

# Decision on the Replacement of Alinta Sales Pty Ltd Electricity Standard Form Contract and Gas Standard Form Contract

12 AUGUST 2011

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. Pursuant to section 11WF in conjunction with 11WH of the *Energy Coordination Act 2004* (**Gas Act**) and with sections 51 and 52 of the *Electricity Industry Act 1994* (**Electricity Act**) the Economic Regulation Authority (**Authority**) approves replacement standard form contracts for the supply of gas to small use customers as submitted by Alinta Sales Pty Ltd (**Alinta**).

## REASONS

2. The Authority requested that Alinta review its standard form contracts to ensure that they comply with the requirements of the new Australian Consumer Law and the current versions of the *Code of Conduct for the Supply of Electricity to Small Use Customers*, the *Gas Marketing Code of Conduct* and the *Compendium of Gas Customer Licence Obligations* (*Gas Customer Code*).
3. On 20 April 2011, Alinta submitted proposed replacement contracts under which the licensee intends to supply gas and electricity to its small use customers.
4. Feedback was provided to Alinta regarding consumer guarantees, liability limitation, unsolicited consumer agreements and contract terms related to restrictions on supply. As a result of this feedback, Alinta proposed a number of further changes to the contracts.
5. 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 between 19 July 2011 and 5 August 2011. No submissions were received.
6. Under the Gas Act and the Electricity 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.
7. The Authority engaged its legal advisors to undertake a review of the legal compliance of both standard form contracts.
8. The Authority has considered Alinta's replacement Electricity Standard Form Contract and Gas Standard Form Contract and is satisfied that the contracts meet the requirements of the Electricity Act and the Gas Act.

LYNDON ROWE  
CHAIRMAN

# APPENDICES

## Appendix 1 Electricity Standard Form Contract

## Appendix 2 Gas Standard Form Contract