

# Constitutional Changes to the Electricity & Gas Complaints Commissioner Scheme April

2007

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### Energy Direct New Zealand Limited Submission

Appendix A: Format for Submissions Question	Comment
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?	We agree with the assessment taking into account the requirements of the Act, the GPS and the EC.
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?	We agree that it is preferable not to use "materiality" as the connecting factor. We agree with limiting complaints to "user or potential user". No comment on another connecting factor.
Q3. Do you agree with the proposed drafting of "Consumer"?	We agree with the proposed drafting of "Consumer".
Q4. Do you agree with our assessment that it is appropriate for the Commissioner to consider only some issues relating to potential consumers?	We agree that it is appropriate for the Commissioner to only consider some issues relating to potential customers. We must continue to reserve the right to decline potential customers on a range of issues on previous history with the customer.
Q5. Do you agree with the proposed drafting that limits the Commissioner's ability to consider certain issues relating to potential consumers?	We agree with the proposed drafting that limits the Commissioner's ability to consider certain issues relating to potential customers.
Q6. Do you agree with the proposed drafting of Consumer Complaint?	We agree with the proposed drafting of Consumer Complaint.
Q7. Do you agree with the proposal to redraft Land Complaint as suggested?	No comment.

Q8. Do you agree with the proposed drafting of Clause 6 to provide for consultation with the EC?	We agree with the proposed drafting of Clause 6 to provide for consultation with EC.
Q9. Do you agree with the proposed drafting of Clause 6 to provide consistency with any GPS and relevant benchmarks?	We agree with the proposed drafting of Clause 6 to provide consistency with GPS and relevant benchmarks.
Q10. Do you agree the drafting of the Constitution needs to allow for situations where there may not be a consumer contract?	No comment.
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?	No comment.
Q12. Do you have any other comments to make regarding this proposal?	No comment.