



Economic Regulation Authority

WESTERN AUSTRALIA

Level 6 Governor Stirling Tower
197 St Georges Terrace
Perth Western Australia 6000

PO Box 8469
PERTH Business Centre
Western Australia 6849

Telephone: 61 8 9213 1900
Facsimile: 61 8 9213 1999
Website: www.erawa.com.au

Promoting fair prices, quality services & choice

NOTICE

Clear Energy Standard Form Contract Approved

The Authority has [approved](#) the Clear Energy Standard Form Contract.

Under the *Electricity Industry Act 2004*, any retailer that supplies electricity to small use customers (residential customers and small business customers consuming less than 160 MWh of electricity per year) must have a standard form contract that is approved by the Economic Regulation Authority.

The Authority only approves a standard form contract if it considers the contract meets relevant legal and regulatory requirements.

The standard form contract was made available for public consultation from 6 to 23 November 2009. Upon request of some interested parties, the Authority extended the public consultation deadline until 30 November 2009. The Authority received submissions from the following four stakeholders:

- Office of Energy
- Synergy
- Western Australian Council of Social Service
- Landfill Gas and Power Pty Ltd

Copies of these submissions are available on the Authority's [website](#).

An amended standard form contract was released for a second round of public consultation on 19 February 2010. The consultation period closed on 15 March 2010. The Authority received one submission from the Office of Energy. A copy of this submission is available on the Authority's [website](#).

Many of the concerns raised by interested parties have been addressed by Clear Energy in the amended standard form contract.

Concerns raised in submissions that are still to be resolved are:

- the absence of comprehensive pricing information;
- a requirement that the customer purchases all electricity generated by Clear Energy's equipment;
- concerns that eligibility criteria for schemes paying money to customers for excess electricity fed into the grid may change over time; and
- the contractual ramifications for a customer when moving house.

The contract regulations do not require that these matters be addressed in a standard form contract.

The Authority will consider whether these concerns would be more appropriately addressed by way of licence conditions that would ensure disclosure of the relevant information to the customer before any contract is entered into.

Decisions to impose additional licence conditions on Clear Energy will be made as part of the Authority's consideration of the licence application.

A copy of the approved Standard Form Contract is available on the Authority's [website](#).

For further information contact:

General Enquiries

Paul Kelly
Executive Director
Licensing, Monitoring & Customer Protection
Ph: 61 8 9213 1900
Fax: 61 8 9213 1999

Media Enquiries

The Communications Branch Pty Ltd
Ph: 61 8 9472 4411
Mb: 0424 196 771 (Sue McKenna)
0408 878 817 (Joanne Fowler)

LYNDON ROWE
CHAIRMAN

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