

Date: 7 April 2022

To- Mila Sudarsono, A/g Director, Compliance and Enforcement Branch

G'day Mila

Please accept my apologies for the late submission, we have been liaising with the rest of our management team who is self-isolating with Covid. A long process. Below is some comments on the Factsheet and Hardship Policy, and I am happy to take calls on this if you want clarification.

Condition 2 – AER Factsheet

At a recent EWON Exempt Entity meeting (which I believe you were present) a member of the NSW Department of Primary Industries and Environment suggested that the number of Embedded Networks customers who have successfully gone on market was very small. We question what the value of this document actually is, when the success rates (and therefore, the number of requests) is so low.

There are a number of issues that are not addressed in the document. The major one being that often the age of the electrical infrastructure in residential land lease communities and caravan parks will mean that a whole new network would need to be installed if a customer were to access on market offers. This would involve installing cabling from the street to their unit, at quite considerable cost – likely thousands of dollars. The cabling would need to be installed underground, meaning that there will be considerable construction and remediation work. Once the customer leaves or sell the unit, the same process will need to be undertaken to remove the extra cabling. These are costs that will need to be borne by either the customer going on market, or the retailer making the offer.

We gave the document to our staff for their input, and all of them found the whole document very confusing. The general comment was around the document saying on the one hand, you can do this, but on the other saying it is expensive. Given that many of the residents in caravan parks and residential land lease properties are senior citizens, we are concerned that this confusion could end up with them in considerable distress.

Whilst, we agree in some settings – such as strata – that such a document may prove useful, it is our view that the Factsheet in our setting will be confusing, as it does not document the massive costs associated with going on market and is only going to make a whole lot of cranky customers that we – not the AER – will have to deal with. Given the very small number of customers who can actually go on market easily it is suggested that it might be worth considering if the value of wholesale issuing the document is actually there, or whether it can be on a case-by-case basis.

Condition 9 & 26 – Hardship Policy

There are parts to this document that do not take into consideration particular state-based regulations. For example, NSW Caravan Parks and Residential Communities cannot disconnect their customers unless there is an order from the NSW Civil and Administration Tribunal.

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