

Mr Paul Kelly  
GMCCC Chairman  
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Dear Paul

**PUBLIC SUBMISSION - 2015 REVIEW OF THE GAS MARKETING CODE OF CONDUCT**

Synergy appreciates the opportunity to make a submission in relation to the GMCCC's draft review report dated 12 December 2014 (the **Report**).

**Outstanding issues from the previous Code review**

We note the items outstanding from the last review in 2013 and the GMCCC's confirmation the state government was contacted over those matters but no response for addressing these matters has been provided.

A further issue recently come to light is the inconsistency between the *Energy Coordination (Customer Contracts) Regulations 2004* and the *Australian Consumer Law* in terms of differing cooling off periods. Although the problem was removed from the gas marketing code in 2014, legislative inconsistency remains in relation to the contract regulations and the ACL.

Given the longevity of previously communicated issues, lack of progress and consequent regulatory burden, cost and customer confusion, Synergy advocates the GMCCC again raising its concerns with the state government over the inconsistent application of small use gas customer protections.

**Question 1 - should any requirements regarding 'energy price fact sheets' be included in the Code? And, if so, should these requirements be modelled on the AER framework?**

The Report raises whether energy price fact sheets require further consideration, notes the practice is mandated in the eastern states and accepts the costs of development, maintenance [and compliance] will be borne by consumers

As well as requiring fact sheet publication on retailer websites in the NEM, the Australian Energy Regulator also uses the fact sheets for publication on its price comparison website. However, the GMCCC has not considered whether it is necessary for the Economic Regulation Authority to develop or maintain a similar website in WA. Consequently, it is difficult to see an acceptably measurable benefit to customers of this regulation comparable to the NEM.

Synergy however, considers the above to be a second tier issue. The real matter is whether mandated price fact sheets are required in Western Australia. Notwithstanding Synergy is the only licensed gas retailer to publish its own small use gas fact sheet, we are of the view a mandated requirement is unnecessary as unlike past experience in the NEM, there is no evidence of market failure in relation to local gas retailer marketing practices.

Yours sincerely,

Simon Thackray  
**MANAGER, REGULATION AND COMPLIANCE**

16 January 2015