

From: Wholesale Energy Market Dispute Resolution Adviser (WEMDRA)
Period:

July - September – 2019

First quarter 2019/20

1 Disputes and Scheduling errors

Notified: 1 new Electricity potential expert assistance

Stage 1: 0

From the previous quarter: 1 Gas and 1 Electricity (chapter 6) [see notes below]

Finalised this Quarter:

Updated DMS contacts

- Electricity DMS contacts are now updated.
- We are liaising with the AER to agree a secure interface for this data.
- We have distributed an infographic showing all the dispute resolution provisions under the NER.
- We have also finalised an infographic for the Gas provisions.

Chapter 6 of the NER

- As parties are aware, until matters in dispute are defined it is not always possible to know which provision(s) of the Rules apply. The matter that was discussed with me pertains to an issue that may be covered by Chapter 6 of the NER.
- Disputes under this section of the Rules are determined by the AER. The AER also has the power to refer the matter to ADR should it choose.
- The AER, with the consent of the parties, has requested that the WEMDRA assist the parties to agree on the questions to be determined in the dispute before the matter is notified to the AER. The AER has also requested that, if the matter is notified to the AER, the WEMDRA provide a recommendation on the process for progressing the matter.



- This is the first time that a Chapter 6 dispute is being triaged in this way prior to notification to the AER. The trial is designed to crystallise questions to be decided in the event that the AER considers that the dispute falls within Chapter 6. This may reduce the time required by the determination process and allow the AER to consider ADR options with more precise information.

Next Quarter:

- Update to the Gas DMC contacts.
- Distribute the gas infographic.
- Review data storage and information options

Panels

- We have consulted and have a list of prospects for our panel of experts and are adding some independent consultants for the Chapter 5 provisions.

Still to come

- Thank you for the suggestions from survey monkey. WEMDRA will need to use an EOI for panel members including through industry peak bodies. I am trying to get a feel for the kind of expertise that may be useful in the current market.
- We have moved into the next quarter work on the user notes and contracts to support this function as a result of the work done in this quarter on other matters.

Communication

- We have begun a dialogue with the AER on the best way to communicate and present information as part of the WEMDRA function. We will aim to finalise that in this quarter allowing a move to implement first quarter next year (as per the timeline suggested last quarter).

A busy and enjoyable quarter. Thank you to the DMS contacts for being engaged and assisting with the updates. A big thank you as well to Joanna Gall and Rhiannon Davies and the team at the AER who have been actively consulting on these issues.

Sincerely 

Shirli Kirschner-
Wholesale Energy Market Dispute Resolution Adviser.
28 October 2019.