

12 August 2011

General Manager
Markets Branch
Australian Energy Regulator
GPO Box 520
Melbourne VIC 3001
AERInquiry@aer.gov.au

Thank you for the opportunity to comment on the *Notice of draft instrument - exempt selling guideline June 2011* and the *Exempt selling guideline June 2011*.

The Energy & Water Ombudsman NSW investigates and resolves complaints from customers of electricity and gas providers in NSW, and some water providers.

EWON made extensive submissions on the *Draft exempt selling guidelines* in February 2011 and on the *Issues paper* in July 2010 where we outlined our views on the complexity of exempt selling and the need for consumer protection.

EWON believes that the proposed guideline is a comprehensive response that will considerably improve consumer protections of customers of exempt sellers.

We are disappointed that the AER has not made the offering of a payment plan before disconnection a requirement in the guideline. EWON agrees that requiring a hardship program may be too difficult, especially for very small exempt sellers, however we do not agree that exempt sellers should have the right to disconnect a customer without offering a payment plan for the arrears.

If you would like to discuss this matter further, please contact me or Chris Dodds, Senior Policy Officer on 82185262.

Yours sincerely



Clare Petre
Energy & Water Ombudsman NSW