FROM: Wholesale Energy Market Dispute Resolution Adviser (the Adviser)

DATE: 4 February

**RE: End of Quarter Reports (combined)**

July-September 2014

October –December 2014

**This is a report from July to December 2014 (being two quarters). This is first period that there have been disputes notified in stage 1 not involving AEMO. This report consolidates the 2 quarters in 2014 to provide a complete picture of the beginning and end of the matters none of which escalated to stage 2 (where there is a protocol of publication). The report is general to protect the privacy of stage 1 processes.**

**Summary**

**July –September**

**1 Disputes**

**1.1 Notified[[1]](#footnote-1)**: 3 NER, 1 NGR. Only one of these matters (matter (1)) potentially involved AEMO.

**Details of the matters notified:**

1. The party alleging an unexpected scheduling outcome did not wish to proceed. (0012014) Gas.
2. Public Lighting referral from the AER
3. A complaint copied to the Adviser as well as the AER on a matter which is outside the Adviser’s jurisdiction. The matter was discontinued following a conference.
4. A potential issue between 2 market participants in Victoria where the complainant chose not to pursue the claim. Time periods under the Rules may now apply.

NO records are kept of these matters.

**1.2 Stage 1:**

4 matters were notified (all in Electricity and these are in addition to the ones under the category ‘notified’ above. I have numbered from (5) to reflect this).

* None of the Stage 1 Matters involve AEMO.
* The jurisdiction of Chapter 8 was contested in one of the matters.
1. The matter was referred to mediation in stage 1 with the Adviser was selected by the parties to mediate. (At the parties’ cost).
2. The matter was referred to a structured settlement discussion with the Adviser setting up the parameters and project managing it.(Ongoing as of September )
3. The parties agreed to meet with the Adviser to discuss the jurisdiction of Chapter 8 of the NER and the process going forward.
4. The matter was negotiated in stage 1 by the parties without assistance.

**Summary**

**October – December**

**1 Disputes**

**1.1 Disputes Notified: 0**

**1.2 Stage 1:** 4 (from last quarter)

All matter notified in stage 1 the last quarter were finalised.

* Two with assistance through mediation (Matter listed as 5 and 7 above)
* One with assistance through project management. ( Matter listed as 6 above)
* One through direct negotiation between the parties. (Matter listed as 8 above)

**2 Updates and Outputs for the Quarters**

There was no major outputs given the number of notified issues.

1. **Aims for Quarter 1- January to March 2015:**
	1. **General training program** (“Under Attack”). This training programme will deal with:
* Ten common mistakes people make in de-escalating complaints;
* An exploration of why we make these mistakes; and
* Tools and tips for dealing with such mistakes.

This webinar will be open at no cost for any organisation that has updated and completed their DMS or DMC contact profile.

* 1. **Working Group**

I will be re-establishing the wholesale energy market dispute resolution advisory group (WEMDAG). This group will evaluate and recommend projects for the Adviser and review the dispute process generally. It will meet twice before July 2016 (most likely in Melbourne). **Please email and let me know if you are interested in being on the WEMDAG group**.

I am up to date with my projects and available to respond to participant suggestions. As always, I look forward to hearing from you and answering any questions that you may have.

Kind Regards

Shirli Kirschner

Wholesale Energy Market Dispute Resolution Adviser.

|  |
| --- |
| Action items |
| Email if you are interested in Under attack general training via webinar  |
| Email if you would like to be part of a working group on disputes. |

.

1. This *item has been added to record:*

	1. *Matters which may not be formally within the scope of the wholesale energy marked dispute resolution adviser: or*
	2. *Which are discussed with the DMS/DMC contact and may proceed no further or may proceed at some future date subject to time periods under the NER, NGR* [↑](#footnote-ref-1)