint Guidelines – October 2016 SCONRRR Guideline - National Regulatory Reporting Requirements in its Final Paper, National Energy Retail Performance Indicators. <p>(B) Review and implement Document Control Procedures. Specifically, to ensure:</p> <ul style="list-style-type: none"> Record date document implemented Identify version control Record management approval and review <p>(C) Review and implement Change Management Procedures. Specifically, to ensure the Licensee can demonstrate review of documentation in consideration of;</p> <ul style="list-style-type: none"> Changes to legislations Changes to roles within or contractors supporting the organisation Outcomes from responses to complaints, incidents or corrective actions arising from audit processes. <p>(D) Review the suitability of the implementation of a CRM to support in complaints handling process.</p>		
300 Type [2]	Code Of Conduct, Clause 12.1(3) - A retailer or a distributor must advise the customer in accordance with subclause 12.1(3).		<p>COMPLIANCE FINDING: A review of AER Retail's complaint processes and procedures confirmed the customer's right to escalate the complaint to a senior officer for review or to the Energy and Water Ombudsman in accordance with complaints procedure was specified. The Licensee's Complaints Resolution Factsheet and SUC bills referenced the Energy and Water Ombudsman contact details.</p>

			<p>DOCUMENTS/SYSTEMS: 5, 25, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: While the Complaints Resolution Factsheet detailed the requirements as specified in subclause 12.1(3). <ul style="list-style-type: none"> ▪ Sample bills reviewed confirmed free call number of Energy and Water Ombudsman as detailed on their website (https://energyandwater.ombudsman.wa.gov.au/complaints/how-to-make-a-complaint) Outcome Compliance: There were no complaints or queries received by the Licensee in relation to AER or marketing functions. The Complaints Resolution Factsheet was provided free of charge. Output Compliance: the existence of the output from systems and procedures throughout the audit period (specifically, proper records which provide assurance that procedures are consistently followed and controls are maintained). Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION - NIL		
301 Type [2]	Code Of Conduct, Clause 12.1(4) - On receipt of a written complaint by a customer, a retailer or distributor must acknowledge the complaint within 10 business days and respond to the complaint within 20 business days.		<p>COMPLIANCE FINDING: The Licensee did not receive a written complaint by a customer during the audit period. It was noted the Complaints Resolution Factsheet dispute resolution criteria aligned with the requirements i.e 10 days to acknowledge complaint and 20 days to respond</p> <p>DOCUMENTS/SYSTEMS: 5, 25, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: The NSC included reference to the complaints handling process and AER developed Complaints Resolution Factsheet.</p>

			<p>Outcome Compliance: There were no complaints or queries received by the Licensee in relation to AER or marketing functions. The Complaints Resolution Factsheet was provided free of charge</p> <p>Output Compliance: There were no customer complaints recorded in the Complaints Register as confirmed by the Operational Manager.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
	2021 RECOMMENDATION – NIL		
302 Type [2]	Code Of Conduct, Clause 12.2 - retailer must comply with any guideline developed by the ERA to distinguish customer queries from complaints.		<p>COMPLIANCE FINDING: The Licensee has not recorded any complaints, during the audit period, and as such had no obligation to comply with a guideline that distinguishes customer queries from complaints.</p> <p>However, AER during the development and implementation of the complaints handling process has not considered the Customer Complaint Guidelines – October 2016 approved by the ERA. Specifically, the obligation to differentiate customer ‘queries’ from ‘complaints’ was not evidenced or referenced in the complaints handling process. Awareness to the requirement was also not demonstrated as examples of communication which could be considered a complaint under the guideline were not recorded in the complaints handling process.</p> <p>DOCUMENTS/SYSTEMS: AER Website, 5, 25, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Customer Complaint Guidelines – October 2016 not referenced or considered the requirements in the development of the complaints handling process, for example the Complaint Resolution Factsheet, the Complaints Disputes Register, AER Website, NSC</p> <ul style="list-style-type: none"> ▪ Accuracy of the effectiveness of the complaints handling process not demonstrated. For example, a review of communication between the Licensee and the customer relating to late payments and an instalment plan balance indicated a response was implicitly expected (Refer

			<p>document ref 114 Appendix 2). It was noted the 'query' was resolved in a timely manner and the customer provided satisfactory outcome.</p> <ul style="list-style-type: none"> ▪ The Licensee does not have a CRM implemented. ▪ Training requirements of the relevant personnel was not detailed in the complaints resolution procedures. <p>Outcome Compliance: No complaints were recorded.</p> <p>Output Compliance: Complaints dispute register and confirmation by management provided assurance. However, as systems not established to differentiate between queries and complaints the outcome could not be independently verified.</p> <p>Integrity of Reporting: Type 2 obligation was not accurately reported in the compliance reports for the 2019-2021 reporting years.</p>
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2
2021 RECOMMENDATION – As for obligation 10/2021 Recommendation (Refer Obligation 299).			
303 Type [2]	Code Of Conduct, Clause 12.3 - On request and at no charge, a retailer, distributor and electricity marketing agent must give a customer information that will assist the customer to utilise the respective complaints handling processes.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, AER Retail did not receive any requests from customers relating to information provision that would assist the customer to utilise the respective complaints handling processes.</p> <p>DOCUMENTS/SYSTEMS: AER Website, 5, 25, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The NSC included reference (Clause 21) to the complaints handling process and AER developed Complaints Resolution Factsheet. Outcome Compliance: Access to assistance by phone of AER personnel and Complaints Resolution Factsheet was available at no charge. Output Compliance: The Licensee had developed and maintained a Complaints Resolution Factsheet. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R

2021 RECOMMENDATION - NIL			
304 Type [2]	Code Of Conduct, Clause 12.4 - When a retailer, distributor or electricity marketing agent receives a complaint that does not relate to its functions, it must advise the customer of the entity that it reasonably considers to be appropriate to deal with the complaint (if known).		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, AER Retail did not receive any complaints from SUC customers that obligated them to refer the complaint as they did not relate to its functions.</p> <p>DOCUMENTS/SYSTEMS: AER Website, 5, 25, 32-33, 37-39</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: The Complaints Resolution Factsheet included reference to the complaints handling process and AER developed.</p> <ul style="list-style-type: none"> ▪ The NSC did not reference this requirement. <p>Outcome Compliance: The Licensee had developed and maintained a Complaints Resolution Factsheet.</p> <p>Output Compliance: The Licensee had developed a Complaints Disputes Register to record complaints and course of action such as referral.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
REPORTING			
305 Type [2]	Code Of Conduct, Clause 13.1 - A retailer and a distributor must prepare a report in respect of each reporting year setting out the information specified by the ERA.		<p>COMPLIANCE FINDING: A review of AER Retail's processes and procedures confirmed the Licensee, complied with the preparation of an annual report (specifically the Electricity Performance Reporting Datasheets – Retail) for the ERA as required by Part 13 of the Code of Conduct. The reports were published and made available a copy of the reports on its website at no cost and by the due date set by the ERA.</p>

		<p>DOCUMENTS/SYSTEMS: AER Website, ERA Website, 26, 29, 56, 61, 65, 67, 70, 73, 78</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Electricity Retail Licence Performance Reporting Handbook provided guidance for the reporting of information required by Clause 13.1 for the Electricity Performance Reporting Datasheets – Retail <ul style="list-style-type: none"> The AER Contracts List did not specify whether the customer was SUC or LUC. Outcome Compliance: During the audit period, there were 4 annual reports required for the Electricity Performance Reporting Datasheets – Retail and all were prepared as required. Accuracy of the data reported was cross checked with the Licensee during the audit process. Output Compliance: A sample of the communication of dates required for publishing were reviewed, performance datasheets sighted and publishing confirmed on the AER Retail website in the “Compliance” section. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>	
	<p>PRIORITY</p> <p>4</p>	<p>CONTROLS RATING</p> <p>A</p>	<p>COMPLIANCE RATING</p> <p>1</p>
	<p>2021 RECOMMENDATION - NIL</p>		
306** Type [2]	<p>Code Of Conduct, Clause 13.2 - The report specified in clause 13.1 must be provided to the ERA by the date, and in the manner and form, specified by the ERA.</p>		<p>COMPLIANCE FINDING: With the exception of the 2018 Reporting year, a review of AER Retail’s processes and procedures confirmed the Licensee, complied with the provision of an annual report (specifically the Electricity Performance Reporting Datasheets – Retail) to the ERA as required by Part 13 of the Code of Conduct. The reports were published and made available a copy of the reports on its website at no cost and by the due date set by the ERA.</p>

		<p>The Electricity Retail Performance Reporting datasheets due for submission by the 30 September annually were submitted on time, with the exception of the 2018 Performance Reporting year which was submitted on 12/10/2018.</p> <p>DOCUMENTS/SYSTEMS: AER Website, ERA Website, 26, 56, 61, 65, 67, 70, 73, 78</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The non-compliances occurred because the Control Procedures in relation to the correct collection and handling of data that the Licensee supplies to ERA and/or compliance related activities were not adequate to ensure accurate and timely reporting of information to the ERA. This was rectified and ongoing compliance noted. <ul style="list-style-type: none"> ▪ Additionally, the responsible person changed roles without the appropriate transfer of responsibility/authority </p> <p><u>Outcome Compliance:</u> During the audit period, there were 4 annual reports due for the Electricity Performance Reporting Datasheets – Retail and 1 was submitted late. Compliance was noted 75% of the time for the provision of an annual performance report.</p> <p><u>Output Compliance:</u> Electricity Retail Performance Reporting datasheets, emails and communication with the ERA provided assurance of the requirements. The dates of publishing the Performance Reports to the website were not always demonstrated in the evidence provided.</p> <p><u>Integrity of Reporting:</u> Type 2 obligations relating to late provision of the annual report was accurately reported in the 2019 annual compliance reports.</p>	
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	5	B	2
2021 RECOMMENDATION – Refer 03/2021 recommendation (See obligation 124)			
307 Type [2]	Code Of Conduct, Clause 13.3 - 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:		COMPLIANCE FINDING: A review of AER Retail’s processes and procedures confirmed the Licensee, complied with the publication of the annual report (specifically the Electricity Performance Reporting Datasheets – Retail) for the ERA as required by Part 13 of the Code of Conduct. The reports were published and copies made available on its website at no cost and by

	<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>the due date set by the ERA. The Operations Manager confirmed although not requested copies of the annual report were available to the public without cost at the Myaree offices.</p> <p>DOCUMENTS/SYSTEMS: AER Website, ERA Website, 26, 29, 56, 61, 65, 67, 70, 73, 78</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee and the ERA communicated via email in relation to the requirements for publishing the reports within 7 business days of the ERA acceptance. Outcome Compliance: The AER Website included all relevant compliance reports for the audit period. Output Compliance: Email communication detailed the requirements of the ERA and AER responses indicated compliance when the Performance Reports were uploaded to the website. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>							
	<table border="1"> <thead> <tr> <th>PRIORITY</th> <th>CONTROLS RATING</th> <th>COMPLIANCE RATING</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">N/P</td> <td style="text-align: center;">1</td> </tr> </tbody> </table>	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	4	N/P	1		
PRIORITY	CONTROLS RATING	COMPLIANCE RATING							
4	N/P	1							
2021 RECOMMENDATION - NIL									
SERVICE STANDARD PAYMENTS									
308 Type [2]	Code Of Conduct, Clause 14.1(1) - Subject to clause 14.6, a retailer must pay the stated compensation to a customer if the customer is not reconnected in accordance with the timeframes specified in Part 8	<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period there was no requirement to facilitate customer reconnections or consider any exceptions for service standard payments.</p> <p>DOCUMENTS/SYSTEMS: 9, 20, 21, 32-33, 38, 79-81, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p>							

			<p>Process Compliance: Service Standard Payments and Customer Information and Customer Communication Policies referenced the requirement.</p> <ul style="list-style-type: none"> ▪ Reference to service standards payments are not included in the NSC. ▪ The Disconnection and Reconnection Policy was not aligned with the requirements of the obligation. ▪ The requirement to check for the applicability of service standard payments was not captured in the Pre-Billing Checklist. <p>Outcome Compliance: No SUC disconnections occurred and as such no reconnections were made during the audit period.</p> <p>Output Compliance: Payments of Service Standard Payments included on bills and the Complaints Disputes register provided for the recording of a service stand payment being made.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			
310 Type [2]	<p>Code Of Conduct, Clause 14.2(1) - Subject to clause 14.6, a retailer must pay the specified compensation to a customer if:</p> <ul style="list-style-type: none"> • it fails to comply with any of the procedures specified in Part 6 or Part 7 prior to arranging for disconnection or disconnecting the customer for failure to pay a bill; or • arranges for disconnection or disconnects the customer for failure to pay a bill in contravention of clauses 7.2, 7.3, 7.6 or 7.7 for failure to pay a bill. 		<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period there was no requirement for service standard payments in relation to wrongful disconnections.</p> <p>DOCUMENTS/SYSTEMS: 9, 20, 21, 32-33, 38, 79-81, 126</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Service Standard Payments and Customer Information and Customer Communication Policies referenced the requirement.</p> <ul style="list-style-type: none"> ▪ Reference to service standards payments are not included in the NSC. ▪ The Disconnection and Reconnection Policy was not aligned with the requirements of the obligation. ▪ The requirement to check for the applicability of service standard payments was not captured in the Pre-Billing Checklist.

	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Outcome Compliance: No SUC disconnections occurred and as such no reconnections were made during the audit period.</p> <p>Output Compliance: Payments of Service Standard Payments included on bills and the Complaints Disputes register provided for the recording of a service stand payment being made.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
312 Type [2]	Code Of Conduct, Clause 14.3(1) - Subject to clause 14.6, a retailer must pay the customer \$20 if the retailer has failed to acknowledge or respond to a complaint within the timeframes prescribed in subclause 12.1(4).			<p>COMPLIANCE FINDING: The Operations Manager confirmed that AER did not receive any complaints during the audit period and was not required to make service standard payments for customer service timeframes or to consider an exception in relation to service standard payments.</p> <p>DOCUMENTS/SYSTEMS: 9, 20, 21, 32-33, 38, 79-81, 126, 127</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Service Standard Payments and Customer Information and Communication Policies referenced the requirement. <ul style="list-style-type: none"> ▪ Reference to service standards payments are not included in the NSC. ▪ The requirement to check for the applicability of service standard payments was not captured in the Pre-Billing Checklist. </p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Outcome Compliance: Service Standard Payments Register did not reflect payments.</p> <p>Output Compliance: Payments of Service Standard Payments included on bills and the Complaints Disputes register provided for the recording of a service stand payment being made.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
2021 RECOMMENDATION - NIL				
315	Code Of Conduct, Clause 14.7(1) - A retailer that is required to make a compensation payment for failing to satisfy a service			

Type [2]	standard under clauses 14.1, 14.2 or 14.3 must do so in the manner specified in subclause 14.7(1).		<p>COMPLIANCE FINDING: The Operations Manager confirmed that AER was not required to make service standard payments during the audit period as such requirements for consideration of method of payments were not applicable.</p> <p>DOCUMENTS/SYSTEMS: 9, 20, 21, 32-33, 38, 79-81, 126, 127</p> <p>PERSONNEL INTERVIEWED: Operations Manager, Billing Administrator</p> <p>OBSERVATIONS: Process Compliance: Service Standard Payments and Customer Information and Communication Policy referenced the requirement. <ul style="list-style-type: none"> ▪ Reference to service standards payments are not included in the NSC. ▪ The requirement to check for the applicability of service standard payments was not captured in the Pre-Billing Checklist. Outcome Compliance: Service Standard Payments Register did not reflect payments. Output Compliance: Payments of Service Standard Payments included on bills and the Complaints Disputes register provided for the recording of a service stand payment being made. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>	
	PRIORITY	CONTROLS RATING		COMPLIANCE RATING
	4	N/P		N/R
2021 RECOMMENDATION - NIL				
15 ELECTRICITY INDUSTRY METERING CODE – LICENCE CONDITIONS AND OBLIGATIONS				
324 Type [2]	Clause 3.3B - If a user is aware of bi-directional electricity flows at a metering point that was not previously subject to a bi-directional flows or any changes in a customer's or user's circumstances in a metering point that will result in bi-directional flows, the user must notify the network operator within 2 business days.		<p>COMPLIANCE FINDING: The Operations Manager confirmed, normal procedures ensured, that AER notified network operator if a metering installation became subject to or there were changes in a customer's circumstances in a metering point that resulted in bi-directional flows bi-directional electricity flows. However, compliance was not able to be assessed with the information provided for review as it was outside the audit period.</p> <p>DOCUMENTS/SYSTEMS: 27, 28</p>	

			<p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Compliance with the 2 business day rule was not able to be assessed with the information provided for review.</p> <ul style="list-style-type: none"> ▪ In relation to SUC customers installing solar systems AER worked to ensure their meter was enabled for bidirectional flow as required or unauthorised solar systems were reported and managed as required. ▪ Evidence of the requests (within the 2 business days timeframe) to reconfigure meter to bidirectional that were supplied were outside the scope of the audit period. ▪ Specific reference to the requirements was not included in the documents provided for review. <p>Outcome Compliance: Not able to be assessed as no evidence of bidirectional notification to Western Power was provided within the audit period.</p> <p>Output Compliance: No records in relation to bidirectional flow were provided for review.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R
2021 RECOMMENDATION - NIL			
339 Type [2]	Clause 3.11(3) - A Code participant who becomes aware of an outage or malfunction of a metering installation must advise the network operator as soon as practicable.		<p>COMPLIANCE FINDING: The Billing Administrator confirmed that during the audit period AER Retail was not aware of any outages or malfunction of a metering installation in relation to SUC accounts.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 17, 24, 27, 28, 102, 103</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee established several meter data review processes in which anomalous meter data would highlight issues relating to the reliability of metering installations and checking of data by the Billing Administrator was also undertaken.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	N/R

				<ul style="list-style-type: none"> Evidence provided for review related to LUC not SUC. <p>Outcome Compliance: Issues associated with the reliability of metering installations for SUC were not identified.</p> <p>Output Compliance: Meter data reports and email communications were systems established to determine issues with the reliability of metering installations but were not applicable to the audit period.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
371 Type [2]	Clause 4.5(1) - If there is a discrepancy between energy data held in a metering installation and in the metering database, the affected Code participants and the network operator must liaise to determine the most appropriate way to resolve the discrepancy.			<p>COMPLIANCE FINDING: The Operations Manager confirmed in relation to SUC's and to the best of the Licensee's ability, AER kept the registry accurate and there were no discrepancies between energy data held in a metering installation and in the metering database.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Systems established by the Licensee were effective for LUC in identifying discrepancies between energy data held in a metering installation and in the metering database.</p> <p>Outcome Compliance: In relation to SUC no meter discrepancies were identified, and no corrected data provided.</p> <p>Output Compliance: Communication with Western Power to resolve the discrepancy would record instances where discrepancies were identified.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	N/R	
2021 RECOMMENDATION - NIL				

<p>372 Type [NR]</p>	<p>Clause 4.5(1) - Subject to subclause 5.19(6), if a Code participant, other than a network operator, becomes aware of a change to, or inaccuracy in, an item of standing data in the registry, then it must notify the network operator and provide details of the change or inaccuracy within the timeframes prescribed.</p>	<p>COMPLIANCE FINDING: The Operations Manager confirmed in relation to SUC's and to the best of the Licensee's ability, AER kept the registry accurate and there were no discrepancies between energy data held in a metering installation and in the metering database.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Systems established by the Licensee were effective for LUC in identifying discrepancies between energy data held in a metering installation and in the metering database.</p> <ul style="list-style-type: none"> ▪ AER were aware of the requirement to provide change in a customer's attribute information to prevent a loop situation occurring however in general practice AER had limited ability to do so. ▪ Control procedures did not reference checking in relation to attribute information for the site of each connection point: (Noted this is primarily not within the Licensee's ability to change or monitor): <ul style="list-style-type: none"> ➢ "address attributes" (refer <ul style="list-style-type: none"> ❖ address of the site as per the communication rules. ❖ NMI ➢ "site attributes" the NMI of each connection point at the site ➢ "customer attributes": <ul style="list-style-type: none"> ❖ the NMI of each connection point with which the customer is associated. ❖ the customer's name; ❖ the customer's postal address (and, if a person residing at the site requires life support equipment, the person's street address) for outage notification purposes, in a format specified in the communication rules; ❖ one or more phone numbers to enable the network operator to contact the customer (and, if a person residing at the site requires life support equipment, a phone number to enable the network operator to contact the person); ❖ whether a person residing at the site requires life support equipment.
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	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>Outcome Compliance: In relation to SUC no meter discrepancies were identified and standing data updates were provided by Western Power through the Web Portal.</p> <p>Output Compliance: Communication with Western Power to resolve the discrepancy would record instances where discrepancies were identified.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
2021 RECOMMENDATION - NIL				
373 Type [2]	<p>Clause 4.5(2) - Subject to subclause 5.19(6), if a Code participant, other than a network operator, becomes aware of a change to, or inaccuracy in, an item of standing data in the registry, then it must notify the network operator and provide details of the change or inaccuracy within the timeframes prescribed.</p>			<p>COMPLIANCE FINDING: The Operations Manager confirmed in relation to SUC's and to the best of the Licensee's ability, AER kept the registry accurate and there were no discrepancies between energy data held in a metering installation and in the metering database.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 11, 22, 23, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Systems to ensure the compliance with the 2 business day rules were not established.</p> <ul style="list-style-type: none"> ▪ There were no erroneous transfer during the audit period. ▪ The Metering Code specified standing data values may change as a result of rectification of errors (including reversing an "erroneous transfer" under the Customer Transfer Code), field work or other activities. ▪ Procedures to reverse and erroneous transfer do not refer to this requirement. <p>Outcome Compliance: No requirement to report within 2 business days were identified.</p> <p>Output Compliance: Communication with Western Power to resolve the discrepancy would record instances where discrepancies were identified.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	

	2021 RECOMMENDATION - NIL		
388 Type [2]	Clause 5.4(2) - A user must, when reasonably requested by a network operator, assist the network operator to comply with the network operator's obligation under subclause 5.4(1).		<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period that AER Retail had provided Western Power when requested, information to assist them to validate energy data contained in the metering database as required by their obligations, refer Appendix 2 of the Metering Code.</p> <p>DOCUMENTS/SYSTEMS: Western Power/AER email communication records, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> In instances where Western Power was unable to access the meter to undertake a meter reading and obtain the energy data, evidence was sighted of AER providing assistance the network operator to obtain access to the meter at a mutually agreed time. <u>Outcome Compliance:</u> Communication between the Western Power and AER in relation to access to sites was verified. <u>Output Compliance:</u> Email communications where assistance was provided to gain access to meters provided assurance. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
	2021 RECOMMENDATION – NIL		
402 Type [2]	Clause 5.17(1) - A user must provide standing data and validated, and where necessary substituted or estimated, energy data to the user's customer to which that information relates where the user is required by an enactment or an agreement to do so for billing purposes or for the purpose of providing metering services to the customer.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that for the duration of the audit period, AER Retail was obligated to supply meter data to the customer on request and at no charge and did so on request as described by the control procedure.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 26, 27, 28, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p>

			<p>OBSERVATIONS: Process Compliance: The NSC referenced the requirement (Clause 7.1(c)).</p> <ul style="list-style-type: none"> The Customer Information and Communication Policy did not reference the requirement. <p>Outcome Compliance: The obligation for AER to provide for the SUC to direct that energy data and standing data be provided was included in the NSC (T&Cs).</p> <p>Output Compliance: Records of provision of meter data and emails would provide assurance.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1
2021 RECOMMENDATION - NIL			
406 Type [NR]	Clause 5.19(1) - A user must, when requested by the network operator acting in accordance with good electricity industry practice, use reasonable endeavours to collect information from customers, if any, that assists the network operator in meeting its obligations described in the Code and elsewhere, and provide that information to the network operator.	<p>COMPLIANCE FINDING: The Operations Manager confirmed there were no requests by the network operator to collect information from SUCs.</p> <p>DOCUMENTS/SYSTEMS: 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Email communications were established as means of the Licensee providing customer information where requested. Outcome Compliance: No specific request for the provision of customer information in relation the SUC was noted. Output Compliance: Email communication between western Power and AER would provide assurance for the obligations. Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>	
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R
2021 RECOMMENDATION - NIL			

407 Type [NR]	Clause 5.19(2) - A user must, to the extent that it is able, collect and maintain a record of the prescribed information in relation to the site of each connection point with which the user is associated.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that records relating to the prescribed information were captures as part of the quotation and contract execution stages.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The customer information was normally included in the Web Portal. The Licensee had limited input into the process.</p> <ul style="list-style-type: none"> AER had limited abilities in relation to prescribed attributes as SUC details may change outside the capabilities of the Licensee. <p>Outcome Compliance: Standard data was recorded as part of the quotation and contract development process.</p> <p>Output Compliance: This information was collected by Western Power and AER did not verify it.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	5	N/P	N/R
2021 RECOMMENDATION - NIL			
408 Type [2]	Clause 5.19(3) - Subject to subclauses 5.19(3A) and 5.19(6), the user must, within 1 business day after becoming aware of any change in an attribute described in subclause 5.19(2), notify the network operator of the change.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, did not become aware of any change in attribute described in subclause 5.19(2). As such there was no requirement to notify Western Power within 1 business day.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Reference to the required for changes to be made within 1 business day were not evident in the control procedures.</p>

				<ul style="list-style-type: none"> Control Processes to record compliance with the 1 business day timeframe were not confirmed. <p>Outcome Compliance: AER did not become aware of changes to attributes. Output Compliance: This information was collected by Western Power and AER does not verify it. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2021 RECOMMENDATION - NIL			
410 Type [NR]	Clause 5.19(6) - The user must use reasonable endeavours to ensure that it does not notify the network operator of a change in an attribute described in subclause 5.19(2) that results from the provision of standing data by the network operator to the user.			<p>COMPLIANCE FINDING: The Operations Manager confirmed that Western Power generates notice of changed Standing Data attributes, which the licensee acknowledged without further correspondence to Western Power.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The process for provision of information relating to address, customer, and site attributes was controlled by Western Power. Outcome Compliance: Western Power updated the web portal as required. AER did not provide the information back to Western Power. Output Compliance: The notification in the web portal provided assurance to the process. Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	1	
	2021 RECOMMENDATION - NIL			
416	Clause 5.21(5) - A Code participant must not request a test or audit under subclause 5.21(1) unless the Code participant is a			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period there were no tests or audits requested.</p>

Type [2]	user and the test or audit relates to a time or times at which the user was the current user or the Code participant is the IMO.		<p>DOCUMENTS/SYSTEMS: Web Portal, 27, 28, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> The NSC details the SUC was able request a Meter to be tested to ensure that it is measuring accurately (Clause 7.3) <u>Outcome Compliance:</u> Requests for tests by SUC did not occur. AER was a code participant for the duration of the audit period. <u>Output Compliance:</u> Meter test request report and email communication would provide assurance for this obligation. <u>Integrity of Reporting:</u> Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY 4	CONTROLS RATING N/P	
2021 RECOMMENDATION - NIL			
417 Type [2]	Clause 5.21(6) - A Code participant must not make a request under subclause 5.21(1) that is inconsistent with any access arrangement or agreement.		<p>COMPLIANCE FINDING: For the duration of the audit period, the Operations Manager confirmed that a retailer could only request a test only if at the time of the request it is the incumbent retailer. AER Retail made no requests that were inconsistent with any access arrangement or agreement.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 27, 28, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> As permitted, the Licensee included a reference in the NSC to the option for the SUC to request a meter test. <u>Outcome Compliance:</u> There were no requests for meter tests or audits for SUC during the audit period. <u>Output Compliance:</u> Email communication and meter test reports would provide assurance for this obligation.</p>
	PRIORITY	CONTROLS RATING	

	4	N/P	1	Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports
2021 RECOMMENDATION - NIL				
435 Type [2]	Clause 5.27 - Upon request from a network operator, the current user for a connection point must provide the network operator with customer attribute information that it reasonably believes are missing or incorrect within the timeframes prescribed.			<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period that AER Retail did not receive a request from the network operator in relation to customer attribute information that it reasonably believes are missing or incorrect</p> <p>DOCUMENTS/SYSTEMS: Web Portal, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: If requested by the Network Operator for customer details AER processes and communication channels ensured provision of information. Outcome Compliance: No information in relation to SUC was noted by the Licensee to have been requested. Output Compliance: Email communications between Western Power and AER would provide assurance. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2021 RECOMMENDATION - NIL				
448 Type	Clause 6.1(2) - A user must, in relation to a network on which it has an access contract, comply with the rules, procedures, agreements and criteria prescribed.			<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period that AER was compliant with documents, had an ETAC and has complied with rules, procedures, agreements and criteria prescribed.</p>

[2]				<p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee used the Western Power portal to make all metering transactions and thus meet compliance with Western Power’s rules, procedures, agreements and criteria.</p> <ul style="list-style-type: none"> ▪ Relevant documentation included Metering Code Communication Rules (refer Build Pack SWIS Communication Rules), Model Service Level Agreement, Metrology Procedure. It was noted that MSLA was revised during the audit period <p>Outcome Compliance: Compliance with Western Power process, the Build Pack, technical rules and relevant codes due to the use of the Web Portal.</p> <p>Output Compliance: Web Portal records, email communication as applicable. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
2021 RECOMMENDATION - NIL				
451 Type [NR]	<p>Clause 7.2(1) - Code participants must use reasonable endeavours to ensure that they can send and receive a notice by post, facsimile and electronic communication and must notify the network operator of a telephone number for voice communication in connection with the Code.</p>			<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period that AER Retail and Western Power did not encounter difficulties. Evidence of communication with network operator reviewed.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, email, 32-33</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: It was noted that AER Retail removed the facsimile (as generally an obsolete means of communication) contact details from its website and NSCs. It is understood the facsimile can still be received.</p>

				<ul style="list-style-type: none"> Formal notification to Western Power of the change has not been provided but the Licensee confirmed Western Power do not routinely communicate via facsimile. <p>Outcome Compliance: Communication was maintained throughout the audit period. Output Compliance: Evidence of communication with the network operator was sighted. Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	1	
	2021 RECOMMENDATION - NIL			
453 Type [2]	Clause 7.2(4) - If requested by a network operator with whom it has entered into an access contract, the Code participant must notify its contact details to a network operator within 3 business days after the request.			<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period the network operator did not make a request for AER as a retailer to notify its contact details.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27-28, 40-43</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: Communication between the network operator and AER Retail was not impacted during the audit period.</p> <ul style="list-style-type: none"> The control procedures did not refer to the compliance requirements i.e. 3 business days recording. Evidence to confirm communication throughout the audit period was provided for review. Although no request was made the Licensee's systems facilitated the recording compliance with the 3 business day rule should a request be made via records of email communication. The Licensee notified Western Power 16/1/2018 of the intent to move offices on 22/1/2018. It was noted Western Power advised they would update Schedule 6 of the ETAC. <p>Outcome Compliance: Communication and contact details were provided as required and no request was made from WP.</p> <p>Output Compliance: Web Portal access, communication, notifications and email and phone communications evident during the audit period. Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	

2021 RECOMMENDATION - NIL				
454 Type [2]	Clause 7.2(5) - A Code participant must notify any affected network operator of any change to the contact details it notified to the network operator under subclause 7.2(4) at least 3 business days before the change takes effect.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, AER as a retailer, notified changes to contact details 3 business days prior to the change taking effect.</p> <p>DOCUMENTS/SYSTEMS: 27, 28, 40-43</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: The Licensee notified Western Power 16/1/2018 of the intent to move offices on 22/1/2018.</p> <ul style="list-style-type: none"> ▪ It was noted Western Power advised they would update Schedule 6 of the ETAC. ▪ The Licensee’s systems facilitated the recording compliance with the 3 business day rule via records of email communication. ▪ Communication between the network operator and AER Retail was not impacted during the audit period. ▪ Although the control procedures did not refer to the compliance requirements, compliance was noted due to the awareness of the requirement by management. i.e. 3 business days recording. ▪ Evidence to confirm communication throughout the audit period was provided for review. <p>Outcome Compliance: The Licensee was notified within 3 business days of the change to contact details.</p> <p>Output Compliance: Web Portal access, communication, notifications and email and phone communications evident during the audit period.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports.</p>	
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2021 RECOMMENDATION - NIL				

455 Type [2]	Clause 7.5 - A Code participant must subject to subclauses 5.17A and 7.6 not disclose, or permit the disclosure of, confidential information provided to it under or in connection with the Code and may only use or reproduce confidential information for the purpose for which it was disclosed or another purpose contemplated by the Code.		<p>COMPLIANCE FINDING: The Operations Manager confirmed that during the audit period, AER Retail has established internal policies and codes of conduct in relation to privacy, confidentiality, and the handling of sensitive information. Confidential information provided to the Licensee was managed in accordance with the confidentiality obligations of the Metering Code and with consideration of the requirements relating to provision of a customer’s energy data and standing data and any permitted disclosures.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: Process Compliance: In respect to the Metering Code “confidential information” referred to standing data and energy data; and any other information which is confidential information of, or commercially sensitive to, a customer or code participant.</p> <ul style="list-style-type: none"> ▪ Privacy Policy and the NSC addressed confidentially requirements. <p>Outcome Compliance: The Licensee ensured required customer files were subject to password protection to limit access.</p> <p>Output Compliance: Web Portal restricted access, customer files restricted access.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	4	N/P	1
2021 RECOMMENDATION – NIL			
456 Type [2]	Clause 7.6(1) - A Code participant must disclose or permit the disclosure of confidential information that is required to be disclosed by the Code.		<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period, AER permitted disclosure of confidential information required to be disclosed by the code.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p>

				<p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: In respect to the Metering Code “confidential information” referred to standing data and energy data; and any other information which is confidential information of, or commercially sensitive to, a customer or code participant.</p> <ul style="list-style-type: none"> ▪ Privacy Policy and the NSC addressed confidentially requirements. <p>Outcome Compliance: The Licensee ensured required customer files were subject to password protection to limit access. Small management team controlled the provision of information.</p> <p>Output Compliance: Web Portal restricted access, customer files restricted access Management approval for access to information.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2021 RECOMMENDATION - NIL				
457 Type [NR]	Clause 8.1(1) - If any dispute arises between any Code participants, then (subject to subclause 8.2(3)) representatives of disputing parties must meet within 5 business days after a notice given by a disputing party to the other disputing parties and attempt to resolve the dispute by negotiations in good faith.			<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period there have been no disputes with Western Power in relation to the metering code obligations and as such no requirement for the application of dispute resolution procedures.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Control procedures reference the requirement for representatives to meet within 5 business days after a notice given by a disputing party to the other disputing parties.</p> <p>Outcome Compliance: AER and Western Power have maintained effective and efficient processes in relation to the functions of the retail licence.</p> <p>Output Compliance: Email communications and ongoing access to the Web Portal.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	N/R	

2021 RECOMMENDATION - NIL			
458 Type [NR]	Clause 8.1(2) - If a dispute is not resolved within 10 business days after the dispute is referred to representative negotiations, the disputing parties must refer the dispute to a senior management officer of each disputing party who must meet and attempt to resolve the dispute by negotiations in good faith.		<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period there have been no disputes with Western Power in relation to the metering code obligations and as such no requirement for the application of dispute resolution procedures.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Control procedures reference the requirement for resolution within 10 business days after the dispute is referred to senior management negotiations. <u>Outcome Compliance:</u> AER and Western Power have maintained effective and efficient processes in relation to the functions of the retail licence. <u>Output Compliance:</u> Email communications and ongoing access to the Web Portal. <u>Integrity of Reporting:</u> Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING
	5	N/P	N/R
2021 RECOMMENDATION - NIL			
459 Type [NR]	Clause 8.1(3) - If the dispute is not resolved within 10 business days after the dispute is referred to senior management negotiations, the disputing parties must refer the dispute to the senior executive officer of each disputing party who must meet and attempt to resolve the dispute by negotiations in good faith.		<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period there have been no disputes with Western Power in relation to the metering code obligations and as such no requirement for the application of dispute resolution procedures.</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Control procedures reference the requirement for resolution within 10 business days after the dispute is referred to senior executive officer of each disputing party.</p>

				<p>Outcome Compliance: AER and Western Power have maintained effective and efficient processes in relation to the functions of the retail licence.</p> <p>Output Compliance: Email communications and ongoing access to the Web Portal.</p> <p>Integrity of Reporting: Type NR obligation not required to be reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	N/R	
	2021 RECOMMENDATION - NIL			
460 Type [2]	Clause 8.1(4) - If the dispute is resolved by representative negotiations, senior management negotiations or operations manager negotiations, the disputing parties must prepare a written and signed record of the resolution and adhere to the resolution.			<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period there have been no disputes with Western Power in relation to the metering code obligations and as such no requirement for referral of disputes to the arbitrator,</p> <p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS:</p> <p>Process Compliance: Western Power have established a primary Customer Service representative to address the concerns AER may have in relation to the functions of the retail licence.</p> <p>Outcome Compliance: AER and Western Power have maintained effective and efficient processes in relation to the functions of the retail licence.</p> <p>Output Compliance: Email communications and ongoing access to the Web Portal.</p> <p>Integrity of Reporting: Type 2 obligation accurately reported in the compliance reports</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2021 RECOMMENDATION - NIL			
461 Type [NR]	Clause 8.3(2) - The disputing parties must at all times conduct themselves in a manner which is directed towards achieving the objective in subclause 8.3(1).			<p>COMPLIANCE FINDING: The Operations Manager confirmed during the audit period there have been no disputes with Western Power in relation to the metering code obligations as such assessment of informality and expedition with respect to disputes was not assessed.</p>

			<p>DOCUMENTS/SYSTEMS: Web Portal, Build Pack, 27, 28</p> <p>PERSONNEL INTERVIEWED: Operations Manager</p> <p>OBSERVATIONS: <u>Process Compliance:</u> Western Power have established a primary Customer Service representative to address the concerns AER may have in relation to the functions of the retail licence. <u>Outcome Compliance:</u> AER and Western Power have maintained effective and efficient processes in relation to the functions of the retail licence. <u>Output Compliance:</u> Email communications and ongoing access to the Web Portal. <u>Integrity of Reporting:</u> Type NR obligation not required to be reported in the compliance reports</p>
PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
5	N/P	N/R	
2021 RECOMMENDATION - NIL			

Note:

- * indicates obligation was reclassified during the audit period from N/R to Type 2 (Refer Amendment Record - Electricity Compliance Reporting Manual – June 2020). Prior to this period the rating was N/R.
 - ** indicates identified as non-compliant in previous Audit Report or an Annual Compliance Report during audit period
- N/P - Not Performed – A controls rating was not required
 N/R - Not rated – No activity took place during the audit period

APPENDIX 2 – AUDIT DOCUMENT LISTING

Documents Reviewed

Table 13 - Documents Reviewed and Assessment of Effectiveness

DOCUMENT REF NUMBER	DOCUMENT NAME		9 Electricity Industry Customer Transfer Code	11 Electricity Industry (Customer Contracts) Regulations	12 Electricity Industry Act	13 Electricity Licences	14 Code of Conduct for the Supply of Electricity to Small Use Customers	15 Electricity Industry Metering Code
	List of all documentation reviewed and evidence sampled.							
	DOCUMENT ASSESSMENT							
		Current, Reviewed, implementation verified, document effective in facilitating compliance						
	Requires some review to improve effectiveness and ensure implementation, potential impact on compliance processes							
	Requires urgent review, document obsolete or not implemented, critical to compliance processes							
1	Policy - Billing							
2	Policy - Customer Transfer policy and procedure							
3	Policy - Life Support							
4	Policy - Marketing							
5	Sample of SUC Bills							
6	Account Termination Policy							
7	Archiving Policy							
8	Customer Quotation Sheet							
9	Disconnection and Reconnection Policy							
10	Downloading Data - new customer							
11	Erroneous Transfer Register							
12	Life Support Register							
13	Life Support Policy v1							
14	Managing New Customers Accounts							
15	Not used							
16	Potential Customers Policy							
17	Processing Meter Data							
18	Reporting Policy							
19	Security Deposits Procedure							
20	Service Standard Payments Policy - UPDATE							
21	Service Standard Payments Policy							
22	Customer Transfer Policy and Procedure inc Dispute Register							
23	Customer Transfer - Export from Western Power Portal							
24	Billing Cycle Processing-WP-Data-Process							
25	Customer Complaint Guidelines - December 2016 – ERA Document							
26	Customer Communication							
27	ETAC AER RETAIL							
28	Deed of Variation to ETAC - Bidirectional Services EXECUTED							

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	List of all documentation reviewed and evidence sampled.							
	DOCUMENT ASSESSMENT							
		Current, Reviewed, implementation verified, document effective in facilitating compliance						
		Requires some review to improve effectiveness and ensure implementation, potential impact on compliance processes						
		Requires urgent review, document obsolete or not implemented, critical to compliance processes						
29	AER CONTRACTS LIST - 2021							
30	Electricity Supply Agreement - COMPANY NAME – BUNDLED - LUC							
31	Electricity Supply Agreement - COMPANY NAME Pty Ltd – UNBUNDLED - LUC							
32	SUC - Non Standard Contract - Offer Document							
33	SUC - Non Standard Contract - Terms & Conditions							
34	Direct Debit [REDACTED]							
35	AER Retail - Sample Invoice							
36	AER Retail backups- Dragnet internet support							
37	Complaint Resolution Factsheet - Address updated							
38	Complaint Dispute Register							
39	Complaint Resolution Factsheet							
40	RE AER [REDACTED] Electricity New Office Details - AEMO							
41	[REDACTED] New Office contact details - Western Power							
42	AER [REDACTED] Electricity New Office Details - ERA							
43	AER [REDACTED] Electricity New Office Details							
44	Example of Customer Invoice - Current							
45	Example of Invoice - SUC							
46	[REDACTED] AER Retail Pty Ltd - Annual licence Invoice 2017							
47	[REDACTED] AER Retail Pty Ltd - Annual Licence Invoice 2018							
48	[REDACTED] AER Retail Pty Ltd -Annual Licence Invoice 2019							
49	[REDACTED] AER Retail Pty Ltd - Annual Licence Invoice 2020							
50	[REDACTED] AER Retail Pty Ltd - Annual Licence Invoice 2021							
51	ERA Payments							
52	RE Standing Charge Invoices 2017 - 2021							
53	RE Annual Licence Charge Invoice delay in invoice - AER Retail Pty Ltd							
54	Acknowledgement - 2018 Annual Compliance Report - ERL18 - AER Retail Pty Ltd							
55	AER Annual Compliance Report FY1718							
56	AER Retail - 2018 Electricity Performance Reporting Datasheets							

DOCUMENT REF NUMBER	DOCUMENT NAME		9 Electricity Industry Customer Transfer Code	11 Electricity Industry (Customer Contracts) Regulations	12 Electricity Industry Act	13 Electricity Licences	14 Code of Conduct for the Supply of Electricity to Small Use Customers	15 Electricity Industry Metering Code
	List of all documentation reviewed and evidence sampled.							
	DOCUMENT ASSESSMENT							
		Current, Reviewed, implementation verified, document effective in facilitating compliance						
		Requires some review to improve effectiveness and ensure implementation, potential impact on compliance processes						
		Requires urgent review, document obsolete or not implemented, critical to compliance processes						
57	FW Acknowledgement - 2018 Licence Standing Charge Data - ERL18 - AER Retail Pty Ltd							
58	FW Reminder - 2018 annual compliance - ERL18 - AER Retail Pty Ltd							
59	FW Reminder Overdue - 2018 Electricity Licence Standing Charge Data - ERL18 - AER Retail Pty Ltd							
60	RE Address of AER Retail Pty Ltd and [REDACTED] - Update on ERA website							
61	RE Query re 2018 performance report - ERL18 - AER Retail Pty Ltd							
62	Acknowledgement - 2018 Annual Compliance Report - ERL18 - AER Retail Pty Ltd							
63	Acknowledgement - 2019 Licence Standing Charge Data - ERL18 - AER Retail Pty Ltd							
64	AER Retail Pty Ltd - ERL18 - 2019 Electricity Licence Standing Charge Data							
65	Annual Compliance Report - AER Retail Pty Ltd							
66	Annual Performance Datasheet 2019 - AER Retail							
67	Acknowledge published on website and hyperlink RE AER Retail Pty Ltd - ERL18 - Annual Performance Datasheet							
68	Acknowledgement - 2020 Annual Compliance Report - ERL018 - AER Retail Pty Ltd							
69	AER Retail Pty Ltd - Annual Compliance Report 2019 -2020							
70	AER Retail Pty Ltd - Performance Reporting Datasheet							
71	EMAIL from ERA confirming 73 customers 2020 - RE HPECM AER Retail Pty Ltd - ERL18 - 2021 Electricity Licence Standing Charge Data							
72	RE AER Retail Pty Ltd - ERL18 - Electricity Standing Charge Data							
73	Request to publish on licensee's website - 2020 Annual Performance Report - ERL18 - AER Retail Pty Ltd							
74	Acknowledgement - 2021 Annual Compliance Report - ERL018 - AER Retail Pty Ltd							
75	AER Retail Pty Ltd - 2020 - 2021 Compliance Report							
76	Annual Reporting Datasheet - AER Retail							
77	RE AER Retail Pty Ltd - ERL18 - 2021 Electricity Licence Standing Charge Data							
78	RE AER Retail Pty Ltd - Performance Reporting Datasheet 2020-2021							

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	List of all documentation reviewed and evidence sampled.						
	DOCUMENT ASSESSMENT						
	Current, Reviewed, implementation verified, document effective in facilitating compliance						
	Requires some review to improve effectiveness and ensure implementation, potential impact on compliance processes						
	Requires urgent review, document obsolete or not implemented, critical to compliance processes						
79	AER Retail Service Standards Fact Sheet - sent 2021						
80	Service Standard Fact Sheet 2020						
81	Service Standards Fact Sheet 2019						
82	Service Standard Factsheet to be sent to Customer in August 2017 FINAL						
83	FW Extended metering Services Invoice. ref ME 007269 May Invoice- [REDACTED] – LUC						
84	Billing Cycle Processing-WP-Data-Process (duplicate 24)						
85	[REDACTED] Pty Ltd-July 2021 Invoice [REDACTED]						
86	RE EXTERNAL FW Meter data Substitutions for NMI [REDACTED]						
87	[REDACTED]						
88	[REDACTED]						
89	[REDACTED]						
90	RE EXTERNAL FW Meter data Substitutions for NMI [REDACTED]						
91	LUC AER Retail - EMS Apr 2020						
92	AER Retail Pty Ltd [REDACTED]						
93	AER Retail - EMS Jan 2020						
94	AER Retail Pty Ltd						
95	AER Retail_EMS Sep 2019						
96	April 2020 - billdetails - AER RETAILER						
97	billdetails - AER RETAILER						
98	Jan 2020 period - billdetails - AER RETAILER						
99	Small Use Customer - Example of Customer file						
100	[REDACTED] EXECUTED Electricity Supply Agreement [REDACTED]						
101	[REDACTED] - June 2020 Invoice - Email advising new rates as per contractmsg						
102	Pricing - Review-Meter Data for Pricing Model-History request						
103	Pricing Process Meter Data Format						

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	List of all documentation reviewed and evidence sampled.						
	DOCUMENT ASSESSMENT						
	Current, Reviewed, implementation verified, document effective in facilitating compliance						
	Requires some review to improve effectiveness and ensure implementation, potential impact on compliance processes						
	Requires urgent review, document obsolete or not implemented, critical to compliance processes						
104	Retail Operations Checklist - Annual, Monthly, weekly and daily checklist						
105	TO DO LIST - LUCA AND CLAIRE - updated to include ETAC Expiry						
106	FINAL DEMAND Overdue electricity payment						
107	RE Outstanding Electricity accounts - IMPORTANT- Final Demand - Debt collection process beginning						
108	URGENT Notice of Disconnection						
109	FW OVERDUE Accounts- Please pay immediately- Debt collection process commencing						
110	FW Overdue Energy Accounts due payable immediately. IMPORTANT- DEBT recovery process starting today.						
111	List of Emails to ██████ Part 1						
112	List of Emails to ██████ Part 2						
113	NOTICE OF NON PAYMENT OF ELECTRICITY INVOICES- Notice of commencement of Debt Collection Process						
114	██████-late Payment-Finals-Debt Collection						
115	██████-July 2021 Invoice- Overdue						
116	Sample of Customer VCF Files						
117	Sample of Customer NSFC						
118	Sample Non-Energy Invoices						
119	New Customer Checklist						
120	ERA Notice - 2017 PERFORMANCE AUDIT						
121	TO DO LIST and Key Dates (Saved from Teams)						
122	AER Standard Form Contract (draft March 2017)						
123	Approval of audit plan - 2021 audit - ERL018 - AER Retail Pty Ltd						
124	Approval of auditor and extension request - 2021 audit - ERL018 - AER Retail Pty Ltd						
125	██████ Customer Mailing List -Updated Feb 2022						
126	██████ Pre-Billing Checklist-MASTER-V1						
127	████████████████████						
128	██████ -May 2021 Invoice						
129	SUC - Service Standard Factsheet - ██████ -May 2021 Invoice						

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	DOCUMENT ASSESSMENT						
	Current, Reviewed, implementation verified, document effective in facilitating compliance						
	Requires some review to improve effectiveness and ensure implementation, potential impact on compliance processes						
	Requires urgent review, document obsolete or not implemented, critical to compliance processes						
130	RE AER Retail Pty Ltd - ERL18 - 2021 Electricity Licence Standing Charge Data						
131	██████████ signed Contract						
132	██████████ - December 2019 Invoice						
133	Email from ERA no further info required RE AER Retail Pty Ltd - Performance Reporting Datasheet 2020-2021						
134	CPI Adjustment ██████████						
135	Ack 2019						
136	Ack published on website and hyperlink FW Request to publish on licensee's website - 2020 Annual Performance Report - ERL18 - AER Retail Pty Ltd						

* Physical document not sighted described in procedure or by Licensee

Note: If blank document assessment, the document was provided for review but not assessed during the audit process.