



10 April 2013

Essential Services Commission of SA
GPO Box 2605
Adelaide SA 5001

E-mail: escosa@escosa.sa.gov.au

Attention: Natasha Cheshire

Dear Ms Cheshire,

Post-NECF Review of Regulatory Instruments Project

AGL Energy Limited (AGL) welcomes the opportunity to comment on the Post-NECF Review of Regulatory Instruments Project, released by the ESCOSA in March.

AGL has reviewed the consultation documents that ESCOSA has retained responsibility for, given that a number of functions are not regulated by the AER under the National Electricity Rules. Following our review, we have limited our comments the following documents still required after the commencement of the NECF:

Enforcement Policy

- In our view this document remains applicable to ESCOSA, but needs to be reviewed to ensure it accurately reflects ESCOSA's current jurisdiction.

Compliance Guideline

- Sections 1-4 need to be reviewed and updated to reflect the current regulatory jurisdiction of ESCOSA;
- Annexure A needs to be reviewed and updated to reflect provisions that are within ESCOSA's remit, ensuring that provisions that have transitioned to the AER's jurisdiction are removed from the document, and;
- All reporting obligations need to be explicitly identified to the relevant regulator to ensure that obligations to provide information and reporting are not doubled-up.

In our opinion, both documents would be relatively straightforward for the Commission to update. For the Compliance Guideline, this would simply be a matter of removing obligations that no longer sit with ESCOSA.

Should you have any questions in relation to this submission, please contact myself on (03) 8633 7440 or David Markham, Senior Regulatory Adviser on (03) 8633 6510 or at david.markham@agl.com.au.

Yours sincerely,

A handwritten signature in blue ink that reads 'N Wallis'.

Nicole Wallis
Manager Retail Markets Regulation