April 2013

Peter

**Quarterly report January-March 2013**

Below is a report for both:

Dispute Resolution Adviser National Electricity Market

Dispute Resolution Adviser National Gas Rules

**Summary:**

**DRP stage 2: nil**

**Electricity- DMS stage 1**: There were 2 new matters raised in the DMS stage 1 (One where contact had been made in the past and was made again).

Both of the matters related to public lighting. Both are matters to which the National Electricity Rules (NER) applies and the subject matter may fall within the scope of Clause 8.2.1. In each case one of the parties was not a Registered Participant or intending participant as that term is defined under the NER. For that reason, after discussions, I indicated that the dispute resolution provisions of Chapter 8 do not apply. This can of course be reconsidered if someone brings a submission to indicate how it does apply.

In both cases I was able to assist in providing options for alternative dispute resolution resources. They are a matter for the parties to pursue and fund privately.

It would be useful to prepare an explanation of Chapter 8 clarifying who has the right to use the provisions. I will discuss this with both the AER and the steering committee (once formed).

**Gas:** There were no new matters reported for Gas.

**Change in Reporting:** I am now reporting to Peter Adams, Director Wholesale Markets.

**Training**: There were no forums for the DMS contacts this quarter.

 I attended the Minter Ellison Women's Amplify Energy & Resources
Boardroom Luncheon to hear Chloe Munro, Chair & CEO Clean Energy Regulator. The boardroom format was excellent and highly informative.

**Outputs for the quarter**

**1 Updated contacts:**

* I have updated the DMS contacts (electricity) and sent an email to each DMS contact and alternate. I will be asking each organisation to check its DMS contact under the relevant tab on the [AER web site](http://www.aer.gov.au/about-us/dispute-resolution).
* I have started the process of updating the DMC contacts (dispute management contacts for the Gas market).

**2 DMS/DMC contact briefing SA**

* I have planned a DMS/DMC contact briefing for Adelaide on Thursday 16 May 2013 and requested people let me know if they would like to attend, or if you would like a briefing in their own State.

 **3 Consultation Committee to assist the Adviser**

18 months ago I established a committee made up of market participants, to provide me with input into market issues and assist me to define and prioritise my work over the year.  The committee was made up of participants from the gas market and was set up as a pilot to see if that kind of input was useful.  The committee met quarterly in Melbourne and I reported progress in between.

I found it useful.  People on the committee also reported finding it useful to be able to discuss issues and meet. I requested and have received some nominations. I will form the committee and will be having the first meeting in the April-June quarter.

**4 Pool**

* I am in the process of updating the pool from which dispute panels are selected. The Adviser is now appointed as both electricity and gas dispute resolution adviser. I have decided to combine the pools from which dispute panel members are derived so that each person is appointed to both electricity and gas pools, consistent with the Adviser being appointed to both.
* I have begun consulting with existing pool members and confirming their interest in continuing.
* I requested and received some recommendations for pool members from market participants and their advisers.
* I intend to appoint all existing pool members who would like to continue. I will then compile a list of additional applicants for discussion with the consultation committee referred to above.

The April- June quarter will involve:

* A strategic plan for the next 12 months
* Establishment and meeting of the consultation committee.
* Finalise the DMC contacts
* Establishment of the pool

Please feel free to contact me with any queries.

Yours sincerely

Shirli Kirschner