

# Decision to approve the Shire of East Pilbara Customer Service Charter

21 May 2010

Economic Regulation Authority



WESTERN AUSTRALIA

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For further information, contact:

Economic Regulation Authority  
Perth, Western Australia  
Phone: (08) 9213 1900

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## DECISION

1. The Economic Regulation Authority (**Authority**) approves the Shire of East Pilbara's Customer Service Charter (**charter**) for non-potable water supply and sewerage services.

## BACKGROUND

2. The Shire of East Pilbara was granted an operating licence for the provision of sewerage services on 30 April 1999. This licence included an obligation on the licensee to establish a charter. The obligation was removed on 28 July 2003 and replaced with a new obligation to "produce an information brochure describing the service and including information enabling customers to make suggestions or complaints." The Shire of East Pilbara produced an information brochure accordingly.
3. On 6 August 2008, the Shire of East Pilbara's licence was amended as part of the Authority's review of water operating licences. The new operating licence includes clause 7 which requires the licensee to establish a charter. The requirement to produce an information brochure is no longer included in the licence.
4. The Authority contacted the Shire of East Pilbara in April 2009 requesting a copy of the Shire's proposed charter.

## REASONS

5. The Authority has reviewed the charter against the requirements of the Shire of East Pilbara's Operating Licence 17 (**licence**) and notes the following:

### Existence

6. Schedule 3, clause 2.1 of the licence states that the licensee must have in place a charter that accords with the Authority's Customer Service Charter Guidelines (**review guidelines**).
7. The Shire of East Pilbara submitted the first draft of its charter to the Authority for approval on 28 August 2009. The Secretariat of the Authority provided feedback to the Shire regarding the draft charter. The Shire submitted the final version of its charter on 15 May 2010.
8. Although the Authority has approved the charter, the Authority finds that the time frame within which the Shire of East Pilbara has submitted its charter has been unduly long. The Authority expects any future reviews to be undertaken within the required time frames.

### Accuracy

9. Under Schedule 3, clause 2.1 of the licence, the charter must accord with the Authority's review guidelines. Clause 5.2 of the review guidelines requires that the

charter comply with all relevant legislative, code or regulatory requirements and be in line with the standard form contract and/or the licence requirements.

10. The Authority finds that the principles, terms and conditions, as set out in the charter, are generally consistent with relevant legislation and licence requirements.

## Consultation

11. Clause 5.3 of the review guidelines states that the Authority will assess whether the licensee has engaged with customers and/or their representatives in the development process.
12. No evidence of customer consultation has been provided. However, given the very small size and nature of the customer base, the Authority has agreed to approve the charter without evidence of consultation.
13. The Authority will look closely at subsequent reviews of the charter which should be subject to public consultation.

## Accessibility

14. Schedule 3, clause 2.2 of the licence states that the charter should be developed in 'plain English' and that it should address all of the service issues likely to be of concern to customers.

### *'Plain English'*

15. The Authority finds that the accessibility of the charter is generally sound.

### *Issues likely to be of concern*

16. The Authority finds that the charter is generally consistent with the licence provision in covering all of the service issues likely to be of concern to the Shire of East Pilbara's customers.

LYNDON ROWE  
**CHAIRMAN**