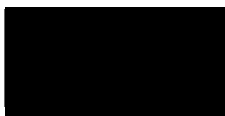


Perth
Energy

Performance Audit Report 2023 ERL10

Audit Report	Authorisation	Name	Position	Date
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GLOSSARY

AESCSF	Australian Energy Sector Cyber Security Framework
AEMO	Australian Energy Market Operator
AGL	AGL Energy Limited (Parent company of Perth Energy since 2 September 2019)
APES	Accounting Professional & Ethical Standards
ASAE	Australian Standards on Assurance Engagements
ASA	Australian Auditing Standards
CRM	Customer Relationship Management
CTR	Customer Transfer Request
CUA	Common Use Agreement
ERL10	Electricity Retail Licence for Perth Energy Pty Ltd
ERA	Economic Regulation Authority
ESA	Electricity Supply Agreement – Application and Commercial Terms
ETAC	Electricity Transfer Access Contract
LUC	Large Use Customer
NAA	Network Access Agreement
NMI	National Meter Identifier
NSC	Non-Standard Contract (i.e. ESA and T&Cs (Small Use))
MW	Megawatt
PE	Perth Energy
RRN	Retailer Reference Number
RFP	Request for Proposal
SFC	Standard Form Contract
SFTP	Secure File Transfer Protocol
SUC	Small Use Customer
SWIS	South West Interconnected System
T&Cs	Schedule to Electricity Supply Agreement: Standard Terms & Conditions (Small Use)
VC	Verifiable Consent
WEM	Wholesale Electricity Market
WP	Western Power
WPN	Western Power Networks

This report was prepared by representatives of GES Pty Ltd in relation to the above-named client's conformance to the nominated audit standard(s). Audits were undertaken using a sampling process and the report and its recommendations were reflective only of activities and records sighted during this audit process. GES 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. The client had the opportunity for review to ensure no commercially sensitive information was disclosed.

1. EXECUTIVE SUMMARY

1.1 Auditors Qualified Opinion

We have undertaken a reasonable assurance engagement on Perth Energy Pty Ltd.'s (**Perth Energy, the Licensee**) compliance in all material respects, with the conditions of its Electricity Retail Licence (**ERL10**) (the **Licence**) and relevant legislative obligations for the period 1 July 2020 to 30 June 2023. Our evaluation was made against the licence obligations listed in the February 2023 Electricity Compliance Reporting Manual and in accordance with the Economic Regulation Authority's (the **ERA**) 2019 Audit and Review Guidelines: Electricity and Gas Licences (the **Guidelines**).

In our opinion, based on the procedures performed and the evidence obtained, except for the possible effects of the matters described in the Basis for Qualified Opinion, Perth Energy Pty Ltd has complied, in all material respects, in accordance with the conditions of its Electricity Retail Licence (**ERL10**) for the period 1 July 2020 to 30 June 2023.

1.2 Basis for Qualified Opinion

In line with ASAE 3000 and ASAE 3100, our audit procedures revealed that, in general, Perth Energy complied with the expected licences obligations as detailed within the applicable versions of the Electricity Compliance Reporting Manual. However, licence obligation compliance exceptions, applicable to the legislative and regulatory instruments defined within the Electricity Compliance Reporting Manual, have contributed to this qualified audit opinion (refer table 1).

The auditor considers that although, for some of the conditions of their licence, the Licensee's compliance framework demonstrated inadequate to generally adequate levels of control and resulted in non-compliance with minor to moderate impact on its customers and third parties (refer table 2), a significant proportion of compliance obligations were compliant with no requirement for a controls rating (refer table 3). The Licensee continues to service its customer base and had no unresolved complaints in relation to their electricity retail licence operations. While these deviations are material, they do not pervade the entirety of our audit scope (refer Appendix 1).

A number of key audit matters were identified as significant factors contributing to the auditor's determination of outcome compliance were the increased pressure that the COVID pandemic had on resourcing, as well the observation that the non-compliances identified were particularly highlighted in the context of the repeal and replace of the *2018 Code of Conduct* with the *Code of Conduct for the Supply of Electricity to Small Use Customers 2022*, effective from February 20, 2023, and the amendments to the *Electricity Industry (Customer Contracts) Regulations 2005*, taking effect on January 1, 2023. Further detail in the regard is provided in section 2 of this report. It is the auditor's opinion that the number of audit non-compliances identified in this report resulted as the Licensee placing over-reliance in the existing gas trading framework ensuring compliance with the amendments to the *2022 Code of Conduct* and the amends to *Customer Contracts Regulations 2022*.

Table 1: Summary of Non-Compliances Performance Audit 2023

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
Customer Transfer Code 2016		
27 ¹ 01/2023 ²	<p>Customer Transfer Code 2016 - Clause 4.5(1) - A retailer 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, unless otherwise agreed.</p> <p>Controls Rating: C Compliance Rating: NR</p>	<p>The Licensee lacks a verifiable process to evaluate compliance with the prescribed number of customer transfer requests in a business day or with the same nominated transfer date, unless otherwise agreed.</p> <p>Whilst verification of increase to CTR limits was not provided, the CTR reports generated from Gentrack indicated that increases were required:</p> <ul style="list-style-type: none"> (i) more than 20 CTRs in a business day on 16 separate occasions (ii) more than 20 CTRs with the same nominated transfer date on 15 separate occasions <p>However, it was noted that for the one NMI for which it was provided, the Western Power TransNack (i.e. WP reject response vs TransAck WP accept response) provided the explanation for the rejection as "Exceeded number of requests for transfer date 04-JAN-22". When cross referencing the date 4/1/2022 with the export from the Gentrack of CTRs during the audit period it was noted that on the 4/1/2022 a total of 52 CTRs were requested with the same nominated transfer date of which 14 were Status "Cancel".</p> <p>It was not clear from the Gentrack CTR export information provided whether Perth Energy sought agreement from WP for an increase for 52 CTRs with the same nominated transfer date for the 4/1/22 and if so, why were there 14 CTRs cancelled.</p> <p>As such, despite staff indicating they understood these requirements and having control procedures reflecting them, the Licensee could not generate the reports from Gentrack to verify compliance. Additionally, where anomalies were identified, the Licensee was not able to provide an explanation for the "CANCEL" status of the CTR which supported the other records provided. This indicated the control environment required significant improvement in order for Perth Energy to determine compliance and understand the cause of the anomalies.</p>
29 02/2023	<p>Customer Transfer Code 2016 - Clause 4.7</p> <p>A retailer must nominate a transfer date in a customer transfer request in accordance with specified timeframes, except if the</p>	<p>The Licensee lacks a verifiable process to evaluate compliance with the specified timeframes in the nomination of a transfer date. The CTR reports generated from Gentrack do not allow for the identification of rejected CTRs, however, a record in the TransNack from Gentrack indicated that a CTR rejection occurred during the audit period. This was the only</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
	<p>customer transfer request is to reverse an erroneous transfer.</p> <p>Controls Rating: C</p> <p>Compliance Rating: NR</p>	<p>example of CTR TransNack provided and was not a routine practice for the licensee in evaluating compliance. Assessment of compliance could not be determined from the information provided. It was noted that a review of all CTRs during the audit period indicated there were several deviations from the specified timeframes where CTRs were showed a "CANCELLED" status in Gentrack but the reason for the transfer status was not determinable i.e. if was rejected. It was also apparent that these deviations occurred in 2021/2022 when the primary person responsible was on a leave of absence. As such control processes to determine compliance with this requirement were considered to be inadequate.</p> <p>The Electricity Compliance Reporting Manual specifies the obligation as a Type 2 reportable compliance requirement. This mandates the identification of Type 2 licence conditions that have been breached and as specified in the Audit Guidelines (section 1.5.1) included the requirement that compliance be thoroughly assessed for integrity of data and reported to the ERA by 31 August each year.</p> <p>Additionally, internally developed control processes used by the licensee to assist with the workflow in relation to CTRs were at risk of unintentional data overrides or modifications.</p>
Electricity Industry (Customer Contracts) Regulations 2005		
82 03/2023	<p>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 8 - A non-standard contract must give an exact description of the goods and services that the retailer will provide under the contract.</p> <p>Controls Rating: B</p> <p>Compliance Rating: 2</p>	<p>The versions of the non-standard contract reviewed during the audit period referred to other goods and services but did not specifically list them or give an exact description of the goods and services in the contract. A similar observation was made by the ERA during the review process of standard form contract. Application of corrective actions to similar areas of concern was not evident.</p>
87 04/2023	<p>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 13 - A non-standard contract must describe the prices payable and the circumstances in which the prices are payable, plus the way the retailer publishes and gives notice of variations to its prices information.</p> <p>Controls Rating: C</p> <p>Compliance Rating: 2</p>	<p>The Licensee's NSC described the prices payable by the customer under the contract and the circumstances in which those prices were payable. However, the requirements in relation to the <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i> were not evident. Specifically, the NSC did not specify 13(2)(a)(b).</p> <p>The requirements did not appear to be reflected in the Draft Schedule to <i>Electricity Supply Agreement: Standard Terms and Conditions (Small Use) 2023</i>.</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
		It is noted regulation 13(2)(a-b) came into effect on 1 st January 2023 and as such the non-compliance applied to the period 1/1/23 to 30/6/2023. Additionally, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system.
89 05/2023	Electricity Industry (Customer Contracts) Regulations 2005, Regulation 15 - A non-standard contract must describe the matters relating to the termination of the contract that are specified in the regulation. Controls Rating: B Compliance Rating: 2	The Licensee's NSC Terms & Conditions version ESA.001.0520 (which was applicable for approximately 2/3 of the audit period) did not describe the matters relating to the termination of the contract that are specified in the regulation. Specifically in relation to subclauses 15(2)(c),(ca), 3(b),(c) and 4. Additionally, the control processes were inadequate as there was an absence of internal monitoring to determine compliance and a well established and implemented document control system. It was noted subsequent versions of the NSC were compliant
90 06/2023	Electricity Industry (Customer Contracts) Regulations 2005, Regulation 16(1A), 16(2) and 34 - A non-standard contract must inform the customer that the provisions of the contract may be amended without the customer's consent where the amendment is required for the contract to remain consistent with a written law. A non-standard contract must describe the process for amending 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. Controls Rating: C Compliance Rating: 3	During the audit period 1 January 2023 to 30 June 2023, the non-standard contract informed customers that the non-standard contract provisions may change from time to time without their consent but did not specifically reference that the amendments were to ensure that the contract remained consistent with written law. Although, the non-standard contract did note that the Perth Energy would notify the customer of any changes to the Agreement and that if the customer did not agree with the amendments, the customer had options in relation to the Agreement in accordance with the termination clause of T&Cs, there was no customer notification of amendments to non-standard contracts. Additionally, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system.
92 07/2023	Electricity Industry (Customer Contracts) Regulations 2005, Regulation 18 - A non-standard contract must describe the procedures that must be followed by the retailer in responding to a complaint made by a customer. Controls Rating: B Compliance Rating: 2	The NSC stated that the information for complaints process was located on the Perth Energy's website and detailed the customers right to have their complaint considered by the Electricity Industry Ombudsman. However, the Perth Energy website link for the Complaint Handling Procedure referenced in the T&Cs was not functional (refer https://www.perthenergy.com.au/help/complaints/). This link was located under the Regulatory information section AGL Perth Energy Complaints Handling.

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
98A ⁺ 08/2023	<p>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 34(A) - A non-standard fixed term contract must detail the contract expiry date, customer options available for supply following expiry, the terms and conditions that apply after expiry and the way the retailer will provide the notification in the manner specified.</p> <p>Controls Rating: C Compliance Rating: 3</p>	<p>Compliance with the information relating to expiry of fixed term contract obligation was applicable for the audit period 01/01/2023 to 30/6/2023 and as such was only applicable to T&Cs version ESA.002.032022. Compliance was confirmed for sub regulations 34A(1)(b)(c)(d), (3) & (4) but not 34A(1)(a) and (2),</p> <p>A review of the T&Cs indicated that with respect to information relating to the expiry of a fixed term contract, the Licensee's Terms & Conditions (NSC) did not meet the requirements with respect to:</p> <ul style="list-style-type: none"> 34(A)(1)(a) which required the Licensee to notify the customer of the day on which the contract was due to expire. The terminology used indicated that Perth Energy "may" notify (refer Clause 22(a)) and as such did not expressly require them to notify the customer. <p>34(A)(2) which stated that the notification in relation to expiry date of the contract be given not more than 40 business days and not less than 20 business days before the day on which the contract was due to expire. There was no specific timeframe detailed within the T&Cs relating to notification in relation to expiry date.</p> <p>A sample review of small use customer non-standard contracts indicated at least one customer was not advised in accordance with Clause 34(A)(2) (refer details obligation 132).</p> <p>As such, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system.</p>
Electricity Industry Act 2004 – Licence Conditions		
108 09/2023	<p>Licence Condition 6.4.1 - A retail or integrated regional licensee must not supply electricity to a small use customer otherwise than under a standard form contract or a Non-Standard Contract that complies with the Act.</p> <p>Controls Rating: C Compliance Rating: 3</p>	<p>Due to significant amendments to legislation such as the <i>Electricity Industry (Customer Contracts) Regulations</i> and the <i>Code of Conduct for the Supply of Electricity to Small Use Customers</i> the requirement that the contracts conformed to the provisions of this Act could not be confirmed (for example, refer obligations 82, 86,)</p> <p>The Licensee's control processes were inadequate in relation to document control, internal monitoring and timely amendment due to legislative changes. Although an external third party was used to ensure contract compliance the approved version of the non-standard contract was approved outside of the audit period.</p>
114 10/2023	<p>Licence Condition 6.3.1 - A licensee must ensure that an electricity marketing agent of the licensee complies with the</p>	<p>Records confirming the Licensee's employees who undertook sales and marketing activities on behalf of the retailer were trained to ensure they were of their</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
	<p>Code of Conduct for the Supply of Electricity to Small Use Customers 2022</p> <p>Controls Rating: C</p> <p>Compliance Rating: NR</p>	<p>obligations under the Code of Conduct were not provided for review.</p> <p>Additionally, a review of the training programs for sales and marketing personnel were outdated and had not been reviewed during the audit period or since the 2022 Code of Conduct came into effect 20 February 2022.</p> <p>Rating of compliance with the obligation was not undertaken as there is some ambiguity in relation to the definition of electricity marketing agents in the Code of Conduct and their application to the retailer's employees. The ERA advised this would be reviewed during the next scheduled Code of Conduct review.</p> <p>However, the Licensee's control processes were inadequate in relation to training materials, training required, training records, document control, internal monitoring and amendment due to legislative changes.</p>
<i>Electricity Retail Licences – Licence Conditions</i>		
<p>124*^Δ</p> <p>11/2023</p>	<p>Licence Condition 4.5.1 - A licensee must provide the ERA, in the manner prescribed, with any information that the ERA requires in connection with its functions under the Electricity Industry Act.</p> <p>Controls Rating: C</p> <p>Compliance Rating: 2</p>	<p>The Licensee was required to provide the following information to the ERA during the audit period:</p> <ul style="list-style-type: none"> Annual Compliance Report by 31 August. Standing Charges Data by 30 September annually. Electricity Retail Licence Performance Reporting Datasheets by 30 September annually. <p>Specific details in relation to compliance with each of these areas is referenced in Appendix 1.</p> <p>The control processes for the reporting of these compliance requirements were inadequate, especially internal audit practices, did not sufficiently ensure timely and accurate reporting by the Licensee to ERA. Evidence of timely reporting by the Licensee to the ERA was not able to be provided in all circumstances. Compliance seemed to depend on individual knowledge rather than being part of standard business processes.</p>
<p>125</p> <p>12/2023</p>	<p>Licence Condition 3.8.1 & 3.8.2 - A licensee must publish any information as directed by the ERA to publish, within the timeframes specified.</p> <p>Controls Rating: C</p> <p>Compliance Rating: 2</p>	<p>The licensee failed to publish some information as directed by the ERA to publish, within the timeframes specified.</p> <p>For example, the Electricity Retail Licence Performance Reporting Datasheets for the reporting years 2020-2022. The 2021/22 Electricity Retail Annual Performance Data was not published within 7 days of receiving the notification from the ERA. The non-compliance was noted in an email from the ERA to Perth Energy.</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
		<p>Confirmation as to whether the 2020 and 2021 Electricity Retail Licence Performance Reporting Datasheets were published within the 7 day timeframe was not able to be provided by the Licensee.</p> <p>Additionally, the control environment was not robust enough to ensure compliance in the extended absence of key personnel.</p> <p>.</p>
Code of Conduct for the Supply of Electricity to Small Use Customers 2022		
CODE OF CONDUCT - MARKETING		
132 13/2023	<p>Code of Conduct, clause 10(1) - A retailer or electricity marketing agent must ensure that non-standard contracts, which are not unsolicited consumer agreements, are entered into according to the manner set out, and the contract is provided as specified, in clause 10(1).</p> <p>Controls Rating: B Compliance Rating: 2</p>	<p>A non-compliance was noted on 10 November 22 where Perth Energy failed to send a renewal notice to the customer within the required timeframe (i.e., 40 business prior to contract expiry). As such, verifiable consent was obtained retrospectively. It was noted the customer was made aware of the issue and was compensated as required to ensure they were not charged at a higher rate unnecessarily.</p> <p>It was understood that for the 2021/2022 reporting period, compliance responsibility was temporarily assigned to an alternate individual and the compliance requirement was overlooked.</p> <p>The Licensee control environment was not robust enough to ensure compliance in their absence.</p>
133 14/2023	<p>Code of Conduct, clause 10(2) - A retailer or electricity marketing agent must ensure that the information specified in subclause 10(2) is provided to the customer before entering into a non-standard contract.</p> <p>Controls Rating: C Compliance Rating: 2</p>	<p>For the period 1 July 2020 to February 2022 the Licensee did not provide the information specified in subclause 10(2) to customers prior to entering a NSC. Perth Energy did not include a statement in its T&Cs (refer version ESA.001.0520) that the residential customer may be eligible to receive concessions and how the residential customer may find out about their eligibility to receive those concessions (as required by clause 2.3(2)(f) of the 2018 Code of Conduct). The inclusion of the requirements was noted in the NSC version ESA.002.032022, however the two residential customers NSC were only renewed in 1/6/2022 and 21/9/2022 as such compliance was noted from June and September 2022 respectively. The updated T&Cs were not provided to the customers until contract renewal. Additionally, the residential customers were in some instances noted to have been provided the Business Energy Supply – SUC Information Pack which did not include details of concessions.</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
		<p>It was noted that the residential customers that Perth Energy supplied electricity to during the audit period did not apply or enquire about residential concessions or financial hardship.</p> <p>The Licensee's control processes were inadequate in relation to document control, internal monitoring, communication of legislative changes to customers and timely amendment due to legislative changes.</p>
135 15/2023	<p>Code of Conduct, clause 10(5) - Subject to subclause 10(4), a retailer or electricity marketing agent must obtain the customer's verifiable confirmation that the specified information in subclause 10(2), as applicable, has been provided.</p> <p>Controls Rating: C Compliance Rating: 2</p>	<p>For the duration of the audit period March 2022 to June 2023 when entering an NSC, the Licensee required the customer to provide a signed NSC, the signed ESA was considered verifiable consent that the specified information had been provided. As such, Licensee ensured customer provision with requirements from the 2022 Code of Conduct (clause 10(2)(a-c)) and the 2018 Code of Conduct (clause 2.3(2)(f)), as evidenced in Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) ESA.002.032022.</p> <p>However, for the period 1 July 2020 to June 2022 (i.e. date of residential customer renewal with compliance NSC) the Licensee did not include a statement in its T&Cs (refer version ESA.001.0520) that the residential customer may be eligible to receive concessions and how the residential customer may find out about their eligibility to receive those concessions (as required by clause 2.3(2)(f) of the 2018 Code of Conduct). As such, the signed ESA was not able to be considered verifiable consent that the specified information had been provided.</p> <p>Additionally, the Licensee's control environment did not adequately address the legislative requirements through document control process, internal monitoring and communicating the changes to customers.</p>
CODE OF CONDUCT – PAYMENT DIFFICULTIES & FINANCIAL HARDSHIP		
220* ^Δ 16/2023	<p>Code of Conduct, Clause 46(1) - A retailer must develop, maintain and implement a hardship policy and hardship procedures to assist customers experiencing financial hardship to meet their financial obligations and responsibilities to the retailer.</p> <p>Controls Rating: B</p>	<p>The Licensee has developed and implemented a hardship policy and hardship procedures to assist customers experiencing financial hardship to meet their financial obligations and responsibilities to the retailer. Perth Energy's Hardship Policy was available on the Licensee's and the ERA's website. However, the Licensee has not maintained (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments) the hardship policy during the audit period.</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
	Compliance Rating: 2	It was noted the policy has not been reviewed since publication on the ERA website on 4/9/2018 and has not been reviewed since the <i>Code of Conduct 2022</i> came into effect in 20 February 2023. It was noted that some information in relation to concessions was outdated. For example, information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy (refer Appendix 1 for specific detail).
2018 CODE OF CONDUCT – PAYMENT DIFFICULTIES & FINANCIAL HARDSHIP		
236 17/2023	<p>2018 Code of Conduct, clause 7.7(2) - If a customer registered with a retailer under subclause 7.7(1) notifies the retailer:</p> <ul style="list-style-type: none"> • that the person requiring life support equipment is changing supply address. • that the customer, but not the person requiring life support equipment, is changing supply address. • of a change in contact details; or • that the address no longer requires registration as life support equipment address, <p>the retailer must:</p> <ul style="list-style-type: none"> • register the change. • notify the customer's distributor of the change that same day (if the notification is received before 3pm on a business day) or no later than the next business day (if the notification is received after 3pm or on a Saturday, Sunday or public holiday); and • continue to comply with subclause 7.7(1)(d) with respect to that customer's supply address. <p>Controls Rating: B Compliance Rating: 2</p>	<p>During the audit period 1/7/2020 to 19/2/2023 2 of the 3 customers who were registered with Perth Energy under sub clause 7.7(1) notified the retailer that the customers supply address no longer required registration as a life support equipment address (as required by sub clause 7.7(2)(d)).</p> <p>Non-compliances were noted with respect to a registered life support customer, Perth Energy did not comply with sub clauses 7.7(2) (e) and (f)(i) as follows.</p> <ul style="list-style-type: none"> ▪ sub clause 7.7(2)(e) - Perth Energy was advised by the life support customer that they no longer required life support at the supply address because the premise was vacant on the 9/3/2022 and although the Licensee notified Western Power via email on the 28/3/2022 they did not action the CDN change in Gentrack until the 4/4/2022. ▪ sub clause 7.7(2)(f)(ii) – The Licensee did not advise Western Power of the change to life support registration requirements for the customers supply address, as specified in Perth Energy's internal email records on the 9/3/2022, which indicated they should have advised Western Power on the same day (i.e. notification was received prior to 3pm). <p>Controls processes were noted to be generally adequate, however improvements were required to ensure compliance.</p>
240 18/2023	<p>2018 Code of Conduct, Clause 7.7(6) - A retailer must contact the customer to ascertain whether life support equipment is required or to request re-certification in the timeframe, manner and circumstances specified in subclause 7.7(6).</p>	<p>During the audit period 1/7/2020 to 19/2/2023 of the 3 life support customers, there were two customers who were already registered with Perth Energy as life support customers as life support customers and were required to be contacted to ascertain their life support equipment requirements or request-certification as</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
	<p>Controls Rating: C Compliance Rating: 2</p>	<p>specified by sub clause 7.7(6). With respect to registered life support customer), Perth Energy did not comply with sub clauses 7.7(6) (a) (b) as follows.</p> <ul style="list-style-type: none"> sub clause 7.7(6)(a)(i) and (ii) - The Perth Energy Life Support Register indicated that the anniversary date of the confirmation from the appropriately qualified medical practitioner 4/9/2018 as such, in accordance with sub clause 7.7(6)(ii). As such, during the audit period the Licensee was required to contact the customer request re-certification for the registration life support equipment at the supply address for anniversary date 4/9/21. Perth Energy did not provide records to confirm this occurred and the Licensee's Life Support Register did not reflect this occurrence. It was noted that the window for confirmation of this requirement would have been 4/6/21 to 4/12/21. sub clause 7.7(6)(b) – Compliance with the provision of a minimum period of 3 months was not confirmed. When the Licensee contacted the customer in February, following the request from Western Power to confirm life support (i.e. 16/2/22), the customer was requested to provide the certification on 23/2/22 and then contact again on 3/3/22 and requested to provide the information as a matter of urgency. <p>The control processes for the Licensee were noted to be inadequate, for example there was not internal audit process established, control procedures did not accurately reflect the requirements, demonstration of understanding of obligations in relation to notifying Western Power within specified timeframes was not provided, records were not readily available and did not reflect compliance requirements.</p>
<p>241 19/2023</p>	<p>2018 Code of Conduct, Clause 7.7(7) - retailer or a distributor must remove the customers' details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7).</p> <p>Controls Rating: C Compliance Rating: 2</p>	<p>The Licensee confirmed that during the audit period 1/7/2020 to 19/2/2023, Perth Energy removed 2 of the 3 registered life support customers' details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7). The Licensee was non-compliant in relation sub clause (7)(a)(i)(ii)(iv) as they failed to meet the timeframe limitations with respect to the removal of the customers details from the life support equipment address register after being made aware of matters (7)(a)(i) and (ii) for life support customers.</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
		It was noted that the Licensee's control process did not provide for the identification if there was more than one person who resided at the supply address and whether the removal of registration was for all customers or there was another person who continued to require life support equipment
CODE OF CONDUCT – INFORMATION & COMMUNICATION		
271D⁺ 20/2023	Code of Conduct, Clause 68(1) – The retailer must publish on its website the information detailed in subclause 68(1). Controls Rating: B Compliance Rating: 2	A review of the Licensee's documentation and website confirmed that for the audit period 20 February 2023 to 30 June 2023 the Licensee did not comply with publishing on its website the following mandated subclauses of the 2022 Code of Conduct Clause 68(1)(a)(ii), (d),(e) and (g).
280* 21/2023	Code of Conduct, Clause –3 - At least once a year, a retailer must provide a customer with written details of the retailer's and distributor's obligations to make payments to the customer under Part 14 or under any other written law, including the amount of the payment and the eligibility criteria for the payment. Controls Rating: C Compliance Rating: 3	Compliance with service standard payments notification has not been achieved by the Licensee for the previous 2 audit periods. Non-compliance was again noted in the current audit period. The corrective action taken previously has not triggered action in the absence of key personnel as it was not embedded into the process and there was no internal monitoring established.
CODE OF CONDUCT - LIFE SUPPORT EQUIPMENT SCHEME		
297B⁺ 22/2023	Code of Conduct, Clause 82(3) - If a customer provides the retailer with confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address requires life support equipment, the retailer must, in accordance with the relevant standard, register the customer's supply address as a life support equipment address, register a person's contact details, as prescribed under subclause 82(6) in relation to the supply address and provide that information to the distributor. Controls Rating: C Compliance Rating: NR	During the audit period, 20/2/2023 to 30/6/2023 the Licensee had one life support customer who provided Perth Energy with confirmation from an appropriately qualified medical practitioner (dated 9/5/2023) that a person residing at the customer's supply address required life support equipment. It was noted that this was the second person reported as residing at the same customers supply address with the previous person confirmed by an appropriately qualified medical practitioner on the 19/5/2022. Registration and notification of the customers details of confirmation were not undertaken as the Licensee was uncertain of the requirement to do so given the customer was already registered. It is the Auditors opinion that the intent to ensure that the customers supply address remained registered for life support was met and that based on the inference of subclauses 82(1) and 86(8) there was some ambiguity in relation to the interpretation of the compliance requirements. As such, with respect to subclause 82(2) with the consideration of multiple persons residing at an existing registered supply address and no changes to

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
		<p>the details required, an assessment of Perth Energy's compliance was not able to be determined for subclauses (refer specific detail Appendix 1 obligation 297B):</p> <ul style="list-style-type: none"> ○ 82(2)(a) - register the customer's supply address as a life support equipment address; ○ 82(2)(b) - register a person's contact details in relation to the supply address; ○ 82(2)(c) - provide the notification about the customers supply address being a life support equipment address in accordance with the relevant standard. <p>The Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p> <p>Note: Obligation 297B applied for the audit period 20/2/23 to 30/6/23 in accordance with the 2022 Code of Conduct. For the audit period 1 July 2020 to 19/2/2023 this requirement was addressed by obligation 235 (refer appendix 1).</p>
297C ⁺ 23/2023	<p>Code of Conduct, Clause 82(3) - A retailer must provide the information detailed under subclause 82(3) to the customer within 5 days after registering the customer's supply address as a life support equipment address.</p> <p>Controls Rating: C Compliance Rating: NR</p>	<p>A review of the Life Support documentation and records indicated that there was 1 life support customer, for the audit period 20/2/2023 to 30/6/2023 who should have been registered in accordance with subclause 82(1) and as such 82(3) applied.</p> <p>However, as detailed in obligation 297B there was some uncertainty as to the requirements by the Licensee. As such, the Manager Business Support, confirmed no customers were registered and consequently compliance with the obligation was not undertaken.</p> <p>Additionally, the Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
		monitoring process and there was no update to control procedures in response to legislative changes.
297D+ 24/2023	<p>Code of Conduct, Clause 82(5) - If a customer, for a supply address registered under subclause 82(2), notifies the retailer that the person residing at the customer's supply address who requires life support equipment is changing supply address, or that the customer is changing supply address but not the person who requires life support equipment, or that there has been a change in contact details, then the retailer must, in accordance with the relevant standard,</p> <ul style="list-style-type: none"> a. register the change and b. provide a notification to the distributor of the change. <p>Controls Rating: C Compliance Rating: NR</p>	<p>For the audit period 20/2/2023 to 30/6/2023 a review of the Life Support documentation and records indicated that there was another person confirmed at residing at an existing life support customer supply address. As such, this change should have been registered in the CDN in Gentrack and Western Power notified under subclause 82(2) and as implied by 86(8). However, the email communication with Western Power and a review of the CDN in the Gentrack system for the customer indicated that Perth Energy did not register the change and did not provide a notification to the distributor of the change (refer to obligation 297B timeline). Additionally, there was some uncertainty as to the requirement to so because the customer was an existing life support customer, and the contact details themselves in the CDN in Gentrack were correct.</p> <p>As such, even though a customer provided confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address required life support equipment customers, there were no customers registered and Western Power was not notified of the change. Consequently, assessment of compliance with the obligation was not undertaken.</p> <p>Additionally, the Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes</p> <p>It was noted that as the customer continued to require life support, obligation 297D was rated as a Type 1 requirement.</p>
297I 25/2023	<p>Code of Conduct, Clause 85(1) - A retailer must confirm periodically the information held in relation to the life-support equipment scheme is/has not</p>	<p>During the audit period 20/2/2023 to 30/6/2023, communications between the Licensee and the registered life support did not allow the customer at least 3 months to provide the confirmation required by the Perth Energy and did not warn customer of the</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
	<p>changed in the manner prescribed under subclause 85(1).</p> <p>Controls Rating: C</p> <p>Compliance Rating: NR</p>	<p>consequences to de-registration as detailed in 85(2)(b)(i) and(ii). The email communication reviewed appeared to provide confirmation to Western Power prior to receiving it from the registered customer.</p> <p>The Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p>
<p>297K</p> <p>26/2023</p>	<p>Code of Conduct, Clause 86(3) and (4) - If a customer fails to comply with a notice from the retailer under clause 85, in relation to a life support equipment address, within the period allowed under clause 85(2)(a), then the retailer must undertake action prescribed in subclauses 86(3) and 86(4).</p> <p>Controls Rating: C</p> <p>Compliance Rating: NR</p>	<p>The licensee confirmed that for duration of the audit period, 20/2/2023 to 30/6/2023 the obligation was not applicable there were no life support customers who failed to comply with a notice from the licensee in accordance with clause 85.</p> <p>It was noted that as the customer's anniversary date was calculated from the 19/5/2022, the notice period for the registered customer was from 19/2/2023 to 19/8/2023. As such, the completion of the notice period was outside the scope of the audit period and assessment of compliance with the requirement was not undertaken.</p> <p>The Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, some staff were unaware of requirements, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p>
<p>297N</p> <p>27/2023</p>	<p>Code of Conduct, Clause 86(8) - Despite subclauses 86(1) to (7), a supply address must not be de-registered if the retailer is aware that another person residing at the supply address still requires life support equipment.</p> <p>Controls Rating: C</p>	<p>A review of the Life Support Register indicated that there were two life support customers supplied during the audit period. Neither customer deregistered during the period 20/2/23 to 30/6/23 when the obligation applied.</p> <p>It was noted that during the audit period 1/7/2020 to 30/6/2023 the registered life support customer did in fact receive 2 separate confirmations from a medical</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
	Compliance Rating: NR	<p>practitioner that there were 2 persons residing at the supply address. It was confirmed through discussions with the Manager Business Support that Perth Energy was unaware that there were 2 different persons residing as the supply address and that the form date 9/5/2023 was assumed to be a re-certification confirmation and was treated as such, i.e. no notification or registrations were undertaken.</p> <p>Consequently it was determined that the Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, records were not assessed against compliance requirements, some staff were unaware of requirements, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p>
CODE OF CONDUCT - COMPLAINTS & DISPUTE RESOLUTION		
298 28/2023	<p>Code of Conduct, Clause 87(1) - Each retailer and distributor must develop, maintain and implement a standard complaint and dispute resolution procedure.</p> <p>Controls Rating: B Compliance Rating: 2</p>	<p>During the audit period, the Licensee's had developed and implemented a Complaints Handling Procedure but has not maintained (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments) the procedure. The procedure was last reviewed 26 March 2018 (i.e. following the review of the 2018 Code of Conduct).</p>
CODE OF CONDUCT - REPORTING		
307□ 29/2023	<p>2018 Code of Conduct, Clause 13.3 - The report specified in clause 13.1 must be published by the date specified by the ERA. In accordance with clause 13.3(2), a report is published if:</p> <ul style="list-style-type: none"> • copies are available to the public, without cost, in places where the retailer or distributor transacts business with the public; and • a copy is posted on the retailer or distributor's website. <p>Controls Rating: C Compliance Rating: 2</p>	<p>During the Audit Period the Licensee was required to publish the Electricity Retail Licence Performance Reporting Datasheets for the reporting years 2020-2022. The 2021/22 Electricity Retail Annual Performance Data was not published within 7 days of receiving the notification from the ERA.</p> <p>Confirmation as to whether the 2020 and 2021 Electricity Retail Licence Performance Reporting Datasheets were published within the 7 day timeframe was not able to be provided by the Licensee.</p>

REF ¹ REC ²	DESCRIPTION OF LICENCE OBLIGATION/ CONTROLS & COMPLIANCE RATING	SUMMARY OF ISSUE
		Additionally, the control environment was not robust enough to ensure compliance in the extended absence of key personnel.
CODE OF CONDUCT - PROTECTIONS RELATING TO FAMILY VIOLENCE		
307A+ 30/2023	<p>Code of Conduct, Clause 91(1) - A retailer must develop, maintain and implement a family violence policy to assist vulnerable customers.</p> <p>Controls Rating: C</p> <p>Compliance Rating: NR</p>	<p>For the duration of the audit period 20/2/23 to 30/6/23 the Licensee was required to develop a “Perth Energy Family Domestic Violence Policy”. A copy of the policy was provided for review. As the Perth Energy Family Domestic Violence Policy was undated it was unclear as to when the policy was developed. Evidence of the compliance with the development, maintenance and implementation requirements were not able to be provided (i.e. 91(3) (a) or (b)).</p> <p>The Family Domestic Violence Policy was not available on Perth Energy’s Website at the link provided within the Policy (refer https://www.perthenergy.com.au/regulatory-information/) and as such not implemented as required. Further a process to ensure the policy is maintained was not evident (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments). As such there were inadequate controls established and significant improvement was required to ensure ongoing compliance.</p>
307C+ 31/2023	<p>Code of Conduct, Clause 91(3) - The training required under subclause 91(2)(a) must satisfy at least one of the requirements detailed in subclause 91(3).</p> <p>Controls Rating: C</p> <p>Compliance Rating: NR</p>	<p>The Licensee has not confirmed that the training required was developed in conjunction with appropriate customer representatives. Correlating supporting documentation does not reference the requirements. Development of the policy appeared to have been undertaken at a corporate level (i.e. by AGL).</p>
307E+ 32/2023	<p>Code of Conduct, Clause 91(6) - A retailer must consult with persons or bodies that may reasonably be expected to represent the interests of persons who may be experiencing family violence whenever the retailer is developing its family violence policy or reviewing its family violence policy because of a direction of the ERA under subclause 91(5).</p> <p>Controls Rating: C</p> <p>Compliance Rating: NR</p>	<p>The Licensee could not provide evidence that they had directly consulted with persons or bodies that may reasonably be expected to represent the interests of persons who may be experiencing family violence when developing their family violence policy.</p> <p>Development of the policy appeared to have been undertaken at a corporate level (i.e. by AGL).</p>

¹ The reference number allocated to the licence obligation in the Electricity or Gas Compliance Reporting Manual.

² The recommendation reference allocated in this audit report.

Table 2 sets out the rating scale defined by the ERA in the Audit Guidelines for the assessment of the level of compliance with the conditions of the Licence. For the highest possible compliance rating to be achieved, Perth Energy was required to demonstrate it has maintained mature processes and controls, which facilitated compliance with relevant obligations. Where reference to maintenance of a procedure or process is made throughout this performance audit report, it is referring to either review and/or retention and is specified where required for clarity.

Table 2: Audit Compliance and Control Rating Scales

Controls Rating		Compliance Rating	
Description		Description	
A	Adequate controls – no improvement needed	1	Compliant
B	Generally adequate controls – improvement needed	2	Non-Compliant – minor impact on customers or third parties
C	Inadequate controls – significant improvement needed	3	Non-Compliant – moderate impact on customers or third parties
D	No controls evident	4	Non-Compliant – major impact on customers or third parties
N/P	Not Performed – A controls rating was not required	N/R	Not rated – No activity took place during the audit period

As required by the Audit Guidelines Section 5.1.6.1, Table 3 lists the number of licence obligations that were given each combination of compliance and controls ratings. The table allows licensees and the ERA to confirm the auditor has rated all relevant licence obligations and provides a simple summary of the licensee’s compliance during the audit period.

Table 3: Compliance and Controls Ratings Summary Table

		COMPLIANCE RATING					
		1	2	3	4	N/R	TOTAL
CONTROLS RATING	A	2					2
	B	5	8			5	18
	C		8	4		12	24
	D						0
	N/P	118				134	252
	TOTAL	125	16	4	0	151	296

Note that, in accordance with the Audit Guidelines:

- Obligations assessed as being “not applicable” to Perth Energy’s electricity retail licence activities have not been included within this report.
- A control rating is only provided for those obligations with a Priority 1, 2 or 3 rating, where an obligation is assessed as non-compliant, or where a control improvement opportunity is identified.

Table 4: Summary of Specific Areas¹ of Non-Compliance Identified in Current Audit Period

Obligation Specific Area of Non-Compliance	Obligation Specific Area of Compliance
Customer Transfer & Data Request	Complaints & Dispute Resolution®
Customer Contracts ® (Standard Form & Non-Standard Contract)	Connection
Licence Condition	Billing®
Marketing®	Disconnection & Interruption®
Payment®	Reconnection
Payment Difficulties & Financial Hardship®	Service Standard Payments®
Information & Communication®	Metering Code Obligations
Life Support Equipment Scheme®	
Complaints & Dispute Resolution	
Reporting	
Protections Relating to Family Violence®	

¹ Specific Areas defined within the Electricity Compliance Reporting Manual as published by the ERA.

® Obligations were introduced by either 2022 *Code of Conduct* or amends to *Customer Contracts Regulations 2022*

1.3 Basis of Audit

This electricity retail licence (**ERL10**) performance audit for Perth Energy was conducted to assess the licensee's compliance with the conditions of its licence. The audit procedures were undertaken in alignment with ISO 31000 Risk Management – Guidelines, APES 110 Code of Ethics, ASAE 3000, ASAE 3100, ASA 315, ASA 500, ASA 530 and ASA750 (refer section 3.5).

This performance audit was conducted by the auditor within a reasonable assurance engagement framework, with the intent of providing an objective and professional compliance assessment.

This Performance Audit report is an accurate representation of the auditor's findings and opinions.

Perth Energy's Responsibilities for Compliance with the Licence Conditions

Perth Energy is responsible for:

- (a) Compliance with the Licence as evaluated against the conditions within the Licence, for the period 1 July 2020 to 30 June 2023.
- (b) Identifying risks that threaten the conditions within the Licence identified above being met
- (c) Identifying suitable compliance requirements as specified by the conditions within the Licence
- (d) Identifying, designing and implementing controls to enable the conditions within the Licence to be met and to monitor ongoing compliance.

Our Independence and Quality Control

We have complied with the independence and other relevant ethical requirements relating to assurance engagements, which are fundamentally based on confidentiality, integrity, objectivity, and independence, skills and competence. We applied quality management system controls as defined by ISO 9001 in undertaking this assurance engagement.

Assurance Practitioner's Responsibilities

Our responsibility is to express an opinion on Perth Energy's compliance, in all material respects, with the licence obligations as evaluated against its Licence Conditions for the period 1 July 2020 to 30 June 2023. ASAE 3100 requires that we plan and perform our procedures to obtain reasonable assurance about whether Perth Energy has complied, in all material respects, with the licence obligations as evaluated against its Licence Conditions for the period from 1 July 2020 to 30 June 2023.

Inherent Limitations

Assurance engagements are subject to inherent limitations, together with the internal control structure, it is possible that misstatement, error or non-compliance with the compliance requirements may occur and not be detected. A reasonable assurance engagement relating to the current audit period does not indicate compliance for future audit periods.

1.4 Appreciation

The Licensee is Perth Energy Pty Ltd.

Perth Energy operates under an electricity retail licence (**ERL10**) granted by the Economic Regulation Authority (**ERA, the Authority**). This licence authorises the provision of electricity to customers ranging from small to large-scale within Western Australia, spanning areas from Kalbarri to Albany and extending eastward to Kalgoorlie, as delineated in plan ERA-EL-107B.

As a subsidiary of AGL Energy Limited (**AGL**), Perth Energy ranks among the top four energy retailers in Western Australia, delivering electricity and gas services to small, medium, and large enterprises, with a reach exceeding 1000 business connections.

The Licensee primarily supplies electricity to contestable business customers, with a yearly average of only 2 residential customers. Perth Energy's small to large use customers were supplied on non-standard contracts and the Licensee did not supply any small use customers on Standard Form Contracts.

According to the ERA's Annual Data Report – Energy Retailers 2021/22, whilst Perth Energy does not compete substantively in the residential electricity supply market, with respect to business electricity customers, the majority of the SWIS was serviced by Synergy who supplied 56.5 per cent of the contestable customers, Alinta who supplied 28.7 per cent, Perth Energy who supplied 8.3 per cent and seven smaller retailers supplied the remaining 6.5 per cent. Non-contestable customers are supplied exclusively by Synergy.

Under Section 13 of the *Electricity Industry Act 2004* every retail licence holder must, from the grant of the licence and not less than once in every period of 24 months (or any longer period that the Authority allows), provide the Authority with a Performance Audit report by an independent expert acceptable to the Authority.

This performance audit is the 7th undertaken by the Licensee and has been conducted to assess Perth Energy's compliance with the obligations, conditions of its Electricity Retail Licence (ERL10) (**the Licence**) issued under *Electricity Industry Act 2004* (WA). The audit covers the period 1 July 2020 to 30 June 2023. The previous audit period was 1 July 2018 to 30 June 2020 and the Licensee confirmed that there have been no substantial changes to the business operations since the previous performance audit (**2020 Performance Audit**).

Geographe Environmental Services (**GES**) has been approved by the Authority (ERA Reference D260683 17/5/2023) to undertake the works subject to an audit plan approved by the Authority.

During the audit period, under the provisions of sections 9 and 19 of the *Electricity Industry Act 2004*, the Economic Regulation Authority renewed the electricity retail licence of Perth Energy Pty Ltd.

The decision to renew Perth Energy's electricity retail licence was published by the ERA on 24 June 2021. The decision published on the ERA website for ERL10, detailed that the ERA renewed ERL10 (V8) for 15 years (the maximum period allowed by section 15(1) of the *Electricity Industry Act 2004*) from 25 June 2021.

2. KEY AUDIT MATTERS

During our audit, we identified key audit matters, which potentially contributed to a list of risks associated with material deviations in Perth Energy's control environment and compliance processes.

2.1 Control Environment

It was the opinion of the auditor that the Licensee's controls ratings indicated a requirement for significant improvements in the control environment. Perth Energy's control environment encompasses aspects such as the licensee's management philosophy, corporate culture and governance, organisational structure, assignment of authority and responsibility, the use of internal audit, document control and records management, the use of information technology, and the skills and experience of key staff members.

Whilst individual initiatives and a general focus towards compliance are evident within Perth Energy, there is a requirement for a more systematic, documented, and overarching approach to strengthen the control environment. The observations and recommendations provided are intended to directing Perth Energy in this towards this goal, ensuring alignment with the broader compliance objectives of AGL as claimed in their annual report.

An assessment of the Perth Energy's ability to manage its risks associated with the control environment as observed during the document review, discussions with management and the site visit are summarised as follows:

Corporate Management Philosophy: AGL's Annual Report for 2021-2023 designates compliance as a Tier 1 Strategic Risk and outlines their approach to mitigation: *"AGL is committed to complying with all applicable laws and regulations and has in place a robust enterprise-wide compliance framework to manage our compliance requirements, including those related to privacy."* However, the audit did not produce tangible evidence to substantiate this framework's existence or effectiveness in the context of Perth Energy's electricity retail operations. For example, requests for evidence of internal audit and monitoring of key performance indicators were not provided for review.

Moreover, AGL's annual report also detailed AGLs policies and procedures are updated periodically to reflect their obligations under market rules and relevant laws, and compliance obligation registers are maintained (i.e. reviewed) to ensure these obligations are owned and managed by the appropriate business units. Their emphasis on continuous training and professional development of the staff aligns with their belief in upskilling and enhancing the capabilities of their human resources. However, the outdated documentation provided during the audit could potentially indicate a gap between the company's stated beliefs and the ground reality, suggesting that while the strategic vision is robust, the execution requires more diligence to align with their stated management philosophy. For example, with respect to updating policies and procedures, it was noted corporate procedures such as Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure (last reviewed 11 July

2018) or the AGL | Perth Energy Privacy Policy (effective 18 November 2020) and did not capture the compliance obligations of the *2022 Code of Conduct*, clause 91(2)(b)(i) in relation to the Licensee's family violence policy, specifically with reference to taking reasonable steps to protect the vulnerable customer's information if the customer requests the retailer to do so. Similarly, in relation to training and the obligations of clause 91(2)(a) of the *2022 Code of Conduct*, there was a lack of provision of training materials or records to evidence staff training on recognising signs of family violence, understanding its impacts, and appropriately assisting affected customers in line with the policy.

Organisational Structure Perth Energy's organisational structure did not clearly emphasise the communication channels and delegations of authority. Notably the organisational chart provided did not align with the key control procedures, for example the "Retail General Compliance Obligations Procedure" referenced key compliance duties for the General Manager Retail, however, this position was not defined on the organisational chart.

Delegation of Authority A clear matrix that designated levels of decision-making authority for different types of decisions, ensuring that it was clear who could make decisions and at what level was not evidenced. Such a mechanism is critical in ensuring that decisions are made by those with the appropriate level of knowledge and understanding and involves defining roles clearly and ensuring that staff members have the necessary authority to carry out their responsibilities effectively. This was highlighted as several non-compliances identified in the performance audit were correlated to the extended leave of key personnel, queries in relation to provision of a delegation of authority policy were made but not provided. Examples of non-compliance identified were primarily for the reporting year 2021-2022.

Use of Internal Audit, Information Technology & Risk Management There was a noticeable deficiency in internal audit processes, with the exception of the routine monthly compliance assessments conducted on customer contracts by the General Manager, EMR, Regulation. Use of an internal or external audit function to provide assurance that Perth Energy's risk management, governance, and internal control processes were operating effectively was not demonstrated. Whilst it was understood that the routine monthly audits of contracts were aligned with performance incentives there was no formal evaluation of the effectiveness of controls by the Licensee to prevent future non-compliances evidenced.

It was observed during the site visit that the organisation was very competent in using, developing and adapting Information Technology to suit their operational needs. However, the compliance aspect of contract control was seen to be "ad hoc", manually updated and contained within multiple systems or silos, as evidenced by uncontrolled checklists developed by individuals to assist in completing their own work expectations and achieving compliance, for example in relation to monitoring contracts in accordance with the licence obligations the following documentation and systems were noted:

- the Business Support Tracking Spreadsheet 2020,
- the Business Support Tracking Spreadsheet 2022 (2023 not yet created data include in 2022),
- the Contracts Checklist,
- Please Execute Contract - Contract & Checklist Check, and

- the NEW Please Execute Contract - Contract & Checklist Check.

A well established and effective internal audit program may have raised, as a corrective action, the consideration of whether the use of existing systems such as Gentrack, Salesforce and the Pricing Model to populate an internal monitoring and performance based metric evaluation of the obligations of the retail licence. Data recorded in the Business Support Tracking Spreadsheet and the Salesforce CRM, could potentially be pulled from other systems, such as Gentrack/Western Power Web Portal, the Pricing Model, etc.

Additionally, with respect to risk management, requests for information regarding the organisation's risk management practices, were made by the auditor but were not provided for review, for example the outcome of the facilitated risk sessions using ReadNow software. Consequently, the performance audit cannot accurately assess the Licensee's risk assessment process. However, it is the auditor's opinion, that with the presence of multiple non-compliance identified in the audit report it suggests potential shortcomings in Perth Energy's risk mitigation controls.

Document Control and Records Management Additionally, there was a distinct absence of document control for the systematic management of control procedures associated with the electricity retail licence. For example, non-standard contracts lacked version controls, document naming conventions, access control, document review and approval, change notifications, etc. Key checklists were managed outside the document control framework, for example, New Gentrack Account & Electricity Customer Transfer [Work Instructions].

The audit also identified that data for key control processes is managed via a multi-accessible Excel spreadsheet (i.e., Business Support Tracking Spreadsheets). Concurrent access heightens the risk of unintentional data overrides or modifications. This approach could compromise data integrity and can lead to potential inaccuracies in decision-making processes.

Skills and Experience of Key Staff Members The competence of Perth Energy's personnel was noted and included not only their technical skills but also an awareness of the importance of internal controls, hence the development of individual control processes such as the Business Support Tracking Spreadsheet, and a commitment to their effective operation. During the audit, it became apparent that the organisation heavily relies on the knowledge and experience of key managers and operational staff. Staff members have shown initiative in their efforts to create policy and procedural documentation, with a primary focus on compliance with relevant electricity retail licence obligations. However, it's important to note that these efforts are outside the scope of the organisations systems and could create a tacit knowledge risk if the individuals left the business without a documented transition.

2.2 Information Systems

The suitability of the licensee's information systems to record the information needed to comply with the electricity retail licence was well demonstrated. Issues relating to accuracy of data, security of data

and data recovery were found to be a key focus for control and resourced appropriately. Training and documentation describing the information systems was not reviewed as part of the performance audit, as such as assessment cannot be made in this regard. It was noted that Perth Energy confirmed that there were no complaints or disputes related to information systems during the audit period. For example, billing queries were addressed and accountable.

However, the Licensee's considerations of the risks associated with information systems were not provided for review. Consideration of information system risks should be well understood by the licensee as related compliance with its electricity retail licence, such as:

- risk of data transfer errors or data loss during system integrations, for example those between Gentrack and the Web Portal, specifically, it was noted that CTR reports generated from the Gentrack System did not align with the format of reports from the Web Portal and whilst there was not necessarily a data integrity issue, the review, monitoring and training in the use of the systems meant that an assessment in this regard could not be determined during the audit.
- risks related to data silos where isolated pockets of data held by one department or team that are not accessible to or shared with other departments and potentially leading to a fragmented view of operations or inefficiencies.
- risks associated with ineffective monitoring to ensure the information systems, efficiency, security, and compliance with regulatory requirements.

Additionally, it was not evidenced that processes were consistently implemented that relate to Perth Energy's information systems, regulatory reporting and the business operations relevant to the licence conditions. For example, the interrogation of the data was not undertaken in the preparation of the Annual Compliance Reports for Type 2 reportable obligations such as *Electricity Industry Customer Transfer Code*, clause 4.7 Nominated Transfer Date.

The manner in which Perth Energy utilises information technology to support its operations and internal controls could have significant implications for the control environment and its employee's morale and workload pressures. This includes the systems used to track and report transactions (i.e., as related to the family violence obligations), cybersecurity measures, and IT governance practices.

2.3 Control Procedures

Perth Energy had extensive control procedures developed for compliance with its electricity retail licence, however, these did not appear to be maintained (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments) or implemented. The control procedures appeared to be redundant, complex, repetitive, and ineffective in delivering consistent compliance outcomes, as illustrated by the nature of the compliance findings of the audit. Further, the majority of the control documentation lacked document control and had not been reviewed since 2018. It was noted in the previous audit report that Perth Energy was acquired by AGL 2 September 2019.

Perth Energy did not appear to have well established and implemented document control procedures,

which were fundamental in ensuring that in relation to its information and records used in decision-making, compliance, and operational processes were accurate, up-to-date, and accessible only to authorised personnel. For example, obsolete versions of the non-standard contract were available for review on the website, current versions of contracts or versions compliant with legislative requirements were not always used when entering into non-standard contracts.

Control procedures are critical tools designed to monitor compliance and prevent non-compliance or under-performance. The absence, insufficiency, or inadequacy of control procedures can pose significant risks to the control environment including operational, regulatory, strategic, reputation, financial, cyber security, data integrity and knowledge transfer and training. Whilst it was acknowledged that Perth Energy were managing risks, for example cyber security, in accordance with the Australian Energy Sector Cyber Security Framework (AESCSF) evidence of assessment of this was not provided as part of the performance audit.

Many of the recommendations made in this audit, stress the importance of enhancing documentation, implementing comprehensive process mapping, improving training and competency, increasing internal monitoring, and establishing performance metrics to foster a more robust culture of compliance within Perth Energy's retail electricity operations.

2.4 Compliance Attitude

The Leadership Teams strategy of incorporating incentives into its monthly audits for non-standard contract obligations under its electricity retail licence highlights Perth Energy's compliance attitude towards its electricity retail licence. However, based on fieldwork detailed in the audit plan, it was the auditor's opinion that by the Licensee extending this with a more structured and systematic approach to its electricity retail licence compliance it would reduce the event of recurring non-compliances and improve the Perth Energy's likelihood of meeting its regulatory obligations. It was evident that there is an opportunity for greater integration of compliance practices into the company's operations and cultural ethos.

During the audit period, 1 July 2020 to 30 June 2023, there were substantial changes to the *Code of Conduct for the Supply of Electricity to Small Use Customers* as the 2018 Code of Conduct was repealed and replaced with the 2022 Code of Conduct this came into effect 20 February 2023. There were also amends to the *Electricity Industry (Customer Contracts) Regulations 2005*, with the *Electricity Industry (Customer Contracts) Amendment Regulations 2022 taking effect 1 January 2023*. The significant number of non-compliant obligations identified in this audit period indicate an over-reliance on outdated procedures and processes without regular review to address changes in regulatory requirements, for example, refer to non-compliances associated with new contract requirements or the family violence requirements.

During the site visit, the Licensee indicated that Perth Energy also holds a Gas Trading Licence, GTL12, and the legislative obligations associated with the gas trading licence have a degree level

overlap with some of the obligations required by the *2022 Code of Conduct*. Potentially, another factor contributing to the level of non-compliance and the perceived complacency concerning the electricity retail licence was the assumption that compliance was already being met through the obligations associated with the gas trading licence.

The Licensee's response to previous audits provides a tangible reflection of its compliance attitude as related to its electricity retail licence (refer table 2). A more proactive compliance attitude towards monitoring its electricity retail licence obligations and addressing performance audit findings would be evident in a systematic framework. This framework should result in more timely, comprehensive (i.e., root-cause), and effective responses, with the necessary resources allocated, to monitoring and reporting and continual improvement. The following table summarises the non-compliant obligations as identified over the previous four audit periods and highlights the repetitive occurrence of non-compliance associated with certain areas of obligations. It appears that the Licensee performance over time is best demonstrated in areas of customer centred activities, for example billing, payment and reconnection.

Table 5: Specific Areas of Non-Compliance Trends Over Previous 4 Audit Periods

Obligation Area of Non-Compliance	2016	2018	2020	2023
<i>Electricity Industry Customer Transfer Code 2016</i>				
Customer Data Request				x
Customer Transfer				x
<i>Electricity Industry (Customer Contracts) Regulations 2005</i>				
Standard Form Contract	x			
Non-Standard Contract	x			x
<i>Electricity Industry Act 2004</i>				
<i>Electricity Industry Act Licence Condition</i> ¹			x	
Licence Condition ²	x	x	x	x
<i>Code of Conduct for the Supply of Electricity to Small Use Customers 2022</i>				
Marketing	x			
Connection		x		x
Billing	x	x		
Payment	x			
Payment Difficulties & Financial Hardship		x	x	x
Disconnection & Interruption ³	x	x		
Reconnection				
Information & Communication		x		
Life Support Equipment Scheme	-	-	-	

Obligation Area of Non-Compliance	2016	2018	2020	2023
Complaints & Dispute Resolution	x	x		
Reporting	x			
Protections Relating to Family Violence ⁴	-	-	-	
Service Standard Payments		x	x	x
ELECTRICITY INDUSTRY METERING CODE 2012				
Metering Code				

¹ Primarily related to Payment of Licence Fees ² Primarily related to Provision of Information

³ Disconnection used to incorporate Life Support provisions until 2023 Audit Period

⁴ Obligations introduced with 2022 Code of Conduct review only applicable to 2023 Audit Period

The previous 2020 Performance Audit Report made three recommendations.

- ❖ Recommendation 1/2020 – Obligation reference 105 was identified under Retail Licence Condition 4.2.1 in relation to the timely payment of fees.
- ❖ Recommendation 2/2020 - Obligations reference 220, 221, 222 and 236 were identified under clause 6.10 subclauses (1-3) and (7) of the 2018 Code of Conduct in relation to the hardship policy and procedures.
- ❖ Recommendation 3/2020 - Obligation reference 280 was identified under clause 10.3A of the 2018 Code of Conduct, was in reference to the provision of information on service standard.
- ❖ payments.

As the non-compliances in relation to all obligations were resolved during the previous audit period, with the exception of obligation 280 a post-audit implementation plan (PAIP) was required for obligation 280 only.

A detailed summary of the actions taken by the licensee in response to the recommendations in the previous audit report are detailed in Table 12 of this report.

2.5 Outcome Compliance

The COVID-19 pandemic occurred during the current audit period and had a profound impact on various aspects of business operations, including the compliance outcomes of Perth Energy. In the absence of a well-established document control framework, the vulnerabilities of the control environment were accentuated, for example, work from home created risks without a centralised document management system, resourcing with respect to talent shortages and attrition, training, and onboarding, as well as regulatory and compliance challenges. The pandemic emphasised the need for robust contingency planning, diversified processes and supply chains, and an increased focus on employee well-being. It was understood that AGL recognised that employee well-being directly impacts productivity, morale, and overall business outcomes and continues to support its employees with a flexible work environment. This decision further underscores the importance of a well structured and systematic control environment.

Additionally, during the audit period, there were significant legislative changes impacting Perth Energy's Electricity Retail Licence. Notably, the *Code of Conduct for the Supply of Electricity to Small Use Customers 2022* repealed and replaced the *2018 Code*, effective from February 20, 2023. Simultaneously, amendments were made to the *Electricity Industry (Customer Contracts) Regulations 2005*, taking effect on January 1, 2023.

These legislative amendments to the Customer Contracts Regulations and the Code of Conduct amendments significantly impacted Perth Energy's compliance documentation, as evidenced with the majority of non-compliance findings related to these areas in the Electricity Compliance Reporting Manual.

With consideration of the legislative impacts, in undertaking the 2023 ERL10 Performance Audit, it was evident that Perth Energy currently lacks a robust culture of compliance. While there is a positive attitude among Perth Energy's management and staff towards compliance, it was clear that a proactive approach to identifying and addressing areas of potential improvement were not deeply ingrained. It is the auditor's opinion that this is largely attributable to the absence of the use of internal audit in the control environment.

The previous Performance Audit Report was for the period 1 July 2018 to 30 June 2020. A Performance Audit Report 2020 together with a Post Audit Implementation Plan (PAIP) was submitted for review and published on the ERA website. As a result of the Licensee's adequate level of compliance the ERA decided to increase the period covered by this audit from 24 months to 36 months (Refer ERA Notice 8 December 2020).

In determining Perth Energy's overall assessment of compliance with its electricity retail licence, including the non-compliances found by the audit, and the integrity of the licensee's reporting to the ERA and other statutory organisations, several key factors were considered such as; the scope and severity of the non-compliances; frequency and recurrence, responsiveness to prior issues; accuracy and completeness of reporting; internal control environment; managements attitude towards compliance; transparency and communication; corrective and preventative actions; customer complaints; external factors and consistency with industry standards.

3. PERFORMANCE AUDIT

The Licensee has issued a consultancy brief to undertake its 7th Performance Audit as required by its Electricity Retail Licence (ERL10). The Performance Audit Report is to be provided to the Economic Regulation Authority (ERA/the Authority) to assess the Licensee's level of compliance with the licence conditions. The Performance Audit was conducted in accordance with the 2019 Audit and Review Guidelines – Electricity and Gas Licences (Audit Guidelines).

3.1 Performance Audit Objectives

The objective of this Performance Audit was to assess the effectiveness of systems and processes developed and implemented by Perth Energy to achieve the level of compliance as stipulated by its Electricity Retail Licence ERL10. Our qualified audit opinion provides indication that there were specific areas where the Licensee did not comply with the established criteria. This performance audit also intends provide recommendations for corrective action where necessary.

The Audit Guidelines, section 1.5.1, required that the scope of the audit considered:

- *Process compliance* – the effectiveness of systems and procedures in place throughout the audit period, including the adequacy of internal controls.
- *Outcome compliance* – the actual performance against standards prescribed in the licence throughout the audit period.
- *Output compliance* – the existence of the output from systems and procedures throughout the audit period (specifically, proper records which provide assurance that procedures are consistently followed, and controls are maintained).
- *Integrity of reporting* – the completeness and accuracy of the compliance and performance reports provided to the ERA.
- Compliance with any individual licence conditions – the actual performance against the requirements imposed on the specific licensee by the ERA or specific matters raised by the ERA.

As such, the recommendations were made in this performance audit report were directly linked to the specific findings and areas of non-compliance. These recommendations aim to address the root causes of the identified non-compliance issues and to guide the auditee on corrective actions to ensure future compliance and primarily related to enhancing the effectiveness of organisational Control Procedures as well implementing revised internal compliance processes, such as internal audit.

Opportunities for improvement identified that relate to the Performance Audit findings have been provided directly to the Licensee and have not been included in this document as required by the 2019 Audit and Review Guidelines – Electricity and Gas Licences section 5.1.8

As required by the Audit Guidelines (refer section 5.3) the licensee must submit a post-audit implementation plan, with the audit report. The PAIP must be a separate document and must be developed by the Licensee.

3.2 Performance Audit Scope

The Performance Audit is an audit of the effectiveness of measures taken by the licensee to meet the performance criteria specified in the Licence (refer Section 13(2) of the Electricity Act 2004). Performance criteria are defined within Condition 1 of the Licence as:

- The terms and conditions of the Licence
- Any other relevant matter in connection with the applicable legislation that the ERA determines should be part of the Performance Audit.

There were two versions of ERL10 applicable to the audit period (version 7 - 25 March 2019 to 25 June 2021 and version 8 - 25 June 2021 which is valid until expiry 24 June 2036). There were no areas of special focus prescribed by the ERA in relation Perth Energy's Performance Audit.

As specified in the Electricity Compliance Reporting Manual (February 2023), externally imposed criteria under law or directives, as defined by ASAE3100, for Electricity Retail Licences, that supply electricity to small use customers, encompasses the following:

1. the following Legislation:
 - ◆ *Electricity Industry Act 2004: Licence Conditions and Obligations (Appendix 1 - Section 12)*
2. the following Regulations:
 - ◆ *Economic Regulation Authority (Licensing Funding) Regulations 2014; and*
 - ◆ *Electricity Industry (Customer Contracts) Regulations 2005 (Section 11).*
 - ◆ *Including the Electricity Industry (Customer Contracts) Amendment Regulations 2022*
 - ◆ *Electricity Industry (Licence Conditions) Regulations 2005 (Appendix 1 - Section 13)*
3. the following Codes:
 - ◆ *Electricity Industry Customer Transfer Code 2016 (Appendix 1 - Section 9)*
 - ◆ *Code of Conduct for the Supply of Electricity to Small Use Customers 2022 (Section 14).*

- ◆ *Including the Code of Conduct for the Supply of Electricity to Small Use Customers 2018*
- ◆ *Electricity Industry (Metering) Code 2012 (Appendix 1 - Section 15)*

4. the following regulatory guidelines and documentation:

- ◆ 2019 Audit and Review Guidelines: Electricity and Gas Licences (Audit Guidelines)
- ◆ Electricity Compliance Reporting Manual (refer below for detail of those applicable)
 - ◆ Electricity Compliance Reporting Manual June 2020
 - ◆ Electricity Compliance Reporting Manual February 2022
 - ◆ Electricity Compliance Reporting Manual January 2023
 - ◆ Electricity Compliance Reporting Manual February 2023
- ◆ Customer Complaint Guidelines - December 2016
- ◆ Compliance Enforcement Policy 2016
- ◆ Financial Hardship Policy Guidelines - Electricity Licences
- ◆ Electricity retail licence performance reporting datasheets
- ◆ Any relevant regulatory guidance documentation published by the ERA or applicable regulatory authority, such as the Australian Energy Sector Cyber Security Framework (AESCSF)

5. the following enforceable undertakings:

- ◆ 2023 Audit Plan as developed and approved by the ERA.
- ◆ 2020 Performance Audit – ERL10

6. the following internally imposed criteria:

- ◆ Policies
- ◆ Manuals
- ◆ Plans
- ◆ Procedures
- ◆ Work Instructions

A full list of the internally imposed criteria that were established by the and provided to the auditor as part of the document review and throughout the audit process Licensee are referenced in appendix 2. Consideration of internally imposed audit criteria has been referenced in the audit findings against each compliance obligation, refer appendix 1.

3.3 Performance Audit Excluded Conditions

There were some Electricity Compliance Reporting Manual retail obligations that have been excluded from the audit because they are not applicable to Perth Energy's retail licence. Excluded compliance obligations were detailed in the Audit Plan approved by the ERA. As directed by the ERA Deviations from the Audit Plan are detailed in Section 3.4.

Table 6: Obligations Excluded from the Audit Report

Electricity Compliance Reporting Manual Section	Obligation Reference ¹	Explanation for Obligations Not Applicable to Licensee's Operations
12. Electricity Industry Act – Licence conditions and obligations		
Retail Licence, condition 4.1.1	107	Perth Energy has never taken an interest in land or easement over land using powers defined by the <i>Land Administration Act 1997</i> .
Retail Licence, condition 6.7.1	110	The Licensee has not been designated under s71(1) of the Electricity Act as the supplier of last resort.
13. Electricity licences – Licence conditions and obligations		
Retail Licence, condition 5.2.4	120	Obligation 120 was not applicable as during the audit period, Perth Energy Pty Ltd was not prescribed individual performance standards by the ERA during the audit period.
14. Code of Conduct – Licence conditions and obligations		
<i>Code of Conduct 2018</i> , clause 10(3)	134	Retail obligation applicable to Synergy Retail Licence and Horizon Power. (Note refer variation section 3.4)
<i>Electricity Industry Act</i> , section 82	246-271C	The Licensee does not have any pre-payment meters as such this Clause is not applicable to the audit scope. (Note: 257 Type 1)
<i>Code of Conduct 2022</i> , clauses 70(1), (2) and (3)	273A	Perth Energy's customer's tariffs, fees or charges are not regulated or set by the State Government.
<i>Code of Conduct 2022</i> , clauses 72(1), (2); and <i>2018 Code of Conduct 2018</i> , clauses 10.2(3) and (4)	275-278	The Licensee does not have any non-contestable customers
15. Electricity Industry Metering Code – Licence conditions and obligations		
<i>Electricity Industry Metering Code 2012</i>	401 & 405	The licensee has an access agreement with Western Power, however, the Licensee no meters on its network, as such obligations 401 and 405 relevant to meters, meter data and metering installation are excluded from the audit scope.

¹ Electricity Compliance Reporting Manual – 20 February 2023

The Licence compliance elements that were included in the scope of this audit are as defined in Table 9 and are further detailed in Appendix 1.

3.4 Performance Audit Variation to Audit Plan

As required by section 5.1.4 of the Audit and Review Guidelines – 2019, the audit report must describe any deviations from the audit plan. Auditors must also identify any licence obligations that were assessed after the approval of the audit plan by the ERA, as ‘not applicable’. Licence obligations or effectiveness criteria that have been assessed as ‘not applicable’ should not be included in the performance summary or observations section of the report.

There was one Electricity Compliance Reporting Manual obligation for ERL10 that was omitted from the scope of the Audit Plan in error (190A), and one obligation (134) omitted as excluded from the Audit Plan. Additionally, the obligations relating to marketing agents (114, 141 and 142) that were previously defined in the Audit Plan as not applicable have upon review of the *Code of Conduct 2022* and with consideration of the business activities and discussions with Perth Energy personnel, been include in the scope of the audit as referenced in Appendix 1 of this report.

It is noted that whilst the control processes were rated, rating of compliance with obligations 114, 141 and 142 was not undertaken as there is some ambiguity in relation to the definition of electricity marketing agents in the Code of Conduct and their application to the retailer’s employees. The ERA advised this would be reviewed during the next scheduled Code of Conduct review.

The following table describes the deviations from the Audit Plan and explains the revision:

Table 7: Audit Plan Deviations

REF	OBLIGATION REFERENCE	DEVIATION DESCRIPTION
107 Type [2]	Electricity Industry Act 2004 , Licence Condition 4.1.1 A licensee must pay the costs of taking an interest in land or an easement over land.	Audi– Priority - Priority 4 Deviation – Not Applicable Explanation of Revision – Perth Energy has never taken an interest in land or easement over land using powers defined by the <i>Land Administration Act 1997</i> during the audit period. During the audit, it was determined that the obligation outlined in Section 41(6) of the <i>Electricity Industry Act 2004</i> regarding the taking of interest or easement for purposes of a license was not applicable to the Licensee. As specified in the Audit Guidelines, the obligation was removed from the audit scope (refer section 3.3).
114 Type [2]	Electricity Industry Act 2004 , Retail Licence, condition 6.3.1	Audit Priority - Priority 2 Deviation – Incorrectly excluded from the audit scope of the applicable licence obligations.

REF	OBLIGATION REFERENCE	DEVIATION DESCRIPTION
	A licensee must ensure that an electricity marketing agent of the licensee complies with the Code of Conduct for the Supply of Electricity to Small Use Customers 2022.	<p>Obligation has been included in the audit scope (refer Appendix 1 – for audit priority assessment).</p> <p>Explanation of Revision - The definition of electricity marketing agent in the Code of Conduct 2022 and 2018, includes an individual who acts on behalf of a retailer to obtain new customers or manage contracts with existing customers, for example representatives, agents or employees. During the preparation of the audit plan, it was incorrectly interpreted that brokers acting on behalf of the customer were the primary source of customer marketing. Noted the slight change in definition in the 2022 Code of Conduct to whether the individual acts on behalf of the "retailer" (2022) or the "licensee" (2018). The Licensee confirmed during the audit that Perth Energy employees were directly involved in marketing activities.</p>
134 Type [2]	<p>Code of Conduct 2018, clause 2.10</p> <p>The Electricity Generation and Retail Corporation or Regional Power Corporation, or an electricity marketing agent acting on behalf of Electricity Retail Corporation or Regional Power Corporation, must ensure that the information specified in subclause 2.3(4) is provided to the customer before arranging a non-standard contract.</p>	<p>Audit Priority - NA</p> <p>Deviation – Obligation was omitted in error as not applicable in the Audit Plan. As such, it has been included in Not Applicable Licence obligations (refer section 3.3).</p> <p>Explanation of Revision – Obligation applicable to Synergy Retail Licence and Horizon Power Licence (small use only). As specified in the Audit Guidelines, the obligation was removed from the audit scope.</p>
141 Type [2]	<p>Code of Conduct 2018, clause 2.9</p> <p>An electricity marketing agent must keep a record of complaints from customers or persons who are contacted by, or on behalf of, the electricity marketing agent for the purposes of marketing; and provide the electricity ombudsman with all of the information that it has relating to a complaint, within 28 days of receiving a request for that information.</p>	<p>Audit Priority - Priority 4</p> <p>Deviation – Incorrectly excluded from the audit scope of the applicable licence obligations. Obligation has been included in the audit scope (refer Appendix 1 – for audit priority assessment).</p> <p>Explanation of Revision - The definition of electricity marketing agent in the Code of Conduct 2022 and 2018, includes an individual who acts on behalf of a retailer to obtain new customers or manage contracts with existing customers, for example representatives, agents or employees. During the preparation of the audit plan, it was incorrectly interpreted that brokers acting on behalf of the customer were the primary source of customer marketing. Noted the slight change in definition in the 2022 Code of Conduct to whether the individual acts on behalf of the "retailer" (2022) or the "licensee" (2018). The Licensee confirmed during the audit that</p>
142 Type [2]	<p>Code of Conduct 2018, clause 2.10</p> <p>An electricity marketing agent must keep a record, or other information, required under the Code for at least 2 years after the last time that a customer or person was contacted by, or on behalf of, the electricity marketing agent, or after receipt of the last contact from, or on behalf of, the electricity marketing agent, whichever is later.</p>	<p>Obligation has been included in the audit scope (refer Appendix 1 – for audit priority assessment).</p> <p>Explanation of Revision - The definition of electricity marketing agent in the Code of Conduct 2022 and 2018, includes an individual who acts on behalf of a retailer to obtain new customers or manage contracts with existing customers, for example representatives, agents or employees. During the preparation of the audit plan, it was incorrectly interpreted that brokers acting on behalf of the customer were the primary source of customer marketing. Noted the slight change in definition in the 2022 Code of Conduct to whether the individual acts on behalf of the "retailer" (2022) or the "licensee" (2018). The Licensee confirmed during the audit that</p>

REF	OBLIGATION REFERENCE	DEVIATION DESCRIPTION
		Perth Energy employees were directly involved in marketing activities.
190A Type	Code of Conduct for the Supply of Electricity to Small Use Customers 2022 - Clause 35(4) to (6)	Audit Priority - Priority 4 Deviation – Included in the scope of the audit as detailed in Appendix 1. Explanation of Revision – Omitted from the Audit Plan in error.
[2]	A retailer may determine an amount (a maximum credit amount) that a customer's account may be in credit and must publish the maximum credit amount on its website. The maximum credit amount must not be less than \$100.	
275 Type	Code of Conduct for the Supply of Electricity to Small Use Customers 2022, Clause 72(1)	Audit Priority - Priority 4 Deviation – Not Applicable Explanation of Revision – The Licensee does not supply electricity to non-contestable customers. As specified in the Audit Guidelines, the obligation was removed from the audit scope (refer section 3.3).
[2]	On request, a retailer must provide a non-contestable customer with their billing data	
276 Type	Code of Conduct for the Supply of Electricity to Small Use Customers 2022, Clause 72(2)	
[2]	If a non-contestable customer requests billing data for a period less than the previous 2 years and no more than once a year, or in relation to a dispute with a retailer, the retailer must provide the data at no charge.	
277 Type	2018 Code of Conduct, Clause 10.2(3)	
[2]	A retailer must give the requested billing data under subclause 10.2(1) within 10 business days of the receipt of the request, or on payment of the retailer's reasonable charge for providing this data.	
278 Type	2018 Code of Conduct, Clause 10.2(4)	
[2]	A retailer must keep a non-contestable customer's billing data for 7 years.	

3.5 Performance Audit Methodology

As required by the Audit Guidelines (refer section 5.1.2), this audit report must describe the methodology used to execute the audit plan. As such, the performance audit methodology, subject to the variations detailed in section (2.4), is detailed below:

1. **Document Review and Control Procedures Assessment.** We conducted a comprehensive review of control procedures and assessed the control environment. In cases where the Licensee's controls underwent changes or revisions during the audit period, we examined both the former and current controls. This includes a review of applicable versions of documents such as the Electricity Supply Agreement – Application and Commercial Terms and the Schedule to Electricity Supply Agreement: Standard Terms & Conditions (Appendix 2).

2. **Site Visit:** The site audit took place at Perth Energy's offices on September 3, 2023. No other entity performed functions on behalf of the Licensee that required review. We evaluated various systems implemented by the Licensee to support its electricity retail business operations. There were also several follow up online meetings, telephone discussions and emails in relation the performance audit scope.
3. **Audit Procedures and Evidence:** Audit procedures and evidence collection were specified in the Audit Plan and aligned with the assigned Audit Priority for Licensee obligations. The Audit Priority, the non-compliance and the strength of the Licensee's control environment, (refer Table 8), guided the nature and extent of the applied audit procedures. Professional judgment was exercised to determine the sufficiency of audit evidence. In instances where control environment adequacy was identified as an issue, detailed audit procedures, including increased sampling and process re-evaluation, were performed to assess compliance levels.

Table 8: Fieldwork, Control Categories and Descriptions

Controls	Description of Controls
Control Environment	The licensee's management philosophy and operating style, organisational structure, assignment of authority and responsibilities, the use of internal audit, the use of information technology, training and the skills and experience of the relevant staff members.
Information System	The suitability of the licensee's information systems to record the information needed to comply with the licence, accuracy of data, security of data and documentation describing the information system.
Control Procedures	The presence of systems and procedures to monitor compliance with the licence and to detect or prevent instances of non-compliance or under-performance.
Compliance Attitude	The action taken by the licensee in response to any previous audit or review recommendations, and an assessment of the licensee's attitude towards compliance.
Outcome Compliance	The actual performance against standards prescribed in the licence throughout the audit or review period.

4. **Audit Methodology Standards and Guidelines:** The Performance Audit was conducted following principles of ISO 9001, ISO 31000 Risk Management Guidelines, APES 110 Code of Ethics, and the following Standards on Assurance Engagement by the Auditing and Assurance Standards Board:
 - ASAE 3000 - Assurance Engagements Other than Audits or Reviews of Historical Financial Information
 - ASAE 3100 - Compliance Engagements
 - Auditing Standard ASA 315 - Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and Its Environment
 - Auditing Standard ASA 500 - Audit Evidence
 - Auditing Standard ASA 530 - Audit Sampling

- Auditing Standard ASA 705 – Modifications to the Opinion in the Independent Auditors Report
5. **Assessment of Previous Recommendations:** We assessed recommendations from prior audits, considering resolutions during the current audit or review period and unresolved issues at the audit's conclusion.
 6. **Timely Compliance:** We evaluated Licensee obligations requiring timely completion of activities, such as responding to customer complaints or providing annual compliance and performance reports to the ERA.
 7. **Inadequacies Disclosure:** Identified control inadequacies have been disclosed in the observations section of the report.
 8. **Control Ratings:** Control environment and control procedures were rated only for the following:
 - Audit priority of 1, 2, or 3 (as assigned)
 - Non-compliant Licensee obligations (compliance rating of 2, 3, or 4).
 9. **Opportunities for improvement:** Any recommendations for licence obligations, that received a rating other than those in the point 8 above were directly provided to the licensee.
 10. **Assistance from the Licensee:** The Licensee provided necessary assistance, including access to facilities and business premises, materials, information sources, and relevant personnel as required by Section 4.1 of the Audit Guidelines (2019). The performance audit was conducted by Nicole Davies and required a total of 172 hours of her time.

Table 9: List of Personnel Who Participated in Audit & Review

No.	Name	Company	Position Description
1	Aisling Conlon	Perth Energy	Business Support Manager
2	Patrick Peake	Perth Energy	General Manager, EMR, Regulation
3	John Saratsis	Perth Energy	WA Sales Director
4	Yin Heng	Perth Energy	Manager Billing
5	Ben Walton	Perth Energy	Manager WA Commercial

3.6 Performance Audit Summary of Findings

Table 10: Performance Audit Compliance Summary

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
9 ELECTRICITY INDUSTRY CUSTOMER TRANSFER CODE 2016 – LICENCE CONDITIONS AND OBLIGATIONS												
6	Customer Transfer Code Clause 3.2(2)	4					N/P	1				
7	Customer Transfer Code Clause 3.4(1)	4		B								NR
8	Customer Transfer Code Clause 3.5(3)	4					N/P					N/R
9	Customer Transfer Code Clause 3.6(2)	4					N/P					N/R
16	Customer Transfer Code Clause 3.9(1)	4					N/P	1				
17	Customer Transfer Code Clause 3.9(2)	4					N/P					N/R
18	Customer Transfer Code Clause 3.9(3)	4					N/P	1				
19	Customer Transfer Code Clause 3.9(4)	4					N/P	1				
23	Customer Transfer Code Clause 4.2(2)	4					N/P	1				
24	Customer Transfer Code Clause 4.3	4					N/P	1				
25	Customer Transfer Code Clause 4.4(1)	4					N/P	1				
26	Customer Transfer Code Clause 4.4(2)	4					N/P	1				
27	Customer Transfer Code Clause 4.5(1)	4			C							N/R
28	Customer Transfer Code Clause 4.6(3)	4					N/P					N/R
29	Customer Transfer Code Clause 4.7	4			C							N/R
30	Customer Transfer Code Clause 4.8(2)	4					N/P					N/R
34	Customer Transfer Code Clause 4.9(6)	4					N/P	1				
37A	Customer Transfer Code Clause 4.10(4)	4					N/P	1				
39	Customer Transfer Code Clause 4.11(3)	4					N/P	1				
40 ^Δ	Customer Transfer Code Clause 4.12(3)	5					N/P					N/R
43 ^Δ	Customer Transfer Code Clause 4.15	5					N/P	1				
44	Customer Transfer Code Clause 4.16	4					N/P	1				
45	Customer Transfer Code Clause 4.17	4					N/P	1				
48 [□]	Customer Transfer Code Clause 5.2	4					N/P	1				
48A	Customer Transfer Code Clause 6.1	4					N/P	1				
49	Customer Transfer Code Clause 6.2	4					N/P	1				
52	Customer Transfer Code Clause 6.4(1)	4					N/P					N/R
53	Customer Transfer Code Clause 6.4(2)	4					N/P					N/R
54	Customer Transfer Code Clause 6.6	4					N/P	1				
55 ^Δ	Customer Transfer Code Clause 7.1(1)	5					N/P					N/R
56 ^Δ	Customer Transfer Code Clause 7.1(2)	5					N/P					N/R
57	Customer Transfer Code Clause 7.1(3)	4					N/P					N/R
58	Customer Transfer Code Clause 7.2(4)	5					N/P					N/R

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
59 ^Δ	Customer Transfer Code Clause 7.3(2)	5					N/P					N/R
11 ELECTRICITY INDUSTRY (CUSTOMER CONTRACTS) REGULATIONS 2005 – LICENCE CONDITIONS AND OBLIGATIONS												
79	Customer Contracts Regulations Reg 5	4		B				1				
80	Customer Contracts Regulations Reg 6	4					N/P	1				
81	Customer Contracts Regulations Reg 7	4					N/P	1				
82	Customer Contracts Regulations Reg 8	4		B					2			
83	Customer Contracts Regulations Reg 9	4					N/P	1				
84	Customer Contracts Regulations Reg 10	4					N/P	1				
85	Customer Contracts Regulations Reg 11	4					N/P	1				
86 [□]	Customer Contracts Regulations Reg 12	4					NP	1				
86A*	Customer Contracts Regulations Reg 12	4					N/P					N/R
87	Customer Contracts Regulations Reg 13	4			C				2			
88	Customer Contracts Regulations Reg 14	4					N/P	1				
89	Customer Contracts Regulations Reg 15	4		B					2			
90	Customer Contracts Regulations Reg 16 and 34	4			C					3		
91	Customer Contracts Regulations Reg 17	4					N/P	1				
92	Customer Contracts Regulations Reg 18	4		B					2			
93	Customer Contracts Regulations Reg 19	4					N/P	1				
94	Customer Contracts Regulations Reg 20	4					N/P	1				
95	Customer Contracts Regulations Reg 21	4					N/P	1				
96	Customer Contracts Regulations Reg 32	4		B				1				
97	Customer Contracts Regulations Reg 33(2)	4					N/P					N/R
98	Customer Contracts Regulations Reg 33(2) & (4)	4					N/P	1				
98A*	Customer Contracts Regulations Reg 34A	4			C					3		
98B*	Customer Contracts Regulations Reg 34B	4					N/P					N/R
98C*	Customer Contracts Regulations Reg 34C	4					N/P	1				
100	Customer Contracts Regulations Reg 38	4					N/P	1				
12 ELECTRICITY INDUSTRY ACT 2004 – LICENCE CONDITIONS AND OBLIGATIONS												
101	Licence Condition 5.3.1	4					N/P	1				
105*	Licence Condition 4.2.1	4	A					1				
106 ^Δ	Licence Condition 4.1.1	5					N/P	1				
108	Licence Condition 6.4.1	4			C					3		
109	Licence Condition 6.6.1	4					N/P	1				
111	Licence Condition 6.1.1	4					N/P	1				
13 ELECTRICITY LICENCES – LICENCE CONDITIONS AND OBLIGATIONS												
114 [⊠]	Licence Condition 6.3.1	2			C							N/R
116 ^Δ	Licence Condition 6.4.2	5					N/P	1				

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
117 ^Δ	Licence Condition 6.4.3	5					N/P	1				
118 ^Δ	Licence Condition 6.5.1	4					N/P	1				
119	Licence Condition 4.3.1	4					N/P	1				
121	Licence Condition 5.3.2	4					N/P	1				
123	Licence Condition 4.4.1	4					N/P					N/R
124* ^Δ	Licence Condition 4.5.1	2			C				2			
125	Licence Condition 3.8.1 & 3.8.2	4			C				2			
126	Licence Condition 3.7.1	4					N/P	1				
14 CODE OF CONDUCT FOR THE SUPPLY OF ELECTRICITY TO SMALL USE CUSTOMERS 2018 – CONDITIONS & OBLIGATIONS												
MARKETING												
129A+	Code of Conduct, clause 8	4					N/P	1				
130	Code of Conduct, clause 9(1)	4					N/P					N/R
131	Code of Conduct, clause 9(2)	4					N/P					N/R
132	Code of Conduct, clause 10(1)	4		B					2			
133	Code of Conduct, clause 10(2)	4			C				2			
133A+	Code of Conduct, clause 10(3)	4					N/P	1				
135	Code of Conduct, clause 10(5)	4			C				2			
136	Code of Conduct, clause 11(1)	4					N/P					N/R
137	Code of Conduct, clause 11(2)	4					N/P	1				
138	Code of Conduct, clause 12(1)	4					N/P					N/R
139	Code of Conduct, clause 12(2)	4					N/P	1				
140	Code of Conduct, clause 13	4					N/P	1				
CONNECTION												
141 [□]	2018 Code of Conduct, Clause 2.9	4					N/P					N/R
142 [□]	2018 Code of Conduct, Clause 2.10	4					N/P	1				
143 ^Δ	Code of Conduct, Clause 18(1)	4					N/P	1				
144 ^Δ	Code of Conduct, Clause 18(2)	4					N/P	1				
BILLING												
145	Code of Conduct, Clause 19(1)	4					N/P	1				
146 [□]	2018 Code of Conduct, Clause 4.2(1)	4					N/P					N/R
146A+	Code of Conduct, Clause 20(1)	4					N/P					N/R
147 [□]	2018 Code of Conduct, Clause 4.2(2)	4					N/P					N/R
148	Code of Conduct, Clause 20(3)	4					N/P					N/R
149	Code of Conduct, Clause 20(4)	4					N/P					N/R
150	Code of Conduct, Clause 20(5)	4					N/P					N/R
151	Code of Conduct, Clause 20(6)	4					N/P					N/R

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
152 [□]	2018 Code of Conduct, Clause 4.3(1)	4					N/P					N/R
153 [□]	2018 Code of Conduct, Clause 4.3(2)	4					N/P					N/R
154 [□]	2018 Code of Conduct, Clause 4.4	4					N/P	1				
155 [□]	2018 Code of Conduct, Clause 4.5(1)	4					N/P	1				
155A+	Code of Conduct, Clause 21(1)	4					N/P	1				
156	Code of Conduct, Clause 21(9)	4					N/P					N/R
157 [□]	2018 Code of Conduct, Clause 4.6	4					N/P	1				
157A+	Code of Conduct, Clause 22(1)	4					N/P	1				
157B+	Code of Conduct, Clause 22(2)	4					N/P	1				
158 ^Δ	Code of Conduct, Clause 22(3)	5					N/P	1				
158A+	Code of Conduct, Clause 22(4)	5					N/P	1				
159 [□]	2018 Code of Conduct, Clause 4.8(1)	4					N/P	1				
160 ^Δ	Code of Conduct, Clause 23(1)	4					N/P	1				
161	Code of Conduct, Clause 23(3)	4					N/P	1				
162 [□]	2018 Code of Conduct, Clause 4.9	4					N/P	1				
163 ^Δ	Code of Conduct, Clause 24(2)	5					N/P					N/R
164 [□]	2018 Code of Conduct, Clause 4.11(1)	4					N/P	1				
165 [□]	2018 Code of Conduct, Clause 4.11(2)	4					N/P					N/R
166	Code of Conduct, Clause 25(2)	4					N/P					N/R
166A+	Code of Conduct, Clause 25(3)	4					N/P					N/R
167	Code of Conduct, Clause 26(2)	4					N/P					N/R
168 ^{□Δ}	2018 Code of Conduct, Clause 4.14(1)	5					N/P	1				
169 [□]	2018 Code of Conduct, Clause 4.14(2)	4					N/P					N/R
170 [□]	2018 Code of Conduct, Clause 4.14(3)	4					N/P					N/R
171	Code of Conduct, Clause 27(1)	4					N/P	1				
172 ^Δ	Code of Conduct, Clause 27(2)(a)	4					N/P	1				
173	Code of Conduct, Clause 27(2)(b)	4					N/P	1				
174 ^Δ	Code of Conduct, Clause 27(3)	4					N/P	1				
175 ^Δ	Code of Conduct, Clause 27(4)	4					N/P					N/R
175A+	Code of Conduct, Clause 28(1)	4					N/P	1				
175B+	Code of Conduct, Clause 28(3)	4					N/P					N/R
176	Code of Conduct, Clause 29(1)	4					N/P					N/R
177 ^Δ	Code of Conduct, Clause 30(1)	5					N/P					N/R
178	Code of Conduct, Clause 30(2)	4					N/P					N/R
179 ^Δ	Code of Conduct, Clause 30(3)	5					N/P					N/R
180 ^{Δ□}	2018 Code of Conduct, Clause 4.18(6)	5					N/P					N/R
181 ^Δ	Code of Conduct, Clause 30(6)	5					N/P					N/R

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
181A+ ^Δ	Code of Conduct, Clause 30(7)	5					N/P					N/R
181B+ ^Δ	Code of Conduct, Clause 30(8)	5					N/P					N/R
182 [□]	2018 Code of Conduct, Clause 4.19(1)	4					N/P					N/R
183 ^{□Δ}	2018 Code of Conduct, Clause 4.19(2)	5					N/P					N/R
183A+	Code of Conduct, Clause 28(1)	4					N/P	1				
183B+	Code of Conduct, Clause 28(1)	4					N/P	1				
183C+	Code of Conduct, Clause 28(1)	4					N/P	1				
183D+	Code of Conduct, Clause 28(1)	4					N/P	1				
183E+	Code of Conduct, Clause 28(1)	4					N/P	1				
184 [□]	2018 Code of Conduct, Clause 4.19(3)	4					N/P					N/R
184A+	Code of Conduct, Clause 32(1)	4					N/P					N/R
185 ^{Δ□}	2018 Code of Conduct, Clause 4.19(4)	5					N/P					N/R
186 ^{Δ□}	2018 Code of Conduct, Clause 4.19(7)	5					N/P					N/R
PAYMENT												
187	Code of Conduct, Clause 33	4					N/P	1				
188	Code of Conduct, Clause 34(1)	4					N/P	1				
189 [□]	2018 Code of Conduct, Clause 5.3	4					N/P	1				
190	Code of Conduct, Clause 35(1) to (3)	4					N/P					N/R
190A+ [⊗]	Code of Conduct, Clause 35(4) to (6)	4					N/P					N/R
191 [□]	2018 Code of Conduct, Clause 5.5	4					N/P	1				
191A+	Code of Conduct, Clause 36	4					N/P	1				
192	Code of Conduct, Clause 37(1)	4					N/P					N/R
193	Code of Conduct, Clause 37(2)	4					N/P					N/R
193A+	Code of Conduct, Clause 37(3)	4					N/P					N/R
194	Code of Conduct, Clause 37(4)	4					N/P					N/R
195	Code of Conduct, Clause 37(5)	4					N/P	1				
196	Code of Conduct, Clause 37(6)	4					N/P	1				
197	Code of Conduct, Clause 38(1)	4					N/P	1				
198	Code of Conduct, Clause 38(2)	4					N/P					N/R
199	Code of Conduct, Clause 38(4)	4					N/P					N/R
200	Code of Conduct, Clause 39(1)	4					N/P					N/R
201	Code of Conduct, Clause 39(2)	4					N/P					N/R
201A ^Δ	Code of Conduct, Clause 39(3)	5					N/P					N/R
PAYMENT DIFFICULTIES & FINANCIAL HARDSHIP												
202	Code of Conduct, Clause 40(1)	4					N/P					N/R
203 ^Δ	Code of Conduct, Clause 40(3)	5					N/P					N/R
204	Code of Conduct, Clause 40(4)	4					N/P					N/R

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
204A+	Code of Conduct, Clause 40(5)	4					N/P					N/R
205 [□]	2018 Code of Conduct, Clause 6.2(1)	4					N/P					N/R
206 [□]	2018 Code of Conduct, Clause 6.2(2)	4					N/P					N/R
207 [□]	2018 Code of Conduct, Clause 6.2(3)	4					N/P					N/R
208 ^{Δ □}	2018 Code of Conduct, Clause 6.2(4)	5					N/P					N/R
209 [□]	2018 Code of Conduct, Clause 6.3(1)(a)	4					N/P					N/R
210 [□]	2018 Code of Conduct, Clause 6.3(1)(b)	4					N/P					N/R
211	Code of Conduct, Clause 41(1)(a)	4					N/P					N/R
212	Code of Conduct, Clause 41(1)(b)	4					N/P					N/R
212A+	Code of Conduct, Clause 41(3)	4					N/P					N/R
213	Code of Conduct, Clause 43(3)	4					N/P					N/R
213A+	Code of Conduct, Clause 43(2)	4					N/P					N/R
214	Code of Conduct, Clause 43(5)	4					N/P					N/R
214A+	Code of Conduct, Clause 44(1)	4					N/P					N/R
214B+	Code of Conduct, Clause 44(3)	4					N/P					N/R
214C+	Code of Conduct, Clause 44(4)	4					N/P					N/R
214D+	Code of Conduct, Clause 44(5)	4					N/P					N/R
214E+	Code of Conduct, Clause 44(6)	4					N/P					N/R
215 ^Δ	Code of Conduct, Clause 45(1)	5					N/P					N/R
216	Code of Conduct, Clause 45(2)	4					N/P					N/R
217 ^{Δ □}	2018 Code of Conduct, Clause 6.7	5					N/P					N/R
218	Code of Conduct, Clause 45(3)	4					N/P					N/R
219 [□]	2018 Code of Conduct, Clause 6.9(1)	4					N/P					N/R
220* ^Δ	Code of Conduct, Clause 46(1)	4		B					2			
221* ^Δ	Code of Conduct, Clause 46(2)	4		B				1				
222* ^Δ	Code of Conduct, Clause 46(3)	4		B				1				
223 [□]	2018 Code of Conduct, Clause 6.10(4)	4					N/P					N/R
223A+	Code of Conduct, Clause 46(4)	4					N/P					N/R
223B+	Code of Conduct, Clause 46(5)	4					N/P	1				
225	Code of Conduct, Clause 46(6)	4					N/P					N/R
226* [□]	2018 Code of Conduct, Clause 6.10(7)	4		B								N/R
227 [□]	2018 Code of Conduct, Clause 6.10(8)	4					N/P					N/R
228	Code of Conduct, Clause 47	4					N/P	1				
DISCONNECTION & INTERRUPTION												
229	Code of Conduct, Clause 48	4					N/P	1				
230	Code of Conduct, Clause 49(a)	4					N/P	1				

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
231	Code of Conduct, Clause 50(2)	4					N/P					N/R
232	Code of Conduct, Clause 51(2)	4					N/P					N/R
232A+	Code of Conduct, Clause 51(4)	4					N/P	1				
234	Code of Conduct, Clause 52	2	A					1				
235 [□]	2018 Code of Conduct, Clause 7.7(1)	2		B								NR
236 [□]	2018 Code of Conduct, Clause 7.7(2)	2		B					2			
240 [□]	2018 Code of Conduct, Clause 7.7(6)	4			C				2			
241 [□]	2018 Code of Conduct, Clause 7.7(7)	4			C				2			
RECONNECTION												
242	Code of Conduct, Clause 53(2)	4					N/P	1				
243 ^Δ	Code of Conduct, Clause 53(3)	4					N/P	1				
INFORMATION & COMMUNICATION												
271D+	Code of Conduct, Clause 68(1)	4		B					2			
271E+	Code of Conduct, Clause 68(3)	4					N/P					N/R
271F+	Code of Conduct, Clause 68(4)	4					N/P	1				
272 [□]	2018 Code of Conduct, Clause 10.1(1)	4					N/P	1				
273	Code of Conduct, Clause 69	4					N/P					N/R
274 [□]	2018 Code of Conduct, Clause 10.1(3)	4					N/P					N/R
274A+	Code of Conduct, Clause 71(2)	4					N/P	1				
275	Code of Conduct, Clause 72(1)	4					N/P					NA
276	Code of Conduct, Clause 72(2)	4					N/P					NA
277 [□]	2018 Code of Conduct, Clause 10.2(3)	4					N/P					NA
278 [□]	2018 Code of Conduct, Clause 10.2(4)	4					N/P					NA
279 [□]	2018 Code of Conduct, Clause 103	4					N/P					N/R
280*	Code of Conduct, Clause 73	3			C					3		
281 [□]	2018 Code of Conduct, Clause 10.4	4					N/P					N/R
282	Code of Conduct, Clause 74	4					N/P					N/R
290 ^Δ	Code of Conduct, Clause 77	5					N/P	1				
291 [□]	2018 Code of Conduct, Clause 10.10(1)	4					N/P					N/R
292 [□]	2018 Code of Conduct, Clause 10.10(2)	4					N/P	1				
294	Code of Conduct, Clause 78(1)	4					N/P					N/R
295	Code of Conduct, Clause 78(2)	4					N/P	1				
297	Code of Conduct, Clause 79(2)	4					N/P					N/R
LIFE SUPPORT EQUIPMENT SCHEME												
297B+	Code of Conduct, Clause 82(2)	2			C							NR
297C+	Code of Conduct, Clause 82(3)	4			C							NR
297D+	Code of Conduct, Clause 82(5)	2			C							NR

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
297H+	Code of Conduct, Clause 85(1)	4		B				1				
297I+	Code of Conduct, Clause 85(2)	4			C							NR
297J+	Code of Conduct, Clause 86(2)	4					N/P					N/R
297K+	Code of Conduct, Clause 86(3) and (4)	4			C							N/R
297L+	Code of Conduct, Clause 86(6)	4					N/P					N/R
297N+	Code of Conduct, Clause 86(8)	4			C							NR
COMPLAINTS & DISPUTE RESOLUTION												
298	Code of Conduct, Clause 87(1)	4		B					2			
299 ^Δ	Code of Conduct, Clause 87(2)	4					N/P	1				
299A+	Code of Conduct, Clause 87(3)	4					N/P	1				
300 [□]	2018 Code of Conduct, Clause 12.1(3)	4					N/P	1				
301 ^Δ	Code of Conduct, Clause 88	4					N/P	1				
301A+	Code of Conduct, Clause 89	4					N/P	1				
302 [□]	2018 Code of Conduct, Clause 12.2	4					N/P	1				
303 [□]	2018 Code of Conduct, Clause 12.3	4					N/P					N/R
304	Code of Conduct, Clause 90	4					N/P					N/R
REPORTING												
305 [□]	2018 Code of Conduct, Clause 13.1	4					N/P	1				
306 [□]	2018 Code of Conduct, Clause 13.2	4		B								NR
307 [□]	2018 Code of Conduct, Clause 13.3	4			C				2			
PROTECTIONS RELATING TO FAMILY VIOLENCE												
307A+	Code of Conduct, Clause 91(1)	4			C							NR
307B+	Code of Conduct, Clause 91(2)	4		B								N/R
307C+	Code of Conduct, Clause 91(3)	4			C							N/R
307D+	Code of Conduct, Clause 91(5)	4					N/P					N/R
307E+	Code of Conduct, Clause 91(6)	4			C							N/R
307F+	Code of Conduct, Clause 92	4					N/P					N/R
307G+	Code of Conduct, Clause 93	4					N/P	1				
SERVICE STANDARD PAYMENTS												
308 [□]	2018 Code of Conduct, Clause 14.1(1)	4					N/P					N/R
308A+	Code of Conduct, Clause 94(1)	4					N/P					N/R
308B+	Code of Conduct, Clause 94(2)	4					N/P					N/R
310	Code of Conduct, Clause 95(1)	4					N/P					N/R
312 ^Δ	Code of Conduct, Clause 96	4					N/P					N/R
315	Code of Conduct, Clause 100(1)	4					N/P					N/R
15 ELECTRICITY INDUSTRY METERING CODE 2012 – LICENCE CONDITIONS AND OBLIGATIONS												

Ref. No.*	Retail Licence Reference	Audit Priority	Controls Rating					Compliance Rating				
			A	B	C	D	N/P	1	2	3	4	N/R
324	Metering Code Clause 3.3B	4					N/P					N/R
339	Metering Code Clause 3.11(3)	4					N/P					N/R
371 ^Δ	Metering Code Clause 4.5(1)	5					N/P	1				
372 ^Δ	Metering Code Clause 4.5(1)	5					N/P	1				
373	Metering Code Clause 4.5(2)	4					N/P	1				
388	Metering Code Clause 5.4(2)	4					N/P	1				
402	Metering Code Clause 5.17(1)	4					N/P	1				
406 ^Δ	Metering Code Clause 5.19(1)	5					N/P					N/R
407 ^Δ	Metering Code Clause 5.19(2)	5					N/P	1				
408	Metering Code Clause 5.19(3)	4					N/P	1				
410 ^Δ	Metering Code Clause 5.19(6)	5					N/P	1				
416	Metering Code Clause 5.21(5)	4					N/P	1				
417	Metering Code Clause 5.21(6)	4					N/P	1				
435	Metering Code Clause 5.27	4					N/P					N/R
448	Metering Code Clause 6.1(2)	4					N/P	1				
451 ^Δ	Metering Code Clause 7.2(1)	5					N/P	1				
453	Metering Code Clause 7.2(4)	4					N/P					N/R
454	Metering Code Clause 7.2(5)	4					N/P					N/R
455	Metering Code Clause 7.5	4					N/P	1				
456	Metering Code Clause 7.6(1)	4					N/P	1				
457 ^Δ	Metering Code Clause 8.1(1)	5					N/P					N/R
458 ^Δ	Metering Code Clause 8.1(2)	5					N/P					N/R
459 ^Δ	Metering Code Clause 8.1(3)	5					N/P					N/R
460	Metering Code Clause 8.1(4)	4					N/P					N/R
461 ^Δ	Metering Code Clause 8.3(2)	5					N/P					N/R

* Indicates identified as non-compliant in previous audit

^Δ Indicates change in audit priority from 2020 Audit Report

□ Indicates removed from Electricity Compliance Reporting Manual during the audit period i.e. Code of Conduct 2018

* Indicates added to Electricity Compliance Reporting Manual during the audit period i.e. Code of Conduct 2022

☒ Indicates variation to Audit Plan

Note: A Controls Rating is mandatory for audit priorities 1, 2, or 3 and a comprehensive report of the audit findings is included in Appendix 1.

3.7 Summary Performance Audit Recommendations & Action Plans

Recommendations made within the report are summarised as detailed below and will be reviewed and included in the post audit implementation plan (if required) by the licensee to ensure compliance with requirements.

Table 11: Status of Recommendations for Non-Compliance for the Current Audit Period

A Resolved during the current audit period			
REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	DATE RESOLVED & ACTION TAKEN BY THE LICENSEE	AUDITORS' COMMENTS Further Action Required /Details of Further Action Required

There were no non-compliances identified that were resolved during the current audit period

B Unresolved During the Current Audit Period			
REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD

01/2023	<p>27</p> <p>C NR</p> <p>Electricity Industry Customer Transfer Code 2016 Clause 4.5(1) - A retailer 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, unless otherwise agreed.</p> <p>A review of an export from the Gentrack system of all CTRs during the audit period indicated Perth Energy submitted to Western Power:</p> <p>(i) more than 20 CTRs in a business day on 16 separate occasions</p> <p>(ii) more than 20 CTRs with the same nominated transfer date on 15 separate occasions</p> <p>Whilst evidence of confirmation of agreement to increase more than CTRs with Western Power was not provided, it was understood that the Gentrack system (as the Web portal does) would reject any CTRs automatically with an electronic communication (i.e., TransNack - Business Reject) specifying code 202 and providing an explanation (as detailed in the WP Build Pack -</p>	<p>Due to the undetermined cause of anomalies noted and the requirement for both the control procedures and the control environment to be significantly improved, the Licensee should undertake a comprehensive review of its current processes related to Customer Transfer Requests (CTRs) and compliance reporting. This entails a multifaceted approach aimed at ensuring accuracy, transparency, and adherence to regulatory obligations as defined by its Electricity Retail Licence. Specifically, the Licensee is advised to:</p> <ul style="list-style-type: none"> Conduct a review of the CTR processes as defined by the relevant procedures of the Western Power Build Pack. Improve control procedures and control environment particularly 	<p>Refer to the 2023. PAIP</p>
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B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p>Customer Transfer and Standing Data Procedure: November 2019),</p> <p>However, it was noted that for the one NMI for which it was provided, the Western Power TransNack provided the explanation for the rejection as "Exceeded number of requests for transfer date 04-JAN-22". When cross referencing the date 4/1/2022 with the export from the Gentrack of CTRs during the audit period it was noted that on the 4/1/2022 a total of 52 CTRs were requested with the same nominated transfer date of which 14 were Status "Cancel".</p> <p>It was not clear from the Gentrack CTR export information provided whether Perth Energy sought agreement from WP for an increase for 52 CTRs with the same nominated transfer date for the 4/1/22 and if so, why were there 14 CTRs cancelled.</p> <p>As such, despite staff indicating they understand these requirements and having control procedures reflecting them, the Licensee could not generate the reports from Gentrack to verify compliance. Additionally, where anomalies were identified, the Licensee was not able to provide an explanation for the "CANCEL" status of the CTR which supported the other records provided. This indicated the control environment required significant improvement in order for Perth Energy to determine compliance and understand the cause of the anomalies.</p>	<p>with respect to the implementation of robust mechanisms for monitoring compliance and promptly identifying and addressing any instances of non-compliance.</p> <ul style="list-style-type: none"> Improve Data Management practices to reflect accurate and relevant information (i.e. Determine if Gentrack can be revised to generate the report required.) Ensure the roles and responsibilities for compliance with the requirements are clearly understood by all responsible persons. 	
02/2023	<p>29</p> <p>C NR</p> <p>Electricity Industry Customer Transfer Code 2016 – CI 4.7 - 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.</p> <p>The Licensee lacks a verifiable process to evaluate compliance with the specified timeframes in the nomination of a transfer date.</p>	<p>The Licensee should review the WP Web Portal CTR records against the Gentrack system (or other appropriate means) to determine if transfers were rejected because they were not undertaken within the specified timeframes., With respect to "cancelled" transfers the licensee should establish processes to ensure "cancelled" transfer codes and explanations are identified as required, as specified in Western</p>	<p>Refer to the 2023. PAIP</p>

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p>The CTR reports generated from Gentrack do not allow for the identification of rejected CTRs, however, a record in the TransNack from Gentrack indicated that a CTR rejection occurred during the audit period. This was the only example of CTR TransNack provided and was not a routine practice for the licensee in evaluating compliance. Assessment of compliance could not be determined from the information provided. It was noted that a review of all CTRs during the audit period indicated there were several deviations from the specified timeframes where CTRs were showed a "CANCELLED" status in Gentrack but the reason for the transfer status was not determinable i.e. if was rejected. It was also apparent that these deviations occurred in 2021/2022 when the primary person responsible was on a leave of absence.</p>	<p>Power Build Pack - Customer Transfer and Standing Data Procedure: November 2019. Additionally, the Electricity Compliance Reporting Manual specifies the obligation as a Type 2 reportable compliance requirement. This mandates the identification of Type 2 licence conditions that have been breached and as specified in the Audit Guidelines (section 1.5.1) included the requirement that compliance be thoroughly assessed for integrity of data and reported to the ERA by 31 August each year. Additionally, internally developed control processes used by the licensee to assist with the workflow in relation to CTRs were at risk of unintentional data overrides or modifications. As such, to ensure data integrity of compliance reporting and of internal data used to control compliance with CTR it is recommended the Licensee:</p> <ul style="list-style-type: none"> a) review the CTRs undertaken with Gentrack and determine whether there is a report that can specify any "rejected" CTRs* that may have been submitted by Perth Energy as the incoming retailer outside the specified timeframes. Alternatively, liaison with Western Power in relation to obtaining the data from the Web Portal is recommended. b) strengthen control processes and revise relevant Control 	

B Unresolved During the Current Audit Period

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		<p>Procedure to ensure nominated transfer dates comply with legislative requirements.</p> <p>c) explore data management systems that safeguard against such vulnerabilities in relation to the multi-accessible Excel spreadsheets (i.e., Business Support Tracking Spreadsheets) key control processes.</p> <p>a)</p>	
03/2023	<p>82</p> <p>B2</p> <p>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 8 - <i>A non-standard contract must give an exact description of the goods and services that the retailer will provide under the contract.</i></p> <p>The versions of the non-standard contract reviewed during the audit period referred to other goods and services but did not specifically list them or give an exact description of the goods and services in the contract. A similar observation was made by the ERA during the review process of standard form contract. Application of corrective actions to similar areas of concern was not evident.</p>	<p>Perth Energy should revise the Non-Standard Contract (NSC) to explicitly reference any additional goods (other than the supply of electricity) and services referenced throughout the NSC. Specifically, Perth Energy should take the following corrective action:</p> <ul style="list-style-type: none"> Develop and integrate a comprehensive goods and services clause to clearly indicate any goods or services offered beyond electricity (i.e. in the 'Electricity Supply Agreement - Application and Commercial Terms' and/or the 'Terms & Conditions' Section 1 Interpretation. Ensure clarity and accessibility - the clause must be clear, easily understandable, and free from technical 	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
		<p>jargon to ensure that consumers can fully comprehend the scope of services and goods provided. Additionally, Perth Energy should review the content of the website to ensure no contradictory or unintentional information is published.</p> <ul style="list-style-type: none"> Implement and communicate regulatory change to customers - refer to obligation 90. 	
04/2023	<p>87</p> <p>C2</p> <p><i>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 13 - A non-standard contract must describe the prices payable and the circumstances in which the prices are payable, plus the way the retailer publishes and gives notice of variations to its prices information.</i></p> <p>The Licensee's NSC described the prices payable by the customer under the contract and the circumstances in which those prices were payable. However, the requirements in relation to the <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i> were not evident. Specifically, the NSC did not specify 13(2)(a)(b).</p> <p>The requirements did not appear to be reflected in the Draft Schedule to <i>Electricity Supply Agreement: Standard Terms and Conditions (Small Use) 2023</i>.</p> <p>It is noted regulation 13(2) (a-b) came into effect on 1st January 2023 and as such the non-compliance applied to the period 1/1/23 to 30/6/2023.</p>	<p>The Licensee should review the Non-Standard Contract, comprised of the Perth Energy Electricity Supply Agreement and the Schedule to Electricity Supply Agreement: Standard Terms & Conditions to ensure they comply with the Electricity Industry (Customer Contracts) Regulations 2005 and the Electricity Industry (Customer Contracts) Amendment Regulations 2022.</p> <p>Additionally, to further ensure ongoing compliance:</p> <ol style="list-style-type: none"> a review of the control processes and procedures to identify changes to legislative requirements should be undertaken. the method to identify the control processes (i.e. procedures, checklists, contractual document, systems, etc.) that are required to be amended in accordance 	<p>Refer to the 2023. PAIP</p>

B Unresolved During the Current Audit Period

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	Additionally, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system.	with the legal obligations should be reviewed. c) an internal audit program for assessment of compliance with the legal obligations should also be established.	
05/2023	<p>89 B2</p> <p>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 15 - <i>A non-standard contract must describe the matters relating to the termination of the contract that are specified in the regulation.</i></p> <p>The Licensee's NSC Terms & Conditions version ESA.001.0520 (which was applicable for approximately 2/3 of the audit period) did not describe the matters relating to the termination of the contract that are specified in the regulation. Specifically in relation to subclauses 15(2)(c),(ca), 3(b),(c) and 4.</p> <p>Additionally, the control processes were inadequate as there was an absence of internal monitoring It was noted subsequent versions of the NSC were compliant and a well established and implemented document control system. It was noted subsequent versions of the NSC were compliant.</p>	Refer to recommendation 04/2023 as related to obligation 87.	Refer to the 2023. PAIP
06/2023	<p>90 C3</p> <p>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 16(1A),-16(2) and 34 - <i>A non-standard contract must inform the customer that the provisions of the contract may be amended without the customer's consent where the amendment is required for the contract to remain consistent with a written law. A non-standard contract must describe the process for amending the contract including requirements for approval and the way in which the amendment will be published.</i></p>	Review the process for amending the non-standard contract and update the clause in relation to "amendment of this agreement" to reflect the requirements of the Code of Conduct 2022.	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

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The 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 amending 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.

During the audit period 1 January 2023 to 30 June 2023, the non-standard contract informed customers that the non-standard contract provisions may change from time to time without their consent but did not specifically reference that the amendments were to ensure that the contract remained consistent with written law.

Although, the non-standard contract did note that the Perth Energy would notify the customer of any changes to the Agreement and that if the customer did not agree with the amendments, the customer had options in relation to the Agreement in accordance with the termination clause of T&Cs, there was no customer notification of amendments to non-standard contracts.

Additionally, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system.

07/2023	<p>92</p> <p>B2</p> <p>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 18 - A non-standard contract must describe the procedures that must be followed by the retailer in responding to a complaint made by a customer.</p> <p>The NSC stated that the information for complaints process was located on the Perth Energy's website and detailed the customers right to have their complaint considered by the Electricity Industry Ombudsman.</p>	<p>The Licensee should ensure the functionality of the website link for AGL Perth Energy Complaints Handling Procedure be re-established and review website processes to ensure regulatory information is available at all times</p>	<p>Refer to the 2023.</p> <p>PAIP</p>
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B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p>However, the Perth Energy website link for the Complaint Handling Procedure referenced in the T&Cs was not functional (refer https://www.perthenergy.com.au/help/complaints/). This link was located under the Regulatory information section AGL Perth Energy Complaints Handling.</p>		
08/2023	<p>98A⁺ C3 <i>Electricity Industry (Customer Contracts) Regulations 2005, Regulation 34(A)</i> - A non-standard fixed term contract must detail the contract expiry date, customer options available for supply following expiry, the terms and conditions that apply after expiry and the way the retailer will provide the notification in the manner specified.</p> <p>A review of the T&Cs indicated that with respect to information relating to the expiry of a fixed term contract, the Licensee's Terms & Conditions (NSC) did not comply with 34(A)(1)(a) and 34(A)(2).</p> <p>Additionally, a sample review of small use customer non-standard contracts confirmed the T&Cs incorporating the amends <i>Electricity Industry (Customer Contract) Regulations 2005</i> were not implemented during the audit period. At least one customer was not advised in accordance with Clause 34(A)(2) (refer details obligation 132).</p> <p>As such, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system</p>	Refer Recommendation 04/2023 as related to obligation 87	Refer to the 2023. PAIP
09/2023	<p>108 C3 Licence Condition 6.4.1 - A retail or integrated regional licensee must not supply electricity to a small use customer otherwise than under a standard form contract or a Non-Standard Contract that complies with the Act.</p>	Refer recommendation 04/2023 as related to obligation 87.	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p>Due to significant amendments to legislation such as the <i>Electricity Industry (Customer Contracts) Regulations</i> and the <i>Code of Conduct for the Supply of Electricity to Small Use Customers</i> the requirement that the non-standard contracts conformed to the provisions of this Act could not be confirmed (for example, refer obligations, 82, 86,).</p> <p>The Licensee's control processes were inadequate in relation to document control, internal monitoring and timely amendment due to legislative changes. Although an external third party was used to ensure contract compliance the approved version of the contract was approved outside of the audit period.</p>		
10/2023	<p>114</p> <p>CNR</p> <p>Licence Condition 6.3.1 - <i>A licensee must ensure that an electricity marketing agent of the licensee complies with the Code of Conduct for the Supply of Electricity to Small Use Customers 2022</i></p> <p>Records confirming the Licensee's employees who undertook sales and marketing activities on behalf of the retailer were trained to ensure they were of their obligations under the Code of Conduct were not provided for review.</p> <p>Additionally, a review of the training programs for sales and marketing personnel were outdated and had not been reviewed during the audit period or since the 2022 Code of Conduct came into effect 20 February 2022.</p> <p>Rating of compliance with the obligation was not undertaken as there is some ambiguity in relation to the definition in the Code of Conduct and the application to the retailer's employees. The ERA advised this would be reviewed during the next scheduled Code of Conduct review.</p>	<p>Review the training material related to sales and marketing functions and update to ensure compliance with the Code of Conduct for the Supply of Electricity to Small Use Customers 2022.</p>	<p>Refer to the 2023. PAIP</p>

B Unresolved During the Current Audit Period

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	However, the Licensee's control processes were inadequate in relation to training materials, training required, training records, document control, internal monitoring and amendment due to legislative changes.		
11/2023	<p>124</p> <p>C2</p> <p>Licence Condition 4.5.1 - <i>A licensee must provide the ERA, in the manner prescribed, with any information that the ERA requires in connection with its functions under the Electricity Industry Act.</i></p> <p>The Licensee was required to provide the following information to the ERA during the audit period:</p> <ul style="list-style-type: none"> Annual Compliance Report by 31 August. Standing Charges Data by 30 September annually. Electricity Retail Licence Performance Reporting Datasheets by 30 September annually. <p>Specific details in relation to compliance with each of these requirements is referenced in Appendix 1.</p> <p>The control processes for the reporting of these compliance requirements were inadequate, especially internal audit practices, did not sufficiently ensure timely and accurate reporting by the Licensee to ERA. Evidence of timely reporting by the Licensee to the ERA was not able to be provided in all circumstances. Compliance seemed to depend on individual knowledge rather than being part of standard business processes. I</p>	<p>It is recommended in order to ensure clarity in compliance requirements and their integration into daily operations that the Licensee:</p> <ul style="list-style-type: none"> a) Develop a process and/or procedure for publishing compliance-related information on their website or to the customer within the required timeframe. b) Streamline compliance documentation and processes, ensuring proper document control is applied. c) Revise the compliance processes and procedures to act as an internal audit mechanism, ensuring compliance, records management, internal identification of issues as well as accurate and consistent annual reporting to the ERA. d) Review training documentation and delegation of authority protocols in relation to the Electricity Retail Licence obligations. e) Review options to highlight compliance requirements within documentation to ensure the obligations are well understood, for example, mark compliance obligations by underlining them, marking them bold, containing in text 	<p>Refer to the 2023. PAIP</p>

B Unresolved During the Current Audit Period

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		boxes or highlighting within the documents. Where obligations require to be developed, maintained and implemented ensure there is an adequate process established for compliance, for example obligations 220, 298, 307A.	
12/2023	<p>125</p> <p>C2</p> <p>Licence Condition – 3.8.1 & 3.8.2 - <i>A licensee must publish any information as directed by the ERA to publish, within the timeframes specified.</i></p> <p>The licensee failed to publish some information as directed by the ERA to publish, within the timeframes specified.</p>	Refer recommendation 11/2023 as related to obligation 124.	Refer to the 2023. PAIP
13/2023	<p>132</p> <p>B2</p> <p>Code of Conduct, clause 10(1) - <i>A retailer or electricity marketing agent must ensure that non-standard contracts, which are not unsolicited consumer agreements, are entered into according to the manner set out, and the contract is provided as specified, in clause 10(1).</i></p> <p>A non-compliance was noted on 10 November 22 where Perth Energy failed to send a renewal notice to the customer within the required timeframe i.e., 40 business prior to contract expiry). As such, verifiable consent was obtained retrospectively. It was noted the customer was made aware of the issue and was compensated as required to ensure they were not charged at a higher rate unnecessarily.</p> <p>It was understood that for the 2021/2022 reporting period, compliance responsibility was temporarily assigned to an alternate individual and the compliance requirement was overlooked. The Licensee control environment was not robust enough to ensure compliance in their absence.</p>	Refer to recommendation 11/2023 as related to obligation 124.	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

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14/2023	<p>133</p> <p>C2</p> <p>Code of Conduct, clause 10(2) - <i>A retailer or electricity marketing agent must ensure that the information specified in subclause 10(2) is provided to the customer before entering into a non-standard contract.</i></p> <p>For the period 1 July 2020 to February 2022 the Licensee did not provide the information specified in subclause 10(2) to customers prior to entering a NSC. Perth Energy did not include a statement in its T&Cs (refer version ESA.001.0520) that the residential customer may be eligible to receive concessions and how the residential customer may find out about their eligibility to receive those concessions (as required by clause 2.3(2)(f) of the 2018 Code of Conduct).</p> <p>The inclusion of the requirements was noted in the NSC version ESA.002.032022, however the two residential customers NSC were only renewed in 1/6/2022 and 21/9/2022 as such compliance was noted from June and September 2022 respectively. The updated T&Cs were not provided to the customers until contract renewal.</p> <p>Additionally, the residential customers were in some instances noted to have been provided the Business Energy Supply – SUC Information Pack which did not include details of concessions.</p> <p>It was noted that the residential customers that Perth Energy supplied electricity to during the audit period did not apply or enquire about residential concessions or financial hardship.</p> <p>The Licensee's control processes were inadequate in relation to document control, internal monitoring, communication of legislative changes to customers and timely amendment due to legislative changes.</p>	Refer to recommendation 11/2023 as related to obligation 124.	Refer to the 2023. PAIP
15/2023	<p>135</p> <p>C2</p>	Refer to recommendation 11/2023 as related to obligation 124.	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

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Code of Conduct, clause 10(5) - *Subject to subclause 10(4), a retailer or electricity marketing agent must obtain the customer's verifiable confirmation that the specified information in subclause 10(2), as applicable, has been provided.*

For the duration of the audit period March 2022 to June 2023 when entering an NSC, the Licensee required the customer to provide a signed NSC, the signed ESA was considered verifiable consent that the specified information had been provided. As such, Licensee ensured customer provision with requirements from the 2022 Code of Conduct (clause 10(2)(a-c)) and the 2018 Code of Conduct (clause 2.3(2)(f)), as evidenced in Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) ESA.002.032022.

However, for the period 1 July 2020 to June 2022 (i.e. date of residential customer renewal with compliance NSC) the Licensee did not include a statement in its T&Cs (refer version ESA.001.0520) that the residential customer may be eligible to receive concessions and how the residential customer may find out about their eligibility to receive those concessions (as required by clause 2.3(2)(f) of the 2018 Code of Conduct). As such, the signed ESA was not able to be considered verifiable consent that the specified information had been provided.

Additionally, the Licensee's control environment did not adequately address the legislative requirements through document control process, internal monitoring and communicating the changes to customers.

16/2023	220* ^Δ B2 Code of Conduct, Clause 46(1) - <i>A retailer must develop, maintain and implement a hardship policy and hardship procedures to assist customers experiencing financial hardship to meet their financial obligations and responsibilities to the retailer.</i>	Refer recommendation 11/2023 as related to obligation 124.	Refer to the 2023. PAIP
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B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
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The Licensee has developed and implemented a hardship policy and hardship procedures to assist customers experiencing financial hardship to meet their financial obligations and responsibilities to the retailer. Perth Energy's Hardship Policy was available on the Licensee's and the ERA's website. However, the Licensee has not maintained (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments) the hardship policy during the audit period.

It was noted" hardship policy has not been reviewed since publication on the ERA website on 4/9/2018 and has not been reviewed since the *Code of Conduct 2022* came into effect in 20 February 2023. It was noted that some information in relation to concessions was outdated, for example, information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy (refer Appendix 1 for specific detail).

17/2023	<p>236</p> <p>B2</p> <p>2018 Code of Conduct, Clause 7.7(2) - A retailer must undertake the actions specified in subclauses 7.7(2)(e)-(g), if a customer registered with a retailer under subclause 7.7(1) notifies the retailer:</p> <ul style="list-style-type: none"> • that the person requiring life support equipment is changing supply address; • that the customer, but not the person requiring life support equipment, is changing supply address; • of a change in contact details; or • that the address no longer requires registration as life support equipment address. <p>During the audit period 1/7/2020 to 19/2/2023 2 of the 3 customers who were registered with Perth Energy under sub clause 7.7(1) notified the</p>	<p>Refer to 22/2023 Recommendation made for obligation 297B as this obligation has been removed from the Electricity Compliance Reporting Manual – February 2023 in accordance with 2022 Code of Conduct requirements.</p>	<p>Refer to the 2023. PAIP</p>
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B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
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retailer that the customers supply address no longer required registration as a life support equipment address (as required by sub clause 7.7(2)(d)).

Non-compliances were noted with respect to registered life support customer, Perth Energy did not comply with sub clauses 7.7(2) (e) and (f)(i) as follows:

- sub clause 7.7(2)(e) - Perth Energy was advised by the life support customer that they no longer required life support at the supply address because the premise was vacant on the 9/3/2022 and although the Licensee notified Western Power via email on the 28/3/2022 they did not action the CDN change in Gentrack until the 4/4/2022.
- sub clause 7.7(2)(f)(ii) – The Licensee did not advise Western Power of the change to life support registration requirements for the customers supply address, as specified in Perth Energy's internal email records on the 9/3/2022, which indicated they should have advised Western Power on the same day (i.e. notification was received prior to 3pm).

Controls processes were noted to be generally adequate, however improvements were required to ensure compliance.

18/2023	240 C2 2018 Code of Co–duct, Clause 7.7(6) - A retailer must contact the customer to ascertain whether life support equipment is required or to request re-certification in the timeframe, manner and circumstances specified in subclause 7.7(6).	Refer to 22/2023 Recommendation made for obligation 297B as this obligation has been removed from the Electricity Compliance Reporting Manual – February 2023 in accordance with 2022 Code of Conduct requirements.	Refer to the 2023. PAIP
During the audit period 1/7/2020 to 19/2/2023 of the 3 life support customers, there were two customers who were already registered with Perth Energy as life support customers as life support customers and were required to be contacted to			

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
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ascertain their life support equipment requirements or request-certification as specified by sub clause 7.7(6). With respect to registered life support customer, Perth Energy did not comply with sub clauses 7.7(6) (a) (b) as follows.

- sub clause 7–7(6)(a)(i) and (ii) - The Perth Energy Life Support Register indicated that the anniversary date of the confirmation from the appropriately qualified medical practitioner 4/9/2018 as such, in accordance with sub clause 7.7(6)(ii). As such, during the audit period the Licensee was required to contact the customer request re-certification for the registration life support equipment at the supply address for anniversary date 4/9/21. Perth Energy did not provide records to confirm this occurred and the Licensee's Life Support Register did not reflect this occurrence. It was noted that the window for confirmation of this requirement would have been 4/6/21 to 4/12/21.
- sub clause 7.7(6)(b) – Compliance with the provision of a minimum period of 3 months was not confirmed. When the Licensee contacted the customer in February, following the request from Western Power to confirm life support (i.e. 16/2/22), the customer was requested to provide the certification on 23/2/22 and then contact again on 3/3/22 and requested to provide the information as a matter of urgency.

The control processes for the Licensee were noted to be inadequate, for example there was not internal audit process established, control procedures did not accurately reflect the requirements, demonstration of understanding of obligations in relation to notifying Western Power within specified timeframes was not provided, records were not readily available and did not reflect compliance requirements.

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
19/2023	<p>241</p> <p>C2</p> <p>2018 Code of Conduct, Clause 7.7(7) - retailer or a distributor must remove the customers' details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7).</p> <p>The Licensee confirmed that during the audit period 1/7/2020 to 19/2/2023, Perth Energy removed 2 of the 3 registered life support customers' details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7). The Licensee was non-compliant in relation sub clause (7)(a)(i)(ii)(iv) as they failed to meet the timeframe limitations with respect to the removal of the customers details from the life support equipment address register after being made aware of matters (7)(a)(i) and (ii) for life support customers. It was noted that the Licensee's control process did not provide for the identification if there was more than one person who resided at the supply address and whether the removal of registration was for all customers or there was another person who continued to require life support equipment</p>	Refer to 22/2023 Recommendation made for obligation 297B as this obligation has been removed from the Electricity Compliance Reporting Manual – February 2023 in accordance with 2022 Code of Conduct requirements.	Refer to the 2023. PAIP
20/2023	<p>271D</p> <p>B2</p> <p>Code of Conduct, Clause 68(1) - <i>The retailer must publish on its website the information detailed in subclause 68(1).</i></p> <p>A review of the Licensee's documentation and website confirmed that for the audit period 20 February 2023 to 30 June 2023 the Licensee did not comply with publishing on its website the following mandated subclauses of the 2022 Code of Conduct Clause 68(1)(a)(ii),(d),(e) and (g).</p>	Refer recommendation 11/2023 as related to obligation 124.	Refer to the 2023. PAIP
21/2023	<p>280*</p> <p>C3</p> <p>Code of Conduct, Clause 73 - <i>At least once a year, a retailer must provide a customer with written details of the retailer's and distributor's obligations to make payments to the customer under Part 14 or under any other written law,</i></p>	Compliance with service standard payments notification has not been achieved by the Licensee for the previous 2 audit periods. Non-compliance was again noted in the current audit period. The corrective action taken previously	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p><i>including the amount of the payment and the eligibility criteria for the payment.</i></p> <p>Compliance with service standard payments notification has not been achieved by the Licensee for the previous 2 audit periods. Non-compliance was again noted in the current audit period. The corrective action taken previously has not triggered action in the absence of key personnel as it was not embedded into the process and there was no internal monitoring established.</p>	<p>has not triggered action in the absence of key personnel as it was not embedded into the process and there was no internal monitoring established. To ensure ongoing compliance the licensee should:</p> <ul style="list-style-type: none"> a) The Salesforce CRM has the capability of automatically sending reminders. Creating a profile for the Electricity Retail Licence or the ERA as a customer would enable compliance tasks to be scheduled against the profile and ensure action was prompted, for example, such as those specified in the Compliance Assurance Plan 2023. b) Refer to recommendation 11/2023 (obligation 124). 	
22/2023	<p>297B</p> <p>CNR</p> <p>Code of Conduct, Clause 82(2) - <i>If a customer provides the retailer with confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address requires life support equipment, the retailer must, in accordance with the relevant standard, register the customer's supply address as a life support equipment address, register a person's contact details, as prescribed under subclause 82(6) in relation to the supply address and provide that information to the distributor.</i></p> <p>During the audit period, 20/2/2023 to 30/6/2023 the Licensee had one life support customer who provided Perth Energy with confirmation from an appropriately qualified medical practitioner (dated 9/5/2023) that a person residing at the customer's supply address required life support equipment). It was noted that this was the second person reported as residing at the same customers supply address with the previous person</p>	<p>The Licensee was non-compliant for the audit period 20/2/2023 to 30/6/2023 for the current life support customer in relation sub clause 82(6) and there was limited ability to verify compliance in relation to sub clause 82(2) as the Licensee's control processes were not adequate. As such the following recommendations are made:</p> <ul style="list-style-type: none"> a) Update the control procedures in relation to Life Support customers in accordance with the requirements of 2022 Code of Conduct. b) Establish a monitoring and review process (i.e. implementation of the Compliance Assurance Plan) c) Liaise with Western Power contact to confirm 	<p>Refer to the 2023. PAIP</p>

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p>confirmed by an appropriately qualified medical practitioner on the 19/5/2022 (refer details obligation 235). Registration and notification of the customers details of confirmation were not undertaken as the Licensee was uncertain of the requirement to do so given the customer was already registered.</p> <p>Inadequacies in relation to Licensee's control processes were also observed (refer appendix 1 for specific detail).</p>	<p>compliance with the process and determine how to manage new customers if life support already attached to Customer Details, and how to comply with the requirements for new person(s) residing at an existing supply address.</p> <p>d) Review Non-Standard Contract, Salesforce and communication records for all life support customers to identify potential non-compliances reportable in the 2024 Annual Compliance Report.</p> <p>e) Update the requirements of the Life Support Register and include a record of the notification to WP, registration details for person(s) residing at the supply address in the Life Support Register or in Salesforce</p> <p>f) Review training with sales and business support personnel and maintain records as appropriate.</p> <p>g) Improve controls around life support requirements on ESA, for example require customer to initial that they do not require life support.</p>	
23/2023	<p>297C⁺</p> <p>CNR</p> <p>Code of Conduct, Clause 82(3) - <i>A retailer must provide the information detailed under subclause 82(3) to the customer within 5 days after registering the customer's supply address as a life support equipment address.</i></p> <p>A review of the Life Support documentation and records indicated that there was 1 life support customer, for the audit period 20/2/2023 to 30/6/2023 who should have been registered in</p>	Refer recommendation 22/2023 as per obligation 297B.	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
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accordance with subclause 82(1) and as such 82(3) applied.

However, as detailed in obligation 297B there was some uncertainty as to the requirements by the Licensee. As such, the Manager Business Support, confirmed no customers were registered and consequently compliance with the obligation was not undertaken.

Additionally, the Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.

24/2023	<p>297D</p> <p>CNR</p> <p>Code of Conduct, Clause 82(5) - If a customer, for a supply address registered under subclause 82(2), notifies the retailer that the person residing at the customer's supply address who requires life support equipment is changing supply address, or that the customer is changing supply address but not the person who requires life support equipment, or that there has been a change in contact details, then the retailer must, in accordance with the relevant standard,</p> <p><i>a. register the change and</i></p> <p><i>b. provide a notification to the distributor of the change.</i></p> <p>A review of the Life Support documentation and records indicated that there was another person confirmed at residing at an existing life support customer supply address. As such, this change should have been registered in the CDN in</p>	Refer recommendation 22/2023 as per obligation 297B ⁺	Refer to the 2023. PAIP
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B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
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Gentrack and Western Power notified under subclause 82(2) and as implied by 86(8). However, the email communication with Western Power and a review of the CDN in the Gentrack system for the customer indicated that Perth Energy did not register the change, and did not provide a notification to the distributor of the change (refer to obligation 297B timeline). Additionally, there was some uncertainty as to the requirement to so because the customer was an existing life support customer, and the contact details themselves in the CDN in Gentrack were correct.

As such, even though a customer provided confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address required life support equipment customers, there were no customers registered and Western Power was not notified of the change. Consequently, assessment of compliance with the obligation was not undertaken.

25/2023	<p>2971</p> <p>CNR</p> <p>Code of Conduct, Clause 85(1) - A retailer must confirm periodically the information held in relation to the life-support equipment scheme is/has not changed in the manner prescribed under subclause 85(1).</p> <p>During the audit period 20/2/2023 to 30/6/2023, communications between the Licensee and the registered life support did not allow the customer at least 3 months to provide the confirmation required by the Perth Energy and did not warn customer of the consequences to de-registration as detailed in 85(2)(b)(i) and(ii). The email communication reviewed appeared to provide confirmation to Western Power prior to receiving it from the registered customer.</p> <p>The Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a</p>	Refer recommendation 22/2023 as per obligation 297B+	Refer to the 2023. PAIP
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B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.		
26/2023	<p>297K+</p> <p>CNR</p> <p>Code of Conduct, Clause 86(3) and (4) – If a customer fails to comply with a notice from the retailer under clause 85, in relation to a life support equipment address, within the period allowed under clause 85(2)(a), then the retailer must undertake action prescribed in subclauses 86(3) and 86(4).</p> <p>The licensee confirmed that for duration of the audit period, 20/2/2023 to 30/6/2023 the obligation was not applicable there were no life support customers who failed to comply with a notice from the licensee in accordance with clause 85.</p> <p>It was noted that as the customer's anniversary date was calculated from the 19/5/2022, the notice period for the registered customer was from 19/2/2023 to 19/8/2023. As such, the completion of the notice period was outside the scope of the audit period and assessment of compliance with the requirement.</p> <p>The Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, some staff were unaware of requirements, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p>	Refer recommendation 23/2023 as per obligation 297B ⁺	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
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27/2023	<p>297N</p> <p>CNR</p> <p>Code of Conduct, Clause 86(8) – Despite subclauses 86(1) to (7), a supply address must not be de-registered if the retailer is aware that another person residing at the supply address still requires life support equipment.</p> <p>A review of the Life Support Register indicated that there were two life support customers supplied during the audit period. Neither customer deregistered during the period 20/2/23 to 30/6/23 when the obligation applied.</p> <p>It was noted that during the audit period 1/7/2020 to 30/6/202 the registered life support customer did in fact receive 2 separate confirmations from a medical practitioner that there were 2 persons residing at the supply address. It was confirmed through discussions with the Manager Business Support that Perth Energy was unaware that there were 2 different persons residing as the supply address and that the form date 9/5/2023 was assumed to be a re-certification confirmation and was treated as such, i.e. no notification or registrations were undertaken.</p> <p>Consequently it was determined that the Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, records were not assessed against compliance requirements, some staff were unaware of requirements, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p>	Refer recommendation 22/2023 as per obligation 297B ⁺	Refer to the 2023. PAIP
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B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
28/2023	<p>298</p> <p>B2</p> <p>Code of Conduct, Clause 87(1) – <i>Each retailer and distributor must develop, maintain and implement a standard complaint and dispute resolution procedure.</i></p> <p>During the audit period, the Licensee's had developed and implemented a Complaints Handling Procedure but has not maintained (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments) the procedure. The procedure was last reviewed 26 March 2018 (i.e. following the review of the 2018 Code of Conduct).</p>	Refer recommendation 11/2023 as related to obligation 124.	Refer to the 2023. PAIP
29/2023	<p>307</p> <p>C2</p> <p>2018 Code of Conduct, Clause 13.3 – <i>The report specified in clause 13.1 must be published by the date specified by the ERA. In accordance with clause 13.3(2), a report is published if:</i></p> <ul style="list-style-type: none"> • <i>copies are available to the public, without cost, in places where the retailer or distributor transacts business with the public; and</i> • <i>a copy is posted on the retailer or distributor's website.</i> <p>During the Audit Period the Licensee was required to publish the Electricity Retail Licence Performance Reporting Datasheets for the reporting years 2020-2022. The 2021/22 Electricity Retail Annual Performance Data was not published within 7 days of receiving the notification from the ERA.</p>	Refer recommendation 11/2023 as related to obligation 124.	Refer to the 2023. PAIP
30/2023	<p>307A+</p> <p>CNR</p> <p>Code of Conduct, Clause 91(1) – A retailer must develop, maintain and implement a family violence policy to assist vulnerable customers.</p> <p>For the duration of the audit period 20/2/23 to 30/6/23 the Licensee was required to develop a "Perth Energy Family Domestic Violence Policy". A copy of the policy was provided for review. As</p>	<p>In order to ensure compliance with the requirements of the 2022 Code of Conduct Part 13 – Protections relating to family violence, the Licensee should;</p> <p>a) Apply document control to Family Domestic Violence Policy to ensure it upholds its integrity, transparency,</p>	Refer to the 2023. PAIP

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
	<p>the Perth Energy Family Domestic Violence Policy was undated it was unclear as to when the policy was developed. Evidence of the compliance with the development, maintenance and implementation requirements were not able to be provided (i.e. 91(3) (a) or (b)).</p> <p>The Family Domestic Violence Policy was not available on Perth Energy's Website at the link provided within the Policy (refer https://www.perthenergy.com.au/regulatory-information/) and as such not implemented as required. Further, a process to ensure the policy is maintained was not evident (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments). As such there were inadequate controls established and significant improvement was required to ensure ongoing compliance.</p>	<p>traceability, and accountability, reflects governance and best practice standards.</p> <p>b) Establish a link to the Family Domestic Violence Policy on its website as stated within the Policy, in the Standard Form Contract published on the ERA Website and as per obligation 271D.</p> <p>c) Review for compliance and appropriateness and revise where necessary any related policies, procedures and processes, for example Training.Corporate.003 – Retail Customer Privacy, the Privacy Policy, etc.</p> <p>d) Ensure training modules for staff in relation to Family Violence are either developed in conjunction with appropriate consumer representatives or provided by appropriate consumer representatives.</p> <p>e) Ensure training records and requirements for applicable Perth Energy employees are maintained and updated to reflect the requirements.</p> <p>f) Ensure control procedures require Perth Energy to consult with persons or bodies that may reasonably be expected to represent the interests of persons who may be experiencing family violence whenever developing or reviewing a family violence policy.</p>	

B Unresolved During the Current Audit Period

REFERENCE (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ² / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	ACTION TAKEN BY THE LICENSEE BY END OF AUDIT PERIOD
31/2023	307C+ CNR Code of Conduct, Clause 91(3) – The training required under subclause 91(2)(a) must satisfy at least one of the requirements detailed in subclause 91(3). The Licensee has not confirmed that the training required was developed in conjunction with appropriate customer representatives. Correlating supporting documentation does not reference the requirements. Development of the policy appeared to have been undertaken at a corporate level (i.e. by AGL).	Refer to recommendation 30/2023 relating to obligation 307A.	
32/2023	307E+ CNR Code of Conduct, Clause 91(6) – A retailer must consult with persons or bodies that may reasonably be expected to represent the interests of persons who may be experiencing family violence whenever the retailer is developing its family violence policy or reviewing its family violence policy because of a direction of the ERA under subclause 91(5). The Licensee could not provide evidence that they had directly consulted with persons or bodies that may reasonably be expected to represent the interests of persons who may be experiencing family violence when developing their family violence policy. Development of the policy appeared to have been undertaken at a corporate level (i.e. by AGL).	Refer to recommendation 30/2023 relating to obligation 307A.	Refer to the 2023. PAIP

² The reference number allocated to the licence obligation in the Electricity or Gas Compliance Reporting Manual.

4. STATUS OF RECOMMENDATIONS FROM THE 2020 PERFORMANCE AUDIT

There were seven non-compliances identified in the previous audit report, one non-compliance which required a Post Audit implementation Plan (PAIP) and six of which were resolved during the previous audit period and verified by the auditor. The effectiveness of the corrective actions taken were reviewed during the current audit period. The current status of the previous audit recommendations is shown in Table 12.

Table 12: Status of Recommendations for Non-Compliances from the Previous Audit

A 2020 Non-Compliance Resolved During Current Audit Period			
REF ¹ (No./Year)	NON-COMPLIANCE / CONTROLS IMPROVEMENT Licence obligation reference number ¹ / Controls and Compliance Rating Legislation / Clause / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	DATE RESOLVED/ DETAILS OF FURTHER ACTION REQUIRED
<p>There were no previous audit non-compliances resolved during the current audit period. Non-compliances closed out in the previous audit period and identified as compliant in the current audit period were 105 (refer recommendation 1/2020), 221, 222, 226 (refer recommendation 2/2020).</p> <p>Non-compliances closed out in the previous audit period and identified as compliant in the current audit period were obligations 124 (no recommendation reference in previous audit report) and 220 (refer recommendation 2/2020) (Refer Appendix 1).</p>			
B 2020 Non-Compliance Unresolved During Current Audit Period			
REF ¹ (No./Year)	NON-COMPLIANCE ² / CONTROLS IMPROVEMENT Licence obligation reference number ¹ / Controls and Compliance Rating Legislation / Section, Clause or Regulation / Details of Non-Compliance or Inadequacy of Controls	AUDITORS' RECOMMENDATION	FURTHER ACTION REQUIRED DETAILS OF FURTHER ACTION REQUIRED
3/2020	<p>280</p> <p>B2</p> <p><i>Code of Conduct for the Supply of Electricity to Small Use Customers 2018</i></p> <p>Clause 10.3A</p> <p>At least once a year, a retailer must provide a customer with written details of the retailer's and distributor's obligations to make payments to the customer under Part 14 of this Code and under any other legislation in Western Australia, including the amount of the payment and the eligibility criteria for the payment.</p> <p>Evidence of annual customer notification was requested for the audit period but not provided by PE.</p>	<p>a) Perth Energy should issue the annual notification of the availability of service payments under Part 14 of the Code of Conduct for the Supply of Electricity to Small Use Customers to all small-business customers as soon as possible and thereafter annually.</p> <p>b) The annual notification to small use customers of the availability of service payments if not satisfied with the service levels should be included in the Compliance Register as a reminder.</p>	<p>Yes, further action required.</p> <p>Refer Obligation 280</p>

¹ Refers to recommendation reference in the previous audit report. ² Refer to Electricity Compliance Reporting Manual – June 2020 Reference

APPENDIX 1- PERTH ENERGY PERFORMANCE AUDIT

FEBRUARY 2024

Table 23: Performance Audit Findings and Observations

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS				
No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION		FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS	
9 ELECTRICITY INDUSTRY CUSTOMER TRANSFER CODE – LICENCE CONDITIONS AND OBLIGATIONS				
6 Type [2]	Clause 3.2(2) – A retailer must submit a separate data request for each connection point, unless otherwise agreed.		<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed that Perth Energy submitted separate data requests for each connection point through the Gentrack system, which obtained data from Western Powers Web Portal (WP Web Portal).</p> <p>It was understood that there was no need for a separate agreement with Western Power regarding the submission of individual data requests for each connection point during the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">• WP Web Portal• Gentrack System• Manual.Retail.001 – Electricity and Gas Retail Licence Compliance Manual• Procedure.Corporate.005 – Customer Privacy and Release of Data Procedure <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none">▪ The previous audit report referred to the control procedure "Customer Data Report Request Process", although requested, it was not provided for review.▪ Compliance with the requirement was inherent in the design of the Western Power Portal (the Portal) and ultimately Gentrack which sourced the data from the WP Portal.▪ The Web Portal only allowed one National Meter Identifier (NMI) per data request.	
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
4	N/P	1		

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION – NIL	
7 Type [2]	Clause 3.4(1) – A retailer must submit a data request electronically and must not submit more than a prescribed number of standing or historical data requests in a business day, unless otherwise agreed.	<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed that Perth Energy electronically submitted data requests via the Gentrack System and adhered to the prescribed limits for daily requests; not more than 100 requests for standing data, and not more than 100 requests for historical consumption data in a business day.</p> <p>It was understood, the Web Portal (and subsequently the Gentrack System) restricted the number of requests for standing and historical consumption data to 100 per day and as such, the Licensee was unable to exceed prescribed number of requests unless a request to do so was sought from Western Power.</p> <p>A summary of meter data request history applicable to the audit period was requested but not provided. The Manager Business Support confirmed that the Gentrack System did not facilitate this report and it was only accessible via the WP Web Portal. As such, an independent verification of compliance could not be determined, and the control procedures and control environment were generally adequate, but improvement was required. For example, the control procedure "Customer Data Report Request Process" was not provided for review and improvements could be made to the control environment with respect to the use of information technology and the skills and experience of key staff members.</p> <p>Although, no specific examples applicable to the audit period were provided to demonstrate the process of agreeing to an increase to the prescribed number of standing or historical data requests. The Licensee demonstrated when required a Provide Meter Data (PMD) Request for alternate</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>agreements was made to Western Power. For example, an email communication was provided for review, where a Perth Energy Key Account Executive, requested an increase in PMD from the Senior Customer Relations Consultant Community and Stakeholders (Refer email 18/8/2023).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • Communication with WP <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ ▪ ▪ The Licensee confirmed during the site audit that the Web Portal was accessible to the Licensee and was used it to check the status of CTR requests following submission via Gentrack.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	NR	
	2023 RECOMMENDATION – NIL			
8 Type [2]	<p>Clause 3.5(3) – 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.</p>			<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed there were no instances where customers withdrew Verifiable Consent (VC) before Western Power provided historical consumption data.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Verifiable Consent • Salesforce

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> • Manual.Retail.001 – Electricity and Gas Retail Licence Compliance • Procedure.Retail.001 – Electricity and Gas Marketing Compliance Procedure • Procedure.Corporate.005 – Customer Privacy and Release of Data Procedure • Training.Retail.002 – Retail Staff Induction • Training.Corporate.003 – Retail Customer Privacy • Training.Retail.001 – Marketing Compliance • Compliance Obligations Register • Business Support Tracking Spreadsheet 2020 and 2022 <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation, WA Sales Director</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ There were a number of control processes established to address the verifiable consent requirement, including a monthly audit by the GM, EMR, Regulation that was linked to performance incentives. ▪ The control procedure “Electricity and Gas Marketing Compliance Procedure” specifically referred to the requirements. ▪ Voice recordings were not the standard method of record VC, although still utilised. ▪ In instances where consumption data was not required to provide for a quotation it was understood customer electricity bills were used. Consent was not obtained in these instances as inherent in the provision of the customer data. ▪ Instances where a Broker requested quotation VC was also supplied and copies maintained by Perth Energy.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<ul style="list-style-type: none"> Several retail training and induction modules have been established. Although evidence of training was not provided, and a review of the materials indicated very high level reference and did not specify the compliance requirements. The Licensee confirmed, back-up procedures and testing of back-up processes for systems used to store and maintain VC.
	2023 RECOMMENDATION – NIL			
9 Type [2]	Clause 3.6(2) – A retailer must pay any reasonable costs incurred by the network operator for work performed in relation to a request for historical consumption data that has been subsequently withdrawn.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period, that no costs were incurred from withdrawn historical consumption data requests. As a result, they made no payments to Western Power for related work.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Salesforce WP Web Portal Gentrack System Customer Files WP non-energy invoices <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation, WA Sales Director</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Licensee confirmed that no WP Non-energy invoices were issued by Western Power for withdrawn historical consumption data requests.
	2023 RECOMMENDATION – NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
16 Type [2]	Clause 3.9(1) A retailer may only use data relating to a contestable customer to provide that customer with a quotation for the supply of electricity by the retailer; or to initiate a transfer of that customer.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy used contestable customer data solely for providing quotations for the supply of electricity and initiating transfers.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • Gentrack System Salesforce • Procedure.Corporate.005 – Customer Privacy and Release of Data Procedure • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation, WA Sales Director</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Gentrack System, which was linked to the WP Web Portal, was utilised to retrieve meter data history and initiate customer transfers.
	2023 RECOMMENDATION – NIL			
17 Type [2]	Clause 3.9(2) - 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.			<p>COMPLIANCE FINDING: During the audit period, no contestable customers requested Perth Energy to exclude their historical consumption data from aggregation for internal business development.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • WP Web Portal • Gentrack System • Salesforce • Compliance Obligations Register • Procedure.Corporate.005 – Customer Privacy and Release of Data Procedure <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation, WA Sales Director</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ No instructions from customers were received regarding aggregation of historical consumption data.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION – NIL			
18 Type [2]	Clause 3.9(3) – 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>COMPLIANCE FINDING: During the audit period, the Licensee confirmed that contestable customer data was only shared with individuals outlined in section 3.9(3)(a)(i). As a result, there was no need to obtain verifiable consent from the contestable customer.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Salesforce • Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure • Perth Energy website www.perthenergy.com.au • Privacy Policy

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation, WA Sales Director</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Perth Energy was not mandated or permitted by any enactment, court, or tribunal to disclose any information. No customer data became publicly available. Perth Energy handled customer data in-house. External services like consultants or auditors were covered under section 3.9(3)(a)(i). The NSC – Terms and Conditions explicitly highlighted this requirement. The Licensee regularly consulted legal counsel when preparing contract documents.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
19 Type [2]	Clause 3.9(4) - A retailer must keep a copy of the verifiable consent received from a contestable customer for two years.			<p>COMPLIANCE FINDING: The Licensee's control procedures mandated the retention of electronic verifiable consent from contestable customers regarding historical consumption data for two years.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Verifiable Consent • Salesforce • Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation, WA Sales Director</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Requirement detailed in Licensee's documented procedures, including monthly verifiable consent audits. ▪ It was understood there were backup processes for data security. ▪ The Licensee's CRM Salesforce facilitated the storage of VC.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
23 Type [2]	Clause 4.2(2) - A retailer must submit a separate customer transfer request for each connection point, unless otherwise agreed.			<p>COMPLIANCE FINDING: The Licensee confirmed that Perth Energy submitted separate customer transfer requests (CTRs) for each connection point, via the Gentrack System. During the audit period there was no requirement for alternate agreement in relation to submitting a separate CTR.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • Business Support Tracking Spreadsheet 2020 and 2022

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation, WA Sales Director</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Gentrack Systems design ensured compliance by allowing only single transfer requests for individual connection points. The Gentrack/WP Portal recorded all CTRs and an export of CTRs was reviewed for the audit period. It was noted there was a slight difference in the report headings between the 2 systems and with the varying reports generated between the systems it was not possible to match the data exactly. The Licensee primarily used the Gentrack System and was less familiar with the Web Portal. Although, the Licensee, did have access to the portal and used it to check the status of CTR requests following submission via Gentrack. Licensee has established a work instruction and Business Support Tracking Spreadsheet in relation to CTRs. The Business Support Tracking Spreadsheet was not formally captured in the documentation. Any process modifications would necessitate communication with WP.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
24 Type [2]	<p>Clause 4.3 - 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 that submitted the customer transfer request or to reverse an erroneous transfer.</p>			<p>COMPLIANCE FINDING: During the audit period, the Licensee used the Gentrack System linked to the WP Portal for all CTRs, the reason for transfer was a mandatory data field. A review of the CTR data for the audit period confirmed the reason for a transfer (i.e. Transfer Type) was either "CHURN" or "ERRONEOUS".</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation, WA Sales Director</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ A Gentrack CTR report relating to the audit period indicated there were 1660 Customer Transfers (i.e. Gentrack Transfer Type Churns) and 11 Erroneous Transfers. ▪ Email communication confirmed the Erroneous Transfers were in general related to customers transferring away in error.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION – NIL			
25 Type [2]	Clause 4.4(1) - 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.			<p>COMPLIANCE FINDING: The Licensee confirmed for the duration of the audit period, Perth Energy held a valid Network Access Agreement (NAA) with Western Power which facilitated submission of CTRs.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • Network Access Agreement (NAA) - Perth Energy • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • Compliance Obligations Register

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> The NAA was executed on 31 March 2006 and was confirmed by Western Power to have been extended for a period of 12 years with the new expiry date 30 March 2027. Perth Energy would not be able to access the Western Power Portal data without a NAA.
	2023 RECOMMENDATION - NIL			
26 Type [2]	Clause 4.4(2) - 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.			COMPLIANCE FINDING: During the audit period, there were 11 instances where the Licensee submitted CTRs to reverse erroneous transfers, and a review during the site visit confirmed that the Licensee verified the errors and instigated necessary corrective actions as needed.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> WP Web Portal Gentrack System PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> The Manager Business Support communicated a clear understanding of requirements in relation CTRs and erroneous transfer. The New Gentrack Account & Electricity Customer Transfer [Work Instructions] did not detail the measures taken by the Licensee to reduce the likelihood of erroneous transfer (i.e., consultation with the customer).

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL	
27 Type [2]	Clause 4.5(1) - A retailer 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, unless otherwise agreed.	<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy routinely obtained approval from Western Power when more than the prescribed limit of 20 CTRs was exceeded on a business day or on a day with same nominated transfer date.</p> <p>A review of an export from the Gentrack system of all CTRs during the audit period indicated Perth Energy submitted to Western Power:</p> <ul style="list-style-type: none"> (i) more than 20 CTRs in a business day on 16 separate occasions (ii) more than 20 CTRs with the same nominated transfer date on 15 separate occasions <p>Whilst evidence of confirmation of agreement to increase more than CTRs with Western Power was not provided, it was understood that the Gentrack system (as the Web portal does) would reject any CTRs automatically with an electronic communication (i.e., TransNack - Business Reject) specifying code 202 and providing an explanation (as detailed in the WP Build Pack - Customer Transfer and Standing Data Procedure: November 2019),</p> <p>However, it was noted that for the one NMI for which it was provided, the Western Power TransNack provided the explanation for the rejection as "Exceeded number of requests for transfer date 04-JAN-22". When cross referencing the date 4/1/2022 with the export from the Gentrack of CTRs during the audit period it was noted that on the 4/1/2022 a total of 52 CTRs were requested with the same nominated transfer date of which 14 were Status "Cancel". Additionally, it was noted 23 CTRs were submitted in a business day on the 1/12/21 of which 10 were Status "Cancel".</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>It was not clear from the Gentrack CTR export information provided whether Perth Energy sought agreement from WP for an increase for 52 CTRs with the same nominated transfer date for the 4/1/22 and if so, why were there 14 CTRs cancelled. Similarly, it was not clear why when 23 CTRs were submitted in a business day on the 1/12/21 why 10 were status cancel when only 3 were above the limit of 20.</p> <p>As such, despite staff indicating they understood these requirements and having control procedures reflecting them, the Licensee could not generate the reports from Gentrack to verify compliance. Additionally, where anomalies were identified, the Licensee was not able to provide an explanation for the "CANCEL" status of the CTR which supported the other records provided. This indicated the control environment required significant improvement in order for Perth Energy to determine compliance and understand the cause of the anomalies.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • Gentrack export - CTRs submitted during audit period • Customer Transfer and Standing Data Procedure: November 2019 <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">Compliance was inherent in the Gentrack System design as it constrained the number of transfers to less than the prescribed number.The control procedure documented the requirement to contact Western Power for approval when required "New Gentrack Account & Electricity Customer Transfer work instruction".It was noted all the status "CANCEL" anomalies occurred from late 2020 through to mid 2022.It was understood that during the audit period 2021/2022, compliance responsibility was temporarily assigned to an alternate individual.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	C	NR	
<p>01/2023 RECOMMENDATION - Due to the undetermined cause of anomalies noted and the requirement for both the control procedures and the control environment to be significantly improved, the Licensee should undertake a comprehensive review of its current processes related to Customer Transfer Requests (CTRs) and compliance reporting. This entails a multifaceted approach aimed at ensuring accuracy, transparency, and adherence to regulatory obligations as defined by its Electricity Retail Licence. Specifically, the Licensee is advised to:</p> <ul style="list-style-type: none">Conduct a review of the CTR processes as defined by the relevant procedures of the Western Power Build Pack.Improve control procedures and control environment particularly with respect to the implementation of robust mechanisms for monitoring compliance and promptly identifying and addressing any instances of non-compliance.Improve Data Management practices to reflect accurate and relevant information (i.e. Determine if Gentrack can be revised to generate the report required.)Ensure the roles and responsibilities for compliance with the requirements are clearly understood by all responsible persons.				
28 Type [2]	Clause 4.6(3) - A retailer must withdraw a customer transfer request if the contestable customer's verifiable consent ceases to apply before the transfer occurs.			<p>COMPLIANCE FINDING: The Licensee confirmed, that during the audit period, there were no CTRs withdrawn due to the cessation of verifiable consent.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">WP Web PortalGentrack System

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>• New Gentrack Account & Electricity Customer Transfer [Work Instructions]</p> <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Customer Transfer Requests were only submitted after an Electricity Supply Agreement – Application and Commercial Terms was signed, witnessed, and countersigned. This process was considered verifiable consent. It was noted that withdrawal of consent to transfer would constitute breach of contract following a 10 business day cooling off period. A request for quotation or submission of previous bills was used by the Licensee as verifiable consent form for meter data history. Customer consent was not managed as part of the Build Pack Processes noted as “Pre-conditions”. Sample of ESA’s and transfer dates were reviewed.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION – NIL			
29 Type [2]	Clause 4.7 – 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.			<p>COMPLIANCE FINDING: During the audit period, the Licensee utilised the Gentrack System for all Customer Transfer Requests (CTRs). This system's parameters set the timeframes and generally ensured compliance with CTR submissions. The Licensee demonstrated awareness of Perth Energy's incoming retailer requirements concerning the specified transfer date, and these were detailed in the control procedures.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>However, despite understanding these requirements and having control procedures reflecting them, the Licensee did not generate the reports from Gentrack that enabled the verification of compliance with Clause 4.7, which required an incoming retailer to set a transfer date for a Customer Transfer Request (CTR), except to reverse an erroneous transfer. The nominated transfer date depends on the location of the connection point and the need for a meter visit:</p> <p>For metropolitan areas:</p> <ul style="list-style-type: none"> • At least 8 business days after submitting the CTR if a meter read, or change was required. • At least 3 business days after submitting the CTR otherwise. <p>For non-metropolitan areas:</p> <ul style="list-style-type: none"> • At least 15 business days after submitting the CTR if a meter read, or change was required. • At least 5 business days after submitting the CTR otherwise. <p>In all cases, the nominated transfer date must not exceed 50 business days after the CTR submission.</p> <p>A review of all CTRs submitted showed that there were:</p> <ul style="list-style-type: none"> • 190 Metropolitan NMIs with a transfer date < 3 days • 105 Non-Metropolitan NMIs with transfer date < 5days • 6 NMIs with a nominated transfer date > 50 days (2 Non-Metro and 4 Metro) <p>The reasons for the deviations from the specified timeframe requirements were not able to be determined. Similarly, a determination of compliance relating to meter type could not be made from the Gentrack report as it did not contain the required information, for either Metropolitan or Non-</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>Metropolitan NMs (i.e. could not determine compliance with the 8 business day metro rule or the 15 business day non-metro rule).</p> <p>It was noted that the New Gentrack Account & Electricity Customer Transfer Procedure included an instruction to determine meter type by accessing the WP Web Portal and included a link to the Portal. This was contrary to the licensee statement that the WP Web Portal was not used and only Gentrack was used to conduct CTR and monitor compliance. It has been determined subsequently that the WP Web Portal was used for determining meter type, as well as, checking to see if the transfer had been rejected.</p> <p>Additionally, during the site visit the Licensee was not able to provide an explanation for the "CANCEL" status of the CTR. One example of TransNack communication accessed from Gentrack has been provided after the draft Audit Report was issued. This indicated the control environment required significant improvement in order to determine compliance and understand the cause of the anomalies.</p> <p>As such control processes to determine compliance with this requirement were considered to be inadequate and as such require significant improvement As detailed in the audit objective, the Audit Guidelines, required an assessment of the effectiveness of the measures taken by the licensee to meet the conditions of its licence including consideration of the integrity of reporting (i.e., the completeness and accuracy of the compliance and performance reports provided to the ERA). The data to confirm compliance with obligation 29, was maintained in the WP Web Portal and was not sought annually to verify compliance as part of the preparation of the Annual Compliance Report (refer observations below for further detail).</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>Currently, the Licensee lacks a verifiable process to evaluate compliance with the specified timeframes in the nomination of a transfer date. The Electricity Compliance Reporting Manual specified, the obligation as a Type 2 reportable compliance requirement. This mandated that compliance be thoroughly assessed for integrity of data and reported to the ERA by 31 August each year.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • Network Access Agreement • Business Support Tracking Spreadsheet 2020 and 2022 • Western Power Build Pack - Customer Transfer and Standing Data Procedure: November 2019 <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ According to the Gentrack report, during the audit period it was understood there were 2027 Customer Transfers (i.e. Churns) and 12 Erroneous Transfers. Excluding the erroneous transfers there were 1674 Completed Churns and 341 Cancelled Churns. ▪ It was noted as defined in the WP Build Pack - Customer Transfer and Standing Data Procedure: November 2019, the Web Portal provides a further insight to the cancelled churns by denoting whether the CTR was "rejected", "withdrawn", "pending" , "cancelled" or "completed".

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> As the “rejected” determination was not able to be made from Gentrack (i.e. failure to nominate a transfer date in accordance with specified timeframes), an accurate analysis of all CTRs undertaken during the audit period was not able to be determined. This was attributed to the fact that both the Gentrack System and the Web Portal recorded all CTRs and an export of CTRs from the Gentrack System was reviewed for the audit period. The Licensee noted they were unfamiliar with the Web Portal as the primary interface was the Gentrack System. The Business Support Tracking Spreadsheet records in relation to new electricity connections indicated that rejected CTRs had occurred, for example customer account dated 1/1/2022 noted “Churn rejected & resubmitted for 10/01/2022” and customer account dated 10/10/22 noted “Resubmitted 1234239 FAILED”. <p>Note the following explanation as to the determination of non-compliance – The Electricity Compliance Reporting Manual, defined Type 2 rating of obligations as the consequences of non-compliance will affect the efficiency and effectiveness of the licensee’s operations or service provision, but will not cause major damage, loss or disruption to customers (i.e. compliance rating 2, Non-compliant – minor effect on customers or third parties). Section 5.1.6.1 required a rating for the licensee’s control procedures and control environment (controls rating) for licence obligations with an audit priority of 1, 2 or 3, or that have been assessed to be non-compliant in the audit.</p> <ul style="list-style-type: none"> The audit identified that the Licensee’s informal control processes for managing Customer Transfer Requests (CTRs) were tracked on an internally developed, multi-accessible Excel spreadsheet “Business Support Tracking Spreadsheets.” This spreadsheet maintained a record of compliance-related details for contracts, including contract start dates, send dates to customers, execution dates, and submission dates for churns. Given the concurrent access to the spreadsheet, there was an increased risk of unintended data overrides or modifications. Whilst the person who developed the process was aware of the information maintained and

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING NR	was satisfied it would not be compromised for information integrity. As the spreadsheet was accessed by multiple users, the absence of clear procedures and training could compromise data integrity or lead to potential inaccuracies in decision-making processes.
	<p>02/2023 RECOMMENDATION – The Licensee should review the WP Web Portal CTR records against the Gentrack system (or other appropriate means) to determine if transfers were rejected because they were not undertaken within the specified timeframes., With respect to “cancelled” transfers the licensee should establish processes to ensure “cancelled” transfer codes and explanations are identified as required, as specified in Western Power Build Pack - Customer Transfer and Standing Data Procedure: November 2019. Additionally, the Electricity Compliance Reporting Manual specifies the obligation as a Type 2 reportable compliance requirement. This mandates the identification of Type 2 licence conditions that have been breached and as specified in the Audit Guidelines (section 1.5.1) included the requirement that compliance be thoroughly assessed for integrity of data and reported to the ERA by 31 August each year. Additionally, internally developed control processes used by the licensee to assist with the workflow in relation to CTRs were at risk of unintentional data overrides or modifications. As such, to ensure data integrity of compliance reporting and of internal data used to control compliance with CTR it is recommended the Licensee:</p> <ul style="list-style-type: none"> a) review the CTRs undertaken with Gentrack and determine whether there is a report that can specify any “rejected” CTRs* that may have been submitted by Perth Energy as the incoming retailer outside the specified timeframes. Alternatively, liaison with Western Power in relation to obtaining the data from the Web Portal is recommended. b) strengthen control processes and revise relevant Control Procedure to ensure nominated transfer dates comply with legislative requirements. c) explore data management systems that safeguard against such vulnerabilities in relation to the multi-accessible Excel spreadsheets (i.e., Business Support Tracking Spreadsheets) key control processes. <p>* It is noted if the Licensee is reliant on the code and explanation of the TransNack indicating whether the "Date not within allowed number of days" (i.e. code 1160) it should be noted that the explanation field is not required in the WP Web Portal according to the Western Power Build Pack - Customer Transfer and Standing Data Procedure: November 2019. As such a more robust system to determine compliance (i.e. refer to the code and not just the explanation) is recommended.</p>			
30 Type	Clause 4.8(2) – 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.			COMPLIANCE FINDING: During the audit period, Perth Energy was not required to cover reasonable costs for meter provision or installation by Western Power when a customer transfer request was withdrawn.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
[2]				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions]
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> ▪ The Licensee confirmed there were no non-energy invoices were issued by WP.
	2023 RECOMMENDATION – NIL			
34 Type [2]	Clause 4.9(6) – A network operator and retailer must agree to a revised nominated transfer date in certain circumstances.			COMPLIANCE FINDING: During the audit period the Licensee confirmed that any objections raised in the transfer process were resolved in agreement and did not result in a transfer date that did not comply with the stipulated rules and regulations of clause 4.7. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation OBSERVATIONS:

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<ul style="list-style-type: none"> Transfer data reviewed confirmed that PE and WP agreed to revised nominated transfer dates in certain circumstances. Communication processes established electronically through the Web Portal and email communication with Western Power.
	2023 RECOMMENDATION – NIL			
37A Type [2]	Clause 4.10(4) – If a current retailer receives a notice under clause 4.10(1)(a) or 4.10(2)(c) in circumstances where clause 4.12(1)(a)(ii) applies, then the current retailer must promptly forward the notice to the other person referred to in clause 4.12(1)(a)(ii).			<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed that, as required for efficient customer transfer management, PE and WP agreed to revise nominated transfer dates in the certain circumstances specified.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> WP Web Portal Gentrack System New Gentrack Account & Electricity Customer Transfer [Work Instructions] <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Communication processes established electronically through the Web Portal and email communication with Western Power.
	2023 RECOMMENDATION – NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
39 Type [2]	Clause 4.11(3) – A network operator and the retailer must take certain action if the contestable customer's meter is not read on the nominated transfer date.			<p>COMPLIANCE FINDING: During the audit period, it was confirmed that the network operator and Perth Energy, in accordance with Electricity Industry Customer Transfer Code Clause 4.11(3), collaborated effectively to establish a new nominated transfer date when the contestable customer's meter was not read on the original nominated transfer date. The new transfer date was set as close as practicable to the original date.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ PE was electronically notified of the new transfer date within 1 business day after the nominated transfer date. ▪ It was understood that WP communicated electronically but that Gentrack and the WP Web Portal did not alert the PE and the status had to be regularly reviewed.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION – NIL			
40 ^Δ Type [NR]	Clause 4.12(3) – The parties to an access contract must negotiate in good faith any necessary amendments to the access contract arising from certain circumstances.			<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed that there was no requirement for interested parties to comply with clause 4.12(3) by negotiating access contract amendments in good faith following changes mandated by clauses 4.12(1) and 4.12(2).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Network Access Arrangement

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> WP Web Portal <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p>
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The NAA was executed on 31 March 2006 and was confirmed by Western Power to have been extended for a period of 12 years with the new expiry date 30 March.
	2023 RECOMMENDATION – NIL			
43 ^Δ Type [NR]	<p>Clause 4.15 – In the case of a transfer to reverse an erroneous transfer, a network operator and all affected retailers (and, if applicable, AEMO) must act in good faith to ensure that the affected contestable customer has the same rights and obligations as if the erroneous transfer had not occurred.</p>			<p>COMPLIANCE FINDING: During the audit period there were 11 instances of an Erroneous Transfer. All parties involved acted in good faith to rectify the erroneous transfer, restoring the affected contestable customer's rights and obligations as they were before the error, and as mandated by clause 4.15 of the Electricity Industry Customer Transfer Code.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> WP Web Portal Gentrack System New Gentrack Account & Electricity Customer Transfer [Work Instructions] Build Pack <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	1	<ul style="list-style-type: none"> It was noted that the Build Pack required WPN to provide the incoming retailer with the meter readings (if any) that the incoming retailer would have received, had the erroneous transfer not occurred. A review of the erroneous transfers indicated corrective actions were undertaken as required.
	2023 RECOMMENDATION – NIL			
44 Type [2]	Clause 4.16 – A verifiable consent given by a contestable customer in relation to the lodgement of a customer transfer request must be retained by the incoming retailer for two years, except in the case of a customer transfer request to reverse an erroneous transfer.			<p>COMPLIANCE FINDING: The Licensee confirmed, for the duration of the audit period, Perth Energy retained copies of verifiable consent provided by contestable customers in relation to the lodgement of Customer Transfer Requests (CTRs) for a period of two years from the date when the verifiable consent was given.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> WP Web Portal Gentrack System New Gentrack Account & Electricity Customer Transfer [Work Instructions] Salesforce Build Pack <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> It was noted that in general the VC given by a contestable customer for a CTR was evident as the customers signed ESA. The Licensee's CRM facilitated the storage of VC. There were external cloud backup processes established for data security.
	4	N/P	1	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION – NIL			
45 Type [2]	Clause 4.17 – A previous retailer must not bill a contestable customer for charges incurred after the transfer time, except in the case of an erroneous transfer.			COMPLIANCE FINDING: During the audit period, except in the case of the erroneous transfers there were no instances where customers were billed for charges after the transfer date. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• WP Web Portal• Gentrack System• New Gentrack Account & Electricity Customer Transfer [Work Instructions]• Gentrack – Billing Finalisation instructions• Salesforce• Build Pack PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ Invoicing was based on meter data provided through the Gentrack System. Protocols related to the Web Portal would result in meter data not being available for the licensee to bill a customer after the transfer time.▪ The procedure was documented in the Billing Finalisation processes.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION – NIL			
48 [□] Type	Clause 5.2 – A network’s communication rules apply in respect of data and information communication between the network operator and a retailer under this Code.			COMPLIANCE FINDING: The Licensee confirmed communication rules were applied through the use of the Gentrack as required by the retail licence.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
[2]				<p>It was noted that this obligation was deleted in the Electricity Compliance Reporting Manual – February 2022. As such the obligation was included in the scope 1 July 2020 to February 2022</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • Salesforce • Build Pack <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ During the audit the Build Pack was accessible on Western Power website. ▪ As defined by the Metering Code 2012 “communication rules” incorporated and largely comprised the suite of technical documents known as the “Build Pack”. Perth Energy communicated with Western Power via the web portal and in line with the Build Pack requirements.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION – NIL			
48A Type [2]	Clause 6.1 – All notices must be in writing and delivered as described in subclauses 6.1(a)-(c)			<p>COMPLIANCE FINDING: During the audit period, all notices and communications were provided in writing, aligning with the requirements outlined in Part 6 of the code. These notices were delivered through one of the approved methods: by post to the recipient's notified postal address, by facsimile to the recipient's notified facsimile number, or electronically to the recipient's notified electronic communication address, as mandated by the code.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>The Licensee confirmed that in all instances where communication with Western Power was intended to be a recognised as a valid notice, then the notice or other communication of information was via means as described in subclauses 6.1(a)-(c).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • Salesforce • Build Pack <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The use of email communication, letters, CRM logs regarding phone calls and Gentrack communications were confirmed during the site audit. ▪ General queries and communication with Western Power Liaison contact routinely via email or telephone.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2023 RECOMMENDATION – NIL				
49 Type [2]	Clause 6.2 – A licensee's notice in relation to a data request or customer transfer request must identify the connection point to which it relates.			<p>COMPLIANCE FINDING: During the audit period, in instances where Perth Energy provided notice to Western Power, the Licensee's processes ensured that customer transfer requests and data requests included the identification of the relevant exit point NMI number and site address.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">• WP Web Portal• Gentrack System• New Gentrack Account & Electricity Customer Transfer [Work Instructions]• Salesforce• Build Pack <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none">▪ All transfers and data transactions were done electronically via the Gentrack System which used the National Meter Identifier or NMI as a distinct and universal identifier or code for each connection point in the electricity market.▪ Noted the connection point related to both exit and bidirectional point.▪ The NMI was noted in the Build Pack procedures specified NMI as a mandatory field and included validation processes to ensure the correct NMI was referenced (i.e. NMI and NMI checksum)
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION – NIL			
52 Type [2]	Clause 6.4(1) – A retailer must notify its contact details to a network operator within three business days of a request.			<p>COMPLIANCE FINDING: The Licensee confirmed, there was no request by Western Power for Perth Energy to notify their contact details to the network operator during the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">• WP Web Portal• Gentrack System• New Gentrack Account & Electricity Customer Transfer [Work Instructions]• Salesforce

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				• Build Pack
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION – NIL			
53 Type [2]	Clause 6.4(2) – A retailer must notify the network operator of any change in its contact details at least three business days before the change takes effect.			COMPLIANCE FINDING: No compliance requirement was identified under Electricity Industry Customer Transfer Code, clause 6.4(2), as there was no obligation for Perth Energy to notify changes to contact details to the network operator. DOCUMENTS/SYSTEMS: • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • salesforce • Build Pack • Compliance Obligations Register
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation OBSERVATIONS: ▪ The Licensee confirmed that during the audit period there were no changes to contact details.
	2023 RECOMMENDATION – NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
54 Type [2]	Clause 6.6 – A network operator or a retailer must send required electronic communications to the applicable electronic communication address, in accordance with the communication rules.			<p>COMPLIANCE FINDING: The Licensee confirmed the use of the Western Power portal met the requirements of the communication rules. All transfers and data transactions were done electronically via the portal. Other communications were by email to the correct addresses.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • salesforce • Build Pack • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Perth Energy communicated with Western Power as required. It was noted the used of facsimile was not undertaken by Western Power or Perth Energy. ▪ In general communications were by email, letters, CRM logs regarding phone calls and Gentrack. ▪ The Licensee confirmed Gentrack complied with the protocols required by the Code, including automated response messaging and availability.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2023 RECOMMENDATION – NIL				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
55 ^Δ Type [NR]	Clause 7.1(1) – For a dispute in respect of a matter under, or in connection with, the Electricity Industry Customer Transfer Code, the disputing parties must meet, within five business days of a request by one of those parties and attempt to resolve the dispute through negotiations that are conducted in good faith.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period the Perth Energy did not engage in dispute with regards to the <i>Customer Transfer Code</i>.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • WP Web Portal • Gentrack System • New Gentrack Account & Electricity Customer Transfer [Work Instructions] • salesforce • Build Pack • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ There were no disputes with Western Power, other related parties during the audit period.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	N/R	
	2023 RECOMMENDATION – NIL			
56 ^Δ Type [NR]	Clause 7.1(2) – 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 through negotiations that are conducted in good faith.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period the Perth Energy did not engage in dispute with regards to the <i>Customer Transfer Code</i>.</p> <p>DOCUMENTS/SYSTEMS: As per obligation 55.</p> <p>PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation</p> <p>OBSERVATIONS:</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	5	N/P	N/R	<ul style="list-style-type: none"> The Compliance Obligations Register referenced the dispute resolution obligation under the Customer Transfer Code.
	2023 RECOMMENDATION – NIL			
57 Type [2]	Clause 7.1(3) – If the dispute is resolved, the disputing parties must prepare a written and signed record of the resolution and adhere to the resolution.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period the Perth Energy did not engage in dispute with regards to the <i>Customer Transfer Code</i> .
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: As per obligation 55. PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation OBSERVATIONS: As per obligation 55.
	2023 RECOMMENDATION – NIL			
58 Type [N/R]	Clause 7.2(4) – A disputing party that refers a dispute to the arbitrator must provide the arbitrator with prescribed details of the nature of the dispute.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period the Perth Energy did not engage in dispute with regards to the <i>Customer Transfer Code</i> .
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: As per obligation 55. PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation OBSERVATIONS: As per obligation 55.
	2023 RECOMMENDATION – NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
59 ^Δ Type [NR]	Clause 7.3(2) – A disputing party must, at all times, conduct itself in a manner that is directed towards achieving the objectives in clause 7.3(1) of the Electricity Industry Customer Transfer Code.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period the Perth Energy did not engage in dispute with regards to the <i>Customer Transfer Code</i> .
				DOCUMENTS/SYSTEMS: As per obligation 55.
				PERSONNEL INTERVIEWED: Manager Business Support, GM, EMR, Regulation
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none">There were no disputes and no requirement for an arbitrator during the audit period.
2023 RECOMMENDATION – NIL				

11 ELECTRICITY INDUSTRY (CUSTOMER CONTRACTS) REGULATIONS 2005 – LICENCE CONDITIONS & OBLIGATIONS

79 Type [2]	Regulation 5 – A non-standard contract must be in a format that is easy to read and expressed in clear, simple and concise language.	<p>COMPLIANCE FINDING: During the audit period Perth Energy supplied electricity to Small Use Customers (SUC) through a non-standard contract (NSC). The non-standard contract was comprised of the Electricity Supply Agreement – Application and Commercial Terms (ESA) and the Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) (T&Cs). The Licensee confirmed and evidence was sighted of the use of legal expertise in reviewing the contract (i.e. DRAFT T&Cs 2023). During the audit period it was noted that there were 2 versions of the ESA and 4 versions of the T&Cs as well as a DRAFT T&Cs 2023 being prepared but not implemented. The non-standard contracts were easy to read and expressed in clear, simple, and concise language.</p> <p>The Licensee's control processes were generally adequate, issues were noted in relation to document and version control and cross-referencing information provided in the T&Cs.</p>
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ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was understood that the ESAs were generated from the Pricing Model and the T&Cs were a separate document subject to legal review prior to amendment. ▪ The DRAFT T&Cs 2023 were being prepared to incorporate amends to the <i>Electricity Industry (Customer Contract) Regulations 2005</i> as a result of the <i>Electricity Industry (Customer Contract) Amendment Regulations 2022</i> effective 1 January 2023. ▪ The Licensee did not provide confirmation as to whether the same process had been undertaken for the review of the <i>Code of Conduct for the Supply of Electricity to Small Use Customers 2018</i>. The Code was repealed and replaced during the audit period by the <i>Code of Conduct for the Supply of Electricity to Small Use Customers 2022</i>. The 2022 Code of Conduct came into effect on 20 February 2023. ▪ It was noted there were no customer complaints regards NSC's during the audit period.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">All small-use customers were signed onto NSCs via T&Cs and ESAsA review of a sample of NSCs confirmed there were potentially 2 versions of the Electricity Supply Agreements throughout the audit period; Versions Dated: August 2017 and Version Dated: 9/2/22. No significant changes to the ESAs were noted.A review of a sample of NSCs confirmed there were potentially 4 versions and a draft version of the Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) throughout the audit period; ESA.001.0917, ESA.001.0118, ESA.001.0520, ESA.002.032022During audit period there were some significant amendments made to the T&Cs to comply with the requirements of the changes to the <i>Electricity Industry (Customer Contract) Amendment Regulations 2022</i> (which took effect 01/01/23) and <i>Code of Conduct for the Supply of Electricity to Small Use Customers 2022</i>, (which took effect 20/2/23).
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	1	
	2023 RECOMMENDATION – NIL			
80 Type [2]	Regulation 6 - A non-standard contract must specify when it comes into effect and the period for which it has effect.			<p>COMPLIANCE FINDING: During the audit period, the Licensee’s ESA Application and Commercial Terms documents specified when the contract came into effect and the period for which it comes into effect (i.e., end date). This was also defined within the Terms & Conditions.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">Customer Information Packs (Small Use) – Business Energy Supply.Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> A sample of the signed ESA's were reviewed. Contract details were recorded in the Customer List and the Salesforce CRM during the audit period.
	4	N/P	1	
	2023 RECOMMENDATION – NIL			
81 Type [2]	Regulation 7 - A non-standard contract must specify certain information about the retailer.			<p>COMPLIANCE FINDING: The audit confirmed that the Electricity Supply Agreement, along with the Schedule of Standard Terms and Conditions, contained all the necessary information.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">It was confirmed that the NSC contained the Licensee's:<ul style="list-style-type: none">(a) Company name(b) ABN(c) Registered & Business Office(d) Postal address(e) Telephone Number(f) Email Address(g) Internet website address
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	RECOMMENDATION – NIL			
82 Type [2]	Regulation 8 - A non-standard contract must give an exact description of the goods and services that the retailer will provide under the contract.			<p>COMPLIANCE FINDING: The audit confirmed that the NSC specified Perth Energy's obligation to supply electricity to the customer, as indicated by the NMI, meter number, and Premises address listed in the contract's 'Electricity Supply Agreement - Application and Commercial Terms' and the 'Terms & Conditions'.</p> <p>However, the versions of the NSC reviewed during the audit period referred to other goods and services but did not specifically list them or give an exact description of the goods and services in the contract, for example ESA.002.032022 section 18.6 Limitation on Disconnection refers to “<i>some other good or service</i>”. It was noted that in other parts of the NSC the reference to goods was qualified with (if any or if applicable, refer S12.11).</p> <p>Clause 3.1 of the ESA T&Cs clearly stated that the contract being entered into is for the supply of electricity and did not reference other services detailed within the contract and detailed below.</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>It is understood that the supply of electricity was the primary service, however, there were instances detailed in the NSC and on the company website where other goods or services were billed to customers during the audit period. For example, as specified within the NSC:</p> <ul style="list-style-type: none"> • Clause 8.5 Late Payment for the extra service provided by Perth Energy of administering the late payment. • Clause 8.13 Billing data - fee payable in certain circumstances, except where legally required to provide. • Clause 11.7 meter tests require payment of a fee, • Clause 18.2 Disconnection due to Buyer Actions - fee may be payable for disconnecting the electricity supply in circumstances detailed. <p>As specified on the Perth Energy website:</p> <ul style="list-style-type: none"> • fee for service when providing the bill via post, • dishonour fees, • late payment fee • Credit Card Surcharge fee. • Special Meter Reading • Meter Investigation and Test • De-energisation • Re-Energisation <p>Consequently, a non-compliance was noted with Regulation 8, which required an "exact description of the goods and services" provided under the contract, the NSC should detail not only the supply of electricity but also any additional services or goods that may be part of the contract.</p> <p>The Licensee control procedures and control environment require improvement to ensure compliance.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model <p>INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ ESA detailed Customer to buy electricity from Perth Energy and Perth Energy to supply the customer with electricity to the NMI, Meter number, and Premises address listed in the contract's Sites and Connection Points Schedule. ▪ The ESA detailed other charges in relation to the service provided (i.e. the supply of electricity) but did not detail any goods which were referenced in the Terms & Conditions. ▪ It was noted that a similar observation was made by the ERA in the review of the SFC and the application of corrective action to the NSC was not considered by the Licensee. ▪ Noted there were some other charges detailed on the Perth Energy's website https://www.perthenergy.com.au/standard-fees-charges-electricity/ that were not aligned with Western Powers Schedule 5 – Extended and Additional Metering Service Fees https://www.westernpower.com.au/siteassets/documents/documents-and-policies/metering-

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2	code/model-service-level-agreement-extended-and-additional-metering-service-fees-2024-20230727.pdf?_sq=Western%20Powers%20Schedule%205%20%E2%80%93%20Extended%20and%20Additional%20Metering%20Service%20Fees
	<p>03/2023 RECOMMENDATION – Perth Energy should revise the Non-Standard Contract (NSC) to explicitly reference any additional goods (other than the supply of electricity) and services referenced throughout the NSC. Specifically, Perth Energy should take the following corrective action:</p> <ul style="list-style-type: none"> Develop and integrate a comprehensive goods and services clause to clearly indicate any goods or services offered beyond electricity (i.e. in the 'Electricity Supply Agreement - Application and Commercial Terms' and/or the 'Terms & Conditions' Section 1 Interpretation. Ensure clarity and accessibility - the clause must be clear, easily understandable, and free from technical jargon to ensure that consumers can fully comprehend the scope of services and goods provided. Additionally, Perth Energy should review the content of the website to ensure no contradictory or unintentional information is published. Implement and communicate regulatory change to customers - refer to obligation 90. Training and awareness - Provide training for customer service and sales teams to ensure they understand the updated contract terms and can effectively communicate this information to consumers. Monitoring and Review - Establish a process for regular monitoring and review of the NSC terms to ensure ongoing compliance with regulatory changes and evolving business practices. Reference to the feedback provided by the ERA in relation to SFC review is recommended (i.e. to ensure continual improvement and application of feedback across all business processes). 			
83 Type [2]	Regulation 9 - A non-standard contract must require the customer to pay for electricity supplied under the contract.			<p>COMPLIANCE FINDING: During the audit period, the Perth Energy mandated that the customer pays for the supplied electricity at the meter's supply address, along with any additional fees for services, as outlined in the ESA and Customer Terms & Conditions.</p> <p>DOCUMENTS/SYSTEMS:</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Perth Energy required the customer to pay for the electricity supplied to the meter at the supply address along with any other fees payable for services provided by Perth Energy and as detailed in the ESA and Customer Terms & Conditions.
	4	N/P	1	
2023 RECOMMENDATION - NIL				
84 Type [2]	Regulation 10 - A non-standard contract must prohibit the customer from tampering with, or bypassing, network equipment or allowing any other person to do so.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's NSC explicitly prohibited customers from tampering with, bypassing, or interfering with the Electricity Supply Equipment, and also from permitting others to do so.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Customer Terms & Conditions (NSC) prohibited interference with the network. ▪ Compliance with the obligation was confirmed during audit period through review of applicable versions of the Terms & Conditions (NSC).
	2023 RECOMMENDATION - NIL			
85 Type [2]	Regulation 11 - A non-standard contract must describe the circumstances under which a retailer has the right to disconnect supply and is required to reconnect supply.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's NSC described the circumstances under which Perth Energy had the right to disconnect and was required to reconnect supply.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				• Pricing Model
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	4	N/P	1	OBSERVATIONS: <ul style="list-style-type: none"> Compliance with the obligation was confirmed during audit period through review of applicable versions of the Terms & Conditions (NSC).
2023 RECOMMENDATION - NIL				
86 [□] Type [2]	Regulation 12 - A non-standard contract must require the retailer to deal with security deposits and the payment of interest in the manner that is specified.			<p>COMPLIANCE FINDING: The Licensee was required to comply with obligation 86 for the audit period up to 01 January 2023 when it was deleted due the <i>Electricity Industry (Customer Contract) Amendment Regulations 2022</i> (which took effect 01/01/23) and subsequently removed from the scope of the Performance Audit.</p> <p>It was noted the Licensee's NSC - Terms & Conditions outlined the circumstances in which a security deposit may be required. Specifically, in regard to the handling of security deposits the NSC T&CS required:</p> <ul style="list-style-type: none"> Security deposits must be kept in a separate trust account. Deposits must be individually recorded in the Perth Energy's accounting records. Perth Energy was required to pay interest on these deposits at the bank bill rate. Upon request, Perth Energy must inform customers of the current bank bill rate. Interest on security deposits should accrue daily and be capitalised every 90 days unless paid.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> The bank bill rate is defined as the average rate for bank accepted bills near a 90-day term, based on the BBSW page on Reuters Monitor System at about 10:30 a.m. EST on the first day of the relevant 90-day period, or the last rate shown if not available on that day. <p>The Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) versions reference the requirements in the following sections:</p> <ul style="list-style-type: none"> ➤ ESA.002.022022 (Refer Section 21 - Security) ➤ ESA.001.0520 (Refer Section 20 - Security) ➤ ESA.002.032022 (Refer Section - Security 19) ➤ ESA.001.0917 (Refer Section 20 - Security) <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">A draft copy of Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) 2023 does reflect the requirements in Section 22. The draft T&Cs were undertaken with consultation from a legal expert.The Terms and Conditions referenced the requirements of the <i>Personal Property Securities Act 2009</i> (Cth) and any regulation made at any time under that Act, including the <i>Personal Property Securities Regulations 2010</i> (Cth).It was noted that the obligations relating to "Security Deposits" for residential customers are specified in obligations 98B* and 98C*.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	NP	1	
2023 RECOMMENDATION – NIL				
86A+ Type [2]	Regulation 12 - If a customer contract provides for a benefit change, the contract must state that the retailer is required to inform the customer, in the time period prescribed, the benefit change, the options for supply available after the date of the benefit change and describe the way in which the retailer must give that information to the customer.			<p>COMPLIANCE FINDING: For the duration of the audit period the Licensee was not required to and did not provide for a benefit change in the NSC.</p> <p>It was noted that the Licensee’s most current SUC Terms & Conditions (i.e. Standard Terms & Conditions ESA.002.032022) did not provide for a benefit change neither did the draft 2023 T&Cs.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">Customer Information Packs (Small Use) - Business Energy SupplyPerth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)Pricing Model

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> The requirement was noted to be applicable only if the Licensee provided for a benefit change in the NSC. Noted benefit change related to a change to, or the expiry of, a benefit (such as a price discount) provided under a customer contract to the customer during a period that ends earlier than the date on which the contract will end.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	NP	NR	
2023 RECOMMENDATION - NIL				
87 Type [2]	Regulation 13 - A non-standard contract must describe the prices payable and the circumstances in which the prices are payable, plus the way the retailer publishes and gives notice of variations to its prices information.			COMPLIANCE FINDING: For the duration of the audit period 01/07/2020 to 01/01/2023, the Licensee's NSC described the prices payable by the customer under the contract and the circumstances in which those prices were payable. However, the requirements in relation to the <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i> were not evident. Specifically, the NSC did not specify: 13(2) A customer contract must describe the way in which the retailer (a) publishes its prices; and (b) gives notice of variations to its prices. The requirements do not appear to be reflected in the Draft Schedule to <i>Electricity Supply Agreement: Standard Terms and Conditions (Small Use) 2023</i> . It is noted regulation 13(2)(a-b) came into effect on 1 st January 2023 and as such the non-compliance applied to the period 1/1/23 to 30/6/2023.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>For the duration of the audit period 01/07/2020 to 01/01/2023 (i.e. prior to the amendment regulations), PE's obligations in relation to the description of prices payable and the circumstances under which those prices were payable were addressed by the NSC T&Cs. Additionally, the provision of tariff information within 8 business days under clause 10.1(3) of the Code of Conduct were included in the Terms & Conditions (for example, refer Clause 5.2 version ESA.002.032022). It was noted these obligations were only applicable until 01/01/23 when the <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i> came into effect.</p> <p>Additionally, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Perth Energy Website <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS: <ul style="list-style-type: none"> Signed Application and Commercial Terms electricity prices and changes were monitored in the salesforce. It was understood that in general, PE did not offer alternative tariffs to the customer. Note the <i>Electricity Industry (Customer Contracts) Regulations 2005</i> defines “price” includes charge, fee and tariff; It was noted that during the audit period the SFC was not used by the licensee.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	C	2	
	<p>04/2023 RECOMMENDATION – The Licensee should review the Non-Standard Contract, comprised of the Perth Energy Electricity Supply Agreement and the Schedule to Electricity Supply Agreement: Standard Terms & Conditions to ensure they comply with the Electricity Industry (Customer Contracts) Regulations 2005 and the Electricity Industry (Customer Contracts) Amendment Regulations 2022.</p> <p>Additionally, to further ensure ongoing compliance:</p> <p>a) a review of the control processes and procedures to identify changes to legislative requirements should be undertaken.</p> <p>b) the method to identify the control processes (i.e. procedures, checklists, contractual document, systems, etc.) that are required to be amended in accordance with the legal obligations should be reviewed.</p> <p>c) an internal audit program for assessment of compliance with the legal obligations should also be established.</p>			
88 Type [2]	Regulation 14 - A non-standard contract must describe the procedures to be followed by the retailer in relation to the preparation, issue and review of customer bills.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's NSC Terms & Conditions described the procedures followed by Perth Energy in relation to the preparation, issue and review of the customer's bills.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack

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				<ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Terms & Conditions (NSC) specified monthly billing cycle and the ESA stated the due date. ▪ Gentrack system was used for billing customers.
	4	N/P	1	
2023 RECOMMENDATION - NIL				
89 Type [2]	Regulation 15 - A non-standard contract must describe the matters relating to the termination of the contract that are specified in the regulation.			<p>COMPLIANCE FINDING: For the duration the audit period, the Licensee's NSC Terms & Conditions applicable to the audit period, did not fully describe the matters relating to the termination of the contract that are specified in the regulation. It was noted that for two thirds of the audit period the ESA.001.0520 Small Use - Schedule to Electricity Supply Agreement 2021 was noted to not include all the matters as mandated by regulation 15.</p> <p>Specifically in relation to sub clauses 15(2)(c),(ca), 3(b),(c) and 4. Refer to table below for detail in relation to the T&Cs sampled and applicable to audit period.</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS				
			Sub Clause	ESA.001.0520	ESA.002.032022	DRAFT T&Cs 2023
			1(a)	CI 19 and 2.3	CI 20 and 2.3	CI 21 and 2.3
			1(b)	CI 19	CI 20	CI 21
			1(c)	CI 19.5	CI 20.6	CI 21.6
			2(a)	CI 19.3	CI 20.3	CI 21.3
			2(b)	CI 19.3	CI 20.3	CI 21.3
			2(c)	Not specified	CI 20.3	CI 21.3
			2(ca)	Not specified	CI 20.5	CI 21.5
			2(d)	Implied various clauses	CI 20.4	CI 21.4
			3(a)	CI 19.7	CI 20.8	CI 21.8(ii)
			3(b)	CI 19.7(b)(ii) final tax invoice referenced	CI 20.8	CI 21.8(ii)
			3(c)	Fee per se not specified (9.1(b) and 19.7(b)(i) – reference in general to invoices and payment of associated costs)	CI 20.8	CI 21.8(iv)
			3(d)	CI 19.7(b)(iii)	CI 21.8(iv)	CI 21.8(iii)
			3(e)	CI 19.7(b)(iii)	CI 21.8(iv)	CI 21.8(iii)
			4	CI 2.3(b) – refer to 10 days does not	CI 2.3(b) – refer to 10 days does not	CI 2.3(b) – refer to 10 days should be 10

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS			
			specifically reference "Cooling Off" period.	specifically reference "Cooling Off" period.	business days, does specifically not reference "Cooling Off" period.
		5 – deleted 1/1/23	10 days	10 business days	10 business days
		6	CI 2.3(b)	CI 2.3(b)	CI 2.3(c)
		<p><i>Note: T&Cs ESA.001.0118 available on the licensee's website were not reviewed for compliance.</i></p> <p>Whilst the Licensee had made amendments to the subsequent versions of the NSC T&Cs, as detailed in the table above, compliance was not accurately assessed for this Type 2 reportable requirement. Consequently, the compliance status, was not accurately reflected as mandated in the Annual Compliance Reports for the years 2020 and 2021,</p> <p>Additionally, the control processes were inadequate as there was an absence of internal monitoring to identify the non-compliance and a well established and implemented document control system to monitor version control and communication of regulatory changes to NSC. For example, as required by obligation 90 notification to the customer regulatory changes to NSC.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack • Customer Information Packs (Small Use) - Business Energy Supply 			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> It was noted that the DRAFT T&Cs 2023 were not approved during the audit period. The Licensee has engaged a legal expert to review the T&Cs in accordance with legislation amends. It was noted that sub regulation 15(5) was deleted from the <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i> which came into effect 01/01/23.
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2	
	05/2023 RECOMMENDATION – Refer to recommendation 04/2023 as related to obligation 87			
90 Type [2]	Regulation 16(1A), 16(2) and 34 - A non-standard contract must inform the customer that the provisions of the contract may be amended without the customer's consent where the amendment is required for the contract to remain consistent with a written law. A non-standard contract must describe the process for amending the contract, including requirements for approval and the way in which the amendment will be published.			<p>COMPLIANCE FINDING:</p> <p>During the audit period 1 January 2023 to 30 June 2023, the non-standard contract informed customers that the non-standard contract provisions may change from time to time without their consent but did not specifically reference that the amendments were to ensure that the contract remained consistent with written law.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	<p>The non-standard contract must require the retailer to notify the customer of any amendment to the contract.</p>	<p>Although, the non-standard contract did note that the Perth Energy would notify the customer of any changes to the Agreement and that if the customer did not agree with the amendments, the customer had options in relation to the Agreement in accordance with the termination clause of T&Cs, there was no customer notification of amendments to non-standard contracts during the audit period.</p> <p>Evidence that the process for notification of any amendments to the customer was not confirmed during the and the Manager WA Commercial stated that once signed updated versions of the non-standard contract were not provided to customers, as such the customers were not made aware of legislative changes.</p> <p>Additionally, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system.</p> <p>Compliance with the obligations in relation to the standard form contract (SFC) were evidenced. It was noted that the SFC was last approved and published by the ERA on the 26 July 2023, detailed the requirements in relation to being updated, without the customers consent, and described the requirement for approval and the way in which an amendment will be published.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy website • ERA website • Non Standard Contract • Small Use Customer Information Pack

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) Pricing Model <p>PERSONNEL INTERVIEWED: Manager WA Commercial, Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i> (SL 2022/103) were published in Gazette 17 June 2022 p. 3322-33 and as such the requirements were not included in NSC T&C version ESA.002.032022. The NSC Terms & Conditions informed the customer that the provisions of the contract may be amended without the customer's consent (no reference was made that the amendments to the non-standard contract were to ensure the contract remained consistent with written law), required PE to notify the customer of any amendment to the contract and detailed customer options in response to the amendment (for example, refer clause 24.13 T&C version ESA.002.032022 and noted in the DRAFT T&Cs 2023, refer clause 26.13) and provided the customer options in relation to termination (refer T&Cs clause 2.3). The standard form contract conditions were approved and published on the Perth Energy website as required (https://www.perthenergy.com.au/wp-content/uploads/2023/08/230815-Perth-Energy-Standard-Form-Electricity-Contract-2023.pdf)
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING 3	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	06/2023 RECOMMENDATION – Review the process for amending the non-standard contract and update the clause in relation to “amendment of this agreement” to reflect the requirements of the Code of Conduct 2022.			
91 Type [2]	Regulation 17 - A non-standard contract must specify the assignment of rights and obligations, including assignment without the customer's consent.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's Terms & Conditions (NSC) specified Perth Energy's and the customers assignment of rights and obligations.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The NSC Terms & Conditions included a reference to Perth Energy's right to assignment without the customer's consent (for example, refer clause 16 T&C version ESA. ESA.002.02022).
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2023 RECOMMENDATION - NIL				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
92 Type [2]	Regulation 18 - A non-standard contract must describe the procedures that must be followed by the retailer in responding to a complaint made by a customer.	<p>COMPLIANCE FINDING: During the audit period, the Licensee's NSC Terms & Conditions detailed their complaints handling procedures followed by Perth Energy in responding to a customer complaint. The NSC stated that the information for complaints process was located on the Perth Energy's website and detailed the customers right to have their complaint considered by the Electricity Industry Ombudsman.</p> <p>However, the Perth Energy website link for the Complaint Handling Procedure referenced in the T&Cs was not functional (refer https://www.perthenergy.com.au/help/complaints/). This link was located under the Regulatory information section AGL Perth Energy Complaints Handling.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy website www.perthenergy.com.au • Gentrack • Complaints Handling Procedure • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">The Terms & Conditions referenced complaints would be managed in accordance with AS/NZS 10002:2014 (refer introductory pages T&Cs version ESA.002.032022).Perth Energy website did not expressly facilitate a mechanism for complaints on the website and the link connected to the contact form.The Licensee was advised that the link to the complaints handling procedure was found to be non- functional as of 19/7/23 and it was noted that this issue still persisted as of 10/9/23.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	2	
07/2023 RECOMMENDATION – The Licensee should ensure the functionality of the website link for AGL Perth Energy Complaints Handling Procedure be re-established and review website processes to ensure regulatory information is available at all times.				
93 Type [2]	Regulation 19 - A non-standard contract must specify the process that must be taken by the retailer to ensure information held by the retailer is treated confidentially.			<p>COMPLIANCE FINDING: In relation to confidentiality, the Licensee's NSC Terms & Conditions detailed the steps taken by Perth Energy to maintain customer information confidentially, referenced the Licensee's privacy policy and outlined how customers could obtain a free copy of the policy.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">Perth Energy website www.perthenergy.com.auComplaints Handling ProcedurePrivacy PolicyCustomer Information Packs (Small Use) - Business Energy SupplyPerth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)Pricing Model

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Perth Energy's steps taken to ensure that customer information held was treated confidentially were specified in Clause 24.8 of the Terms & Conditions (refer T&Cs version ESA.002.032022). The link to Privacy Policy on the Perth Energy website was found to be functional. It was noted that the Perth energy Privacy Policy was last reviewed on 18 November 2020. The amendment regulations came into effect on the 01/01/2023.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
94 Type [2]	Regulation 20 - A non-standard contract must specify the governing legislation, 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.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's NSC Terms & Conditions addressed the requirement for the non-standard contract to include details on governing legislation, the impact of invalid or unenforceable provisions, the notification process, and the Perth Energy's use of electronic communication.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Customer Information Packs (Small Use) - Business Energy Supply Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> In relation to Terms & Conditions version ESA.002.032022 the NSC informed the customer of Perth Energy's obligations as follows: <ul style="list-style-type: none"> a) governing legislation (Clause 24.7) b) the effect of any invalid or unenforceable provision on the other provisions of the contract (Clause 24.10) c) the way in which notice can be given under the contract and when such notice is deemed to be given (Clause 24.6) the use of electronic communication by the retailer when dealing with the customer (Clause 1.2(u))
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2023 RECOMMENDATION - NIL				
95 Type [2]	Regulation 21 - 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.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's NSC Terms & Conditions referenced the <i>Code of Conduct for Small Use Customers</i> and do not contain any clauses altering it.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Customer Information Packs (Small Use) - Business Energy Supply Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> A review of the versions of the Terms & Conditions applicable to the audit period was undertaken.
	2023 RECOMMENDATION - NIL			
96 Type [2]	Regulation 32 - A non-standard contract must include details about the cooling off period specified in the regulation.			<p>COMPLIANCE FINDING: During the audit period, the Licensee's non-standard contract Terms & Conditions included details about the cooling off period as specified by the regulation on all contracts reviewed after the requirement came into effect. The changes required to be made to the T&Cs were verified for the NSC's reviewed. Specifically, the obligations requirement changed the 32(2) to reference "10 business days" by the <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i>.</p> <p>To ensure ongoing compliance, recommendations for control processes made in other areas of this report should be considered, for example, process for amendments to NSC as a result of legislative changes, internal monitoring and document control improvements (refer observation below).</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Information.Retail.003 - Small Use Customer Information Pack • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Pricing Model <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The requirement for the Cooling Off Period to be for 10 business days as opposed to 10 days was applicable to the audit period from 01/01/2023 which was when the <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i> came into effect. This was reflected in T&Cs version ESA.002.032022 as well as the DRAFT T&Cs 2023, with the exception of Regulation 15(4), as observed in obligation 90, which still when detailing ending the current contract to enter a new contract with the Licensee, referenced 10 days instead of 10 business days (note the reference to 10 days was also observed in the approved T&Cs version ESA.002.032022 which was approved outside the scope of the audit period). ▪ Compliance with the 10 business days in Terms & Conditions after the 1/1/23 was demonstrated for contracts sampled. ▪ It was noted that the Licensee was unaware that a copy of the NSC was published to the website in error.
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 1	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION – NIL			
97 Type [2]	Regulation 33(2) - A non-standard contract must allow the customer to terminate the contract at any time with no less than 5 days' notice.			<p>COMPLIANCE FINDING: In relation to termination of contract by the customer, the Licensee's NSC Terms & Conditions were fixed term contracts and as such were not required to include Regulation 33(2).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ As confirmed by the Licensee all Terms & Conditions (NSC) were fixed term contracts and under regulation 33(1) this obligation did not apply. A fixed term contract means a non-standard contract that is expressed to have effect for a definite period.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	NP	NR	
	2023 RECOMMENDATION – NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
98 Type [2]	Regulation 33(2) and (4) - A non-standard contract that is a fixed contract must describe the matters relating to the termination of the contract specified in the regulation.	<p>COMPLIANCE FINDING: During the audit period it was confirmed by the Licensee and by documentation reviewed that there were 4 versions of the non-standard contract. In relation to termination of contract by the customer, the Licensee's Terms & Conditions (NSC) described the requirement that a fixed term contract must authorise the customer to terminate the contract at any time by giving notice to the retailer not less than 20 days before the day on which the customer wants the contract to end. Compliance with this requirement was noted in:</p> <ul style="list-style-type: none"> ➤ T&Cs version ESA.002.032022 (refer clause 2.3 (a)(ii)) ➤ T&Cs version ESA.001.0520 (refer clause 2.3 (a)(ii)) ➤ T&Cs version ESA.001.0917 (refer clause 2.3 (a)(ii)) ➤ T&Cs version ESA.001.0118 (refer clause 2.3 (a)(ii)) <p>Additionally, all versions of the contracts it specified amount the payable by the customer, by way of penalty, in the event that the customer terminated the contract before the expiry of the term of the contract.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> It was understood that all Perth Energy's contracts were fixed term contracts for SUC. For all NSC reviewed, the penalty was detailed in the clause relating to Default and Termination. It was noted that the DRAFT T&Cs 2023 were also compliant with the obligation.
	2023 RECOMMENDATION – NIL			
98A+ Type [2]	Regulation 34(A) - A non-standard fixed term contract must detail the contract expiry date, customer options available for supply following expiry, the terms and conditions that apply after expiry and the way the retailer will provide the notification in the manner specified.			<p>COMPLIANCE FINDING: Compliance with the information relating to expiry of fixed term contract obligation was applicable for the audit period 01/01/2023 to 30/6/2023 and as such was only applicable to T&Cs version ESA.002.032022. Compliance was confirmed for sub regulations 34A(1)(b)(c)(d), (3) & (4) but not 34A(1)(a) and (2),</p> <p>A review of the T&Cs indicated that with respect to information relating to the expiry of a fixed term contract, the Licensee's Terms & Conditions (NSC) did not meet the requirements with respect to:</p> <ul style="list-style-type: none"> ➤ 34(A)(1)(a) required the Licensee to notify the customer of the day on which the contract was due to expire. The terminology used indicated that Perth Energy "may" notify (refer Clause 22(a)) and as such did not expressly require them to notify the customer. ➤ 34(A)(2) which stated that the notification in relation to expiry date of the contract be given not more than 40 business days and not less than 20 business days before the day on which the contract was due to expire. There was no specific timeframe detailed within the T&Cs relating to notification in relation to expiry date. <p>Additionally, a sample review of small use customer non-standard contracts indicated at least one customer was not advised in accordance with Clause 34(A)(2) (refer details obligation 132).</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>As such, the control processes were inadequate as there was an absence of internal monitoring and a well established and implemented document control system.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was noted the amendment regulations were effective from the 1/1/2023. The Electricity Compliance Reporting Manual was revised in February 2022 to reflect this obligation. The Licensee had notice of the pending change to compliance requirements. ▪ The Terms & Conditions (version ESA.002.030222) were fixed term contracts and were noted to have not been reviewed to capture the amendments to the <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i>. ▪ The DRAFT ESA T&Cs 2023 did not reflect the amendments in relation to regulation 34(A)(1) refer clause 24 Supply after the Contract End Date and sub-clause (a). ▪ It was noted that there was an instance where a customer was not notified of the impending contract expiry as required and when identified PE liaised with customer to address the issue with the customer resigning for ongoing supply.
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING 3	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	08/2023 RECOMMENDATION – Refer Recommendation 04/2023 as related to obligation 87.	
98B+ Type [2]	Regulation 34(B) - A non-standard contract for residential customer must not state that the residential customer is required to pay a security deposit.	<p>COMPLIANCE FINDING: The Licensee confirmed for the duration of the audit period Perth Energy has had 2 residential customers, neither of which were required to pay a security deposit. The obligation requiring security deposits not be payable by residential customers only applied for audit period 01/01/2023 to 30/06/2023 during which time it was noted that there were no residential non-standard contracts executed.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was noted during the audit period, the non-standard contracts for residential customers were the same as those small use business customers. ▪ It was noted that updated contract conditions were not provide to the customers. ▪ The next contract renewal date for residential customers was noted to be 20/09/2024 and it was noted the DRAFT T&Cs 2023 addressed the requirements (refer in clause 22(a)).

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<ul style="list-style-type: none"> ▪ <i>Electricity Industry (Customer Contracts) Amendment Regulations 2022</i> came into effect on the 1/1/2023 and the NSC for the residential customers were not updated to reflect the changes. ▪ It was noted that the Compliance Obligations Register was updated to reflect the <i>Electricity Industry (Customer Contracts) Regulations</i> or the <i>Amendment Regulations</i>.
	2023 RECOMMENDATION – NIL			
98C Type [2]	Regulation 34(C) - A non-standard contract, entered into by a non-residential customer, is required to state whether the customer must pay a security deposit, how the amount of the security deposit is calculated, the maximum amount the retailer may request, when the retailer may use the security deposit to offset the amounts owed by the customer and when the retailer must repay the security deposit.			<p>COMPLIANCE FINDING: The Licensee confirmed for the audit period 01/01/2023 to 30/06/2023 Perth Energy entered into NSCs with non-residential customers. Although the possibility for the requirement for a security deposit was referenced within the T&Cs, the actual requirement for a security deposit was reliant on the outcome of a credit check and was not referenced on the ESA itself.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Salesforce • Customer Files • Contracts Checklist • NEW Please Execute Contract - Contract & Checklist Check • Business Support Tracking Spreadsheet 2020 and 2022 • Customer Information Packs (Small Use) - Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> A review of T&Cs version ESA.002.032022 applicable after the 01/01/23 confirmed compliance with the requirements (refer Clause 21. Security). It was noted the DRAFT T&Cs 2023 addressed the requirements. The control procedures for contracts checklists did not have document control applied. Customer files had copies of credit checks attached. the Business Support Tracking Spreadsheet 2020 and 2022 monitored the process.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION – NIL			
100 Type [2]	Regulation 38 - If a 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 notify the customer within 5 days after becoming aware of it and provide specified information.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, when Perth Energy became aware of a customer taking a supply of electricity that was deemed to be supplied under the licensee's standard form contract, they notified the customer within 5 days after becoming aware of it and provide specified information. During the audit period there were no small use customers supplied under the standard form contract.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Customer Information Packs (Small Use) - Business Energy Supply Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was understood that this may occur where a business ends their operations from a particular premise and a new business starts consuming electricity without notifying Perth Energy. The Gentrack billing system routinely picked up due to a change in electricity consumption, which prompted Perth Energy to contact the new business within 5 days to arrange a new non-standard contract.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2023 RECOMMENDATION - NIL				

12 ELECTRICITY INDUSTRY ACT - LICENCE CONDITIONS AND OBLIGATIONS

101 Type [2]	Licence Condition 5.3.1 - A licensee must provide the ERA with a Performance Audit conducted by an independent expert acceptable to the ERA, not less than once every 24 months.	<p>COMPLIANCE FINDING: The previous independent performance audit for the Licensee, since issue of its electricity retail licence, confirmed the submission of the 2020 Performance Audit report to the ERA, covering the 36-month audit period from July 1, 2018, to June 30, 2020.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Economic Regulation Authority Website • ERA Notice Perth Energy Pty Ltd - 2020 performance audit (8/11/2023) • Audit Plan - ERL10 Performance Audit 2023
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ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> The 2020 Performance Audit report was found available for review on the ERA website. Communications and correspondence with the Secretariat were provided for review. GES was appointed with the Authority's approval to undertake the performance audit for the audit period on the 31 July 2023 (Authority Document Ref: D263576). Audit & Review Plan developed and approved in accordance with Audit Guidelines This Performance Audit for the period 1 July 2020 to 30 June 2023 is the 7th audit undertaken by the Licensee.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
105* Type [2]	Licence Condition 4.2.1 - A licensee must pay the prescribed licence fees to the ERA according to clauses 6, 7 and 8 of the <i>Economic Regulation Authority (Licensing Funding) Regulations 2014</i>			COMPLIANCE FINDING: During the audit period, the Licensee paid the prescribed license fees to the ERA in accordance with the obligations outlined in the <i>Economic Regulation Authority (Licensing Funding) Regulations 2014</i> . DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> ERA Invoice and Payment Info Perth Energy Pty Ltd – 130723 Compliance Assurance Plan 2023 Compliance Obligations Register PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING A	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> All annual fees were paid as required. A report of payments was provided by the Accounts Department of the ERA. The previous audit report noted obligation 105 to be non-compliant, the corrective actions were found to be effective in ensuring compliance for the current audit period.
2023 RECOMMENDATION – NIL				
106 ^Δ Type [NR]	Licence Condition 4.1.1 - 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.			COMPLIANCE FINDING: During the audit period, to the extent within their control Perth Energy took reasonable steps in relation to interruption of the supply. Additionally, measures such as cyber security, backup of systems and data were confirmed to be established by the Licensee. DOCUMENTS/SYSTEMS: Procedure.HSEQ.003 - CMP - Business Recovery and Continuity Plan - Main Office • Electricity Disconnections and Reconnections Procedure PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> Perth Energy had limited capacity to minimize 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. Western Power as the Network provider fulfilled this obligation. Perth Energy's standard practice in response to customers queries relating to unplanned outages and was to direct them to Western Power's website.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	1	<ul style="list-style-type: none"> AGL has developed a process to identify, assess and mitigate key cybersecurity risks, which leveraged the Australian Energy Sector Cyber Security Framework and was in line with regulatory requirements such as the <i>Security of Critical Infrastructure Act 2018</i> and the <i>Privacy Act 1988</i>.
	2023 RECOMMENDATION – NIL			
108 Type [2]	Licence Condition 6.4.1 - A retail or integrated regional licensee must not supply electricity to a small use customer otherwise than under a standard form contract or a Non-Standard Contract that complies with the Act.			<p>COMPLIANCE FINDING: During the audit period the Licensee confirmed the supply of electricity to customers exclusively through non-standard contracts. However, due to significant amendments to legislation such as the <i>Electricity Industry (Customer Contracts) Regulations</i> and the <i>Code of Conduct for the Supply of Electricity to Small Use Customers</i> the requirement that the non-standard contracts conformed to the provisions of this Act could not be confirmed (for example, refer obligations 82, 86,)</p> <p>The Licensee's control processes were inadequate in relation to document control, internal monitoring and timely amendment due to legislative changes. Although an external third party was used to ensure contract compliance the approved version of the contract was approved outside of the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Economic Regulation Authority Website Information.Retail.003 - Small Use Customer Information Pack ERA Notice Perth Energy Pty Ltd - Decision to renew electricity retail licence ERL10 and approve amended standard form contract (24/6/2021) ERA Notice Perth Energy Pty Ltd - Approval of amendments to standard form contracts (22/2/2023) Customer Information Packs (Small Use) - Business Energy Supply

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Condition (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Licensee's control procedures to ensure amendments to documentation relating to compliance were not well demonstrated in relation to non-standard contracts. It was noted it is a requirement of the <i>Electricity Industry Act 2004</i> that the Licence application not to be granted unless standard form contract approved. Perth Energy held a retail licence ERL10, and the Standard Form Contract was amended twice during the audit period, and was available on the ERA website. The Standard Form Contract was also amended outside the scope of the audit period on 26 July 2023. Perth Energy has verified that no customers were supplied using standard form contracts.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	C	3	
	09/2023 RECOMMENDATION – Refer recommendation 04/2023 as related to obligation 87.			
109 Type [2]	Licence Condition 6.6.1 - A licensee must comply with any direction by the ERA to amend the standard form contract and do so within the period specified.			<p>COMPLIANCE FINDING: During the audit period the Licensee confirmed they complied with the ERA's directive to amend the standard form contract. The amendments were made in accordance with the specifications provided by the ERA and were completed within the stipulated timeframe.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Economic Regulation Authority Website ERA Notice Perth Energy Pty Ltd - Decision to renew electricity retail licence ERL10 and approve amended standard form contract (24/6/2021) ERA Notice Perth Energy Pty Ltd - Approval of amendments to standard form contracts (22/2/2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Perth Energy held a retail licence ERL10, and the Standard Form Contract was amended twice during the audit period, and was available on the ERA website. The Standard Form Contract was also amended outside the scope of the audit period on 26 July 2023. Communication between the Licensee and the ERA in relation to the direction to amend the SFC was sighted.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
111 Type [2]	Licence Condition 6.1.1 - 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.			<p>COMPLIANCE FINDING: For the duration of the audit period the Licensee was member of an approved scheme and there were no decisions or directions by the electricity ombudsman issued.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Energy and Water Ombudsman Website Energy and Water Ombudsman 2021-22 Annual Report Energy and Water Ombudsman 2020-21 Annual Report Application to be a member of the Energy and Water Ombudsman scheme Information on fees paid to the Energy and Water Ombudsman Scheme

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> Perth Energy listed as Service Provider on The Energy and Water Ombudsman website. https://energyandwater.ombudsman.wa.gov.au/service-providers/service-provider-contacts Energy and Water Ombudsman invoices reviewed.
	2023 RECOMMENDATION - NIL			

13 ELECTRICITY LICENCES – LICENCE CONDITIONS AND OBLIGATIONS

114 [☒] Type [NR]	Licence Condition 6.3.1 - A licensee must ensure that an electricity marketing agent of the licensee complies with the Code of Conduct for the Supply of Electricity to Small Use Customers 2022				COMPLIANCE FINDING: The Licensee confirmed all Perth Energy employees who undertook sales and marketing activities on behalf of the retailer were trained to ensure they were of their obligations under the Code of Conduct. However, requests for information related to training records were not provided to the auditor and could not be confirmed. Additionally, a review of the training programs for sales and marketing personnel were outdated and had not been reviewed during the audit period or since the 2022 Code of Conduct came into effect 20 February 2022, for example, Retail Staff Induction [Training.Retail.002] and Marketing Compliance [Training.Retail.001] were last reviewed 12 July 2018. As such, it was not evident the licensee had established systems to ensure an electricity marketing agent of the licensee complies with the Code of Conduct for the Supply of Electricity to Small Use Customers 2022.
	Consequence	Likelihood	Inherent Risk Rating	Control Assessment	
	Moderate	Likely	High	Moderate	
	Note: Obligation subject to variation and included in the audit scope. Refer to section 2.4 of this report.				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>Rating of compliance with the obligation was not undertaken as there is some ambiguity in relation to the definition of electricity marketing agents in the Code of Conduct and their application to the retailer's employees. The ERA advised this would be reviewed during the next scheduled Code of Conduct review.</p> <p>However, the Licensee's control processes were inadequate in relation to training materials, training required, training records, document control, internal monitoring and amendment due to legislative changes.</p> <p>DOCUMENTS/SYSTEMS</p> <ul style="list-style-type: none"> • Salesforce • Marketing Compliance [Training.Retail.001] • Customer Complaint Handling [Training.Corporate.001] • Retail Staff Induction [Training.Retail.002] <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation, WA Sales Manager</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Obligation was incorrectly left out of the audit scope in the audit plan, refer variation section 2.4 of this report. ▪ It was noted that in relation to Marketing Compliance [Training.Retail.001], the program had been prepared by third party legal experts for the Gas Marketing and expanded to Electricity Marketing.
	PRIORITY 2	CONTROLS RATING C	COMPLIANCE RATING NR	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	10/2023 RECOMMENDATION – Review the training material related to sales and marketing functions and update to ensure compliance with the Code of Conduct for the Supply of Electricity to Small Use Customers 2022.			
116 ^Δ Type [NR]	Licence Condition 6.4.2 - A licensee must, if directed by the ERA, review the standard form contract and submit to the ERA the results of that review within the time specified.			<p>COMPLIANCE FINDING: During the audit period the Licensee confirmed they complied with the ERA's directive to review the standard form contract and submit the results of the review. The amendments were made in accordance with the specifications provided by the ERA, and it was understood that they were completed within the stipulated timeframe.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Economic Regulation Authority Website • ERA Notice Perth Energy Pty Ltd - Decision to renew electricity retail licence ERL10 and approve amended standard form contract (24/6/2021) • ERA Notice Perth Energy Pty Ltd - Approval of amendments to standard form contracts (22/2/2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Perth Energy held a retail licence ERL10, and the Standard Form Contract was amended twice during the audit period and was available on the ERA website. The Standard Form Contract was also amended outside the scope of the audit period on 26 July 2023. ▪ Communication between the Licensee and the ERA in relation to the direction to amend the SFC was sighted.
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
117 ^Δ Type [NR]	Licence Condition 6.4.3 - A licensee must comply with any direction given by the ERA in relation to the scope, process and methodology of the standard form contract review.			<p>COMPLIANCE FINDING: During the audit period the Licensee confirmed they complied with the ERA's directives in relation to scope, process and methodology in amending the standard form contract.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Economic Regulation Authority Website • ERA Notice Perth Energy Pty Ltd - Decision to renew electricity retail licence ERL10 and approve amended standard form contract (24/6/2021) • ERA Notice Perth Energy Pty Ltd - Approval of amendments to standard form contracts (22/2/2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Perth Energy held a retail licence ERL10, and the Standard Form Contract was amended twice during the audit period and was available on the ERA website. The Standard Form Contract was also amended outside the scope of the audit period on 26 July 2023. ▪ Communication between the Licensee and the ERA in relation to the direction to amend the SFC was sighted.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	1	
	2023 RECOMMENDATION - NIL			
118 ^Δ Type [2]	Licence Condition 6.5.1 - A licensee can only amend the standard form contract with the ERA's approval.			<p>COMPLIANCE FINDING: During the audit period the Licensee confirmed they sought and received the ERA's approval in amending the standard form contract.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Economic Regulation Authority Website ERA Notice Perth Energy Pty Ltd - Decision to renew electricity retail licence ERL10 and approve amended standard form contract (24/6/2021) ERA Notice Perth Energy Pty Ltd - Approval of amendments to standard form contracts (22/2/2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Perth Energy held a retail licence ERL10, and the Standard Form Contract was amended twice during the audit period and was available on the ERA website. The Standard Form Contract was also amended outside the scope of the audit period on 26 July 2023. Communication between the Licensee and the ERA in relation to the direction to amend the SFC was sighted.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
119 Type [2]	Licence Condition 4.3.1 - 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.			<p>COMPLIANCE FINDING: A review of AGL's general purpose financial statements for the financial years 2020/21, 2021/22, and 2022/23, confirmed that Perth Energy adhered to the requirement for licensees and related bodies corporate to maintain records in line with Australian Accounting Standards Board Standards or equivalent International Accounting Standards.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> AGLs Website AGL Annual Report 2022/2023 AGL Annual Report 2021/2022

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • AGL Annual Report 2020/2021 <p>PERSONNEL INTERVIEWED: Manager Business Support, Manager Billing</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Third party annual financial reports prepared in accordance with Australian Accounting Standards Board Standards were published on AGLs website. ▪ The consolidated financial statements were general purpose financial statements which were prepared in accordance with Australian Accounting Standards and Interpretations as issued by the Australian Accounting Standards Board (AASB) and the <i>Corporations Act 2001</i>. ▪ The consolidated financial statements also complied with International Financial Reporting Standards (IFRS) as issued by the International Accounting Standards Board.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION – NIL			
121 Type [2]	Licence Condition 5.3.2 - licensee must comply, and require its auditor to comply, with the ERA's standard audit guidelines for a Performance Audit			<p>COMPLIANCE FINDING: The Licensee and the Auditor complied with the 2019 Audit Guidelines were applied to the development of the 2023 Audit Plan for the current Performance Audit.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Economic Regulation Authority Website • ERA Communication • Auditor Quotation and • Perth Energy Performance Audit Plan 2023 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS:
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<ul style="list-style-type: none"> The Licensee engaged GES for the audit period 1 July 2020 to 30 June 2023 and the engagement process adhered to the requirements of the 2019 Audit Guidelines. The ERA accepted the previous Performance Audit, and the report was published on the ERA website.
	2023 RECOMMENDATION - NIL			
123 Type [2]	Licence Condition 4.4.1 - In the manner prescribed, a licensee must notify the ERA, if it is under external administration or if there is a significant change in the circumstances that the licence was granted which may affect the licensee's ability to meet its obligations.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period Perth Energy was not under external administration and there were not significant changes affecting the Licensee's ability to meet its obligations.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> AGL Website PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	2023 RECOMMENDATION - NIL			OBSERVATIONS: <ul style="list-style-type: none"> The obligation was listed in the Compliance Obligations register.
124* ^Δ Type	Licence Condition 4.5.1 - A licensee must provide the ERA, in the manner prescribed, with any information that the ERA requires in connection with its functions under the Electricity Industry Act.			COMPLIANCE FINDING: During the audit period the Licensee complied with the dates for the submission of reporting requirements, as detailed below:

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
[2]		<ul style="list-style-type: none"> ▪ Annual Compliance Report - Compliance Reports due for submission by the 31 August annually were submitted on time. Note: Reporting years 2020-2022 within audit scope. However, it was noted that non-compliances were not identified and were incorrectly omitted over the 3 Annual Compliance Reports applicable to the audit period. ▪ Standing Charges Data – standing data due for submission by the 30 September annually were submitted on time, with exception of 2021/22 standing charge was submitted after the due date. (Note: Reporting years 2020-2022 within audit scope). Confirmation emails were provided for 2020 only. <p>Electricity Retail Licence Performance Reporting Datasheets – The Electricity Retail Performance Reporting datasheets due for submission by the 30 September annually were submitted on time. (Note: Reporting years 2020-2022 within audit scope), Confirmation emails were provided for 2020 only, as such confirmation of compliance with the obligation could not be confirmed.</p> <ul style="list-style-type: none"> ▪ Non-Compliance Obligations Omitted from the Annual Compliance Report – There were a number of non-compliances omitted from the Annual Compliance Reports as identified in this report (refer Table 1) <p>The control processes were inadequate, especially internal audit practices, did not sufficiently ensure the accuracy of data managed and reported by the Licensee to ERA for compliance purposes. Compliance seemed to depend on individual knowledge rather than being part of standard business processes, as highlighted during extended absences of key personnel. Additionally, issues were noted in relation to retrieval of records of compliance such as email communication with the ERA.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Perth Energy Website • Email communication with the ERA • Register of Non-Compliances ERL10 • Manual.Retail.001 - Electricity and Gas Retail Licence Compliance • Compliance Assurance Plan 2023 • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was noted that the Register of Non-Compliances ERL10 had not captured a significant number of the non-compliances identified in this performance audit. ▪ It was understood that for the 2021/2022 reporting period, compliance responsibility was temporarily assigned to an alternate individual.
	PRIORITY 2	CONTROLS RATING C	COMPLIANCE RATING 2	
	<p>11/2023 RECOMMENDATION – It is recommended in order to ensure clarity in compliance requirements and their integration into daily operations that the Licensee:</p> <ul style="list-style-type: none"> a) Develop a process and/or procedure for publishing compliance-related information on their website or to the customer within the required timeframe. b) Streamline compliance documentation and processes, ensuring proper document control is applied. c) Revise the compliance processes and procedures to act as an internal audit mechanism, ensuring compliance, records management, internal identification of issues as well as accurate and consistent annual reporting to the ERA. d) Review training documentation and delegation of authority protocols in relation to the Electricity Retail Licence obligations. e) Review options to highlight compliance requirements within documentation to ensure the obligations are well understood, for example, mark compliance obligations by underlining them, marking them bold, containing in text boxes or highlighting within the documents. 			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	f) Where obligations require to be developed, maintained and implemented ensure there is an adequate process established for compliance, for example obligations 220, 298, 307A.	
125 Type [2]	Licence Condition 3.8.1 & 3.8.2 - A licensee must publish any information as directed by the ERA to publish, within the timeframes specified.	<p>COMPLIANCE FINDING: During the Audit Period the Licensee was required to publish the Electricity Retail Licence Performance Reporting Datasheets for the reporting years 2020-2022. The 2021/22 Electricity Retail Annual Performance Data was not published within 7 days of receiving the notification from the ERA. The non-compliance was noted in an email from the ERA to Perth Energy.</p> <p>Confirmation as to whether the 2020 and 2021 Electricity Retail Licence Performance Reporting Datasheets were published within the 7 day timeframe was not able to be provided by the Licensee.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Perth Energy Family Domestic Violence Policy • Email communication with the ERA • Register of Non-Compliances ERL10 • Manual.Retail.001 - Electricity and Gas Retail Licence Compliance • Compliance Assurance Plan 2023 • Compliance Obligations Register • New Gentrack Account & Electricity Customer Transfer [Work Instructions] <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> The non-compliance was recorded in the Register of Non-Compliances for ERL10 by the General Manager, EMR Regulation and was understood to be reported in the 2023 Annual Compliance Report which was outside the scope of the audit period. Performance Reporting Datasheets were available on the Perth Energy website. It was understood that for the 2021/2022 reporting period, compliance responsibility was temporarily assigned to an alternate individual. The Licensee has established: <ul style="list-style-type: none"> i. Manual.Retail.001 - Electricity and Gas Retail Licence Compliance ii. Compliance Assurance Plan 2023 iii. Compliance Obligations Register, iv. Register of Non-Compliances ERL10 v. Procedure.Corporate.004 - Compliance and non-compliance reporting It was noted that the New Gentrack Account & Electricity Customer Transfer [Work Instructions] highlighted (by underlining and italicising) <u><i>As per ERA obligations, the executed contract MUST be sent to the customer within 5 business days of execution.</i></u> However, highlighting of compliance obligations was not consistently applied to Perth Energy's electricity compliance documentation.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	C	2	
12/2023 RECOMMENDATION – Refer recommendation 11/2023 as related to obligation 124.				
126 Type [2]	Licence Condition 3.7.1 - All notices must be in writing, unless otherwise specified.			<p>COMPLIANCE FINDING: During the audit period, the Licensee verified that all communications with the ERA and Perth Energy were conducted through email or mail.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Communication with ERA and Western Power Web Portal Gentrack System

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Salesforce <p>PERSONNEL INTERVIEWED: WA Sales Director, Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Salesforce CRM had the capacity to record communications with the stakeholders during the audit period. Emails, correspondence and reports published on websites provided assurance.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			

14 CODE OF CONDUCT – LICENCE CONDITIONS AND OBLIGATIONS

MARKETING				
129A+ Type [2]	Code of Conduct, clause 8 - A retailer must ensure that its electricity marketing agents comply with Part 2.			<p>COMPLIANCE FINDING: The Licensee confirmed that Perth Energy did not engage electricity marketing agents during the audit period. However, the <i>Code of Conduct for the Supply of Electricity to Small Use Customers 2022</i> (Code of Conduct) defined an electricity marketing agent" as an individual representing a retailer to either acquire new customers or manage dealings with current customers concerning electricity supply contracts.</p> <p>As such, during the audit period Perth Energy employees and representatives were required to, ensure that the interests of its customers were prioritized and that the practices of marketing agents aligned with the values, standards, and regulations of the electricity supply industry. The Licensee</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>confirmed and documentation supported that Perth Energy had developed training for employees and representatives were aware of compliance requirements relating to consumer protection, maintaining industry reputation, regulatory compliance, consistent marketing practices and avoiding misrepresentation.</p> <p>DOCUMENTS/SYSTES:</p> <ul style="list-style-type: none"> • Training.Retail.001 - Market Compliance • Training.Retail.002 - Retail Staff induction • Training.Corporate.001 - Customer complaint handling • Training.Corporate.002 - Data Breach Management • Training.Corporate.003 - Retail Customer Privacy • Web Portal • Gentrack System • Salesforce <p>PERSONNEL INTERVIEWED: WA Sales Director, Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Code of Conduct definition of electricity marketing agents includes representatives, agents, or employees of persons acting on behalf of a retailer but excludes customer representatives and the Housing Authority. ▪ Brokers compliance with requirements of Part 2 was ensured as Perth Energy executed the contracts directly with the customer once the customer accepted their quotation. ▪ It was noted that the definition of “electricity marketing agent” was revised in the Code of Conduct 2022 and that 2018 Code of Conduct suggested a broader scope, by including persons

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	involved in other prescribed electricity marketing activities, whereas the 2022 definition focuses solely on agents acting on behalf of a retailer and their representatives/employees.
	2023 RECOMMENDATION - NIL			
130 Type [2]	Code of Conduct, clause 9(1) - A retailer or electricity marketing agent must ensure that standard form contracts, which are not unsolicited consumer agreements, are entered into according to the manner set out, and the contract is provided as specified, in clause 9(1).			<p>COMPLIANCE FINDING: The Licensee confirmed that Perth Energy did not enter into a Standard Form Contract (SFC) during the audit period and as such, assessment of the recording of dates and timely distribution of the standard form contracts to customers could not be made.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Communication with ERA and Western Power • Web Portal • Gentrack System • Salesforce • Customer files <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation</p>
	4	N/P	N/R	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Compliance not assessed as Perth Energy did not use SFC during the audit period.
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
131 Type [2]	Code of Conduct, clause 9(2) - Subject to subclause 9(3), the retailer or electricity marketing agent must give to the customer the specified information in subclause 9(2) no later than on, or with, the customer's first bill.			<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed Perth Energy did not enter into any Standard Form Contracts. Consequently, requirements related to providing information as outlined in section 9(2) of the Code of Conduct were not applicable.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Communication with ERA and Western Power • Web Portal • Gentrack System • Salesforce • Pricing Model • Customer files <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Perth Energy used a CRM as a sales pipeline to manage sales prospects and the Pricing Model quotation process prior to entering an ESA with the customer. ▪ Compliance not assessed as Perth Energy did not use SFC during the audit period.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION – NIL			
132 Type [2]	Code of Conduct, clause 10(1) - A retailer or electricity marketing agent must ensure that non-standard contracts, which are not unsolicited consumer agreements, are entered into according to the manner set out, and the contract is provided as specified, in clause 10(1).			<p>COMPLIANCE FINDING: During the audit period, the Licensee recorded dates for non-standard contracts and obtained customers verifiable consent, which was generally stored in customer files or the CRM. Perth Energy routinely provided a copy of the non-standard contract (without charge) promptly, or within five days if agreed over the phone.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>However, a non-compliance was noted on 10 November 22 where Perth Energy failed to send a renewal notice to the customer within the required timeframe (i.e. 40 business prior to contract expiry). As such, verifiable consent was obtained retrospectively. It was noted the customer was made aware of the issue and was compensated as required to ensure they were not charged at a higher rate unnecessarily. It was understood that for the 2021/2022 reporting period, compliance responsibility was temporarily assigned to an alternate individual and the compliance requirement was overlooked. The Licensee control environment was not robust enough to ensure compliance in their absence.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Communication with ERA and Western Power • Web Portal • Gentrack System • Salesforce • Pricing Model • Customer files • New Gentrack Account & Electricity Customer Transfer [Work Instructions] <p>Business Support Tracking Spreadsheet</p> <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation,</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Perth Energy only used non-standard contracts for their small-use electricity customers. ▪ Compliance through the execution of the ESA acceptance process. ▪ All ESAs were required to be signed and executed by both parties in order to be processed.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">Perth Energy has established induction procedures for sales personnel.Brokers compliance with requirement was ensured as Perth Energy executed the contracts directly with the customer once the customer accepted their quotation.The ESA (i.e., Application and Commercial Terms) included acknowledgement that a copy of the Terms & Conditions (i.e., NSC) was received and understood. Signed ESA would provide assurance of this process.New Gentrack Account & Electricity Customer Transfer noted the obligation to send the executed contract to the customer within 5 business days.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	2	
	13/2023 RECOMMENDATION – Refer to recommendation 11/2023 as related to obligation 124.			
133 Type [2]	Code of Conduct, clause 10(2) - A retailer or electricity marketing agent must ensure that the information specified in subclause 10(2) is provided to the customer before entering into a non-standard contract.			<p>COMPLIANCE FINDING: For the duration of the audit period March 2022 to June 2023 when entering an NSC, the Licensee ensured customer provision with requirements from the 2022 Code of Conduct (clause 10(2)(a-c)) and the 2018 Code of Conduct (clause 2.3(2)(f)), as evidenced in Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) ESA.002.032022.</p> <p>However, for the period 1 July 2020 to February 2022 the Licensee did not provide the information specified in subclause 10(2) to customers prior to entering into a NSC. Perth Energy did not include a statement in its T&Cs (refer version ESA.001.0520) that the residential customer may be eligible to receive concessions and how the residential customer may find out about their eligibility to receive those concessions (as required by clause 2.3(2)(f) of the 2018 Code of Conduct). The Licensee amended their Terms and Conditions in March 2022 (i.e. T&Cs version ESA.002.032022) to ensure reference to obligations of clause 10(2)(a-c) of the 2022 Code of Conduct and clause 2.3(2)(a-j) of the 2018 Code of Conduct were addressed.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>Additionally, the residential customers were in some instances noted to have been provided the Business Energy Supply – SUC Information Pack which did not include details of concessions.</p> <p>Specifically, in relation to the 2 residential customers compliance was noted for a NSC renewal emailed on the 7/6/2022 and the 13/9/2022 as they were both provided with T&Cs version ESA.002.032022 which was compliant. As such compliance with this requirement was not evidenced until contract renewal with each residential customer as the updated version of the T&Cs was not provided to the customer (i.e. date of each of the two residential customer renewal from June 2022 and September 2022 respectively).</p> <p>The Licensee's control processes were inadequate in relation to document control, internal monitoring, communication of legislative changes to customers and timely amendment due to legislative changes.</p> <p>The previous audit indicated details were specified in the Small Use Customer Information Pack, but a clear distinction between Business and Residential packs and the T&Cs themselves was found to be ambiguous. Reviewed email communications showed inconsistencies in providing the necessary documents.</p> <p>Specifically, email communications relating to the residential customers NSC's reviewed did not support compliance with this obligation. For example, an email to a residential customer on the 18/5/2020 (note outside the audit period) in relation to a renewal of a NSC included a copy of the</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>ESA, a copy of the T&Cs version ESA.001.0520 and a copy of the Small Use Customer Information Pack – Business Energy Supply, which may have been attached in error of the Residential Information Pack. However, a review of another new residential customers' (i.e. no prior arrangement stated on the ESA) NSC email showed that the SUC Information Pack was not provided with the NSC (i.e. ESA and T&Cs) emailed on the 16/9/2020. In any event neither communication included reference to the concessions.</p> <p>In general, it was noted that prior to March 2022 the SUC Information Pack was not routinely provided to SUC with the NSC email and as stated previously the Licensee amended their Terms and Conditions in March 2022 to ensure reference to obligations of clause 10(2)(a-c) of the 2022 Code of Conduct and clause 2.3(2)(a-j) of the 2018 Code of Conduct were addressed. The residential customers that Perth Energy supplied electricity to during the audit period did not apply or enquire about residential concessions or financial hardship.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • CRM • Small Use Customer Information Pack – Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms – various versions • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – versions ESA.001.0520 / ESA.002.032022 / ESA.002.032022 • Electricity and Gas Marketing Compliance Procedure <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation,</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Licensee has amended the NSC Terms & Conditions to specifically include the requirements of 10(2)(c). ▪ A copy of the SUC Information Pack – Business Energy Supply was sighted, and it was observed that the Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) contained the term “SMALL USE CUSTOMER INFORMATION PACK” in its title. It was unclear whether there was another SUC Information Pack – Residential Electricity Supply or the T&Cs of the NSC were in fact the information pack as specified in the documents title. ▪ The required information relating to concessions was not included in the email communication of contract documentation provided to new customers once the contract was signed or referenced in the Electricity and Gas Marketing Compliance Procedure. ▪ The previous audit confirmed the required information was provided as part of the Small Use Customer Information Pack and Standard Form Contract. However, only the Small Use Customer Information Pack for Business Energy Supply was provided. ▪ It was noted that section 6.2.2 of the Electricity and Gas Marketing Compliance referenced provision of the information to SUCs may be provided with their first bill and required Verifiable Consent to be obtained that the customer has received all the required information. The signed ESA together with the T&Cs was considered VC, however, the SUC Information Pack was not routinely attached to the NSC email, and it was unclear if additional VC would be required if providing the information with the bill. ▪ Failure to provide information in relation to the residential concessions was not included in the 2020-2022 Annual Compliance reports. ▪ Noted that section 9 of Electricity and Gas Marketing Compliance Procedure required the General Manager Retail (the Perth Energy Organisational Chart did not reflect this position, potentially the Manager WA Commercial) to keep records of the date the contract was entered into and the provision of the Information Pack to existing or potential customers. Monitoring of compliance was not confirmed.
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING 2	

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	14/2023 RECOMMENDATION – Refer to recommendation 11/2023 as related to obligation 124.	
133A+ Type [2]	Code of Conduct, clause 10(3) - If subclause (4) applies, when a customer enters into a non-standard contract with a retailer, the retailer or an electricity marketing agent must give the information specified in clause 10(3).	<p>COMPLIANCE FINDING: The 2022 Code of Conduct came into effect on the 20 February 2023. At this time, it was noted the Licensee had amended the NSC Terms & Conditions in March 2022 to encompass the obligations of clause 10(3).</p> <p>Perth Energy adhered to subclause (3) by providing customers with required information upon entering non-standard contracts. Furthermore, they ensured not to redundantly send this information if the customer received it within the last 12 months or has been informed on how to access it, as per subclause (4). The Licensee was compliant with the code for the duration of the audit period that the obligation applied.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • CRM • Customer Information Packs (Small Use) – Business Energy Supply. • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Electricity and Gas Marketing Compliance Procedure <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation,</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	OBSERVATIONS: <ul style="list-style-type: none"> The obligation was applicable to the audit period 20/2/2023 to 30/6/2023. It was noted that a copy of the 2018 Code of Conduct was linked on the Licensee's website at the end of the audit period. Once the licensee was aware of the error the link was updated to reflect the 2022 Code of Conduct outside the scope of the audit period.
	2023 RECOMMENDATION – NIL			
135 Type [2]	Code of Conduct, clause 10(5) - Subject to subclause 10(4), a retailer or electricity marketing agent must obtain the customer's verifiable confirmation that the specified information in subclause 10(2), as applicable, has been provided.			<p>COMPLIANCE FINDING: For the duration of the audit period March 2022 to June 2023 when entering an NSC, the Licensee required the customer to provide a signed NSC, the signed ESA was considered verifiable consent that the specified information had been provided. As such, Licensee ensured customer provision with requirements from the 2022 Code of Conduct (clause 10(2)(a-c)) and the 2018 Code of Conduct (clause 2.3(2)(f)), as evidenced in Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) ESA.002.032022.</p> <p>However, for the period 1 July 2020 to June 2022 the Licensee did not include a statement in its T&Cs (refer version ESA.001.0520) that the residential customer may be eligible to receive concessions and how the residential customer may find out about their eligibility to receive those concessions (as required by clause 2.3(2)(f) of the 2018 Code of Conduct). As such, the signed ESA was not able to be considered verifiable consent that the specified information had been provided.</p> <p>Additionally, the Licensee's control environment did not adequately address the legislative requirements through document control process, internal monitoring and communicating the changes to customers.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • CRM • Customer Information Packs (Small Use) – Business Energy Supply. • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Electricity and Gas Marketing Compliance Procedure PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation,
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	OBSERVATIONS: <ul style="list-style-type: none"> ▪ The ESA Application & Commercial Terms referenced the Terms & Conditions of the NSC and required the customer sign in acknowledgment of the T&Cs. ▪ Failure to obtain verifiable consent for the information in relation to the residential concessions was not included in the 2020-2022 Annual Compliance reports.
	4	C	2	
15/2023 RECOMMENDATION – Refer to recommendation 11/2023 as related to obligation 124.				
136 Type [2]	Code of Conduct, clause 11(1) - A retailer or electricity marketing agent must ensure that the inclusion of concessions is made clear to residential customers of the retailer and that any prices that exclude concessions are disclosed.			COMPLIANCE FINDING: During the audit period, the Licensee confirmed that it did not provide residential customers with concessions. As such assessment of compliance with the requirement cannot be made.
				DOCUMENTS/SYSTEMS:

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • CRM • Customer Information Packs (Small Use) – Business Energy Supply. • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Electricity and Gas Marketing Compliance Procedure <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Perth Energy's contact details were accessible on their website and the NSC T&Cs. ▪ Customers were able to reach Perth Energy from 9am to 5pm on weekdays. A 24-hour emergency number was also available throughout the audit period. ▪ The Small Use Customer Information Pack contents were outlined in the Electricity and Gas Marketing Compliance Procedure. This was verified in relation Business Energy Supply.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION – NIL			
137 Type [2]	Code of Conduct, clause 11(2) - A retailer or electricity marketing agent must provide contact details, including their telephone number, to a customer and ensure that the customer is able to contact the retailer or electricity marketing agent during normal business hours for the purposes of enquiries, verifications and complaints.			<p>COMPLIANCE FINDING: During the audit period, the Licensee ensured customers had Perth Energy's contact details and could reach the retailer during business hours for inquiries, verifications, and complaints.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • CRM

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Customer Information Packs (Small Use) – Business Energy Supply. • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Electricity and Gas Marketing Compliance Procedure <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Perth Energy's contact details were accessible on their website and the NSC T&Cs. ▪ Customers were able to reach Perth Energy from 9am to 5pm on weekdays. A 24-hour emergency number was also available throughout the audit period. ▪ The Small Use Customer Information Pack contents were outlined in the Electricity and Gas Marketing Compliance Procedure. This was verified in relation Business Energy Supply.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2023 RECOMMENDATION – NIL				
138 Type [2]	Code of Conduct, clause 12(1) - A retailer or electricity marketing agent must, on request, provide a customer with the information specified in subclause 12(1).			<p>COMPLIANCE FINDING: The Licensee confirmed no requests were made by customers for information relating to complaints telephone number, contact for the ombudsman or the marketing agent's identification number.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy's Website

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • CRM • Small Use Customer Information Pack – Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms – various versions • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – versions ESA.001.0520 / ESA.001.022022 / ESA.002.032022 • Electricity and Gas Marketing Compliance Procedure <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The WA Sales Director provided a copy of this marketing identification badge. ▪ Perth Energy has established induction procedures for sales personnel. ▪ The information was also readily available on the Perth Energy website.
	2023 RECOMMENDATION - NIL			
139 Type [2]	<p>Code of Conduct, Clause 12(2) - A retailer or electricity marketing agent who meets with a customer face to face must:</p> <ul style="list-style-type: none"> • display a clearly visible and legible identity card showing the information specified in subclause 12(2)(a); and • provide the written information specified in subclause 12(2)(b) as soon as practicable following a request by the customer. 			<p>COMPLIANCE FINDING: The Licensee confirmed when meeting a customer face-to-face for marketing purposes, Perth Energy sales employees to ensured they:</p> <ul style="list-style-type: none"> ▪ wore a clearly visible and legible identity card showing first name, photograph, marketing identification number, name of retailer for whom the contact was made on behalf of. ▪ provided the written information first name, name of retailer for whom the contact was made on behalf of, complaints number and ABN of Perth Energy and the electricity ombudsman telephone number.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy's Website • CRM • Small Use Customer Information Pack – Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms – various versions • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – versions ESA.001.0520 / ESA.001.022022 / ESA.002.032022 • Electricity and Gas Marketing Compliance Procedure • Training.Retail.001 - Market Compliance • Training.Retail.002 - Retail Staff induction • Training.Corporate.001 - Customer complaint handling • Training.Corporate.002 - Data Breach Management • Training.Corporate.003 - Retail Customer Privacy <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Training was provided to all Perth Energy sales employees. ▪ The Licensee noted there was some limitations on face to face meetings during the audit period for the purposes of marketing due to COVID restrictions. ▪ Induction procedures required marketing calls be adequately documented with all information including date entered into Perth Energy's CRM (i.e. Salesforce).
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
140 Type [2]	Code of Conduct, Clause 13 - A retailer or electricity marketing agent who visits a person's premises for the purposes of marketing must comply with any clearly visible signs indicating that canvassing is not permitted at the premises, or no advertising is to be left at the premises.			<p>COMPLIANCE FINDING: The WA Sales Director confirmed during visits for marketing purposes, Perth Energy employee's ensured compliance with visible signs at premises, respecting indications against canvassing or leaving advertising materials.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy's Website • CRM • Small Use Customer Information Pack – Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms – various versions • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – versions ESA.001.0520 / ESA.001.022022 / ESA.002.032022 • Electricity and Gas Marketing Compliance Procedure • Training.Retail.001 - Market Compliance • Training.Retail.002 - Retail Staff induction • Training.Corporate.001 - Customer complaint handling • Training.Corporate.002 - Data Breach Management • Training.Corporate.003 - Retail Customer Privacy <p>PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Training was provided to all Perth Energy sales employees. ▪ The Licensee noted there was some limitations on face to face meetings during the audit period for the purposes of marketing due to COVID restrictions.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION				FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL				
CONNECTION					
141☒ Type [2]	Code of Conduct, Clause 2.9 - An electricity marketing agent must keep a record of complaints from customers or persons who are contacted by, or on behalf of, the electricity marketing agent for the purposes of marketing; and provide the electricity ombudsman with all of the information that it has relating to a complaint, within 28 days of receiving a request for that information. <i>Note: Obligation was removed from the Electricity Compliance Reporting Manual – February 2022. As such only applicable to the audit scope I July 2020 to February 2022.</i>				COMPLIANCE FINDING: The WA Sales Director confirmed for the period 1 July 2020 to 20 February 2023 there were no complaints received in relation to marketing agents. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Perth Energy’s Website• CRM• Small Use Customer Information Pack – Business Energy Supply• Perth Energy Electricity Supply Agreement Application and Commercial Terms – various versions• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – versions ESA.001.0520 / ESA.001.022022 / ESA.002.032022• Electricity and Gas Marketing Compliance Procedure• Training.Retail.001 - Market Compliance• Training.Retail.002 - Retail Staff induction• Training.Corporate.001 - Customer complaint handling• Training.Corporate.002 - Data Breach Management• Training.Corporate.003 - Retail Customer Privacy PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ Training records were not provided for review by the auditor.
	Consequence	Likelihood	Inherent Risk Rating	Control Assessment	
	Moderate	Unlikely	Medium	Moderate	
	Note: Obligation subject to variation and included in the audit scope. Refer to section 2.4 of this report.				
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING		
	4	N/P	N/R		

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS	
	2023 RECOMMENDATION - NIL				
142 [Ⓜ] Type [2]	Code of Conduct, Clause 2.10 - An electricity marketing agent must keep a record, or other information, required under the Code for at least 2 years after the last time that a customer or person was contacted by, or on behalf of, the electricity marketing agent, or after receipt of the last contact from, or on behalf of, the electricity marketing agent, whichever is later.			COMPLIANCE FINDING: The WA Sales Director confirmed for the period 1 July 2020 to 20 February 2023, Perth Energy used Salesforce and the Pricing Model to maintain the records as required. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Perth Energy’s Website• Salesforce CRM• Pricing Model• Small Use Customer Information Pack – Business Energy Supply• Perth Energy Electricity Supply Agreement Application and Commercial Terms – various versions• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – versions ESA.001.0520 / ESA.001.022022 / ESA.002.032022• Electricity and Gas Marketing Compliance Procedure• Training.Retail.001 - Market Compliance• Training.Retail.002 - Retail Staff induction• Training.Corporate.001 - Customer complaint handling• Training.Corporate.002 - Data Breach Management• Training.Corporate.003 - Retail Customer Privacy PERSONNEL INTERVIEWED: WA Sales Director, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ Training records were not provided for review by the auditor.	
	Consequence	Likelihood	Inherent Risk Rating		Control Assessment
	Moderate	Unlikely	Medium		Moderate
	Note: Obligation subject to variation and included in the audit scope. Refer to section 2.4 of this report.				
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING		
	4	N/P	1		

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL	
143 ^Δ Type [2]	Code of Conduct, Clause 18(1) - 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 distributor.	<p>COMPLIANCE FINDING: The Licensee confirmed Perth Energy adhered to the obligation to forward connection application to Western Power on receipt of a signed ESA. No complaints were noted regarding connection request delays.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy's Website • CRM • Small Use Customer Information Pack – Business Energy Supply • Perth Energy Electricity Supply Agreement Application and Commercial Terms – various versions • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – versions ESA.001.0520 / ESA.001.022022 / ESA.002.032022 • GENTRACK - Service Order New Connections • New Gentrack Account, Electricity Customer Transfer • New Connections procedure <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ After both parties formally accepted the contract and complete necessary tasks, connection requests are submitted to Western Power through Gentrack. If received before 3pm on business days, requests are processed the same day. Otherwise, they are addressed the next business day or after weekends/public holidays.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	<ul style="list-style-type: none"> Compliance with this requirement was evident on the Web Portal. The ESA specified supply date and a CTR was arranged within this timeframe. Delays outside the control of the Licensee were addressed. The New Connections procedure was not subject to document control.
	2023 RECOMMENDATION - NIL			
144 ^Δ Type [2]	Code of Conduct, Clause 18(2) - A retailer must forward the customer's request for connection to the 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.			<p>COMPLIANCE FINDING: During the audit period the Licensee confirmed Perth Energy adhered to the obligation to forward connection application on receipt of a signed ESA. The ESA and the Terms & Conditions specified contract start date or as permitted by law.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Perth Energy's Website CRM Customer Information Packs (Small Use) – Business Energy Supply. Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) GENTRACK - Service Order New Connections New Gentrack Account, Electricity Customer Transfer New Connections procedure <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS: <ul style="list-style-type: none">Compliance with this requirement was evident on Gentrack and the Web Portal.It was understood that the process of forwarding the transfer request to Western Power was completely automated. Once an order was placed in Gentrack to connect a customer's supply address, a notification was sent to the Web Portal to complete the connection. Errors occurred where there was miscommunication between the customer and the Sales team resulting in an erroneous transfer. In this event the erroneous transfer process was followed.The Commercial Terms specified contract date and CTR were arranged within this timeframe. Delays outside the control of the Licensee were provide for.There were no complaints in relation to connection delay noted.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
2023 RECOMMENDATION - NIL				
BILLING				
145 Type [2]	Code of Conduct, Clause 19(1) - A retailer must issue a bill at least once every 100 days, except for the circumstances specified in subclause 19(2).			COMPLIANCE FINDING: The Licensee confirmed during the audit period, the billing cycle was specified on the ESA and billing procedures ensured, bills were issued once a month and no more frequently. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">Gentrack SystemGentrack – Billing Finalisation instructionCustomer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS: <ul style="list-style-type: none"> All customer bills are issued on a monthly cycle, meeting the obligation of distributing bills at least once per month but no less than three months apart. However, there may be situations, such as meter read or meter setup issues, where billing may be delayed in accordance with circumstances outlined in subclause 19(2). Consequently, customers may not receive a bill within the 3-month requirement on such occasions.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
146 [□] Type [2]	Code of Conduct, Clause 4.2(1) - 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, the retailer advises the customer of the information specified in subclause 4.2(1). <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023.</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no customers on a shortened billing cycle and there were no residential customers who encountered payment difficulties or financial hardship during the audit period. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	OBSERVATIONS: <ul style="list-style-type: none"> There were no customers on a shortened billing cycle during the audit period.
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
146A+ Type [2]	Code of Conduct, Clause 20(1) - A retailer must not place a customer on a shortened billing cycle unless subclause 20(2) applies.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no customers placed on a shortened billing cycle and there were no residential customers who encountered payment difficulties or financial hardship during the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ There were no customers on a shortened billing cycle during the audit period. ▪ SUC Customer bills were issued monthly.
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
147 [□] Type [2]	Code of Conduct, Clause 4.2(2) - If a residential customer informs a retailer that the customer is experiencing payment difficulties or financial hardship and the customer is assessed as experiencing payment difficulties or financial hardship, the retailer must not place that customer on a shortened billing cycle without that customer's verifiable consent.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no customers placed on a shortened billing cycle and there were no residential customers who encountered payment difficulties or financial hardship during the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	<i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023.</i>			<ul style="list-style-type: none"> Gentrack – Billing Finalisation instruction Customer billing records Electricity Performance Datasheets 2021 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> There was one residential customer who as reported on the Electricity Performance Datasheets 2021 was provided additional time, however, this customer did not enter into payment plan or hardship.
	2023 RECOMMENDATION - NIL			
148 Type [2]	Code of Conduct, Clause 20(3) - A retailer must give a customer notice with the information specified in 20(3), within 10 business days after placing the customer on a shortened billing cycle under subclause 20(2).			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no customers, including residential customers, placed on a shortened billing cycle.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> There were no customers on a shortened billing cycle during the audit period.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
149 Type [2]	Code of Conduct, Clause 20(4) - A retailer must ensure that a shortened billing cycle under subclause 20(2) must be at least 10 business days.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no customers, including residential customers, placed on a shortened billing cycle. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> ▪ There were no customers on a shortened billing cycle during the audit period.
	2023 RECOMMENDATION - NIL			
150 Type [2]	Code of Conduct, Clause 20(5) - On request, a retailer must return a customer who is subject to a shortened billing cycle, under subclause 20(2), to the billing cycle that previously applied if the customer has paid 3 consecutive bills by the due date.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no customers, including residential customers, placed on a shortened billing cycle. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> There were no customers on a shortened billing cycle during the audit period.
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
151 Type [2]	Code of Conduct, Clause 20(6) - A retailer must inform a customer, who is subject to a shortened billing cycle, under subclause 20(2), at least every 3 months about the conditions upon which the customer can, upon request, be returned to the previous billing cycle under subclause 20(6).			COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no customers, including residential customers, placed on a shortened billing cycle. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> There were no customers on a shortened billing cycle during the audit period.
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
152 [□]	Code of Conduct, Clause 4.3(1) - Notwithstanding clause 4.1, on receipt of a request by a customer, a retailer may provide the			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no customers who requested to be placed on a bill smoothing arrangement.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [2]	customer with a bill that reflects a bill-smoothing arrangement with respect to any 12-month period. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> ▪ The procedure was documented in the Electricity Billing Compliance Procedure.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
153 [□] Type [2]	Code of Conduct, Clause 4.3(2) - 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. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no customers who requested to be placed on a bill smoothing arrangement. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> ▪ The procedure was documented in the Electricity Billing Compliance Procedure.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
154 [□] Type [2]	Code of Conduct, Clause 4.4 - 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. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, bills were sent to the nominated electronic address, or other nominated address if required. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> ▪ The billing address requirement was verified by reviewing a sample of bills, which were sent to the supply address, the nominated PO box, or the designated email address as required. ▪ The procedure was documented in the Electricity Billing Compliance Procedure.
	2023 RECOMMENDATION - NIL			
155 [□] Type [2]	Code of Conduct, Clause 4.5(1) - A retailer must include the minimum prescribed information in subclause 4.5(1) on a customer's bill, unless the customer agrees otherwise. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: For the duration of the audit where the obligation was applicable, a review of Perth Energy bills confirmed the particulars on each bill, were compliant with the relevant minimum prescribed information. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Gentrack – Billing Finalisation instruction • Electricity Billing Compliance Procedure • Customer billing records • Customer Information Packs (Small Use) – Business Energy Supply. • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Bill templates and billing processes were developed and implemented throughout the audit period. ▪ A bill sample review confirmed the provision of minimum required information. Perth Energy does not provide concessions, resulting in the absence of any concession-related statements on customer bills. Sample of bills prior to 20/2/2023. ▪ All prescribed information was documented in the Electricity Billing Compliance Procedure and Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use).
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
155A+	Code of Conduct, Clause 21(1) - In addition to any information required to be included on a customer's bill under another provision			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [2]	of this code, a retailer must include the information set out in subclauses 21(2), (3), (4), (5) and (6).	<p>COMPLIANCE FINDING: For the duration of the audit where the obligation was applicable, a review of Perth Energy bills confirmed the particulars on each bill, were compliant with the the information set out in subclauses 21(2), (3), (4), (5) and (6):</p> <ol style="list-style-type: none"> 1. Details about the service: <ul style="list-style-type: none"> ▪ Supply address. ▪ Customer's name and account number. ▪ Meter identification number (if applicable). 2. Information about electricity supply and consumption: <ul style="list-style-type: none"> ▪ Start and end dates of the supply period. ▪ Number of days covered by the bill. ▪ Consumption details, including time-of-use tariff data if applicable. ▪ Average daily consumption (excluding collective customers). 3. Amounts due and payments: <ul style="list-style-type: none"> ▪ Total amount due. ▪ Meter readings or estimates. ▪ Basis for calculating the amount due (if no meter is installed). ▪ Applicable tariffs. ▪ Arrears or credits. ▪ Fees and charges with service details. ▪ Concession information for residential customers. ▪ Details of concessions provided. ▪ Information on available bill payment assistance. ▪ Billing and payment enquiry telephone number. ▪ Payment plan details (if applicable). ▪ Notice of potential late payment fee. ▪ Graph or bar chart showing bill comparisons. ▪ Average daily cost of consumption (excluding collective customers). ▪ Due date for bill payment.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Summary of accepted payment methods. <p>4. Information for customers with export purchase agreements:</p> <ul style="list-style-type: none"> Export meter reading (if available). Exported electricity amount or estimate. <p>5. Ancillary information:</p> <ul style="list-style-type: none"> Complaints telephone number. Contact details for the electricity industry ombudsman. Distributor's 24-hour telephone number for faults and emergencies. <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> A bill sample review confirmed the provision of the required information for the period 20/2/2023 to 30/6/2023.
	2023 RECOMMENDATION - NIL			
156 Type [2]	Code of Conduct, Clause 21(9) - If a retailer 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, no later than the next bill in the customer's billing cycle.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no historical debts identified or billed.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure• Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none">▪ There were no amounts outstanding for the supply of electricity by Perth Energy to a customer's previous supply address or supply addresses.
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
157□ Type [2]	<p>Code of Conduct, Clause 4.6 - Subject to clauses 4.3 and 4.8, a retailer must base a customer's bill on the following:</p> <ul style="list-style-type: none">• the distributor's or metering agent's reading of the meter at the customer's supply address.• the customer's reading of the meter in the circumstances specified in subclause 4.6(1)(b); or• if the connection point is a Type 7 connection point, the procedure is set out in the metrology procedure or Metering Code, or as set out in any applicable law. <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that electricity billing templates and a sample of bills accurately referenced estimated billings derived from Western Power's estimated meter readings.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure• Customer billing records• Complaint Register 2021 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS: <ul style="list-style-type: none"> ▪ Ombudsman investigation reviewed into customer complaint regarding estimated data confirmed Perth Energy had complied. ▪ Evidence of estimated bills and subsequent adjusted bills were reviewed. ▪ The Electricity Billing Compliance Procedure includes reference to the use of estimated meter readings. ▪ Meters were read monthly by Western Power personnel, and this information was loaded into the Web Portal. The information was uploaded through Secure File Transfer Protocol (SFTP), and accessible through B2B. The information from the meter reading was auto assigned against the applicable NMI.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
157A+ Type [2]	Code of Conduct, Clause 22(1) - A retailer must base a customer's bill on the criteria specified in 22(1).			COMPLIANCE FINDING: The Licensee confirmed that for the duration of the audit applicable compliance with Clause 22(1), which required the Perth Energy to base a customer's bill on energy data from the relevant meter, or in the absence of a meter, to use calculated energy data in accordance with prescribed procedures or agreements with the customer. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Electricity Billing Compliance Procedure • Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none">▪ Review of SUC bills reflected use of actual and estimated meter data.▪ Obligation was applicable for the period 20/2/2023 to 30/6/2023.
	2023 RECOMMENDATION - NIL			
157B+ Type [2]	Code of Conduct, Clause 22(2) - A bill will be taken to comply with subclause 21 (1)(a) if the bill reflects a smoothing or similar arrangement that has been entered into between the retailer and the customer.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, The audit found that Perth Energy did not implement smoothing arrangements for customers as outlined in subclause 21(1)(a).
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure• Customer billing records
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none">▪ A sample of customer bills supported the finding for the period 20/2/2023 to 30/6/2023.
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
158 ^Δ Type [NR]	Code of Conduct, Clause 22(3) - If a retailer is required to comply with subclause 22(1)(a), the retailer must use its best endeavours to ensure that an actual value is obtained as frequently as required to prepare its bills.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, as required by subclause 22(1)(a), Perth Energy made every effort to obtain actual energy data as frequently as necessary to prepare customer bills based on data from the relevant meter at the supply address. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure• Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ It was understood bills were generated using Western Power's monthly meter readings, which were securely uploaded and auto-assigned to the appropriate NMIs via SFTP and B2B.▪ A daily unbilled report was generated to identify customers who haven't been billed within the correct timeframes. If missing meter data was the cause, the Billing Team contacted Western Power via B2B or email, based on the severity of the issue.▪ Sample testing of bills confirmed that meter reading data was obtained promptly to prepare bills.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	1	
	2023 RECOMMENDATION - NIL			
158A ⁺ Type	Code of Conduct, Clause 22(4) - The retailer must ensure that the customer is provided with a written record of any method agreed between the retailer and the customer under subclause 22(1)(c)			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy complied with Clause 22(4) by providing customers with a written record when using methods agreed upon under Clause 22(1)(c) for billing, as evidenced by non-standard contracts.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
[2]				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Electricity Billing Compliance Procedure • Customer billing records • Customer Information Packs (Small Use) – Business Energy Supply. • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING 1	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> ▪ There were no complaints by SUC in relation to estimated data during the audit period.
	2023 RECOMMENDATION - NIL			
159□ Type [2]	2018 Code of Conduct, Clause 4.8(1) - 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.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy routinely issued estimated bills where actual meter data were not available. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	<p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<ul style="list-style-type: none"> Electricity Billing Compliance Procedure Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> It was understood where a meter read has not been conducted, Western Power calculated an estimated bill based on the usage from the same period in the previous year. It was noted on the account as an estimated read, and a new bill was reissued once the meter read information was entered into the Web Portal and subsequently Gentrack.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
160 ^A Type [2]	Code of Conduct, Clause 23(1) - If a retailer has based a customer's bill on an estimation, a retailer must clearly specify on the bill the information required under subclause 23(1).			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period in circumstances where a customer's bill was estimated, Perth Energy clearly specified on the customer's bill the information required under subclause 4.8(2).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	NP	1	<ul style="list-style-type: none"> It was understood that Perth Energy did not specifically notify its customers when they were given an estimated bill. When estimations were used for customer bills, the estimated amount is generated in the B2B system and calculated into the total owed amount. Gentrack clearly identified when a bill was based on an estimated reading
	2023 RECOMMENDATION – NIL			
161 Type [2]	<p>Code of Conduct, Clause 23(3) - On request, a retailer must provide to a customer of the basis and the reason for the estimation.⁹</p> <p>⁹ Refer to clause 23(3) of the code for a definition of an estimated bill in situations where the meter reading is partly based on estimated data (including interval meters).</p>			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy received requests by customers for information regarding the basis and reason for an estimation. Perth Energy communicated with customer and addressed any concerns as verified in sample customer communications. The customer was provided with the outcome for the basis and estimation.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records Customer Complaints Register 2021 Ombudsman investigation relating to customer complaint <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Effective processes to ensure issue of estimated bills and subsequent adjusted bills were reviewed.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	<ul style="list-style-type: none"> Review of SUC bills reflected use of actual and estimated meter data and the reconciliation process in subsequent bills.
	2023 RECOMMENDATION - NIL			
162 [□] Type [2]	2018 Code of Conduct, Clause 4.9 - In accordance with clause 4.19, if a 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. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, adjustments were made as the actual meter data became available, this occurred during the next billing cycle where the actual meter data was received, and the adjustment was applied.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Effective processes to ensure issue of estimated bills and subsequent adjusted bills were reviewed. Review of SUC bills reflected use of actual and estimated meter data and the reconciliation process in subsequent bills.
	4	N/P	1	
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
163 ^Δ Type [NR]	Code of Conduct, Clause 24(2) - If a customer satisfies the requirements specified in subclause 24(1), a retailer must use its best endeavours to replace an estimated bill with a bill based on an actual reading.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances where a bill was estimated due to a customer failing to provide access to the meter. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure• Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none">▪ Effective processes to ensure issue of estimated bills and subsequent adjusted bills were reviewed.
	2023 RECOMMENDATION – NIL			
164 [□] Type [2]	2018 Code of Conduct, Clause 4.11(1) - If a customer requests the meter to be tested and pays a retailer’s reasonable charge (if any) for doing so, a retailer must request the distributor or metering agent to do so. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were Customer requests for testing of meters and as such investigations (i.e. meter tests) were requested, by Perth Energy to Western Power. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Customer billing records • Customer Information Packs (Small Use) – Business Energy Supply. • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • GENTRACK - Request for Meter Investigation Report or Meter Test by Western Power <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was understood that in the event of meter test request an order was placed in B2B by the Business Support Team after confirmation that the customer was aware of the charges. The order was automatically updated in the Web Portal and a technician was sent to complete the work within the timeframe specified in the Service Level Agreement (SLA) held between Western Power and Perth Energy. ▪ There were no complaints where meter testing was requested in the audit period.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
165 [□] Type [2]	Code of Conduct, Clause 4.11(2) - 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.			COMPLIANCE FINDING: The Licensee confirmed during the audit period there were no meter tests undertaken that were not found to be defective.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	<i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	OBSERVATIONS: <ul style="list-style-type: none"> The requirement was documented in the Electricity Billing Compliance Procedure.
	2023 RECOMMENDATION - NIL			
166 Type [2]	Code of Conduct, Clause 25(2) - If a retailer offers alternative tariffs and a customer meets the circumstances in subclause 25(1)(a) and (b), the retailer must transfer the customer to the other tariff within 10 business days of the customer satisfying subclause 25(1)(b)			COMPLIANCE FINDING: The Licensee confirmed that for the duration of the audit period Perth Energy did not offer alternative tariffs. Compliance with this obligation could not be assessed.
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Licensee confirmed alternative tariffs were not offered and no customers applied for them during the audit period.
	2023 RECOMMENDATION - NIL			
166A+ Type [2]	Code of Conduct, Clause 25(3) - If a customer transfers from one tariff to another under clause 25, the effective date is as subscribed under subclause 25(3).			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, that although no requests for change in tariff were received, Perth Energy has established processes for customers requesting a change of tariff. As per protocol, the effective date of the transfer was either when a meter reading was obtained (in most cases) or when a meter change was completed (if required).
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> It was understood that customer requests for change of tariff was routinely considered at the end of the ESA term.
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
167 Type [2]	Code of Conduct, Clause 26(2) - If a customer is no longer eligible to receive a tariff, a retailer must notify the customer prior to changing the customer to another tariff.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no customers who were no longer eligible to receive a tariff and were changed to an alternate tariff, Perth Energy did not offer alternative tariffs as such written notification of an alternative tariff did not occur during the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Electricity Billing Compliance Procedure • Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Licensee confirmed alternative tariffs were not offered and no customers applied for them during the audit period.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2023 RECOMMENDATION - NIL				
168 ^{Δ□} Type [NR]	2018 Code of Conduct, Clause 4.14(1) - If a customer requests a retailer to issue a final bill at the customer's supply address, a retailer must use reasonable endeavours to arrange for that final bill in accordance with the customer's request. <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy used reasonable endeavours to arrange for final bills in accordance with customer's requests.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Electricity Billing Compliance Procedure

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> It was understood in the event of an account closure, the customer could request the final bill address. When a customer closed an account, they were asked where they wanted the final bill to be sent. The customer could indicate either the supply address, billing address or email. The request was placed with the Billing Team, and a bill was generated as per normal procedures, and sent as per customer instructions.
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
169 [□] Type [2]	<p>2018 Code of Conduct, Clause 4.14(2) - Subject to subclause 4.14(3), if a customer's account is in credit at the time of account closure, a retailer must, in accordance with the customer's instructions, transfer the amount of credit to another account that the customer has with the retailer or a bank account nominated by the customer, within 12 business days or other agreed time.</p> <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2022</i></p>			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period there were no accounts in credit with customer debts during the audit period, resulting in no setoffs. As such assessment if compliance with the 12 business day rule could not be made.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> All final bills were handled in accordance with the Electricity Billing Compliance Procedure.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
170 [□] Type [2]	2018 Code of Conduct, Clause 4.14(3) - If a customer’s account is in credit at the time of account closure and the customer owes a debt to a retailer, the retailer may use that credit to offset the debt owed to the retailer by giving the customer written notice. If any amount remains after the set off, the retailer must ask the customer for instructions to transfer the remaining amount in accordance with subclause 4.14(2). <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed during the audit period there were no customers who had an account in credit and owed a debt to Perth Energy at the time of closure. As this has not occurred during the audit period, no sample testing could be performed to verify compliance. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure• Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ All final bills were handled in accordance with the Electricity Billing Compliance Procedure.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
171 Type [2]	Code of Conduct, Clause 27(1) - If a customer, after receiving a bill, disputes the amount to be paid, the retailer must review the bill on request by the customer, subject to the customer paying: <ul style="list-style-type: none">• that portion of the bill under review that the customer and the retailer agree is not in dispute.• an amount equal to the average amount of the customer’s bill over the previous 12 months (excluding the bill in dispute).			COMPLIANCE FINDING: The Licensee confirmed, that during the audit period, when requested Perth Energy review the customer’s bill. In cases of billing disputes, the Sales and the Billing Team may collaborate to analyse past bills and verify data from the Gentrack System. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure• Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none">▪ Communication with customers and WP as required.▪ Email records demonstrated efficient response times where customer contact was initiated.
	4	N/P	1	
2023 RECOMMENDATION - NIL				
172 ^Δ Type [2]	Code of Conduct, Clause 27(2)(a) - If a retailer has reviewed a customer's bill and is satisfied that the bill is correct, the retailer may require the customer to pay the amount outstanding (if any). The retailer must advise the customer that the customer may request for a meter test and also the existence and operation of the retailer's standard complaints and dispute resolution procedures and details about making a complaint to the electricity industry ombudsman.			<p>COMPLIANCE FINDING: The Licensee confirmed, following a bill review, Perth Energy's billing control procedures ensured that once the customer's bill was determined to be correct, they may request the customer to pay any outstanding amount. Additionally, as required, the Licensee informed the customer about their right to request a meter test and provided information on the Perth Energy's standard complaints and dispute resolution procedures, as well as details on how to file a complaint with the electricity industry ombudsman.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Electricity Billing Compliance Procedure• Customer billing records• Training.Corporate.001 - Customer Complaint Handling• Procedure.Business.004 - Complaint Handling Procedure

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: ▪ Customer bill reviews requested related to SUC and in general complaints were not raised as satisfied with bill review outcome and information provided.
	2023 RECOMMENDATION – NIL			
173 Type [2]	Code of Conduct, Clause 27(2)(b) - If a retailer has reviewed a customer's bill and is satisfied that the bill is incorrect, the retailer must comply with clause 29 or 30 as the case requires and may require the customer to pay the amount (if any) of the bill that is outstanding.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, bill reviews were handled in accordance with the Electricity Billing Compliance Procedure. There were no bill reviews undertaken where the customer's bill was found to be incorrect in relation to small use customers. As such, an assessment of the application of the requirements relating to overcharging or undercharging cannot be made.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Electricity Billing Compliance Procedure • Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<ul style="list-style-type: none"> It was understood that of the customer bill reviews requested during the audit period, complaints were not raised as the customer was satisfied with bill review outcome and information provided.
	2023 RECOMMENDATION - NIL			
174 ^Δ Type [2]	Code of Conduct, Clause 27(3) - A retailer must inform a customer of the outcome of the review of a bill as soon as practicable after it is completed.			<p>COMPLIANCE FINDING: Perth Energy informed the customers of the outcome of the review of a bill as soon as practicable after the review was completed.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Electricity Billing Compliance Procedure Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Email records demonstrated efficient response times where customer contact was initiated, follow up with Western Power and the customer to ensure a timely resolution was noted. Customer bill reviews requested related to SUC and complaints were reflected in the Complaints Register. There was one customer complaint in relation to a bill review which was referred to the Ombudsman. The investigation confirmed Perth Energy had complied with its requirements.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
175 ^Δ Type [2]	Code of Conduct, Clause 27(4) - If a 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 notify the customer with notification of the status of the review as soon as practicable after the expiration of that period.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, bill reviews were communicated to the customer within 20 days. As such no customers were informed of a bill review result in excess of the 20 business days from date of receipt of the request for the review.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records • Customer Complaints Register 2021 • Ombudsman investigation relating to customer complaint <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ There was one customer complaint in relation to a bill review which was referred to the Ombudsman. The investigation confirmed Perth Energy had complied with its requirements.
	2023 RECOMMENDATION - NIL			
175A ⁺ Type [2]	Code of Conduct, Clause 28(1) - If a customer, after receiving a bill, requests that the energy data be checked or the meter be tested, the retailer must arrange for a check of the energy data or testing of the meter (as the case requires).			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, customer queries in relation to checking a bills energy data or meter were responded to as required.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Gentrack – Billing Finalisation instruction Customer billing records Customer Complaints Register 2021 Ombudsman investigation relating to customer complaint <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> There was one customer complaint in relation to a bill review which was referred to the Ombudsman. The investigation confirmed Perth Energy had complied with its requirements
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
175B+ Type [2]	Code of Conduct, Clause 28(3) - If the energy data is checked and found to be incorrect or the meter is tested and found to be defective, the retailer must refund any payment made under subclause 28(2).			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances where energy data was checked and found to be incorrect or the meter was tested and found to be defective, as such the licensee was not required to refund any payment made under subclause 28(2).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records Customer Complaints Register 2021 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Review of SUC bills reflected use of actual and estimated meter data processes applied as required.
	2023 RECOMMENDATION - NIL			
176 Type [2]	Code of Conduct, Clause 29(1) - If the energy data is checked and found to be incorrect or the meter is tested and found to be defective, the retailer must refund any payment made under subclause 28(2).			COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no instances noted where the Licensee was required to recover an amount undercharged as a result of an error, defect or default. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Review of SUC bills reflected use of actual and estimated meter data processes applied as required.
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
177 ^Δ Type [NR]	<p>Code of Conduct, Clause 30(1) - If a customer (including a customer who has vacated the supply address) has been overcharged the retailer must:</p> <ul style="list-style-type: none"> • use its best endeavours to inform the customer of the amount overcharged within 10 business days after the retailer becomes aware of the overcharging; and • subject to this clause ask the customer for instructions for the credit or repayment of the amount. 			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances where a customer (including a customer who has vacated the supply address) was 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),</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records • Complaints Register 2020-2021 • GENTRACK - Request for Meter Investigation Report or Meter Test by Western Power <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Meter investigations undertaken did not indicate faulty meters. ▪ Complaints Register did not reflect occurrence.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	N/R	
	2023 RECOMMENDATION - NIL			
178 Type [2]	<p>Code of Conduct, Clause 30(2) - If a retailer receives instruction under subclause 30(1), the retailer must deal with the amount overcharged in accordance with the customer's instructions within 12 business days after receiving the instructions.</p>			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, bill reviews were handled as required and no instance of overcharge was identified. Compliance with the 12 business days timeframe was not able to be tested as overcharge did not eventuate.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: as for obligation 177 PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: as for obligation 177
	2023 RECOMMENDATION - NIL			
179 ^Δ Type [NR]	Code of Conduct, Clause 30(3) - If a retailer does not receive instructions under subclause 30(1) within 5 business days after making the request, the retailer must use reasonable endeavours to credit the amount overcharged to the customer's next bill.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances where a customer (including a customer who has vacated the supply address) was overcharged and Perth Energy did not receive instructions under subclause (3) within 5 business days of making the request.
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: as for obligation 177 PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: as for obligation 177
	2023 RECOMMENDATION - NIL			
180 ^{Δ□} Type [NR]	2018 Code of Conduct, Clause 4.18(6) - There the amount overcharged is less than \$100, a retailer may proceed to deal with the matter as outlined in subclause 4.18(6). <i>Note: As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances where a customer was overcharged. Verification of overcharge amount being less than \$100 and dealt with in accordance with subclause 4.18(6) was not assessed.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>DOCUMENTS/SYSTEMS: as for obligation 177</p> <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS: as for obligation 177</p>
	2023 RECOMMENDATION - NIL			
181 ^Δ Type [NR]	Code of Conduct, Clause 30(6) - Despite subclauses 30(1) to (5), if a customer has been overcharged and the customer owes a debt to the retailer, the retailer may, after giving notice to the customer, use the amount of the overcharged to set-off the debt.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances where a customer was overcharged, and bill reviews were handled in accordance as required. As such there were no examples of overcharge used to set off debt were identified.</p> <p>DOCUMENTS/SYSTEMS: as for obligation 177</p>
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS: as for obligation 177</p>
	2023 RECOMMENDATION - NIL			
181A ^Δ Type [NR]	Code of Conduct, Clause 30(7) - Subclause 30(6) does not apply if the customer is a customer experiencing financial hardship.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances where a customer was overcharged and who experienced hardship.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				• Electricity Retail Performance Datasheets 2020-2022
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> No hardship customers reported in the Electricity Retail Performance Datasheets 2020-2022
	2023 RECOMMENDATION - NIL			
181B ⁺ Δ Type [NR]	Code of Conduct, Clause 30(8) - If there remains an amount in credit after a set-off under subclause 30(6), the retailer must deal with the amount in accordance with subclauses 30(1) to (4) (depending on the amount that remains in credit).			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances where a customer was overcharged or where the set-off under clause applied. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
182 [□]	2018 Code of Conduct, Clause 4.19(1) - If a retailer proposes to recover an amount of an adjustment which does not arise due to any			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, bill adjustments were undertaken as required by clause 4.19(1),

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [2]	act or omission of a customer, the retailer must comply with the requirements specified in subclause 4.19(1). <i>Note: Obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> No residential customers were on an instalment plan as a result of adjustments.
	2023 RECOMMENDATION - NIL			
183 ^{Δ□} Type [NR]	2018 Code of Conduct, Clause 4.19(2) - If the meter is read under 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: <ul style="list-style-type: none"> use its best endeavours to inform the customer within 10 business days; and subject to subclauses 4.19(5) and 4.19(7), ask the customer for instructions about the repayment of the amount. 			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, bill adjustments were handled in accordance with the requirements. No instances occurred where meter read examples resulted in adjustments for SUC being required.
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> Obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
183A+ Type [2]	Code of Conduct, Clause 31(1) - If a customer requests the retailer to arrange for the preparation and issue of a final bill for the customer's supply address, the retailer must use its best endeavours to arrange for a meter reading and the preparation and issue of a final bill for the supply address in accordance with the customer's request.			<p>COMPLIANCE FINDING: The Licensee confirmed, that during the audit period, compliance with the obligation to arrange for a final bill in response to customer requests and making best efforts to facilitate meter readings and ensuring the timely issuance of final bills for the specified supply addresses.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Customer complaints register did not reflect any issues.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
183B+ Type [2]	Code of Conduct, Clause 31(2) - If a customer requests the retailer to arrange for the preparation and issue of a final bill for the customer's supply address, the retailer must use its best endeavours to arrange for a meter reading and the preparation and issue of a final bill for the supply address in accordance with the customer's request.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy was compliant with customer requests for final bill preparation and issuance by making best efforts to facilitate meter readings and adhere to the customers' specifications.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Review of final bills. Customer complaints register did not reflect any issues.
	4	N/P	1	
2023 RECOMMENDATION - NIL				
183C+ Type [2]	Code of Conduct, Clause 31(3) - The retailer must, in accordance with the customer's instructions under subclause 31(2), transfer the amount of the credit within 12 business days after receiving the instructions or another period agreed with the customer.			<p>COMPLIANCE FINDING: During the audit period, there were no instances identified, in relation to requests for final bills, where the obligations outlined in clause 31, requiring the retailer to transfer a credit amount to a customer as per their instructions, applied.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Gentrack – Billing Finalisation instruction Customer billing records
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS: NIL</p>
	4	N/P	1	
2023 RECOMMENDATION - NIL				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
183D+ Type [2]	Code of Conduct, Clause 31(4) - If a customer's account is in credit at the time of account closure and the customer owes a debt to the retailer, the retailer may, after giving notice to the customer, use the credit to set-off the debt.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances, in relation to requests for final bills, where the obligation specified in clause 31, which related to the retailer's ability 'o use a credit to offset a customer's debt after providing notice, applied to Perth Energy.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS: NIL</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
183E+ Type [2]	Code of Conduct, Clause 31(5) - If after a set-off under subclause 31(4), there remains an amount of credit, the retailer must deal with the amount in accordance with subclauses (2) and (3).			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, no instances were identified, in relation to requests for final bills, where the obligation outlined in clause 31, which requires the retailer to arrange for the preparation and issuance of a final bill upon customer request, and subsequently handle any credit amounts, applied to Perth Energy</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
184 [□] Type [2]	2018 Code of Conduct, Clause 4.19(3) - If a retailer receives 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. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, instructions in relation to bill adjustments were not received and as such no payments required. There was no requirement for compliance with 12 business days. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack System • Gentrack – Billing Finalisation instruction • Customer billing records
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> ▪ Customer bills with adjustments were reviewed.
	2023 RECOMMENDATION - NIL			
184A ⁺ Type	Code of Conduct, Clause 32(1) - Despite any other arrangement or agreement that may be in place between the retailer and the customer in relation to paying bills, the retailer must allow the			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, no customers entered a standard form contract and as such no requirements associated with provision of bills applied.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
[2]	customer who has entered into a standard form contract to choose to receive bills, by post as paper bills or by email sent to an email address provided by the customer.			DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System• Standard Form Contract• Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			
185 ^{Δ□} Type [NR]	2018 Code of Conduct, Clause 4.19(4) - If a retailer does not receive instructions under subclause 4.19(2), within 5 business days of making the request, the retailer must use reasonable endeavours to credit the amount of the adjustment to the customer’s account. <i>Note: Obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, bill adjustments instructions were not received and as such no payments required. There was no requirement to comply with timeframes to cred it the amount of the adjustment to customer’s account. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Customer billing records PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
186 ^{Δ□} Type [NR]	2018 Code of Conduct, Clause 4.19(7) - A retailer may, after notifying the customer in writing, use an amount of an adjustment to set off that customer's debt owed to the retailer, provided that the customer is not a residential customer in payment difficulties or financial hardship. If, after the set off, there remains an amount of credit, the retailer must deal with that amount in accordance with subclause 4.19(2) or, if the amount is less than \$100, subclause 4.19(5). <i>Note: Obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, bill adjustments to deal with the set-off amount in accordance with subclause 4.19(2) or, if the amount is less than \$100, subclause 4.19(5) were not required. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Gentrack System• Gentrack – Billing Finalisation instruction• Customer billing records
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
PAYMENT				
187 Type [2]	Code of Conduct, Clause 33 - The date by which a bill must be paid must not be earlier than 12 business days from the bill issue date.			COMPLIANCE FINDING: Perth Energy confirmed, during the audit period, the billing system and billing control procedures specified the due date on a bill was, not be earlier than 12 business days from the bill issue date. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated August 2017 and Dated: 9/2/22

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) Gentrack Procedure.Billing.002 - Electricity Bill Payments Compliance Procedure
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Gentrack billing system templates configured to comply. Stated on the NSC – ESA – Application and Commercial Terms and references in the T&Cs.
	RECOMMENDATION - NIL			
188 Type [2]	Code of Conduct, Clause 34(1) - A retailer must accept payment for a bill prescribed in subclause 34(1).			<p>COMPLIANCE FINDING: A review of customer bills over the audit period confirmed, Perth Energy demonstrated overall compliance with the provisions of clause 4.19(3) during the audit period. Compliance was noted subject to subclause 34(2) which specifies, clause 34(1) does not limit any other method for the payment of a bill that may be agreed between the retailer and the customer, including the option of payment by direct debit, for example as specified in the NSC.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) Gentrack Procedure.Billing.002 - Electricity Bill Payments Compliance Procedure <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Draft T&Cs 2023 indicated that Perth Energy accepted a range of payment methods, including electronic funds transfer, BPay, direct debit or credit card. To learn more, please visit our website at www.perthenergy.com.au/payment-methods. The payment link to learn more takes the customer straight to the payment portal not to additional information.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	NP	1	
	2023 RECOMMENDATION – NIL			
189 [□]	2018 Code of Conduct, Clause 5.3 - Prior to commencing a direct debit facility, a retailer must obtain a customer's verifiable consent			COMPLIANCE FINDING: The Licensee confirmed, for the duration of the audit period in the instances where Perth Energy commenced direct debit, the customer's verifiable consent was

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [2]	<p>and agree with the customer the date of commencement of the facility and the frequency of the direct debits.</p> <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>obtained, and agreed with the customer the date of commencement of the direct debit facility and the frequency of the direct debits.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Electricity Bill Payments Compliance Procedure. Procedure.Billing.002 - Electricity Bill Payments Compliance Procedure <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> It was noted there were no customer complaints in relation direct debits during the audit period. Confirmation of the verifiable consent was not reviewed.
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
190 Type [2]	<p>Code of Conduct, Clause 35(1) to (3) - A retailer must accept payment in advance from a customer. This will not require a retailer to credit any interest to the amounts paid in advance. The amount of \$20 is the minimum amount a retailer is required to accept from a customer (although a retailer may accept lower amount if it thinks fit).</p>			<p>COMPLIANCE FINDING: During the audit period Perth Energy confirmed that there were no customers who requested payment in advance.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] Residential Financial Hardship Procedure

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">There were no residential customers who requested payment in advance.
	2023 RECOMMENDATION - NIL			
190A+ Type [2]	Code of Conduct, Clause 35(4) to (6) - A retailer may determine an amount (a maximum credit amount) that a customer’s account may be in credit and must publish the maximum credit amount on its website. The maximum credit amount must not be less than \$100.			COMPLIANCE FINDING: A review of the Perth Energy website indicated that Perth Energy demonstrated compliance with the provisions of clause 45(4) to (5) during the audit period. The Licensee has not determined the maximum credit amount that a customer's account may be in credit and as such was not required to publish this on its website.
				Non-compliance was observed despite the absence of any payment in advance customers within the Licensee's customer base during the audit period.
	Consequence	Likelihood	Inherent Risk Rating	Control Assessment
	Moderate	Unlikely	Medium	Moderate
Note: Obligation subject to variation and included in the audit scope. Refer to section 2.4 of this report.				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">Perth Energy’s WebsiteSmall Use Customer Information Pack – Business Energy SupplyPerth Energy Electricity Supply Agreement Application and Commercial Terms – various versionsSchedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – versions ESA.001.0520 / ESA.001.022022 / ESA.002.032022Electricity and Gas Marketing Compliance ProcedureElectricity Billing Compliance Procedure [Procedure.Billing.001]Electricity Bill Payments Compliance Procedure [Procedure.Billing.002]

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING NP	COMPLIANCE RATING NR	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> None of the T&Cs referred to “maximum credit amount” neither did the control procedures.
	2023 RECOMMENDATION – NIL			
191□ Type [2]	2018 Code of Conduct, Clause 4.7 - Other than in respect of a Type 7 connection, a retailer must use its best endeavours to ensure that the meter reading data is obtained as frequently as required to prepare its bills. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: During the audit period Perth Energy confirmed that the in relation to the preparation of bills, best efforts were undertaken to ensure that the meter reading data was obtained as frequently as possible. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack WP Web Portal Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> Perth Energy did not have any type 7 metering installation is an unmetered connection point.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<ul style="list-style-type: none"> Obtaining meter reading data was the responsibility of the network operator. Liaison with WP on behalf of the customers was standard business practice.
	2023 RECOMMENDATION - NIL			
191A+ Type [2]	Code of Conduct, Clause 36 - A retailer must redirect a customer's bill to a different address (including an email address or a different email address) on the customer's request and at no charge.			<p>COMPLIANCE FINDING: During the audit period Perth Energy confirmed that they routinely redirected a customer's bill to a different address (including an email address or a different email address) on the customer's request and at no charge.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack System Salesforce Customer Bills Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Electricity Billing Compliance Procedure did not reflect the requirement. Gentrack – Billing Finalisation instructions did not include any limitations and was noted to be instructional as to the use of the Gentrack Billing System.
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
192 Type [2]	Code of Conduct, Clause 37(1) - A retailer must not charge a residential customer a late payment fee in connection with the payment of a bill in the circumstances specified in subclause 37(1).			COMPLIANCE FINDING: During the audit period Perth Energy confirmed that they did not charge a residential customer a late payment fee in connection with the payment of a bill in the circumstances specified in subclause 37(1). DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Electricity Performance Datasheets 2021• Electricity Billing Compliance Procedure [Procedure.Billing.001]• Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ Customer bills for all residential customers were provided during the audit and a sample reviewed. The application of a late fee on the invoice was not observed.▪ Electricity Performance Datasheets 2021 reported additional time granted a residential customer.▪ Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] control procedure referenced late fee.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
193 Type [2]	Code of Conduct, Clause 37(2) - If a retailer has charged a late payment fee in the circumstances set out in subclause 37(1)(c)(ii) because the retailer was not aware of the complaint, the retailer must refund the late payment fee on the customer's next bill (unless the fee is payable under subclause 37(3)).			COMPLIANCE FINDING: During the audit period Perth Energy confirmed that they did not charge a residential customer a late payment fee in connection with the payment of a bill in the circumstances specified in subclause 37(1). As such subclause 37(2) does not apply.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Performance Datasheets 2021 Gentrack Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Customer bills for all residential customers were provided during the audit and a sample reviewed. The application of a late fee on the invoice was not observed. Electricity Performance Datasheets 2021 reported additional time granted a residential customer.
	2023 RECOMMENDATION - NIL			
193A+ Type [2]	Code of Conduct, Clause 37(3) - If a compliant referred to in subclause 37(1)(c) is not resolved in favour of the customer any late payment fee must be calculated from the date of the retailer's or the electricity industry ombudsman's decision (as the case may be).			COMPLIANCE FINDING: During the audit period Perth Energy confirmed that they did not charge a residential customer a late payment fee in connection with the payment of a bill in the circumstances specified in subclause 37(1). DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Performance Datasheets 2021 Gentrack Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] Complaints Register 2020-2021

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Complaints Register 2021 did not reflect the requirement. Electricity Performance Datasheets 2021 reported additional time granted a residential customer.
	2023 RECOMMENDATION - NIL			
194 Type [2]	Code of Conduct, Clause 37(4) - A retailer must not charge an additional late payment fee in relation to the same bill within 5 business days after the day on which the customer receives the previous late payment fee notice.			COMPLIANCE FINDING: During the audit period Perth Energy confirmed that they did not charge a residential customer a late payment fee in connection with the payment of a bill in the circumstances specified in subclause 37(1). DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Performance Datasheets 2021 Gentrack Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] Complaints Register 2020-2021 PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Complaints Register 2021 did not reflect the requirement. Electricity Performance Datasheets 2021 reported additional time granted a residential customer.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
195 Type [2]	Code of Conduct, Clause 37(5) - A retailer must not charge a residential customer more than 2 late payment fees in relation to the same bill or more than 12 late payment fees in a 12-month period.			<p>COMPLIANCE FINDING: During the audit period Perth Energy confirmed that they did not charge a residential customer a late payment fee in connection with the payment of a bill in the circumstances specified in subclause 37(1).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Electricity Performance Datasheets 2021 • Gentrack • Electricity Billing Compliance Procedure [Procedure.Billing.001] • Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] • Complaints Register 2020-2021 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Complaints Register 2021 did not reflect the requirement. ▪ Electricity Performance Datasheets 2021 reported additional time granted a residential customer.
	2023 RECOMMENDATION - NIL			
196 Type [2]	Code of Conduct, Clause 37(6) - If a residential customer has been assessed as a customer experiencing financial hardship, a retailer must retrospectively waive any late payment fee charged under the customer's last bill before the assessment was made.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no residential customers that were assessed as experiencing financial hardship.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] Electricity Performance Datasheets 2020-2022 Residential Financial Hardship Procedure Perth Energy Website PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	OBSERVATIONS: <ul style="list-style-type: none"> Electricity Performance Datasheets 2021 residential customer provided additional time to pay bill.
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
197 Type [2]	Code of Conduct, Clause 38(1) - 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 38(1).			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no instances of Perth Energy required a customer to pay for electricity after being notified of vacating their supply address.
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> It was understood when a customer advised Perth Energy, the NMI is detached from the customer account with the customer no longer being responsible for electricity consumed through that NMI. Billing was advised to terminate and issue customer final bill. Western Power would not provide Perth Energy with metering data if the customer had churned.
	2023 RECOMMENDATION - NIL			
198 Type [2]	Code of Conduct, Clause 38(2) - If a customer reasonably demonstrates to a retailer that the customer was evicted or otherwise required to vacate the supply address, the retailer must not require the customer to pay for electricity consumed at that supply address from the date the customer gave the notice to the retailer.			COMPLIANCE FINDING: The Licensee confirmed that there were no customers who vacated a supply address due to eviction or were otherwise required to vacate during the audit period. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Perth Energy monitored change in usage and would identify anomalous usage which would prompt them to investigate.
	2023 RECOMMENDATION - NIL			
199	Code of Conduct, Clause 38(4) - Despite subclauses 38(1) and (2), a retailer must not require a previous customer to pay for electricity			COMPLIANCE FINDING: The Licensee confirmed that during the audit period in line with subclauses 38(1) and (2), there were no instances during the audit period where previous customers

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [2]	consumed at the supply address in the circumstances specified in subclause 38(4).			<p>were obligated to cover the costs of electricity consumption at the supply address as outlined in subclause 38(4).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Electricity Billing Compliance Procedure [Procedure.Billing.001] • Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ No previous customer to pay for electricity consumed at the supply address.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			
200 Type [2]	Code of Conduct, Clause 39(1) - A retailer must not commence proceedings to recover a debt from a residential customer who has informed the retailer in accordance with clause 40 that they are experiencing payment problems, unless and until the retailer has complied with all the requirements of clause 40 and while a residential customer continues to make payments under an alternative payment arrangement under Part 6.			<p>COMPLIANCE FINDING: The Licensee confirmed that, Perth Energy did not commence proceedings for recovery of debts from residential customers were commenced in the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Electricity Billing Compliance Procedure [Procedure.Billing.001] • Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] • Residential Hardship Procedure. <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Obligation was documented in the Electricity Bill Payments Compliance Procedure and the Residential Hardship Procedure.
	2023 RECOMMENDATION - NIL			
201 Type [2]	Code of Conduct, Clause 39(2) - A retailer must not recover, or attempt to recover, a debt from a person relating to a supply address other than the customer who the retailer has, or had, entered into a contract for the supply of electricity to that supply address.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no occurrences where anyone, but the customer as the contract holder of the supply address, has paid for debts. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Billing Compliance Procedure [Procedure.Billing.001] Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Obligation was documented in the Electricity Bill Payments Compliance Procedure No request for transfer of debt to another customer had been received in the audit period.
	2023 RECOMMENDATION - NIL			
201A ^Δ	Code of Conduct, Clause 39(3) - A retailer may transfer one customer's debt to another customer if requested by the customer			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no requests to transfer debt to another customer.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [NR]	owing the debt if the retailer obtains the other customer's verifiable consent to the transfer.			DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">Electricity Billing Compliance Procedure [Procedure.Billing.001]Electricity Bill Payments Compliance Procedure [Procedure.Billing.002] PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none">No request for transfer of debt to another customer had been received in the audit period.
	2023 RECOMMENDATION - NIL			
PAYMENT DIFFICULTIES & FINANCIAL HARDSHIP				
202 Type [2]	Code of Conduct, Clause 40(1) - Unless subclause 40(2) or (5) applies, if a residential customer informs a retailer that the customer is experiencing payment problems, the retailer must assess whether the customer is experiencing financial hardship within 5 business days.			COMPLIANCE FINDING: During the audit period, Perth Energy had one residential customer who requested additional time, it did not eventuate to a payment plan, as reported on the Electricity Performance Datasheets 2021. The Licensee confirmed no customers were found to be experiencing hardship. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">Perth Energy WebsitePerth Energy Residential Customer Financial Hardship PolicyProcedure.Business.003 - Residential Financial Hardship ProcedureRetail Customer Financial Hardship [Training.Business.001]Compliance Obligations RegisterElectricity Performance Datasheets 2020-2022

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> No evidence provided that the Licensee had assessed the residential customer who requested additional time in 2021 Electricity Performance Datasheets was assessed for hardship. The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. It was noted that information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			
203 ^Δ Type [NR]	Code of Conduct, Clause 40(3) - When undertaking an assessment under subclause 40(1), a retailer must give reasonable consideration to the information prescribed in subclause 40(3)(a), or advice prescribed in subclause 40(3)(b), given by a relevant consumer representative.			COMPLIANCE FINDING: During the audit period, Perth Energy had one residential customer who requested additional time to pay a bill, as reported on the Electricity Performance Datasheets 2021. The Licensee confirmed no customers were found to be experiencing hardship, no information given by the residential customer or held by the retailer or advice provided by a consumer representative was required. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Perth Energy Website Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Compliance Obligations Register Electricity Performance Datasheets 2020-2022

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> No evidence provided that the Licensee had assessed the residential customer who requested additional time in 2021 Electricity Performance Datasheets was assessed for hardship. The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. It was noted that information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy.
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			
204 Type [2]	Code of Conduct, Clause 40(4) - Upon request, a retailer must advise a residential customer of the outcome of an assessment, including the reasons for the outcome of the assessment under subclause 40(1).			COMPLIANCE FINDING: During the audit period, Perth Energy had one residential customer who requested additional time, as reported on the Electricity Performance Datasheets 2021. The Licensee confirmed no customers were found to be experiencing hardship, no information was required to be given to customer as to the result of a hardship assessment outcome. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Perth Energy Website Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Compliance Obligations Register Customer Complaints Register Electricity Performance Datasheets 2020-2022

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> No evidence provided that the Licensee had assessed the residential customer who requested additional time in 2021 Electricity Performance Datasheets was assessed for hardship. The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. It was noted that information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			
204A+ Type [2]	Code of Conduct, Clause 40(5) - A retailer is not required to undertake an assessment under subclause 40(1) if the retailer has previously undertaken an assessment in relation to the customer unless the customer has indicated that there has been a change in their circumstances since that previous assessment.			COMPLIANCE FINDING: During the audit period, Perth Energy had one residential customer who requested additional time, as reported on the Electricity Performance Datasheets 2021. It was understood this was the first instance of additional time for a residential customer. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Perth Energy Website Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Compliance Obligations Register Customer Complaints Register Electricity Performance Datasheets 2020-2022

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> No evidence provided that the Licensee had assessed the residential customer who requested additional time in 2021 Electricity Performance Datasheets was assessed for hardship. The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. <p>It was noted that information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy.</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
205 [□] Type [2]	<p>2018 Code of Conduct, Clause 6.2(1) - If a residential customer is referred to a relevant consumer representative under subclause 6.1(1)(b), a retailer must grant a temporary suspension of actions for that customer.</p> <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>COMPLIANCE FINDING: During the audit period, Perth Energy confirmed no residential customers were referred to a consumer representative.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Perth Energy Website Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Compliance Obligations Register Customer Complaints Register Electricity Performance Datasheets 2020-2022

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
206 [□] Type [2]	<p>2018 Code of Conduct, Clause 6.2(2) - A retailer must not unreasonably deny a residential customer's request for a temporary suspension of actions if the customer informs the retailer about payment problems under clause 6.1 and the customer demonstrates that an appointment with a relevant consumer representative has been made.</p> <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>COMPLIANCE FINDING: During the audit period, Perth Energy confirmed no residential customers requested or were subject to a temporary suspension of actions.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register • Customer Complaints Register • Electricity Performance Datasheets 2020-2022
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
207 [□] Type [2]	2018 Code of Conduct, Clause 6.2(3) - A retailer must allow a temporary suspension of actions for a period of at least 15 business days. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: During the audit period, Perth Energy confirmed no residential customers requested or were subject to a temporary suspension of actions. DOCUMENTS/SYSTEMS: refer obligation 206. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2023 RECOMMENDATION - NIL				
208 ^{△□} Type [NR]	2018 Code of Conduct, Clause 6.2(4) - A retailer must give reasonable consideration to a request by a residential customer or relevant consumer representative to allow additional time to assess a residential customer’s capacity to pay. <i>Note: Obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: During the audit period, Perth Energy confirmed no residential customers were referred to a consumer representative. DOCUMENTS/SYSTEMS: refer obligation 205. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	N/R	
2023 RECOMMENDATION - NIL				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
209 [□] Type [2]	2018 Code of Conduct, Clause 6.3(1)(a) - If a residential customer is assessed as experiencing payment difficulties, a retailer must offer the alternative payment arrangements referred to in subclause 6.4(1) and advise the residential customer that additional assistance may be available if the prescribed circumstances apply.			<p>COMPLIANCE FINDING: During the audit period, Perth Energy had one residential customer who requested additional time, it did not eventuate to a payment plan, as reported on the Electricity Performance Datasheets 2021. The Licensee confirmed no customers were found to be experiencing payment difficulties.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register • Electricity Performance Datasheets 2020-2022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ No evidence provided that the Licensee had assessed the residential customer who requested additional time in 2021 Electricity Performance Datasheets was assessed for hardship. ▪ The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. ▪ It was noted that information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
210 [□] Type [2]	2018 Code of Conduct, Clause 6.3(1)(b) - If a residential customer is assessed as experiencing financial hardship, a retailer must offer the alternative payment arrangements referred to in subclause 6.4(1)(b) and assistance in accordance with clauses 6.6 to 6.9.			<p>COMPLIANCE FINDING: During the audit period, Perth Energy no residential customers were found to be experiencing financial hardship.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register • Electricity Performance Datasheets 2020-2022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. ▪ It was noted that information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
211 Type [2]	Code of Conduct, Clause 41(1)(a) - A retailer must offer the residential customer additional time to pay a bill.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period. Perth Energy granted a residential customer additional time to pay a bill in accordance with 41(1)(a).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Electricity Retail Licence Performance Reporting Datasheets 2021. <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Electricity Retail Licence Performance Reporting Datasheets 2021 made reference to the additional time granted to the residential customer. It was noted that there were no residential customers on an instalment plan during the audit period.
	2023 RECOMMENDATION - NIL			
212 Type [2]	Code of Conduct, Clause 41(1)(b) - A retailer must offer the residential customer a payment plan for the amount owing.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period, Perth Energy's residential customer who was granted additional time did not require a payment plan.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Electricity Retail Licence Performance Reporting Datasheets 2021. Perth Energy Website Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Payment plan was not report in the Electricity Retail Licence Performance Reporting Datasheets 2021. No communications were reviewed in relation to the additional time granted.
	2023 RECOMMENDATION - NIL			
212A+ Type [2]	Code of Conduct, Clause 41(3) - A retailer must offer a residential customer who is assessed as experiencing financial hardship at least a payment plan and assistance in accordance with clause 45 without the need for the customer to make a request.			COMPLIANCE FINDING: The Licensee confirmed during the audit period. Perth Energy's residential customer who was granted additional time did not require a payment plan or assessment for financial hardship. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Retail Licence Performance Reporting Datasheets 2021. Perth Energy Website Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Compliance Obligations Register PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> Payment plan was not report in the Electricity Retail Licence Performance Reporting Datasheets 2021. No communications were reviewed in relation to the additional time granted. No customer complaints reflected in the complaints register.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
213 Type [2]	Code of Conduct, Clause 41(3) - A retailer must ensure that a payment plan for a residential customer is fair and reasonable taking into account the information in subclause 43(1)(a) and (1)(b)			COMPLIANCE FINDING: The Licensee confirmed during the audit period. Perth Energy's residential customer who was granted additional time did not require a payment plan.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: refer obligation 212. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
213A+ Type [2]	Code of Conduct, Clause 43(2) - A retailer must, in relation to a residential customer for whom a payment plan is being considered, offer the customer assistance to manage their bills for ongoing consumption during the period of the payment plan.			COMPLIANCE FINDING: The Licensee confirmed during the audit period, Perth Energy's residential customer who was granted additional time did not require a payment plan.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: refer obligation 212. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
214 Type [2]	Code of Conduct, Clause 43(5) - If a residential customer accepts a payment plan offered by a retailer, the retailer must provide the residential customer with the information specified in subclause 43(5) within 5 business days.			COMPLIANCE FINDING: The Licensee confirmed during the audit period, Perth Energy's residential customer who was granted additional time did not require a payment plan.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: refer obligation 212. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
214A+ Type [2]	Code of Conduct, Clause 44(1) - A retailer must review a payment plan at the request of a residential customer.			COMPLIANCE FINDING: The Licensee confirmed during the audit period, Perth Energy's residential customer who was granted additional time did not require a payment plan.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: refer obligation 212. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
214B+ Type [2]	Code of Conduct, Clause 44(3) - The retailer must offer to vary a payment plan if a review under subclause 44(1) indicates that the customer is unable to meet obligations under the payment plan.			COMPLIANCE FINDING: The Licensee confirmed during the audit period, Perth Energy's residential customer who was granted additional time did not require a payment plan. DOCUMENTS/SYSTEMS: refer obligation 212.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
214C+ Type [2]	Code of Conduct, Clause 44(4) - The retailer must, within 5 business days after the customer accepts an offer to vary the payment plan, provide the customer with information that clearly explains, and assists the customer to understand, the variation.			COMPLIANCE FINDING: The Licensee confirmed during the audit period, Perth Energy's residential customer who was granted additional time did not require a payment plan. DOCUMENTS/SYSTEMS: refer obligation 212.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
214D+ Type [2]	Code of Conduct, Clause 44(5) - The retailer must not vary a payment plan without the customer's agreement.			COMPLIANCE FINDING: The Licensee confirmed during the audit period, Perth Energy's residential customer who was granted additional time did not require a payment plan. DOCUMENTS/SYSTEMS: refer obligation 212.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
214E+ Type [2]	Code of Conduct, Clause 44(6) - An agreement under subclause 44(5) must relate to the particular variation rather than under a general agreement to future variations.			COMPLIANCE FINDING: The Licensee confirmed during the audit period, Perth Energy's residential customer who was granted additional time did not require a payment plan.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: refer obligation 212. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
215 ^Δ Type [NR]	Code of Conduct, Clause 45(1) - A retailer must give reasonable consideration to a request by a customer experiencing financial hardship, or a relevant consumer representative for the customer, for a reduction of the customer's fees, charges or debt.			COMPLIANCE FINDING: During the audit period, Perth Energy no residential customers were found to be experiencing financial hardship. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register • Electricity Performance Datasheets 2020-2022 PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS:
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<ul style="list-style-type: none"> The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. It was noted that information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy.
	2023 RECOMMENDATION - NIL			
216 Type [2]	Code of Conduct, Clause 45(2) - In acting under subclause 45(1), a retailer must take into account its hardship policies and procedures under clause 46.			COMPLIANCE FINDING: During the audit period, Perth Energy no residential customers were found to be experiencing financial hardship.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	DOCUMENTS/SYSTEMS: refer obligation 215. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: refer obligation 215.
	2023 RECOMMENDATION - NIL			
217 ^{Δ□} Type [NR]	2018 Code of Conduct, Clause 6.7 - If it is reasonably demonstrated to a retailer that a customer experiencing financial hardship is unable to meet the customer's obligations under a payment arrangement, the retailer must give reasonable consideration to offering the customer an instalment plan or revising an existing instalment plan. <i>Note: Obligation only applicable from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: During the audit period, Perth Energy no residential customers were found to be experiencing financial hardship. DOCUMENTS/SYSTEMS: refer obligation 215.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: refer obligation 215.
	2023 RECOMMENDATION - NIL			
218 Type [2]	Code of Conduct, Clause 45(3) - A retailer must advise a customer experiencing financial hardship of the information specified in subclause 45(3).			COMPLIANCE FINDING: During the audit period, Perth Energy no residential customers were found to be experiencing financial hardship. DOCUMENTS/SYSTEMS: refer obligation 215.
	4	N/P	N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: refer obligation 215.
	2023 RECOMMENDATION - NIL			
219 [□] Type [2]	2018 Code of Conduct, Clause 6.9(1) - A retailer must determine the minimum payment in advance amount for residential customers experiencing payment difficulties or financial hardship in consultation with relevant consumer representatives, as referred to in subclause 5.4(3). <i>Note: Obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: During the audit period, Perth Energy no residential customers were found to be experiencing financial hardship. DOCUMENTS/SYSTEMS: refer obligation 215. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: refer obligation 215.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
220 ^{*Δ} Type [2]	Code of Conduct, Clause 46(1) - A retailer must develop, maintain and implement a hardship policy and hardship procedures to assist customers experiencing financial hardship to meet their financial obligations and responsibilities to the retailer.			<p>COMPLIANCE FINDING: For the duration of the audit period, the Licensee developed, and implemented a hardship policy and hardship procedures to assist customers experiencing financial hardship to meet their financial obligations and responsibilities to the retailer. Perth Energy's Hardship Policy was available on the Licensee's and the ERA's website.</p> <p>However, the Licensee has not maintained (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments) the hardship policy during the audit period. It was noted the policy has not been reviewed since publication on the ERA website on 4/9/2018 and has not been reviewed since the <i>Code of Conduct 2022</i> came into effect in 20 February 2023. It was noted that some information in relation to concessions was outdated. For example, information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy. Refer screen shot below https://www.wa.gov.au/service/community-services/community-support/hardship-utility-grant-scheme;</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>Eligibility</p> <p>You may be eligible if your utility provider assesses you as being in the following situation:</p> <ul style="list-style-type: none"> • you contact your utility provider to discuss your outstanding debt and you are assessed by your utility provider as being in financial hardship and not in payment difficulty; • you have exhausted all your options with the utility provider and enter into a payment arrangement for at least 90 days to address the outstanding debt; and • after completion of the payment arrangement, if your outstanding bill is still more than \$300. <p>Refer screen shot below Perth Energy Residential Customer Financial Hardship Policy published on the ERA website https://www.erawa.com.au/cproot/19432/2/ERL10%20and%20GTL12%20-%20Financial%20Hardship%20Policy.PDF;</p> <p>Concessions and Rebates -</p> <p>If the financial relief that we provide is still not enough you may be able to make use of the Government's Hardship Utility grant Scheme (HUGS). There are three situations in which you may make an application.</p> <ul style="list-style-type: none"> • You have made a payment arrangement with us to pay the outstanding debt over a period of at least 180 days but, at the end of that 180 days, you still have an outstanding bill which is more than \$300 but less than \$1,750. We, Perth Energy, may then submit a HUGS application for you <p>This obligation was noted as non-compliant in the previous audit report, however, there was no required post audit implementation plan (PAIP) as the corrective action was verified and closed out and the policy was developed during the previous audit period and the Residential Financial Hardship Procedure from 10 July 2019.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • ERA Website • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Copies of the specialised training and training records for Perth Energy staff to help understand and respond to hardship were provided for review. ▪ The Perth Energy Residential Customer Financial Hardship Policy did not have document control assigned and it was reviewed during the audit period. ▪ The Financial Hardship policy was also available on the ERA website since 04/9/2018. ▪ It was noted that the Residential Financial Hardship Procedure was revised during the previous audit period to update to comply with the <i>Code of Conduct 2018</i> and this has not occurred in relation to the <i>Code of Conduct 2022</i>. ▪ The intent of the obligation is to ensure that the established policy remains effective and up to date over time. Evidence of maintaining the policy through other mechanisms was not observed, for example internal monitoring of compliance with this type 2 reportable obligation.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	2	
	16/2023 RECOMMENDATION – Refer recommendation 11/2023 as related to obligation 124.			
221* ^Δ	Code of Conduct, Clause 46(2) - A retailer must ensure that its hardship policy complies with the criteria specified in subclause 46(2).			COMPLIANCE FINDING: During the audit period, Perth Energy's Hardship Policy met the requirements of the criteria specified in subclause 46(2).

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [2]				<p>This obligation was noted as non-compliant in the previous audit report, however, there was no required post audit implementation plan (PAIP) as the corrective action was verified and closed out and the policy was developed during the previous audit period and the Residential Financial Hardship Procedure from 10 July 2019.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • ERA Website • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. ▪ The information contained in the policy in relation to concessions was outdated. For example, the Hardship Utility Grant Scheme (HUGS) grant qualifying period was 90 days not 180 days as stated in the policy.
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
222 ^Δ Type [2]	Code of Conduct, Clause 46(3) - A retailer must ensure that its hardship procedures comply with the criteria specified in subclause 46(3).			<p>COMPLIANCE FINDING: During the audit period, Perth Energy's Hardship Policy met the requirements of the criteria specified in subclause 46(3).</p> <p>This obligation was noted as non-compliant in the previous audit report, however, there was no required post audit implementation plan (PAIP) as the corrective action was verified and closed out and the policy was developed during the previous audit period and the Residential Financial Hardship Procedure from 10 July 2019.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • ERA Website • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023.
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION		FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
223 [□] Type [2]	2018 Code of Conduct, Clause 6.10(4) - If requested, a retailer must give residential customers and relevant consumer representatives a copy of the retailer's hardship policy, including by post, at no charge. <i>Note: Obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>		COMPLIANCE FINDING: During the audit period, Perth Energy no residential customers were found to be experiencing financial hardship and no residential customers and relevant consumer representatives requested a copy of the Perth Energy's hardship policy. DOCUMENTS/SYSTEMS: refer obligation 215. PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: refer obligation 215.
	PRIORITY	CONTROLS RATING	
	4	N/P	
	COMPLIANCE RATING		
	N/R		
2023 RECOMMENDATION - NIL			
223A ⁺ Type [2]	Code of Conduct, Clause 46(4) - A retailer must consult with relevant consumer representatives whenever the retailer is developing a hardship policy or procedure or making material amendment to its hardship policy.		COMPLIANCE FINDING: During the audit period, Perth Energy's Hardship Policy was not reviewed and as such there was no requirement to consult with relevant consumer representatives whenever developing a hardship policy or procedure or making material amendment to its hardship policy. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• ERA Website• Perth Energy Website• Perth Energy Residential Customer Financial Hardship Policy• Procedure.Business.003 - Residential Financial Hardship Procedure• Retail Customer Financial Hardship [Training.Business.001]• Compliance Obligations Register

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Given the compliance finding in relation obligation 220 the licensee would be required to comply with this obligation for consultation. Obligation applicable from 20/02/2023 to 30/06/2023. The Licensee control procedure “Residential Financial Hardship Procedure” did not reflect the requirement.
	2023 RECOMMENDATION - NIL			
223B+ Type [2]	Code of Conduct, Clause 44(5) - A retailer must provide a copy to the ERA of: <ul style="list-style-type: none"> its hardship policy, and a copy of the policy if the retailer makes a material amendment. 			COMPLIANCE FINDING: During the audit period, Perth Energy’s Hardship Policy was published on the ERAs website. No amendments were made to the policy during the audit period. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> ERA Website Perth Energy Website Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Compliance Obligations Register PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS:

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<ul style="list-style-type: none"> The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. Obligation applicable from 20/02/2023 to 30/06/2023. The Licensee control procedure “Residential Financial Hardship Procedure” did not reflect the requirement.
	2023 RECOMMENDATION - NIL			
225 Type [2]	Code of Conduct, Clause 46(6) - If directed by the ERA, a retailer must review its hardship policy and hardship procedures in consultation with relevant consumer representatives for the purposes of the review and submit the results of that review to the ERA within the period specified by the ERA.			<p>COMPLIANCE FINDING: During the audit period, Perth Energy was not directed by the ERA to review its Hardship Policy.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • ERA Website • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Hardship Policy on the ERA website was published on 4/9/2018 and has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. The Licensee control procedure “Residential Financial Hardship Procedure” did not reflect the requirement.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION – NIL			
226* Type[2]	<p>2018 Code of Conduct, Clause 6.10(7) - A retailer must comply with the ERA's Financial Hardship Policy Guidelines.</p> <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>COMPLIANCE FINDING: For the audit period 1 July 2020 to 20 February 2023, Perth Energy complied with the Financial Hardship Policy Guidelines – Electricity & Gas Licences – August 2019.</p> <p>This obligation was noted as non-compliant in the previous audit report, however, there was no required post audit implementation plan (PAIP) as the corrective action was verified and closed out and the policy was developed during the previous audit period and the Residential Financial Hardship Procedure from 10 July 2019.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • ERA Website • Financial Hardship Policy Guidelines – Electricity Licences – May 2023 • Financial Hardship Policy Guidelines – Electricity & Gas Licences – August 2019 • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Hardship Policy has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	4	B	N/R	<ul style="list-style-type: none"> The ERA published new Financial Hardship Policy Guidelines – Electricity Licences – May 2023 The Licensee control procedure “Residential Financial Hardship Procedure” did not reflect the requirement.
	2023 RECOMMENDATION - NIL			
227 [□] Type[2]	2018 Code of Conduct, Clause 6.10(8) - If a retailer makes a material amendment to its hardship policy, the retailer must consult with relevant consumer representatives and submit a copy of the retailer's amended hardship policy to the ERA within 5 business days of the amendment.			<p>COMPLIANCE FINDING: During the audit period, Perth Energy was not directed by the ERA to review its Hardship Policy.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> ERA Website Perth Energy Website Perth Energy Residential Customer Financial Hardship Policy Procedure.Business.003 - Residential Financial Hardship Procedure Retail Customer Financial Hardship [Training.Business.001] Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Hardship Policy n the ERA website was published on 4/9/2018 and has not been reviewed since the repeal and replace of the Code of Conduct 2022 in 20/2/2023. The Licensee control procedure “Residential Financial Hardship Procedure” did not reflect the requirement.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	<ul style="list-style-type: none"> Given the compliance finding in relation obligation 220 the licensee would be required to comply with this obligation for consultation.
	2023 RECOMMENDATION - NIL			
228 Type [2]	Code of Conduct, Clause 47 - A retailer must consider any reasonable request for alternative payment arrangements from a business customer who is experiencing payment difficulties.			<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed that, Perth Energy considered any reasonable request for alternative payment arrangements from business who was experience payment difficulties.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • ERA Website • Perth Energy Website • Perth Energy Residential Customer Financial Hardship Policy • Procedure.Business.003 - Residential Financial Hardship Procedure • Retail Customer Financial Hardship [Training.Business.001] • Compliance Obligations Register • Electricity Performance Datasheets 2020-2022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> • The Electricity Performance Datasheets during the audit period reflect business customers on payment plans.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL	
DISCONNECTION & INTERRUPTION		
229 Type [2]	Code of Conduct, Clause 48 - Before arranging for a disconnection of a customer's supply address for failure to pay a bill, a retailer must give the customer a written notice (a reminder notice), which contains the information specified in subclause 48(1)(a), not less than 15 business days from the dispatch date of the bill. The retailer must use its best endeavours to contact the customer to advise of the proposed disconnection and give the customer a disconnection warning, in the manner and timeframes specified in subclause 48(1)(c).	<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy received one complaint in relation to a customer being arranged for disconnection for failing to pay a bill. All the requirements of clause 48 were adhered to.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">• Gentrack• Complaints Register 2020-2021• Electricity Disconnections and Reconnections Procedure• Notices of disconnection, disconnection and reconnection data• Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022• DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)• Electricity Performance Datasheets 2020-2022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<ul style="list-style-type: none"> It was noted that the complaint was escalated to a dispute and then an investigation with the ombudsman. The dispute showed that over a significant time the customer did not pay the bills and did not stick to payment arrangement. It was understood the customer eventually churned to another retailer with extensive outstanding balances that were authorised to be recovered by the ombudsman.
	2023 RECOMMENDATION - NIL			
230 Type [2]	Code of Conduct, Clause 49(a) - A retailer must not arrange for a disconnection of a customer's supply address for failure to pay a bill in the circumstances specified in subclause 49(a).			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy did not disconnect any customers for failure to pay a bill within 1 business day after the expiry of the period referred to in the disconnection warning.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Gentrack Complaints Register Electricity Disconnections and Reconnections Procedure Notices of disconnection, disconnection and reconnection data Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> Electricity Disconnections and Reconnections Procedure detailed the requirement, Reminder notices were sent in accordance with requirements. Reminder notices were manually generated.
	2023 RECOMMENDATION - NIL			
231 Type [2]	Code of Conduct, Clause 50(2) - A retailer must not arrange for disconnection of a customer's supply address for failure to pay a bill within 15 business days from the date of disconnection of that customer's gas supply when the circumstances specified in subclause 50(1)(a) apply.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, there were no dual fuel contracts during the audit period. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity Disconnections and Reconnections Procedure
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
232 Type [2]	Code of Conduct, Clause 51(2) - If the conditions specified in subclause 51(1) are satisfied, a retailer may arrange for the disconnection of a customer's supply address for denying access to the meter.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy did not arrange disconnection a customer's supply address for denying access to the meter. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Gentrack

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Complaints Register • Electricity Disconnections and Reconnections Procedure • Notices of disconnection, disconnection and reconnection data • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS</p> <ul style="list-style-type: none"> ▪ The NSC provided for disconnection in the event circumstances required.
	2023 RECOMMENDATION - NIL			
232A+ Type [2]	Code of Conduct, Clause 51(4) - A retailer may arrange for the disconnection of a customer's supply address if the customer has not provided the safe access to the customer's supply address for the purposes of testing, maintaining, inspecting, altering or replacing a meter, or checking the accuracy of the customer's consumption at the supply address.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy reference the requirement for providing safe access to the supply address for the purposes of testing, maintaining, inspecting, altering or replacing a meter, or checking the accuracy of the customer's consumption at the supply address. The NSC provided for disconnection in the event circumstances required.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack • Complaints Register

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Electricity Disconnections and Reconnections Procedure • Notices of disconnection, disconnection and reconnection data • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	4	N/P	1	OBSERVATIONS: <ul style="list-style-type: none"> ▪ No disconnections occurred during the audit period for failing to provide safe access.
2023 RECOMMENDATION - NIL				
234 Type [1]	Code of Conduct, Clause 52 - Subject to subclause 52(3), a retailer or distributor must comply with the limitations specified in subclauses 52(1)-(2) when arranging for disconnection or disconnecting a customer's supply address. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy complied with the general limitations on disconnection when arranging for disconnection or disconnecting a customer's supply address. Specifically in relation to customer dispute and life support customers. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Gentrack • Complaints Register • Life Support Register • Electricity Disconnections and Reconnections Procedure

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Notices of disconnection, disconnection and reconnection data • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The full ombudsman investigation with regard to the complaint for disconnection was provided for review.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	2	A	1	
2023 RECOMMENDATION – NIL				
235 [□] Type [1]	<p>2018 Code of Conduct, Clause 7.7(1) - If a customer provides a retailer with confirmation from an appropriately qualified 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).</p> <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>COMPLIANCE FINDING: The Licensee confirmed that for the audit period 1 July 2020 to 19/2/2023, there were 3 life support customers as reflected in the Perth Energy Life Support Register and there was only 1 customer which was required by sub clause 7.7(1) to be registered.</p> <p>The customer did not provide the Licensee with confirmation from an appropriately qualified medical practitioner that a person residing at the address required life support at the time of entering the ESA. However, the CDN details indicated that the customer was a life support customer when they transferred to Perth Energy (1/3/2022). The licensee did not have an established a process to review this status, as such, compliance with the requirements of clause 7.7(1) were achieved retrospectively</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>(19/5/2022) and subsequent to Western Power alerting the licensee (4/5/2022) that they potentially had a life support customer.</p> <p>A review of Perth Energy's non-standard contracts confirmed that there was a check box for Life Support Equipment (LSE) on a non-standard contract and that by ticking the LSE box, the customer confirmed that Life Support Equipment was installed on site. If the customer stipulated that they required life support through the contract, Perth Energy confirmed their control processes required the customer to complete a Life Support Equipment Registration form which was used to update the Perth Energy Life Support Register and the Customer Details Notification (CDN) in Gentrack notifying Western Power of the registration. The customer's contact details, and supply address were then to be registered as a life support equipment address on the Life Support database within Gentrack that same day, if the confirmation is received before 3pm on a business day; or no later than the next business day, if the confirmation is received after 3pm or on a Saturday, Sunday or public holiday.</p> <p>This process was verified for the one Life Support Customer to which the obligation was required to be registered by Western Power as a sensitive load. Communication from Western Power noted that the start of the registration period for the customer as life support customer commenced on the 1/3/2022.</p> <p>However, as the customer did not indicate on the ESA the requirement for life support equipment at the supply address, the Licensee was only alerted to the requirement by Western Power on the 5/5/2022 via an email RE: Life Support Reconciliation April 2022 and as such the customer was contacted and the Life Support Equipment Registration form was completed by medical practitioner on the 19/5/2022.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>The customer notified Perth Energy on the 21/5/2022 (a Saturday) and the CDN was submitted to Western Power on the 23/5/2022 as required by sub clause 7.7(1)(c)(ii). The Licensee provided the CDN for review and the Perth Energy Life Support Register reflected the dates for validation (i.e., 23/5/2022) and anniversary date for recertification (i.e., 19/5/2022).</p> <p>During the audit period, 1/7/2020 to 19/2/2023 Perth Energy had a total of 3 Life Support Customers. A review of Perth Energy records and documents confirmed that throughout this period the Licensee did not arrange for disconnection of any of the Life Support Customers supply addresses for failure to pay a bill.</p> <p>It was understood that the Gentrack system did not alert the licensee to customers with existing life support status. It could not be determined if this was anomalous to the Web Portal processes as the CDN for the customer should contain the information (i.e. promoting the licensee to request for a life support form to be completed).</p> <p>The control processes for the Licensee were noted to be generally adequate controls, however, improvement was needed to ensure ongoing compliance. These improvements have been referenced in obligation 297B of this report.</p> <p>It was noted that obligation 235 was removed from the Electricity Compliance Manual February 2023 version the details in relation to the audit period 20/2/2023 and 30/6/2023 are specified in obligation 297B.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> • Perth Energy Life Support Register • Life Support Equipment Registration form • Electricity Disconnections and Reconnections Procedure • Life Support Procedure • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • NSC Life Support Customer Registered 1/3/2022 • WP email RE: Life Support Reconciliation January 2022 (16/2/2022) • WP email RE: Life Support Reconciliation April 2022 (5/5/2022) • CDN information for Life Support Customer submitted 23/5/2022. <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation, Business Sales Executive</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The control procedure Life Support Customers has not been reviewed since 11 July 2018. ▪ The Perth Energy Life Support Equipment Registration Form was not subject to document control. ▪ The training program which refers to life support requirements was not comprehensive (refer Training.Business.002 - Business Support Induction ▪ A copy of the Life Support Equipment Registration form for the one Life Support Customer registered during the audit period was provided for review.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 2	CONTROLS RATING B	COMPLIANCE RATING NR	<ul style="list-style-type: none"> Audit Priority 2 obligation applied for the audit period 1/7/2020-19/2/2023. It was noted that following the 2022 Code of Conduct the requirements of this obligation were addressed by sub clauses 82(2) and 82(6), refer obligation 297B. The 2022 Code of Conduct does not make provisions in relation to retailers for disconnection as Western Power secures the customers standing data to ensure they cannot be disconnected if they are registered life support customers.
	17X/2023 RECOMMENDATION – Refer to 22/2023 Recommendation made for obligation 297B as this obligation has been removed from the Electricity Compliance Reporting Manual – February 2023 in accordance with 2022 Code of Conduct requirements.			
236□ Type [2]	2018 Code of Conduct, Clause 7.7(2) - A retailer must undertake the actions specified in subclauses 7.7(2)(e)-(g), if a customer registered with a retailer under subclause 7.7(1) notifies the retailer: <ul style="list-style-type: none"> that the person requiring life support equipment is changing supply address; that the customer, but not the person requiring life support equipment, is changing supply address; of a change in contact details; or that the address no longer requires registration as life support equipment address. <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>COMPLIANCE FINDING: During the audit period 1/7/2020 to 19/2/2023 of the 3 life support customers, there were 2 customers who were registered with Perth Energy under sub clause 7.7(1) and who notified the retailer that the customers supply address no longer required registration as a life support equipment address (as required by sub clause 7.7(2)(d)).</p> <p>With respect to a registered life support customer, Perth Energy did not comply with sub clauses 7.7(2) (e) and (f)(i) as follows.</p> <ul style="list-style-type: none"> sub clause 7.7(2)(e) - Perth Energy was advised by the life support customer that they no longer required life support at the supply address because the premise was vacant on the 9/3/2022 and although the Licensee notified Western Power via email on the 28/3/2022 they did not action the CDN change in Gentrack until the 4/4/2022. sub clause 7.7(2)(f)(ii) – The Licensee did not advise Western Power of the change to life support registration requirements for the customers supply address, as specified in Perth Energy's internal email records on the 9/3/2022, which indicated they should have advised Western Power on the same day (i.e. notification was received prior to 3pm).

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>It was noted that the Licensee was alerted to this requirement through Western Powers monthly life support audits (i.e., refer email sent RE: Life Support Reconciliation January 2022 on 16/2/2022). The Western Power email requested confirmation for the ongoing registration for life support equipment for both life support customers.</p> <p>An assessment of Perth Energy documentation and records to determine compliance for all life support customers was not undertaken as Perth Energy was determined to be non-compliant for one life support customer. The Licensee notified Western Power in an email that a life support customer did not require life support registration on the 28/3/2022. However, Perth Energy did not provide evidence to confirm what date the CDN details were updated in Gentrack (i.e. sub clause 7.7(2)(e)) and what date life support customer notified Perth Energy they no longer required registration as such limiting an assessment of compliance with respect to notification timeframes (i.e., sub clause 7.7(2)(f)(ii)). Additionally, obligation 236 was rated Type 2 as neither life support customer required ongoing registration (Refer to observations)</p> <p>Records reviewed confirmed for the duration of the audit period 1/7/2020 to 19/2/2023 there were a total of 3 Life Support Customers registered with Perth Energy. A review of Perth Energy records and documents confirmed that throughout this period the Licensee did not arrange for disconnection of any of the Life Support Customers supply addresses for failure to pay a bill.</p> <p>The control processes for the Licensee were noted to be generally adequate controls, however, improvements in relation to document control, records management and internal audit were needed to ensure ongoing compliance.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>It was noted that obligation 236 was removed from the Electricity Compliance Manual February 2023 version the details in relation these control process improvements have been detailed in obligation 297D in accordance with 2022 Code of Conduct.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack • Perth Energy Life Support Register • Life Support Procedure • Life Support Equipment Registration form • Electricity Disconnections and Reconnections Procedure • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • WP email RE: Life Support Reconciliation January 2022 • CDN information for Life Support Customer submitted 4/4/2022 (as advised by Perth Energy). <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The NSCs for all Life Support Customer were not reviewed during the audit. ▪ Communication to assess compliance for all life support customers was not reviewed during the audit. ▪ The control procedure Life Support Customers has not been reviewed since 11 July 2018.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> The Perth Energy Life Support Equipment Registration Form was not subject to document control. The training program which refers to life support requirements was not comprehensive (refer Training.Business.002 - Business Support Induction) Audit Priority 2 obligation applied for the audit period 1/7/2020-19/2/2023. It was noted that following the 2022 Code of Conduct the requirements of this obligation were address by sub clause 82(2) and 82(5), refer obligation 297D. The 2022 Code of Conduct does not make provisions in relation to retailers for disconnection as Western Power secures the customers standing data to ensure they cannot be disconnected if they are registered life support customers. Note for some Life Support Customers Obligation 236 (subclause 7.7(2) of the Code of Conduct) was a Type 2 reporting obligation, as the registered life support equipment customer notified the retailer that the customer's supply address no longer requires registration as a life support equipment address. If the customer had required ongoing registration, it would have been a Type 1 reporting obligation as defined by the Electricity Compliance Report Manual. Obligation 236 Type 2 rating differed from obligation 297D Type 1 rating (i.e., for one life support customer) which was the equivalent obligation the 2022 Code of Conduct as the customer still required life support registration after a change in contact details.
	PRIORITY 2	CONTROLS RATING B	COMPLIANCE RATING 2	
	17/2023 RECOMMENDATION - Refer to 22/2023 Recommendation made for obligation 297B as this obligation has been removed from the Electricity Compliance Reporting Manual – February 2023 in accordance with 2022 Code of Conduct requirements.			
240 [□] Type [2]	2018 Code of Conduct, Clause 7.7(6) - A retailer must contact the customer to ascertain whether life support equipment is required or to request re-certification in the timeframe, manner and circumstances specified in subclause 7.7(6).			COMPLIANCE FINDING: During the audit period 1/7/2020 to 19/2/2023 of the 3 life support customers, there were two customers who were already registered with Perth Energy as life support customers as life support customers and were required to be contacted to ascertain their life support equipment requirements

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		<p>or request-certification as specified by sub clause 7.7(6). With respect to a registered life support customer, Perth Energy did not comply with sub clauses 7.7(6) (a)–(b) as follows.</p> <ul style="list-style-type: none"> sub clause 7.7(6)(a)(i) and (ii) - The Perth Energy Life Support Register indicated that the anniversary date of the confirmation from the appropriately qualified medical practitioner 4/9/2018 as such, in accordance with sub clause 7.7(6)(ii). As such, during the audit period the Licensee was required to contact the customer request re-certification for the registration life support equipment at the supply address for anniversary date 4/9/21. Perth Energy did not provide records to confirm this occurred and the Licensee's Life Support Register did not reflect this occurrence. It was noted that the window for confirmation of this requirement would have been 4/6/21 to 4/12/21. sub clause 7.7(6)(b) – Compliance with the provision of a minimum period of 3 months was not confirmed. When the Licensee contacted the customer in February, following the request from Western Power to confirm life support (i.e. 16/2/22), the customer was requested to provide the certification on 23/2/22 and then contact again on 3/3/22 and requested to provide the information as a matter of urgency. <p>An assessment of Perth Energy documentation and records to determine compliance for a life support customer was not undertaken as the customer registered in 1/5/2020 (during the previous audit period) and the 12 month anniversary date of the confirmation from the appropriately qualified medical practitioner was the 1/5/2021. This date was noted to be reflected in the Perth Energy Life Support Register. However, records of communication between the Licensee and the life support customer to determine compliance with 7.7(6)(b) were not provided.</p> <p>The control processes for the Licensee were noted to be inadequate, for example there was not internal audit process established, control procedures did not accurately reflect the requirements,</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>demonstration of understanding of obligations in relation to notifying Western Power within specified timeframes was not provided, records were not readily available and did not reflect compliance requirements.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack • Perth Energy Life Support Register • Life Support Procedure • Life Support Equipment Registration form • Notices of disconnection, disconnection and reconnection data • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • WP email RE: Life Support Reconciliation January 2022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was noted that the Licensee was alerted to this requirement through Western Powers monthly life support audits (i.e., refer email sent RE: Life Support Reconciliation January 2022 on 16/2/2022). The Western Power email queried the registration for life support equipment for two life support customers.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">The NSCs for the 2 applicable life support customers were not provided for review.It was noted that for one life support customer the anniversary date was obtained from the Perth Energy Life Support Register only, no comments or history tracking allowed for verification of the original 12 month anniversary date from confirmation by a medical practitioner. The completed Life Support Registration form was not sighted, no customer communications were provided and as such it was assumed to have been obtained on 1/5/2020.The Life Support Procedure detailed the requirements. The obligation applied for the audit period 1/7/2020-20/2/2023. It was noted that following the 2022 Code of Conduct the requirements of this obligation were address by clause 85 refer obligation 297H (i.e., for life support customer)
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	C	2	
18/2023 RECOMMENDATION - Refer to 22/2023 Recommendation made for obligation 297B as this obligation has been removed from the Electricity Compliance Reporting Manual – February 2023 in accordance with 2022 Code of Conduct requirements.				
241□ Type [2]	2018 Code of Conduct, Clause 7.7(7) - retailer or a distributor must remove the customers' details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7).			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period 1/7/2020 to 19/2/2023, Perth Energy removed 2 of the 3 registered life support customers' details from the life support equipment register in the circumstances and timeframes specified in subclause 7.7(7). The Licensee was non-compliant in relation sub clause (7)(a)(i)(ii)(iv) as they failed to meet the timeframe limitations with respect to the removal of the customers details from the life support equipment address register after being made aware of matters (7)(a)(i) and (ii) for life support customers.</p> <p>This was verified in relation to a life support customer as they notified the Licensee on the 9/3/2022 that they no longer required life support and the licensee emailed Western Power on the 28/3/2022. However, this was not removed from the life support equipment address register (i.e. the customers CDN updated in Gentrack until 4/4/2022).</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>It was noted that the Licensee's control process did not provide for the identification if there was more than one person who resided at the supply address and whether the removal of registration was for all customers or there was another person who continued to require life support equipment.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack • Perth Energy Life Support Register • Life Support Equipment Registration form • Complaints Register • Electricity Disconnections and Reconnections Procedure • Notices of disconnection, disconnection and reconnection data • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • WP email RE: Life Support Reconciliation January 2022 and April 2022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Life Support Procedure did not reflect the requirements in relation to written notification for removal of the customer from the life support equipment register and did not refer to the requirement to update the CDN in Gentrack.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING 2	<ul style="list-style-type: none">The obligation applied for the audit period 1/7/2020-20/2/2023. It was noted that following the 2022 Code of Conduct the requirements of this obligation were addressed by clause 85(2) refer obligation 297I
	19/2023 RECOMMENDATION - Refer to 22/2023 Recommendation made for obligation 297B as this obligation has been removed from the Electricity Compliance Reporting Manual – February 2023 in accordance with 2022 Code of Conduct requirements.			
RECONNECTION				
242 Type [2]	Code of Conduct, Clause 53(2) - A retailer must arrange to reconnect a customer’s supply address if the customer rectified the matter that led to the disconnection or made arrangements to the satisfaction of the retailer, makes a request for reconnection and pays the retailer’s reasonable charges (if any) for reconnection, or enters into a payment plan for the charges.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period Perth Energy did not re-connect any SUC supply addresses after being disconnected for the specified reasons. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">GentrackWeb PortalComplaints RegisterElectricity Disconnections and Reconnections ProcedureNotices of disconnection, disconnection and reconnection data PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none">The Electricity Disconnections and Reconnections Procedure detailed the requirement.Re-energisation requests maintained in Gentrack.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
243 ^A Type [2]	Code of Conduct, Clause 53(3) - A retailer must forward the request for reconnection to the distributor within the timeframes specified in subclause 53(3).			<p>COMPLIANCE FINDING: The Licensee confirmed re-connections were arranged by Perth Energy as detailed in the NSC T&Cs.</p> <p>It was noted that the requirement to adhere to the timeframes in 53(3) were detailed within the Electricity Disconnections and Reconnections Procedure. (i.e. (a) if the request is received before 3 pm on a business day — on that same day; or (b) if the request is received on or after 3 pm on a business day or on a Saturday, a Sunday or a public holiday throughout the State — no later than 3 pm on the next business day.)</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Gentrack • Web Portal • Complaints Register • Electricity Disconnections and Reconnections Procedure • Notices of disconnection, disconnection and reconnection • Electricity Retail Report Datasheets 2020-2022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Electricity Disconnections and Reconnections Procedure detailed the requirement. ▪ No customer complains made in relation to reconnection timeframes.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS	
INFORMATION & COMMUNICATION			
271D+ Type [2]	Code of Conduct, Clause 68(1) - The retailer must publish on its website the information detailed in subclause 68(1).	COMPLIANCE FINDING: A review of the Licensee's documentation and website confirmed that for the audit period 20 February 2023 to 30 June 2023 the Licensee did not comply with publishing on its website the following mandated subclauses of the 2022 Code of Conduct Clause 68(1)(a)(ii), (d),(e) and (g).	
		2022 Code of Conduct Clause 68(1) sub-clause	Compliance Status for the Period 20/2/23 to 30/6/23
		(a) the following information about concessions — (i) the type of concessions available to customers. (ii) the name and contact details of the organisation responsible for administering those concessions. (if the retailer is not responsible for doing this); and	(a)(i) Compliant - the information in relation to concessions given was on the FAQ. (a)(ii) Non-Compliant - the reference to the organisation responsible specified. However, contact details for the organisation were not provided.
		(b) the following information about energy efficiency — (i) cost-effective and efficient ways to utilise electricity.	(b) Compliant - https://www.perthenergy.com.au/wp-content/uploads/2021/10/Energy-Efficiency-Information.pdf

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS	
		(ii) the typical running costs of major domestic electrical appliances; and	
		(c) the retailer's hardship policy; and	(c) Compliant for the Hardship policy
		(d) the retailer's family violence policy; and	(d) Non-compliant – the family violence policy was not published on the website.
		(e) a summary of a customer's rights, entitlements and obligations under the retailer's standard complaints and dispute resolution procedures; and	(e) Non-compliant – there was a link for the complaints policy on the website, but the link was not functional.
		(f) the contact details for the electricity industry ombudsman; and	(f) compliant – listed under the regulatory information link on the PE website.
		(g) a copy of this code.	(g) Non-compliant, the Licensee updated the link from 2018 Code of Conduct to the 2022 Code of Conduct outside of the audit period.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy website • Energy & Water Ombudsman website • Perth Energy Hardship Policy • Perth Energy Family Domestic Violence Policy • Procedure.Business.004 - Complaint Handling Procedure • Procedure.Retail.001 - Electricity and Gas Marketing Compliance Procedure • Procedure.Billing.001 - Electricity Billing Compliance Procedure • Procedure.Business.001 - Electricity Disconnections and Reconnections Procedure • Procedure.Billing.002 - Electricity Bill Payments Compliance Procedure • Information.Retail.003 - Small Use Customer Information Pack – Business Energy Supply • Procedure.Retail.002 - ERA Licence Compliance Obligations Procedure • Procedure.Retail.002 - Retail General Obligations Compliance Procedure • Customer Complaints Register 2019-2020 • Customer Complaints Register 2020-2021 • Training.Corporate.001 - Customer Complaint Handling <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING B	COMPLIANCE RATING 2	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Obligations were omitted from the Annual Compliance Report 2023
	<p>20/2023 RECOMMENDATION – Refer recommendation 11/2023 as related to obligation 124.</p>			

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
271E+ Type [2]	Code of Conduct, Clause 68(3) - If a customer requests information of the kind referred to subclause 68(1) the retailer must refer the customer to the retailer’s website or provide the information to the customer without charge.			COMPLIANCE FINDING: The Licensee confirmed that for the period 20 February 2023 to 30 June 2023 there were no customer requests in relation to concessions, information relating to energy efficiency, policies, aspects of the complaints handling process, contact for the ombudsman or a copy of the 2022 Code of Conduct. DOCUMENTS/SYSTEMS: • Perth Energy website PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	OBSERVATIONS: ▪ There was no specific training that addressed this requirement.
	2023 RECOMMENDATION - NIL			
271F+ Type [2]	Code of Conduct, Clause 68(4) - If a customer requests a copy of information of the kind referred to in subclause 68(1), the retailer must provide a copy of the information to the customer without charge.			COMPLIANCE FINDING: The Licensee confirmed that for the period 20 February 2023 to 30 June 2023 there were no customer requests in relation to concessions, information relating to energy efficiency, policies, aspects of the complaints handling process, contact for the ombudsman or a copy of the 2022 Code of Conduct. DOCUMENTS/SYSTEMS: • Perth Energy website PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> There was no specific training that addressed this requirement.
	2023 RECOMMENDATION - NIL			
272 [□] Type [2]	2018 Code of Conduct, Clause 10.1(1) - A retailer must give notice of any variations in its tariffs, fees and charges, to each of its customers affected by the variation no later than the next bill in the customer's billing cycle. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			<p>COMPLIANCE FINDING: The Licensee confirmed the NSC T&Cs informed customers about the possibility of annual CPI increases affecting tariffs.</p> <p>The Manager Business Support confirmed that any tariff adjustments resulting from CPI increases were promptly communicated to customers, with notifications issued no later than their subsequent bill within the billing cycle.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Compliance Assurance Plan 2023 Electricity and Gas Marketing Compliance Procedure. Gentrack Pricing Model Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">Email communication with customer in relation to tariff, fees and charges (were provided for review.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
273 Type [2]	Code of Conduct, Clause 69 - On request and at no charge, a retailer must give or make available to a customer reasonable information on its tariffs, fees or charges, including any alternative tariffs that may be available to that customer.			COMPLIANCE FINDING: The Licensee, confirmed that they did not receive any specific requests for information relating to their tariffs, fees, and charges. Additionally, they confirmed that the required information was consistently included on ESAs, customer bills (refer 272) DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">Electricity and Gas Marketing Compliance Procedure.GentrackPricing ModelPerth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Perth Energy did not impose any charges for such requests and did not offer alternative tariff options
	2023 RECOMMENDATION - NIL			
274 [□] Type [2]	2018 Code of Conduct, Clause 10.1(3) - retailer must give or make available to a customer the information requested on tariffs, fees and charges within 8 business days of the date of receipt and, if requested, provide the information in writing. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: During the audit period the Licensee confirmed, Perth Energy's NSC specified that the licensee provided information in writing upon request. Compliance with the 8 business was noted. The Licensee's general policy was to communicate this information via email. No specific requests were made. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity and Gas Marketing Compliance Procedure. Gentrack Pricing Model Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> SUC bills showed CPI tariff increases (where applicable during the audit period)
	2023 RECOMMENDATION - NIL			
274A+ Type [2]	Code of Conduct, Clause 71(2) - If a customer's tariffs, fees or charges are not regulated or set by the State Government, a retailer must give notice to a customer of any variation to its tariffs, fees or charges, that affects the customer in the manner specified in subclauses 71(3) and (4).			COMPLIANCE FINDING: The Licensee confirmed that customers were advised of any tariff variations no later than the next bill as detailed in billing procedures. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Electricity and Gas Marketing Compliance Procedure. Gentrack Pricing Model
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> Samples of email communication with Western Power Tariff Changes were provided for review.
	2023 RECOMMENDATION - NIL			
275 Type [2]	Code of Conduct, Clause 72(1) - On request, a retailer must provide a non-contestable customer with their billing data.			COMPLIANCE FINDING: The Licensee confirmed that customers all Perth Energy customers were contestable customers. DOCUMENTS/SYSTEMS:

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Electricity and Gas Marketing Compliance Procedure. Gentrack Pricing Model
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING NA	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> Gentrack maintains copies of the customers billing data and was linked to the WP web Portal.
	2023 RECOMMENDATION - NIL			
276 Type [2]	Code of Conduct, Clause 72(2) - If a non-contestable customer requests billing data for a period less than the previous 2 years and no more than once a year, or in relation to a dispute with a retailer, the retailer must provide the data at no charge.			COMPLIANCE FINDING: The Licensee confirmed that customers all Perth Energy customers were contestable customers. DOCUMENTS/SYSTEMS: as obligation 275
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING NA	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
277 [□] Type [2]	2018 Code of Conduct, Clause 10.2(3) - A retailer must give the requested billing data under subclause 10.2(1) within 10 business days of the receipt of the request, or on payment of the retailer's reasonable charge for providing this data.			COMPLIANCE FINDING: The Licensee confirmed that customers all Perth Energy customers were contestable customers. DOCUMENTS/SYSTEMS: as obligation 275

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING NA	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
278 [□] Type [2]	2018 Code of Conduct, Clause 10.2(4) - A retailer must keep a non-contestable customer's billing data for 7 years.			COMPLIANCE FINDING: The Licensee confirmed that customers all Perth Energy customers were contestable customers. DOCUMENTS/SYSTEMS: as obligation 275
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING NA	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: NIL
	2023 RECOMMENDATION - NIL			
279 [□] Type [2]	2018 Code of Conduct, Clause 10.3 - On request and at no charge, a retailer must provide a residential customer with information on the types of concessions available to the residential customer and the name and contact details of the organisation responsible for administering those concessions (if not the retailer).			COMPLIANCE FINDING: The Licensee confirmed that customers no residential customers who requested information related to concessions during the audit period. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Perth Energy Website • Residential Financial Hardship Procedure • Perth Energy Residential Customer Financial Hardship Policy

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS: NIL</p> <ul style="list-style-type: none"> Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023
	2023 RECOMMENDATION - NIL			
280* Type [2]	<p>Code of Conduct, Clause 73 - At least once a year, a retailer must provide a customer with written details of the retailer's and distributor's obligations to make payments to the customer under Part 14 or under any other written law, including the amount of the payment and the eligibility criteria for the payment.</p>			<p>COMPLIANCE FINDING: The Licensee confirmed that for duration of the audit period, Perth Energy did not provide customers at least once a year written details of their obligations to make payments to the customer under Part 14 of Code of Conduct and included the amount of the payment and the eligibility criteria for the payment.</p> <p>Perth Energy received a non-compliance in relation to the annual communication of service standard payments the 2020 Audit Report, and while corrective action was not effective during the audit period, there were exceptions regarding Service Standard Communication in 2021 and 2022. It was observed that the corrective action relied on individual knowledge rather than being integrated into the organisation's compliance processes.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Compliance Assurance Plan 2023 Compliance Obligations Register Standard Terms & Conditions ESA.002.032022 Standard Terms & Conditions (Small Use) ESA.001.0520 2020 Service Standard Communication Notice 2020 Service Standard Communication Notice – 11/12/2020

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • 2021 Service Standard Communication Notice • 2021 & 2022 Service Standard Communication Notice – electronic verification - NOT PROVIDED • 2023 Service Standard Communication Notice • 2023 Service Standard Communication Notice – 30/6/2023 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Evidence of annual customer notification was requested for the audit period, but only partial evidence was provided by Perth Energy. ▪ Requirement to send Service Standard information was monitored by the Business Support Manager through a personal Corporate Calendar and was noted to be effective except for the 2021/2022 period. ▪ It was understood that for the 2021/2022 reporting period, compliance responsibility was temporarily assigned to an alternate individual. ▪ Noted the Compliance Assurance Plan 2023 has allocated the report of the Service Standard Payments to Manager WA Commercial. ▪ Perth Energy confirmed that Sales Force was not set up to be able to provide the solution for automatically sending reminders.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	3	C	3	
	<p>21/2023 RECOMMENDATION – Compliance with service standard payments notification has not been achieved by the Licensee for the previous 2 audit periods. Non-compliance was again noted in the current audit period. The corrective action taken previously has not triggered action in the absence of key personnel as it was not embedded into the process and there was no internal monitoring established. To ensure ongoing compliance the licensee should:</p> <p>a) The Salesforce CRM has the capability of automatically sending reminders. Creating a profile for the Electricity Retail Licence or the ERA as a customer would enable compliance tasks to be scheduled against the profile and ensure action was prompted, for example, such as those specified in the Compliance Assurance Plan 2023.</p>			

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	b) Refer to recommendation 11/2023 (obligation 124).			
281 [□] Type [2]	2018 Code of Conduct, Clause 10.4 - On request and at no charge, a retailer must give, or make available to, a customer general information on cost effective and efficient ways to utilise electricity; and the typical running costs of major domestic appliances.			COMPLIANCE FINDING: During the audit period the Licensee confirmed, Perth Energy did not receive any requests from customers related to general information on cost effective and efficient ways to utilise electricity; and the typical running costs of major domestic appliances. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Perth Energy Website • Salesforce CRM PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> ▪ Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023
	2023 RECOMMENDATION - NIL			
282 Type [2]	Code of Conduct, Clause 74 - 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 distributor for a response.			COMPLIANCE FINDING: During the audit period the Licensee confirmed, Perth Energy did not receive any requests from customers related to the distribution of electricity. As such, the Licensee did not refer the customer to the relevant distributor for a response. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Compliance Obligations Register PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> Perth Energy that if a customer requested information related to electricity distribution from the licensee, they would either provide the requested information to the customer or direct the customer to the distributor for a response.
	2023 RECOMMENDATION - NIL			
290 ^Δ Type [NR]	Code of Conduct, Clause 77 - To the extent practicable, a retailer or distributor must 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, concise language and in a format that is easy to understand.			COMPLIANCE FINDING: A sampled review of the documentation provided by the Licensee during the audit period confirmed, Perth Energy's processes provided for written information to be expressed in clear, simple, concise language and in a format that was easy to understand in relation to the Code of Conduct. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Perth Energy Website Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) Pricing Model PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS:

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING 1	<ul style="list-style-type: none"> Noted that a non-compliance was raised in relation to document control requirements of NSC under the Customer Contracts Regulations.
	2023 RECOMMENDATION - NIL			
291 [□] Type [2]	2018 Code of Conduct, Clause 10.10(1) - On request, a retailer and a distributor must inform a customer how to obtain a copy of the Code of Conduct. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: During the audit period, the Licensee confirmed, Perth Energy did not receive any requests on how to obtain a copy of the Code of Conduct. DOCUMENTS/SYSTEMS: Perth Energy Website PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> A copy of the Code of Conduct 2018 was available on the Perth Energy website and after the end of the audit period the Licensee replaced it with a copy of the 2022 Code of Conduct.
	2023 RECOMMENDATION - NIL			
292 [□] Type [2]	2018 Code of Conduct, Clause 10.10(2) - A retailer and distributor must make electronic copies of the Code of Conduct available on their websites, at no charge.			COMPLIANCE FINDING: A review of Perth Energy website verified the Code of Conduct 2018 was available on their websites, at no charge. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i> DOCUMENTS/SYSTEMS: Perth Energy Website

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> A copy of the Code of Conduct 2018 was available on the Perth Energy website and after the end of the audit period the Licensee replaced it with a copy of the 2022 Code of Conduct.
RECOMMENDATION – NIL				
294 Type [2]	Code of Conduct, Clause 78(1) - On request and at no charge, a retailer and a distributor must make services available to a residential customer to assist the customer in understanding information provided by the retailer or distributor (including independent interpreter services for customers with speech or hearing impairment, and large print copies).			COMPLIANCE FINDING: The Licensee confirmed that its residential customers did not make request in accordance with the Code of Conduct 78(1), DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Perth Energy Website Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> Information contained in the NSCs T&Cs.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
295 Type [2]	Code of Conduct, Clause 78(2) - For residential customers, a retailer and, if appropriate, a distributor, must include the information prescribed in subclause 78(2)(a) and (b) on its bills and bill-related information, reminder notices and disconnection warnings.			<p>COMPLIANCE FINDING: The Licensee confirmed that for the duration of the audit period the necessary contact information for interpreter services and services assisting customers with speech or hearing impairments on bills and bill-related information, reminder notices and disconnection warnings.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Electricity Billing Compliance Procedure • Gentrack system
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Reviewed a sample of bills-related information and confirmed the required information was included on the bills and notices, including residential customers.
	2023 RECOMMENDATION - NIL			
297 Type [2]	Code of Conduct, Clause 79(2) - On request, a retailer must advise a customer of the availability of different types of meters or refer the customer to the distributor for a response.			<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed, Perth Energy did not receive any requests from customers related to the availability of different types of meters or refer the customer to the relevant distributor for a response.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Compliance Assurance Plan 2023

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				• Compliance Obligations Register
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	4	N/P	N/R	OBSERVATIONS: ▪ Information readily available on the internet to customers, requirement for information not required.
2023 RECOMMENDATION - NIL				
LIFE SUPPORT EQUIPMENT SCHEME				
297B+ Type [1]	Code of Conduct, Clause 82(2) - If a customer provides the retailer with confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address requires life support equipment, the retailer must, in accordance with the relevant standard, register the customer's supply address as a life support equipment address, register a person's contact details, as prescribed under subclause 82(6) in relation to the supply address and provide that information to the distributor.			<p>COMPLIANCE FINDING: During the audit period, 20/2/2023 to 30/6/2023 the Licensee had one life support customer who provided Perth Energy with confirmation from an appropriately qualified medical practitioner (dated 9/5/2023) that a person residing at the customer's supply address required life support equipment). It was noted that this was the second person reported as residing at the same customers supply address with the previous person confirmed by an appropriately qualified medical practitioner on the 19/5/2022 (refer details obligation 235). Registration and notification of the customers details of confirmation were not undertaken as the Licensee was uncertain of the requirement to do so given the customer was already registered.</p> <p>The provision of the confirmation for an additional resident at the life support customer's supply address (i.e. 9/5/2023) was not identified by the Licensee as that for another person but as a recertification for the existing life support customer's resident (i.e. 19/5/2022). Consequently, even though a customer provided confirmation for life support equipment during the period 20/3/2023 to</p>

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		<p>30/6/2023, there were no customers registered, no contact details were registered, and Western Power was not notified of the change. It was not able to be determined if there were one or two residents requiring life support at the supply address as the Life Support Equipment Register was not detailed enough. As such, assessment of compliance with the obligation was not undertaken. It was noted that the customers supply address was registered as required for life support from 1/3/2022 to 30/6/2023 and there was no risk to the provision of life support to persons residing at the supply address.</p> <p>It was further noted that sub clause 82(1) of the 2022 Code of Conduct effective from 20/2/2023 specified that subclauses 82(2) and 82(3) applied if a customer provided a retailer with confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address required life support equipment. Whilst as previously stated it was acknowledged that the life support customer was already registered for life support customer equipment for its supply address for a resident on 19/5/2022, as the life support customer provided the Licensee with another Life Support Equipment Registration form for a different resident on 9/5/2023 residing at the address, in accordance with subclause 82(1) the requirements of subclause 82(2) appeared to be applicable but were not reflected in details recorded in the Life Support Equipment Register (i.e. only supply address and life support customer information and not individual residents names recorded). As the initial resident was not re-certified for life support equipment, it was not determined if they were still residing at the life support customers supply address.</p> <p>It is the Auditors opinion that the intent to ensure that the customers supply address remained registered for life support was met and that based on the inference of subclauses 82(1), 86(8) there was some ambiguity in relation to the interpretation of the compliance requirements for multiple persons residing at an existing supply address. As such, with respect to subclause 82(2) with the</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>consideration that no changes to the customer details were required, an assessment of Perth Energy's compliance was not able to be determined for subclauses:</p> <ul style="list-style-type: none"> ○ 82(2)(a) - register the customer's supply address as a life support equipment address; ○ 82(2)(b) - register a person's contact details in relation to the supply address; ○ 82(2)(c) - provide the notification about the customers supply address being a life support equipment address in accordance with the relevant standard. <p>Specific detail as to the issues with the assessment of Perth Energy's compliance with the requirements subclauses 82(6) and 82(2) in accordance with the relevant standard for a retailer (refer detail in observations) is described below.</p> <ul style="list-style-type: none"> ▪ 82(2)(a) register the customer's supply address as a life support equipment address – the customers supply address was registered as a life support equipment address, however, the Licensee was not able to demonstrate that following the receipt of a residents Life Support Equipment Registration form, providing confirmation from an appropriately qualified medical practitioner (i.e., on 9/5/2023), that a person residing at the customer's supply address required life support equipment and that they registered the customers supply address as a consequence (i.e. updated the CDN in Gentrack). A review of the life support customer CDN in Gentrack indicated it was last updated on 23/5/2022. Additionally, the Perth Energy Life Support Register did not reflect receipt of this confirmation for an additional person. It was acknowledged that the life support customer was already registered with Western Power on the 23/5/2022 (i.e. for a life support customer's resident refer obligation 240). It was observed that the CDN within Gentrack appeared to have the capability to record multiple transactions. ▪ 82(2)(b) register a person's contact details in relation to the supply address; - a person's contact details in relation to the customers supply address were verified in Gentrack. A review

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>of the CDN for the customer confirmed that a person's contact details were registered last in Gentrack on the 23/5/2022. These contact details were confirmed to be current during the audit process. However, following the receipt of another resident requiring Life Support Equipment Registration form, providing confirmation from an appropriately qualified medical practitioner, that a person residing at the customer's supply address required life support equipment on the 9/5/2023, the contact details were not registered in the customers CDN.</p> <ul style="list-style-type: none"> ▪ 82(2)(c) provide the following to Western Power as the distributor — (2023) (i) a notification about the customer's supply address being a life support equipment address; - the Licensee had provided notification to Western Power about the customer's supply address being a life support equipment address on 23/5/2022 and this notification requirement was still valid. (ii) the contact details registered under paragraph (b) – refer 82(2)(b) ▪ 82(6) A persons contact details are the following notified by the customer (a) a telephone number (b) an email address (if provided) (c) a postal address – for life support customer the CDN (i.e. contact details) in Gentrack were dated 23/5/2022 and confirmed to include <Business Name>, <Contact Name>, <Postal Address>, <Phone Number>. The customer's email was not in Gentrack but was located in the Licensee's email records, customer contract and Salesforce. It was noted that Gentrack appeared to be able to record new contact details against a new transaction ID, for example as could be expected if you had an updated confirmation. There was no periodic review process established by the Licensee to confirm the contact details and provide a record of the confirmation to Western Power. <p>The following timeline of key events in relation to the life support customer were noted:</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> ▪ The customer was due for periodic review from within the period beginning 3 months before, and ending 3 months after, each anniversary of the registration of a supply address (i.e. registered 19/5/2022 so due in a window from 19/2/2023 to 19/8/2023). ▪ As during the period 20/2/2023 to 30/6/2023 this was the customer's first anniversary they were just required to confirm that a person residing at the customer's supply address continued to require life support equipment. ▪ Perth Energy's Administrator Customer Operations contacted the customer via email by on the 13/4/2023 and requested they complete the attached Life Support Equipment Registration form, which was due for renewal, and return as soon as possible. ▪ Perth Energy's Administrator Customer Operations contacted the customer via email by on the 4/5/2023 and requested as per the email sent on 13/4/23 the Life Support Equipment Registration form due for renewal be completed urgently and returned as soon as possible. Note this was not within the timeframe of subclause 85(2)(a) which required the Licensee to give the customer at least 3 months to provide the confirmation. Additionally, the customer was not warned in relation to potential for de-registration as detailed in subclause 85(2)(b). ▪ Western Power's sent an email request (dated 9/5/2023) for confirmation of registered life support equipment customers as part of their Monthly Life Support Audit for the month of April (i.e. RE Life Support Reconciliation April 2023). ▪ Perth Energy responded to Western Power on the 15/5/2023 that the life support customer's NMI was still valid. ▪ Perth Energy's Administrator Customer Operations had not received a response to the previous email requests from the customer and escalated the request internally to the Business Sales Executive on the 17/8/2023 and included a warning that if Perth Energy did not receive the Life Support Equipment Registration form with confirmation from the customer that Western Power would de-register them from having life support at their supply address.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> Perth Energy's Administrator Customer Operations had not received a response from the Business Sales Executive and sent a follow up email querying the status on the 11/9/2023 at 1pm (this date was outside the scope of the audit period). Perth Energy's Business Sales Executive sent an email on the 11/9/2023 at 1.25pm to the Administrator Customer Operations with a copy of a new Life Support Equipment Registration form for a resident residing at the life support customers supply address this form was signed by medical practitioner on 9/5/2023. The communications between Perth Energy and the customer were not provided and as such assessment of compliance with the relevant standards for retailers could not be made. <p>It was noted there were no Perth Energy customers that required life support registration during the audit period that were inadvertently deregistered or were not included in Western Power's life support registration records.</p> <p>The Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Compliance Assurance Plan 2023

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> • Compliance Obligations Register • Perth Energy Life Support Register • Procedure.Business.002 - Life Support Customers • Training.Business.002 - Business Support Induction • WP Email RE: Life Support Reconciliation January 2022 (dated 16/2/2022) • WP Email RE: Life Support Reconciliation January 2023 (dated 7/2/2023) • WP Email RE: Life Support Reconciliation April 2023 (dated 9/5/2023) • Life Support Equipment Registration form • Wester Power Build Pack - Customer and Site Details Notification Process <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation,</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The relevant standard for retailers in relation to a step required to be taken by a retailer, means the step is taken — (i) if a confirmation or notification is received before 3 pm on a business day — on the same day; or (ii) if a confirmation or notification is received on or after 3 pm or on a Saturday, a Sunday or a public holiday throughout the State — no later than the next business day. ▪ Assessment of compliance with the relevant standard for Perth Energy as a retailer could not be verified in relation to the email sent by Perth Energy to Western Power on the 15/5/2023 confirming the ongoing requirement for life support equipment. As no communications were able to be provided by Perth Energy to confirm the customer had advised them of the ongoing life support requirement and whether notification to Western Power was then required to be same day or the next business day. It was noted that the Life Support Equipment Registration form was completed by a medical practitioner on the 9/5/23 and declared by the applicant on the 21/5/2023.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> ▪ It should be highlighted that the customer had continued registration for its supply address for life support equipment throughout the audit period from the date registration on the 1/3/2022 to 30/6/2023 (refer obligation 240 for specific details). However, it was not able to be determined by discussion with Perth Energy employees and a review of Perth Energy's documentation, systems and records if both persons were residing at the customers supply address during the period 20/2/2023 to 30/6/2023 and whether there was a requirement to update the CDN in Gentrack to reflect the receipt of a new confirmation for requirement of life support equipment. ▪ Notably, both Perth Energy (refer observation below) and Western Power were unaware at the end of the audit period that an additional person was residing at the customers previously registered supply address. Note that subclause 86(8) refers to the retailer being aware there was another person residing at the supply address. ▪ It was noted that when the Licensee submitted the Life Support Equipment Registration form confirmed on the 9/5/2023 it was provided to the auditor titled "2023 Life Support recertification" for the life support customer and the Licensee was not aware that the confirmation was for a different person that 2022 confirmation. ▪ It was noted that the Life Support Equipment Registration form does not require the customer to confirm the phone details only the address, for life support customer. A process for confirmation of the phone number as part of the periodic review process was not formalised. ▪ The Perth Energy Life Support Equipment Registration Form had not been updated to reflect the requirements of Code of Conduct 2022 and was not subject to document control. ▪ The licensee was required to comply with the obligation for the audit period 20/2/23 to 30/6/23. For the period 1 July 2020 to 19/2/2023 the requirement was detailed in obligation 235 refer to the 2018 Code of Conduct clause 7.7. The control procedure Life Support Customers has not been reviewed since 11 July 2018 and as such was not adequate in the description of the life support requirements in accordance with the Code of Conduct 2022. Whilst some

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				<p>employees demonstrated a level of understanding for compliance this was not comprehensive and was not adequate to ensure compliance. The training program which referred to life support requirements was not comprehensive (refer Training.Business.002 - Business Support Induction.</p> <ul style="list-style-type: none"> ▪ The ESA included a check box to confirm LSE requirement but did not require the customer to acknowledge that they had considered the requirement, for example the Licensee could include the requirement to select <input type="checkbox"/> YES or <input type="checkbox"/> NO and/or an initial to indicate the requirement was considered in the execution of the ESA. ▪ Requirements to recertify were included in the Compliance Assurance Plan 2023. ▪ Some evidence of communication in relation to life support customers with Western Power was provided for review, however, this was initiated by Western Power via monthly audits. ▪ A copy of the current Life Support Customer's NSC was provided for review. It was noted that the Perth Energy Electricity Supply Agreement did not check the Life Support Equipment box on the form (Refer life support customer contract start date 1/3/2022). Perth Energy was alerted to the life support requirement in an email from Western Power on 9/5/2022. ▪ The life support customer had 2 contacts requiring life support equipment registration and medical authorisation one was dated on 16/5/2022 and another 21/5/2023. It was noted that the previous audit referenced a WP Sensitive Customers/ Life Support Procedure, however, this was not provided for review. ▪ It was unclear how the WP Email RE: Life Support Reconciliation January 2023 did not include one life support customer when it was understood the customer transferred away on the 27/2/23. No evidence of deregistration of life support was provided.
	PRIORITY 2	CONTROLS RATING C	COMPLIANCE RATING NR	
	<p>22/2023 RECOMMENDATION – The Licensee's compliance was not able to be determined for the audit period 20/2/2023 to 30/6/2023 for the current life support customer in relation sub clause 82(6) and there was limited ability to verify compliance in relation to sub clause 82(2) as the Licensee's control processes were not adequate. As such the following recommendations are made:</p> <p>i. Update the control procedures in relation to Life Support customers in accordance with the requirements of 2022 Code of Conduct.</p>			

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	<ul style="list-style-type: none"> ii. Establish a monitoring and review process (i.e. implementation of the Compliance Assurance Plan) iii. Liaise with Western Power contact to confirm compliance with the process and determine how to manage new customers if life support already attached to Customer Details, and how to comply with the requirements for new person(s) residing at an existing supply address. iv. Review Non-Standard Contract, Salesforce and communication records for all life support customers to identify potential non-compliances reportable in the 2024 Annual Compliance Report. v. Update the requirements of the Life Support Register and include a record of the notification to WP, registration details for person(s) residing at the supply address in the Life Support Register or in Salesforce vi. Review training with sales and business support personnel and maintain records as appropriate. vii. Improve controls around life support requirements on ESA, for example require customer to initial that they do not require life support. 	
297C+ Type [2]	Code of Conduct, Clause 82(3) - A retailer must provide the information detailed under subclause 82(3) to the customer within 5 days after registering the customer's supply address as a life support equipment address.	<p>COMPLIANCE FINDING: A review of the Life Support documentation and records indicated that there was 1 life support customer, for the audit period 20/2/2023 to 30/6/2023 who should have been registered in accordance with subclause 82(1). However, as detailed in obligation 297B there was some uncertainty as to the requirements by the Licensee. As such, the Manager Business Support, confirmed no customers were registered and consequently assessment of compliance with the obligation was not undertaken.</p> <p>Additionally, the Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Compliance Assurance Plan 2023 • Life Support Register • Procedure.Business.002 - Life Support Customers • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Salesforce • Training.Business.002 - Business Support Induction • WP Email RE: Life Support Reconciliation January 2022 (dated 16/2/2022) • WP Email RE: Life Support Reconciliation January 2023 (dated 7/2/2023) • Life Support Equipment Registration form • Wester Power Build Pack - Customer and Site Details Notification Process <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ A review of the 2022 Code of Conduct requirements has not been fully undertaken in relation to Perth Energy's control processes relating to life support customers. ▪ The Life Support Customers procedure does not refer to the requirements of the obligation, specifically with reference to Perth Energy providing the following information in writing to the

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				customer before, or within 5 days after, registering the customer's supply address as a life support equipment address under subclause (2) — a. advice that there may be planned or unplanned interruptions to the supply of electricity to the supply address and that the distributor is required to provide a notification of a planned interruption in accordance with this code; b. a recommendation that the customer prepare a plan of action in case of an unplanned interruption; and c. an emergency telephone contact number for the distributor and the retailer (the charge of which will be no more than the charge of a local call (excluding mobile telephones)).
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING NR	
	23/2023 RECOMMENDATION – Refer recommendation 22/2023 as per obligation 297B.			
297D+ Type [1] ¹⁰	Code of Conduct, Clause 82(5) - If a customer, for a supply address registered under subclause 82(2), notifies the retailer that the person residing at the customer's supply address who requires life support equipment is changing supply address, or that the customer is changing supply address but not the person who requires life support equipment, or that there has been a change in contact details, then the retailer must, in accordance with the relevant standard, a. register the change and b. provide a notification to the distributor of the change.			COMPLIANCE FINDING: For the audit period 20/2/2023 to 30/6/2023 a review of the Life Support documentation and records indicated that there was another person confirmed at residing at an existing life support customer supply address. As such, this change should have been registered in the CDN in Gentrack and Western Power notified under subclause 82(2) and as implied by 86(8). However, the email communication with Western Power and a review of the CDN in the Gentrack system for the customer indicated that Perth Energy did not register the change and did not provide a notification to the distributor of the change (refer to obligation 297B timeline). Additionally, there was some uncertainty as to the requirement to so because the customer was an existing life support customer, and the contact details themselves in the CDN in Gentrack were correct.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	<p>¹⁰ <i>Obligation 297D (subclause 82(5) of the Code of Conduct) is a Type 1 reporting obligation, except for when a registered life support equipment customer notifies the retailer that the customer's supply address no longer requires registration as a life support equipment address, which is a Type 2 reporting obligation.</i></p>	<p>As such, even though a customer provided confirmation from an appropriately qualified medical practitioner that a person residing at the customer's supply address required life support equipment customers, there were no customers registered and Western Power was not notified of the change. Consequently, assessment of compliance with the obligation was not undertaken.</p> <p>Additionally, the Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable (i.e., specifically to facilitate assessment in accordance with the relevant standard), control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Compliance Assurance Plan 2023 • Life Support Register • Procedure.Business.002 - Life Support Customers • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Salesforce <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS: <ul style="list-style-type: none">The Licensee has not reported a non-compliance with respect to life support during the audit period.Note the obligation was rated as a Type 1 obligation for a Life Support Customer as it appeared the customer still required life support registration after a change in contact details.The Licensee did not provide evidence of implementation, of the Life Support Customer procedure which outlined specific actions to be taken by Perth Energy when a customer, for a registered supply address, reported changes. These changes may include an individual requiring life support equipment moving to a different address, a customer changing their supply address without affecting the person requiring life support equipment, or updates to contact details. In such cases, Perth Energy was obligated to:<ul style="list-style-type: none">a. register the change.b. Notify the distributor of the change.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	2	C	NR	
24/2023 RECOMMENDATION – Refer recommendation 22/2023 as per obligation 297B+				
297H+ Type [2]	Code of Conduct, Clause 85(1) - A retailer must confirm periodically the information held in relation to the life-support equipment scheme is/has not changed in the manner prescribed under subclause 85(1).			COMPLIANCE FINDING: During the audit period 20/2/2023 to 30/6/2023, Perth Energy's Life Support Register indicated that there had been 1 customer registered for life support (i.e. anniversary of date registered 19/5/2022). A periodic review to confirm that a person residing at the customer's supply address continued to require life support equipment was required to be undertaken by issue of a notice given to the customer within the period beginning 3 months before, and ending 3 months after, each anniversary

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>of the registration of a supply address (i.e., in a period from 19/2/2023 to 19/8/2023). address documentation, email communications and records, Subclause 85(1)(b) was not applicable as 19/5/2023 was the customers 1st anniversary sine registration.</p> <p>It was noted that an email was sent by the Administrator Customer Operations to the customers registered contact on the 13/4/2023 confirmed compliance with this requirement.</p> <p>The Licensee's control processes were generally adequate however, improvements in relation to internal audit, records management, document review in accordance with legislative changes were required to ensure ongoing compliance. For example, it was noted that the document control detailed on the Life Support Customers procedure did not indicate revision in accordance with 2022 Code of Conduct, compliance with this required was for the period 20/2/23 to 30/6/23.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Compliance Assurance Plan 2023 • Life Support Register • Procedure.Business.002 - Life Support Customers • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Salesforce

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Licensee has not reported a non-compliance with respect to life support during the audit period. Evidence of communication in relation to re-certification of customer 606519 on the 19/5/2022 was recorded in the Life Support Register and was provided for review. Controls rating undertake to reflect the need to review the document revision and compliance with legislation process. The life support register and the Compliance Assurance Plan 2023 required re-certification. However, the demonstration of how the Licensee ensured this was not verified. The Life Support Customer procedure outlined mandated actions to be taken by Perth Energy when customers with registered life support equipment addresses confirmed the ongoing need for life support equipment within the period spanning 3 months before and after each anniversary of the address registration. This confirmation was required to either be directly from the customer (unless it's the third anniversary) or provided by a qualified medical practitioner. This procedure was not observed to have been effective and implemented during the applicable audit period.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	1	
	2023 RECOMMENDATION – NIL.			
2971+ Type [2]	Code of Conduct, Clause 85(2) - A retailer must allow a customer at least 3 months to respond to the notice requesting confirmation of the information held in relation to the life-support equipment scheme and warn the customer of supply address deregistration from the life-support equipment scheme and details of resulting de-registration as prescribed under subclause 85(2).			<p>COMPLIANCE FINDING: During the audit period 20/2/2023 to 30/6/2023, communications between the Licensee and the registered life support did not allow the customer at least 3 months to provide the confirmation required by the Perth Energy and did not warn customer of the consequences to de-registration as detailed in 85(2)(b)(i) and(ii). The email communication reviewed appeared to provide confirmation to Western Power prior to receiving it from the registered customer.</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>The following events were noted in relation to the timeline for compliance:</p> <ul style="list-style-type: none"> ▪ The customer was due for periodic review from within the period beginning 3 months before, and ending 3 months after, each anniversary of the registration of a supply address (i.e. registered 19/5/2022 so due in a window from 19/2/2023 to 19/8/2023). ▪ As during the period 20/2/2023 to 30/6/2023 this was the customer's first anniversary they were just required to confirm that a person residing at the customer's supply address continued to require life support equipment and did not require the confirmation by a medical practitioner the customer residing at the supply address. ▪ Perth Energy's Administrator Customer Operations contacted the customer via email by on the 13/4/2023 and requested they complete the attached Life Support Equipment Registration form, which was due for renewal, and return as soon as possible. ▪ Perth Energy's Administrator Customer Operations contacted the customer via email by on the 4/5/2023 and requested as per the email sent on 13/4/23 the Life Support Equipment Registration form due for renewal be completed urgently and returned as soon as possible. Note this was not within the timeframe of subclause 85(2)(a) which required the Licensee to give the customer at least 3 months to provide the confirmation. Additionally, the customer was not warned in relation to potential for de-registration as detailed in subclause 85(2)(b)(i) and (ii). ▪ Western Power sent a routine email request (dated 9/5/2023) for confirmation of registered life support equipment customers as part of their Monthly Life Support Audit for the month of April (i.e. RE Life Support Reconciliation April 2023). ▪ Perth Energy responded to Western Power on the 15/5/2023 that the life support customer registration was still valid.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>The Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Compliance Assurance Plan 2023 • Life Support Register • Procedure.Business.002 - Life Support Customers • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Electricity Disconnections and Reconnections Procedure [Procedure.Business.001] • Notices of disconnection, disconnection and reconnection data <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING NR	<ul style="list-style-type: none"> A sample communication in relation to re-certification of a life support customer on the 19/5/2022 was recorded in the Life Support Register and was provided for review and the relevant components detailed in the timeline above
	25/2023 RECOMMENDATION – Refer recommendation 22/2023 as per obligation 297B ⁺			
297J ⁺ Type [2]	Code of Conduct, Clause 86(2) - If a retailer is notified that a customer's supply address no longer requires registration as a life support equipment address, the retailer must de-register the address as prescribed in subclause 86(2).			<p>COMPLIANCE FINDING: The licensee confirmed that for duration of the audit period, 20/2/2023 to 30/6/2023, the obligation was not applicable there were no life support customers who notified Perth Energy that the supply address no longer required registration as a life support equipment address.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Compliance Assurance Plan 2023 • Perth Energy Life Support Register • Procedure.Business.002 - Life Support Customers • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Salesforce • Email communication with the customer. • Email communication with Western Power <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> It was noted that the document control detailed on the Life Support Customers procedure did not indicate revision, compliance with this required was for the period 20/2/23 to 30/6/23.
	2023 RECOMMENDATION – NIL			
297K+ Type [2]	Code of Conduct, Clause 86(3) and (4) - If a customer fails to comply with a notice from the retailer under clause 85, in relation to a life support equipment address, within the period allowed under clause 85(2)(a), then the retailer must undertake action prescribed in subclauses 86(3) and 86(4).			<p>COMPLIANCE FINDING: The licensee confirmed that for duration of the audit period, 20/2/2023 to 30/6/2023 the obligation was not applicable there were no life support customers who failed to comply with a notice from the licensee in accordance with clause 85.</p> <p>It was noted that as the customer's anniversary date was calculated from the 19/5/2022, the notice period for the registered customer was from 19/2/2023 to 19/8/2023. As such, the completion of the notice period was outside the scope of the audit period and assessment of compliance with the requirement was not undertaken.</p> <p>The Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, some staff were unaware of requirements, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes. For example, it was noted that although outside the scope of the audit period the form containing confirmation of the life support requirement was emailed by the Business Sales Executive to the Administrator Customer Operations on the 11/9/2023. The form was noted to have been confirmed by a medical practitioner on 9/5/2023 and declared by the applicant on 21/5/2023.</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>The delay in the receipt of confirmation was not able to be determined from the information provided nor could it be confirmed by the Licensee.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Compliance Assurance Plan 2023 • Perth Energy Life Support Register • Procedure.Business.002 - Life Support Customers • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) • Salesforce • Email communication with the customer. • Email communication with Western Power <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation, Business Sales Executive</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was noted that the Life Support Customers procedure did not refer to the requirement, compliance with this obligation applied for the period 20/2/23 to 30/6/23.
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING N/R	
	26/2023 RECOMMENDATION – Refer recommendation 22/2023 as per obligation 297B+			

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
297L+ Type [2]	Code of Conduct, Clause 86(6) - A retailer must, when it de-registers a life support equipment address, provide the customer's distributor with a notification about the de-registration as detailed under subclause 86(6).			<p>COMPLIANCE FINDING: A review of the Life Support Register indicated that there were two life support customers supplied during the applicable audit period. Neither customer deregistered during the period 20/2/23 to 30/6/23 when the obligation applied.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">• Compliance Assurance Plan 2023• Life Support Register• Procedure.Business.002 - Life Support Customers• Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022• DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)• Salesforce <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none">▪ It was noted that the Life Support Customers procedure did not refer to the requirement, compliance with this obligation applied for the period 20/2/23 to 30/6/23.
	4	N/P	N/R	
	RECOMMENDATION – NIL			
297N+	Code of Conduct, Clause 86(8) - Despite subclauses 86(1) to (7), a supply address must not be de-registered if the retailer is aware that			

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [2]	another person residing at the supply address still requires life support equipment.	<p>COMPLIANCE FINDING: A review of the Life Support Register indicated that there were two life support customers supplied during the audit period. Neither customer deregistered during the period 20/2/23 to 30/6/23 when the obligation applied.</p> <p>It was noted that during the audit period 1/7/2020 to 30/6/202 the registered life support customer did receive 2 separate confirmations from a medical practitioner that there were 2 persons residing at the supply address. It was confirmed through discussions with the Manager Business Support that Perth Energy was unaware that there were 2 different persons residing as the supply address and that the form date 9/5/2023 was assumed to be a re-certification confirmation and was treated as such, i.e. no notification or registrations were undertaken.</p> <p>Consequently it was determined that the Licensee's control processes were not adequate enough in relation to record keeping and internal monitoring to confirm compliance in accordance with the relevant standard for a retailer with this requirement, for example records were not readily retrievable, control procedures did not accurately detail the requirements and were not subject to document control, records were not assessed against compliance requirements, some staff were unaware of requirements, training materials were inadequate to communicate the requirements, there was no internal monitoring process and there was no update to control procedures in response to legislative changes.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Compliance Assurance Plan 2023 • Life Support Register • Life Support Equipment Registration form • Procedure.Business.002 - Life Support Customers

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">• Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022• DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023)• Salesforce 2023 Life Support recertification (i.e., completed Life Support Equipment Registration form dated 9/5/2023) PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation, Business Sales Executive. OBSERVATIONS: <ul style="list-style-type: none">▪ It was noted that the Life Support Customers procedure did not refer to the requirement, compliance with this obligation applied for the period 20/2/23 to 30/6/23.
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING N/R	
	27/2023 RECOMMENDATION – Refer recommendation 22/2023 as per obligation 297B+			
COMPLAINTS & DISPUTE RESOLUTION				
298 Type [2]	Code of Conduct, Clause 87(1) - Each retailer and distributor must develop, maintain and implement a standard complaint and dispute resolution procedure.			COMPLIANCE FINDING: During the audit period, the Licensee's had developed and implemented a Complaints Handling Procedure but has not maintained (i.e. kept in effect once it has been developed and implemented, including consideration of legislative and other amendments) the procedure. The procedure was last reviewed 26 March 2018 (i.e. following the review of the 2018 Code of Conduct).

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<p>The intent of the obligation is to ensure that the established complaint and dispute resolution procedure remains effective and up to date over time. Evidence of maintaining the procedure through other mechanisms was not observed, for example training records were not provided for the Customer Complaint Handling module, no evidence of monitoring and reporting on this type 2 reportable obligation, no internal audit program established to verify compliance, absence of continuous improvement process (i.e. review after lessons learnt), no document control and no effectiveness review assessments.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Energy & Water Ombudsman Website • Complaints Handling Procedure [Procedure.Business.004] • Customer Complaint Handling [Training.Corporate.001] • Customer Complaints Registers 2019-2021 • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> There are several new obligations in relation to Complaints Handling associated with the review of 2022 Code of Conduct. Not evidenced that the control procedures have been reviewed for adequacy. The link to the complaints handling contact form on the Perth Energy website at https://www.perthenergy.com.au/help/complaints/ was noted to be not functional. It was noted that the Complaints Handling Procedure required that the General Manager Retail shall ensure that information in respect to using the complaints handling process is available on the Perth Energy website and available in hard copy at the Perth Energy office. The General Manager Retail will ensure that this material is updated if any changes are made to the process. It was noted standard AS/NZS standard 10002-2014 focussed on facilitating an organisation's ability to identify trends, eliminate causes of complaints and improve the operational effectiveness. It was noted that AS/NZS 10002:2014 states: To maintain their currency, all Standards are periodically reviewed, and new editions are published. Between editions, amendments may be issued. Standards may also be withdrawn. It is important that readers assure themselves they are using a current Standard, which should include any amendments which may have been published. (Refer Ombudsman Western Australia Complaints Management guidelines October 2020).
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	2	
	28/2023 RECOMMENDATION - Refer recommendation 11/2023 as related to obligation 124.			
299 ^Δ Type [2]	Code of Conduct, Clause 87(2) - The standard complaints and dispute resolution procedure under subclause 87(1) must comply with the requirements specified in subclauses 87(2)(a), (b), (c) and (d).			<p>COMPLIANCE FINDING: During the audit period, the Licensee's had developed and implemented a Complaints Handling Procedure complied with the requirements specified in subclauses 87(2)(a), (b), (c) and (d).</p> <p>DOCUMENTS/SYSTEMS:</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Perth Energy Website Energy & Water Ombudsman Website Complaints Handling Procedure [Procedure.Business.004] Customer Complaint Handling [Training.Corporate.001] Customer Complaints Registers 2019-2021 Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> There was one complaint recorded in the Customer Complaints Register 2020-2021 The Licensee confirmed there were no other complaints. The Complaints Registers for 2022-2023 were not provided for review.
	4	N/P	1	
	2023 RECOMMENDATION – NIL			
299A+ Type [2]	Code of Conduct, Clause 87(3) - The standard complaints and dispute resolution procedure must comply with AS/NZS 10002:2014.			<p>COMPLIANCE FINDING: A review of the Licensee 's confirmed that Perth Energy's Complaints Handling Procedure complied with AS/NZS 10002:2014 with the exception of considering all stakeholders in the scope.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Complaints Handling Procedure [Procedure.Business.004] • Customer Complaint Handling [Training.Corporate.001] • Customer Complaints Registers 2019-2021 • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ As the procedure is a Customer Complaint Handling procedure it does not consider complaints from other stakeholders, for example the ERA, Western Power, etc. This is considered best practice in relation to complaints handling processes. ▪ It was not confirmed whether the Licensee had a copy AS/NZS 10002-2014. The version of the standard is superseded by AS 10002-2022, however, it is acknowledged that the obligations do not require compliance with the current version of the standard.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	NP	1	
	2023 RECOMMENDATION - NIL			
300□ Type [2]	2018 Code of Conduct, Clause 12.1(3) - A retailer or a distributor must advise the customer in accordance with subclause 12.1(3).			COMPLIANCE FINDING: The Licensee confirmed that for the duration of the audit period, Perth Energy complaint handling procedures referenced the customers right to have the complaint heard by a senior employee, the right to a written response and the right to complain to the ombudsman.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Complaints Handling Procedure [Procedure.Business.004] • Customer Complaints Registers 2019-2021 • Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22 • Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022 • DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> ▪ It was noted that the obligation was only applicable to the period 1 July 2020 to 20 February 2023. ▪ Obligation detailed in the Complaints Handling Procedure
	2023 RECOMMENDATION - NIL			
301 ^Δ Type [2]	Code of Conduct, Clause 88 - On receipt of a written complaint by a customer, a retailer or distributor must acknowledge the complaint within 10 business days and respond to the complaint within 20 business days.			COMPLIANCE FINDING: The Licensee did receive a written complaint by a small use customer during the audit period. The Complaints Register 2020-2021 indicated that the complaint was received and responded to within a 3 day time frame. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Complaints Handling Procedure [Procedure.Business.004]

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Customer Complaints Registers 2020-2021 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The customer was disconnected for non-payment of bill and contacted the ombudsman as reflected in the Complaints Register 2020-2021. The Licensee confirmed there were no other complaints applicable to the audit period provided for review. The Complaints Registers for 2021-2023 were not provided for review. A complaint for customer 603692 was provided but this was received and resolved during the previous audit period.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
301A+ Type [2]	Code of Conduct, Clause 89 - A retailer or distributor must inform the customer of the outcome of a complaints process and, unless the customer has advised the retailer or distributor that the complaint has been resolved in a manner acceptable to the customer, information as detailed in 89(b)(i) to (iii).			<p>COMPLIANCE FINDING: The Licensee did receive a written complaint by a small use customer during the audit period. The Complaints Register 2020-2021 indicated that the complaint was received and responded to as required, however, the customer escalated the complaint to the ombudsman.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Complaints Handling Procedure [Procedure.Business.004] Customer Complaints Registers 2020-2021 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> The customer was disconnected for non-payment of bill and contacted the ombudsman as reflected in the Complaints Register 2020-2021. The Licensee confirmed there were no other complaints. The Complaints Registers for 2021-2023 were not provided for review.
	2023 RECOMMENDATION - NIL			
302 [□] Type [2]	2018 Code of Conduct, Clause 12.2 - A retailer must comply with any guideline developed by the ERA to distinguish customer queries from complaints. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee complied with the Customer Complaint Guidelines – October 2016 approved by the ERA. The obligation to comply with the guideline particularly in reference to the requirement for the Licensee to differentiate customer queries from complaints was evidenced. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Complaints Handling Procedure [Procedure.Business.004] Customer Complaints Registers 2020-2021 PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> It was noted that the obligation was only applicable to the period 1 July 2020 to 20 February 2023. Obligation detailed in the Complaints Handling Procedure
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
303 [□] Type [2]	2018 Code of Conduct, Clause 12.3 - On request and at no charge, a retailer, distributor and electricity marketing agent must give a customer information that will assist the customer to utilise the respective complaints handling processes. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy did not receive any requests from customers relating to information provision that would assist the customer to utilise the respective complaints handling processes. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Complaints Handling Procedure [Procedure.Business.004]• Customer Complaint Handling [Training.Corporate.001]• Customer Complaints Registers 2019-2021• Perth Energy Electricity Supply Agreement Application and Commercial Terms –versions Dated: August 2017 and Dated: 9/2/22• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - versions ESA.001.0118, ESA.001.0917, ESA.001.0520, ESA.002.032022• DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023 (DRAFT T&Cs 2023) PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ The T&Cs of the NSC referenced complaints and the Customer Bills provided information for the Complaints Handling Process.▪ It was noted that the obligation was only applicable to the period 1 July 2020 to 20 February 2023.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2023 RECOMMENDATION - NIL				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
304 Type [2]	Code of Conduct, Clause 90 - If a retailer, distributor or electricity marketing agent receives a complaint from a customer that does not relate to its functions, it must advise the customer of the entity that it reasonably considers to be appropriate to deal with the complaint (if known).			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy routinely referred customers who made a complaint that did not relate to its functions to the appropriate entity. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Complaints Handling Procedure [Procedure.Business.004]• Customer Complaints Registers 2020-2021 PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none">▪ Queries not complaints received in relation to Perth Energy not providing the \$2500 business grant. Customers were referred as appropriate.
	2023 RECOMMENDATION - NIL			
REPORTING				
305□ Type [2]	2018 Code of Conduct, Clause 13.1 - A retailer and a distributor must prepare a report in respect of each reporting year setting out the information specified by the ERA. <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: A review of Perth Energy’s processes and procedures confirmed the Licensee, complied with the preparation of an annual report (specifically the Electricity Performance Reporting Datasheets – Retail) for the ERA as required by Part 13 of the Code of Conduct. The reports were published and made available a copy of the reports on its website at no cost. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Perth Energy Website• Email communication with the ERA

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Register of Non-Compliances ERL10 • Electricity Performance Reporting Datasheets (2020-2022) • Manual.Retail.001 - Electricity and Gas Retail Licence Compliance • Compliance Assurance Plan 2023 • Compliance Obligations Register
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Performance Reporting Datasheets were available on the Perth Energy website.
	2023 RECOMMENDATION - NIL			
306□ Type [2]	<p>2018 Code of Conduct, Clause 13.2 - The report specified in clause 13.1 must be provided to the ERA by the date, and in the manner and form, specified by the ERA.</p> <p><i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i></p>			<p>COMPLIANCE FINDING: During the Audit Period the Licensee was required to provide the ERA with its Electricity Retail Licence Performance Reporting Datasheets for the reporting years 2020-2022 by 30 September, annually. However, communication of the report specified in clause 13.1 could only be verified for the reporting years 2020 and 2023. Evidence of communication of the Electricity Performance Reporting Datasheets for 2021 and 2022 years could not be verified.</p> <p>It was noted that this is a duplicate recommendation as per obligation 125. The obligation was removed from the audit scope from 20/2/2023.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Email communication with the ERA

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Electricity Performance Reporting Datasheets (2020-2022) Register of Non-Compliances ERL10 Manual.Retail.001 - Electricity and Gas Retail Licence Compliance Compliance Assurance Plan 2023 Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Performance Reporting Datasheets were available on the Perth Energy website. It was understood that for the 2021/2022 reporting period, compliance responsibility was temporarily assigned to an alternate individual and was attributable to delay in publishing. It was noted 2023 was outside the scope of the audit period. During the audit report development, the Licensee indicated that there appeared to be some issues with respect to accessing archived emails since the AGL acquisition of Perth Energy.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	NR	
	2023 RECOMMENDATION – NIL.			
307 [□] Type [2]	<p>2018 Code of Conduct, Clause 13.3 - The report specified in clause 13.1 must be published by the date specified by the ERA. In accordance with clause 13.3(2), a report is published if:</p> <ul style="list-style-type: none"> copies are available to the public, without cost, in places where the retailer or distributor transacts business with the public; and a copy is posted on the retailer or distributor's website. 			<p>COMPLIANCE FINDING: During the Audit Period the Licensee was required to publish the Electricity Retail Licence Performance Reporting Datasheets for the reporting years 2020-2022. The 2021/22 Electricity Retail Annual Performance Data was not published within 7 days of receiving the notification from the ERA. The non-compliance was noted in an email from the ERA to Perth Energy.</p> <p>Confirmation as to whether the 2020 and 2021 Electricity Retail Licence Performance Reporting Datasheets were published within the 7 day timeframe was not able to be provided by the Licensee.</p>

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>It was noted that this is a duplicate recommendation as per obligation 125. The obligation was removed from the audit scope from 20/2/2023.</p> <p>Additionally, the control environment was not robust enough to ensure compliance in the extended absence of key personnel.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Email communication with the ERA • Register of Non-Compliances ERL10 • Manual.Retail.001 - Electricity and Gas Retail Licence Compliance • Compliance Assurance Plan 2023 • Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The non-compliance was recorded in the Register of Non-Compliances for ERL10 by the General Manager, EMR Regulation and was understood to be reported in the 2023 Annual Compliance Report which was outside the scope of the audit period. ▪ Performance Reporting Datasheets were available on the Perth Energy website. ▪ It was understood that for the 2021/2022 reporting period, compliance responsibility was temporarily assigned to an alternate individual and was attributable to delay in publishing
	PRIORITY 4	CONTROLS RATING C	COMPLIANCE RATING 2	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	29/2023 RECOMMENDATION – Refer recommendation 11/2023 as related to obligation 124.	
PROTECTIONS RELATING TO FAMILY VIOLENCE		
307A+ Type [2]	Code of Conduct, Clause 91(1) - A retailer must develop, maintain and implement a family violence policy to assist vulnerable customers.	<p>COMPLIANCE FINDING: For the duration of the audit period 20/2/23 to 30/6/23 the Licensee was required to develop a “Perth Energy Family Domestic Violence Policy”. A copy of the policy was provided for review. As the Perth Energy Family Domestic Violence Policy was undated it was unclear as to when the policy was developed. Evidence of the compliance with the development requirements was also not provided (i.e. 91(3) (a) or (b).</p> <p>The Family Domestic Violence Policy was not available on Perth Energy’s Website at the link provided within the Policy (refer https://www.perthenergy.com.au/regulatory-information/).</p> <p>It was understood there has been no requirement to by customers to enact the policy since development.</p> <p>It was also noted that there were inadequate control mechanisms established to ensure that the Perth Energy Family Domestic Violence Policy remains effective and up to date over time. Examples of processes established to maintain the policy through other mechanisms would include document control and review requirements, training and awareness, trigger for feedback processes for review (i.e. lessons learnt in the event of implementation of the policy), monitoring and evaluation for compliance (i.e., internal audit).</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> • ERA Website • Perth Energy Standard Form Contract • Perth Energy Website • Perth Energy Family Domestic Violence Policy • Training.Corporate.003 - Retail Customer Privacy • Perth Energy Privacy Policy • Procedure.Business.001 - Electricity Disconnections and Reconnections Procedure • Procedure.Business.003 - Residential Financial Hardship Procedure • Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure • Compliance Obligation Register • Compliance Assurance Plan 2023 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Family Domestic Violence Policy was not searchable on Perth Energy's Website. ▪ Copies of the specialised training and training records for Perth Energy staff to help understand and respond to family & domestic violence were not provided for review. ▪ It was noted that the Family Domestic Violence Policy stated, "Perth Energy regularly reviews and updates its Family & Domestic Violence policy and program training for its staff." Whilst it is understood the compliance obligation only came into effect in 20/2/2023, due to the absence of document control compliance with this statement will be difficult to confirm. ▪ It was noted that the link to the Privacy Policy in the Perth Energy Family Domestic Violence Policy connected to the AGL Corporate Privacy Policy and not the Privacy Policy on Perth Energy's website.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> It was understood that the changes to SUC in relation to Domestic Violence were aimed at aligning with Code with the National Energy Customer Framework. It was noted that the Privacy Policy for both AGL and Perth Energy did not reference the requirements for safe communication of information. A review of policies and procedures that were related to the requirements of the Family Domestic Violence Policy were noted to have not been reviewed since the requirements of the 2022 Code of Conduct came into effect, for example Procedure.Business.001 - Electricity Disconnections and Reconnections Procedure, Standard Terms & Conditions ESA.002.032022 (including the draft version updated to reflect the requirements of the <i>Electricity Industry (Customer Contract) Amendment Regulations 2022</i>). It was noted that Procedure.Business.003 - Residential Financial Hardship Procedure referenced Family and Domestic violence in the definition of financial hardship. However, the document review records indicate the document has not been reviewed since 10 July 2019 and the descriptions of the review did not reference the 2022 Code of Conduct requirements. Similarly, the Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure. Was approved 11 July 2018 and was not reviewed during the audit period.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	C	NR	
<p>30/2023 RECOMMENDATION – In order to ensure compliance with the requirements of the 2022 Code of Conduct Part 13 – Protections relating to family violence, the Licensee should;</p> <ul style="list-style-type: none"> a) Apply document control to Family Domestic Violence Policy to ensure it upholds its integrity, transparency, traceability, and accountability, reflects governance and best practice standards. b) Establish a link to the Family Domestic Violence Policy on its website as stated within the Policy, in the Standard Form Contract published on the ERA Website and as per obligation 271D. c) Review for compliance and appropriateness and revise where necessary any related policies, procedures and processes, for example Training.Corporate.003 - Retail Customer Privacy, the Privacy Policy, etc. 				

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	<p>d) Ensure training modules for staff in relation to Family Violence are either developed in conjunction with appropriate consumer representatives or provided by appropriate consumer representatives.</p> <p>e) Ensure training records and requirements for applicable Perth Energy employees are maintained and updated to reflect the requirements.</p> <p>f) Ensure control procedures require Perth Energy to consult with persons or bodies that may reasonably be expected to represent the interests of persons who may be experiencing family violence whenever developing or reviewing a family violence policy.</p>	
307B+ Type [2]	Code of Conduct, Clause 91(2) - The family violence policy must provide for the details as prescribed in subclauses 91(2)(a) to (j).	<p>COMPLIANCE FINDING: A review of the Perth Energy Family Domestic Violence Policy confirmed that the policy provided for the details prescribed in subclauses 91(2)(a) to (j) relating to training, protection of information, communication, customer experience, pre-payment metering advice, financial considerations, avoidance of disconnect and operational clarity.</p> <p>Whilst Perth Energy had provided for training in the Family Domestic Violence Policy, there was no evidence provided by the Licensee that the training required in relation to its family violence policy had been undertaken by required employees or the training materials were developed as required. As such confirmation of compliance of the implementation of 91(2)(a) was not able to be undertaken</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Perth Energy Website • Perth Energy Family Domestic Violence Policy • Training.Corporate.003 - Retail Customer Privacy • Perth Energy Privacy Policy • Procedure.Business.001 - Electricity Disconnections and Reconnections Procedure • Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure • Compliance Obligation Register

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Compliance Assurance Plan 2023 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Perth Energy Family Domestic Violence Policy does not include reference to a specific process to ensure that a vulnerable customer does not have to repeatedly refer to, or disclose, their situation when they make contact with the retailer or another person acting on behalf of the retailer. However, it was noted, the Policy indicated a streamlined process: as Perth Energy stated they advise on handling information and establish safe communication methods for affected individuals and introduce a code word system for added account security. These provisions suggest careful handling of such customer interactions. The Compliance Assurance Plan 2023 does not reference the family violence obligations against the WA Sales Director, for example in respect to training of employees.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	B	NR	
	2023 RECOMMENDATION – NIL			
307C+ Type [2]	Code of Conduct, Clause 91(3) - The training required under subclause 91(2)(a) must satisfy at least one of the requirements detailed in subclause 91(3).			<p>COMPLIANCE FINDING: The Licensee has not provided information to confirm that the provision for the training of staff (including call centre staff and field officers) about issues related to family violence and its impacts was either;</p> <ul style="list-style-type: none"> developed in conjunction with appropriate consumer representatives; or it is provided by appropriate consumer representatives; <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Perth Energy Website

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
		<ul style="list-style-type: none"> • Perth Energy Family Domestic Violence Policy • Training.Corporate.003 - Retail Customer Privacy • Training.Business.001 - Retail Customer Financial Hardship • Training.Retail.002 - Retail Staff Induction • Training.Corporate.001 - Customer Complaint Handling • Training.Retail.001 - Marketing Compliance • Training.Business.002 - Business Support Induction • Perth Energy Privacy Policy • Procedure.Business.001 - Electricity Disconnections and Reconnections Procedure • Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure • Procedure.Retail.001 - Electricity and Gas Marketing Compliance Procedure • Compliance Obligation Register • Compliance Assurance Plan 2023 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Compliance Assurance Plan 2023 has not allocated the requirement to anyone and does not reflect the obligations of the family violence policy. ▪ The training referenced in Procedure.Business.003 - Residential Financial Hardship Procedure or the Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure did not reference the Perth Energy Family Domestic Violence Policy ▪ It was noted that the Procedure.Retail.001 - Electricity and Gas Marketing Compliance Procedure detailed the training requirements in relation to marketing.

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> The following Perth Energy training modules did not reference the Family Domestic Violence Policy, were not reviewed during the audit period and not amended since the 2022 Code of Conduct came into effect: <ul style="list-style-type: none"> i. Training.Business.001 - Retail Customer Financial (i.e. last reviewed 10/7/2019). ii. The Training.Retail.002 - Retail Staff Induction (i.e. last reviewed 12/7/2019). iii. The Training.Corporate.003 - Retail Customer Privacy (i.e. last reviewed 12/7/2018). iv. The Training.Corporate.001 - Customer Complaint Handling (i.e. last reviewed 12/7/2018) v. The Training.Corporate.001 - Customer Complaint Handling (i.e. last reviewed 12/7/2018) vi. The Training.Retail.001 - Marketing Compliance (i.e. last reviewed 12/7/2018) vii. The Training.Business.002 - Business Support Induction (i.e. last reviewed 12/7/2018) A draft copy of the Training.Corporate.002 - Data Breach Management was provided and made limited reference was made to potential for harm or domestic violence where a breach of address occurred. The document status was noted as “draft for review”.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	C	NR	
	31/2023 RECOMMENDATION – Refer to recommendation 30/2023 relating to obligation 307A.			
307D+ Type [2]	Code of Conduct, Clause 91(5) - If directed by the ERA, a retailer must review its family violence policy or related procedures and submit the results of the review to the ERA within a period specified by the ERA.			<p>COMPLIANCE FINDING: For the duration of the audit period 20/2/23 to 30/6/23 the Licensee confirmed they were not directed by the ERA to review the Perth Energy Family Domestic Violence Policy or submit the results of the review to the ERA.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • ERA Website • Perth Energy Website • Perth Energy Standard Form Contract • ERA Communication

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Perth Energy Family Domestic Violence Policy Compliance Obligation Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> A review of the ERA website did not reference Perth Energy's Family Domestic Violence Policy. Only Synergy and Horizon Power Family Domestic Violence Policies were available via the ERA website.
	2023 RECOMMENDATION - NIL			
307E+ Type [2]	Code of Conduct, Clause 91(6) - A retailer must consult with persons or bodies that may reasonably be expected to represent the interests of persons who may be experiencing family violence whenever the retailer is developing its family violence policy or reviewing its family violence policy because of a direction of the ERA under subclause 91(5).			<p>COMPLIANCE FINDING: For the duration of the audit period 20/2/23 to 30/6/23 the Licensee could not provide evidence that they had directly consulted with persons or bodies that may reasonably be expected to represent the interests of persons who may be experiencing family violence when they developed their family violence policy.</p> <p>It was noted that the Perth Energy Family Domestic Violence Policy references external support organisations. Development of the policy appeared to have been undertaken at a corporate level (i.e. by AGL).</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> ERA Website

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No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Perth Energy Website Perth Energy Standard Form Contract ERA Communication Perth Energy Family Domestic Violence Policy Compliance Obligation Register
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The Perth Energy Family Domestic Violence Policy referenced external support groups catering to diverse demographics, including both men's and women's support services.
	4	C	NR	
	32/2023 RECOMMENDATION – Refer to recommendation 30/2023 relating to obligation 307A.			
307F+ Type [2]	Code of Conduct, Clause 92 - Unless the circumstances under subclause 92(1)(a) to (e) apply, a retailer must ensure that the residential supply address of a vulnerable customer is not disconnected for a period of 9 months from the date on which the retailer becomes aware that the customer is a vulnerable customer.			<p>COMPLIANCE FINDING: For the duration of the audit period 20/2/23 to 30/6/23 the Perth Energy confirmed the "Protection from disconnection" clause for vulnerable customers, as outlined in section 92, was not triggered and thus was not assessed.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> ERA Website Perth Energy Website Perth Energy Standard Form Contract ERA Communication

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<ul style="list-style-type: none"> Perth Energy Family Domestic Violence Policy <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> During the applicable audit period there were no “vulnerable customers” disconnected.
	2023 RECOMMENDATION - NIL			
307G+ Type [2]	Code of Conduct, Clause 93 - A retailer must not require written evidence of family violence from a customer unless the evidence is reasonably necessary to enable the retailer to determine action prescribed under subclause 93(1)(a) and (b).			<p>COMPLIANCE FINDING: A review of Perth Energy's Family Domestic Violence Policy confirmed the Licensee did not mandate written evidence of family violence from customers and outlined considerations for individual situations regarding bill payment, debt collection, and disconnection within the policy.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Perth Energy Website Perth Energy Family Domestic Violence Policy Compliance Obligations Register <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> The requirement for the extent that written evidence of family violence was required, would only need be 1 document of a kind that is listed in the Residential Tenancies Act 1987 section 71AB(2) was not documented in any control procedures.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
SERVICE STANDARD PAYMENTS				
308□ Type [2]	2018 Code of Conduct, Clause 14.1(1) - Subject to clause 14.6, a retailer must pay the stated compensation to a customer if the customer is not reconnected in accordance with the timeframes specified in Part 8 <i>Note: Obligation deleted from Electricity Compliance Reporting Manual – February 2023. As such the obligation was only applicable to the audit scope from 1 July 2020 to 20 February 2023</i>			COMPLIANCE FINDING: The Licensee confirmed during the audit period there was no requirement for Perth Energy to facilitate customer reconnections or consider any exceptions for service standard payments. As such, assessment of compliance cannot be made. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Customer Complaint Handling Procedure• Compliance Obligations Register• Standard Terms & Conditions (Small Use) ESA.001.0520• Standard Terms & Conditions ESA.002.032022• Compliance Obligations Register PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ Reference to service standards payments was included in the Standard Terms & Conditions ESA.002.032022 but not Standard Terms & Conditions (Small Use) ESA.001.0520▪ The requirement to check for the applicability of service standard payments was referenced in the Compliance Obligations Register.▪ Compliance with this obligation was required from 1 July 2020 to 20 February 2023 and has been deleted from the Electricity Compliance Reporting Manual scope.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION	FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL	
308A+ Type [2]	Code of Conduct, Clause 94(1) - Unless clause 99 applies, a retailer must make the payment specified under subclause 94(2), if the retailer is required to arrange a reconnection of a customer's supply address under part 8, and either the retailer has not complied with clause 53(3) or (4) or the retailer has complied with clause 53(3), but a distributor has not complied with the timeframes set out in clause 54(4).	<p>COMPLIANCE FINDING: The Licensee confirmed during the applicable audit period there was no requirement for Perth Energy to facilitate customer reconnections or consider any exceptions for service standard payments.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Customer Complaint Handling Procedure • Compliance Obligations Register • Standard Terms & Conditions (Small Use) ESA.001.0520 • Standard Terms & Conditions ESA.002.032022 • Service Standard Payments – Customer Communication 2023 • Training.Business.002 - Business Support Induction <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Reference to service standards payments was included in the Standard Terms & Conditions ESA.002.032022 but not Standard Terms & Conditions (Small Use) ESA.001.0520 ▪ The requirement to check for the applicability of service standard payments was referenced in the Compliance Obligations Register. ▪ It was noted the Training.Business.002 - Business Support Induction has not been updated since the 2022 Code of Conduct amendments came into effect.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	<ul style="list-style-type: none"> A Service Standard Payments – Customer Communication 2023 notices included the specification of the new obligation. It was not clear when this document was drafted as it was not dated and there was no document control applied. Compliance with this obligation was required from 20 February 2023 to 30 June 2023 and has been included to the Electricity Compliance Reporting Manual scope.
	2023 RECOMMENDATION - NIL			
308B+ Type [2]	Code of Conduct, Clause 94(2) - A retailer must pay the customer \$60 for each day that the retailer or the distributor (as the case may be) is late, up to a maximum of \$300.			<p>COMPLIANCE FINDING: The Licensee confirmed during the applicable audit period there was no requirement for Perth Energy to facilitate customer reconnections or consider any exceptions for service standard payments.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Customer Complaint Handling Procedure Compliance Obligations Register Standard Terms & Conditions (Small Use) ESA.001.0520 Standard Terms & Conditions ESA.002.032022 Service Standard Payments – Customer Communication 2023 Training.Business.002 - Business Support Induction <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Reference to service standards payments was included in the Standard Terms & Conditions ESA.002.032022 but not Standard Terms & Conditions (Small Use) ESA.001.0520

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">▪ The requirement to check for the applicability of service standard payments was referenced in the Compliance Obligations Register.▪ It was noted the Training.Business.002 - Business Support Induction has not been updated since the 2022 Code of Conduct amendments came into effect.▪ A Service Standard Payments – Customer Communication 2023 notices included the specification of the new obligation. It was not clear when this document was drafted as it was not dated and there was no document control applied.▪ Compliance with this obligation was required from 20 February 2023 to 30 June 2023 and has been included to the Electricity Compliance Reporting Manual scope.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
310 Type [2]	Code of Conduct, Clause 95(1) - Unless clause 99 applies, a retailer must make the payment specified under subclause 95(2) if the retailer: <ul style="list-style-type: none">• fails to comply with any of the procedures set out under Part 6 (if applicable and other than clauses 45(3) and 46), or clause 48 or 82(1), before arranging for disconnection of, or disconnecting the customer for failure to pay a bill; or• arranges for disconnection of or disconnects the customer for failure to pay a bill in contravention of clause 49, 50 or 52 for failure to pay a bill.			COMPLIANCE FINDING: The Licensee confirmed during the audit period there was no requirement for service standard payments in relation to wrongful disconnections. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Customer Complaint Handling Procedure• Compliance Obligations Register• Standard Terms & Conditions (Small Use) ESA.001.0520• Standard Terms & Conditions ESA.002.032022• Service Standard Payments – Customer Communication 2023• Training.Business.002 - Business Support Induction PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS: <ul style="list-style-type: none">The requirement to check for the applicability of service standard payments was referenced in the Compliance Obligations Register.It was understood that customers can choose how they receive compensation for disconnection or reconnection delays. Business customers, were typically considered "priority reconnects" by Western Power, usually experience no reconnection delays
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			
312 ^Δ Type [2]	Code of Conduct, Clause 96 - Unless clause 99 applies, if a retailer fails to acknowledge or respond to a complaint within the timeframes set out in clause 88, the retailer must pay the customer \$20.			COMPLIANCE FINDING: The Licensee confirmed during the audit period Perth Energy was not required to make service standard payments for customer service timeframes or to consider an exception in relation to service standard payments. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">Customer Complaint Handling ProcedureCompliance Obligations RegisterStandard Terms & Conditions (Small Use) ESA.001.0520Standard Terms & Conditions ESA.002.032022Service Standard Payments – Customer Communication 2023Training.Business.002 - Business Support Induction PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> The requirement to check for the applicability of service standard payments was referenced in the Compliance Obligations Register.
	2023 RECOMMENDATION - NIL			
315 Type [2]	Code of Conduct, Clause 100(1) - A retailer that is required to make a payment under clause 94, 95 or 96 must do so in the manner specified in subclause 100(1).			COMPLIANCE FINDING: The Licensee confirmed during the audit period Perth Energy was not required to make service standard payments during the audit period as such requirements for consideration of method of payments were not applicable.
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Customer Complaint Handling Procedure Compliance Obligations Register Standard Terms & Conditions (Small Use) ESA.001.0520 Standard Terms & Conditions ESA.002.032022 Service Standard Payments – Customer Communication 2023 Training.Business.002 - Business Support Induction
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <p>The requirement to check for the applicability of service standard payments was referenced in the Compliance Obligations Register.</p>
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
15 ELECTRICITY INDUSTRY METERING CODE – LICENCE CONDITIONS AND OBLIGATIONS				
324 Type [2]	Clause 3.3B - If a user is aware of bi-directional electricity flows at a metering point that was not previously subject to a bi-directional flow or any changes in a customer's or user's circumstances in a metering point that will result in bi-directional flows, the user must notify the network operator within 2 business days.			<p>COMPLIANCE FINDING: During the audit period, the Licensee confirmed there were no occasions where Perth Energy became aware of bi-directional electricity flows at a metering point that was not previously subject to a bi-directional flow and as such resulted in changes in a customer's circumstances in a metering point that resulted in bi-directional flows.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">• Web Portal• Email communication with WP• Email communication with customers• Standard Terms & Conditions ESA.002.032022• Electricity Supply Agreement – Application and Commercial Terms <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none">▪ The NSC referenced onsite generation in both the T&Cs and the ESA and made reference to the obligation of Buyer in relations to notifying Perth Energy and obtaining the required approvals from the Network Operator.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2023 RECOMMENDATION - NIL				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
339 Type [2]	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.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy communicated with Western Power in cases involving potential outages or metering installation malfunctions. However, there were no instances where these issues and communication with Western Power were linked to Perth Energy's customers. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Web Portal• Email communication with WP• Email communication with customers• Customer Complaint Handling Procedure PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none">▪ It was understood the Licensee has implemented multiple meter data review processes designed to identify anomalies in meter data, which serve to highlight concerns regarding metering installation reliability. Additionally, the Billing Team conducts data checks as part of their procedures.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2023 RECOMMENDATION - NIL				
371 ^Δ Type [NR]	Clause 4.5(1) - If there is a discrepancy between energy data held in a metering installation and in the metering database, the affected Code participants and the network operator must liaise to determine the most appropriate way to resolve the discrepancy.			COMPLIANCE FINDING: The Licensee confirmed to the best of the Licensee's ability, Perth Energy kept the registry accurate and there were no discrepancies between energy data held in a metering installation and in the metering database that were not resolved through routine communications. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Web Portal

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Email communication with WP Email communication with customers <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> It was understood that the Licensee established several meter data review processes in which anomalous meter data would highlight issues relating to the reliability of metering installations and checking of data by the Billing Team was also undertaken.
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
372 ^Δ Type [NR]	Clause 4.5(1) - A Code participant must not knowingly permit the registry to be materially inaccurate.			<p>COMPLIANCE FINDING: The Licensee confirmed to the best of the Licensee's ability, Perth Energy kept the registry (i.e. the part of the metering database which contains standing data in accordance with the Metering Code) accurate and there were no unresolved discrepancies identified during the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Web Portal Email communication with WP Email communication with customers New Gentrack Account & Electricity Customer Transfer Account Management Procedure <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> Perth Energy has established robust new account procedures and billing processes, which included the verification of meter information and readings. In cases where this information appears inaccurate compared to historical records without a known explanation, Perth Energy initiated contact with the customer to discuss potential causes. Subsequently, if necessary, they may engage Western Power to conduct an audit of their records.
	2023 RECOMMENDATION - NIL			
373 Type [2]	Clause 4.5(2) - Subject to subclause 5.19(6), if a Code participant, other than a network operator, becomes aware of a change to, or 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.			COMPLIANCE FINDING: The Licensee confirmed to the best of the Licensee's ability, Perth Energy kept the registry accurate and there were no inaccuracies relating to standing data held in registry during the audit period. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Web Portal Email communication with WP Email communication with customers New Gentrack Account & Electricity Customer Transfer Account Management Procedure PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> There were no specific control procedures established in relation to this requirement as it was primarily the function performed by the Network Operator.

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none">▪ However, it was understood that following an erroneous transfer customer data in relation to attribute information for the site of each connection point may be impacted:<ul style="list-style-type: none">➤ “address attributes”<ul style="list-style-type: none">❖ address of the site as per the communication rules.❖ NMI➤ “site attributes” the NMI of each connection point at the site➤ “customer attributes”:<ul style="list-style-type: none">❖ the NMI of each connection point with which the customer is associated.❖ the customer’s name;❖ the customer’s postal address (and, if a person residing at the site requires life support equipment, the person’s street address) for outage notification purposes, in a format specified in the communication rules;❖ one or more phone numbers to enable the network operator to contact the customer (and, if a person residing at the site requires life support equipment, a phone number to enable the network operator to contact the person);❖ whether a person residing at the site requires life support equipment.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			
388 Type [2]	Clause 5.4(2) - A user must, when reasonably requested by a network operator, assist the network operator to comply with the network operator’s obligation under subclause 5.4(1).			COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy had provided Western Power when requested, information to assist them to validate energy data contained in the metering database as required by their obligations, for example access to meter to undertake meter reading and obtain energy data, update relevant attribute details. Processes were established to ensure the Licensee effectively facilitated customer access on behalf of Western Power, ensuring safe and unrestricted access to meters as required. DOCUMENTS/SYSTEMS:

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Web Portal • Email communication with WP • Email communication with customers • New Gentrack Account & Electricity Customer Transfer • Account Management Procedure <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was understood that communication between the Western Power and Perth Energy in relation to access to sites was routine.
	2023 RECOMMENDATION – NIL			
402 Type [2]	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.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Perth Energy has provided all the necessary standing and energy data to their customers as part of their billing processes.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Web Portal • Email communication with WP • Email communication with customers • New Gentrack Account & Electricity Customer Transfer • Account Management Procedure • Electricity Billing Compliance Procedure • Gentrack System

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Perth Energy was obligated to provided standing data and energy data to its customers on request and at no charge and routinely did so on customer bills. It was understood that bills were generated based on meter readings provided by Western Power, with data transfer through Secure File Transfer Protocol (SFTP) and accessible via the Gentrack System.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
406 ^Δ Type [NR]	<p>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 provide that information to the network operator.</p>			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period Perth Energy did not receive any requests from Western Power to collect customer information that would aid the network operator in meeting its obligations as stipulated in the Code and other pertinent documents. While sufficient controls were in place, it is important to highlight that no specific events transpired during the audit period for evaluating compliance with this requirement.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Web Portal Gentrack System Western Power's Communication Rules Network Access Agreement Service Level Agreement (SLA) between Perth Energy and Western Power

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation OBSERVATIONS: <ul style="list-style-type: none"> It is understood that collectively Western Power's Communication Rules, the Network Access Agreement, and the Service Level Agreement (SLA) between Perth Energy and Western Power, enabled the Licensee to provide customer information to Western Power upon request. Additionally, it was noted that Perth Energy maintained records applicable to customer and metering installation details in Gentrack when establishing new contractual agreements. As such, this information was then accessible to Western Power via the Web Portal.
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION – NIL			
407 ^Δ Type [NR]	Clause 5.19(2) - A user must, to the extent that it is able, collect and maintain a record of the prescribed information in relation to the site of each connection point with which the user is associated.			COMPLIANCE FINDING: The Licensee confirmed that records relating to the prescribed information in relation to the site of each connection point were collected and maintained in Gentrack. It was noted that specific customer-related required included site addresses, NMIs, customer names, postal addresses for outage notifications, contact numbers, and indications of life support equipment. A review of Perth Energy documentation confirmed management of such information was part of the business sales, customer support and billing procedures of the Licensee. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> Web Portal Gentrack System

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • New Gentrack Account & Electricity Customer Transfer • Account Management Procedure • Electricity Billing Compliance Procedure • Standard Terms & Conditions ESA.002.032022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Gentrack stored all information relating to connection points within the system. This information was drawn from the Web Portal and was accessible by any party with access to the systems, including Western Power staff. ▪ Whilst Perth Energy confirmed to have adhered to these requirements, it was acknowledged that complete compliance may be subject to factors beyond their control, such as customer-provided information. Control processes have been established where possible to cross check this information. ▪ Accounts and all information remained on the system, even if the account is closed.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	5	N/P	1	
	2023 RECOMMENDATION - NIL			
408 Type [2]	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 described in subclause 5.19(2), notify the network operator of the change.			<p>COMPLIANCE FINDING: During the audit period, it was observed that the Metering Service Centre Web Portal acted as the electronic communication mechanism for Perth Energy to notify Western Power in the event of any changes relevant to attributes of its customers within one business day. Based on discussions with Perth Energy personnel and a review of documentation, it was concluded that there were adequate controls in place and Perth Energy has complied with the licence obligation.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Web Portal • Gentrack System • Compliance Obligations Register • New Gentrack Account & Electricity Customer Transfer • Account Management Procedure • Electricity Billing Compliance Procedure • Standard Terms & Conditions ESA.002.032022 PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> ▪ It was understood that if the customer notified Perth Energy of any change in address, site or customer attributes, the Billing Team would update the attribute within Gentrack routinely on the same day. This then automatically raised a notice within the Metering Service Centre web portal (as the two systems are linked).
	2023 RECOMMENDATION - NIL			
410 ^Δ Type [NR]	Clause 5.19(6) - The user must use reasonable endeavours to ensure that it does not notify the network operator of a change in an attribute described in subclause 5.19(2) that results from the provision of standing data by the network operator to the user.			COMPLIANCE FINDING: The Licensee confirmed that during the audit period, Western Power generated notice of changed Standing Data attributes, which the licensee acknowledged without further correspondence to Western Power. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Web Portal

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Gentrack System • Compliance Obligations Register • New Gentrack Account & Electricity Customer Transfer • Account Management Procedure • Electricity Billing Compliance Procedure • Western Power Build Pack <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The process for provision of information relating to address, customer, and site attributes was controlled by Western Power. ▪ It was noted that standing data updates occurred via the B2B system between Gentrack and Web Portal. If Western Power changed a customer attribute, the B2B system acted as a control and would not submit a notification to Western Power based on an update that has been received by Perth Energy via this method (i.e. preventing the loop situation occurring).
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
416 Type [2]	Clause 5.21(5) - A Code participant must not request a test or audit under subclause 5.21(1) 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.			<p>COMPLIANCE FINDING: The Licensee confirmed that during the audit period there were no requests made by Perth Energy for tests or audits relating to the metering installation accuracy, energy data or standing data where they were not the retailer at the time.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Web Portal • Email communication with WP

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Email communication with customers GENTRACK - Request for Meter Investigation Report or Meter Test by Western Power <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Requests for tests by customers did not occur during the audit period. Perth Energy was a code participant for the duration of the audit period and only liaised with WP in relation to Customers when they were the retailer. In the event Meter test was undertaken a request report and email communication would provide assurance for this obligation. Evidence of communication between the related parties for meter queries were provided.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
417 Type [2]	Clause 5.21(6) - A Code participant must not make a request under subclause 5.21(1) that is inconsistent with any access arrangement or agreement.			<p>COMPLIANCE FINDING: The Licensee confirmed that a retailer could only request a test only if at the time of the request it was the incumbent retailer. Perth Energy made no requests that were inconsistent with any access arrangement or agreement during the audit period.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> Web Portal Gentrack Email communication with WP Email communication with customers Network Access Arrangement

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	OBSERVATIONS: <ul style="list-style-type: none"> It was understood that a request could not be raised in Gentrack if the Code participant was not a user. If a user ceased to be a user, they could validate data with the network operator for the purposes of customer billing.
	2023 RECOMMENDATION - NIL			
435 Type [2]	Clause 5.27 - Upon request from a network operator, the current user for a connection point must provide the network operator with customer attribute information that it reasonably believes are missing or incorrect within the timeframes prescribed.			COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy did not receive a request from the network operator in relation to customer attribute information that it reasonably believes are missing or incorrect. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Web Portal • Gentrack • Compliance Obligations Register • New Gentrack Account & Electricity Customer Transfer • Account Management Procedure • Electricity Billing Compliance Procedure • Email communication with WP • Email communication with customers • Network Access Arrangement PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				OBSERVATIONS: <ul style="list-style-type: none">It was noted that if requested by Western Power, additional relevant information regarding customer attributes were to be obtained from the customer by Perth Energy (via email of phone call). The Business Support/Billing Team would update Gentrack with missing/incorrect information from the customer within two business days. This would then automatically raise a notice within the Web Portal (as the two systems are linked).It was also noted that as normal business practice the details stipulated in the customer's NSC were all uploaded into the Gentrack System, minimising the likelihood of missing/ incorrect customer information.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			
448 Type [2]	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 prescribed.			COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy was compliant with documents, had an access contract and complied with rules, procedures, agreements, and criteria prescribed. The Licensee used the Gentrack System to interface with the Web Portal to make all metering transactions and thus meet compliance with Western Power's rules, procedures, agreements, and criteria. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">Web PortalGentrackCompliance Obligations RegisterNew Gentrack Account & Electricity Customer TransferAccount Management ProcedureElectricity Billing Compliance ProcedureEmail communication with WP

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> Email communication with customers Network Access Arrangement <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> Relevant documentation included Metering Code Communication Rules (refer Build Pack SWIS Communication Rules), Model Service Level Agreement (MSLA), Metrology Procedure. It was noted that Perth Energy's application of the rules and procedures relevant to its activities were demonstrated in its: <ol style="list-style-type: none"> Use of the Web Portal, in accordance with the parameters of the system. The Metering Service Portal interfaced with Gentrack. Adherence to the requirements of the Metering Code Service Level Agreement with Western Power, which accommodate the Metering Code Communication Rules and the Approved Metrology Procedure. Where possible it was noted, the system was automated for various billing and transfer processes to minimise non-compliance.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	
	2023 RECOMMENDATION - NIL			
451 ^Δ Type [NR]	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.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy and Western Power did not encounter difficulties with respect to sending notices or communication. Evidence of communication with network operator reviewed.</p> <p>DOCUMENTS/SYSTEMS:</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Web Portal • Gentrack • Compliance Obligations Register • New Gentrack Account & Electricity Customer Transfer • Account Management Procedure • Electricity Billing Compliance Procedure • Email communication with WP • Email communication with customers • Network Access Arrangement <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ It was noted that Perth Energy communicated with Western Power primarily via telephone, email and the Web Portal. Postal communication was used but not as routinely as the other means of communication. ▪ It was noted that both Perth Energy and Western Power did not use facsimile (as generally an obsolete means of communication). ▪ Perth Energy Account Managers have dedicated phone and email addresses which are provided to Western Power and updated as required and within email signatures. ▪ It was noted that notices were usually sent from Western Power to Perth Energy. ▪ Further, the Network Access Agreement between Perth Energy and Western Power, and Western Power's Communication Rules set out the methods and protocols approved for use by the network operator and the licensee to exchange or provide information and data as required under the code.
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING 1	
2023 RECOMMENDATION - NIL				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
453 Type [2]	Clause 7.2(4) - If requested by a network operator with whom it has entered into an access contract, the Code participant must notify its contact details to a network operator within 3 business days after the request.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that the network operator did not make a request for Perth Energy as a retailer to notify its contact details.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Web Portal • Gentrack • Compliance Obligations Register • New Gentrack Account & Electricity Customer Transfer • Account Management Procedure • Electricity Billing Compliance Procedure • Email communication with WP • Email communication with customers • Network Access Arrangement <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ As per section 1.3 of the <i>Customer Transfer Code 2016</i>; “contact details” means the notified electronic communication address, notified facsimile number, notified postal address and notified telephone number of a network operator or retailer, as applicable.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING N/R	
	2023 RECOMMENDATION - NIL			
454	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			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
Type [2]	operator under subclause 7.2(4) at least 3 business days before the change takes effect.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy, was not required to notify changes to contact details. As such compliance with 3 business day rules could not be assessed.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none">• Web Portal• Gentrack• Compliance Obligations Register• New Gentrack Account & Electricity Customer Transfer• Account Management Procedure• Electricity Billing Compliance Procedure• Email communication with WP• Email communication with customers• Network Access Arrangement <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none">▪ As per section 1.3 of the <i>Customer Transfer Code 2016</i>; “contact details” means the notified electronic communication address, notified facsimile number, notified postal address and notified telephone number of a network operator or retailer, as applicable.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
2023 RECOMMENDATION - NIL				

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
455 Type [2]	<p>Clause 7.5 - A Code participant must subject to subclauses 5.17A and 7.6 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 which it was disclosed or another purpose contemplated by the Code.</p>			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy has established internal policies and codes of conduct in relation to privacy, confidentiality, and the handling of sensitive information.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Web Portal • Gentrack • Compliance Obligations Register • Privacy Policy • Network Access Arrangement • AGL Annual Report 2023 • Standard Terms & Conditions ESA.002.032022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ In respect to the Metering Code “confidential information” referred to standing data and energy data; and any other information which is confidential information of, or commercially sensitive to, a customer or code participant. ▪ Privacy Policy and the Terms & Conditions (NSC) addressed confidentiality requirements. ▪ The Licensee ensured required customer files were subject to password protection to limit access and appropriate cyber security was established. ▪ AGL has established corporate systems to protect, detect, contain and respond to cyber-attacks and information security threats. ▪ AGL manages its information and technology assets and systems in alignment with the Australian Energy Sector Cyber Security Framework, along with other relevant international frameworks.
	PRIORITY 4	CONTROLS RATING N/P	COMPLIANCE RATING 1	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION – NIL			
456 Type [2]	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.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy permitted disclosure of confidential information required to be disclosed by the code.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Web Portal • Gentrack • Privacy Policy • Compliance Obligations Register • Network Access Arrangement • Standard Terms & Conditions ESA.002.032022 <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ In respect to the Metering Code “confidential information” referred to standing data and energy data; and any other information which is confidential information of, or commercially sensitive to, a customer or code participant. ▪ Privacy Policy and the Terms & Conditions (NSC) addressed confidentially requirements.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	1	
	2023 RECOMMENDATION - NIL			

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
457 ^Δ Type [NR]	Clause 8.1(1) - If any dispute arises between any Code participants, then (subject to subclause 8.2(3)) 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 by negotiations in good faith.			COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy did not engage in disputes with Western Power in relation to the metering code obligations and as such no requirement for the application of dispute resolution procedures. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Web Portal• Gentrack• Compliance Obligations Register• Network Access Arrangement PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	OBSERVATIONS: <ul style="list-style-type: none">▪ Perth Energy and Western Power have maintained effective and efficient processes in relation to the functions of the retail licence.
	5	N/P	N/R	
2023 RECOMMENDATION - NIL				
458 ^Δ Type [NR]	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.			COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy did not engage in any disputes with Western Power in relation to the metering code obligations and as such assessment of the application of dispute resolution procedures cannot be made. DOCUMENTS/SYSTEMS: <ul style="list-style-type: none">• Web Portal• Gentrack• Compliance Obligations Register

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				<ul style="list-style-type: none"> • Network Access Arrangement <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Compliance Obligations Register referenced the requirement for resolution within 10 business days after the dispute is referred to senior management negotiations.
	5	N/P	N/R	
	2023 RECOMMENDATION - NIL			
459 ^Δ Type [NR]	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.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy did not engage in any disputes with Western Power in relation to the metering code obligations and as such assessment of the application of dispute resolution procedures cannot be made.</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Web Portal • Gentrack • Compliance Obligations Register • Network Access Arrangement <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p>
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	<p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ The Compliance Obligations Register referenced the requirement for resolution within 10 business days after the dispute is referred to senior executive officer of each disputing party.
	5	N/P	N/R	

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
	2023 RECOMMENDATION - NIL			
460 Type [2]	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.			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy did not engage in any no disputes with Western Power in relation to the metering code obligations and as such no requirement for referral of disputes to the arbitrator,</p> <p>DOCUMENTS/SYSTEMS:</p> <ul style="list-style-type: none"> • Web Portal • Gentrack • Compliance Obligations Register • Network Access Arrangement <p>PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation</p> <p>OBSERVATIONS:</p> <ul style="list-style-type: none"> ▪ Western Power have established a primary Customer Service representative to address the concerns Perth Energy may have in relation to the functions of the retail licence. Regular communication and clarification of Metering Code functions was noted.
	PRIORITY	CONTROLS RATING	COMPLIANCE RATING	
	4	N/P	N/R	
	2023 RECOMMENDATION - NIL			
461 ^Δ Type [NR]	Clause 8.3(2) - The disputing parties must at all times conduct themselves in a manner which is directed towards achieving the objective in subclause 8.3(1).			<p>COMPLIANCE FINDING: The Licensee confirmed during the audit period that Perth Energy did not engage in disputes with Western Power in relation to the metering code obligations as such assessment of informality and expedition with respect to disputes was not assessed.</p>

ELECTRICITY INDUSTRY – LICENCE CONDITIONS AND OBLIGATIONS

No. [TYPE]	OBLIGATION REFERENCE & DESCRIPTION			FINDING/ VERIFICATION/ PERSONNEL INTERVIEWED/ OBSERVATIONS
				DOCUMENTS/SYSTEMS: <ul style="list-style-type: none"> • Web Portal • Gentrack • Compliance Obligations Register • Network Access Arrangement PERSONNEL INTERVIEWED: Manager Business Support, General Manager, EMR, Regulation
	PRIORITY 5	CONTROLS RATING N/P	COMPLIANCE RATING N/R	OBSERVATIONS: <ul style="list-style-type: none"> ▪ Western Power have established a primary Customer Service representative to address the concerns Perth Energy may have in relation to the functions of the retail licence. Regular communication and clarification of Metering Code functions was noted.
	2023 RECOMMENDATION - NIL			

Note:.

* indicates identified as non-compliant in previous audit

Δ indicates change in audit priority from 2020 Audit Report

□ indicates removed from Electricity Compliance Reporting Manual during the audit period i.e. Code of Conduct 2018

+ indicates added to Electricity Compliance Reporting Manual during the audit period i.e. Code of Conduct 2022

⊠ indicted variation to Audit Plan (refer Section 3.2)

N/P - Not performed – A controls rating was not required.

N/R - Not rated – No activity took place during the audit period.

APPENDIX 2 – AUDIT DOCUMENT LISTING

Documents Reviewed

Table 34: Documents Reviewed

DOCUMENT REF NUMBER	DOCUMENT NAME List of all Perth Energy's Systems, Policies, Procedures, Key Documents and Systems and evidence sampled applicable to ERL10	9 Electricity Industry Customer Transfer Code	11 Electricity Industry (Customer Contracts) Regulations	12 Electricity Industry Act	13 Electricity Licences	14 Code of Conduct for the Supply of Electricity to Small Use Customers	15 Electricity Industry Metering Code	Not Applicable (to audit scope)
1	• Perth Energy website www.perthenergy.com.au	✓	✓	✓	✓	✓	✓	
2	• Privacy Policy	✓	✓	✓	✓	✓	✓	
3	• PE Org Chart	✓	✓	✓	✓	✓	✓	
4	• Manual.Retail.001 - Electricity and Gas Retail Licence Compliance Manual	✓	✓	✓	✓	✓		
5	• Procedure.Retail.001 - Electricity and Gas Marketing Compliance Procedure	✓	✓	✓	✓	✓		
6	• Procedure.Retail.002 - Retail General Obligations Compliance Procedure	✓	✓	✓	✓	✓		
6A	• Procedure.Retail.002 - ERA Licence Compliance Obligations Procedure - Note OBSOLETE	✓	✓	✓	✓	✓		
7	• Procedure.Retail.003 - Account Management Procedure	✓	✓	✓	✓	✓		
8	• Training.Retail.001 - Marketing Compliance	✓	✓	✓	✓	✓		
9	• Training.Retail.002 - Retail Staff Induction	✓	✓	✓	✓	✓		
10	• Compliance Assurance Plan 2023	✓	✓	✓	✓	✓	✓	
11	• Perth Energy Compliance Register	✓	✓	✓	✓	✓	✓	
12	• Compliance Obligations Register	✓	✓	✓	✓	✓	✓	
13	• Online WHS - Compliance List	✓	✓	✓	✓	✓	✓	
14	• Customer Data Report Request Process - NOT PROVIDED							
15	• NEW Please Execute Contract - Contract & Checklist Check	✓	✓	✓	✓	✓		
16	• Please Execute Contract - Contract & Checklist Check	✓	✓	✓	✓	✓		
17	• CONTRACTS CHECKLIST	✓	✓	✓	✓	✓		
18	• New Gentrack Account & Electricity Customer Transfer [Work Instructions]	✓	✓	✓	✓	✓		
19	• New Electricity Connections procedure [Work Instructions]	✓	✓	✓	✓	✓		
20	• GENTRACK - Service Order New Connections	✓	✓	✓	✓	✓		

DOCUMENT REF NUMBER	DOCUMENT NAME List of all Perth Energy's Systems, Policies, Procedures, Key Documents and Systems and evidence sampled applicable to ERL10	9 Electricity Industry Customer Transfer Code	11 Electricity Industry (Customer Contracts) Regulations	12 Electricity Industry Act	13 Electricity Licences	14 Code of Conduct for the Supply of Electricity to Small Use Customers	15 Electricity Industry Metering Code	Not Applicable (to audit scope)
21	• Business Support Tracking Spreadsheet 2020 and 2022	✓	✓	✓	✓	✓	✓	
22	• Energy efficiency information			✓	✓	✓		
23	• Customer Service Charter					✓		
24	• Perth Energy Pty Ltd Electricity Supply Agreement - Standard Form Contract T & C ESA.005.3105	✓	✓	✓	✓	✓	✓	
25	• Perth Energy Electricity Supply Agreement [Version August 2017]	✓	✓	✓	✓	✓	✓	
26	• Perth Energy Electricity Supply Agreement [Version September 2022]	✓	✓	✓	✓	✓	✓	
27	• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - ESA.001.0917	✓	✓	✓	✓	✓	✓	
28	• Schedule to Electricity Supply Agreement: Standard Terms & Conditions (Small Use) ESA.001.0118	✓	✓	✓	✓	✓	✓	
29	• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - ESA.001.0520	✓	✓	✓	✓	✓	✓	
30	• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) - ESA.002.032022	✓	✓	✓	✓	✓	✓	
31	• DRAFT Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) – 2023	✓	✓	✓	✓	✓	✓	
32	• Schedule to Electricity Supply Agreement: Standard Terms and Conditions (Small Use) 2023 - Small Use Customer Information Pack [002.072023]	✓	✓	✓	✓	✓	✓	
33	• Information.Retail.003 - Small Use Customer Information Packs – Business Energy Supply	✓	✓	✓	✓	✓	✓	
34	• Small Use Customer Information Packs – Residential Energy Supply	✓	✓	✓	✓	✓	✓	
35	• Email communication in relation to NSFC - Minters Ellison review	✓	✓	✓	✓	✓	✓	
36	• Perth Energy Residential Customer Financial Hardship Policy			✓	✓	✓		

DOCUMENT REF NUMBER	DOCUMENT NAME List of all Perth Energy's Systems, Policies, Procedures, Key Documents and Systems and evidence sampled applicable to ERL10	9 Electricity Industry Customer Transfer Code	11 Electricity Industry (Customer Contracts) Regulations	12 Electricity Industry Act	13 Electricity Licences	14 Code of Conduct for the Supply of Electricity to Small Use Customers	15 Electricity Industry Metering Code	Not Applicable (to audit scope)
37	• Perth Energy Family Domestic Violence Policy			✓	✓	✓		
38	• Procedure.Billing.001 - Electricity Billing Compliance Procedure			✓	✓	✓	✓	
39	• Procedure.Billing.002 - Electricity Bill Payments Compliance Procedure			✓	✓	✓	✓	
40	• Gentrack – Billing Finalisation [Work Instructions]			✓	✓	✓	✓	
41	• Billing Finalisation - Electricity procedure			✓	✓	✓	✓	
42	• Receipting Payments Current - NOT ACCESSIBLE							✓
43	• Service Standard Payment 2020 - Information and verification of communication			✓	✓	✓	✓	
44	• Service Standard Payment 2021 - Information and verification of communication			✓	✓	✓	✓	
45	• Service Standard Payment 2022 - Information and verification of communication			✓	✓	✓	✓	
46	• Service Standard Payment 2023 - Information and verification of communication			✓	✓	✓	✓	
47	• Customer Complaints Policy	✓	✓	✓	✓	✓	✓	
48	• Procedure.Corporate.004 - Compliance and Non-Compliance Reporting Procedure	✓	✓	✓	✓	✓	✓	
49	• Procedure.Corporate.005 - Customer Privacy and Release of Data Procedure	✓	✓	✓	✓	✓	✓	
50	• Training.Corporate.001 - Customer Complaint Handling	✓	✓	✓	✓	✓	✓	
51	• Training.Corporate.002 - Data Breach Management	✓	✓	✓	✓	✓	✓	
52	• Training.Corporate.003 - Retail Customer Privacy	✓	✓	✓	✓	✓	✓	
53	• Customer Complaints Register 2019-2020	✓	✓	✓	✓	✓	✓	
54	• Customer Complaints Register 2020-2021	✓	✓	✓	✓	✓	✓	
55	• Customer Complaints Register 2021-2022	✓	✓	✓	✓	✓	✓	
56	• Customer Complaints Register 2022-2023	✓	✓	✓	✓	✓	✓	
57	• Example Customer Complaint 2020-2021					✓		
58	• Procedure.Business.001 - Electricity Disconnections and Reconnections Procedure		✓	✓	✓	✓	✓	

DOCUMENT REF NUMBER	DOCUMENT NAME List of all Perth Energy's Systems, Policies, Procedures, Key Documents and Systems and evidence sampled applicable to ERL10	9 Electricity Industry Customer Transfer Code	11 Electricity Industry (Customer Contracts) Regulations	12 Electricity Industry Act	13 Electricity Licences	14 Code of Conduct for the Supply of Electricity to Small Use Customers	15 Electricity Industry Metering Code	Not Applicable (to audit scope)
59	• Procedure.Business.002 -Procedure Life Support Customers					✓		
60	• Procedure.Business.003 - Residential Financial Hardship Procedure		✓	✓	✓	✓		
61	• Procedure.Business.004 - Complaints Handling Procedure	✓	✓	✓	✓	✓	✓	
62	• Training.Business.001 - Retail Customer Financial Hardship		✓	✓	✓	✓		
63	• Training.Business.002 - Business Support Induction		✓	✓	✓	✓		
64	• Life Support Register		✓	✓	✓	✓		
65	• Complaints handling process(website)	✓	✓	✓	✓	✓	✓	
66	• Risk Management Policy	✓	✓	✓	✓	✓	✓	
67	• Procedure.HSEQ.001 - Risk Assessment Procedure	✓	✓	✓	✓	✓	✓	
68	• Procedure.HSEQ.002 - Crisis Management Prep and BRCP	✓	✓	✓	✓	✓	✓	
69	• Procedure.HSEQ.003 - Crisis Management Plan (CMP) Business Recovery and Continuity Plan	✓	✓	✓	✓	✓	✓	
70	• Procedure.HSEQ.012- Emergency Response Procedure Main Office	✓	✓	✓	✓	✓	✓	
71	• Customer Safety Awareness Program - GAS							✓
72	• Pricing Model	✓	✓	✓	✓	✓	✓	
73	• Gentrack System	✓	✓	✓	✓	✓	✓	
74	• Customer billing records	✓	✓	✓	✓	✓	✓	
75	• Residential Customer Billing Records	✓	✓	✓	✓	✓	✓	
76	• Notices of disconnection, disconnection and reconnection data	✓	✓	✓	✓	✓	✓	
77	• Salesforce	✓	✓	✓	✓	✓	✓	
78	• Monthly Verifiable Consent Audits	✓	✓	✓	✓	✓	✓	
79	• Verifiable Consent (Voice Recordings)	✓						
80	• Email Communication with ERA RE__EXTERNAL_ Perth Energy - Standard Form contract review		✓	✓	✓	✓		
81	• Verifiable Consent	✓						
82	• Customer Files	✓	✓	✓	✓	✓	✓	

DOCUMENT REF NUMBER	DOCUMENT NAME List of all Perth Energy's Systems, Policies, Procedures, Key Documents and Systems and evidence sampled applicable to ERL10	9 Electricity Industry Customer Transfer Code	11 Electricity Industry (Customer Contracts) Regulations	12 Electricity Industry Act	13 Electricity Licences	14 Code of Conduct for the Supply of Electricity to Small Use Customers	15 Electricity Industry Metering Code	Not Applicable (to audit scope)
83	• Supplier Line Items (ERA Payments)			✓	✓			
84	• ERA website	✓	✓	✓	✓	✓	✓	
85	• Annual Compliance Report 2020 - 25/08/20	✓	✓	✓	✓	✓	✓	
86	• Annual Compliance Report 2021 - 09/08/21	✓	✓	✓	✓	✓	✓	
87	• Annual Compliance Report 2022 - 18/08/22	✓	✓	✓	✓	✓	✓	
88	• Standing Data 2020 - Communication and Acknowledgment	✓	✓	✓	✓	✓	✓	
89	• Standing Data 2021 - Communication and Acknowledgment	✓	✓	✓	✓	✓	✓	
90	• Standing Data 2022 - Communication and Acknowledgment	✓	✓	✓	✓	✓	✓	
91	• Electricity Performance Datasheets 2020 - Date published?	✓	✓	✓	✓	✓	✓	
92	• Electricity Performance Datasheets 2021 - Date published?	✓	✓	✓	✓	✓	✓	
93	• Electricity Performance Datasheets 2022 - Date published?	✓	✓	✓	✓	✓	✓	
94	• Perth Energy Financial Reports for 2020/21, 2021/22 and 2022/23 (AGL website)	✓	✓	✓	✓	✓	✓	
95	• Ombudsman Invoice 1071 - 7/2/21			✓	✓	✓		
96	• Ombudsman Invoice 1089 - 1/5/21			✓	✓	✓		
97	• Ombudsman Invoice 1016 - 2/10/20			✓	✓	✓		
98	• Ombudsman Invoice 1053 - 9/12/20			✓	✓	✓		
99	• ERA Notice Perth Energy Pty Ltd - 2020 performance audit (8/11/2023)	✓	✓	✓	✓	✓	✓	
100	• ERA Notice Perth Energy Pty Ltd - Decision to renew electricity retail licence ERL10 and approve amended standard form contract (24/6/2021)	✓	✓	✓	✓	✓		
101	• ERA Notice Perth Energy Pty Ltd - Approval of amendments to standard form contracts (22/2/2023)			✓	✓	✓		
102	• Email - Perth Energy Standard Form Electricity Contract (2022 Code amendments) - ERA feedback changes			✓	✓	✓		

DOCUMENT REF NUMBER	DOCUMENT NAME List of all Perth Energy's Systems, Policies, Procedures, Key Documents and Systems and evidence sampled applicable to ERL10	9 Electricity Industry Customer Transfer Code	11 Electricity Industry (Customer Contracts) Regulations	12 Electricity Industry Act	13 Electricity Licences	14 Code of Conduct for the Supply of Electricity to Small Use Customers	15 Electricity Industry Metering Code	Not Applicable (to audit scope)
103	• Audit Plan - ERL10 Performance Audit 2023	✓	✓	✓	✓	✓	✓	
104	• ERA Invoice and Payment Info Perth Energy Pty Ltd - 130723			✓	✓	✓		
105	• Decision - renewal of electricity retail licence ERL010 - Perth Energy Pty Ltd	✓	✓	✓	✓	✓		
106	• Letter to licensee - renewal of electricity retail licence ERL10 - Perth Energy Pty Ltd	✓	✓	✓	✓	✓		
107	• Notice - Decision to renew electricity retail licence ERL10 - Perth Energy Pty Ltd	✓	✓	✓	✓	✓	✓	
108	• ERA Communication	✓	✓	✓	✓	✓	✓	
109	• WP Web Portal	✓	✓	✓	✓	✓	✓	
110	• WP Portal Export of all CTRs 1/7/2020-30/6/2023	✓						
111	• WP Non-energy invoices	✓				✓	✓	
112	• Disconnection and Reconnection.csv			✓	✓	✓	✓	
113	• Meter Service Order Report_Small Use only.csv			✓	✓	✓	✓	
114	• CTR and ERRON list 2020-2023	✓						
115	• NETWORK ACCESS AGREEMENT (NAA 2) - PERTH ENERGY (WA POWER EXCHANGE P_L) - EXECUTED VERSION (12286107)_	✓	✓	✓	✓	✓	✓	
116	• Western Power Communication	✓	✓	✓	✓	✓	✓	
117	• Energy & Water Ombudsman Website			✓	✓	✓		
118	• energy-and-water-ombudsman-2021-22-annual-report			✓	✓	✓		
119	• ewowa-annual-report-2020-21			✓	✓	✓		
120	• Application to be a member of the Energy and Water Ombudsman scheme			✓	✓	✓		
121	• Information on fees paid to the Energy and Water Ombudsman Scheme			✓	✓	✓		
122	• Application to be a Member of Australian Energy Market Operator (AEMO)			✓	✓	✓		
123	• Ombudsman Communication			✓	✓	✓		