



## **Australian Energy Regulator**

### **Appointment of the National Electricity Market Dispute Resolution Adviser(s)**

The Australian Energy Regulator (AER) is established under the *Trade Practices Act 1974*. The AER's functions include economic regulation of the electricity transmission and distribution networks in the National Electricity Market, and monitoring of the wholesale electricity market and enforcement of the National Electricity Law and National Electricity Rules.

Under clause 8.2.2 of the National Electricity Rules, the AER must appoint a person or persons from time to time to perform the functions of the Dispute Resolution Adviser. The terms and conditions of appointment are determined by the AER. The Dispute Resolution Adviser's role is to ensure the effective operation of the dispute resolution arrangements in the National Electricity Rules. The Adviser is also responsible for establishing and maintaining a pool of persons from which the members of a dispute resolution panel can be selected.

Applicants must have a detailed understanding and experience of alternative dispute resolution, the capacity to determine the most appropriate alternative dispute resolution procedures in particular circumstances, and an understanding of the electricity industry or the capacity to quickly acquire such an understanding. Applicants must not have a direct or indirect association with electricity industry participants, NEMMCO, or the AER.

In particular the AER is looking for someone with experience in managing dispute resolution processes, including panels. The person should have sound judgement, highly developed organisational and communication skills and initiative. Familiarity with, and experience in, the energy industry is desirable.

The appointment will be for three years, from 1 July 2008.

There will be an allowance of up to 10 hours per calendar month for the Adviser to undertake market liaison, develop guidance notes and forms, maintain a dispute resolution panel pool and other incidental work associated with Stage 1 disputes.

Work in addition to the 10 hours per month is required on an ad hoc basis where disputing parties proceed to what is known as "Stage 2" of the dispute resolution process. The parties may either agree to mediation by the Adviser, or the Adviser must refer the dispute to a dispute resolution panel. The Adviser is remunerated for these "Stage 2" functions by the disputing parties.

All enquiries regarding the position should be made to:

Dr Susan Faulbaum

Director, Markets Branch  
Australian Energy Regulator  
ph (02) 6243 4965

Please send an expression of interest to [AERInquiry@aer.gov.au](mailto:AERInquiry@ aer.gov.au) (marked “NEM Dispute Resolution Adviser application”) . Expressions of interest should summarise the applicant’s claims against the position specifications and provide details of the applicant’s mediation, arbitration or alternative dispute resolution accreditation and qualifications.

The closing date for expressions of interest is 30 April 2008.