

Post Audit Implementation Plan – GTL15 Performance Audit Report 2023

Ref / year – section of act	Non-compliance	Action to be taken	By (name / position)	When
02/2023	<p>B2 <i>Energy Coordination Act</i> Section 11WG(1)</p> <p>Amanda Energy was in breach of the obligation to only supply gas to customers under either an ERA approved standard form contract, or a nonstandard contract that complies with the act. It was found that the non-standard contract was not fully compliant with the <i>Energy Coordination Act</i> following its (the Act's) amendment.</p> <p>This non-compliance was particularly noted in relation to the updated Marketing Code of Conduct 2022 and the <i>Energy Coordination (Customer Contracts) Amendment Regulations 2022</i>, with specific reference to obligations 55B and 55C.</p>	<p>Amanda Energy's NSC has been reviewed by an external legal firm to come into compliance with the updated regulations, and all existing gas customers have been provided with notice of their updated NSC T&Cs on 20/12/2023. Amanda Energy has now come into compliance with this obligation to ensure gas customers are only supplied under compliant contract terms.</p> <p>Amanda Energy to review obligations coming into effect 01/07/2024 and ensure updates to NSC are implemented and effective from this date.</p> <p>A control process to ensure legislative updates are implemented into Amanda Energy's procedures and contracts is to be established. Suggest a policy document that incorporates the following:</p>	Eva Mitchell / Senior Analyst	<p>NSC Updated and Issued to Current Customers - Resolved 20/12/2023.</p> <p>Team Training to be completed by 01/04/2024</p> <p>NSC to be reviewed in line with new obligations (effective 01/07/24) by 30/04/2024.</p> <p>Legislative Updates Policy (control process) to be established by 01/04/2024.</p>

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		<ul style="list-style-type: none"> - Relevant staff members being on appropriate email distribution lists (educational purposes). - Quarterly reviews of appropriate platforms (ERA website / Energy Policy WA alerts) to act as a secondary check nothing has been announced and not yet actioned. - Any identified legislative updates must be correspondingly added to the internal compliance reporting document (developed in response to ERL PAIP) to ensure correct reporting, but also to initiate relevant procedure or contract updates. - Internal timeline to be established as a KPI as part of 		

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		<p>the control process. E.g. legislative updates to procedures and contracts to be actioned for management approval and staff training 1 month prior to effective date.</p> <ul style="list-style-type: none"> - Roles and responsibilities in relation to the policy document to be established. <p>Amanda Energy to conduct staff training to raise awareness of compliance obligations.</p>		
03/2023	<p>D2 <i>Energy Coordination (Gas Tariffs) Regulations 2000</i> Reg 5(1)</p> <p>The Licensee confirmed that for the duration of the audit period, Amanda Energy did not have at least one capped tariff for any supply of gas in their area of operation.</p> <p>It was noted that there were 2 customers supplied on SFC within coastal area that were affected by the licensee not having a capped tariff for supply of gas in their area of operation.</p>	<p>Amanda Energy to publish the capped tariff on our website.</p> <p>Amanda Energy to conduct staff training to raise awareness of compliance obligations.</p> <p>Amanda to schedule annual CPI adjustment protocol to involve emailing Minister with 1 month notice.</p>	Eva Mitchell / Senior Analyst	01/04/2024

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04/2023	<p>D2 <i>Energy Coordination (Gas Tariffs) Regulations 2000</i> Reg 6(4)</p> <p>The Licensee confirmed that for the duration of the audit period, Amanda Energy's SFC included an obligation to offer to supply gas at a capped tariff. The SFC specified "The Price will not exceed the maximum Price permitted by the Gas Tariffs Regulations, where applicable."</p> <p>Amanda Energy had 2 existing customers on Standard Form Contracts during the audit period whose price should not have exceeded the maximum Price permitted by the Gas Tariffs Regulations.</p>	<p>Amanda Energy to calculate the difference between what the 2x affected customers were charged (Usage and Fixed Prices) versus what they could have been charged at the maximum Price permitted, and where Amanda Energy has overcharged, offer the customer a refund or credit for the affected period. For the ERA's reference, the expectation is that this will only apply to the Daily Supply Charge (Fixed).</p> <p>Amanda Energy to contact these customers to advise they may choose to be supplied under the Capped Tariffs on an ongoing basis.</p> <p>Amanda Energy to update SFC Particulars of Agreement and Welcome Pack documentation to ensure it is clear a customer may choose to be supplied under the Capped Tariff.</p> <p>Amanda Energy to conduct staff training to raise awareness of compliance obligations.</p>	Eva Mitchell / Senior Analyst	01/04/2024

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05/2023	<p>B2 <i>Energy Coordination (Customer Contracts)</i> Reg 12(5)(d)</p> <p>The Licensee confirmed that for the duration of the audit period, Amanda Energy's NSC required the licensee, to reconnect supply to a customer within 10 business days after disconnection for refusal to pay a refundable advance, if the customer pays the refundable advance and the customer has paid any applicable reconnection fee.</p> <p>The NSC T&Cs have not been revised in accordance with the amendments to refer to security deposit instead of refundable advance.</p>	<p>Amanda Energy's NSC has been reviewed by an external legal firm to come into compliance with the updated regulations, updated version received 18/12/2023 for ongoing internal use.</p> <p>Amanda Energy to conduct staff training to raise awareness of compliance obligations.</p>	Eva Mitchell / Senior Analyst	<p>NSC Updates Resolved 18/12/2023</p> <p>Team Training to be completed by 01/04/2024</p>
06/2023	<p>B2 <i>Energy Coordination (Customer Contracts)</i> Reg 44B(1) – (3)</p> <p>The Licensee confirmed that for the duration of the audit period applicable, Amanda Energy's NSC did not explicitly state whether or not the customer was required to pay a security deposit and did not include the maximum amount that the licensee may require as a security deposit.</p> <p>It was noted that the NSC included a reference that</p>	As Per Ref 05/2023	Eva Mitchell / Senior Analyst	<p>NSC Updates Resolved 18/12/2023</p> <p>Team Training to be completed by 01/04/2024</p>

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	security deposit/refundable advance "may" apply.			
07/2023	<p>B2 <i>Energy Coordination (Customer Contracts)</i> Reg 44B(1) – (3)</p> <p>From 1st January 2023, regulations 38D(2),(3),(4) and (5), 38F, 38I and 38J apply as if any reference in those provisions to a standard form contract include a reference to a non-standard contract.</p> <p>As the NSC was not reviewed following the amendment regulations coming into effect these requirements were not fully evident in the NSC, for example, 38E. Amount of security deposit - The NSC did not state that the licensee was required to ensure that the amount of the security deposit was not greater than 37.5% of the customer’s estimated bills over a 12 month period, based on — (a) billing data relating to the customer; or (b) the average consumption of gas by a comparable customer over a comparable 12 month period.</p>	As Per Ref 05/2023	Eva Mitchell / Senior Analyst	<p>NSC Updates Resolved 18/12/2023</p> <p>Team Training to be completed by 01/04/2024</p>
08/2023	<p>B2 <i>Energy Coordination (Customer Contracts)</i> Reg 15(1) AGA Code Clause 4.2.1</p> <p>The Licensee confirmed that for the duration of the audit period, Amanda</p>	As Per Ref 05/2023	Eva Mitchell / Senior Analyst	<p>NSC Updates Resolved 18/12/2023</p> <p>Team Training to be completed by 01/04/2024</p>

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	Energy's NSC included the procedures to be followed by the licensee in relation to the preparation and issue of bills, but not specifically the procedures to review customer's bills.			
09/2023	<p>B2 <i>Energy Coordination (Customer Contracts)</i> Reg 44</p> <p>The Licensee confirmed that for the duration of the audit period applicable (i.e. 1 January 2023 to 31 October 2023), Amanda Energy's NSC did not specifically reference the revised timeframe for information related to contract expiry.</p> <p>For the audit period prior to the <i>Energy Coordination (Customer Contracts) Amendment Regulations 2022</i> coming into operation on 1 January 2023. (i.e. 1 November 2020 to 31 December 2022), the NSC did include provisions timeframes Information relating to expiry of fixed term contract as required by Reg 44.</p>	<p>As Per Ref 05/2023</p> <p>Additionally, review internal procedures around advising of contract expiry.</p>	Eva Mitchell / Senior Analyst	<p>NSC Updates Resolved 18/12/2023</p> <p>Team Training to be completed by 01/04/2024</p>
10/2023	<p>B2 <i>Compendium</i> Clause 4.5(1)</p> <p>The Licensee confirmed that during the audit period, Amanda Energy was compliant with</p>	Amanda Energy to update the gas invoice template to include both the electricity and gas network provider (Western Power and ATCO)'s numbers, and update the wording to	Eva Mitchell / Senior Analyst	<p>Current Invoice Template to be updated by 28/02/2024.</p> <p>T4B to be meaningfully engaged in gas invoicing</p>

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	<p>subclause 4.5(1) regarding customer billing information, except for the gas ombudsman contact details and the distributor's 24-hour emergency number, which were the exceptions noted.</p> <p>It was noted that the billing template incorrectly listed Western Power's distributor's 24-hour emergency number instead of ATCO's. Furthermore, the ombudsman contact was erroneously referred to as the "Electricity Ombudsman" when it should have been labelled as the "Energy & Water Ombudsman," although the contact number provided was accurate. These issues in the billing template persisted until the end of the audit period.</p> <p>The non-compliance related to 4.5(1)(u) as the number was incorrect, whereas with (t) the number was correct but the description was not accurate.</p>	<p>"Energy and Water Ombudsman".</p> <p>Amanda Energy to engage T4B to implement gas invoicing software. Invoices to generate on this software, so template will be consistent.</p>		<p>development by 31/03/2024 – expected actual implementation of gas software mid-2024.</p>
12/2023	<p>B2 <i>Compendium</i> Clause 4.9</p> <p>On two occasions, Amanda Energy did not include the adjustment on the next bill following adjusted meter data being provided to the</p>	<p>No further action on a customer level, adjustment has been made.</p> <p>Amanda Energy to engage T4B to implement gas invoicing software.</p>	Eva Mitchell / Senior Analyst	T4B to be meaningfully engaged in gas invoicing development by 31/03/204 – expected actual implementation of gas software mid-2024.

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	licensee. The adjustment was made, but not specifically on the “next bill following adjusted meter data being provided”.	Conduct staff training to ensure awareness of billing requirements.		Team Training to be completed by 01/04/2024
13/2023	<p>B2 <i>Compendium</i> Clause 4.19(1)</p> <p>On three occasions, Amanda Energy did not notify the customer of an adjustment amount on the next bill in the billing cycle.</p> <p>This breached the requirement of notifying customers of any adjustments, along with an explanation, by the next billing cycle.</p> <p>The notification and explanations of adjustments were given, but not specifically on the next bill in the billing cycle.</p>	<p>No further action on a customer level, customer has been advised of adjustment along with an explanation.</p> <p>Amanda Energy to engage T4B to implement gas invoicing software.</p> <p>Conduct staff training to ensure awareness of billing requirements.</p>	Eva Mitchell / Senior Analyst	<p>T4B to be meaningfully engaged in gas invoicing development by 31/03/2024 – expected actual implementation of gas software mid-2024.</p> <p>Team Training to be completed by 01/04/2024</p>
14/2023	<p>B2 <i>Compendium</i> Clause 4.19(2) and 4.19(6)</p> <p>On one occasion, Amanda Energy did not inform a customer within 10 Business Days of an amount owing to the customer. This breached the requirement to notify customers promptly.</p>	<p>No further action on a customer level, customer has been communicated to and had the amount owing refunded / credited.</p> <p>Conduct staff training to ensure awareness of billing requirements.</p>	Eva Mitchell / Senior Analyst	Team Training to be completed by 01/04/2024.