



FINAL REPORT  
2013 Performance Audit  
Perth Energy Pty Ltd  
Retail Licence ERL10

Audit Report	Authorisation	Name	Position	Date
Prepared By		Nicole Davies	Principal Consultant (Geographe Environmental Services Pty Ltd)	28 <sup>th</sup> September 2013
Agreed By (licensee)		Geoff Gaston	General Manager Commercial	11 Oct 2013

Geographe Environmental Services Pty Ltd  
PO Box 572 DUNSBOROUGH WA 6281  
Tel: 0438 938 394

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1. PE Performance Audit September 2013

## Glossary of Terms

BMSM – Business Management System Manual

CTR – Customer Transfer Request

ERA – Economic Regulation Authority

ERL10 – Electricity Retail Licence 10

ESA – Electricity Supply Agreement

ETAC – Electricity Transfer Access Contract

GES - Geographe Environmental Services Pty Ltd

MRIM - Manually Read Interval Meter

NAA – Network Access Agreement

NMI – National Metering Identifier

PE – Perth Energy

PE Group – Perth Energy Group [Group of companies consisting of Perth Energy Pty Ltd, Western Energy Pty Ltd, Western Energy Holdings Pty Ltd]

REC – Renewable Energy Credit

RFP – Request for Proposal

RFQ – Request for Quotation

WPC – Western Power Corporation

WPN – Western Power Networks

*This report is prepared by representatives of Geographe Environmental Services Pty Ltd in relation to the above named client's conformance to the nominated audit standard(s). Audits are undertaken using a sampling process and the report and its recommendations are reflective only of activities and records sighted during this audit process. Geographe Environmental Services Pty Ltd shall not be liable for loss or damage caused to or actions taken by third parties as a consequence of reliance on the information contained within this report or its accompanying documentation.*

## 1. EXECUTIVE SUMMARY

Perth Energy (PE) engaged Geographe Environmental Services Pty Ltd to undertake the third Performance Audit as required by the Economic Regulation Authority (ERA) under Retail Licence ERL10. This report contains the audit findings for the performance audit.

Sections 13 of the *Electricity Industry Act 2004* requires as a condition of every licence that the licensee must, not less than once in every period of 24 months (or any longer period that the Authority allows) calculated from the grant of the licence, provide the Authority with a Performance Audit conducted by an independent expert acceptable to the Authority.

The Performance Audit has been conducted in order to assess the licensee's level of compliance with the conditions of its licence.

The Authority approved the appointment of Geographe Environmental Services Pty Ltd on the 7<sup>th</sup> May 2013 and subsequently required the development of an audit plan for ERA approval. An audit plan was prepared for the Retail Licence and approval of the audit plan was provided on 6 September 2013.

The Audit has been executed as planned in accordance with the process flowchart for performance/operational audits as detailed in the Audit Guidelines – Electricity, Gas and Water Licences (August 2010).

The period for the audit is, 1<sup>st</sup> July 2010 to 30<sup>th</sup> June 2013 and the submission of this report as determined with the Authority is evidence of compliance.

## **BUSINESS BACKGROUND**

Perth Energy Pty Ltd (PE) is part of the Perth Energy Group and is a Western Australian power provider. PE has an Electricity Retail Licence (ERL10) issued by the Economic Regulation Authority (ERA) under sections 7 and 15(2) of the Electricity Industry Act 2004. Retail licence ERL10 is designated as being able to supply to small use customers (customer who consumes not more than 160MWh of electricity per annum). As such, PE must comply with the Code of Conduct (for the Supply of Electricity to Small Use Customers).

## **AUDIT CONCLUSION**

The Performance Audit has been conducted in order to assess the effectiveness of the Perth Energy's level of compliance with the conditions of its Retail Licence ERL10. Through the execution of the Audit Plan and assessment and testing of the control environment, the information system, control procedures and compliance attitude, the audit team members have gained reasonable assurance that PE has complied with its Retail Licence as it applies to its operations and activities during the audit period. The control environment operated by the licensee is well established and is regulated by government organisations, shareholders and corporate requirements which effectively filter through to the organisations operations. During the audit period 1 July 2010 to 30 June 2013, the Licensee has complied with its Retail Licence, with the exception of Customer Transfer Code 3.9 (3) (Electricity Compliance Reporting Manual 2013 Ref 18), Licence Condition 4.1 (Ref 105) and Code of Conduct for Supply of Electricity to Small Use Customers 10.3 (A) (ref 276) Details of these non-compliance and correction action plans are included in Table 4. This audit report is an accurate representation of the audit teams findings and opinions.

## **1.1 Performance Audit Summary**

The Audit Teams findings for the Performance Audit against the clauses of the Retail Licence are summarised in the following table. A comprehensive report of the audit findings as applicable to the Electricity Compliance Reporting Manual (July 2010, May 2011 & June 2013) is included in Appendix 1.

### **1.1.2 Limitation of Scope**

The review was undertaken by examination of documents, interviews with key persons and observations and was not to be a detailed inspection of physical items. Table 1 below details which areas have been assessed during the audit and the areas that have been omitted (shaded clauses) .

**Table 1: Compliance Summary Table**

Reference	Retail Licence Criteria	Likelihood	Consequences	Inherent Risk	Adequacy of existing controls	Audit Priority	Type	Compliance Rating						
								NA	NR	1	2	3	4	5
SECTION 8: TYPE 1 REPORTING REQUIREMENTS														
230 [221]	Code of Conduct clause 7.6	Probable	Moderate	Medium	Strong	4	1							✓
[235] {221}	Code of Conduct clause 7.6	Unlikely	Moderate	Medium	Strong	4	1							✓
[236] {217}	Code of Conduct clause 7.7(1)	Unlikely	Major	High	Strong	2	1		✓					
231 [222]	Code of Conduct clause 7.7(1)	Unlikely	Major	High	Strong	2	1		✓					
250	Code of Conduct clause 9.5(1)					N/A	1	✓						
[237] {237}	Code of Conduct clause 9.6(1)					N/A	1	✓						
251	Code of Conduct clause 9.5(2)					N/A	1	✓						
[238] {238}	Code of Conduct 9.6(2)					N/A	1	✓						
SECTION 9: ELECTRICITY INDUSTRY CUSTOMER TRANSFER CODE - PART 3 - CUSTOMER/ CONNECTION INFORMATION/DATA														
6	3.2(2)	Unlikely	Minor	Low	Strong	5	2							✓
7	3.4(1)	Unlikely	Minor	Low	Strong	5	2							✓
8	3.5(3)	Unlikely	Moderate	Medium	Strong	4	2		✓					
9	3.6(2)	Unlikely	Moderate	Medium	Strong	4	2		✓					
16	3.9(1)	Unlikely	Moderate	Medium	Strong	4	2						✓	
17	3.9(2)	Unlikely	Moderate	Medium	Strong	4	2		✓					
18	3.9(3)	Unlikely	Moderate	Medium	Strong	4	2				✓			
19	3.9(4)	Unlikely	Moderate	Medium	Strong	4	2						✓	
23	4.2(2)	Unlikely	Minor	Low	Strong	5	2							✓
24	4.3	Unlikely	Minor	Low	Strong	5	2							✓
25	4.4(1)	Unlikely	Minor	Low	Strong	5	2							✓
26	4.4(2)	Unlikely	Minor	Low	Strong	5	2							✓
27	4.5(1)	Unlikely	Minor	Low	Strong	5	2							✓
28	4.6(3)	Unlikely	Moderate	Medium	Strong	4	2							✓

29	4.7	Unlikely	Minor	Low	Strong	5	2								✓
30	4.8(2)	Unlikely	Moderate	Medium	Strong	4	2		✓						
34	4.9(6)	Unlikely	Moderate	Medium	Strong	4	2								✓
39	4.11(3)	Unlikely	Moderate	Medium	Strong	4	2								✓
40	4.12(3)	Unlikely	Minor	Low	Strong	5	NR								✓
43	4.15	Unlikely	Minor	Low	Strong	5	NR								✓
44	4.16	Unlikely	Moderate	Medium	Strong	4	2							✓	
45	4.17	Unlikely	Moderate	Medium	Strong	4	2								✓
48	5.1(4)	Unlikely	Moderate	Medium	Strong	4	2								✓
49	6.2	Unlikely	Minor	Low	Strong	5	2							✓	
52	6.4(1)	Unlikely	Moderate	Medium	Strong	4	2		✓						
53	6.4(2)	Probable	Moderate	Medium	Moderate	4	2								✓
54	6.6	Unlikely	Moderate	Medium	Moderate	4	2								✓
55	7.1(1)	Probable	Moderate	Medium	Moderate	4	NR		✓						
56	7.1(2)	Probable	Moderate	Medium	Moderate	4	NR		✓						
57	7.1(3)	Unlikely	Moderate	Medium	Strong	4	2		✓						
58	7.2(4)	Probable	Minor	Low	Strong	5	NR		✓						
59	7.3(2)	Unlikely	Minor	Low	Strong	5	NR		✓						
68	Annex 6 clause A6.2(a)	Unlikely	Minor	Low	Strong	5	NR								✓
69	Annex 6 clause A6.2(b)	Unlikely	Minor	Low	Strong	5	2								✓
70	Annex 6 clause A6.6	Unlikely	Minor	Low	Strong	5	NR								✓
71	Annex 6 clause A6.7	Unlikely	Minor	Low	Strong	5	NR								✓
<b>SECTION 11: ELECTRICITY INDUSTRY (CUSTOMER CONTRACTS) REGULATIONS – LICENCE CONDITIONS AND OBLIGATIONS</b>															
78	Licence Condition 5.1	Likely	Moderate	High	Strong	2	2		✓						
79	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2								✓
80	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2								✓
81	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2								✓
82	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2				✓				
83	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2								✓
84	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2								✓
85	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2								✓



86	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
87	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
88	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
89	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
90	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
91	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
92	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
93	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
94	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
95	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
96	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
97	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
98	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
100	Licence Condition 28.1	Likely	Moderate	Medium	Strong	4	2							✓
<b>SECTION 12: ELECTRICITY INDUSTRY ACT - LICENCE CONDITIONS AND OBLIGATIONS</b>														
101 {81}	Licence Condition 14.1	Unlikely	Moderate	Medium	Strong	4	NR							✓
105 {85}	Licence Condition 4.1	Unlikely	Moderate	Medium	Strong	4	2				✓			
106 {86}	Licence Condition 5.1	Unlikely	Minor	Low	Strong	5	NR		✓					
107 {87}	Licence Condition 5.1	Unlikely	Minor	Low	Strong	5	2	✓						
108 {88}	Licence Condition 24.1	Unlikely	Minor	Low	Strong	5	2							✓
109 {89}	Licence Condition 25.4	Unlikely	Moderate	Medium	Strong	4	2		✓					
[110] {93}	Licence Condition 27.1					N/A	2	✓						
111 {94}	Licence Condition 21.1	Unlikely	Moderate	Medium	Strong	4	2							✓
113 {95}	Licence Condition 5.1	Unlikely	Moderate	Medium	Moderate	4	2							✓
<b>SECTION 13: ELECTRICITY LICENCES - LICENCE CONDITIONS AND OBLIGATIONS</b>														
114 {97}	Licence Condition 23.1					N/A	2	✓						
115 {98}	Licence Condition 23.2					N/A	2	✓						
116 {99}	Licence Condition 24.2	Probable	Moderate	Medium	Strong	4	NR							✓

117 {100}	Licence Condition 24.3	Probable	Moderate	Medium	Strong	4	NR							✓
118 {101}	Licence Condition 25.1	Probable	Moderate	Medium	Strong	4	2							✓
{102}	Licence Condition 15.2	Probable	Moderate	Medium	Moderate	4	2						✓	
119 {105}	Licence Condition 12.1	Unlikely	Moderate	Medium	Strong	4	2							✓
120 {106}	Licence Condition 13.4					N/A	2	✓						
[121] {107}	Licence Condition 14.2	Unlikely	Moderate	Medium	Moderate	4	2							✓
123 {109}	Licence Condition 15.1	Unlikely	Moderate	Medium	Strong	4	2		✓					
[124] {110}	Licence Condition 16.1	Unlikely	Moderate	Medium	Strong	4	2							✓
[125] {111}	Licence Condition 17.1 & 17.2	Unlikely	Moderate	Medium	Strong	4	2							✓
126 {112}	Licence Condition 18.1	Unlikely	Moderate	Medium	Moderate	4	2							✓
<b>SECTION 14: CODE OF CONDUCT FOR SUPPLY OF ELECTRICITY TO SMALL USE CUSTOMERS - LICENCE CONDITIONS AND OBLIGATIONS</b>														
129-130 [127-128] {113-114}	Licence condition 23.1 Code of conduct 2.1 Code of conduct 2.2					N/A	**	✓						
131	Licence condition 23.1					N/A	2	✓						
132-145 [129-155] {115-141}	Licence condition 23.1					N/A	2	✓						
146 [156] {142}	Code of Conduct Clause 3.1(1)	Unlikely	Minor	Low	Strong	5	2							✓
147	Code of Conduct Clause 3.1(2)	Unlikely	Moderate	Medium	Moderate	4	2						✓	
[157] {143}	Code of Conduct Clause 3.1(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
148 [158] {144}	Code of Conduct Clause 4.1	Unlikely	Moderate	Medium	Moderate	4	2							✓
149	Code of Conduct Clause 4.2(1)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
150 [159] {145}	Code of Conduct Clause 4.2(2)					NA	2	✓						
151 [160]	Code of Conduct Clause 4.2(3)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
152 [161]	Code of Conduct Clause 4.2(4)	Unlikely	Moderate	Medium	Moderate	4	2		✓					

153 [162]	Code of Conduct Clause 4.2(5)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
154 [163]	Code of Conduct Clause 4.2(6)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
155 [164]	Code of Conduct Clause 4.3(1)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
156 [165]	Code of Conduct Clause 4.3(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
157 [166]	Code of Conduct Clause 4.4	Unlikely	Moderate	Medium	Moderate	4	2							✓
158 [167]	Code of Conduct Clause 4.5(1)	Unlikely	Moderate	Medium	Moderate	4	2						✓	
159 [168]	Code of Conduct Clause 4.5(3)	Unlikely	Moderate	Medium	Moderate	4	2							✓
160 [169]	Code of Conduct Clause 4.6(1)	Unlikely	Minor	Low	Strong	5	2							✓
161 [170]	Code of Conduct Clause 4.6(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
162 [171]	Code of Conduct Clause 4.7	Unlikely	Minor	Low	Strong	5	NR							✓
163 [172]	Code of Conduct Clause 4.8(1)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
164 [173]	Code of Conduct Clause 4.8(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
165 [174]	Code of Conduct Clause 4.8(3)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
166 [175]	Code of Conduct Clause 4.9	Unlikely	Moderate	Medium	Moderate	4	2		✓					
167 [176]	Code of Conduct Clause 4.10	Unlikely	Minor	Low	Strong	5	NR		✓					
168 [177]	Code of Conduct Clause 4.11(1)	Unlikely	Moderate	Medium	Moderate	4	2							✓
169 [178]	Code of Conduct Clause 4.11(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
170 [179]	Code of Conduct Clause 4.12(1)	Unlikely	Moderate	Medium	Moderate	4	2							✓
171 [180]	Code of Conduct Clause 4.13	Unlikely	Moderate	Medium	Moderate	4	2							✓
172 [181]	Code of Conduct Clause 4.14(1)	Unlikely	Minor	Low	Strong	5	NR		✓					
173 [182]	Code of Conduct Clause 4.14(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
174	Code of Conduct Clause 4.15	Unlikely	Moderate	Medium	Moderate	4	2		✓					
[183]	Code of Conduct Clause 4.15(1)	Unlikely	Minor	Low	Strong	5	NR							✓
[184]	Code of Conduct Clause 4.15(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					

175	Code of Conduct Clause 4.16(1)(a)	Unlikely	Moderate	Medium	Moderate	4	2							✓
176	Code of Conduct Clause 4.16(1)(b)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
177	Code of Conduct Clause 4.16(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
178	Code of Conduct Clause 4.16(3)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
179	Code of Conduct Clause 4.17(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
180	Code of Conduct Clause 4.18(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
181	Code of Conduct Clause 4.18(3)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
182	Code of Conduct Clause 4.18(4)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
183	Code of Conduct Clause 4.18(6)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
184	Code of Conduct Clause 4.19(1)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
185	Code of Conduct Clause 4.19(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
186	Code of Conduct Clause 4.19(3)	Unlikely	Moderate	Medium	Moderate	4	2							✓
187	Code of Conduct Clause 4.19(4)	Unlikely	Moderate	Medium	Moderate	4	2							✓
[185]	Code of Conduct Clause 4.16	Unlikely	Moderate	Medium	Moderate	4	2							✓
[186]	Code of Conduct Clause 4.17(1)	Unlikely	Moderate	Medium	Moderate	4	2							✓
[187]	Code of Conduct Clause 4.17(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
[188]	Code of Conduct Clause 4.18(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
[189]	Code of Conduct Clause 4.19(2)	Unlikely	Moderate	Medium	Moderate	4	NR							✓
[190]	Code of Conduct Clause 4.19(3)	Unlikely	Moderate	Medium	Moderate	4	2							✓
[191]	Code of Conduct Clause 4.19(4)	Unlikely	Moderate	Medium	Moderate	4	NR							✓
188 [192]	Code of Conduct Clause 5.1	Unlikely	Moderate	Medium	Moderate	4	2							✓
189 [193]	Code of Conduct Clause 5.2 [Clause 5.2(1)]	Unlikely	Moderate	Medium	Moderate	4	2							✓
[194]	Code of Conduct Clause 5.2(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
190 [195]	Code of Conduct Clause 5.3	Unlikely	Moderate	Medium	Moderate	4	2							✓
191 [196]	Code of Conduct Clause 5.4	Unlikely	Moderate	Medium	Moderate	4	2		✓					
192-193 [197-198]	Code of Conduct Clause 5.5 [5.6(1)]					NA	2	✓						
194 [199]	Code of Conduct Clause 5.6(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
195-196 [200-201]	Code of Conduct Clause 5.6(3) [Clause 5.6(4)]					NA	2	✓						
197 [202]	Code of Conduct Clause 5.7(1)	Unlikely	Moderate	Medium	Strong	4	2							✓

198	Code of Conduct Clause 5.7(2)	Unlikely	Moderate	Medium	Strong	4	2		✓					
[203]	Code of Conduct Clause 5.7(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
199	Code of Conduct Clause 5.7(4)	Unlikely	Moderate	Medium	Strong	4	2		✓					
[204]	Code of Conduct Clause 5.7(4)	Unlikely	Moderate	Medium	Strong	4	2		✓					
200	Code of Conduct Clause 5.8(1)	Unlikely	Moderate	Medium	Strong	4	2		✓					
[205]	Code of Conduct Clause 5.8(1)	Unlikely	Moderate	Medium	Strong	4	2		✓					
201 [206]	Code of Conduct Clause 5.8(2)					NA	2	✓						
202 [207]	Code of Conduct Clause 5.8(3)	Unlikely	Moderate	Medium	Strong	4	2		✓					
203-223 [208-228]	Code of Conduct (Refer Appendix 1)					NA	**	✓						
224 [229]	Code of Conduct Clause 6.11	Unlikely	Moderate	Medium	Moderate	4	2		✓					
225 [230]	Code of Conduct Clause 7.1	Unlikely	Moderate	Medium	Moderate	4	2		✓					
226 [231]	Code of Conduct Clause 7.2	Unlikely	Moderate	Medium	Moderate	4	2		✓					
227 [232]	Code of Conduct Clause 7.3					NA	2	✓						
228 [233]	Code of Conduct Clause 7.4	Unlikely	Moderate	Medium	Moderate	4	2		✓					
235 [238]	Code of Conduct Clause 8.1(1)	Unlikely	Moderate	Medium	Strong	4	2		✓					
236 [239]	Code of Conduct Clause 8.1(2)	Unlikely	Moderate	Medium	Strong	4	2		✓					
239-264 [243-268]	Code of Conduct (Refer Appendix 1)					NA	**	✓						
268 [269]	Code of Conduct Clause 10.1(1)	Unlikely	Moderate	Medium	Strong	4	2							✓
269 [270]	Code of Conduct Clause 10.1(2)	Unlikely	Moderate	Medium	Strong	4	2							✓
270 [271]	Code of Conduct Clause 10.1(3)	Unlikely	Moderate	Medium	Strong	4	2							✓ ✓
271-275 [270-276]	Code of Conduct (Refer Appendix 1)					NA	2	✓						
276 [277]	Code of Conduct Clause 10.3(A)	Unlikely	Moderate	Medium	Moderate	4	2			✓				
277 [278]	Code of Conduct Clause 10.4	Unlikely	Moderate	Medium	Moderate	4	2							✓
278 [279]	Code of Conduct Clause 10.5	Unlikely	Moderate	Medium	Strong	4	2							✓
286 [287]	Code of Conduct Clause 10.9	Unlikely	Moderate	Medium	Moderate	4	NR							✓

287 [288]	Code of Conduct Clause 10.10(1)	Unlikely	Moderate	Medium	Moderate	4	2							✓
288 [289]	Code of Conduct Clause 10.10(2)	Unlikely	Moderate	Medium	Moderate	4	2						✓	
289 [290]	Code of Conduct Clause 10.10(3)	Unlikely	Moderate	Medium	Strong	4	2							✓
290-291 [291-292]	Code of Conduct (Refer Appendix 1)					NA	2	✓						
293 [294]	Code of Conduct Clause 10.12(2)	Unlikely	Moderate	Medium	Strong	4	2							✓
294 [295]	Code of Conduct Clause 12.1(1)	Unlikely	Moderate	Medium	Strong	4	2							✓
295 [296]	Code of Conduct Clause 12.1(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
296 [297]	Code of Conduct Clause 12.3(3)	Unlikely	Moderate	Medium	Moderate	4	2							✓
297 [298]	Code of Conduct Clause 12.2	Unlikely	Moderate	Medium	Strong	4	2							✓
298 [299]	Code of Conduct Clause 12.3	Unlikely	Moderate	Medium	Moderate	4	2							✓
299 [300]	Code of Conduct Clause 12.4	Unlikely	Moderate	Medium	Moderate	4	2							✓
300	Code of Conduct Clause 13.1(1)	Unlikely	Moderate	Medium	Moderate	4	2							✓
301	Code of Conduct Clause 13.1(2)	Unlikely	Moderate	Medium	Moderate	4	2		✓					
302	Code of Conduct Clause 13.1(3)	Unlikely	Moderate	Medium	Moderate	4	2							✓
[301]	Code of Conduct Clause 13.1	Unlikely	Moderate	Medium	Moderate	4	2							✓
303	Code of Conduct Clause 13.2(a)&(b)	Unlikely	Moderate	Medium	Moderate	4	2							✓
304	Code of Conduct Clause 13.2(c)	Unlikely	Moderate	Medium	Moderate	4	2							✓
[302]	Code of Conduct Clause 13.2	Unlikely	Moderate	Medium	Moderate	4	2							✓
305 [303]	Code of Conduct Clause 13.1(1)	Unlikely	Moderate	Medium	Moderate	4	2							✓
306 [304]	Code of Conduct Clause 13.3(2)	Unlikely	Moderate	Medium	Moderate	4	2							✓
307 [305]	Code of Conduct Clause 13.4	Unlikely	Moderate	Medium	Strong	4	2							✓
308 [306]	Code of Conduct Clause 13.5					NA	2	✓						
309 [307]	Code of Conduct Clause 13.6	Unlikely	Moderate	Medium	Moderate	4	2							✓
310-311 [308]	Code of Conduct Clause 13.7					NA	2	✓						
322 [318]	Code of Conduct Clause 13.15(1)	Unlikely	Moderate	Medium	Moderate	4	2							✓

324	Code of Conduct Clause 13.7(1)	Unlikely	Moderate	Medium	Moderate	4	2								✓
325 [319]	Code of Conduct Clause 13.17(3) [13.15(3)]	Unlikely	Moderate	Medium	Moderate	4	2								✓
326	Code of Conduct Clause 13.18	Unlikely	Moderate	Medium	Moderate	4	2								✓
326 [320]	Code of Conduct Clause 14.1(1)	Unlikely	Moderate	Medium	Moderate	4	2		✓						
329	Code of Conduct Clause 14.2(1)	Unlikely	Moderate	Medium	Moderate	4	2								✓
[322]	Code of Conduct Clause 14.2(1)	Unlikely	Moderate	Medium	Moderate	4	2								✓
331 [324]	Code of Conduct Clause 14.3(1)	Unlikely	Moderate	Medium	Moderate	4	2								✓
332 [325]	Code of Conduct Clause 14.3(2)	Unlikely	Moderate	Medium	Moderate	4	2								✓
[328]	Code of Conduct Clause 14.6(1)	Unlikely	Moderate	Medium	Moderate	4	2		✓						
336	Code of Conduct Clause 14.7(1)	Unlikely	Moderate	Medium	Moderate	4	2		✓						
<b>SECTION 15: ELECTRICITY INDUSTRY METERING CODE - LICENCE CONDITIONS AND OBLIGATIONS</b>															
345	Licence Condition 5.1	Probable	Moderate	Medium	Moderate	4	2	✓							
360 [349]	Licence Condition 5.1	Probable	Moderate	Medium	Weak	4	2								✓
[361]	Licence Condition 5.1	Unlikely	Moderate	Medium	Moderate	4	2		✓						
375 [363]	Licence Condition 5.1					N/A	2	✓							
385 [372]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2	✓							
392 [379]	Licence Condition 5.1	Unlikely	Minor	Low	Strong	5	NR		✓						
393 [380]	Licence Condition 5.1	Unlikely	Minor	Low	Strong	5	NR								✓
394 [381]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2								✓
409 [393]	Licence Condition 5.1	Unlikely	Minor	Low	Strong	5	NR								✓
[395]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2								✓
422 [406]	Licence Condition 5.1					NA	2	✓							
423 [407]	Licence Condition 5.1					NA	2	✓							
426 [408]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2		✓						
427	Licence Condition 5.1	Unlikely	Moderate	Low	Moderate	4	NR								✓
[409]	Licence Condition 5.1	Unlikely	Moderate	Low	Strong	5	NR								✓

428 [410]	Licence Condition 5.1	Unlikely	Moderate	Low	Strong	5	NR							✓
429	Licence Condition 5.1	Unlikely	Moderate	Medium	Moderate	4	2							✓
[411]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
[412]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
431 [414]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	NR							✓
437 [420]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
438 [421]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
456 [439]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
469 [446]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
472 [448]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	NR							✓
474 [450]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2		✓					
475 [451]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
476 [452]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
477 [453]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2							✓
478 [454]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	NR		✓					
479 [455]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	NR		✓					
480 [456]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	NR		✓					
481 [457]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	2		✓					
482 [458]	Licence Condition 5.1	Unlikely	Moderate	Medium	Strong	4	NR		✓					
<b>SECTION 17: ELECTRICITY LICENCES - LICENSEE SPECIFIC CONDITIONS AND OBLIGATIONS - NOT APPLICABLE TO PPS</b>														
NA	**					N/A	**							



**Table 2: Operational/Performance Audit Rating Scale**

Compliance Status	Rating	Description of Compliance
Compliant	5	Compliant with no further action required to maintain compliance
Compliant	4	Compliant apart from minor or immaterial recommendations to improve the strength of internal controls top maintain compliance
Compliant	3	Compliant with major or material recommendations to improve the strength of internal controls top maintain compliance
Non-Compliant	2	Does not meet minimum requirements
Significantly Non-Compliant	1	Significant weaknesses and/or serious action required
NA		Not Applicable to Audit Scope
NR		Not Rated

Notes

References in square brackets i.e. [XX] refer to the Electricity Compliance Reporting Manual May 2011

References without brackets refer to Electricity Compliance Reporting Manual June 2013 or May 2011 if applicable

\*\* Refer Appendix 1

NR - Not Reportable

N/R - Not Rated

Key

	The lighter grey shaded area denotes item not assessed as not applicable refer Appendix 1 for detail
	The dark grey shaded area refers to any criteria which are no longer included in the revised June 2013 Manual but are still applicable for part of the audit period
	The blue shading denotes a new requirement in the 2012 Code

## 2. Performance Audit

### 2.1 Performance Audit Scope

This is the third audit of Perth Energy compliance with obligations relating to Retail Licence ERL10. As such, the scope of the audit is to:

- assess the license holders internal compliance systems
- assess the license holders compliance with its license

for the period 1<sup>st</sup> July 2010 to 30<sup>th</sup> June 2013.

The previous audit covered the period 1 July 2008 to 30<sup>th</sup> June 2010.

As there were no performance standards defined within the Retail Licence the Authority's Electricity Compliance Reporting Manual (July 2010, May 2011 & June 2013) were used as the performance criteria for the compliance elements.

The following personnel were interviewed during the Performance Audit;

- General Manager Commercial
- Manager Sales
- Group Accountant
- Business Analyst (Billing)
- Western Power – Account Manager
- Sales Administrator

## 2.2 Performance Audit Objective

The objective of the performance audit, as defined by the Audit Guidelines, is to assess the effectiveness of measures taken by the licensee to meet obligations of the performance and quality standards referred to in the licence.

In addition to compliance requirements, a specific focus is to be taken on the systems and effectiveness of processes used to ensure compliance with the standards, outputs and outcomes required by the licence. The audit outcome is to identify areas of non-compliance and areas of compliance where improvement is required and recommend corrective action as necessary.

The Audit was conducted in three phases as defined by the Audit Guidelines. The phases and the appropriate audit guide/tool are detailed in Table 3 below;

**Table 3: Performance Audit Methodology and Allocated Hours**

Phase	Auditor	Hours	Relevant Auditing Standard
1. Risk & Materiality Assessment  Outcome - Operational/ Performance Audit Plan	Nicole Davies	8	AUS 302: Planning AUS 402: Risk Assessments and Internal Controls AUS 808: Planning Performance Audits AS/NZS ISO 19011:2003: Guidelines for quality and/or environmental management systems auditing (i.e consistent with AUS 302) AS/NZS 4360:2004: Risk Management <sup>1</sup>
2. System Analysis	Nicole Davies	8	AS/NZS 9004:2000: Quality Management Systems – Guidelines for performance improvements AUS 810: Special Purpose Reports on Effectiveness of Control Procedures As 3806-2006: Compliance Programs
3. Fieldwork & Report Preparation Assessment and testing of; <ul style="list-style-type: none"> <li>▪ The control environment</li> <li>▪ Information system</li> <li>▪ Compliance procedures</li> <li>▪ Compliance attitude</li> </ul>	Nicole Davies	46	AUS 502: Audit Evidence AUS 806: Performance Auditing

<sup>1</sup> AS/NZS 4360 has been superseded by AS/NZS ISO 31000:2009

## **2.3 Performance Audit Methodology**

A risk assessment, assessment of control environment and allocation of audit priority was undertaken in accordance with the Audit Guidelines – Electricity, Gas and Water Licences (August 2010) on each element relating to Retail licensee's of the Electricity Compliance Reporting Manual (July 2010, May 2011 & June 2013) issued by the Authority. It was the opinion of the audit team that this approach would provide an effective assessment of compliance due to each licence condition being incorporated into document.

The Electricity Compliance Reporting Manual (July 2010, May 2011 & June 2013) as published on the ERA website specifically classifies each licence condition according to a non-compliance rating. As a holder of a Retail Licence, Perth Energy results in mainly Minor and Moderate Ratings for non-compliance. The Type 1 obligations are not applicable to Perth Energy as they do not have any residential customers.

In accordance with the Audit Guidelines, Perth Energy compliance criteria have been assessed for audit priority by the Auditors and agreed by the Authority. These criteria, including Type 1 obligations are exempt from this Audit Scope. The items that remain within the audit scope are detailed in Appendix 1.

In order to focus the audit effort and identify areas for testing and analysis a preliminary assessment of the risk and materiality of non-compliance with the Retail Licence was undertaken in accordance with the requirements of AS/NZS 31000 Risk Management Section 5.3 and Appendix 1 of the Audit Guidelines. This assessment rating was reviewed during the audit process subject to the verification of control environment. And changes made to the pre-assessment ratings during the audit process are explained in the corrective action section in Appendix 1.

During the reporting period for the Performance Audit, 1 July 2010 to 30 June 2013, there have been significant changes to both the Electricity Metering Code and the Code of Conduct for Supply of Electricity to Small Use Customers. As such a revision of the Electricity Compliance Reporting Manual May 2011 has been released in June 2013 to provide guidance for the compliance elements of the Retail Licence to be examined by the Performance Audit.

The current Code, the Code of Conduct for the Supply of Electricity to Small Use Customers 2012, was gazetted on 9 November 2012 and came into effect on 1 January 2013 and the Electricity Metering Code 2012 came into effect on 7 December 2012, the day it was gazetted. As such the Code of Conduct for Supply of Electricity to Small Use Customers will be assessed against the 2008 Code for the period 1 July 2010 to 9 November 2012 and the 2012 version from 10 November 2012 to 30 June 2013. Similarly, the Electricity Metering Code will be assessed against the 2005 version from 1 July 2010 to 6 December 2012 and against the changes made from 7 December 2012 to 30 June 2013.

In order to accurately assess the changes to legislative requirements and assess the elements that are applicable for the relevant part of the audit period both versions have been reviewed and are clearly identified in Appendix 1.

## **2.4 Performance Audit Summary of Recommendations & Post Implementation Plan**

As stipulated in section 11.9 of the Audit Guidelines (August 2010), the Audit Team notes that the Performance Audit Post Implementation Plan does not form part of the Audit Opinion. It is the responsibility of the licensee to ensure actions are undertaken.

Table 4 below details the Audit Findings and Recommendations as required by the Authority. It is noted that only Compliance Reporting Manual Ref 18, 105 and 276 are required to have Post Audit Action Plans defined in the report (Refer Audit Guidelines Section 11.9).

**Table 4: Audit Performance Audit Key Findings, Recommendations, Observations & Post Audit Plan**

Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan
18	<p><b>Electricity Industry Customer Transfer Code clause 3.9(3)</b></p> <p>A retailer must not disclose a contestable customer's data to any other person without the verifiable consent of the contestable customer, except in the circumstances defined</p> <p><b>Non Compliant [2]</b></p>	<p>In general, the organisation maintains copies of verifiable consent on the Customer Files. However, there were 2 customers from the sample reviewed that did not have verifiable consent on file.</p> <p>A RFQ Form has been developed and it requests verifiable consent. It is noted that this document is outside the organisations document control system and is not implemented by all sales personnel. It is included on the Sales Acquisition (Electricity) Process (Sighted Rev 3). It is understood that this process will be included in the planned intranet system for the organisation.</p>	<p><b>Corrective Action 1</b></p> <p>Implement the RFQ form through the sales team. Ensure that the requirement for verification of consent is fulfilled and maintained on the Customer Files.</p>	<p><b>Action: Review Acquisition Sales Process with Sales Team</b></p> <p><b>Date: 1 November 2013</b></p> <p><b>Responsibility: Geoff Gaston</b></p>
19	<p><b>Electricity Industry Customer Transfer Code clause 3.9(4)</b></p> <p>A retailer must keep a copy of the verifiable consent received from a contestable customer for two years.</p> <p><b>Compliant [4]</b></p>	<p>Copies of verifiable consent are maintained in the customer files. It is noted that the organisation retains records for greater than the 2 year period. Archive systems are established for those over 5 years.</p>		<p>Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline. These items will be reviewed and actioned through internal management systems and will form part of subsequent audit plans.</p>

82	<p><b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 8</b></p> <p>A non standard contract must give an exact description of the goods and services the retailer will provide under the contract.</p> <p><b>Compliant [4]</b></p>	<p>PE non-standard contract does not give and exact description of the goods and services.</p>	<p><b>Corrective Action 2</b></p> <p>It is understood organisation currently reviewing its ESA, inclusion of this requirement could be considered.</p>	<p>Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline. These items will be reviewed and actioned though internal management systems and will form part of subsequent audit plans.</p>
105 {85}	<p><b>Retail Licence condition 4.1</b></p> <p>A licensee must pay to the Authority the prescribed licence fee within one month after the day of grant or renewal of the licence and within one month after each anniversary of that day during the term of the licence i.e. 26 July each year</p> <p><b>Non Compliant [2]</b></p>	<p>Licence fees were paid in accordance with requirements as follows;</p> <ul style="list-style-type: none"> <li>- ERA Invoice ERA181 (Issued on 24 June 2010) and Paid 23 July 2010.</li> <li>- ERA Invoice ERA240 (issued on 9 June 2011) and paid 29 July 2011</li> <li>- ERA Invoice ERA100061 (issued on 19 June 2013) and Paid 12 July 2013</li> </ul> <ul style="list-style-type: none"> <li>▪ Invoice issued by the Authority</li> <li>▪ Record of Payment in accounts system</li> </ul>	<p><b>Corrective Action 3</b></p> <p>During the last audit it a calendar reminder was set up in the accounts department outlook system. It is noted that this trigger was not established at the time of the audit. An alternative trigger to payment should be established to ensure compliance. Consideration could be given to inclusion in budget allocation to ensure funds dispensed prior to 26 July or other such means that would provide a proactive trigger for payment.</p>	<p><b>Action: PE will include an accrual amount for July of each year to pay the licence fee. However PE internal financial controls will not allow payment of funds without appropriate invoices or documentation.</b></p> <p><b>Date: 1 November 2013</b></p> <p><b>Responsibility: Kheng Lim</b></p>



{102}	<p><b>Retail Licence condition 15.2</b></p> <p>A licensee must, unless otherwise notified in writing by the Authority, review the customer service charter within the timeframe specified, and submit to the Authority the results of that review within 5 days after it is completed.</p> <p><b>Compliant [4]</b></p>	<p>The Authority has removed the requirement for electricity and gas retailers and distributors to produce and review a customer service charter. In the energy industry, licensees are required to produce, and have approved by the Authority, a standard form contract. This standard form contract is the principle document that establishes the terms and conditions of the relationship with customers. The new Guideline for Customer Service Charter applicable to the water industry only were published in January 2011. PE complied with the requirements of a Customer Service Charter for the duration of the audit period.</p>	<p><b>Opportunity for Improvement 4</b></p> <p>It is noted that reference to the Customer Service Charter is still made on Perth Energy Website and their bills in the additional information section. Consideration could be given to removing the reference from the website and customer bills.</p>	<p>Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline. These items will be reviewed and actioned though internal management systems and will form part of subsequent audit plans.</p>
147	<p><b>Code of Conduct clause 3.1(2)</b></p> <p>Unless the customer agrees otherwise, a retailer must forward the customer's request for the connection to the relevant distributor that same day, if the request is received before 3pm on a business day; or the next business day if the request is received after 3pm or on a weekend or</p>	<p>The sales team confirmed that as soon as contracts are signed they are acted upon. However, currently there is no system established which allows determination as to whether the request was received before or after 3pm. It is noted that the contract specifies date of commencement.</p>	<p><b>Opportunity for Improvement 5</b></p> <p>The specific requirements regarding time frames could be addressed as part of PE sales procedures and included in the Business System Manual.</p>	<p>Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline. These items will be reviewed and actioned though internal management systems and will form part of subsequent audit plans.</p>

	public holiday.  <b>Compliant [4]</b>			
<b>158</b>	<b>Code of Conduct clause 4.5(1)</b> Unless the customer agrees otherwise, a retailer must include the minimum prescribed information in subclause 4.5(1) on the customer's bill.  <b>Compliant [4]</b>	A review of PE bills demonstrated compliance with this requirement for the inclusion of minimum prescribed information. It is noted that with respect to item (I) in the revised code, the requirement that if "if applicable, a statement on the bill that an additional fee may be imposed to cover the costs of late payment from a customer;" could be better detailed on the invoice. Currently a note to pay on time to avoid late fees is included on the bill and the detail in the Customer Contract.	<b>Opportunity For Improvement 6</b>  Consideration could be given to amending the statement on the Bills to ensure the percentage charged is detailed clearly on the bill and not just in the customer contract.	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline. These items will be reviewed and actioned though internal management systems and will form part of subsequent audit plans.
<b>276</b>	<b>Code of Conduct clause 10.3A</b> A retailer must give a customer, at least once a year, written details of the retailer's and distributor's obligations to make payments to the customer under Part 14 and under any other legislation in Western Australia including the amount of the payment and the eligibility criteria for the	The licensee could not confirm compliance with this requirement during the audit period.	<b>Opportunity for Improvement 7</b>  The organisation could consider updating Customer Service procedures to ensure compliance with this requirement.	<b>Action: PE to update customer service procedures and will provide written details of payment obligations to Small Use Customers</b>  <b>Date: 1 January 2014</b>  <b>Responsibility: Geoff Gaston</b>

	payment.			
	<b>Non Compliant [2]</b>			
<b>288</b>	<p><b>Code of Conduct clause 10.10(2)</b></p> <p>A retailer and distributor must make electronic copies of the Code of Conduct available, at no charge, on their web sites</p>	<p>The licensee has a link to the code of conduct on their website under About Us-&gt;Retail Licences. Consideration could be given to including this in the FAQs section to facilitate ease of discovery.</p>	<p><b>Opportunity for Improvement 8</b></p> <p>Moving the Code of Conduct link to FAQ section of the website. To facilitate ease of locating it could be considered.</p>	<p>Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline. These items will be reviewed and actioned through internal management systems and will form part of subsequent audit plans.</p>

**Table 5: Previous Audit Performance Audit Key Findings, Recommendations, Observations & Post Audit Plan**

Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan	Status
222 [Type 1] [217]	<b>Code of Conduct clause 7.7(1)</b> A retailer must undertake the actions specified in circumstances where the customer provides the retailer with confirmation that a person residing at the customer's supply address requires life support equipment.	Although Perth Energy does not supply to residential customers directly, the opportunity to supply to a person residing at the customer's supply address (i.e. apartment buildings – strata management customer or retirement villages) whereby this situation could arise.  Compliance Rating: Compliant [4]	Perth Energy will amend the Billing Policy to explicitly state a confirmation that there has been no life support equipment notices given by the customer prior to initiating disconnection is required.	Action: Amend Billing Policy  Responsibility: Geoff Gaston  Date: 1 December 2010	Complete, new Disconnection Process in place
153 [TYPE 2] 151	<b>Code of Conduct clause 4.5(1)</b> - A retailer must include minimum prescribed information on the customer's bill, unless the customer agrees otherwise.	The previous billing system omitted some of the minimum prescribed information on the customer's bill;  (j) if applicable, a statement on the bill that an additional fee may be imposed to cover the costs of late payment from a <b>customer</b> ; (k) the average daily cost of electricity consumption; (l) the average daily consumption; (m) a <b>meter</b> identification number (clearly placed on the part of the bill that is retained by the <b>customer</b> ); (q) a statement advising the <b>customer</b> that assistance is available if the <b>customer</b> is experiencing problems paying the bill; (r) a <b>telephone</b> number for billing and payment enquiries;	Ensure the requirements are captured in the system documentation to ensure that any future upgrades to the Gentrack system do not omit these requirements.	ACTION: Perth Energy implemented a new billing system November 2009 to fulfil this requirement. Any changes to Gentrack's templates are subject to review by management in order to ensure compliance with all regulations.  RESPONSIBILITY: Geoff Gaston	Complete the Gentrack system has been implemented.

Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan	Status
		(s) a <b>telephone</b> number for <b>complaints</b> ; (t) the <b>contact</b> details for the <b>electricity ombudsman</b> ; (x) the amount of arrears or credit; (y) if applicable and not included on a separate statement— (i) payments made under an instalment plan; and (ii) the total amount outstanding under the instalment plan; - manually generated (aa) the retailer's telephone number for TTY services  Compliance Rating: Non -Compliant [2]		DATE: Completed	
159 [TYPE 2] 157	<b>Code of Conduct clause 4.8(2)</b> - A retailer must, in a visible and legible manner, specify the stated information on the customer's bill, in circumstances where the customer's bill is estimated.	The previous billing system omitted information relating to estimation on the customer's bill.  Compliance Rating: Non -Compliant [2]			As above
8 [Type 2]	<b>Electricity Industry Customer Transfer Code clause 3.2(2) - Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	Internal processes are established for checking customer files but there is no link to current external auditing of the Customer Files by the Financial Audit Team. There is an opportunity to	It is noted that during the Financial Audits consideration is given to completeness of Customer File documentation,	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010)	The sales procedures have been be updated accordingly.

Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan	Status
	A retailer must withdraw a request for historical consumption data if the contestable customer's verifiable consent ceases to apply before the network operator provides the historical consumption data.	strengthen this key system function. Compliant [4]	however, this is only reported in the Audit Report if there is an issue arising. Consideration could be given to ensuring the information is captured in the organisations internal management systems.	Section 11.9. These items will be reviewed and actioned though internal management systems and will form part of subsequent audit plans.	
		Full implementation of the Internal Audit system has not yet been established due to recent developed Compliant [4].	The BMSM is a newly collated document which specifies aspects of the organisations business system, implementation of the requirements of the BMSM section 7.2.2, relating to the audit schedule, would assist the organisation in ensuring compliance with legislative requirements.	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned though internal management systems and will form part of subsequent audit plans.	As part of the new BMS, a compliance requirements will be addressed.
		Currently difficult to identify specific legislative requirements within documentation as not all of them are reference by number or code. May give rise to omission of requirements in future. Would also facilitate easier internal monitoring systems.	Consideration could be given to numbering requirements for reference within the organisations policies and procedures, so that future	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned though	As part of the new BMS, a document control issues will be addressed.

Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan	Status
			management is easier for example; PE Customer Data Guidelines Refer to Electricity Industry Customer Transfer Code clause 3.9(4) for first dot point.	internal management systems and will form part of subsequent audit plans.	
		No document control applied to the subsidiary documentation identified in the policies. These are key measures of control and should be approved and reviewed for version control in line with the organisation BMS Manual.  Compliant [4]	Documentation that relates to the policies is clearly linked however, document control requirements would assist in the organisation in ensuring current documentation is referenced, for example; Sales Process Procedure & Checklist: RFP to CTR	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned though internal management systems and will form part of subsequent audit plans.	As part of the new BMS, a document control issues will be addressed.
16 [TYPE 2]	Electricity Industry Customer Transfer Code clause 3.9(1) - Electricity Industry (Licence Conditions) Regulations r 5(2)  A retailer may only use data relating to a contestable	No formal Confidentiality Agreement was engaged however verbal requests and confirmation was provided.  Compliant [4]	Ensure the establishment of Confidentiality Agreements is commensurate with risk, for example if required by legislation for the purposes of the services engaged such as	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned though	Compliance confirmed.

Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan	Status
	customer to provide a contestable customer with a quotation for the supply of electricity by the retailer to the contestable customer or to initiate a transfer.		Electricity Industry Customer Transfer Code clause 3.9(3).	internal management systems and will form part of subsequent audit plans.	
81 [TYPE NR]	Electricity Industry Act section 13(1) - Retail Licence condition 22.1  A licensee must, not less than once every 24 months, provide the Authority with a performance audit conducted by an independent expert acceptable to the Authority.	Currently the only trigger is in the General manger Commercial online diary. This could give rise to issues in the future.  Compliant [4]	Consideration could be given to establishing a more proactive system for scheduling key tasks, such as the Compliance Audit. Currently the system established is reactive on a reminder and could potentially be omitted if change in personnel, etc.	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned though internal management systems and will form part of subsequent audit plans	As part of the new BMS, a corporate calendar will include dates for all compliance requirements
93 [TYPE 2]	Electricity Industry Act section 17 (1) - Retail Licence condition 4.1  A licensee must pay to the Authority the prescribed licence fee within one month	Currently process for payment could give rise to late payment issues in the future.  Compliant [4]	In addition, ensure systems can be established for instances whereby the invoice may be receipted late or misplaced and payment of licence fee without	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned though	As part of the new BMS, a corporate calendar will include dates for all compliance requirements. However, due to Perth Energy's financial control



Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan	Status
	after the day of grant or renewal of the licence and within one month after each anniversary of that day during the term of the licence i.e. 30 July each year		invoice can be undertaken.	internal management systems and will form part of subsequent audit plans	procedures, it is unable to release funds without the receipt of an invoice.
102 [TYPE 2]	Electricity Industry Act section 11 - Retail Licence condition 15.2  A licensee must, unless otherwise notified in writing by the Authority, review the customer service charter within the timeframe specified, and submit to the Authority the results of that review within 5 days after it is completed.	Although confirmation of change of address has been issued to key stakeholders, as yet the contact details have yet to be amended.  Compliant [4]	Consideration could be given to updating/following up the contact documentation on the key websites due to the recent move in office premises; for example, Office of Energy website, CCI,	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned through internal management systems and will form part of subsequent audit plans	Customer service charters are no longer required as of 1 July 2010

Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan	Status
281	<b>Retail Licence condition 15.1</b> <b>Code of Conduct Clause 11.1(1)</b> - A retailer and distributor must produce and publish a Customer Service Charter.	If Customer Service Charter removed then there could be an impact on other legislative requirements. Internal management and review suggested prior to undertaking this action.  Compliant [5]	Update documentation to note the removal of the requirement for the Customer Service Charter and remove from the company website.	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned through internal management systems and will form part of subsequent audit plans	The Customer Service Charter is still on the organisations bills refer Appendix 1.
283 [TYPE 2] [268]	<b>Code of Conduct clause 12.1(2)</b> - A retailer and distributor must develop, maintain and implement a complaints handling process that meets the specified requirements.	Code of Conduct specifically refers to AS ISO 1002, however, this reference is not contained in any of the internal documentation references.  Compliant [4]	Consideration could be given to including reference to the requirements of AS ISO 10002-2006 as the complaint handling process is required to meet the requirements.	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned through internal management systems and will form part of subsequent audit plans	The Complaints Handling Procedure does include reference to AS ISO 10002-2006
284 [TYPE 2] [269]	<b>Code of Conduct clause 12.1(3)</b> - A retailer or distributor must at least provide the specified advice to	The Complaint Handling Policy complies with the requirements of this clause. However, if Customer Service Charter removed then there could be an impact on other legislative requirements. Internal management and review suggested prior to	As the Customer Service Charter is no longer required by the Code, the licensee should review its compliance system	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010)	

Ref	Licence Condition	Issue	Recommendation	Post-Audit Action Plan	Status
	a customer when handling a complaint.	undertaking this action.  Compliant [5]	prior to removing it to ensure the information is presented elsewhere, if required.	Section 11.9. These items will be reviewed and actioned through internal management systems and will form part of subsequent audit plans	
306 [Type 2] [290]	<b>Electricity Code of Conduct Clause 13.15 (3)</b>  A copy of each report must be given to the Minister and the Authority not less than 7 days before it is published.	Reference to requirements could be better reflected in internal documentation.  Compliant [4]	Consideration could be given to referencing Part 13 of <i>The Code of Conduct for Supply of Electricity to Small Use Customers</i> in the BSM under section 6.2 which addresses Records Management.	Action plan is not mandatory for inclusion in post audit implementation plan as detailed in Audit Guideline (August 2010) Section 11.9. These items will be reviewed and actioned through internal management systems and will form part of subsequent audit plans	As part of the new BMS, a corporate calendar will include dates for all compliance requirements

### **3. FOLLOW UP AUDIT PROCESS**

This is the third Performance Audit conducted since the issue of the licence and all previous audit report findings have been reviewed as part of the content of this report (Refer to Table 5).

As required by section 11.3 of the Audit Guidelines an assessment has been made by the audit team on the adequacy of the response to the previous audit recommendations. It is our opinion that all responses have been met in accordance with the company's policy and any deviations have been communicated to the Secretariat.

Similarly, review of actions taken in response to recommendations will form part of subsequent audit plans.

# **APPENDIX 1**

## **PE PERFORMANCE AUDIT SEPTEMBER 2013**

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE RATING**
<b>SECTION 8: TYPE 1 REPORTING REQUIREMENTS – Electricity Industry Act 2004 s82</b>						
230	<i>Electricity Industry Act section 82</i>	<b>Code of Conduct Clause 7.6</b>	A retailer or distributor must comply with the limitations specified in clause 7.6 when arranging for disconnection or disconnecting a customer's supply address.	4	PE has an ESA which details these requirements. All disconnections during the audit period complied with these requirements.	Compliant [5]
[235] {221}	<i>Electricity Industry Act section 82</i>	<b>Code of Conduct clause 7.6</b>	A retailer or a distributor must not arrange for disconnection or disconnect a customer's supply address in the circumstances specified, subject to the exception specified	4	As Above	Compliant [5]
[236] {217}	<i>Electricity Industry Act section 82</i>	<b>Code of Conduct clause 7.7(1)</b>	A retailer must undertake the actions specified in circumstances where the customer provides the retailer with confirmation that a person residing at the customer's supply address requires life support equipment.	2	PE does not have any Small Use Customers on life support. As such compliance with requirement has not been assessed.	Not Rated [NR]
231	<i>Electricity Industry</i>	<b>Code of Conduct</b>	Where a customer provides a retailer with confirmation from an appropriately qualified	2	As Above	Not Rated

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE RATING**
[222]	<b>Act section 82</b>	<b>clause 7.7(1)</b>	medical practitioner that a person residing at the customer's supply address requires life support equipment, the retailer must comply with subclause 7.7(1).			[NR]
250	<b>Electricity Industry Act section 82</b>	<b>Code of Conduct clause 9.5(1)</b>	A retailer must not provide a pre-payment meter service if the residential customer, or a person residing at the residential customer's supply address, requires life support equipment.	NA	PE DOES NOT SUPPLY ELECTRICITY TO RESIDENTIAL CUSTOMERS	Not Applicable [NA]
[237] {237}	<b>Electricity Industry Act section 82</b>	<b>Code of Conduct clause 9.6(1)</b>	A retailer must not operate a pre-payment meter at the supply address of a residential customer if the residential customer, or a person residing at the residential customer's supply address, requires life support equipment.	NA	As Above	Not Applicable [NA]
251	<b>Electricity Industry Act section 82</b>	<b>Code of Conduct clause 9.5(2)</b>	If a pre-payment meter customer notifies a retailer that a person residing at the supply address depends on life support equipment, the retailer must, or must immediately arrange to, remove or render non-operational the pre-payment meter at no charge; replace or switch	NA	As Above	Not Applicable [NA]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
			the pre-payment meter to a standard meter at no charge; and provide information to the pre-payment meter customer about the contract options available to the customer.			
[238] {238}	<i>Electricity Industry Act section 82</i>	<i>Code of Conduct clause 9.6(2)</i>	If a pre-payment meter customer notifies a retailer that a person residing at the supply address depends on life support equipment, the retailer must undertake the actions specified.	NA	As Above	Not Applicable  [NA]
<b>SECTION 9: ELECTRICITY INDUSTRY CUSTOMER TRANSFER CODE - PART 3 - CUSTOMER/ CONNECTION INFORMATION/DATA</b>						
6	<i>Electricity Industry (Licence Conditions) Regulations r 5(2)</i>	<i>Electricity Industry Customer Transfer Code clause 3.2(2)</i>	A retailer must submit a separate data request for each exit point unless otherwise agreed	5	Compliance is inherent in the Web Portal system design. The system only allows separate data requests.  ▪ Web Portal system	Compliant  [5]
7	<i>Electricity Industry (Licence Conditions) Regulations r 5(2)</i>	<i>Electricity Industry Customer Transfer Code clause 3.4(1)</i>	Unless otherwise agreed with a <i>network operator</i> , a <i>retailer</i> — (a) must submit a <i>data request</i> to the <i>network operator electronically</i> ; and (b) must not submit to a <i>network operator</i> in a	5	System control as web portal only allows 20 requests for standing data and 20 requests for historical consumption data. An exception message will come back if greater than 20 requests are made. The Web Portal	Compliant  [5]



REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
			<i>business day— (i) more than 20 requests for standing data; and (ii) more than 20 requests for historical consumption data.</i>		acts as the only access for data  ▪ Web Portal	
8	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 3.5(3) -</b>	A retailer must withdraw a request for historical consumption data if the contestable customer's verifiable consent ceases to apply before the network operator provides the historical consumption data.	4	During the audit period the withdrawal for the request for historical consumption did not occur.  ▪ Discussion with Manger Sales  ▪ Review Customer Files	Not Rated [NR]
9	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 3.6(2)</b>	A retailer must pay any reasonable costs incurred by the network operator for work performed in relation to a withdrawn request for historical consumption data.	4	There have been no occurrences of costs incurred during the audit period. As such assessment of compliance with this requirement cannot be made  ▪ Management of payment is by Web Portal system.  ▪ Western Power Portal  ▪ Discussion with Manager Sales	Not Rated [NR]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
16	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 3.9(1)</b>	A retailer may only use data relating to a contestable customer to provide a contestable customer with a quotation for the supply of electricity by the retailer to the contestable customer or to initiate a transfer in relation to the contestable customer.	4	RFQ reviewed during the audit included data only from the relevant Contestable Customer. All CTR were initiated with relevant customer data.  ▪ Discussion with Sales Administrator ▪ Customer Files ▪ Quotations and Customer Data Requests	Compliant [4]
17	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 3.9(2)</b>	A retailer must not aggregate a contestable customer's historical consumption data with that of other contestable customers for the purposes of internal business development, if requested not to do so by the customer.	4	During the audit period there had been no requests to not aggregate a contestable customer's historical consumption data. As such this requirement has not been rated.  ▪ Manager Sales	Not Rated [NR]
18	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 3.9(3)</b>	A retailer must not disclose a contestable customer's data to any other person without the verifiable consent of the contestable customer, except in the circumstances defined	4	In general, the organisation maintains copies of verifiable consent on the Customer Files. However, there were 2 customers from the sample reviewed that did not have verifiable consent on file.  A RFQ Form has been developed and it requests verifiable consent. It is noted that this document is outside the organisations	Non Compliant [2]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					document control system and is not implemented by all sales personnel. It is included on the Sales Acquisition (Electricity) Process (Sighted Rev 3). It is understood that this process will underpin the planned intranet system for the organisation.  <b>Opportunity for Improvement 1 -&gt; Implement the RFQ form through the sales team. Ensure that the requirement for verification of consent is fulfilled and maintained on the Customer Files.</b>	
19	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 3.9(4)</b>	A retailer must keep a copy of the verifiable consent received from a contestable customer for two years.	4	Copies of verifiable consent are maintained in the customer files. It is noted that the organisation retains records for greater than the 2 year period. Archive systems are established for those over 5 years.  <b>REFER OFI 1</b>	Compliant [4]
23	<b>Electricity Industry (Licence Conditions)</b>	<b>Electricity Industry Customer Transfer Code clause 4.2(2)</b>	A retailer must submit a separate customer transfer request for each exit point unless otherwise agreed.	5	Web portal only allows for singular submissions, compliance is inherent in system design. Instances during the audit	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
	<b>Regulations r 5(2)</b>				period where a bulk transfer has been requested were agreed with WPN.  ▪ Customer Files  ▪ Discussion with Sales Administrator	
24	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.3</b>	A retailer's reason for a transfer must be specified in the customer transfer request form as either to transfer a contestable customer to the retailer which submitted the customer transfer request or to reverse an erroneous transfer.	5	Sample of transfers sighted on Web Portal. Erroneous transfers were observed during the audit period under "Transfer Type".  System Control as description of transfer is mandatory field i.e. drop down list  ▪ Web Portal i.e. system controls  ▪ Discussion with Sales Administrator	Compliant [5]
25	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.4(1)</b>	A retailer may only submit a customer transfer request if it has an access contract for the network, unless it is to reverse an erroneous transfer.	5	All transfers conducted on Web Portal. Confirmed PE has a valid access contract. Without an access contract PE would not be able to submit customer transfer request forms through network operator's web portal.  Billing must be specified and dated in the	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					<p>Web portal.</p> <p>The CTR details are part of the CTR section of the Web Portal. If the access contract is not specified then Metering will not authorise and will contact the WP Account Manager to liaise for resolution.</p>	
26	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.4(2)</b>	A retailer that submits a customer transfer request to reverse an erroneous transfer must ensure the transfer was made in error and, if it is an incoming retailer, confirm the identity of the previous retailer.	5	<p>All transfers conducted on Web Portal. Erroneous transfers were observed during the audit period under "Transfer Type". Report provided by the Sales Administrator. Review of erroneous transfers confirmed they were made in error.</p> <ul style="list-style-type: none"> <li>▪ Web Portal i.e. system controls</li> <li>▪ Discussion with Sales Administrator</li> </ul>	Compliant [5]
27	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.5(1)</b>	A retailer, unless otherwise agreed, must submit a customer transfer request electronically and must not submit more than a prescribed number of customer transfer requests in a business day or with the same nominated transfer date	5	<p>All transfers are undertaken on Web Portal. Generally, the number of customer transfer requests is inherent in the system design. The web portal only allows 20 transfers per day.</p> <p>There were agreements deviating from</p>	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					these requirements made for CTR, relating to multi site customers, during the audit period. In both instances records of communications relating to agreed arrangements were reviewed.	
28	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.6(3)</b>	A retailer must withdraw a customer transfer request if the contestable customer's verifiable consent ceases to apply before the transfer occurs.	4	There were no instances where a customer transfer request was withdrawn due to expirations of verifiable consent.  ▪ Customer Files  ▪ Discussion with Sales Administrator	Not Rated [NR]
29	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.7</b>	A retailer must nominate a transfer date in a customer transfer request in accordance with specified timeframes, except if the customer transfer request is to reverse an erroneous transfer.	5	Compliance is inherent in system design, date of transfer must be nominated to successfully submit transfer. Further, the web portal would automatically reject any nominated transfer dates that exceed the specified timeframes.	Compliant [5]
30	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.8(2)</b>	A retailer must pay any reasonable costs incurred by a network operator for providing and/or installing a meter if a customer transfer request is withdrawn.	4	During the audit period there were no instances where costs were incurred by the Network Operator as a result of the CTR being withdrawn. Confirmed by Sales	Not Rated [NR]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					Administrator.	
34	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.9(6)</b>	A network operator and retailer must agree to a revised nominated transfer date in certain circumstances.	4	Web portal used for communicating revised transfer dates. Liaison established with WP Account Manager.	Compliant [5]
39	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.11(3)</b>	A network operator and the retailer must take certain action if the contestable customer's meter is not read on the nominated transfer date.	4	Once the CTR is completed with nominated transfer date, meter readings from the network operator are provided in half hour intervals on the nominated transfer date.  If there are any issues with the interval meter readings, it may be due to the inability of the network operator gaining access to the customer's meter to change or reprogram it to an interval meter. The network operator would have to liaise with PE in regards to the situation and subsequently inform the customer of the situation. As a result, the nominated transfer date would have to be revised. This is managed through the web portal.	Compliant [5]
40	<b>Electricity Industry (Licence</b>	<b>Electricity Industry Customer Transfer</b>	The parties to an access contract must negotiate in good faith any necessary	5	Perth Energy are negotiating an ETAC. The organisation is currently operating under	Compliant

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
	<b>Conditions) Regulations r 5(2)</b>	<b>Code clause 4.12(3)</b>	amendments to the access contract arising from certain circumstances.		the previous Network Access Agreements which are valid until September 2015.  The organisation is aware of these legal requirements and is working towards an economically amicable resolution.	[5]
43	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.15</b>	In the case of a transfer to reverse an erroneous transfer, a network operator and all affected retailers (and the independent market operator if applicable) must act in good faith to ensure that the rights and obligations of the affected contestable customer are as they would have been had the erroneous transfer not occurred.	5	During the audit period circumstances where an erroneous transfer occurred the interested parties liaised effectively and as required to ensure the resolution of the issue. Records sighted on customer files and email communication.	Compliant [5]
44	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 4.16</b>	An incoming retailer must retain a copy of a verifiable consent given by a contestable customer in relation to the lodgement of a customer transfer request for two years, except in the case of a customer transfer request to reverse an erroneous transfer.	4	The organisation maintains copies of verifiable consent on the customer files and in electronic form. Documents are archived and systems backed up. No documents have been destroyed since commencement.  Refer OFI 1 (Ref 18 & 19)	Compliant [4]
45	<b>Electricity Industry (Licence Conditions)</b>	<b>Electricity Industry Customer Transfer</b>	A previous retailer must not bill a contestable customer for charges incurred after the transfer time, except in the case of an	4	Confirmed through discussion with the Manager Sales that no other previous retailer billed a contestable customer for	Compliant [5]



REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
	<b>Regulations r 5(2)</b>	<b>Code clause 4.17</b>	erroneous transfer.		charges incurred after the transfer time.  In addition, Web Portal System Control. WP will not send data to PE after the transfer date.  It is noted that an instance where a customer was being billed by PE and by Synergy has been confirmed by WPN to be a fault with Synergy systems. PE complied with its requirements.	
48	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 5.1(4)</b>	A network operator and a retailer must comply with approved communication rules.	4	The Build Pack defines the processes, procedures and methods used to communicate between the network operator and PE. It is available on Western Powers website. The latest version is 30 march 2009.	Compliant [5]
49	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 6.2</b>	A licensee's notice in relation to a data request or customer transfer request must identify the exit point to which it relates.	5	Compliance is inherent in system design, specification of the NMI is a mandatory field.  The NMI is provided on the customer's verifiable consent form (RFQ – Electricity Supply)  Refer OFI 1 (Ref 18 & 19)	Compliant [4]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
52	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 6.4(1)</b>	A retailer must notify its contact details to a network operator within three business days of a request	4	Evidence of communication processes throughout the audit period. There has been no specific request for contact details	Not Rated [NR]
53	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 6.4(2)</b>	A retailer must notify any change in its contact details to a network operator at least three business days before the change takes effect.	4	The Licensee moved on the 19 <sup>th</sup> July 2010 notification was provided to WPN on 14 <sup>th</sup> July through and email and letter.	Compliant [5]
54	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 6.6</b>	A network operator or a retailer must send required electronic communications to the applicable electronic communication address, in accordance with Annex 6.	4	Web Portal design parameters ensure compliance with this requirement. Email and fax evidence also sighted to verify compliance with this requirement.  Sample of Customer files reviewed demonstrated compliance	Compliant [5]
55	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 7.1(1)</b>	For a dispute in respect of a matter under or in connection with the Electricity Industry Customer Transfer Code, any disputing party must meet within five business days of a request from another disputing party and attempt to resolve the dispute by negotiations in good faith.	4	There have been no disputes in respect to a matter under or in connection with this requirement during the audit period. As such assessment of compliance with respect to meeting within 5 business days cannot be made.	Not Rated [NR]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
56	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 7.1(2)</b>	If the negotiations in 7.1(1) of the Electricity Industry Customer Transfer Code do not resolve the dispute within 10 days after the first meeting, the dispute must be referred to the senior executive officer of each disputing party who must attempt to resolve the dispute by negotiations in good faith	4	There have been no disputes during the audit period that have been elevated for management in accordance with this requirement. As such assessment of compliance with the Dispute Resolution requirement cannot be made.	Not Rated [NR]
57	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 7.1(3)</b>	If the dispute is resolved, the disputing parties must prepare a written and signed record of the resolution and adhere to the resolution.	4	There have been no disputes during the audit period that have been elevated for management in accordance with this requirement. As such assessment of compliance with the Dispute Resolution requirement cannot be made.	Not Rated [NR]
58	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code clause 7.2(4)</b>	A disputing party that refers a dispute to the Authority must give notice to the Authority of the nature of the dispute, including specified details	5	There have been no disputes during the audit period that have been elevated for management in accordance with this requirement. As such assessment of compliance with the Dispute Resolution requirement cannot be made.	Not Rated [NR]
59	<b>Electricity Industry (Licence Conditions)</b>	<b>Electricity Industry Customer Transfer</b>	A disputing party must at all times conduct itself in a manner which is directed towards achieving the objectives in clause 7.3(1) of the	5	There have been no disputes during the audit period that have been elevated for management in accordance with this	Not Rated [NR]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
	<b>Regulations r 5(2)</b>	<b>Code clause 7.3(2)</b>	Electricity Industry Customer Transfer Code		requirement. As such assessment of compliance with the Dispute Resolution requirement cannot be made.	
68	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code Annex 6 clause A6.2(a)</b>	A network operator and a retailer must use reasonable endeavours to ensure that its information system on which electronic communications are made is operational 24 hours a day and 7 days a week.	5	Western Power manage the Web Portal and it is generally operational 24 hours a day. There have been some system down times throughout the audit period, however, issues arising are always readily resolved.  PE have a Crisis Management and Business Continuity Plan established. This issue is identified within the organisations Risk Report.	Compliant [5]
69	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code Annex 6 clause A6.2(b)</b>	A network operator and a retailer must establish a mechanism to generate an automated response message for each electronic communication (other than an automated response message) received at the electronic communication address.	5	Correspondence between WP and PE is maintained in the Web Portal. Historical messages can be seen through the “view messages” function. Correspondence is tagged as either pending, completed or rejected, i.e. market transaction list  In addition, the web portal enables the issue of email alerts to confirm transactions.	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
70	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code Annex 6 clause A6.6</b>	The originator of an electronic communication must identify itself in the communication.	5	A review of automated response messages confirmed that the electronic communication identified the originator used reasonable endeavours to adopt a consistent data format for information over time, to facilitate any automated processing of the information by the addressee.  Standard email signatures and letter templates used for communication	Compliant [5]
71	<b>Electricity Industry (Licence Conditions) Regulations r 5(2)</b>	<b>Electricity Industry Customer Transfer Code Annex 6 clause A6.7</b>	The originator of an electronic communication must use reasonable endeavours to adopt a consistent data format for information over time, to facilitate any automated processing of the information by the addressee.	5	The Web Portal is used as a primary means of communication between WP and PE. The system application allows automatic transfer of data between WP and PE. The process is designed so that data communicated is easily integrated into the PE and WP systems.	Compliant [5]
<b>Section 11: ELECTRICITY INDUSTRY (CUSTOMER CONTRACTS) REGULATIONS AND OBLIGATIONS</b>						
78	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry Act Section 51  Electricity Industry (Customer Contracts)</b>	Where the licensee supplies electricity under a standard form contract, the standard form contract must comply with the licensee's approved standard form contract on the Authority's website.	2	As PE does not supply electricity to small use customers under a standard form contract, an assessment of compliance with this clause cannot be made for the period subject to audit.	Not Rated [NR]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
		<b>Regulations 2005</b>				
79	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 5</b>	A non standard contract must be in a format that is easy to read and expressed in clear, simple and concise language.	4	Through examination of PE non-standard form contract and accompanying terms and conditions, indicated that those terms and conditions are presented in clear, simple and concise language and includes a list of definitions to provide further insight on terms used.  The Non Standard Electricity Contract used by PE is maintained in the customer files	Compliant [5]
80	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 6</b>	A non standard contract must specify when it comes into effect and the period for which it has effect.	4	The Non Standard Electricity Contract defines when it comes into effect and the period for which it has effect on the PE Electricity Supply Agreement (ESA) Application and Contract.  The Non Standard Electricity Contract used by PE is maintained in the customer files.	Compliant [5]
81	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 7</b>	A non standard contract must specify certain information about the retailer.	4	A review of PE non standard contract confirms that it specifies —  (a) company name and business name (if different from its company name);  (b) Australian Business Number or	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					Australian Company Number;  (c) registered office address and business address (if different from its registered office address);  (d) postal address;  (e) telephone number;  (f) email address; and  (g) internet website address	
82	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 8</b>	A non standard contract must give an exact description of the goods and services the retailer will provide under the contract.	4	PE non-standard contract does not give and exact description of the goods and services.  <b>Opportunity for Improvement 2 – It is understood organisation currently reviewing its ESA, inclusion of this requirement could be considered.</b>	Non Compliant [2]
83	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 9</b>	A non standard contract must require the customer to pay for electricity supplied under the contract.	4	PE non-standard contract requires the customer to pay for electricity supplied under the contract, specifically in section 17.	Compliant [5]
84	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer</b>	A non standard contract must prohibit the customer from tampering with or bypassing	4	PE non-standard contract prohibits the customer from damaging or interfering with	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
		<b>Contracts) Regulations 2005 regulation 10</b>	network equipment or allowing any other person to do so.		the <i>Electricity Supply Equipment</i> or use electricity in a way that interferes with that equipment, specifically in section "Electricity Supply".	
85	<b><i>Retail Licence condition 5.1</i></b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 11</b>	A non standard contract must describe the circumstances where a retailer has the right to disconnect supply and is required to reconnect supply.	4	PE non-standard contract describes the circumstances where a retailer has the right to disconnect supply and is required to reconnect supply, specifically in section "Electricity Supply".	Compliant [5]
86	<b><i>Retail Licence condition 5.1</i></b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 12</b>	A non standard contract must require the retailer to deal with security deposits and the payment of interest in the manner specified.	4	PE non-standard contract requires the retailer to deal with security deposits and the payment of interest, specifically in section 26.	Compliant [5]
87	<b><i>Retail Licence condition 5.1</i></b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 13</b>	A non standard contract must describe the retailer's obligations in relation to the provision of prices and tariff information.	4	PE non-standard contract describes the retailer's obligations in relation to the provision of prices and tariff information.	Compliant [5]
88	<b><i>Retail Licence condition 5.1</i></b>	<b>Electricity Industry (Customer Contracts) Regulations 2005</b>	A non standard contract must describe the procedures to be followed by the retailer in relation to the preparation, issue and review of	4	PE non-standard contract describes the procedures to be followed by the retailer in relation to the preparation, issue and	Compliant [5]



REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
		<b>regulation 14</b>	customer bills.		review of customer bills.	
89	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 15</b>	A non standard contract must describe the matters relating to the termination of the contract specified in the regulation.	4	PE's non standard contract describes the matters relating to the termination of the contract specified in the regulation.	Compliant [5]
90	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 16 and 34</b>	A non standard contract must inform the customer that the provisions of the contract may be amended without the customer's consent and describe the process for amendment of the contract including requirements for approval and the way in which the amendment will be published. The non standard contract must require the retailer to notify the customer of any amendment to the contract.	4	PE's non standard contract informs the customer that the provisions of the contract may be amended without the customer's consent and describes the process for amendment of the contract including requirements for approval and the way in which the amendment will be published. The non standard contract requires the retailer to notify the customer of any amendment to the contract, specifically section detailing changes in law.	Compliant [5]
91	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 17</b>	A non standard contract must deal with the assignment of rights and obligations including assignment without the customer's consent.	4	PE's non standard contract deals with the assignment of rights and obligations including assignment without the customer's consent, specifically section "Assignment".	Compliant [5]

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92	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 18</b>	A non standard contract must describe the procedures to be followed by the retailer in responding to a complaint made by the customer.	4	PE's non standard contract describes the procedures to be followed by the retailer in responding to a complaint made by the customer, specifically section "Disputes".	Compliant [5]
93	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 19</b>	A non standard contract must specify the steps by the retailer to ensure the information held by the retailer is dealt with in a confidential manner.	4	PE's non standard contract specifies the steps by the retailer to ensure the information held by the retailer is dealt with in a confidential manner, specifically section 18 "Confidential Information".	Compliant [5]
94	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 20</b>	A non standard contract must deal with the governing law, the effect of an invalid or unenforceable provision, the way in which notice may be given and the use of electronic communication by the retailer.	4	PE's non standard contract deals with the governing law, the effect of an invalid or unenforceable provision, the way in which notice may be given and the use of electronic communication by the retailer, , specifically section "Governing Law & Jurisdiction".	Compliant [5]
95	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 21</b>	A non standard contract must not include a provision that excludes, restricts or modifies the Code of Conduct for the Supply of Electricity to Small Use Customers unless it is authorised by the Code	4	PE's non standard contract does not include a provision that excludes, restricts or modifies the Code of Conduct for the Supply of Electricity to Small Use Customers unless it is authorised by the Code.	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
96	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 32</b>	A non standard contract must include details about the cooling off period specified in the regulation.	4	PE's non standard contract includes details about the cooling off period specified in the regulation, specifically on the PE ESA Application & Contract documentation.	Compliant [5]
97	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 33(2)</b>	A non standard contract must authorise the customer to terminate the contract at any time with no less than 5 days notice.	4	PE's non standard contract authorises the customer to terminate the contract at any time with no less than 5 days notice, specifically section 2 "Termination & Default".	Compliant [5]
98	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 33(3) and (4)</b>	A non standard contract that is a fixed contract must describe the matters relating to the termination of the contract specified in the regulation.	4	The non standard ESA has specified termination provisions , specifically Section Termination & Default. Customer files reviewed confirmed this.	Compliant [5]
100	<b>Retail Licence condition 28.1</b>	<b>Electricity Industry (Customer Contracts) Regulations 2005 regulation 38</b>	Where the licensee becomes aware of a customer taking a supply of electricity that is deemed to be supplied under the licensee's standard form contract, the licensee must, within 5 days after becoming aware notify the customer of the specified information.	4	PE's non standard contract details that where the licensee becomes aware of a customer taking a supply of electricity that is deemed to be supplied under the licensee's standard form contract, the licensee must, within 5 days after becoming aware notify the customer of the specified	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					information, specifically section "Electricity Supply".	
<b>SECTION 12: ELECTRICITY INDUSTRY ACT - LICENCE CONDITIONS AND OBLIGATIONS</b>						
101 {81}	<b>Retail Licence condition 14.1</b>	<b>Electricity Industry Act section 13(1)</b>	A licensee must, not less than once every 24 months, provide the Authority with a performance audit conducted by an independent expert acceptable to the Authority.	4	The requirement for the audit is monitored by the General Manager Commercial in his Online Diary. Additionally it is raised in email communications and correspondence with the Secretariat.	Compliant [5]
105 {85}	<b>Retail Licence condition 4.1</b>	<b>Electricity Industry Act section 17 (1)</b>	A licensee must pay to the Authority the prescribed licence fee within one month after the day of grant or renewal of the licence and within one month after each anniversary of that day during the term of the licence i.e. 26 July each year	4	Licence fees were paid in accordance with requirements as follows;  - ERA Invoice ERA181 (Issued on 24 June 2010) and Paid 23 July 2010.  - ERA Invoice ERA240 (issued on 9 June 2011) and paid 29 July 2011  - ERA Invoice ERA100061 (issued on 19 June 2013) and Paid 12 July 2013  ▪ Invoice issued by the Authority  ▪ Record of Payment in accounts system	Non Compliant [2]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					<p>Opportunity for Improvement 3 -&gt; During the last audit it a calendar reminder was set up in the accounts department outlook system. It is noted that this trigger was not established at the time of the audit. An alternative trigger to payment should be established to ensure compliance. Consideration could be given to inclusion in budget allocation to ensure funds dispensed prior to 26 July or other such means that would provide a proactive trigger for payment.</p>	
106 {86}	Retail Licence condition 5.1	Electricity Industry Act section 31 (3)	A licensee must take reasonable steps to minimise the extent or duration of any interruption, suspension or restriction of the supply of electricity due to an accident, emergency, potential danger or other unavoidable cause.	5	The supply of electricity is managed by WPN and is essentially outside the control PE. Electricity Supply Managed by WPN	Not Rated [NR]
107 {87}	Retail Licence condition 5.1	Electricity Industry Act section 41 (6)	A licensee must pay the costs of taking an interest in land or an easement over land.	5	Perth Energy does not have any interest in land or an easement over land.	Not Applicable [NA]
108	Retail Licence	Electricity Industry	A retail or integrated regional licensee must not	5	Compliance with this requirement was	Compliant

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{88}	condition 24.1	Act section 54(1)	supply electricity to a small use customer otherwise than under a standard form contract or a non-standard form contract		confirmed during the audit process.	[5]
109 {89}	Retail Licence condition 25.4	Electricity Industry Act section 54(2)	A licensee must comply with any direction by the Authority to amend the standard form contract and do so within the period specified.	4	The Authority has not directed the Licensee to amend the standard form of contract during the audit period. As such assessment of compliance with this requirement cannot be made.	Not Rated [NR]
[110] {93}	Retail Licence condition 27.1	Electricity Industry Act section 76	If a designation under section 71(1) of the Electricity Industry Act is in force a licensee must perform the functions of a retailer of last resort and must carry out the supplier of last resort plan if it comes into operation under section 70 of the Electricity Industry Act.	N/A	Not Applicable as Synergy is the Retailer of Last Resort	Not Applicable [NA]
111 {94}	Retail Licence condition 21.1	Electricity Industry Act section 101	A retail, distribution or integrated regional licensee must not supply electricity to small use customers unless the licensee is a member of an approved scheme and is bound by and compliant with any decision or direction of the electricity ombudsman under the approved scheme	4	A review of the electricity ombudsman Annual Report 2011-2012 confirmed that PE is listed as a member of the Energy Ombudsman Scheme.  ▪ Refer to <a href="http://www.ombudsman.wa.gov.au">www.ombudsman.wa.gov.au</a>	Compliant [5]
113	Retail Licence	Electricity Industry	A licensee that has, or is an associate of a	4	The General Manager Commercial	Compliant

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{95}	condition 5.1	Act section 115(2)	person that has, access to services under an access agreement must not engage in conduct for the purpose of hindering or prohibiting access		confirmed that access agreements in place and compliance with this requirement. No communication sighted to indicate otherwise.	[5]
<b>SECTION 13: ELECTRICITY LICENCES - LICENCE CONDITIONS AND OBLIGATIONS</b>						
114 {97}	Retail Licence condition 23.1	Electricity Industry Act section 11	A licensee must ensure that an electricity marketing agent of the licensee complies with the applicable codes.	N/A	NOT APPLICABLE NO MARKETING AGENTS ENGAGED	Not Applicable [NA]
115 {98}	Retail Licence condition 23.2	Electricity Industry Act section 11	The licensee must report a breach of the applicable code conditions by an electricity marketing agent to the Authority within the prescribed timeframe.	N/A	NOT APPLICABLE NO MARKETING AGENTS ENGAGED	Not Applicable [NA]
116 {99}	Retail Licence condition 24.2	Electricity Industry Act section 11	A licensee must, if directed by the Authority, review the standard form contract and submit to the Authority the results of that review within the time specified by the Authority.	4	Under the <i>Electricity Industry Act 2004</i> , any retailer who supplies electricity to small use customers (i.e. residential customers and small business customers who consume less than 160 MWh of electricity per year) must develop a standard form contract. PE Standard Form of Contract is defined on	Compliant [5]

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					their website and on the ERA website. It was published on the 27 October 2011. There are two historical documents in the archive documents on the ERA website.	
117 {100}	Retail Licence condition 24.3	Electricity Industry Act section 11	A licensee must comply with any direction given by the Authority in relation to the scope, process and methodology of the standard form contract review.	4	The licensee confirmed that it has complied with any direction given by the Authority in relation to the scope, process and methodology of the standard form contract review.	Compliant [5]
118 {101}	Retail Licence condition 25.1	Electricity Industry Act section 11	A licensee may only amend the standard form contract with the Authority's approval.	4	The Standard Electricity Contract was updated during the audit period and the Authority's approval letter dated the 26 October 2011 was sighted.	Compliant [5]
{102}	Retail Licence condition 15.2	Electricity Industry Act section 11	A licensee must, unless otherwise notified in writing by the Authority, review the customer service charter within the timeframe specified, and submit to the Authority the results of that review within 5 days after it is completed..	4	The Authority has removed the requirement for electricity and gas retailers and distributors to produce and review a customer service charter. In the energy industry, licensees are required to produce, and have approved by the Authority, a standard form contract. This standard form contract is the principle document that establishes the terms and conditions of the relationship with customers. The new Guideline for Customer Service Charter	Compliant [4]



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					<p>applicable to the water industry only were published in January 2011. PE complied with the requirements of a Customer Service Charter for the duration of the audit period.</p> <p><b>Opportunity for Improvement 4 -&gt; It is noted that reference to the Customer Service Charter is still made on Perth Energy Website and their bills in the additional information section. Consideration could be given to removing the reference from the website and customer bills.</b></p>	
119 {105}	<b>Retail Licence condition 12.1</b>	<b>Electricity Industry Act section 11</b>	A licensee and any related body corporate must maintain accounting records that comply with the Australian Accounting Standards Board Standards or equivalent International Accounting Standards.	4	The PE Special Purpose Financial Reports sampled during the audit period contain a Statement of Compliance which noted that the financial report was prepared in accordance with the basis of accounting specified by all Accounting Standards.	Compliant [5]
120 {106}	<b>Retail Licence condition 13.4</b>	<b>Electricity Industry Act section 11</b>	A licensee must comply with any individual performance standards prescribed by the Authority.	N/A	The Authority has not prescribed any individual reporting standards to Perth Energy. As such assessment of compliance	Not Applicable [NA]

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					with clause cannot be undertaken.	
121 {107}	<b>Retail Licence condition 14.2</b>	<b>Electricity Industry Act section 11</b>	A licensee must comply, and require its auditor to comply, with the Authority's standard audit guidelines dealing with the performance audit.	4	Direct instructions from Licensee to Auditor to comply with the ERA guidelines.  Copies of communications received from ERA relating to audit requirements sent by Perth Energy through to Auditor to convey requirements specifically the undertaking of audits in compliance with the Audit Guidelines: Electricity, Gas and Water Licences.	Compliant [5]
123 {109}	<b>Retail Licence condition 15.1</b>	<b>Electricity Industry Act section 11</b>	A licensee must report to the Authority, in the manner prescribed, if a licensee is under external administration or there is a significant change in the circumstances upon which the licence was granted which may affect a licensee's ability to meet its obligations.	4	During the Audit Period Perth Energy was not under external administration and had not undergone any significant change in circumstances upon which the licence was granted, which may affect its ability to meet its licence obligations. As such there was no assessment with this requirement to report to the Authority was made.	Not Rated [NR]
124 {110}	<b>Retail Licence condition 16.1</b>	<b>Electricity Industry Act section 11</b>	A licensee must provide the Authority, in the manner prescribed, any information the Authority requires in connection with its functions under the Electricity Industry Act.	4	The Licensee has provided the Authority information it required in connection with its functions under the Electricity Industry Act.  Every licensee is required to submit a	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					<p>compliance report to the Authority covering all of its type 1 and type 2 licence obligations for each financial year (1 July to 30 June inclusive) by 31 August immediately following the year that is the subject of the report. During the audit period the reports were submitted;</p> <ul style="list-style-type: none"> <li>- 2010 Report on the 27 August 2010</li> <li>- 2011 Report on the 27 July 2011</li> <li>- 2012 Report on the 29 August 2012</li> </ul> <p>Licensees are also required to provide Data Sheets for each financial year to the Authority, by 20 September immediately following the year that is the subject of the report. During the audit period the reports were submitted;</p> <ul style="list-style-type: none"> <li>- 2010 Data Sheets submitted 17/9/10</li> <li>- 2011 Data Sheets submitted 20/9/11</li> <li>- 2012 Data Sheets submitted 19/9/12</li> </ul>	

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE RATING**
125 {111}	<b>Retail Licence condition 17.1 &amp; 17.2</b>	<b>Electricity Industry Act section 11</b>	A licensee must publish any information it is directed by the Authority to publish, within the timeframes specified	4	From the documentation reviewed it is understood that Perth Energy has published requirements as directed by the Authority.	Compliant [5]
126 {112}	<b>Retail Licence condition 18.1</b>	<b>Electricity Industry Act section 11</b>	Unless otherwise specified, all notices must be in writing.	4	Perth Energy maintains formal records of correspondence (email and hardcopy).	Compliant [5]
<b>SECTION 14: CODE OF CONDUCT - LICENCE CONDITIONS AND OBLIGATIONS</b>						
129-130 [127- 128] {113- 114}	Retail Licence condition 23.1  Code of Conduct clause 2.1	Electricity Industry Act section 82	Refer Electricity Compliance Reporting Manual or relevant legislation	N/A	NOT APPLICABLE NO MARKETING AGENTS ENGAGED	Not Applicable [NA]
131	Retail Licence condition 23.1  (Electricity Retail Corporation)	Electricity Industry Act section 82	An electricity marketing agent acting on behalf of Electricity Retail Corporation or Regional Power Corporation must ensure that the information specified in subclauses 2.3(1)(a)-(b) is provided to the customer before arranging a contract.	N/A	THIS IS APPLICABLE TO THE ELCETRICITY CORPORATION	Not Applicable [NA]
132-145	Retail Licence	Electricity Industry	Refer Electricity Compliance Reporting Manual	N/A	NOT APPLICABLE NO MARKETING AGENTS	Not Applicable

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[129-155] {115-141}	condition 23.1 (Electricity Retail Corporation)	Act section 82	or relevant legislation		ENGAGED	[NA]
146 [156] {142}	<b>Code of Conduct clause 3.1(1)</b>	<b>Electricity Industry Act section 82</b>	If a retailer agrees to sell electricity to a customer or arrange for the connection of the customer's supply address, the retailer must forward the customer's request for the connection to the relevant distributor.	5	As per the Sales Procedure, upon the signing of a contract, Perth Energy sends a new connection request via the Web Portal, consistent with Western Power's timelines and the start date of the contract.  It is noted that a new Business System Manual to be available on the intranet is currently being established and will assist in further process control.	Compliant [5]
147	<b>Code of Conduct clause 3.1(2)</b>	<b>Electricity Industry Act section 82</b>	Unless the customer agrees otherwise, a retailer must forward the customer's request for the connection to the relevant distributor that same day, if the request is received before 3pm on a business day; or the next business day if the request is received after 3pm or on a weekend or public holiday.	4	The sales team confirmed that as soon as contracts are signed they are acted upon. However, currently there is no system established which allows determination as to whether the request was received before or after 3pm. It is noted that the contract specifies date of commencement.  <b>Opportunity for Improvement 5 - The specific requirements regarding time frames could be addressed as part of PE</b>	Compliant [4]

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					sales procedures and included in the Business System Manual.	
[157] {143}	<b>Code of Conduct clause 3.1(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must forward the customer's request for the connection to the relevant distributor in the timeframe specified unless the customer agrees otherwise.	4	The Sales Team confirm liaison with the customer whereby the CTR cannot be transferred as arranged. Documentation reviewed during the audit supported this.	Compliant [5]
148 [158] {144}	<b>Code of Conduct clause 4.1</b>	<b>Electricity Industry Act section 82</b>	A retailer must issue a bill no more than once a month and at least once every three months unless the circumstances specified exist.	4	The billing cycle is monthly. Compliance with this requirement was confirmed with discussions with the Billing Team and review of sample bills.  ▪ Web Portal ▪ Billing Team ▪ Billing Checklists (Customer Billing Checklist & Monthly Completion Checklist) ▪ Billing Procedure ▪ Billing Records/Files ▪ Discussion with Business Analyst (Billing)	Compliant [5]
148	<b>Code of Conduct clause 4.2(1)</b>	<b>Electricity Industry Act section 82</b>	For the purposes of subclause 4.1(a)(ii), a retailer has given a customer notice, if, prior to placing a customer on a shortened billing cycle,	4	There are no customers on shortened billing cycles.	Not Rated [NR]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
			the retailer advises the customer of the information specified in subclause 4.2(1).		Confirmed by the Billing Team	
150 [159] {145}	Code of Conduct clause 4.2(2)	Electricity Industry Act section 82	A retailer must not place a residential customer on a shortened billing cycle without the customer's verifiable consent if the customer informs the retailer that the customer is experiencing payment difficulties or financial hardship.	N/A	PE DOES NOT HAVE ANY RESIDENTIAL CUSTOMERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]
151 [160]	<b>Code of Conduct clause 4.2(3)</b>	<b>Electricity Industry Act section 82</b>	A retailer must give the customer written notice of a decision to shorten the customer's billing cycle within 10 business days of making the decision.	4	There are no customers on shortened billing cycles. Confirmed by the Billing Team.	Not Rated [NR]
152 [161]	<b>Code of Conduct clause 4.2(4)</b>	<b>Electricity Industry Act section 82</b>	A retailer must ensure that a shortened billing cycle is for a period of at least 10 business days.	4	There are no customers on shortened billing cycles. Confirmed by the Billing Team.	Not Rated [NR]
153 [162]	<b>Code of Conduct clause 4.2(5)</b>	<b>Electricity Industry Act section 82</b>	A retailer must return a customer, who is subject to a shortened billing cycle and has paid three consecutive bills by the due date, on request, to the billing cycle that previously applied to the customer.	4	There are no customers on shortened billing cycles. Confirmed by the Billing Team.	Not Rated [NR]
154 [163]	<b>Code of Conduct clause 4.2(6)</b>	<b>Electricity Industry Act section 82</b>	A retailer must inform a customer, who is subject to a shortened billing cycle, at least once every three months, of the conditions	4	There are no customers on shortened billing cycles. Confirmed by the Billing Team.	Not Rated [NR]

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			upon which a customer can be returned to its previous billing cycle.			
155 [164]	<b>Code of Conduct clause 4.3(1)</b>	<b>Electricity Industry Act section 82</b>	In respect of any 12 month period, on receipt of a request by a customer, a retailer may provide a customer with estimated bills under a bill smoothing arrangement.	4	There are no customers on bill smoothing arranged. Confirmed by the Billing Team.	Not Rated [NR]
156 [165]	<b>Code of Conduct clause 4.3(2)</b>	<b>Electricity Industry Act section 82</b>	If a retailer provides a customer with a bill under a bill-smoothing arrangement, the retailer must ensure that the conditions specified in subclause 4.3(2) are met.	4	There are no customers on bill smoothing arranged. Confirmed by the Billing Team.	Not Rated [NR]
157 [166]	<b>Code of Conduct clause 4.4</b>	<b>Electricity Industry Act section 82</b>	A retailer must issue a bill to a customer at the customer's supply address, unless the customer has nominated another address or an electronic address.	4	Customer's bills are generally sent to a postal address, although the Gentrack and third party printing house used to issue bills can send to electronic address as well. A review of bills sighted during the audit confirmed this.	Compliant [5]
158 [167]	<b>Code of Conduct clause 4.5(1)</b>	<b>Electricity Industry Act section 82</b>	Unless the customer agrees otherwise, a retailer must include the minimum prescribed information in subclause 4.5(1) on the customer's bill.	4	A review of PE bills demonstrated compliance with this requirement for the inclusion of minimum prescribed information. It is noted that with respect to item (l) in the revised code, the requirement that if "if applicable, a statement on the bill that an additional fee may be imposed to	Compliant [4]



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					cover the costs of late payment from a customer;" could be better detailed on the invoice. Currently a note to pay on time to avoid late fees is included on the bill and the detail in the Customer Contract.  <b>Opportunity For Improvement 6 -&gt; Consideration could be given to amending the statement on the Bills to ensure the percentage charged is detailed clearly on the bill and not just in the customer contract.</b>	
159 [168]	<b>Code of Conduct clause 4.5(3)</b>	<b>Electricity Industry Act section 82</b>	If a retailer identifies and wishes to bill a customer for a historical debt, the retailer must advise the customer of the amount of the historical debt and its basis, before, with or on the customer's next bill.	4	Compliance was noted during the audit period, this is an in built function with the Gentrack billing system.	Compliant [5]
160 [169]	<b>Code of Conduct clause 4.6(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must base a customer's bill on the following: <ul style="list-style-type: none"><li>• the distributor's or metering agent's reading of the meter at the customer's supply address;</li><li>• the customer's reading of the meter in the circumstances specified in subclause 4.6(1)(b); or</li></ul>	5	All bills are based on the data provided by the Web Portal.	Compliant [5]

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			<ul style="list-style-type: none"> <li>where the connection point is a type 7 connection point, the procedure as set out in the metrology procedure or Metering Code.</li> </ul>			
161 [170]	<b>Code of Conduct clause 4.6(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must give the customer information that explains to that customer how to read a meter correctly (if applicable) in clear, simple and concise language.	4	No customers are required to read their meters. All undertaken by the Network Operator.	Not Rated [NR]
162 [171]	<b>Code of Conduct clause 4.</b>	<b>Electricity Industry Act section 82</b>	A retailer must use its best endeavours to ensure that meter reading data is obtained as frequently as is required to prepare its bills and, in any event, at least once every twelve months in accordance with clause 4.6(1)(a) of the Code of Conduct.	5	Customers are billed monthly and based upon data received in the Web Portal.  As per the Billing Procedure, Perth Energy cannot bill a customer without meter data from Western Power. If data is not received from Western Power, Perth Energy will follow up. Perth Energy must bill customers monthly as per the customer contract through the Gentrack system.	Compliant [5]
163 [172]	<b>Code of Conduct clause 4.8(1)</b>	<b>Electricity Industry Act section 82</b>	If a retailer is unable to reasonably base a bill on a reading of the meter, a retailer must give the customer an estimated bill.	4	There has been no requirement to estimate billing data during the audit period.	Not Rated [NR]
164 [173]	<b>Code of Conduct clause 4.8(2)</b>	<b>Electricity Industry Act section 82</b>	In circumstances where the customer's bill is estimated, a retailer must specify in a visible and legible manner on the customer's bill the	4	PE do not estimate data but may use data estimated by Western Power. This function is part of the Gentrack billing system.	Compliant [5]

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			information detailed in subclause 4.8(2).			
165 [174]	<b>Code of Conduct clause 4.8(3)</b>	<b>Electricity Industry Act section 82</b>	A retailer must tell a customer, on request, the basis and reason for the estimation.	4	There has been no request noted for basis and reason of estimated billing data during the audit period.	Not Rated [NR]
166 [175]	<b>Code of Conduct clause 4.9</b>	<b>Electricity Industry Act section 82</b>	Where the retailer gives a customer an estimated bill and the meter is subsequently read the retailer must include an adjustment on the next bill to take account of the actual meter reading.	4	There has been no requirement to estimate billing data during the audit period.	Not Rated [NR]
167 [176]	<b>Code of Conduct clause 4.10</b>	<b>Electricity Industry Act section 82</b>	A retailer must use its best endeavours to replace an estimated bill with a bill based on an actual reading if the customer satisfies the requirements as specified.	5	There has been no requirement to estimate billing data during the audit period.	Not Rated [NR]
168 [177]	<b>Code of Conduct clause 4.11(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must request the distributor or metering agent to test the meter if a customer requests the meter to be tested and pays any reasonable charge of the retailer for testing the meter.	4	There have been two instances during the audit period, one on the 6/2/11 and the other on the 20/10/11, whereby the Licensee requested the distributor to test the meter after a customer complaint. In both instances the meters were found not be faulty and the charges passed onto the customer.	Compliant [5]

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169 [178]	<b>Code of Conduct clause 4.11(2)</b>	<b>Electricity Industry Act section 82</b>	If the meter is tested and found to be defective, the retailer's reasonable charge for testing the meter (if any) is to be refunded to the customer.	4	There have been no instances during the audit period whereby the meter was found to be defective. As such assessment of compliance with this cannot be made.	Not Rated [NR]
170 [179]	<b>Code of Conduct clause 4.12(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must change the customer to an alternate tariff within the period specified if the customer applies to receive an alternate tariff and demonstrates to the retailer that they satisfy the conditions of eligibility.	4	Documentation reviewed during the audit process confirmed compliance with this requirement.	Compliant [5]
171 [180]	<b>Code of Conduct clause 4.13</b>	<b>Electricity Industry Act section 82</b>	A retailer must give the customer written notice prior to changing the customer to an alternative tariff if the customer's electricity use has changed and the customer is no longer eligible to continue to receive an existing, more beneficial tariff.	4	Documentation reviewed during the audit process confirmed compliance with this requirement. Letters of notification kept on Customer Files.	Compliant [5]
172 [181]	<b>Code of Conduct clause 4.14(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer may recover any amounts undercharged to a customer as a result of a change in the customer's electricity use for the period of up to 12 months prior to the date on which the retailer provided notice in the specified manner.	5	PE Management confirmed that during the audit period there were no situations where small use customers had amounts recovered they were undercharged. The ESA specifies conditions associated with overcharges and undercharges. As such assessment of compliance with his requirement cannot be made.	Not Rated [NR]

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173 [182]	<b>Code of Conduct clause 4.14(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must repay any amounts overcharged to a customer as a result of a change in the customer's electricity use.	4	PE Management confirmed that during the audit period there were no situations where small use customers had amounts reimbursed they were overcharged. The ESA specifies conditions associated with overcharges and undercharges. As such assessment of compliance with his requirement cannot be made.	Not Rated [NR]
174	<b>Code of Conduct clause 4.15</b>	<b>Electricity Industry Act section 82</b>	Subject to a customer paying that portion of the bill under review that a customer and a retailer agree is not in dispute, or an amount equal to the average amount of the customer's bill over the previous 12 months (excluding the bill in dispute, whichever is less), and paying any future bills that are properly due, a retailer must review the customer's bill on request by the customer.	4	PE Management confirmed that during the audit period there were no disputes with small use customers. As such assessment of compliance with his requirement cannot be made.	Not Rated [NR]]
[183]	<b>Code of Conduct clause 4.15(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must use reasonable endeavours to arrange for a final bill if a customer requests the retailer to issue a final bill at the customer's supply address.	5	Arrangements for issue of final bills within the monthly billing cycle confirmed. Sales Department instruct Billing to finalise, WP notified and data stoped. Gentrack system updated and set to finalise bill.	Compliant [5]
[184]	<b>Code of Conduct</b>	<b>Electricity Industry</b>	A retailer must repay the customer any amount	4	There were no instances identified in the	Not Rated

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	<b>clause 4.15(2)</b>	<b>Act section 82</b>	in credit at the time of account closure.		sampling process whereby customers were refunded credit at the time of account closure. Confirmation of awareness to requirement was noted.	[NR]
175	<b>Code of Conduct clause 4.16(1)(a)</b>	<b>Electricity Industry Act section 82</b>	If a review of a bill has been conducted and the retailer is satisfied that the bill is correct, the retailer may require a customer to pay the unpaid amount; must advise the customer that the customer may request the retailer to arrange a meter test in accordance with the applicable law; and must advise the customer of the existence and operation of the retailer's internal complaints handling processes and details of any applicable external complaints handling processes.	4	There were several instances identified in the complaint register whereby a request for review of customer's bill was made. A review of the Customer Files confirmed compliance with this process and resolution of queries.  It is noted that generally account queries were made via website or telephone calls.	Compliant [5]
176	<b>Code of Conduct clause 4.16(1)(b)</b>	<b>Electricity Industry Act section 82</b>	If a review of the bill has been conducted and a retailer is satisfied that the bill is incorrect, a retailer must adjust the bill in accordance with clauses 4.17 and 4.18.	4	Perth Energy's billing procedure includes referencing the Code of Conduct in dealing with disputes with customers. During the audit period PE has not had to adjust a customers bill as such assessment of compliance with this requirement cannot be made.	Not Rated [NR]

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177	<b>Code of Conduct clause 4.16(2)</b>	<b>Electricity Industry Act section 82</b>	The retailer must inform a customer of the outcome of the review of a bill as soon as practicable.	4	A sample of the customer reviews undertaken indicated resolution of query within the 20 business days.	Compliant [5]
178	<b>Code of Conduct clause 4.16(3)</b>	<b>Electricity Industry Act section 82</b>	If the retailer has not informed a customer of the outcome of the review of a bill within 20 business days from the date of receipt of the request for review, the retailer must provide the customer with notification of the status of the review as soon as practicable.	4	There were no instances identified in the sampling process.	Not Rated [NR]
179	<b>Code of Conduct clause 4.17(2)</b>	<b>Electricity Industry Act section 82</b>	If a retailer proposes to recover an amount undercharged as a result of an error, defect, or default for which the retailer or distributor is responsible (including where a meter has been found to be defective), a retailer must do so in the manner specified in subclause 4.17(2).	4	PE manages issues associated with undercharging as part of its customer service processes. PE communicates to the customer in the event of an error in billing. The error is presented as a separate adjustment on the bill and PE negotiates with the customer on the appropriate timing of repaying the amount. PE confirms that it references the requirements of the Code of Conduct and confirms compliance with it during the audit period. However, there were no issues with respect to small use customers during the audit period. As such assessment of compliance with this requirement cannot be made.	Not Rated [NR]

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180	<b>Code of Conduct clause 4.18(2)</b>	<b>Electricity Industry Act section 82</b>	If a customer (including a customer who has vacated the supply address) has been overcharged as a result of an error, defect, or default for which a retailer or distributor is responsible (including where a meter has been found to be defective), a retailer must use its best endeavours to inform the customer within 10 business days of a retailer becoming aware of the error, defect, or default, and, subject to subclause 4.18(6), ask the customer for instructions as to whether the amount should be credited to the customer's account or repaid to the customer.	4	Records of customer contacts are maintained on the customer files and PE management confirms awareness to this requirement . The process for refunding in the event of overcharging is managed through the customer service processes and communications with customers are maintained on the customer file or electronically. There were no small use customers overcharged during the audit period. As such assessment of compliance with his requirement cannot be made.	Not Rated [NR]
181	<b>Code of Conduct clause 4.18(3)</b>	<b>Electricity Industry Act section 82</b>	A retailer must pay the amount overcharged in accordance with the customer's instructions within 12 business days of receiving the instructions.	4	The standard procedure is to credit the next bill, however if the amount is large enough or request has been made by the customer payment is made in accordance with the Code There were no small use customers overcharged during the audit period. As such assessment of compliance with his requirement cannot be made.	Not Rated [NR]
182	<b>Code of Conduct clause 4.18(4)</b>	<b>Electricity Industry</b>	In circumstances where instructions regarding repayment of an overcharged bill are not	4	The Billing Cycle is monthly, any errors identified are corrected on the customers	Not Rated



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		<b>Act section 82</b>	received within 20 business days of a retailer making the request, a retailer must use reasonable endeavours to credit the amount overcharged to the customer's account.		next invoice.  Gentrack Account Information Spreadsheet kept on customer file does not specify the 20 days. There were no instances relating to small uses customers where repayment was required, however, in the event management confirmed it would be done within the billing cycle unless communication requested forward payment. As such assessment of compliance with his requirement cannot be made.	[NR]
183	<b>Code of Conduct clause 4.18(6)</b>	<b>Electricity Industry Act section 82</b>	Where the amount overcharged is less than \$75, refer to subclause 4.18(6) as to how a retailer may proceed to deal with the matter.	4	Adjustments are made to Bills through the Gentrack system and issued on the next months billing cycle. There were no instances where a small use customer was overcharged. As such assessment of compliance with his requirement cannot be made.	Not Rated [NR]
184	<b>Code of Conduct clause 4.19(1)</b>	<b>Electricity Industry Act section 82</b>	If a retailer proposes to recover from a customer an amount of an adjustment which does not arise due to any act or omission of the customer, a retailer must comply with subclause 4.19(1).	4	PE confirmed that all billing adjustments would be made within 12 months of the meter being read, the adjustments are separated in Gentrack as a separate line item and there are no late payment fees associated with adjustments. As PE does not	Not Rated [NR]

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					have any residential customers payment plans are not applicable. There were no instances with respect this requirement and small use customer during the audit period. As such assessment of compliance with his requirement cannot be made.	
185	<b>Code of Conduct clause 4.19(2)</b>	<b>Electricity Industry Act section 82</b>	If the meter is read pursuant to either clause 4.6 or clause 4.3(2)(d) and the amount of the adjustment is an amount owing to the customer, the retailer must use its best endeavours to inform the customer accordingly within 10 business days and, subject to subclause (5), ask the customer for instructions about the repayment of the amount owing.	4	PE does not implement bill smoothing arrangements. Management confirmed any adjustments would credited to the customers account or repaid to the customer as per their request. As such assessment of compliance with his requirement cannot be made.	Not Rated [NR]
186	<b>Code of Conduct clause 4.19(3)</b>	<b>Electricity Industry Act section 82</b>	If a retailer received instructions under subclause 4.19(2), the retailer must pay the amount in accordance with the customer's instructions within 12 business days of receiving the instructions.	4	PE Accounting Policies require payments to be made every Thursday. Upon confirmation from the customer.	Compliant [5]
187	<b>Code of Conduct clause 4.19(4)</b>	<b>Electricity Industry Act section 82</b>	If a retailer does not receive instructions under subclause 4.19(2), within 20 business days of making the request, the retailer must use reasonable endeavours to credit the amount of	4	Adjustments are automatically calculated in the Gentrack system and listed on Customers bill. The billing cycle is monthly and as such it would appear on the next months statement. Correspondence	Compliant [5]

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			the adjustment to the customer's account.		reviewed during the audit indicated compliance with this requirement.	
[185]	<b>Code of Conduct clause 4.16</b>	<b>Electricity Industry Act section 82</b>	A retailer must review the customer's bill on request by the customer, subject to the customer paying the lesser of the portion of the bill agreed to not be in dispute or an amount equal to the average of the customer's bill over the previous 12 months, and paying any future bills that are properly due.	4	Refer above	Compliant [5]
[186]	<b>Code of Conduct clause 4.17(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must follow the procedures specified if a review of a bill has been conducted and the retailer is satisfied that the bill is correct or incorrect.	4	Refer above	Compliant [5]
[187]	<b>Code of Conduct clause 4.17(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must inform the customer of the outcome of the review of a bill as soon as practicable, but, in any event, within 20 business days from the date of receipt of the request for review.	4	Refer above	Compliant [5]
[188]	<b>Code of Conduct clause 4.18(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must recover an amount undercharged as a result of an act or omission by a retailer or distributor in the manner specified	4	Refer above	Compliant [5]

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[189]	<b>Code of Conduct clause 4.19(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must use its best endeavours to inform the customer (including a customer who has vacated the supply address) and repay or credit any amount overcharged as a result of an act or omission by a retailer or distributor, in the manner and period specified, subject to clause 4.19(6).	4	This requirement is detailed within the bill and set in the Gentrack system.	Compliant [5]
[190]	<b>Code of Conduct clause 4.19(3)</b>	<b>Electricity Industry Act section 82</b>	A retailer must pay the amount overcharged in accordance with the customer's instructions within 12 business days of receiving the instructions.	4	Adjustments are automatically calculated in the Gentrack system and listed on Customers bill. The billing cycle is monthly and as such it would appear on the next months statement. Correspondence reviewed during the audit indicated compliance with this requirement.	Compliant [5]
[191]	<b>Code of Conduct clause 4.19(4)</b>	<b>Electricity Industry Act section 82</b>	A retailer must use reasonable endeavours to credit the amount overcharged within 20 business days of the customer making the request, in circumstances where instructions as to payment are not received.	4	Refer above	Compliant [5]
188 [192]	<b>Code of Conduct clause 5.1</b>	<b>Electricity Industry Act section 82</b>	The due date on the bill must be at least 12 business days from the date of the bill, with the date of dispatch deemed to be the date of the bill, unless the retailer specifies a later date	4	Customer Bills generated by the Gentrack System are routinely emailed to the client by a third party. Bills reviewed during the audit showed a due date for more than 12	Compliant [5]

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					days. For example, #2022751 issued 12 Sep 12 and due 02 Oct 12.	
189 [193]	<b>Code of Conduct clause 5.2</b>  <b>[Code of Conduct clause 5.2(1)]</b>	<b>Electricity Industry Act section 82</b>	A retailer must offer the following specified minimum payment methods: in person at one or more payment outlets located within the Local Government District of the customer's supply address; by mail; for residential customers, by Centrepay; electronically by means of BPay or credit card; and by telephone by means of credit card.	4	A review of the PE invoices indicated compliance with this requirement.	Compliant [5]
[194]	<b>Code of Conduct clause 5.2(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must comply with the Electronic Funds Transfer Code of Conduct in making an electronic payment.	4	For the duration of the audit period where this requirement was applicable PE complied with the Electronic Funds Transfer Code of Conduct available on the ASIC website.	Compliant [5]
190 [195]	<b>Code of Conduct clause 5.3</b>	<b>Electricity Industry Act section 82</b>	A retailer must, prior to commencing a direct debit, obtain the customer's verifiable consent and agree with the customer, wherever possible, the amount to be debited; and the date and frequency of the direct debit.	4	Payment methods are maintained within the Gentrack system and a record of the setup for each customer is kept on their customer file. A Gentrack Account Information form is completed for each customer.	Compliant [5]
191	<b>Code of Conduct clause 5.4</b>	<b>Electricity Industry</b>	Upon request, a retailer must accept payment in advance from a customer. Acceptance of an	4	There have been no instances during the audit period where the licensee has been	Not Rated

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[196]		<b>Act section 82</b>	advance payment will not require a retailer to credit any interest to the amounts paid in advance. The minimum amount for which a retailer will accept an advance payment is \$20.		requested to accept payment in advance. As such compliance has not been assessed.	[NR]
192-193 [197-198]	Code of Conduct clause 5.5	Electricity Industry Act section 82	Refer Electricity Compliance Reporting Manual or relevant legislation	N/A	PE DOES NOT HAVE ANY RESIDENTIAL CUSTOMERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [NA]
194 [199]	<b>Code of Conduct clause 5.6(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must not charge an additional late payment fee in relation to the same bill within five business days from the date of receipt of the previous late payment fee notice.	4	Billing is monthly and late payment fees are detailed on the bills. PE confirmed compliance with this requirement.	Compliant [5]
195-196 [200-201]	Code of Conduct clause 5.6(3)	Electricity Industry Act section 82	Refer Electricity Compliance Reporting Manual or relevant legislation	N/A	PE DOES NOT HAVE ANY RESIDENTIAL CUSTOMERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [NA]
197 [202]	<b>Code of Conduct clause 5.7(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must not require a customer who has vacated a supply address to pay for electricity consumed at the customer's supply address in the circumstances specified in subclause 5.7(1).	4	PE confirmed that during the audit period they have not required a customer to pay for electricity consumed at the customer's supply address from –  ▪ the date the customer vacated the supply address, if the customer gave at	Compliant [5]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
					least 3 business days notice; or ▪ 5 days after the customer gave notice, in any other case	
198	<b>Code of Conduct clause 5.7(2)</b>	<b>Electricity Industry Act section 82</b>	If a customer reasonably demonstrates to a retailer that the customer was evicted or otherwise required to vacate a supply address, a retailer must not require a customer to pay for electricity consumed at the customer's supply address from the date the customer gave the retailer notice.	4	This event did not occur during the audit period as such assessment cannot be made.	Not Rated [NR]
[203]	<b>Code of Conduct clause 5.7(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must not require a customer who was evicted or otherwise required to vacate a supply address to pay for electricity consumed at the customer's supply address in the circumstances specified.	4	This event did not occur during the audit period as such assessment cannot be made.	Not Rated [NR]
199	<b>Code of Conduct clause 5.7(4)</b>	<b>Electricity Industry Act section 82</b>	Notwithstanding subclauses 5.7(1) and (2), a retailer must not require a previous customer to pay for electricity consumed at the supply address in the circumstances specified in subclause 5.7(4).	4	This event did not occur during the audit period as such assessment cannot be made.	Not Rated [NR]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE RATING**
[204]	<b>Code of Conduct clause 5.7(4)</b>	<b>Electricity Industry Act section 82</b>	A retailer must not require a previous customer to pay for electricity consumed at the supply address in the circumstances specified.	4	This event did not occur during the audit period as such assessment cannot be made.	Not Rated [NR]
200	<b>Code of Conduct clause 5.8(1)</b>	Electricity Industry Act section 82	A retailer must comply with Part 2 of the debt collection guideline issued by the Australian Competition and Consumer Commission concerning section 50 of the Australian Consumer Law (WA).	4	This event did not occur during the audit period as such assessment cannot be made.	Not Rated [NR]
[205]	<b>Code of Conduct clause 5.8(1)</b>	Electricity Industry Act section 82	A retailer must comply with the Conduct Principles set out in the guideline on debt collection issued by the Australian Competition and Consumer Commission.	4	This event did not occur during the audit period as such assessment cannot be made.	Not Rated [NR]
201 [206]	<b>Code of Conduct clause 5.8(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must not commence proceedings for recovery of a debt from a residential customer who meets the criteria in subclause 5.8(2).	N/A	PE DOES NOT HAVE ANY RESIDENTIAL CUSTOMERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]
202 [207]	<b>Code of Conduct clause 5.8(3)</b>	<b>Electricity Industry Act section 82</b>	A retailer must not recover or attempt to recover a debt relating to a supply address from a person other than the customer with whom the retailer has or had entered into a contract for the supply of electricity to that supply address.	4	This event did not occur during the audit period as such assessment cannot be made.	Not Rated [NR]



REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
203-223 [208-228]	<b>Code of Conduct clause 6.1(1)</b>	<b>Electricity Industry Act section 82</b>	Refer Electricity Compliance Reporting Manual or relevant legislation	N/A	PE DOES NOT HAVE ANY RESIDENTIAL CUSTOMERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]
224 [229]	<b>Code of Conduct clause 6.11</b>	<b>Electricity Industry Act section 82</b>	A retailer must consider any reasonable request for alternative payment arrangements from a business customer who is experiencing payment difficulties.	4	The organisation has payment plan procedures established. Management confirmed no formal requests for alternate payment arrangements made. This event did not occur during the audit period as such assessment cannot be made.	Not Rated [NR]
225 [230]	<b>Code of Conduct clause 7.1</b>	<b>Electricity Industry Act section 82</b>	Prior to arranging for disconnection of a customer's supply address for failure to pay a bill, a retailer must: give the customer a reminder notice not less than 13 business days from the date of dispatch of the bill, including the information specified in subclause 7.1(1)(a); use its best endeavours to contact the customer; and give the customer a disconnection warning, in the manner and timeframes specified in subclause 7.1(1)(c).	4	PE has not arranged for disconnection of a customer's bill for failure to pay during the audit period.	Not Rated [NR]
226 [231]	<b>Code of Conduct clause 7.2</b>	<b>Electricity Industry Act section 82</b>	A retailer must not arrange for disconnection of a customer's supply address for failure to pay a bill in the circumstances specified.	4	PE has not arranged for disconnection of a customer's bill for failure to pay during the audit period.	Not Rated [NR]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
227 [232]	<b>Code of Conduct clause 7.3</b>	<b>Electricity Industry Act section 82</b>	In relation to dual fuel contracts, a retailer must not arrange for disconnection of the customer's supply address for failure to pay a bill within 15 business days from arranging for disconnection of the customer's gas supply.	4	PE DOES NOT DUAL FUEL CONTRACTS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]
228 [233]	<b>Code of Conduct clause 7.4</b>	<b>Electricity Industry Act section 82</b>	A retailer must not arrange for the disconnection of a customer's supply address for denying access to the meter unless the conditions specified are satisfied.	4	PE has not arranged for disconnection of a customer's bill for denying access to the meter during the audit period.	Not Rated [NR]
235 [238]	<b>Code of Conduct clause 8.1(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must arrange for reconnection of the customer's supply address if the customer has remedied its breach, makes a request for reconnection, pays the retailer's reasonable charges (if any) or accepts an offer of an instalment plan for the retailer's reasonable charges.	4	PE has not disconnected a customer's supply address during the audit period and as such has not had cause to arrange for reconnection of a customer's supply address during the audit period.	Not Rated [NR]
236 [239]	<b>Code of Conduct clause 8.1(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must forward the request for reconnection to the relevant distributor within the timeframe specified.	4	PE has not arranged for reconnection of a customer's supply address during the audit period.	Not Rated [NR]
239-264 [243-268]	<b>Code of Conduct clause 9.2(1)</b>	<b>Electricity Industry Act section 82</b>	Refer Electricity Compliance Reporting Manual or relevant legislation	N/A	PE DOES NOT HAVE ANY RESIDENTIAL CUSTOMERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]

REF*	LICENCE CONDITION	RELATED LEGISLATION	LEGISLATIVE/LICENCE REQUIREMENT	AUDIT PRIORITY	AUDITING FINDING  ▪ RELATED DOCUMENTATION &/OR SYSTEMS/AUDIT EVIDENCE  → OPPORTUNITY FOR IMPROVEMENT	COMPLIANCE  RATING**
268 [269]	<b>Code of Conduct clause 10.1(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must give notice of any variations in its tariffs to each of its customers affected by a variation, in the timeframes specified.	4	PE does not have any customers on published tariffs. Each customer's contract has prices that are specific to that customer. All of PE customers are on "non-standard" contracts. Further, the customer's bills contain a detailed breakdown of charges. The billing cycle is monthly as required. PE confirmed all billing enquiries addressed in a timely manner.	Compliant [5]
269 [270]	<b>Code of Conduct clause 10.1(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must give a customer on request, at no charge, reasonable information on the retailer's tariffs, including alternative tariffs.	4	PE billing team confirm compliance with this requirement. Details are included on the monthly bills.	Compliant [5]
270 [271]	<b>Code of Conduct clause 10.1(3)</b>	<b>Electricity Industry Act section 82</b>	A retailer must give a customer the information requested on tariffs in the manner and within the timeframes specified.	4	PE billing team confirm compliance with this requirement. Details are included on the monthly bills.	Compliant [5]
271-275 [270- 276]	<b>Code of Conduct clause 10.2(1)</b>	<b>Electricity Industry Act section 82</b>	Refer Electricity Compliance Reporting Manual or relevant legislation	N/A	PE DOES NOT HAVE ANY RESIDENTIAL CUSTOMERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]
276 [277]	<b>Code of Conduct clause 10.3A</b>	<b>Electricity Industry Act section 82</b>	A retailer must give a customer, at least once a year, written details of the retailer's and distributor's obligations to make payments to the customer under Part 14 and under any	4	The licensee could not confirm compliance with this requirement during the audit period.  <b>Opportunity for Improvement 7 – The</b>	Non Compliant [2]

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			other legislation in Western Australia including the amount of the payment and the eligibility criteria for the payment.		<b>organisation could consider updating Customer Service procedures to ensure compliance with this requirement.</b>	
277 [278]	<b>Code of Conduct clause 10.4</b>	<b>Electricity Industry Act section 82</b>	Upon request and at no charge, a retailer must provide a customer with general information on cost effective and efficient ways to utilise electricity; how a customer may arrange for an energy efficiency audit at the customer's supply address; and the typical running costs of major domestic appliances.	4	The organisation has confirmed this is part of their customer service process. It is noted that services such as energy audits and information on how to reduce the bills are listed on the website.	Compliant [5]
278 [279]	<b>Code of Conduct clause 10.5</b>	<b>Electricity Industry Act section 82</b>	If asked by a customer for information relating to the distribution of electricity, a retailer must give the information to the customer or refer the customer to the relevant distributor for a response.	4	Refer to finding above. Additionally management confirm that the customer service team are trained to provide this information.	Compliant [5]
286 [287]	<b>Code of Conduct clause 10.9</b>	<b>Electricity Industry Act section 82</b>	A retailer and distributor must, to the extent practicable, ensure that any written information that must be given to a customer by the retailer or distributor or its electricity marketing agent under the Code of Conduct is expressed in clear, simple, and concise language and is in a format that makes it easy to understand.	4	A review of customer contracts, bills and communications confirmed compliance with this requirement. The organisations website is also used to convey information in a clear and simple manner.	Compliant [5]

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287 [288]	<b>Code of Conduct clause 10.10(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer and distributor must tell a customer on request how the customer can obtain a copy of the Code of Conduct.	4	PE have confirmed that they would tell a customer how to obtain a copy. Referring them either the PE website or ERA website is generally advised.	Compliant [5]
288 [289]	<b>Code of Conduct clause 10.10(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer and distributor must make electronic copies of the Code of Conduct available, at no charge, on their web sites	4	The licensee has a link to the code of conduct on their website under About Us->Retail Licences. Consideration could be given to including this in the FAQs section to facilitate ease of discovery.  <b>Opportunity for Improvement 8 -&gt; Move the Code of Conduct link to FAQ section of the website.</b>	Compliant [4]
289 [290]	<b>Code of Conduct clause 10.10(3)</b>	<b>Electricity Industry Act section 82</b>	A retailer and distributor must make a copy of the Code of Conduct available for inspection, at no charge, at their offices.	4	A copy of the code is held at the Reception of PE Offices.	Compliant [5]
290-291 [291- 292]	<b>Code of Conduct clause 10.11(1)</b>	<b>Electricity Industry Act section 82</b>	Refer Electricity Compliance Reporting Manual or relevant legislation	N/A	PE DOES NOT HAVE ANY RESIDENTIAL CUSTOMERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]
293 [294]	<b>Code of Conduct clause 10.12(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must, if requested by a customer, advise the customer of the availability of different types of meters or refer the customer	4	PE management confirm that the customer service team are trained to provide this information.	Compliant [5]

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			to the relevant distributor for a response.			
294 [295]	<b>Code of Conduct clause 12.1(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer and distributor must develop, maintain and implement an internal process for handling complaints and resolving disputes.	4	The Licensee has developed and maintained a Complaint and Dispute Resolution process.  A review of complaint received during the audit period indicates processes were followed as prescribed.	Compliant [5]
295 [296]	<b>Code of Conduct clause 12.1(2)</b>	<b>Electricity Industry Act section 82</b>	The complaints handling process under subclause 12.1(1) must comply with the requirements specified in subclauses 12.1(2)(a), (b) and (c) and be made available at no cost.	4	PE confirmed compliance with this requirement.  (2) The complaints handling process under subclause (1) must – (a) comply with Australian Standard AS ISO 10002 – 2006; (b) address at least – (i) how complaints must be lodged by customers; (ii) how complaints will be handled by the retailer or distributor, including – (A) a right of the customer to have its complaint considered by a senior employee within each organisation of the retailer or	Compliant [5]

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					<p>distributor if the customer is not satisfied with the manner in which the complaint is being handled;</p> <p>(B) the information that will be provided to a customer;</p> <p>(iii) response times for complaints;</p> <p>(iv) method of response;</p> <p>(c) detail how the retailer will handle complaints about the retailer or marketing;</p>	
296 [297]	<b>Code of Conduct clause 12.1(3)</b>	<b>Electricity Industry Act section 82</b>	A retailer or a distributor must advise the customer in accordance with subclause 12.1(3).	4	All customer complaints are managed by the General Manager Commercial and the Customer bills detail references to the Ombudsman.	Compliant [5]
297 [298]	<b>Code of Conduct clause 12.2</b>	<b>Electricity Industry Act section 82</b>	A retailer must comply with any guideline developed by the Authority relating to distinguishing customer queries from customer complaints.	4	PE Management confirmed consideration with this requirement in the revision of the Complaints Procedure.	Compliant [5]
298 [292]	<b>Code of Conduct clause 12.3</b>	<b>Electricity Industry Act section 82</b>	A retailer, distributor and electricity marketing agent must give a customer on request, at no charge, information that will assist the customer in utilising the respective complaints	4	PE management confirm that the customer service team are trained to provide this information.	Compliant [5]

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			handling processes.			
299 [300]	<b>Code of Conduct clause 12.4</b>	<b>Electricity Industry Act section 82</b>	When a retailer, distributor or electricity marketing agent receives a complaint that does not relate to its functions, it must advise the customer of the entity that it reasonably considers to be the appropriate entity to deal with the complaint (if known).	4	PE confirmed compliance with this requirement.	Compliant [5]
300	<b>Code of Conduct clause 13.1(1)</b>	<b>Electricity Industry Act section 82</b>	Unless expressly provided otherwise, a retailer, distributor or electricity marketing agent must keep a record or other information as required to be kept by the Code of Conduct for at least two (2) years from the last date on which the information was recorded.	4	All customer records are maintained on file and those obsolete archived. No documents have been destroyed.	Compliant [5]
301	<b>Code of Conduct clause 13.1(2)</b>	<b>Electricity Industry Act section 82</b>	For the purposes of subclause 13.1(1), a retailer must keep the information specified in subclause 13.1(2).	4	PE confirmed that it is not required to maintain a hardship policy. Correspondence confirming this was sighted from the ERA (Dated 20 October 2010). As such assessment with compliance of this requirement cannot be made.	Not Rated [NR]



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302	<b>Code of Conduct clause 13.1(3)</b>	<b>Electricity Industry Act section 82</b>	For the purposes of subclause 13.1(1), a distributor must keep the information specified in subclause 13.1(3).	4	The licensee has confirmed compliance with this requirement and further the information is reported annually in the retail datasheets.	Compliant [5]
[301]	<b>Code of Conduct clause 13.1</b>	<b>Electricity Industry Act section 82</b>	A retailer, distributor or electricity marketing agent must keep a record or other information as required to be kept by the Code of Conduct for at least two years from the last date on which the information was recorded, unless expressly provided otherwise.	4	Compliance with this requirement has been confirmed. Archiving and storage procedures reviewed.	Compliant [5]
303	<b>Code of Conduct clause 13.2(a) and (b)</b>	<b>Electricity Industry Act section 82</b>	A retailer must keep a record of the items specified in subclauses 13.2(a) and (b) .	4	Compliance with this requirement has been confirmed. Archiving and storage procedures reviewed.	Compliant [5]
304	<b>Code of Conduct clause 13.2(C)</b>	<b>Electricity Industry Act section 82</b>	Where the retailer has issued a bill outside of the time-frame set out in subclause 4.1(b), a retailer must keep a record of the actions it undertook, and the responses from the distributor to those actions, to obtain metering data.	4	PE Management confirmed all of PE's contracts are non-standard and have billing periods defined. 4.1(b) can be opted out of in non-standard contracts as such so 4.1(b) will never apply.	Compliant [5]
[302]	<b>Code of Conduct clause 13.2</b>	<b>Electricity Industry Act section 82</b>	A retailer must keep a record of the total number of, and percentage of, customers under the affordability and access indicators	4	The licensee has confirmed compliance with this requirement and further the information is reported annually in the	Compliant [5]

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			specified.		retail datasheets.	
305 [303]	<b>Code of Conduct clause 13.3(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer must keep a record of the customer complaint indicators specified.	4	The licensee has confirmed compliance with this requirement and further the information is reported annually in the retail datasheets.	Compliant [5]
306 [304]	<b>Code of Conduct clause 13.3(2)</b>	<b>Electricity Industry Act section 82</b>	A retailer must keep a copy of each complaint referred to in clause 13.3(1) (including complaints made directly to a retailer).	4	The licensee has confirmed compliance with this requirement and further the information is reported annually in the retail datasheets.	Compliant [5]
307 [305]	<b>Code of Conduct clause 13.4</b>	<b>Electricity Industry Act section 82</b>	A retailer must keep a record of the payments made under clauses 14.1, 14.2 and 14.3.	4	The licensee has confirmed compliance with this requirement and further the information is reported annually in the retail datasheets.	Compliant [5]
308 [306]	<b>Code of Conduct clause 13.5</b>	<b>Electricity Industry Act section 82</b>	A retailer must keep a record of the call centre performance indicators specified.	N/A	PE DOES NOT HAVE OPERATE A CALL CENTRE THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]
309 [307]	<b>Code of Conduct clause 13.6</b>	<b>Electricity Industry Act section 82</b>	A retailer must keep a record of the total number of residential and business accounts specified.	4	The licensee has confirmed compliance with this requirement and further the information is reported annually in the retail datasheets.	Compliant [5]

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310-311 [308]	<b>Code of Conduct clause 13.7</b>	<b>Electricity Industry Act section 82</b>	A retailer must keep a record of the number of pre-payment meter customers, complaints information and other pre-payment meter information specified.	N/A	PE DOES NOT ANY CUSTOMERS ON PREPAYMENT METERS THEREFORE OBLIGATION NOT APPLICABLE	Not Applicable [N/A]
322 [318]	<b>Code of Conduct clause 13.15(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer and a distributor must prepare a report setting out the information required by Part 13 of the Code of Conduct, in respect of each year ending on 30 June. The report must be published no later than the following 1 October.	4	Refer ref 124	Compliant [5]
324	<b>Code of Conduct clause 13.17(1)</b>	<b>Electricity Industry Act section 82</b>	The annual retailer and distributor reports specified in subclauses 13.15 and 13.16 are to be published no later than the following October 1.	4	Refer ref 124	Compliant [5]
325 [319]	<b>Code of Conduct clause 13.17(3)</b> <b>[Code of Conduct clause 13.15(3)]</b>	<b>Electricity Industry Act section 82</b>	A copy of each report must be given to the Minister and the Authority not less than 7 days before it is published.	4	Refer ref 124	Compliant [5]
326	<b>Code of Conduct clause 13.18</b>	<b>Electricity Industry Act section 82</b>	A retailer and distributor must provide the information in the records in subclause 13.15 and 13.16, as applicable, to the Authority in a format acceptable to the Authority not later	4	PE management have confirmed compliance with this requirements. Letters submitting documentation were reviewed and data files sighted.	Compliant [5]

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			than the following September 23.			
327 [320]	<b>Code of Conduct clause 14.1(1)</b>	<b>Electricity Industry Act section 82</b>	Subject to clause 14.6, a retailer must pay the stated compensation to a customer where the customer is not reconnected in accordance with the timeframes specified in Part 8.	4	PE has never had to reconnect a customer . As such compliance with this requirement cannot be made.	Not Rated [NR]
329	<b>Code of Conduct clause 14.2(1)</b>	<b>Electricity Industry Act section 82</b>	Subject to clause 14.6, if a retailer fails to comply with any of the procedures specified in Part 6 and Part 7 prior to arranging for disconnection or disconnecting a customer for failure to pay a bill, or arranges for disconnection or disconnects a customer in contravention of clauses 7.2, 7.3, 7.6 or 7.7 for failure to pay a bill, the retailer must pay the specified compensation to the customer.	4	PE Management confirmed its disconnection procedure complies with Part 6 and 7. Further PE has never disconnected a customer therefore never had to pay compensation.	Compliant [5]
[322]	<b>Code of Conduct clause 14.2(1)</b>	<b>Electricity Industry Act section 82</b>	Subject to clause 14.5, a retailer must pay the stated compensation to a customer where the retailer has failed to follow any of the specified procedures prior to disconnection for a failure to pay.	4	As Above	Compliant [5]
331 [324]	<b>Code of Conduct clause 14.3(1)</b>	<b>Electricity Industry Act section 82</b>	Upon receipt of a written query or complaint by a customer, a retailer must acknowledge the query or complaint within 10 business days and respond to the query or complaint by	4	This requirement is included in PE compliant handling procedure	Compliant [5]

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			addressing the matters raised within 20 business days.			
332 [325]	<b>Code of Conduct clause 14.3(2)</b>	<b>Electricity Industry Act section 82</b>	Subject to clause 14.6, a retailer must pay the customer \$20 where the retailer has failed to acknowledge or respond to a written query or complaint within the timeframes prescribed in subclause 14.3(1).	4	PE Management confirmed it has always complied with is compliant handling procedure.	Compliant [5]
[328]	<b>Code of Conduct clause 14.6(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer who is required to make a compensation payment for failing to satisfy a service standard, must do so in the manner specified.	4	During the audit period PE has not had to make a compensation payment. A such assessment of compliance with this requirement cannot be made.	Not Rated [NR]
336	<b>Code of Conduct clause 14.7(1)</b>	<b>Electricity Industry Act section 82</b>	A retailer who is required to make a compensation payment for failing to satisfy a service standard under clauses 14.1, 14.2 or 14.3 must do so in the manner specified in subclause 14.7(1).	4	As above	Not Rated [NR]]
<b>SECTION 15: ELECTRICITY INDUSTRY METERING CODE - LICENCE CONDITIONS AND OBLIGATIONS</b>						
345	<b>Retail Licence condition 5.1</b>	<b>Electricity Industry Metering Code clause 3.3B</b>	A user who is aware of bi-directional flows at a metering point which was not previously subject to a bi-directional electricity flows or	4	PE confirm that there are no customers with bi-directional flows at a metering point.	Not Applicable [N/A]

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			any changes in a customer's or user's circumstances in a metering point which will result in bi-directional electricity flows must notify the network operator within 2 business days.		Discussion with Billing.	
360 [349]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 3.11(3)	A Code participant who becomes aware of an outage or malfunction of a metering installation must advise the network operator as soon as practicable.	4	WPN has primary responsibility for the management and monitoring of meters. PE has included the requirements of this clause in the account management aspect of the procedures. Generally, customer queries or a review of billing data prior to issue will identify these anomalies.	Compliant [5]
361 [Type 2]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 3.16(5)	A network operator or a user may require the other to negotiate and enter into a written service level agreement in respect of the matters in the metrology procedure dealt with under clause 3.16(4) of the Code.	4	Tariff Metering requirements are covered in contracts. The Network Operator manages metering requirements for Perth Energy.  This requirement relates to the conversion of non interval metering to interval metering. There is no need for conversion as the potential customers would be billed on aggregated data in accordance with the contract. As such assessment of compliance with clause cannot be undertaken.	Not Rated [NR]

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375 [363]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 3.18(1)	If the Electricity Retail Corporation supplies electricity to a contestable customer at a connection point under a non-regulated contract, and in circumstances where immediately before entering into the contract, the electricity retail corporation supplied electricity to the contestable customer under a regulated contract, then the metering installation for the connection point must comply with the prescribed wholesale market metering installation requirements.	N/A	NOT APPLICABLE - ONLY APPLICABLE TO SYNERGY AS THE ELECTRICITY RETAIL CORPORATION	Not Applicable [N/A]
385 [372]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 3.27	A person must not install a metering installation on a network unless the person is the network operator or a registered metering installation provider for the network operator doing the type of work authorised by its registration.	4	PE does not undertake the installation of meters.	Not Applicable [N/A]
392 [379]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 4.4(1)	A network operator and affected Code participants must liaise together to determine the most appropriate way to resolve a discrepancy between energy data held in a metering installation and data held in the metering database.	5	There have been no discrepancies relating to energy data held within a metering installation during the audit period.	Not Rated [NR]

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393 [380]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 4.5(1)	A Code participant must not knowingly permit the registry to be materially inaccurate.	5	This is primarily the responsibility of WPN. However, PE may identify errors through internal review systems. No such circumstances were identified during the audit.	Compliant [5]
394	Retail Licence condition 5.1	Electricity Industry Metering Code clause 4.5(2)	If a Code participant (other than a network operator) becomes aware of a change to or an inaccuracy in an item of standing data in the registry, then it must notify the network operator and provide details of the change or inaccuracy within the timeframes prescribed.	4	Regular discussions are held with WP account manager. Any discrepancies are followed up in a timely manner.  Review of Web Portal confirmed the function to submit queries to WP and monitor their progress (timelines of actioning).	Compliant [5]
409 [393]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.4(2)	A user must, when reasonably requested by a network operator, use reasonable endeavours to assist the network operator to comply with the network operator's obligation under clause 5.4(1).	5	WPN is responsible for the reading of the meters and they are primarily read remotely. PPS work with WP in identifying data discrepancies and meter faults. As such this requirement has not been rated.  ▪ Requests from Network Operator ▪ Remote Reading of Meters	Compliant [5]
[395]	Retail Licence condition 5.1	Electricity Industry Metering Code	A user must not impose any charge for the provision of the data under this Code unless it	4	Western Power read all meters. No charges are imposed for provision of data.	Compliant [5]



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		clause 5.5(3)	is permitted to do so under another enactment.		A sample of customer bills noted that no fees are charged by PE for providing user data to the customer.	
422 [406]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.16	A user that collects or receives energy data from a metering installation must provide the network operator with the energy data (in accordance with the communication rules) within the timeframes prescribed.	N/A	NOT APPLICABLE - PE DOES NOT COLLECT OR RECEIVE ANY ENERGY DATA FROM A METERING INSTALLATION	Not Applicable [NA]
423 [407]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.17(1)	A user must provide standing data and validated (and where necessary substituted or estimated) energy data to the user's customer, to which that information relates, where the user is required by an enactment or an agreement to do so for billing purposes or for the purpose of providing metering services to the customer.	N/A	THE NETWORK OPERATOR IS RESPONSIBLE FOR TARRIF METERING	Not Applicable [NA]
426 [408]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.18	A user that collects or receives information regarding a change in the energisation status of a metering point must provide the network operator with the prescribed information, including the stated attributes, within the timeframes prescribed.	4	Perth Energy Does not collect or receive information regarding a change in the energisation status of a metering point. Western Power manages the status of metering points. As such assessment of compliance with this requirement cannot be made.	Not Rated [NR]

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427	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.19(1)	A user must, when requested by the network operator acting in accordance with good electricity industry practice, use reasonable endeavours to collect information from customers, if any, that assists the network operator in meeting its obligations described in the Code and elsewhere, and <b>provide that information to the network operator.</b>	4	All fair and reasonable requests received by PE from WP are actioned in a timely manner. No outstanding requests were noted via the Web Portal communications.	Compliant [5]
[409] [Type NR]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.19(1)	A user must, when requested by the network operator acting in accordance with good electricity industry practice, use reasonable endeavours to collect information from customers, if any, that assists the network operator in meeting its obligations described in the Code and elsewhere.	5	All fair and reasonable requests received by PE from WP are actioned in a timely manner. No outstanding requests were noted via the Web Portal communications.	Compliant [5]
428 [410]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.19(2)	A user must, to the extent that it is able, collect and maintain a record of the address, site and customer attributes, prescribed in relation to the site of each connection point, with which the user is associated.	5	A review of Web Portal noted that all site and customer attributes are captured via predetermined fields and drop down menus.	Compliant [5]
429	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.19(3)	Subject to subclauses 5.19(3A) and 5.19(6), the user must, within 1 business day after becoming aware of any change in an attribute	4	This requirement is part of the customer service and sales administration training. PE Management confirmed compliance with	Compliant [5]

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			described in subclause 5.19(2), notify the network operator of the change.		the 1 business day rule.	
[411]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.19(3)	A user must, after becoming aware of any change in a site's prescribed attributes, notify the network operator of the change within the timeframes prescribed.	4	Upon receiving such information from the customer the information is logged into Web Portal into the Customer & Site details information section.	Compliant [5]
[412]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.19(4)	A user that becomes aware that there is a sensitive load at a customer's site must immediately notify the network operator's Network Operations Control Centre of the fact.	4	As above	Compliant [5]
431 [414]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.19(6)	A user must use reasonable endeavours to ensure that it does not notify the network operator of a change in an attribute that results from the provision of standing data by the network operator to the user.	5	Upon receiving such information from the customer the information is logged into Web Portal into the Customer & Site details information section.	Compliant [5]

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437 [420]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.21(5)	A Code participant must not request a test or audit unless the Code participant is a user and the test or audit relates to a time or times at which the user was the current user or the Code participant is the IMO.	4	The licensee has made 2 requests for tests or audits of the metering system during the audit period. Compliance with this requirement is noted.	Compliant [5]
438 [421]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.21(6)	A Code participant must not make a test or audit request that is inconsistent with any access arrangement or agreement.	4	Confirmed that during the audit period, Perth Energy did not make any requests for audit or tests that were inconsistent with any access arrangement or agreement.	Compliant [5]
446 [439]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 5.27	Upon request, a current user must provide the network operator with customer attribute information that it reasonably believes are missing or incorrect within the timeframes prescribed.	4	All compliance is performed via the Web Portal. Any requests received from WP would be actioned via Web Portal in a timely manner.  Review of the Web Portal correspondence did not identify any requests for customer attribute information from WP.	Compliant [5]
469 [446]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 6.1(2)	A user must, in relation to a network on which it has an access contract, comply with the rules, procedures, agreements and criteria	4	Documentation, systems and external audit reports reviewed during the audit indicated compliance with this requirement.	Compliant [5]

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			prescribed.			
472 [448]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 7.2(1)	Code participants must use reasonable endeavours to ensure that they can send and receive a notice by post, facsimile and electronic communication and must notify the network operator of a telephone number for voice communication in connection with the Code.	4	WP has been notified of all communication details. Evidence of dialogue between the parties has been noted	Compliant [5]
474 [450]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 7.2(4)	A Code participant must notify its contact details to a network operator with whom it has entered into an access contract within 3 business days after the network operator's request.	4	WP has been notified of all communication details. No changes to details have occurred warranting a notification to WP within this audit period.	Not Rated [NR]
475 [451]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 7.2(5)	A Code participant must notify any affected network operator of any change to the contact details it notified to the network operator at least 3 business days before the change takes effect.	4	As above	Compliant [5]
476 [452]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 7.5	A Code participant must not disclose, or permit the disclosure of, confidential information provided to it under or in connection with the Code and may only use or reproduce confidential information for the purpose for	4	Customer confidential information is treated in an appropriate manner in accordance with the Sales Procedures and the Privacy Policy. There have been no instances of non compliance identified in	Compliant [5]

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			which it was disclosed or another purpose contemplated by the Code.		relation to this requirement. Customer Contracts also address the issue of confidentiality.	
477 [453]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 7.6(1)	A Code participant must disclose or permit the disclosure of confidential information that is required to be disclosed by the Code.	4	As above	Compliant [5]
478 [454]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 8.1(1)	Representatives of disputing parties must meet within 5 business days after a notice given by a disputing party to the other disputing parties and attempt to resolve the dispute under or in connection with the Electricity Industry Metering Code by negotiations in good faith.	5	There have been no disputes during the audit period. As such assessment of compliance with this requirement cannot be made.	Not Rated [NR]
479 [455]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 8.1(2)	If a dispute is not resolved within 10 business days after the dispute is referred to representative negotiations, the disputing parties must refer the dispute to a senior management officer of each disputing party who must meet and attempt to resolve the dispute by negotiations in good faith.	5	There have been no disputes during the audit period. As such assessment of compliance with this requirement cannot be made.	Not Rated [NR]

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480 [456]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 8.1(3)	If the dispute is not resolved within 10 business days after the dispute is referred to senior management negotiations, the disputing parties must refer the dispute to the senior executive officer of each disputing party who must meet and attempt to resolve the dispute by negotiations in good faith.	5	There have been no disputes during the audit period. As such assessment of compliance with this requirement cannot be made.	Not Rated [NR]
481 [457]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 8.1(4)	If the dispute is resolved by representative negotiations, senior management negotiations or CEO negotiations, the disputing parties must prepare a written and signed record of the resolution and adhere to the resolution.	4	There have been no disputes during the audit period. As such assessment of compliance with this requirement cannot be made.	Not Rated [NR]
482 [458]	Retail Licence condition 5.1	Electricity Industry Metering Code clause 8.3(2)	The disputing parties must at all times conduct themselves in a manner which is directed towards achieving the objective of dispute resolution with as little formality and technicality and with as much expedition as the requirements of Part 8 of the Code and a proper hearing and determination of the dispute, permit.	5	There have been no disputes during the audit period. As such assessment of compliance with this requirement cannot be made.	Not Rated [NR]
SECTION 16: Electricity Industry (Network Quality and Reliability of Supply) Code – Licence Conditions and Obligations						

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THIS SECTION IS NOT APPLICABLE TO PERTH ENERGY AS THERE HAVE BEEN NO SPECIFIC CONDITIONS AND OBLIGATIONS ATTACHED TO THE RETAIL LICENCE						



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