

November 25, 2019

To: Win-backs Submissions
Electricity Authority
P O Box 10041
Wellington 6143
By email: winbacks.submission@ea.govt.nz

RE: Consultation Paper - Saves and win-backs

Thank you for the opportunity to comment on your save and win-backs proposed solution. Please note that we have been engaged with the Electricity Authority since September of 2013 on this issue. During the past six years, we have presented many times to the EA management team advocating for the practice to end. Needless to say, we are very thankful of the Electricity Price Review Process (EPR) for finally taking command of this issue and properly addressing these long-standing concerns.

Furthermore, in conjunction with other non-Gentailer retailers, we have recently made a request from the Minister for an immediate stop of these practices; even during the consultation period. There is no benefit to allow these practices to carry on for another day and we are still of the view that an immediate stop can occur as the processes are refined and implemented.

Specific Comments for your consideration:

1. An immediate stop order be issued to all participants pending completion of the final regulations.
2. We think an outright prohibition is the best solution. It will be easier to monitor abuses of information, improve overall governance for all parties and facilitate whistle-blowing more readily.
3. We support the notion that reputational attacks resulting from win-back activity, while it may be redundant to other laws, be explicitly included in the regulations.
4. We support blocking customer information, collected during the period as a customer, from being used for future acquisition activity. Acquisitions should never be assisted by previously known information not publicly available to all retailers.
5. We support the explicit inclusion of a prohibition to make 'sales offers', or referring to any sales campaigns, during the finalisation of customer accounts.
6. To enhance the regulation of saves and win-backs, we believe termination fees are anti-competitive, are often not clearly explained and are often rolled over automatically without the customers explicit consent. Regulations that include the notion that termination fees should terminate automatically at the end of term contracts and should be waived with a reasonable notice period during the term.
7. Any prohibition should apply to all products (in the case of bundled offers).

Regards,



CEO