



May 28, 2012

Mr. Tyson Self
Manager, Projects Access
Economic Regulation Authority
PO Box 8469
PERTH BC WA 6849

Dear Tyson,

The Western Australian Farmers Federation (Inc.) (WAFarmers) thanks you for the opportunity to provide comment on the Economic Regulation Authority's *'Draft Decision on Western Power's proposed revised access arrangement for the Western Power Network'*.

As background to this submission, WAFarmers also lodged a submission to the *'Review of Western Power's Proposed Revisions to the Access Arrangement for the Western Power Network'* (December 2011).

WAFarmers was very pleased to see that the Economic Regulation Authority had noted our earlier comments and in the Draft Decision have recommended:

Required Amendment 39

The proposed revised access arrangement should include a service standard measuring compliance with Western Power's Customer Charter. The benchmark must be set at 100 per cent.

WAFarmers welcomes this amendment, and in this latest phase of the review takes the opportunity to highlight that Western Power's Customer Charter contains statements about both (1) access to, and (2) conduct on, properties and that both of these factors need to be a consideration in the assessment of their service delivery.

The need for consideration of both has been again highlighted to WAFarmers, as we continue to be engaged by members having issues with Western Power's contractors. At this stage, our only avenue is to advise these members that they are able to lodge a complaint through the 'official channels' with Western Power, which is principally a web-based process. The most recent feedback received by our office to this advice (text of Western Power's email is included as Appendix A) has not been positive and clearly indicates why a change is required. This text of this email appears to lack empathy with, or consideration of, the access and conduct

concerns which drove the complaint (WAFarmers can supply the full text of the complaint if required).

Since the release of the Economic Regulation Authority's Draft Decision, WAFarmers has had a number of meetings with Western Power, and the parties have agreed to work together to develop programs which aim to deliver vastly improved customer service outcomes.

We are still supportive of the inclusion of Amendment 39 in any future access arrangement and with that, and our ongoing discussions with Western Power, are hopeful that we will be able to report a more positive outcome to the Economic Regulation Authority in future years.

WAFarmers thanks you for your consideration of this submission. Should you wish to further discuss the issues raised in this submission, please do not hesitate to contact myself or WAFarmers Director of Policy, Alan Hill on (08) 9486 2100.

Yours sincerely

A black rectangular redaction box covering the signature of Dale Park.

Dale Park
President

Appendix A: Response to members complaint, received May 4, 2012.

Dear Sir/Madam,

In response to your previous email I can advise you that the work carried out by Western Power and its contractors are done so according to the **Energy Operators (Powers) Act 1979**.

s.43

- (2) The rights and powers of an energy operator under subsection (1) shall be exercised by the energy operator in such manner and to such extent as will cause the least interference with -
- (1) Where any works or other things are or have been placed upon, in, over or under any land by -
- (a) an energy operator, in the performance or purported performance of its functions; or
 - (b) any predecessor in title of an energy operator, in relation to those works or other things,

those works or things shall be taken to have been lawfully so placed and are, and shall at all times continue to be, the property of the energy operator, unless the energy operator has otherwise specified or may otherwise determine, and the energy operator shall be deemed to have a right of access thereto for the purposes of the performance of its functions.

I hope this has helped answer your query. You can also view the **Energy Operators (Powers) Act 1979** through the Western Power website or by simply following this link -

[http://www.slp.wa.gov.au/pco/prod/FileStore.nsf/Documents/MRDocument:6309P/\\$FILE/EngyOpertsrPowersAct1979_05-a0-03.pdf?OpenElement](http://www.slp.wa.gov.au/pco/prod/FileStore.nsf/Documents/MRDocument:6309P/$FILE/EngyOpertsrPowersAct1979_05-a0-03.pdf?OpenElement)