



Economic Regulation Authority

Section 32

Electricity Industry Act 2004 (WA)

RECTIFICATION NOTICE

To: Electricity Generation and Retail Corporation (t/as Synergy) (ABN: 58 673 830 106)
(**Synergy**)

Level 23, 152-158 St Georges Terrace

PERTH WA 6000

TAKE NOTICE that, pursuant to section 32(1) of the *Electricity Industry Act 2004 (Act)*, you are required to rectify the contraventions of Electricity Retail Licence Number 1 (**ERL1**) set out in Schedule A to this notice by the rectification due date set out in Schedule B to this notice.

You are notified that if you do not comply with this Notice, then in accordance with section 32(2) of the Act, the Economic Regulation Authority (**ERA**) may, subject to section 33 of the Act, take one or more of the following actions:

- a) Serve Synergy with a letter of reprimand.
- b) Order Synergy to pay a monetary penalty fixed by the ERA but not exceeding \$100,000.
- c) Cause the contravention to be rectified to the satisfaction of the ERA at the expense of Synergy.

The Common Seal of the ERA was hereto duly affixed by the Chairman of the ERA on 05 November 2025:

Stephen Joseph Edwell
Chair

In the presence of:

Virginia Christie
Member



Attached:

Schedule A – Contraventions

Schedule B – Rectification of contraventions



Schedule A – Contraventions

1. Contravention of clause 4.1.1 of ERL1

- 1.1 Clause 4.1.1 of ERL1 states that subject to any modifications or exemptions granted pursuant to the *Act* and this *licence*, the *licensee* must comply with any *applicable legislation*.
- 1.2 Clause 1.1.1 of ERL1 states that applicable legislation includes the Act, Regulations and Codes.
- 1.3 Clause 2.1.1 of ERL1 states that Synergy is granted a *licence* for the *licence area* to sell *electricity to customers* in accordance with the terms and conditions of this *licence*.
- 1.4 The *Code of Conduct for the Supply of Electricity to Small Use Customers 2022* is a code of conduct made under section 79 of the Act (**Electricity Code of Conduct**).
- 1.5 The ERA is satisfied that Synergy has contravened condition 4.1.1 of ERL1 as follows:
 - a. Clause 4.1.1 of ERL1 requires the licensee to comply with any applicable legislation, including the Act and Electricity Code of Conduct.
 - b. The email addressed to the ERA from Synergy, dated 22 October 2025, identified 16,092 breaches of clause 30(1) of the Electricity Code of Conduct by Synergy, in contravention of condition 4.1.1 of ERL1.

Further detail of the contravention is set out in Schedule B.

2. Rectification of contravention

- 2.1 The ERA requires Synergy to rectify the failure to comply with condition 4.1.1 of ERL1 by implementing the actions detailed in Schedule B to this notice by the rectification due date set out in Schedule B to this notice.



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Schedule B – Rectification of contraventions

Requirements of applicable legislation	Contraventions to rectify	Actions for Synergy to implement	Rectification due date
Electricity Code of Conduct Clause 30(1) If a customer (including a customer who has vacated the supply address) has been overcharged, the retailer must 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 as to whether the amount should be credited to – (a) the customer's next bill: or (b) a bank account nominated by the customer.	Synergy breached clause 30(1) of the Electricity Code of Conduct for failing to use its best endeavours to notify 16,092 customers with closed accounts of being overcharged within 10 business days of becoming aware of the overcharges and request instructions from the customer as to whether the amount should be credited to the customer's next bill or bank account.	Synergy must use its best endeavours to notify the 16,092 affected customers of the overcharged amounts and refund the amounts to the 16,092 affected customers.	30 April 2026