



20 September 2023

Alex Kroon  
Assistant Director Utility Services Regulation  
Economic Regulation Authority  
PO Box 8469  
Perth BC WA 6849

[publicsubmissions@erawa.com.au](mailto:publicsubmissions@erawa.com.au)

Dear Alex

**Draft decision – 2023 Review of the Compendium of Gas Customer Licence Obligations**

Alinta Sales Pty Ltd (**Alinta Energy**) is pleased to provide comment on:

- The issues raised in the ERA's Draft Decision – refer to Table 1 below; and
- The proposed amendments to the Compendium, which are scheduled to take effect from 1 January 2024 (Parts 1 – 10) and three months later for new Part 11 – refer to Table 2.

If you have any questions concerning any of our comments, please contact me on 9486 3191 or [catherine.rousch@alintaenergy.com.au](mailto:catherine.rousch@alintaenergy.com.au).

Yours sincerely

**Catherine Rousch**  
Manager WA Retail Regulation  
Alinta Energy

**Table 1: Comments on issues raised in the Draft Decision**

Issue No.	Issue	Comment
1	Aligning the Compendium with the Electricity Code	<p>We generally support the proposed amendments to the Compendium, which seek to improve alignment with the new Electricity Code and, in turn, with NECF.</p> <p>In particular, we agree with the extension of payment assistance to all residential customers and with the enhanced protections for customers affected by family violence.</p> <p>We are concerned with the tight timeframe provided to retailers to implement a family violence policy. Whilst we already operate a family violence program, it will need to be reviewed and modified to ensure compliance with Part 11. This may include making amendments to our customer-facing policy, updating operational procedures and re-training staff, noting clause 62 requires consultation with appropriate consumer representatives when developing a family violence policy and associated training.</p> <p>We will work towards a 1 April 2024 start date, however we may not be able to meet all Part 11 obligations within this timeframe.</p>
2	Bill Smoothing	Alinta Energy offers bill smoothing payment arrangements and supports retaining bill smoothing provisions in the Compendium.
3	Prepayment meters	We agree with the ERA's proposal to remove all references to pre-payment meters from the Compendium.
4	Meter reads and customer self reads	We support the ERA's proposal to allow for bills to be based on energy data provided by the customer to the distributor and have suggested some further amendments to make this obligation clearer (see Table 2, clause 14(1)).
5	Paper billing charges	Alinta Energy does not charge for issuing paper bills and has no comment on this matter.
6	Providing the basis of an estimated bill within a timeframe	<p>We do not consider there is a need to regulate the timeframe for retailers to provide the reason and basis for an estimated bill to a customer.</p> <p>When a bill is estimated, a reason code is provided by the distributor to the retailer. If this information has been provided to us by the distributor, we can advise the customer immediately of the reason for the estimate.</p>
7	Increase minimum time for shortened billing cycle	Alinta Energy does not use shortened billing cycles and has no comment on this matter.
8	Reducing the maximum billing time	<p>We would not support reducing the maximum billing interval to less than 105 days. The costs incurred by both retailers and the distributor in reducing billing frequency to two months to align with electricity would far exceed the benefits of doing so.</p> <p>Additionally, recent meter reading delays have highlighted the extensive resourcing issues experienced by ATCO, which would only be exacerbated by reducing billing intervals.</p>

**Table 2: Comments on proposed amendments to Compendium**

Clause No.	Clause	Comment
<b>Part 1 – Preliminary</b>		
3	<p><b>“Centrepay”</b> means the facility that allows Centrelink <del>customers</del> <u>customers</u> to have automatic deductions taken from Centrelink payments.</p>	<p>Typo. We note there is a general inconsistency regarding the use of italics throughout the Compendium. We support the removal of italics to align with the Electricity Code.</p>
3	<p><b>“Gas Tariffs Regulations”</b> means the <u>Energy Coordination (Gas Tariffs) Regulations 2000</u>.</p>	<p>Refer to proposed amendments to clause 50(1).</p>
3	<p><del>“premises” means premises owned or occupied by a new or existing customer.</del></p>	<p>Suggest deleting. Term is only used once, in the definition of “supply address” and is not a defined term in the Electricity Code.</p>
3	<p><b>“protected period”</b> means — <u>(a) a Monday, Tuesday, Wednesday or Thursday after 3 pm; or</u> <u>(b) a Friday; or</u> <u>(c) a Saturday, a Sunday or a public holiday throughout the State; or</u> <u>(d) a business day immediately before a public holiday throughout the State.</u></p>	<p>Refer to proposed amendments to clause 45(2).</p>
3	<p><b>“relevant consumer representative”</b> – (a) means a person who may reasonably be expected to represent the interests of <i>residential customers</i> who are experiencing – (i) difficulties in paying their bills <del>or purchasing credit for the recharge of a pre-payment meter</del>; or</p>	<p>Per Issue 3, reference to pre-payment meters removed.</p>
4(1)	<p>For the purposes of this <i>Compendium</i>, a <i>payment plan</i> is an interest-free and fee-free plan or other arrangement between a <i>retailer</i> and a <i>residential customer</i> under which the <i>customer</i> is allowed to pay a bill, any arrears or a charge (including a disconnection or reconnection charge) by 2 or more instalments while continuing consumption of gas, <del>where fee in this definition includes any fee or charge.</del></p>	<p>“Fee” is defined in subclause 4(2).</p>
<b>Part 4 – Billing</b>		
12(1)	<p>A <i>retailer</i> may, on receipt of a request by a <i>customer</i>, provide the <i>customer</i> a bill</p>	<p>Typo.</p>

Clause No.	Clause	Comment
	which reflects a bill smoothing arrangement, in respect of any 12 month period, notwithstanding <del>section</del> <u>clause</u> 10.	
12(2)	(a) the amount payable under each bill is initially the same and is set out on the basis of – (ii) the relevant supply charge for the consumption <u>of gas</u> and any other charges related to the supply of gas, <u>as agreed with the customer</u> ;	Suggested for clarity.
13(4)	The bill must include... (p) the Meter Installation Registration Number for the property.	Suggest this is moved to subclause 13(2) as it is more relevant to service than to amounts due and payments.
13(4)	<del>(4)(a) a meter identification number (clearly placed on the part of the bill that is retained by the customer);</del>	Delete. This is already included in subclause 13(2)(c).
13(6)	Subclause (2)(b) does not apply if: (b) the <i>retailer</i> responsible...has provided the customer with the following information: (ii) the information set out in clause <del>2.25</del> (2) of the <i>Gas Marketing Code</i> or how the <i>customer</i> may obtain the information set out in clause <del>2.25</del> (2) of the <i>Gas Marketing Code</i> ;	Incorrect Gas Marketing Code references.
14(1)	<del>Subject to section 15, a</del> <u>A</u> retailer must base a <i>customer's</i> bill – (a) on energy data or estimated energy data <del>provided</del> for the meter at the <i>customer's</i> supply address provided by the <i>distributor</i> <del>or metering agent</del> , <u>which may include energy data provided by the customer to the distributor</u> ; or (b) on energy data <del>provided</del> for the meter at the <i>customer's</i> supply address provided by the <i>customer</i> <u>to the retailer and where on a request from the retailer where the customer agreed agrees</u> to <del>provide</del> <u>accept</u> that energy data; or	There is no section 15. Proposed amendment to subclause 14(1)(a) to clarify that customers can provide reads to the distributor, as per the ERA's proposal in Section 3.1.2 of the Draft Decision. Consider whether reference to <i>metering agent</i> can be removed. Whilst a metering agent may be contracted to read meters on behalf of the distributor, the distributor is ultimately responsible for providing the energy data to retailers. Subclause 14(1)(b) amended to remove the requirement for the retailer to formally ask a customer to provide a meter reading, but to allow the retailer to either accept or reject the data, noting the common practice of customers simply contacting the retailer to provide data without the retailer making a formal request.

Clause No.	Clause	Comment
14(5)	The <i>retailer</i> must ensure that the <i>customer</i> is provided with a written record of any method agreed between the <i>retailer</i> and the <i>customer</i> under subclause (1) <del>(b)</del> (c).	Incorrect subclause reference.
19(1)	If a <i>customer</i> , after receiving a bill, disputes the amount to be paid, the <i>retailer</i> must review the bill if the <i>customer</i> – (a) requests a review; and (b) <del>if the customer</del> has not already paid the bill, pays the lesser of the following	Duplicate text.
19(5)	The initiation of a review does not <del>remove the requirement for</del> <u>prevent the retailer requiring</u> the <i>customer</i> to pay future bills as they fall due.	The obligations in the Compendium apply to the retailer and the distributor, not to the customer.
21(1)	(d) in the case of a <i>residential customer</i> – offer the <i>customer</i> time to pay the amount to be recovered by means of a <i>payment plan</i> in accordance with clause 36 for a period at least equal to the period over which the recoverable <i>undercharging</i> occurred; <u>and</u> <u>(e) if the undercharge arises as part of a prior bill smoothing arrangement, offer to have the amount included as a part of a new bill smoothing arrangement.</u>	Suggest including a clause similar to new clause 22(1)(c) which permits an overcharge to be included as part of a new bill smoothing arrangement.
22(1)	... ask the <i>customer</i> for instructions as to whether the amount should be <del>credited to</del> – (a) <u>credited to</u> the <i>customer's</i> next bill; or (b) <u>repaid to the a customer's</u> bank account <del>nominated by the customer</del> ; or (c) included as a part of a new bill smoothing arrangement if the overcharge arises as part of a prior bill smoothing arrangement.	Suggested amendments.
27(3)	The amount of \$20 is the minimum amount that a <i>retailer</i> is required to accept <del>advance</del> as a payment in advance from a <i>customer</i> (although the <i>retailer</i> may accept a lower amount if it thinks fit).	Typo.
29(1)	(c) subject to subclause (2)...and – (i) if the <i>complaint</i> has been made to the <i>retailer</i> – the <i>complaint</i> has not been resolved by the <i>retailer</i> ; or	Amendment per Electricity Code.

Clause No.	Clause	Comment
	<p><del>(iii)</del> the complaint has been resolved by the retailer in favour of the customer; or</p> <p><del>(iii)</del> (ii) if the <del>compliant</del> complaint has been made to the gas ombudsman - the complaint has not been determined, or has been upheld by the gas ombudsman; or</p>	
<b>Part 6 – Payment assistance</b>		
39(7)	<p><del>A retailer must comply with the Authority's Financial Hardship Policy Guidelines.</del></p>	We note this clause is no longer included in the Electricity Code. Suggest deleting.
39(8)	<p><del>If a retailer makes a material amendment to the retailer's hardship policy, the retailer must consult with relevant consumer representatives, and submit to the Authority a copy of the retailer's amended hardship policy with 5 business days of the amendment.</del></p>	Delete. Provision of amended hardship policy to Authority is addressed in new clause 39(5)(b).
<b>Part 7 – Disconnection</b>		
42(1)(g)	<p><del>where a residential customer has been assessed by a retailer under clause 33(1) as experiencing financial hardship, without the retailer having provided the customer with information on the types of concessions available to the customer.</del></p>	Suggest deleting to align with Electricity Code. The provision of information regarding concessions is covered in clause 38(3)(c).
44(2)	If this subclause applies, a retailer may arrange for the disconnection of the customer's supply address <del>for</del> if –	Typo.
45(2)	(a) if: (i) a complaint has been made to the distributor <del>directly</del> that is directly related to the reason for the proposed disconnection...	Typo.
45(2)	(b) during <del>any time</del> a protected period unless - : <del>— (i) after 3.00 pm Monday to Thursday; or</del> <del>— (ii) on a Friday, Saturday, Sunday, public holiday or on the day before a public holiday.</del>	Suggestion per clause 52(2) Electricity Code.
<b>Part 8 – Reconnections</b>		
47(2)	Subclause (3) applies if – (a) a customer's supply address has been disconnected by a distributor otherwise <del>that</del> than at the request of a retailer; and	Typo.

Clause No.	Clause	Comment
<b>Part 9 – Information &amp; communication</b>		
Heading	Information & <u>and</u> communication	
50(1)	This clause applies if a customer's tariffs, fees or charges are set by the <del>State-Government-Gas Tariffs Regulations</del> <u>and</u> <u>or</u> are not in the control of the retailer (regulated prices).	Gas Tariffs are set by the relevant regulations. Replacement of "and" with "or" will extend the application of this clause to fees and charges set by ATCO and simply passed through to customers by the retailer.
51(1)	This clause applies if a customer's tariffs, fees or charges are not set by the <del>State-Government-Gas Tariffs Regulations</del> <u>and</u> <u>or</u> are in the control of the retailer (non-regulated prices).	Per above.
53	(b) refer the customer to the <del>relevant</del> distributor for a response.	Per Electricity Code.
<b>Part 10 – Complaints &amp; dispute resolution</b>		
Heading	Complaints & <u>and dispute resolution</u>	Per Electricity Code.
<b>Part 11 – Protections relating to family violence</b>		
62(2)	The family violence policy must – (h) provide information about the operation of <del>section clause</del> 63; and	Typo.
62(5)	If directed by the Authority, a retailer must review <del>is its</del> family violence policy or related procedures and submit the results of the review to the Authority within a period specified by the Authority.	Typo.