

19 December 2017

Ms Proudfoot
Via Email: AERExemtions@aer.gov.au

RE: ACT Civil and Administrative Tribunal Submission to the Draft AER (Retail) Exempt Selling Guideline Version 5

Dear Ms Proudfoot,

I refer to the request for submission regarding proposed changes to the (Retail) Exempt Selling Guideline.

The ACT Civil and Administrative Tribunal (ACAT) is the jurisdictional energy ombudsman for the ACT. The ACAT has powers in respect of some matters involving exempt sellers under section 75C of the *Utilities Act 2000* (ACT).

The ACAT makes the following observations and suggestions in relation to the draft at Appendix A-2: Core Exemption Conditions:

At Condition 9 – Payment Difficulties and disconnection or de-energisation

The ACAT recommends inserting the following new 1e:
“consider a reasonable payment plan (see condition 12)”

At Condition 11 - Re-connection or re-energisation

The ACAT notes that the exempt customer has 10 business days in which to request reconnection, and the exempt person must reconnect the premises “as soon as practicable after” a request for reconnection is made (and no later than two business days from when the request was made).

The ACAT would suggest that the following condition specific to the ACT be considered:

“In the ACT, the ACT Civil and Administrative Tribunal may be able to order *restoration of the service as soon as practicable and, in any event, within 24 hours after the direction is given to the respondent* under the *Utilities Act 2000*”

Condition 16 Because the ACAT is the jurisdictional energy ombudsman in the ACT, it is an energy ombudsman to which Condition 16(3) applies.

Yours sincerely



Graeme Neate AM