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30 October 2009



Mr Paul Kelly  
Chairman  
Electricity Code Consultative Committee  
PO Box 8469  
Perth BC WA 6849

Dear Paul

**REQUEST FOR COMMENT – CODE OF CONDUCT FOR SUPPLY OF  
ELECTRICITY TO SMALL USE CUSTOMERS**

Thank you for the opportunity to comment on the additional amendments to the Code of Conduct for the Supply of Electricity to Small Use Customers 2008 (the Code). Horizon Power has previously provided a submission on many of the proposed amendments and will therefore limit its comments to the amendments related to Wrongful Disconnections.

*Amendments to Clause 14.2*

Under the Code, Horizon Power is required to report the total number of payments and data on the average amount of payments for wrongful disconnection. Horizon Power reported one such payment for the year ended June 2009. During the same period, Horizon Power has not been the subject of a successful claim for wrongful disconnection through the Ombudsman where a wrongful disconnection fee has not been paid. Horizon Power contends that it does provide accurate reports as required under the Code. If the Authority is concerned about reporting wrongful disconnections, this would be easily achieved by modifying reporting requirements to include the total number of wrongful disconnections without the imposition of further measures to determine whether or not an issue exists.

That said Horizon Power recognises the seriousness of wrongful disconnections and in instances of wrongful disconnection, an increase in the penalty from \$50 to \$100 per day, though unjustified, does not appear unreasonable. However, leaving the quantum uncapped, particularly in instances where there may be little or no loss on the part of a customer (for example, a holiday home or seasonally occupied premise), is unreasonable. Horizon Power recommends a cap of 10 days unless the Ombudsman determines a longer period should apply in a particular circumstance.

*Amendments to Clause 14.5*

Horizon Power believes the words “, which is required to be made automatically on a customer’s wrongful disconnection,” in draft clause 14.5(2) are unnecessary. The obligation to make the payment is contained in the draft clause 14.2(1).

Yours sincerely

**DAVID TOVEY  
MANAGER  
GOVERNANCE AND COMPLIANCE**