

Approval of Perth Energy Pty Ltd Standard Form Contract (Gas)

3 September 2009

Economic Regulation Authority

 WESTERN AUSTRALIA

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DECISION

1. Pursuant to section 11WF of the *Energy Coordination Act 1994 (Act)*, the Economic Regulation Authority (**Authority**) approves the standard form contract for the supply of gas to small use customers submitted by Perth Energy Pty Ltd (**Perth Energy**).

REASONS

2. On 3 June 2009, Perth Energy applied for a licence to trade gas throughout Western Australia. Under the Act, the Authority must not grant a trading licence unless it has approved the associated standard form contract.
3. On 9 July 2009, Perth Energy submitted a draft of the standard form contract under which the company proposes to supply gas to its small use customers. The Authority provided feedback on the draft standard form contract which resulted in Perth Energy submitting a revised version of the contract on 5 August 2009.
4. On 7 August 2009, the Authority released a notice inviting public submissions on Perth Energy's draft standard form contract. In accordance with the Authority's *Public Consultation Guidelines – For Electricity, Gas & Water Licences and Electricity & Gas Standard Form Contracts (July 2006)*, the Authority provided for a public consultation period of at least 15 business days.
5. The public consultation period closed at 4pm, Friday, 28 August 2009. The Authority received no public submissions.
6. Under section 11WF(2) of the Act, the Authority must not approve a standard form contract if it considers that the contract will not meet the requirements of the regulations in respect of such contracts, or will be inconsistent with the Act or any other written law, or will be inconsistent with any term, condition or provision of the licence concerned. The Authority engaged its legal advisors to undertake the compliance review for Perth Energy's draft standard form contract.
7. The Authority has considered Perth Energy's draft standard form contract and the advice provided by the Authority's legal advisors and is satisfied that the contract meets the requirements of section 11WF of the Act.

LYNDON ROWE
CHAIRMAN

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