

## Appendix D Format for submissions

<b>Submitter</b>	Bruce Palmer
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<b>Questions</b>	<b>Comments</b>
Q1. Do you have any feedback on our approach to making operational improvements to the Guidelines, to ensure the proposed Consumer Care Obligations are clear, and workable?	No response
Q2. Do you have any feedback on the proposals to clarify the application of the proposed Consumer Care Obligations?	No response
Q3. Do you have any feedback on the purpose statement for the proposed Part 11A of the Code?	No response
Q4. Do you have any feedback on the compliance monitoring provisions in the proposed Part 11A of the Code, or on the Authority's new outcomes framework?	No response
Q5. Do you have any feedback on the proposed improvements to terminology?	No response
Q6. Do you have any feedback on the proposal to align standards of behaviour in the proposed Consumer Care Obligations?	No response
Q7. Do you have any feedback on Part 2 of the proposed Consumer Care Obligations relating to consumer care policies and related matters?	No response
Q8. Do you have any feedback on Part 4 of the proposed Consumer	No response

Care Obligations relating to information and records relating to consumer care?	
Q9. Do you have any feedback on Part 3 of the proposed Consumer Care Obligations relating to when a customer signs up or is denied a contract?	No response
Q10. Do you have any feedback on Part 5 of the proposed Consumer Care Obligations relating to business-as-usual account management?	No response
Q11. Do you have any feedback on Parts 6 and 7 of the proposed Consumer Care Obligations relating to customers experiencing payment difficulties and disconnections?	No response
Q12. Do you have any feedback on Part 8 of the proposed Consumer Care Obligations relating to medically dependent consumers?	58(1)(a) EIEP is the wrong protocol  As below

#### To MEP

58(1)(a) requires the trader to tell the MEP using the relevant EIEP. There is no EIEP that covers traders passing information to MEPs. You cannot mandate something that does not exist.

#### To Distributor

58(1)(a) requires the trader to tell the distributor using the relevant EIEP.

The relevant EIEP is EIEP4 (aka CUSIN) which suffers from the problem of not being a regulated protocol. It is not regulated because some participants have problems with it and the benefit in regulating it did not outweigh the cost. The EA is now trying to mandate/regulate it here. If it didn't pass the investment hurdle previously, it does not now even if obscured inside an unrelated proposal.

EIEP4 also suffers from the problem of being essentially a monthly snapshot protocol. Where the Distributor is responsible for notifying consumers of planned outage the data needs to be more current than monthly.

There is also the problem of a new customer with a medical issue moving in to the premises and undertaking a retailer switch at the same time. If immediately before

the end of the month, the outgoing trader will have already assembled their EIEP4 and the medical status change will get lost for one cycle.

The issue is no different to that of planned outage notifications which have recently been bought into Registry so they cannot get lost over the switching process.

**The status of medical dependency should be an attribute of the Trader event in Registry.** Existing code compliance obligations require Traders to keep this up to date, to record changes in a timely manner, and it gives everyone including winning Traders full visibility of the situation.

Q13. Do you have any feedback on Part 9 of the Consumer Care Obligations relating to fees, bonds and conditional discounts?	No response
Q14. Do you have any feedback on the proposed Code obligations for distributors?	Clause 70 needs work As below

There are two mechanisms for informing consumers of planned outages

- (i) The Distributor tells the Traders and Registry, ideally at least 10 days in advance, using a type "PLS" notification under the EIEP5A protocol. Each Trader then notifies its consumers, and checks Registry if a winning Trader is a switch situation in case it needs to notify its new customer.
- (ii) **The Distributor tells the consumers**, in advance. The Distributor notifies the Trader and Registry, ideally at least 4 days in advance, using a type 'PLI' notification under the EIEP5A protocol. Traders can generally ignore the outage, as the Distributor is responsible for the publicity. This is the more likely approach for rural networks, where the Retailer does not have "boots on the ground" in the area and cannot provide the numbers needed to contact consumers directly.

**Clause 70 (1) to (3) as written mostly relates only to the first option. The Authority is treating the second option as if it did not exist.** If Traders were required to punctually notify Distributors over changes to medical dependency (e.g. via Registry, as suggested above) then under the PLI version of the EIEP5A planned interruption protocol, Clause 70 (1) to (3) is Distributor responsibility.

In particular, under the 'PLI' protocol:

- (i) In 70(2) the Distributor should be consulting with the consumer; the retailer has been MIA right from the start – presumably because of no presence in the distribution area – so they are not about to add value now
- (ii) 70(3) confuses the responsibility in the event something goes wrong. The trader can point to the DDA and say it was the Distributor's fault and the Distributor can point to 70(3) and say the Authority specifically told them to pass it to the Trader.

Q15. Do you agree that the benefits of the proposed Code amendment outweigh its costs?	No response
Q16. Do you have any comments on the drafting of the proposed amendment?	No response