



Economic Regulation Authority

WESTERN AUSTRALIA

switched on

a guide for electricity and gas customers



The information in this guide applies to small use customers.

Who is a small use customer? You are a small use customer if you use less than 160 MWh (about \$40,000) of electricity per year or up to 1 TJ of gas per year (about \$22,500).

Residential households and small businesses are usually small use customers.

The Western Australian Government has made various laws and rules to regulate the energy industry. The Economic Regulation Authority (ERA) oversees some of these laws and is responsible for the licensing of energy suppliers. This guide will help you understand the energy industry and your rights and responsibilities as an energy customer.

Licensed and exempt retailers and distributors

Most of the rights and responsibilities covered by this guide apply only to customers of licensed retailers and distributors.

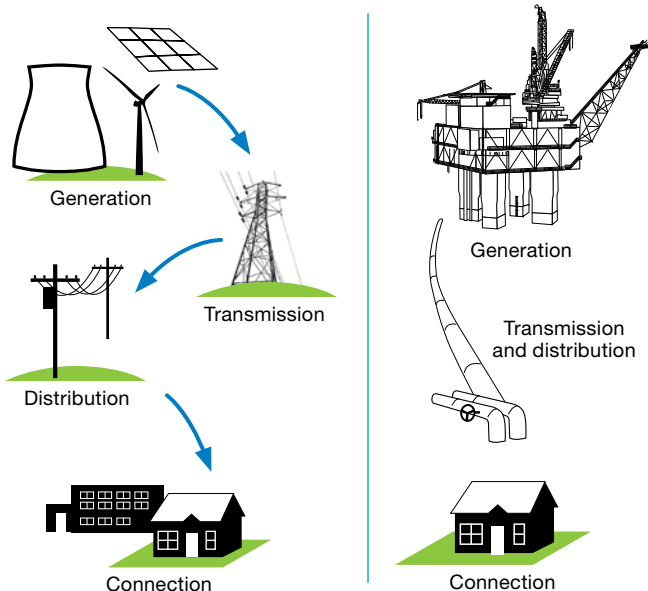
A licensed retailer or distributor holds a licence issued by the ERA for the supply of energy. Examples of licensed retailers include Synergy, Horizon Power and Alinta. Examples of licensed distributors include Western Power, Horizon Power and WA Gas Networks.

Some retailers and distributors do not have a licence – these are called ‘exempt retailers’ or ‘exempt distributors’. An exemption is provided by the State Government.

If an exempt retailer or distributor supplies your energy, you may still be entitled to some protection measures. For more information on exempt retailers and distributors, see sheet #10 of this guide.

How energy is supplied to your property

Electricity is produced by generators, while gas is extracted from gas fields by gas producers. Transmission companies transport the energy to distributors through high voltage powerlines or high-pressure pipelines. Distributors own the low voltage or low-pressure distribution network (i.e. electricity poles or gas pipelines) that delivers the energy to homes and businesses.



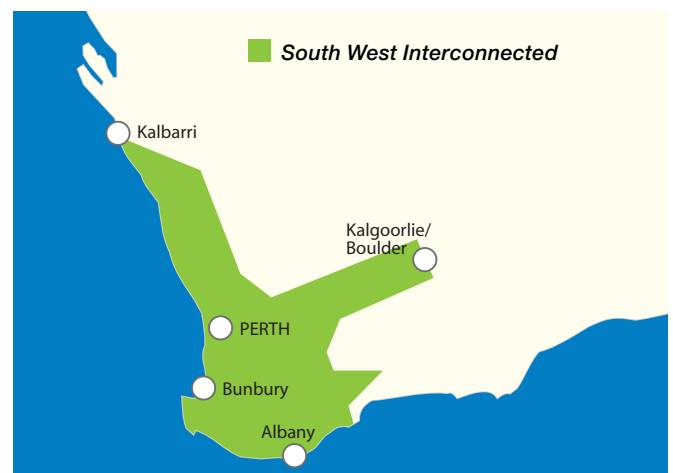
Retailers sell energy to residential and business customers. To supply energy to your home, your retailer will enter into contracts with both generators/gas producers and your distributor. The contracts with generators/gas producers ensure that the retailer receives electricity or gas, which it can then sell to you. The contract with the distributor provides for the transportation of that electricity or gas from the generator or gas field to your home and provides for metering services so that the energy can be measured and recorded.



The electricity industry

There are three major electricity networks in WA. These are the South West Interconnected System (SWIS), North West Interconnected System (NWIS) and Esperance System.

In 2009/10, over 980,000 electricity customers lived in the SWIS area (see the map below), compared to 38,000 customers outside of SWIS.



Each network usually only has one distributor. This distributor may however transport electricity on behalf of several retailers. In the SWIS area, Western Power is the main licensed distributor and Synergy the largest licensed retailer. Horizon Power is the main licensed distributor and retailer for the area outside of the SWIS. Companies can take on more than one supply role. For example, Horizon Power is a generator, transmitter, distributor and retailer.

Licensing the energy supply industry

Generators, transmitters, distributors and retailers must have a licence issued by the ERA to supply energy. There are a few exceptions to this rule (for more information see sheet #10).

The ERA makes sure that companies who hold a licence comply with their licence conditions.

Who to contact and when?

As a customer, you only deal directly with your retailer or distributor. You do not have a direct relationship with other industry participants, such as generators.

Below is a list of the types of issues that you may need to contact a retailer or distributor about.

Retailers	Distributors
<ul style="list-style-type: none"> • Moving in and opening an account • Connecting property to the network • Marketing • Billing • Payment difficulties • Disconnection • Reconnection • Concessions and rebates • Energy efficiency advice • Moving out • Complaints 	<ul style="list-style-type: none"> • Quality of supply • Power surges • Power interruptions and faults • Damage as a result of work undertaken by a distributor • Meters and meter readings • Complaints • Temporary disconnection from the network • Alterations to the network (e.g. underground lines)

In addition to the ERA, there are other agencies that oversee the supply of energy. The main ones that you should be aware of are:

Energy Ombudsman	<ul style="list-style-type: none"> • Provides a free and independent dispute resolution service between energy customers and licensed suppliers when they have been unable to resolve an issue themselves.
Office of Energy	<ul style="list-style-type: none"> • Responsible for government energy policy. • Provides exemptions to generators, transmitters, distributors and retailers. • Provides information on rebates, concessions and energy efficiency.
EnergySafety	<ul style="list-style-type: none"> • Responsible for the technical and safety regulation of the electrical industry and most of the gas industry. • Provides information about energy safety.

How are energy prices set?

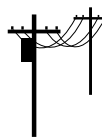
The price you pay for energy is made up of four costs:



Generation costs: costs to build generators or gas plants and generate electricity or extract gas.



Transmission costs: costs to build and maintain the high voltage power line or high pressure pipeline network.



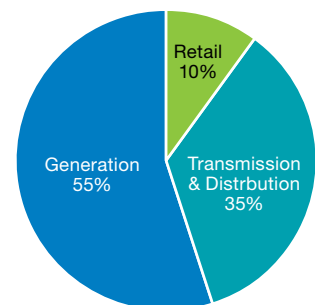
Distribution costs: costs to build and maintain the network of low voltage poles, pipes and meters that deliver, measure and record energy to households and businesses.



Retail costs: costs to connect customers, provide customer service and manage accounts.

In the SWIS area, on average about 90 per cent of the price you pay for electricity is made up of generation, transmission and distribution costs, whilst retail costs make up about 10 per cent.

Electricity costs



The ERA regulates the tariffs some owners of electricity and gas distribution networks may charge their users, including retailers. It also regulates the tariffs some electricity and gas transmission network owners may charge their users.

The Minister for Energy determines the maximum retail tariffs Synergy, Horizon Power and most gas retailers may charge their small use customers. When determining retail tariffs, the Minister will take into account the amount that retailers must pay for the generation and transportation of energy.

As a result of Government policy to allow more competition in the energy industry, some customers are now able to choose their retailer. These customers are called 'contestable customers'.

Only a customer of a licensed retailer can be considered a contestable customer. If you are supplied energy by an exempt retailer, you cannot choose your retailer and this section does not apply to you (see sheet #10 for more information on exempt retailers).

If you are able to choose your retailer, your choice will be limited by the number of retailers available to you. For example, some retailers only supply to business customers, and in some areas there is only one retailer.



Gas customers

All gas customers are free to choose their retailer. However, Synergy is currently not allowed to supply you with gas if you use less than 0.18 TJ of gas per year (about \$4,000).

Electricity customers

You are a contestable customer and can choose your electricity retailer if:

- you use more than 50 MWh (about \$12,600) of electricity per year; or
- your distributor is not Western Power (i.e. you do not live in the SWIS area).

If you own several properties, you cannot combine the amount of electricity that you use at each property to determine whether you are contestable or not.

If you use less than 50 MWh of electricity per year (about \$12,600) and are connected to Western Power's distribution network, you will not be able to choose your retailer. As a non-contestable customer living within the SWIS network, you will be supplied by Synergy.

Finding a retailer

All retailers who supply small use customers with energy must have a 'standard form contract' that has been approved by the ERA.

The ERA website (www.erawa.com.au) shows all retailers with approved standard form contracts. Sheet #12 provides a list of these retailers. You can ring the retailers to see if they can supply energy to your address.

Transfer between retailers

If you are a contestable customer and you choose to transfer from your existing retailer to a new retailer, simply contact the new retailer and request to be transferred. The new retailer will organise the transfer on your behalf.

All gas contracts and some electricity contracts will state that the contract ends if you enter into a new contract with another retailer.

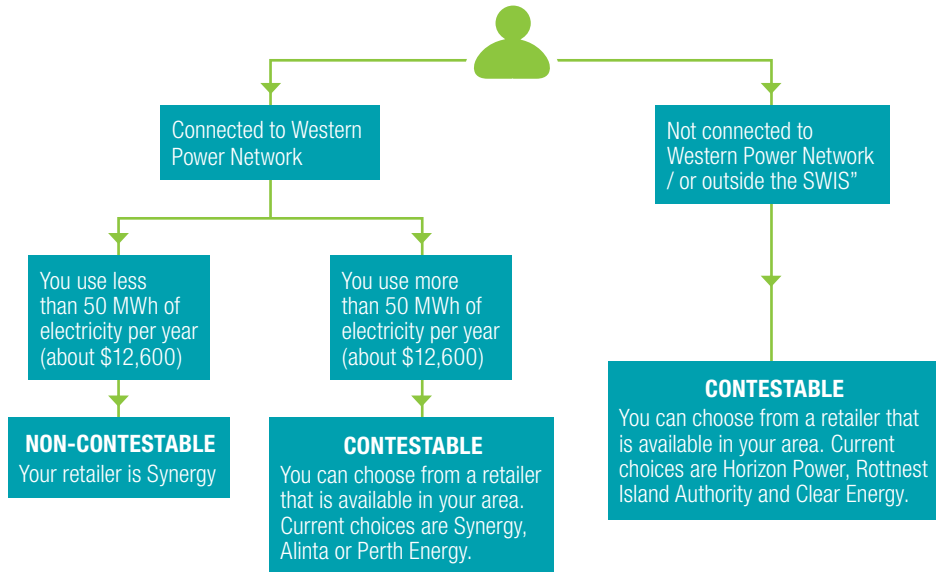
Your previous electricity retailer may not bill you for any electricity consumed after your transfer.

IMPORTANT!

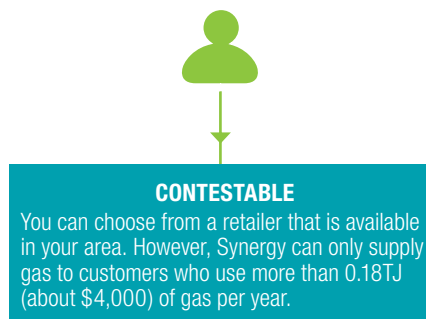
If your electricity contract does not state that the contract will end if you enter into a new contract, you must notify your old retailer to ensure the contract is terminated in accordance with its terms and conditions. Retailers may require a certain amount of notice. Fees may apply for ending a fixed-term contract early.

can i choose my retailer?

Electricity customer



Gas customer



To buy energy, you enter into a contract with a retailer. The retailer then contracts with the distributor to connect your property to the network and supply energy.

Types of contracts

There are two types of contracts a retailer may offer: standard form contracts or non-standard contracts.

Standard form contracts

Retailers who want to supply energy to residential and small business customers must have an ERA approved standard form contract.

Copies of all approved standard form contracts can be found on the ERA website (www.erawa.com.au).

If you choose a standard form contract, you can agree to the contract over the telephone when ringing a retailer to set up an account. If the contract is a result of door-to-door marketing, you must sign the contract.

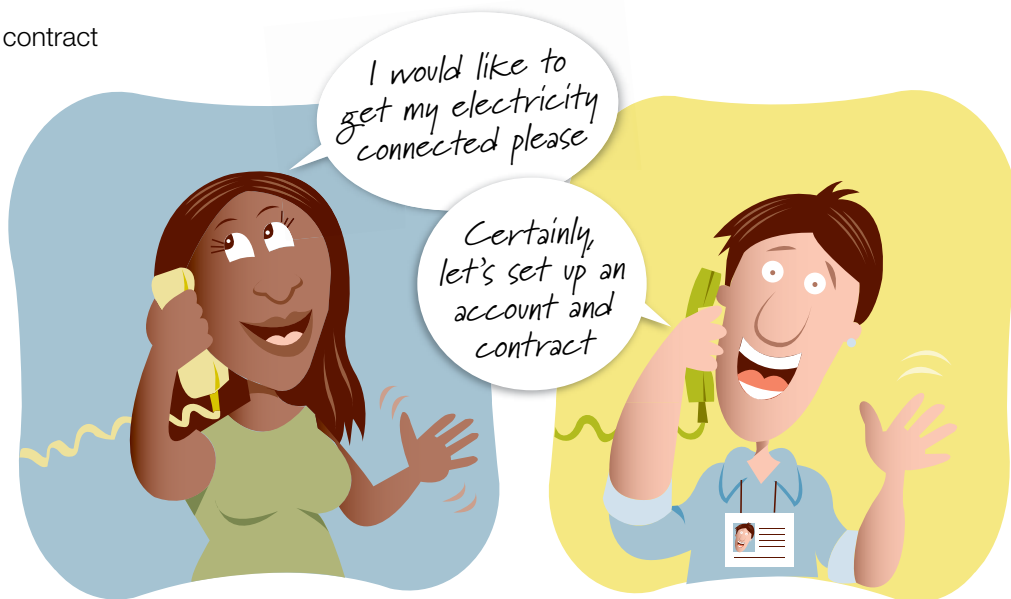
Non-standard contracts

You and the retailer can negotiate terms and conditions different from the standard form contract. This is called a non-standard contract. Although a non-standard contract does not require the ERA's approval, it must still comply with the relevant laws.

If you choose a non-standard contract, you must show that you consent to the contract by signing it, unless you are the one who initiated the request.

TIP!

If you choose to have a non-standard contract, be sure to check carefully the terms and conditions of the agreement.



What happens if you don't enter into a contract

If you use energy in your home or business without contacting a retailer and entering into a contract, you are 'deemed' to be supplied under the standard form contract of the retailer assigned to your property.

Is there an obligation to supply energy?

Electricity

Synergy and Horizon Power are the only retailers who must supply you with electricity, if you request supply and:

- your property is:
 - connected to the distribution network; or
 - not connected to the distribution network but within 100 metres from the distribution network (subject to certain conditions); and
- you do not have an outstanding debt or you have made an arrangement to pay the debt.

Synergy and Horizon Power have to offer to supply you electricity under their standard form contract.

Gas

Gas retailers will generally offer to supply you under their standard form contract. If a gas retailer agrees to supply you, they may impose certain conditions, for example, requiring you to pay an outstanding debt or requiring a security deposit.

Marketing agents

Marketing agents represent retailers and may approach you in person, by telephone, fax or email to promote the services of a retailer. Marketing agents must follow national and state rules when marketing energy to you. These rules include that marketing agents must:

- identify themselves when approaching you and explain who they are;
- provide a complaints telephone number;
- provide you with certain information before, during and after you enter into a contract; and
- not contact you outside the permitted call times.

Retailers are responsible for marketing done on their behalf. If you say that you do not wish to be contacted for the purposes of marketing, the retailer must ensure that an agent does not contact you within the next two years.

You can also register your telephone number with the *Do Not Call Register*. Listing your number with the Register ensures that you do not receive telemarketing calls from all sources (not just energy retailers) and lasts for five years. For more information, ring 1300 792 958 or go to the website at www.donotcall.gov.au.

Moving in

When you move into a property, the property may:

1. not be connected to the distribution network;
2. be connected but the electricity or gas is 'turned off'; or
3. be connected and the electricity or gas is 'turned on'.

If your property is not connected to the distribution network

To supply energy, gas pipelines or electricity wires must connect your property to the local distribution network. Some properties (mostly newly built properties) may not be connected to the distribution network.

To have your property connected to the network and receive supply, you must contact a retailer. Your retailer will open an account for you and advise the distributor that your property requires connection.

To have your property connected to the electricity or gas network, but not receive supply yourself (for example, if you intend to rent the property out), you may contact either your distributor or retailer.

If your property is located within a certain distance from the distribution network (100m for electricity and 20m for gas) and you have met the conditions of the distributor, the distributor must connect your property. Electricity connections must be established within 20 business days, unless you agree in writing to a later date. New gas connections should be established within 5 days.



If a gas pipeline is available outside your property, WA Gas Networks will provide you with up to 20 metres of gas pipe from your property boundary to your meter box, free of charge. Certain conditions apply.

Your distributor or retailer will advise you if you must pay the cost for connecting your property to the network. The law does not specify the exact amount distributors may charge for establishing a connection.

For more information on the costs and conditions of establishing a connection, contact your retailer or distributor.

If your property is connected, but your electricity or gas is 'turned off'

Sometimes a property is connected to the distribution network, but the electricity or gas supply has been 'turned off' by the retailer or distributor.

In this case, you must contact a retailer to open an account. Your retailer will then arrange for the energy to your property to be 'turned on'.

Maximum timeframes for connection:

Connection timeframes	
electricity customers (metro)	within 2 business days
electricity customers (regional)	within 6 business days
gas customers (regardless of location)	within 2 business days

If your property is connected and your electricity or gas is 'turned on'

If you move into a property and the electricity or gas is already 'turned on', you must still contact a retailer to open a new account.



Check for concessions and rebates

When you open an account, check with your retailer to see if you are entitled to any concessions or rebates. See sheet #7 for more information.

If you don't contact your retailer and your retailer becomes aware that you have been using energy, the retailer can bill you for all the energy you used from the time you moved in.

Do you use life support equipment?

If you have life support equipment in your home for yourself or someone that lives there, you should inform your retailer. When you tell the retailer and give evidence from a doctor that life support equipment is needed, you will be registered as having life support equipment. If registered, you will not be disconnected for non-payment while the person using the equipment resides at your address. If there is a planned interruption to supply, you will be given three days written notice and priority for reconnection.

You may be eligible for a state government subsidy for the cost of electricity. To find out whether you are eligible, ask your retailer or contact the Office of State Revenue on 08 9262 1373 or lifesupport@dtf.wa.gov.au.

Moving out

You must tell your retailer when you plan to leave your property. If you tell your retailer at least 3 business days before you move out, you will not have to pay for any energy used after you leave.

If you tell your retailer less than 3 business days before leaving, or after leaving, you may have to pay for energy used at the old address for up to five days after you told the retailer.

If you are the person named on the account and you do not give notice that you are moving out, you will continue to have to pay for energy used at the property – even after you have left. In this case your responsibility for the account still only ends 5 days after you give notice.

If you are not the account holder, you do not have to pay for energy used at the property but if the account holder gives notice and you continue to use energy, you will be 'deemed' to be the account holder for the property. This means that you have to pay for energy consumed after the last account holder notice ends.

IMPORTANT!

If you are the person named on the bill and you move out, tell your retailer, otherwise you may be responsible for energy costs, even if you are no longer living in the property.

Retailer checklist

Let your retailer know if:

- You have **moved** in to a property. If you don't, you may be billed for any energy you consumed since you moved in when the retailer finds out that you are living there.
- You are planning to **move out** of a property. If you tell your retailer at least 3 business days before you move out, you will not have to pay for any energy consumed after you leave.
- The previous accountholder has **moved out** of the property. You will need to set up a new account.
- Someone in your home uses **life support equipment**. You will be registered and receive special protection in regard to disconnections.
- You **cannot pay** your bill on time. Your retailer will be able to help you.
- Access to your meter** is a problem (e.g. locked gates). Your retailer may be able to provide an alternative meter reading arrangement so you will not receive estimated bills.
- You think your **bill is too high**. Your retailer can check the bill, order a meter test if needed and, in some cases, help you get an energy audit.
- You have a **complaint**. Your retailer should be able to help solve your problem.
- You have a **concession card** (Health Care Card, Veterans' Affairs Gold Card [War Widow, Dependent, Totally and Permanently Incapacitated], Pensioner Concession Card, Seniors Health Card or WA Seniors Card), as you will usually be eligible for a discount on your bill.

Meters measure the amount of energy that is used in your home or business. There are different types of meters:

- Accumulation meters
- Interval meters
- Pre-payment meters

The distributor owns the meter. The distributor provides information from the meter to the retailer so the retailer can bill the customer.



Accumulation meters

Accumulation meters show the total amount of energy consumed. Usually a distributor visits your property every two or three months to read the meter.

Total consumption for the bill is worked out by taking the current meter reading and subtracting the previous meter reading. The result is the total amount of energy you have used since the last meter reading.

All gas customers have accumulation meters.

Most electricity customers have an accumulation meter, but interval meters are becoming more common.

Interval meters

Interval meters record energy consumption every 30 minutes. The intervals are read manually once every two to three months (when the meter reader visits the property) or the information can be downloaded to a computer by the distributor using a modem.

Interval meters are used when customers pay different amounts for electricity at different times of the day. For example, a customer may pay more for electricity in the afternoon 'peak' period. The time periods are called 'blocks'.

If a customer has an interval meter, the bill will include the total energy consumed for each block.

Contestable customers who want to transfer to a new retailer must use an interval meter.

There may be a charge to change from an accumulation meter to an interval meter.

Pre-payment meters

A pre-payment meter allows a customer to pay for energy before using it, similar to a pre-paid mobile phone.

Pre-payment meters are only available to electricity customers in areas that have been agreed to by the Minister for Energy.

Special protection is available to people who use pre-payment meters under part 9 of the *Code of Conduct for the Supply of Electricity to Small Use Customers*. For more information on the Code and where to find it, see sheet #12.

Reading your meter

Accumulation meters are usually read by the distributor but sometimes by the customer.

All accumulation meters must be read by the distributor at least once a year. Interval meters will always be read by your distributor.

If you do not provide access to your meter (e.g. there is a locked gate), or you do not fill in and send back the meter reading form (if you read your own meter), the distributor will not have a meter reading for your property. If this happens, the distributor will estimate your energy use and provide this estimate to your retailer. This means that your next bill will be based on an estimation only (see sheet #6 for more information on bills).

Testing the meter

You can ask for a meter test. If the meter is faulty then this test will be at no cost. If you ask for a meter test and the meter is not faulty, you will have to pay for the cost of the test.

A retailer will bill you for the energy that you have used, based upon the meter reading or estimate received from the distributor.

You must be sent a bill at least once every three months, and no more than once a month. You may ask for bills to be sent more or less often, but a retailer does not have to agree to this.

If you have received a reminder notice for the last three bills, the retailer can decide to send a bill more often than once a month.

You pay a fee each day for being connected to the network, whether you use any energy or not. This is called the 'fixed charge' or 'supply charge'.

Some of the things a bill must include are:

- the amount of energy that you have consumed over a set period of time;
- any concessions or rebates received;
- the amount owing;
- when the bill must be paid; and
- who to contact for billing or payment inquiries.



Estimated bills

If your retailer does not receive a meter reading from the distributor, your bill will be based on an estimate provided by the distributor. Your bill must show if it is based on an estimation.

If you receive an estimated bill, you can contact your retailer who is required to explain to you why and how the bill has been estimated.

If your retailer bases a bill upon an estimate and later receives a meter reading, an adjustment on your next bill must be made to take account of the actual meter reading.

A retailer must issue a bill based on an actual meter read at least once every 12 months.

TIP!

To avoid estimated bills, ensure your distributor has access to your meter – or ensure that you send back your meter reading form on time!

Review of a bill

You can ask a retailer to review a bill but the retailer only has to review the bill if you pay whichever amount is less of:

- the part of the bill that is not in dispute; or
- an amount equal to your average bill for the last 12 months.

A retailer must tell you the outcome of the review within 20 business days, or sooner if possible.

Payments

A retailer must give you at least 12 business days to pay a bill and must provide a number of payment options.

Payment options are:

- in person at a payment outlet;
- mail;
- Centrepay (for residential customers only);
- electronically using BPay (electricity) or a credit card;
- telephone using a credit card or debit card (gas).

You can make advance payments towards a future bill. The retailer can require these payments be over a minimum amount.

If you have been overcharged, your retailer must ask you if you want a refund or credit for your next bill, if the amount is more than \$45. If the amount is less than \$45, your retailer can choose whether to refund you or give you a credit for your next bill.

If you have underpaid an account, the retailer may ask you to pay the amount owing. If you underpaid because of a mistake by the retailer or distributor, the retailer can only ask for money owed for the last 12 months.

Late payment fees

Retailers can charge a late payment fee if you don't pay your bill by the due date.

There are limits on how late payment fees can be charged:

- If you have made a complaint about a bill, a late payment fee should not be charged.
- If you have been assessed as being in financial hardship, a late payment should not be charged.
- If you receive a concession, you cannot be charged a late payment fee for the first two reminder notices you receive each year.
- You should not receive more than two (electricity) or three (gas) late payment fees for the same bill.
- You should not receive more than 12 in one year.

In addition to a late payment fee, interest may be charged on overdue bills.

IMPORTANT!

If you are having problems paying a bill - contact your retailer before the due date to make a payment arrangement.

concessions and assistance

The WA Government provides concessions and rebates to eligible electricity customers.

Eligible customers	Subsidy/rebate
<ul style="list-style-type: none"> Centrelink Health Care Card, Pensioner Concession Card and Commonwealth Seniors Health Card Veteran Affairs Gold Card (War Widow, Dependant, Totally and Permanently Incapacitated) and Pensioner Concession Card 	<ul style="list-style-type: none"> Account establishment fee rebate Supply charge rebate Reduced meter test fee
<ul style="list-style-type: none"> Centrelink Health Care Card Veterans' Affairs Gold Card (War Widow, Dependent, Totally and Permanently Incapacitated) Pensioner Concession Cards (issued by Centrelink or the Department of Veterans Affairs) 	<ul style="list-style-type: none"> Dependent child rebate
<ul style="list-style-type: none"> WA Seniors Card 	<ul style="list-style-type: none"> Supply charge rebate

These concessions are also available to eligible permanent caravan and park home residents.

Other concession and rebates available are:

- **Air Conditioner Rebate:** eligible seniors and customers receiving the dependent child rebate can get a rebate for the cost of using air conditioners in the hottest parts of WA.
- **Life Support Equipment Electricity Subsidy:** assists eligible customers with the cost of using life support equipment at home.
- **Thermoregulatory Dysfunction Subsidy Scheme:** assists eligible customers with the energy costs of using heating and/or cooling equipment at home.

For more information about concessions and rebates, contact your retailer or the Office of Energy.

Payment difficulties and financial hardship

If you are a residential customer having trouble paying your energy bills, your retailer must provide certain assistance. This assistance is only available if you tell your retailer of your situation.

When you tell your retailer that you are having trouble paying a bill, the retailer will decide whether you:

1. Have the ability to pay.
2. Cannot pay due to *payment difficulties*: you are experiencing short-term disadvantage, such as an unexpected event or crisis.
3. Cannot pay because of *financial hardship*: you are experiencing more than short-term disadvantage and cannot pay without affecting your ability to meet basic living needs, such as rent and food.

In assessing your situation, the retailer must consider information provided by yourself or an independent financial counsellor or relevant consumer representative.

If your retailer agrees that you are having *payment difficulties*, they must offer you more time to pay and an instalment plan. You can choose your preferred option. If you choose an instalment plan, your ability to pay must be considered by the retailer when deciding the time period and the number of instalments.

If your retailer determines you are experiencing *financial hardship*, they must:

offer you:

- the same payment arrangements offered to those experiencing payment difficulties; and
- information on help available (e.g. subsidies).



concessions and assistance

consider any request from you for a:

- reduction in fees, charges or debt; and
- change in the payment arrangements (e.g. more time to pay, or changes to the instalment plan).

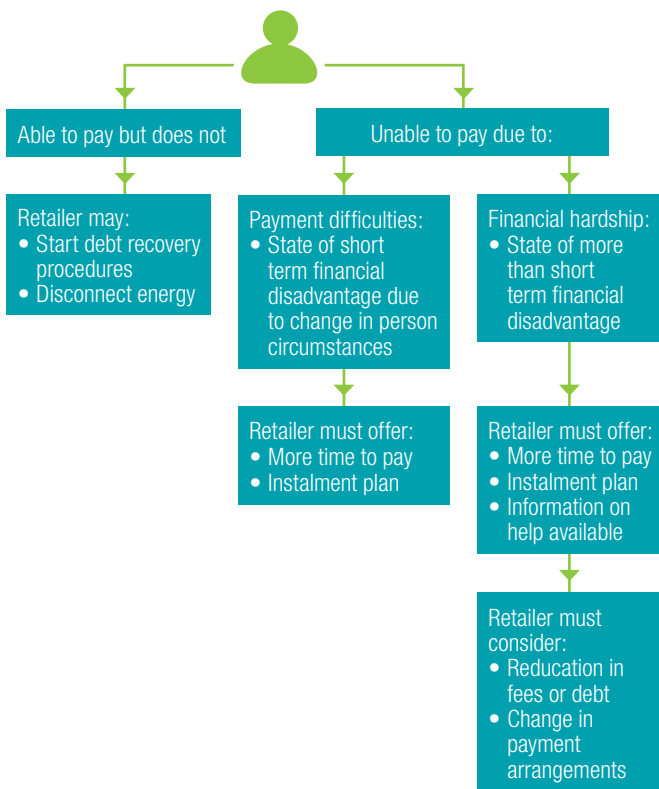
If you are found not to have any payment difficulties or financial hardship, you will not be entitled to any of the assistance measures that the retailer is required to offer.

The retailer's normal disconnection and debt recovery procedures will apply.

A business customer can ask for alternative payment arrangements (e.g. an instalment plan) if they are having payment difficulties.

IMPORTANT!

If you are having difficulties paying a bill, contact your retailer *as soon as possible* to seek assistance. Your retailer may be able to help.



TIP!

All retailers who supply residential customers must have a financial hardship policy. This policy sets out in detail how the retailer will deal with issues of financial hardship. You can contact your retailer for a copy of their policy.

Financial counsellors and consumer advocates

Financial counsellors and consumer advocates can help you negotiate with your retailer. They can also contact your retailer to discuss your situation, if you give your consent.

If you have arranged to see a financial counsellor or consumer advocate to get help with your bill, the retailer must give you at least 15 business days to attend the appointment before taking any further action against you.

Financial counsellors and consumer advocates are often employed by local community organisations and sometimes by local councils. To find one close to where you live, contact your local community legal centre, ring the Financial Counselling Hotline on 1800 007 007, or contact the Financial Counsellors Association WA.

Assistance for paying bills

If you are at risk of disconnection due to financial hardship, you may be eligible for assistance under the WA Government's Utility Hardship Package. The package can provide financial assistance and help reduce the risk of disconnection by identifying energy-saving options.

The Utility Hardship Package has two parts:

- **Hardship Utilities Grant Scheme (HUGS)**
A grant can be provided for up to 85% of the outstanding amount. The maximum amount that you can receive in any 12 month period is \$450 (if you live south of Carnarvon) or \$750 (if you live in Carnarvon or north of Carnarvon). Higher amounts apply if you are assessed as experiencing 'exceptional circumstances of hardship'.
- **Hardship Efficiency Program (HEP)**
Energy information and audits are offered to help reduce energy use and the risk of future disconnection. Rebates are also provided for some energy-saving appliances, such as replacing old fridges.

To apply you must first contact your retailer. The retailer will ask you to go to see a HUGS registered financial counselling service for an assessment and for the application to be completed.

There are times when a retailer and distributor can disconnect your energy supply. Common examples include when you:

- do not pay a bill by the due date; or
- deny access to your meter.

Not paying a bill

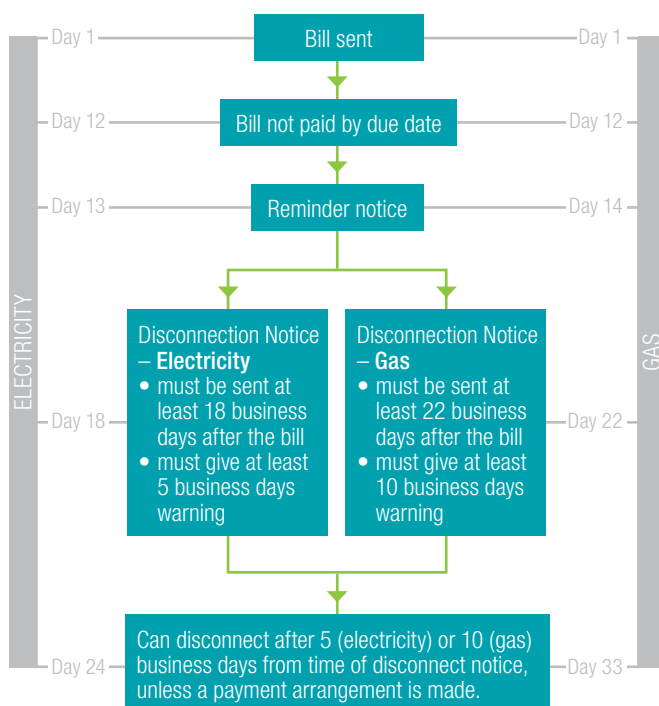
If you do not pay a bill by the due date, you may be disconnected.

Before disconnecting, a retailer must send you a reminder notice and a disconnection warning. The disconnection warning must:

- be sent at least 18 (electricity) or 22 (gas) business days after the bill was sent; and
- give you at least five (electricity) or 10 (gas) business days warning.

Including the ordinary account time to pay period, a retailer cannot disconnect your supply within 24 (electricity) or 33 (gas) business days of sending the bill and must send at least two written notices. The retailer should also try to contact you to warn you that you are about to be disconnected.

If an electricity retailer does not follow the required procedures, the disconnection will be considered 'wrongful' and you will be entitled to a service standard payment (see sheet #11 for more information).



Not giving access to the meter

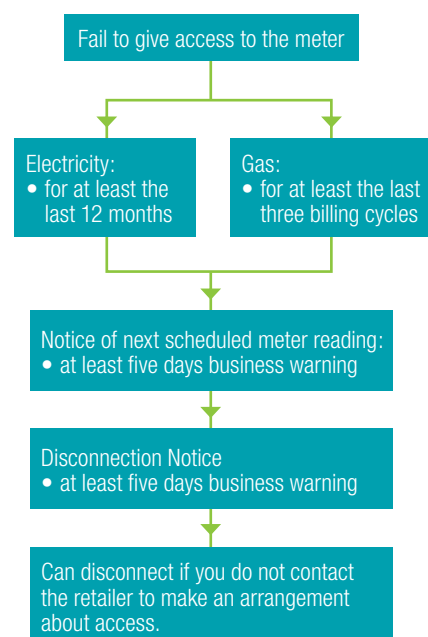
It is your responsibility to allow the distributor to go on to your property to read the meter. If this is not possible (for example, you have a dog or a locked gate), then you must let the retailer know and make an arrangement to read your own meter and provide the reading to your distributor.

If you do not provide access to your meter and do not make an arrangement with your retailer to read your own meter, you can be disconnected.

Electricity retailers can arrange disconnection for not giving access to the meter, if you have not given access for at least the past 12 months.

Gas retailers can disconnect if you have failed to give access to the meter for at least three billing cycles in a row (that is, nine months if you get a bill every three months).

Before disconnecting you for failing to provide access to a meter, a retailer must, at least once for electricity and each time for gas, give you five business days written notice of the next scheduled meter reading date to allow you to provide access. The retailer must then give you a disconnection notice with at least five business days warning. The retailer should try to contact you to warn you that you may be disconnected if you do not provide access.



IMPORTANT!

If you are in financial hardship, you will not be disconnected if you contact your retailer before the due date and make arrangements to settle the debt. This could include setting up an instalment plan or seeking a referral for financial assistance through the HUGS program.

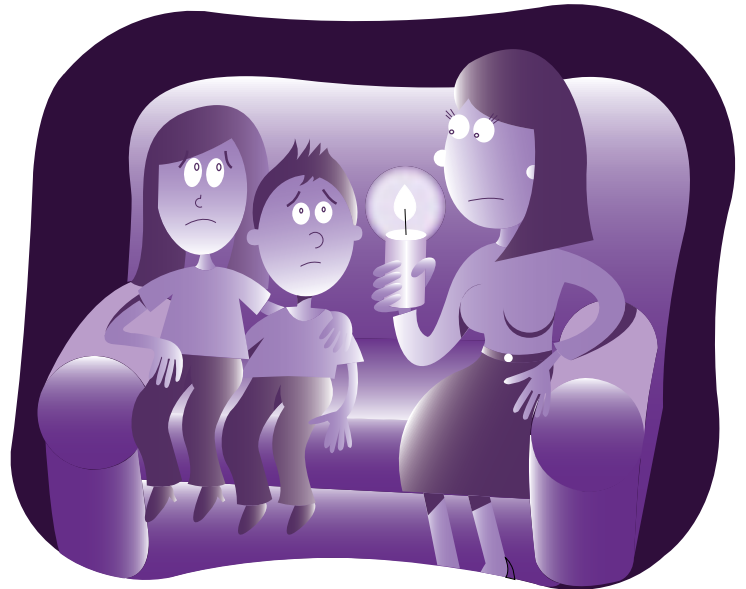
When you cannot be disconnected

You cannot be disconnected if:

- you have made an arrangement to pay a bill and you are making the required repayments;
- you have made a complaint directly related to the reason for the disconnection, and it is being investigated (for example, you have made a complaint about a bill); or
- someone living at your home uses life support equipment and you have registered this with your retailer.

Unless it is a planned interruption, retailers and distributors cannot disconnect supply at certain times. For example you cannot be disconnected:

- after 3pm Monday - Thursday;
- after 12noon on a Friday for electricity;
- anytime on a Friday for gas;
- during a weekend; or
- on public holidays and the day before a public holiday (business day before a public holiday for electricity).



Reconnection

If you have been disconnected but the reason for the disconnection no longer exists (for example, you have paid the debt, arranged an instalment plan or provided access to the meter), you can request the retailer to reconnect your energy supply.

The retailer may require you to pay a fee for the reconnection. If you are unable to pay the fee, your retailer can offer to add the fee into an instalment plan.

When you request reconnection, the retailer must send the request to the distributor, who then reconnects your property.

Maximum timeframes for reconnection:

Connection timeframes	
electricity customers (metro)	within 2 business days
electricity customers (regional)	within 6 business days
gas customers (regardless of location)	within 2 business days

Electricity customers not reconnected within these timeframes are entitled to a service standard payment (see sheet #11 for more information).

interruptions and entry to your property

You may experience interruptions to your energy supply for a number of reasons. For example, the interruption may be planned by your distributor to carry out maintenance work, or the interruption may be unplanned, such as an outage from a storm or accident.

Planned interruptions

Planned interruptions are required for maintenance or to upgrade the network.

Electricity

If an electricity distributor or transmitter has planned an interruption that will affect you, you must be given at least 72 hours notice. The notice can be provided to you individually (e.g. a notice in the mail) or to local customers generally (e.g. a notice in the local newspaper or radio).

If your electricity distributor fails to provide notice of a planned interruption, you will be entitled to a service standard payment (see sheet #11 for more information).

There are maximum times that planned electricity interruptions should last.

6 hours

- If the property is south of the 26th parallel or if the temperature is over 30°C.

4 hours

- If the property is north of the 26th parallel of latitude.

Unplanned interruptions

Unplanned interruptions can occur for reasons such as storms, vandalism, too much demand on the network or someone accidentally damaging the network.

Some customers, particularly those living in remote areas, can experience repeated and/or long interruptions to their energy supply.

Electricity

There are standards for the supply of electricity to customers. If these standards are not met, you are entitled to a service standard payment from the distributor (see sheet #11 for more information).

If you experience a lot of unplanned interruptions to electricity, there are circumstances where the distributor



must fix the causes of the interruption or make an arrangement with you for the alternative supply of electricity.

These circumstances are if your electricity supply:

- has been interrupted non-stop for more than 12 hours; or
- has been interrupted more than nine times (for Perth CBD) or 16 times (elsewhere) in the last year;

and the distributor considers that these types of interruptions are likely to occur every nine out of ten years.

Gas

There are guaranteed service level payments that a gas distributor will pay if certain standards are not met (see sheet #11 for more information). These circumstances are if your gas supply:

- has been interrupted for more than 12 hours as a result of a fault in the distribution network; or
- if you have had more than four unplanned interruptions in a calendar year as a result of a fault in the distribution network.

interruptions and entry to your property

IMPORTANT!

If you lose energy, ring your distributor to check if there has been an unplanned interruption and when energy is expected to be restored.

It may be that the problem is only to do with your property e.g. your safety switch has gone off.

+ If you are registered with your retailer as having life support equipment, there must always be a written, individual notice giving you at least 72 hours notice. You will also be given priority for restoration.

When can a distributor go on to my property?

A distributor may need to go on to your property:

- to read your meter;
- to do maintenance work on poles or pipes;
- to fix a problem; or
- in cases of emergency.

If a distributor needs to go on to your property, they must do as little damage as possible, and fix any damage done or compensate you, unless the damage was caused as a result of your own actions (e.g. you damaged powerlines while renovating your backyard, and the distributor caused additional damage in an effort to fix the situation).

No notice required

A distributor does not have to give you notice before coming on your property if there is an emergency or if you are deemed to have given consent.

If you have a contract with a retailer, you will be deemed to have given consent for the distributor to come onto your property to read your meter.

You will also be deemed to have given consent for an electricity distributor to come on your property to perform work if:

- the distributor supplies your electricity; or
- the distributor's poles are lawfully on your property.

Notice required

A distributor must either seek your consent or give you notice to come on your property:

- **electricity:** if you are not supplied with electricity by the distributor;
- **electricity:** if the distributor's poles are not lawfully on your land; or
- **gas:** in all cases, other than in an emergency or to read your meter.

The period of notice is normally five days. However, in certain cases, the notice may be given after the distributor came on your property.

Although a distributor may have to give you notice or seek your consent, you cannot specify the times or conditions under which a distributor may come on your property.

In an emergency, a distributor may always enter your property without notice or consent.

exempt retailers and distributors

Anyone who supplies energy must hold a licence issued by the Economic Regulation Authority, unless they are exempt by law from holding a licence ('exempt retailer' or 'exempt distributor').

The Office of Energy manages exemptions. The following persons may be exempt from holding a licence:

Electricity	Gas
<ul style="list-style-type: none"> • Persons who on-supply electricity to residential or business customers • Some mining companies • Some Aboriginal communities • Persons supplying the town of Eucla • Generators generating less than 30MW capacity 	<ul style="list-style-type: none"> • Persons who on-supply gas to residential customers

What is on-supply?

On-supply is usually a situation where a licensed retailer supplies the exempt retailer. In this case, a licensed retailer supplies electricity or gas to a property through a single meter (master meter). The energy is then 'sold on' by the person or corporation who owns or manages the property (the 'exempt retailer').

In cases of on-supply, the energy user will receive a bill from the exempt supplier, that is, the person or corporation who owns or manages your property.

In many cases, each unit supplied by the exempt retailer will still have its own sub-meter and the exempt retailer will read the sub-meter. If there are not sub-meters, the amount to be paid is usually worked out using an average, or on the basis of how much space each unit in the complex takes up.

Examples of on-supply may include:

Residential	Commercial
<ul style="list-style-type: none"> • Caravan parks • Some strata units • Some retirement villages • Some apartment blocks • Some Aboriginal communities 	<ul style="list-style-type: none"> • Office buildings • Shopping malls

Your electricity on-supplier must provide you with information on the quantity of electricity you have used and the fees and charges you must pay.

If you are a residential customer of an electricity or gas on-supplier, you have the following rights:

- If the on-supplier buys electricity from Synergy or Horizon Power, you may not be charged more for your electricity than a residential customer of Synergy or Horizon Power would be charged.
- If the on-supplier generates its own electricity, you may not be charged more for the electricity you use than the cost the on-supplier incurs in generating your electricity.
- If the on-supplier supplies you with reticulated gas (i.e. gas from pipelines, not bottled gas), you may not be charged more for your gas than your on-supplier is charged by the retailer.

If you are a permanent caravan park resident, and Synergy or Horizon Power sells electricity to the caravan park owner, who then on-sells the electricity to you, you may be eligible for WA Government energy concessions (see sheet #7 for further information).

exempt retailers and distributors

Customers of mining companies

If you reside in Cape Lambert, Dampier, Leinster, Newman, Pannawonica, Paraburdoo, Tom Price or Wickham, you will be supplied with electricity by the local mining company. These mining companies are exempt from the requirement to hold a licence.

Although you receive supply from an exempt retailer/distributor, many of the protections described in this guide for customers of licensed retailers will also apply to you. For example, your mining company will have to adhere to most of the protections in relation to billing, payments, payment difficulties and financial hardship, disconnection and reconnection. There are also some protections in relation to information, communication, complaints and disputes handling that must be followed.

Not sure?

To find out whether or not you are a customer of an exempted supplier; or if you have concerns or questions regarding your exempt supplier, contact the Office of Energy on 08 9420 5600.

complaints and service standards

There are two types of complaints or disputes that you may experience as an energy customer. If the matter is about the supply of energy it is considered an energy supply complaint. Otherwise, it is a general consumer complaint.

Examples of energy supply complaints	Examples of general consumer complaints
<ul style="list-style-type: none"> • connections • disconnections • bills • interruptions • debt recovery • meters • energy marketing agents • safety in the supply of energy 	<ul style="list-style-type: none"> • hot water systems • solar panels • heaters • air conditioners • quality of work by tradespeople • LPG gas bottles • appliances • safety of appliances

If you have a *general consumer complaint*, you should contact the business that you purchased the goods or services from in the first instance. If the dispute is not

resolved, you can contact the Department of Commerce (Consumer Protection) Advice Line on 1300 30 40 54.

How you can resolve an *energy supply complaint* depends upon whether your supplier is licensed (e.g. Synergy, Horizon Power or Alinta) or exempt (e.g. shopping centres and caravan parks).

The flow chart on the next page shows the best approach to take for energy supply complaints.

Licensed retailers and distributors

If the complaint or dispute is about a licensed retailer or distributor, contact the company directly in the first instance.

Each licensed retailer or distributor must have an internal complaints process that they must follow.

If the matter is not resolved with the retailer you can take the complaint to the Energy Ombudsman.

If the licensed electricity retailer or electricity distributor does not resolve your complaint within 20 business days you will be entitled to a service standard payment.

Exempt retailers and distributors

If the complaint or dispute is about an exempt retailer or distributor, you should first raise the issue directly with your exempt retailer or distributor. If the matter is not resolved after this stage, you may consider seeking legal advice.



Although the Office of Energy has no formal role in mediating between exempt retailers or distributors and their customers, you may contact them to discuss your concerns. If the Office of Energy receives complaints about an issue, it may take this into account in future policy development.

The Energy Ombudsman

The Energy Ombudsman provides free, independent complaint resolution services for small use customers of licensed energy retailers and distributors.

The Energy Ombudsman only deals with energy supply complaints (such as billing, disconnection or debt recovery). The Energy Ombudsman cannot investigate general consumer complaints, or complaints about the price of energy.

At the end of an investigation, you and your retailer or distributor may agree on a resolution. However, if you cannot agree, the Energy Ombudsman has the authority to make a binding decision up to a value of \$20,000, or up to \$50,000 with the agreement of your retailer or distributor.

The Energy Ombudsman cannot deal with complaints that are being or should be dealt with by a court or tribunal.

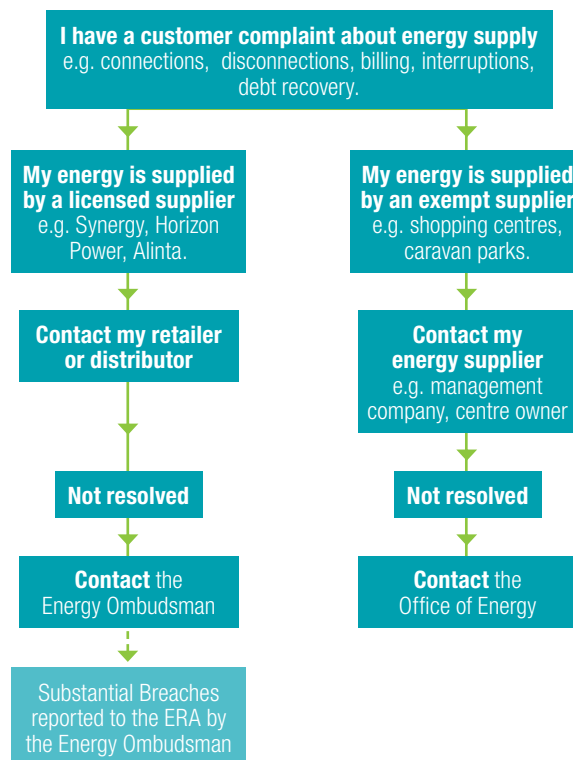
IMPORTANT!

Always contact your retailer or distributor first. If you do not first raise your complaint with your retailer or distributor, the Energy Ombudsman will refer the matter back to your retailer or distributor before investigating further.

Economic Regulation Authority

The ERA does not investigate individual complaints by customers. However, the Authority can investigate and deal with breaches by licensees (e.g. retailers and distributors) of the conditions of their licence.

The Energy Ombudsman reports licence breaches by retailers and distributors to the ERA.



TIP!

It is always a good idea to keep records of your contacts with the retailer or distributor.

complaints and service standards

Electricity service standard payments

There are service standards that retailers and distributors must meet when supplying energy. In some cases, you will be entitled to a payment if a standard has not been met.

Electricity customers are entitled to a service standard payment if the following service standards are breached.

Service standard	What happened?	Payment	Application
Failure to reconnect within required timeframe	Supply is not reconnected within the timeframes prescribed	\$60 per day (up to \$300)	Apply to retailer within 90 days
Wrongful disconnection	Retailer fails to follow disconnection procedures	\$100 for each day disconnected (no maximum applies)	Payment made automatically – do not have to apply for a payment
Failure to acknowledge a written query or complaint	Retailer or distributor fails to acknowledge (10 business days) or respond (20 business days) to a written query or complaint	One-off payment of \$20	Apply to retailer or distributor within 90 days
Failure to provide notice of planned interruption*	Horizon Power or Western Power fails to provide at least 72 hours notice of a planned interruption	One-off payment of \$20	Apply to distributor within 60 days
Interruptions exceeding 12 hours*	Supply is interrupted for more than 12 hours	One-off payment of \$80	Apply to distributor within 60 days

* only applies to a person who consumes no more than 50MWh of electricity per year.

complaints and service standards

Gas guaranteed service level payments

Gas customers are entitled to a service standard payment (known as guaranteed service level payment), if the following standards are not met by the gas distributor.

Service standard	What happened?	Payment	Application
Appointment time	If gas supply is lost because of distributor fault, an emergency contractor will arrive within three hours. If the contractor is more than 15 minutes late, payment is made. If a gas main or service is broken in the street or garden and there is a strong smell of gas. A contractor will be on site within one hour of the agreed time.	\$25	Payment made automatically by retailer on behalf of distributor.
Failure to connect within required timeframe	Distributor does not connect gas service within five business days notice of request from retailer.	\$40 per day (up to \$120)	Payment made automatically by retailer on behalf of distributor.
Repeat Interruptions	More than four unplanned interruptions in a calendar year as a result of a fault in the distribution network.	\$100 for every interruption after the fourth interruption	Payment made automatically by retailer on behalf of distributor.
Interruptions exceeding 12 hours	Supply is interrupted for more than 12 hours as a result of a fault in the distribution network.	\$80	Payment made automatically by retailer on behalf of distributor.

Gas service standard payments only apply to small use customers.

The payments are not made in the case of:

- natural disasters;
- interruptions where the correct notice has been given or a time agreed;

- events between the meter and the household or inside the house;
- events in a transmission pipeline or production facility; and
- interruptions caused by third party or consumer interference.

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contacts and more information

Customer enquiry	Who to contact
Connections of energy	Your retailer
Interruptions in the supply of energy	Your distributor
Connecting new properties	Your retailer
Complaints about licensed retailers or distributors	Your retailer or distributor in the first instance
Unresolved complaints about licensed retailers or distributors	Energy Ombudsman – 1800 754 004 www.ombudsman.wa.gov.au/energy
Exempt retailers or distributors & concessions and rebates	Office of Energy – 08 9420 5600 www.energy.wa.gov.au
General consumer protection	Department of Commerce (Consumer Protection) Advice Line 1300 30 40 54 www.commerce.wa.gov.au
Energy efficiency	Energy Smart Line – 1300 658 158 www.clean.energy.wa.gov.au Or contact your retailer
EnergySafety	Department of Commerce, EnergySafety – 08 9422 5200 www.commerce.wa.gov.au/EnergySafety
Energy customer protection, licensing and regulation	Economic Regulation Authority – 08 9213 1900 www.erawa.com.au
To locate your nearest financial counsellor	Financial Counselling Hotline – 1800 007 007 or 08 9325 1617 www.financialcounsellors.org
Location of pipes and cables before doing site works	Dial before you dig 1100

Retailers

Retailer	Gas	Electricity	Contact number
Rottnest Island Authority		•	9432 9300
Horizon Power		•	Residential – 1800 267 926 / Business – 1800 737 036 www.horizonpower.com.au
Synergy	•	•	Residential – 13 13 53 / Business – 13 13 54 www.synergy.net.au
Perth Energy	•	•	9420 0300
Alinta	•	•	13 13 58 www.alinta.net.au
Wesfarmers Kleenheat Gas	•		13 21 80
WorleyParsons Asset Management	•		9072 1422

Distributors

Retailer	Gas	Electricity	Contact number
Western Power		•	General enquiries – 13 10 87 Faults and hazards – 13 13 51 www.westernpower.com.au
Horizon Power		•	Residential – 1800 267 926 Business – 1800 737 036 Emergency or supply interruptions – 13 23 51 www.horizonpower.com.au
WorleyParsons Asset Management	•		9072 1422
WA Gas Networks Pty	•		General enquiries – 08 6218 1700 Leaks, Faults and Emergencies – 13 13 52 Scheduling – 13 13 56 www.wagasnetworks.com.au
Wesfarmers Kleenheat Gas	•		13 21 80

contacts and more information

Relevant laws and regulations

The Economic Regulation Authority is responsible for making sure the law is followed and for issuing penalties when it is not.

The *Electricity Industry Act 2004* provides the general law for electricity and the *Energy Coordination Act 1994* provides the general law for gas.

The following regulations and codes are established under the *Electricity Industry Act 2004*.

<i>Electricity Industry Act 2004</i>	
<i>Electricity Industry (Customer Contracts) Regulations 2005</i>	Sets out the minimum requirements for standard form contracts and non-standard contracts.
<i>Electricity Industry (Obligation to Connect) Regulations 2005</i>	Sets out the circumstances under which a distributor must connect a customer's property to the distribution network.
<i>Electricity Industry Exemption Order 2005</i>	Specifies which retailers and distributors are not required to hold a licence.
<i>Code of Conduct for the Supply of Electricity to Small Use Customers</i>	Controls the conduct of retailers, distributors and marketing agents in relation to the supply and marketing of electricity to small use customers.
<i>Electricity Industry Customer Transfer Code 2004</i>	Covers the responsibilities of retailers and distributors involved in the transfer of customers between retailers.
<i>Electricity Industry (Network Reliability and Quality of Supply) Code 2005</i>	Covers the standards of quality and reliability of supply that must be met by electricity distributors.
<i>Electricity Industry Metering Code 2005</i>	Provides the responsibilities and relationships between distributors, retailers and generators with regard to metering.

contacts and more information

In gas, most of the conditions covered by the codes listed above are enforced through licence conditions. The Authority has tried to make sure that gas customers get similar protection to electricity customers. In particular, the *Compendium of Gas Customer Licence Obligations* (Gas Customer Code) largely mirrors the protection offered by the *Code of Conduct for the Supply of Electricity to Small Use Customers*.

In addition to the Gas Code, the following regulations and codes are established under the *Energy Coordination Act 1994*.

Energy Coordination Act 2004	
<i>Energy Coordination (Customer Contracts) Regulations 2004</i>	Sets out the minimum requirements for standard form contracts and non-standard contracts.
<i>Energy Coordination (Gas Tariffs) Regulations 2000</i>	Sets out the maximum tariffs most gas retailers may charge their customers.
<i>Gas Marketing Code of Conduct</i>	Controls the conduct of retailers and marketing agents in relation to the marketing of gas.

Finding Acts and regulations

Copies of the Acts and regulations listed in this section can be found at the State Law Publisher, 08 9426 0000 or www.slp.wa.gov.au.

Copies of the codes listed in this section can be found at the Economic Regulation Authority's website:

- Electricity codes: www.erawa.com.au/2/421/51/electricity_licensing__codes.pm
- Gas codes: www.erawa.com.au/2/460/51/gas_licensing__codes.pm

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