



ENERGY AND WATER OMBUDSMAN Victoria

Listen Assist Resolve

20 November 2013

Jacqui Thorpe
Acting General Manager
Retail Markets Branch
Australian Energy Regulator
GPO Box 520
Melbourne VIC 3000

By email: AERInquiry@aer.gov.au

Dear Ms Thorpe,

Re: Australian Energy Regulator (AER) Regulation of Alternative Energy Sellers Under The National Energy Retail Law (Issues Paper)

Thank you for the opportunity to provide comment on the Australian Energy Regulator (AER) Regulation of Alternative Energy Sellers Under The National Energy Retail Law (Issues Paper).

As an industry-based external dispute resolution scheme, the Energy and Water Ombudsman (Victoria) (EWOV) provides alternative dispute resolution services to Victorian energy and water consumers by receiving, investigating and facilitating the resolution of complaints. The following comments are based on our experience as an independent complaint handling body.

EWOV agrees that consumers of alternative energy sellers should have access to protections consistent with those provided to customers under the National Energy Retail Law. We therefore welcome the AER's consideration of matters such as small customer access to flexible payment options, adherence to energy marketing requirements and disconnection and reconnection obligations.

EWOV supports the AER's proposal that alternative energy sellers have internal dispute resolution procedures and suggests that these internal dispute resolution mechanisms are based on the *Australian Standard AS ISO 10002 - 2006 (Customer satisfaction – Guidelines for complaints handling in organisations)*.

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EWOV also agrees that customers of alternative energy sellers should have access to a free and independent dispute resolution scheme. EWOV suggests that the alternative energy seller be required to advise its customers of the appropriate dispute resolution body to contact if they have an unresolved complaint with the seller, as is required of exempt retailers, under the Exempt Retailer Guideline¹. This will ensure that these customers are appropriately aware of the available recourse.

EWOV's scheme participants supply electricity and gas to Victorian customers as an essential service. This is distinct from the alternative energy selling arrangements detailed in the Issues Paper and as such, EWOV does not, at present, intend to extend the scheme's jurisdiction to include alternative energy sellers. However, EWOV would be prepared to contribute our complaint handling data to the AER in the future about the number of customers who contact our office about alternative energy sellers, in the same way as we currently do for exempt retailers.

We trust the above comments are helpful. Should you require further information or have any queries, please contact Belinda Sandilands, Senior Research and Communications Advisor, on (03) 9672 4460 or at Belinda.Sandilands@ewov.com.au.

Yours sincerely



Cynthia Gebert
Energy and Water Ombudsman (Victoria)

¹ Required in several Conditions of the the Exempt Retailer Guideline - Condition two Information Provision page 42 and Condition 15 Dispute Resolution page 49 <http://www.aer.gov.au/node/18677>.