

**Submission Re: Constitutional Changes to the Electricity & Gas
Complaints Commission Scheme**

Q1. Do you agree with our assessment of who should have access to the Scheme, taking into account the requirements of the Act, the GPS and the EC?	Yes.
Q2. Do you agree that it is preferable not to use "materiality" as the connecting factor between the complainant and the complaint issue? Do you agree that limiting complaints to "a user or potential user ... in respect of that use or potential use" is appropriate? Is there another connecting factor that could be used?	Yes. We believe "a user or potential user ... in respect of that use or potential use" is appropriate.
Q3. Do you agree with the proposed drafting of "Consumer"?	Yes.
Q4. Do you agree with our assessment that it is appropriate for the Commissioner to consider only some issues relating to potential consumers?	Yes.
Q5. Do you agree with the proposed drafting that limits the Commissioner's ability to consider certain issues relating to potential consumers?	Yes.
Q6. Do you agree with the proposed drafting of Consumer Complaint?	Yes.
Q7. Do you agree with the proposal to redraft Land Complaint as suggested?	No. The term "affected" is too broad and could encourage complaints, for example, such as those in relation to the aesthetics of overhead power lines compared to underground. Suggest "unlawfully affected, and/or affected by an act or omission that contravenes what would be considered good industry practice" or similar.
Q8. Do you agree with the proposed drafting of Clause 6 to provide for consultation with the EC?	Yes.
Q9. Do you agree with the proposed drafting of Clause 6 to provide consistency with any GPS and relevant benchmarks?	Yes.
Q10. Do you agree the drafting of the Constitution needs to allow for situations where there may not be a consumer contract?	Yes.

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Q11. Do you agree that it would be preferable not to amend the Constitution to impose a confidentiality obligation on the parties unless this criterion is required by the EC?	We believe any party to a complaint should be able to apply for confidentiality, on a case by case basis, where sensitive information exists. The Commissioner would only be able to refuse such a request with good reason.
Q12. Do you have any other comments to make regarding this proposal?	No.

Yours sincerely

Ray Milner
CHIEF EXECUTIVE OFFICER

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