

ENERGY RETAILER OPERATIONAL PERFORMANCE INFORMATION

ENERGY INDUSTRY GUIDELINE NO. 2

EG2/03

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(As last varied on 1 July 2010)



AMENDMENT RECORD

[illegible]

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1. NATURE OF THE GUIDELINE

1.1 Role of the Guideline

- 1.1.1 The **Commission** is established under the **ESC Act** as a regulator of certain essential services in South Australia, with a primary objective of protecting the long-term interests of South Australian consumers with respect to the price, quality and reliability of those essential services.
- 1.1.2 Under the **ESC Act**, the **Commission** is given specific functions, including:
- (a) to regulate prices and perform licensing and other functions under relevant industry regulation Acts (section 5(a));
 - (b) to monitor and enforce compliance with and promote improvement in standards and conditions of service and supply under relevant industry regulation Acts (section 5(b)); and
 - (c) to make, monitor the operation of, and review from time to time, codes and rules relating to the conduct or operations of a regulated industry or regulated entities (section 5(c)).
- 1.1.3 In furtherance of those functions, pursuant to section 8 of the **ESC Act** the **Commission** has made this Guideline to specify requirements for **licensees** in relation to the manner in which specified business (operational and revenue) data is collected, allocated, recorded and reported to the **Commission** by all **licensees** which:
- (a) **retail** electricity to **small customers** which are served by the same continuous network for the transmission and distribution of electricity that serves South Australia; and
 - (b) **retail** gas to **small customers** by means of a reticulated natural gas distribution system.

1.2 Application

- 1.2.1 This Guideline applies to all **licensees** issued with a **licence** pursuant to Part 3 of the **Electricity Act** or **Gas Act** unless the **Commission** has agreed to alternative reporting arrangements.
- 1.2.2 This Guideline is a minimum requirement and the obligation of a **licensee** to comply with this Guideline is additional to any obligation imposed under any other law applying to a **licensee's** business and does not derogate from such an obligation.
- 1.2.3 The **ESC Act**, **retail licences** and **industry codes** issued and made by the **Commission** also provide specific information gathering provisions to facilitate the provision of information to the **Commission** by **licensees**.
- 1.2.4 In particular, each **retail licence** provides that the **licensee** must from time to time, provide to the **Commission**, in the manner and form determined by the **Commission**:

- (a) in accordance with the ***Energy Retail Code***, a report on the levels of compliance with that industry code (e.g. clause 2.3 of Part A of the ***Energy Retail Code*** and clause 8 of Parts B and C of the ***Energy Retail Code***);
- (b) details of a ***licensee's*** financial, technical and other capacity to continue its operations authorised by the licence; and
- (c) such other information as the ***Commission*** may require.

1.3 Definitions and Interpretation

1.3.1 For the purposes of interpreting this Guideline:

- (a) words and phrases presented in a bold italic font such as this are defined in the Glossary;
- (b) a word or and phrase not defined in the Glossary will have the meaning given by the ***Electricity Act***, the ***Gas Act***, the ***ESC Act***, the industry codes (as the case may be) or any other relevant regulatory instrument;
- (c) a reference to this Guideline includes its appendices, annexures and schedules;
- (d) words importing the singular include the plural and vice versa;
- (e) any heading, index or table of contents is for convenience only and does not affect the construction or interpretation of this Guideline;
- (f) a reference to any legislation or regulatory instrument includes:
 - i. all regulations, orders or instruments issued under the legislation or regulatory instrument; and
 - ii. any modification, consolidation, amendment, re-enactment, replacement or codification of such legislation or regulatory instrument;
- (g) a reference to a ***licensee*** includes, without limitation, that ***licensee's*** administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns; and
- (h) where an act is required to be done pursuant to this Guideline on, or by, a stipulated day which is not a ***business day***, the act may be done on the following ***business day***.

1.3.2 Explanations in this Guideline as to why certain information is required are for guidance only. They do not, in any way, limit the ***Commission's*** objectives, functions or powers.

1.4 Confidentiality

1.4.1 The confidentiality provisions set out in Part 5 of the ***ESC Act*** ("Collection and Use of Information") will apply to any information collected by the ***Commission*** in accordance with this Guideline.

1.5 Processes for Revision

- 1.5.1 The **Commission** may, at its absolute discretion, amend or vary this Guideline from time to time when it considers such action necessary in order to meet the needs of a **licensee**, South Australian energy customers or the **Commission**.
- 1.5.2 The **Commission** will undertake appropriate consultation with relevant **licensees** and other stakeholders as necessary in accordance with the Commission's Charter of Consultation and Regulatory Practice before making any significant revisions to this Guideline.¹
- 1.5.3 For all revisions to this Guideline, a commencement date will be nominated on the Amendment Record on the inside front page. The **Commission** will generally give **licensees** not less than 45 days prior notice of the commencement of any significant revisions of this Guideline. If the amendments are of a routine nature, or required by law, the **Commission** may elect to modify the Guideline without consultation.

1.6 Input from Interested Parties

- 1.6.1 The **Commission** welcomes comments, discussion, or suggestions for amendments to this Guideline from any interested party. Any contributions in this regard should be addressed to:

Essential Services Commission of South Australia
GPO Box 2605
Adelaide SA 5001
Facsimile: (08) 8463 4449
E-mail: escosa@escosa.sa.gov.au

¹ The Charter can be viewed at <http://www.escosa.sa.gov.au>.

2. INFORMATION REQUIREMENTS

2.1. Use of Proformas to Report Information

- 2.1.1. The Operational Performance Proformas in Appendix 1 set out the categories of statistical information that have been identified by the **Commission** as necessary for the purpose of performing its statutory functions.
- 2.1.2. Those Operational Performance Proformas specify how and when information is to be reported to the **Commission**, including general guidance notes where relevant.
- 2.1.3. Clauses 2.3 and 2.4 detail the **Commission's** timing requirements for the provision of reports to the **Commission** by **licensees**.
- 2.1.4. Where the **Commission** needs to change the nature, context or scope of routine information it requires **licensees** to provide, it will provide additional or amended Operational Performance Proformas in Appendix 1.

2.2. Additional Information Requirements

- 2.2.1. The **Commission** may from time to time require additional performance measures to be reported by a **licensee** outside of those specified in the Operational Performance Proformas.
- 2.2.2. When seeking such information, the **Commission** will provide a **licensee** with a notice in writing setting out:
 - (a) the **Commission's** information requirements;
 - (b) the scope of any quality assurance that may be required; and
 - (c) the time by which the information is to be provided.
- 2.2.3. Each electricity **retail licence** requires a **licensee** to prepare and publish an annual report on environmental strategies (as defined in the **retail licence**). Such reports are required to be provided to the **Commission** by 31 August of each year.

2.3. Reporting Requirements for licensees selling to large customers and small customers

- 2.3.1. The **Commission** has determined that **licensees** selling gas and/or electricity to **small customers** and **large customers** must provide the following Operational Performance Proforma reports in a given financial year:
 - (a) four Quarterly Reports (in respect of the September, December, March and June quarters) in accordance with the requirements of clause 2.3.2; and
 - (b) one Annual Return (in respect of the 12 month period 1 July to 30 June in any year) in accordance with the requirements of clause 2.3.3.
- 2.3.2. In respect of the Quarterly Report the **licensee** must:

- (a) by no later than one calendar month after the end of that quarter, submit to the **Commission**:
 - i. a copy of the report using the **Commission's** electronic reporting tool as outlined in Appendix 2; and
 - ii. for the September, December and March quarters, a signed hard copy responsibility statement in accordance with clause 2.5.
- (b) ensure that the report conforms with the relevant Operational Performance Proformas and guidance notes in Appendix 1.

2.3.3. In respect of an Annual Return the **licensee** must:

- (a) by no later than 31 August immediately following the end of each regulatory year, submit to the **Commission** a hardcopy of:
 - i. the report;
 - ii. a signed responsibility statement in accordance with the requirements of clause 2.5; and
 - iii. other information requirements, such as environmental strategies and any other report or information identified by the **Commission**.
- (b) ensure that the report sets out the full year data for the licensee as required under the relevant Operational Performance Proformas (i.e., data separately reported for the September, December, March and June quarters and the annual aggregate total).
- (c) ensure that the report is in conformance with the relevant Operational Performance Proformas and guidance notes in Appendix 1.

2.4. **Reporting Requirements for licensees selling to large customers only**

2.4.1. The **Commission** has determined that **licensees** selling gas and/or electricity to **large customers** only must provide one Annual Return to the **Commission** in respect of each 12 month period 1 July to 30 June.

2.4.2. In respect of the Annual Return, the **licensee** must:

- (a) by no later than 31 August immediately following the end of each regulatory year, submit to the **Commission** a hard copy of:
- (b) the report, which must include at least the following data for the **licensee**:
 - i. the total number of **large electricity customers** and/or the total number of **large gas customers** as at 30 June for the previous reporting year;
 - ii. the total number of **large electricity customers** and/or the total number of **large gas customers** as at 30 June for the current reporting year;

- iii. the total sales to **large electricity customers** (MWh) and/or total sales to **large gas customers** (TJ);
- iv. the total revenue from sales from **large electricity customers** and/or the total revenue from sales from **large gas customers**, inclusive of **GST**, for the relevant reporting period;
- (c) a copy of the annual report for the **licensee** (or its parent company as appropriate) during the reporting period (if such information is not available by the reporting date, it should be provided to the **Commission** as soon as possible after that date);
- (d) details of the implementation of environmental strategies undertaken by the licensee during the year as specified in the retail licence held by the **licensee**; and
- (e) a signed responsibility statement in accordance with the requirements of clause 2.5.

2.5. Responsibility Statement

- 2.5.1. A **licensee** is required to provide a **responsibility statement** (in the form specified in Operational Performance Proforma OP6) evidencing responsibility for information provided to the **Commission**.
- 2.5.2. The annual **responsibility statement** must be signed and dated by:
 - (a) the Chief Executive Officer of the **licensee**; or
 - (b) a person holding an equivalent position to Chief Executive Officer of the **licensee**; or
 - (c) a person to whom the Board of the **licensee** has formally delegated the exercise of the power and functions of the **licensee** at a level equivalent to that held by a Chief Executive Officer; or
 - (d) the person acting as Chief Executive Officer or equivalent position during an absence of the substantive office-holder.
- 2.5.3. A quarterly **responsibility statement** may be signed and dated:
 - (a) In accordance with clause 2.5.2; or
 - (b) by a senior officer other than the Chief Executive Officer, as agreed in writing with the **Commission**.
- 2.5.4. A **responsibility statement** will be taken as evidence that the data provided by the **licensee** has been verified, is accurate and can be relied upon by the **Commission** in furtherance of the **Commission's** statutory objectives.

2.6. **Quality Assurance Requirements**

- 2.6.1. Except as expressly otherwise provided for in this Guideline or by the **Commission**, all data provided to the **Commission** under this Guideline must present a true and accurate representation of relevant circumstances, transactions or events as at the final day of a relevant reporting period.
- 2.6.2. The **retail licences** provide that:
- (a) a **licensee** must undertake audits of its operations authorised by the retail licence and of its compliance with its obligations under the retail licence and any applicable industry codes in accordance with the requirements of any applicable guidelines issued by the **Commission** (e.g. Energy Industry Guideline No.4);
 - (b) the **Commission** may require that the audits be undertaken by an independent expert or auditors nominated by a licensee and approved by the **Commission**; and
 - (c) the results of the audits must be reported to the **Commission**, in a manner approved by the **Commission**.
- 2.6.3. Where the **Commission** requires independent assurance, on any information submitted under this Guideline, the **Commission** will give written notice to a **licensee** specifying the required scope of independent assurance and the time by which that assurance is to be provided.
- 2.6.4. Where independent assurance is required, a **licensee** must submit a report to the **Commission** in the form of an **agreed-upon procedures report** unless the **Commission** notifies the **licensee** in writing of a requirement for another form of report.
- 2.6.5. Independent assurance that is to be obtained by the **Commission** under this Guideline should be consistent with the requirements, where relevant, of Energy Industry Guideline No. 4 “Compliance Systems and Reporting”.
- 2.6.6. For the purposes of this Guideline, substance is to prevail over legal form, which means that:
- (a) regulatory reporting statements must report the substance of transactions and events; and
 - (b) where substance and form differ, the substance rather than the legal form of a transaction or event must be reported.
- 2.6.7. A **licensee** must maintain reporting and record keeping arrangements which ensure that information provided in the **regulatory reporting statements** that can be verified by the **Commission**.

2.7. Data Variations

- 2.7.1. A **licensee** must report a variation to data previously submitted to the **Commission** in either its Quarterly Report or the Annual Return in circumstances where an error has been discovered in the data previously reported.
- 2.7.2. A **licensee's** data variation report must:
- (a) be in the format outlined in the data variations templates in Appendix 3 of this Guideline;²
 - (b) be acknowledged and explained, including reasons for the variation, in a covering letter accompanying the data variations template.
- 2.7.3. The data variation template, should be sent:
- (a) electronically to escosa@escosa.sa.gov.au; and
 - (b) in hardcopy to

*Essential Services Commission of South Australia
GPO Box 2605
Adelaide SA 5001*

² The **Commission** will not accept variations to **licensees'** data in any other format.

APPENDIX 1: OPERATIONAL PERFORMANCE PROFORMAS

OPERATIONAL PERFORMANCE - INDEX OF PROFORMAS

The table below outlines the reporting requirements.

| PROFORMA REFERENCE | FORM OF REPORT | PERFORMANCE MEASURE | REQUIRED SIGNATORY OF <i>RESPONSIBILITY STATEMENT</i> |
|--------------------|---|---|--|
| OP1 | Quarterly & Annual | Time to respond to telephone calls (electricity and gas) | <p>Annual: Chief Executive Officer or equivalent in accordance with clause 2.5.2</p> <p>Quarterly: Chief Executive Officer or other senior officer as agreed under clause 2.5.3.</p> |
| OP2 | Quarterly & Annual | Time to respond to written enquiries (electricity and gas) | <p>Annual: Chief Executive Officer or equivalent in accordance with clause 2.5.2</p> <p>Quarterly: Chief Executive Officer or other senior officer as agreed under clause 2.5.3.</p> |
| OP3 | Quarterly & Annual | Statistical Information (electricity and gas) | <p>Annual: Chief Executive Officer or equivalent in accordance with clause 2.5.2</p> <p>Quarterly: Chief Executive Officer or other senior officer as agreed under clause 2.5.3.</p> |
| OP4 | Annual only | Embedded Generation (electricity) | <p>Annual: Chief Executive Officer or equivalent in accordance with clause 2.5.2</p> |
| OP5 | Quarterly & Annual for Relevant Retailers | Prepayment Meters (electricity) | <p>Annual: Chief Executive Officer or equivalent in accordance with clause 2.5.2</p> <p>Quarterly: Chief Executive Officer or other senior officer as agreed under clause 2.5.3.</p> |
| OP6 | Quarterly & Annual | Responsibility Statement | <p>Annual: Chief Executive Officer or equivalent in accordance with clause 2.5.2</p> <p>Quarterly: Chief Executive Officer or other senior officer as agreed under clause 2.5.3.</p> |

PROFORMA OP1 – Time to Respond to Telephone Calls

(Energy Retail Code – Clause 2.2)

| Quarter | Total number of telephone calls | Number of telephone calls answered within 30 seconds | Percentage of telephone calls answered within 30 seconds | Average waiting time before a telephone call is answered (seconds) | Percentage of telephone calls abandoned |
|---------------------|--|---|---|---|--|
| ENERGY | | | | | |
| July to September | | | | | |
| October to December | | | | | |
| January to March | | | | | |
| April to June | | | | | |
| Year to Date | | | | | |

General Guidance:

1. Clause 2.2 of the **Energy Retail Code** sets out a Service Standard requiring **retailers** to respond to 85% of **telephone calls** within 30 seconds (between 8am and 6pm on **business days**).
2. Electricity and gas statistics reported should be aggregated into the single category of **energy**.
3. Percentages must be provided to one decimal place.
4. The 'number of **telephone calls** answered within 30 seconds' statistic:
 - a. excludes any **telephone calls** abandoned by the **customer** after 30 seconds; and
 - b. can include any **telephone calls** abandoned within 30 seconds (on the basis that any **telephone calls** abandoned within 30 seconds has not allowed sufficient time for the **licensee** to meet its service standard). The **licensee** must also include such **telephone calls** in the 'total number of telephone calls received' statistic.
5. Where the **licensee** has employed call centre congestion management products, in certain circumstances the **licensee** may undertake to call the **customer** back within a defined period of time, rather than have

the **customer** wait on the line. In such circumstances, the **telephone call** is considered to be answered within 30 seconds, provided that the **customer** has selected the call-back option within 30 seconds and the **telephone call** was returned by the call centre within the defined period of time. In all other circumstances the **telephone call** will be deemed to have been answered after 30 seconds.

6. In relation to the 'average waiting time before a **telephone call** is answered':
 - a. where the **licensee** utilises an IVR system, it is not appropriate to regard a **telephone call** as being answered as soon as the IVR system accepts the **telephone call** unless the **customer** has selected an automated response option and does not subsequently seek to talk to an operator (note: a **telephone call** is not considered to be answered by being placed in an automated queue).
 - b. where a **customer** seeks to talk to an operator through an IVR system, then monitoring of the call waiting time should commence when the caller selects the relevant IVR operator option and count the time elapsed until an operator picks up the **telephone call** to deal with the **customer's** inquiry.
 - c. where the **licensee** does not utilise an IVR system, the monitoring time should commence when the **telephone call** is received by the switchboard and count the time elapsed until the operator answers the **telephone call** and deals with the **customer's** inquiry, rather than placing the **customer** back in a queue, and must include any time which was spent in a queue.

PROFORMA OP2 – Time to Respond to Written Enquiries

(Energy Retail Code – Clause 2.2)

| Quarter | Total number of written enquiries received | Number of written enquiries answered within 5 business days | Percentage of written enquiries answered within 5 business days |
|---------------------|---|---|---|
| ENERGY | | | |
| July to September | | | |
| October to December | | | |
| January to March | | | |
| April to June | | | |
| Year to Date | | | |

General Guidance:

1. Clause 2.2 of the **Energy Retail Code** sets out a Service Standard requiring a **retailer** to respond to 95% of **written enquiries** within 5 **business days**.
2. Electricity and gas statistics reported should be aggregated into the single category of **energy**.
3. Percentages should be provided to one decimal place.
4. Enquiries made by a third party (with proper authority to act on a customer's behalf) on behalf of a **customer** should be included in the 'total number of **written enquiries**' statistic. However, **written enquiries** made by the **Industry Ombudsman** should be excluded, as the **ombudsman scheme** has its own timeliness requirements.
5. Where a **written enquiry** is received within five **business days** of the end of one quarter, statistics for that **written enquiry** must be reported in the subsequent quarter.
6. The **business day** on which the **written enquiry** is received is taken to be 'day zero'.

PROFORMA OP3 – Statistical Information

Part A. General Operational Statistics

General Guidance:

1. For the purposes of Operational Performance Proforma OP3 - General Operational Statistics, the 'Total' category for each statistic must include relevant details for all customers including **standing contract customers** and **default contract customers**.
2. Figures must be provided to one decimal place (where appropriate).

Guidance – **Connection Points**:

3. **Connection Points** reported must be those that correspond to the **Sales** and **Revenue from sales** figures reported for the relevant reporting period (i.e. quarter).
4. If a **NMI** (or **MIRN**) associated with a premises is billed at least once during a quarter, the **NMI** (or **MIRN**) is counted as only one **connection point** regardless of the number of times it is billed during the quarter.

Part A. 1. Connection Points – Electricity

| | <i>JULY - SEPT</i> | <i>OCT – DEC</i> | <i>JAN - MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|--------------------|------------------|------------------|---------------------|---------------------|
| TOTAL ELECTRICITY CONNECTION POINTS | | | | | |
| ≥160MWh P.A. | | | | | |
| <160MWh P.A.: | | | | | |
| RESIDENTIAL INC OPCL | | | | | |
| OPCL | | | | | |
| SMALL BUSINESS | | | | | |
| UNMETERED SUPPLY | | | | | |
| STANDING CONTRACT ELECTRICITY CONNECTION POINTS | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |
| DEFAULT CONTRACT ELECTRICITY CONNECTION POINTS | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

Part A. 2. Connection Points – Gas

| | <i>JULY - SEPT</i> | <i>OCT – DEC</i> | <i>JAN - MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|--------------------|------------------|------------------|---------------------|---------------------|
| TOTAL GAS CONNECTION POINTS | | | | | |
| ≥10TJ P.A. | | | | | |
| ≥1TJ BUT < 10TJ P.A. | | | | | |
| <1TJ P.A.: | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |
| UNMETERED SUPPLY | | | | | |
| STANDING CONTRACT GAS CONNECTION POINTS | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |
| PRESCRIBED | | | | | |
| DEFAULT CONTRACT GAS CONNECTION POINTS | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |
| PRESCRIBED | | | | | |

Part A. 3. Sales - Electricity (MWh)

| | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN - MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|--------------------|------------------|------------------|---------------------|---------------------|
| TOTAL ELECTRICITY SALES (MWh) | | | | | |
| ≥160MWh CUSTOMERS | | | | | |
| <160MWh CUSTOMERS: | | | | | |
| RESIDENTIAL INC OPCL | | | | | |
| OPCL | | | | | |
| SMALL BUSINESS | | | | | |
| UNMETERED SUPPLY | | | | | |
| STANDING CONTRACT ELECTRICITY SALES (MWh) | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

Part A. 4. Sales - Gas (TJ)

| | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|---|-------------|-----------|-----------|--------------|--------------|
| TOTAL GAS SALES (TJ) | | | | | |
| ≥10TJ P.A. | | | | | |
| ≥1TJ BUT < 10TJ P.A. | | | | | |
| <1TJ P.A.: | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |
| UNMETERED SUPPLY | | | | | |
| STANDING CONTRACT GAS SALES (TJ) | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |
| PRESCRIBED CUSTOMER | | | | | |

Part A. 5. Revenue from Sales (\$million, inclusive of GST) - Electricity

| | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|---|-------------|-----------|-----------|--------------|--------------|
| TOTAL ELECTRICITY REVENUE FROM SALES (\$MILLION, GST INC.) | | | | | |
| ≥160MWh CUSTOMERS | | | | | |
| <160MWh CUSTOMERS: | | | | | |
| RESIDENTIAL INC OPCL | | | | | |
| OPCL | | | | | |
| SMALL BUSINESS | | | | | |
| UNMETERED SUPPLY | | | | | |
| STANDING CONTRACT ELECTRICITY REVENUE FROM SALES (\$MILLION, GST INC.) | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

Part A. 6. Revenue from Sales (\$million, inclusive of GST) – Gas

| | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|---|-------------|-----------|-----------|--------------|--------------|
| TOTAL GAS REVENUE FROM SALES (\$MILLION, GST INC.) | | | | | |
| ≥10TJ P.A. | | | | | |
| ≥1TJ BUT < 10TJ P.A. | | | | | |
| <1TJ P.A.: | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |
| UNMETERED SUPPLY | | | | | |
| STANDING CONTRACT GAS REVENUE FROM SALES (\$MILLION, GST INC.) | | | | | |
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |
| PRESCRIBED CUSTOMER | | | | | |

Part B. Customer Service

Guidance: Complaints

1. This statistic records the number of **complaints** by **small customers** dealt with under approved procedures (**Energy Retail Code**, Part A, Clause 3, **Energy Marketing Code**, Clause 15).
2. **Complaints** are to be categorised according to the **customer energy** account associated with the **complaint**, (i.e. electricity or gas). Those **customers** having separate electricity and gas accounts with the same **licensee** will have the **complaint** categorised according to the account associated with the **complaint** made.
3. In Part B 1 or Part B 2 all **complaints** (including **complaints** referred to the **Energy Industry Ombudsman**) should be recorded. In Part B 3, **complaints** referred to the **Energy Industry Ombudsman** should be recorded (**Energy Retail Code** Clause 3.2.1(e)).

Part B. 1 Complaints – Electricity

| NO. OF COMPLAINTS: | JULY – SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|-------------------------------------|--------------------|------------------|------------------|---------------------|---------------------|
| BILLING COMPLAINTS | | | | | |
| MARKETING COMPLAINTS | | | | | |
| TRANSFER COMPLAINTS | | | | | |
| OTHER COMPLAINTS | | | | | |
| TOTAL ELECTRICITY COMPLAINTS | | | | | |

Part B. 2 Complaints – Gas

| NO. OF COMPLAINTS: | JULY – SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|-----------------------------|--------------------|------------------|------------------|---------------------|---------------------|
| BILLING COMPLAINTS | | | | | |
| MARKETING COMPLAINTS | | | | | |
| TRANSFER COMPLAINTS | | | | | |
| OTHER COMPLAINTS | | | | | |
| TOTAL GAS COMPLAINTS | | | | | |

Part B. 3 Complaints – Energy Industry Ombudsman Complaints

| NO. OF COMPLAINTS: | JULY – SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|---|--------------------|------------------|------------------|---------------------|---------------------|
| ELECTRICITY COMPLAINTS | | | | | |
| GAS COMPLAINTS | | | | | |
| TOTAL ENERGY INDUSTRY OMBUDSMAN COMPLAINTS | | | | | |

Part C. Payment Difficulties

Part C. 1 Hardship Program – customer numbers

Guidance:

1. This statistic records the number of **residential customers** participating in a **licensee's** hardship program.
2. For the purposes of reporting the hardship program statistic, a hardship program is one which, as a minimum:
 - a. has a clearly defined entry and exit point of which a **residential customer** is advised in writing upon entering the program;
 - b. protects the participating **residential customer** from credit collection action and disconnection;
 - c. has a specialised team within the **licensees** to support participating **residential customer**;
 - d. offers **residential customers** flexible payment arrangements that have regard to the **residential customer's** usage, capacity to pay and current financial situation; and provides additional support to **residential customers** through referral to third party support agencies, applicable Commonwealth and State government concessions and access to **energy** efficiency advice.

ELECTRICITY

| | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN - MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|---------------------------|-------------------------|-------------------------|----------------------------|----------------------------|
| <i>NUMBER OF HARDSHIP PROGRAM CUSTOMERS</i> | | | | | |

Part C. 2 Concession Recipients

Guidance:

1. This statistic records the number of **residential customers** in receipt of an **energy** concession.

ELECTRICITY

| | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN - MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|---------------------------|-------------------------|-------------------------|----------------------------|----------------------------|
| <i>NO. OF ENERGY CONCESSION CUSTOMERS</i> | | | | | |

Part C. 3 Instalment plans – total numbers

Guidance:

1. This statistic records the number of **instalment payment plans** operating (**Energy Retail Code**, Part A, Clause 7.6 and Clause 7.7) in relation to **residential customers** and **small business customers**.
2. With regard to the '**Instalment payment plans**' statistic, **licensees** must include:
 - a. plans involving at least three instalments;
 - b. **customers** managed under a **licensee's** standard credit and collection procedures and **customers** participating in the **licensee's** hardship program;
 - c. plans existing as at the last day of the relevant reporting period.
3. **Customers** electing to stay on an instalment plan to continue to make regular payments after arrears have been paid are considered to have moved to a **bill smoothing** arrangement and from that time should not be reported in these statistics.

ELECTRICITY

| NO. OF PLANS: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|----------------|-------------|-----------|-----------|--------------|--------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

GAS

| NO. OF PLANS: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|----------------|-------------|-----------|-----------|--------------|--------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

Part C. 4 Direct Debit – customer numbers

Guidance:

1. This statistic records the number of **residential customers** and **small business customers** paying by direct debit (**Energy Retail Code**, Part A, Clause 7.3)

ELECTRICITY

| NO. OF DIRECT DEBIT | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|---------------------|-------------|-----------|-----------|--------------|--------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

GAS

| NO. OF DIRECT DEBIT | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|---------------------|-------------|-----------|-----------|--------------|--------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

Part C. 5 Direct Debit – termination for default/non-payment

Guidance:

1. This statistic records the number of **direct debit plan terminations** as a result of **customer** default/non-payment, in relation to **residential customers** and **small business customers** (**Energy Retail Code**, Part A, Clause 7.10)
2. The indicator is to be recorded when the actual direct debit plan is terminated, regardless of when the first direct debit default occurs.

ELECTRICITY

| NO. OF DEFAULTS: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|-------------------------|--------------------|------------------|------------------|---------------------|---------------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

GAS

| NO. OF DEFAULTS: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|-------------------------|--------------------|------------------|------------------|---------------------|---------------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

Part C. 6 Security Deposits – numbers and value held

Guidance:

1. This statistic records the number and value of security deposits held in respect of **residential customers** and **small business customers** (**Energy Retail Code**, Part A, Clause 8.1).
2. The number and value of **security deposits** held as at the last day of the relevant reporting period must be reported.

ELECTRICITY

| RESIDENTIAL: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|---------------------|--------------------|------------------|------------------|---------------------|---------------------|
| NUMBER | | | | | |
| VALUE | | | | | |

| SMALL BUSINESS: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|------------------------|--------------------|------------------|------------------|---------------------|---------------------|
| NUMBER | | | | | |
| VALUE | | | | | |

GAS

| RESIDENTIAL: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|---------------------|--------------------|------------------|------------------|---------------------|---------------------|
| NUMBER | | | | | |
| VALUE | | | | | |

| SMALL BUSINESS: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|------------------------|--------------------|------------------|------------------|---------------------|---------------------|
| NUMBER | | | | | |
| VALUE | | | | | |

Part C. 7 Disconnection for non-payment – customer numbers

Guidance:

1. This statistic records the number of disconnections of **residential customers** and **small business customers** due to a failure to pay amount due (**Energy Retail Code**, Part A, Clause 9).
2. Disconnection for non-payment refers to the number of events or occasions where disconnection has occurred (including in relation to vacant premises). For example, if an individual **customer** is disconnected twice in a reporting period, two disconnections must be reported.

ELECTRICITY

| NUMBER: | JULY – SEPT | OCT – DEC | JAN – MAR | APRIL – JUNE | YEAR TO DATE |
|-----------------------|--------------------|------------------|------------------|---------------------|---------------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

GAS

| NUMBER: | JULY – SEPT | OCT – DEC | JAN – MAR | APRIL – JUNE | YEAR TO DATE |
|-----------------------|--------------------|------------------|------------------|---------------------|---------------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

Part C. 8 Disconnection for non-payment – reconnection in same name

Guidance:

1. This statistic records the number of reconnections of **residential customers** and **small business customers** at the same premises in the same name within 7 days of disconnection due to a failure to pay amount due (**Energy Retail Code**, Part A, Clause 10.1).

ELECTRICITY

| NUMBER: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|-----------------------|--------------------|------------------|------------------|---------------------|---------------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

GAS

| NUMBER: | JULY - SEPT | OCT - DEC | JAN - MAR | APRIL - JUNE | YEAR TO DATE |
|-----------------------|--------------------|------------------|------------------|---------------------|---------------------|
| RESIDENTIAL | | | | | |
| SMALL BUSINESS | | | | | |

PROFORMA OP4 – Embedded Electricity Generation

(Annual Reporting Requirement)

Year ended:

| <i>TOTAL NUMBER OF ELECTRICITY EMBEDDED GENERATING UNITS IN SOUTH AUSTRALIA FOR WHICH THE LICENSEE IS THE RESPONSIBLE PERSON, BY TYPE (E.G. PHOTO VOLTAIC, DIESEL, WIND, GAS)</i> | | <i>TOTAL ANNUAL AMOUNT OF ELECTRICITY EXPORTED INTO THE DISTRIBUTION SYSTEM BY THESE TYPES OF EMBEDDED GENERATORS (MWh)</i> |
|---|---------------|---|
| <i>TYPE</i> | <i>NUMBER</i> | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

General Guidance

1. Generation that is supplied directly to a **customer** and not through the **distribution network** is not to be reported in Operational Performance Proforma OP4.
2. Information is only required to be provided under this Guideline by the **licensee** where the **licensee** is the **Responsible Person**. Where the **distributor** is the **Responsible Person**, the **distributor** will be required to provide the information under Electricity Industry Guideline No.1.

PROFORMA OP5 – Prepayment Meters

Part A. General Operational Statistics

General Guidance:

1. For the purposes of Operational Performance Proforma OP5 – Prepayment Meters, the 'Total' category for each statistic must include relevant details for all **customers** including **standing contract customers** and **default contract customers**.
2. Figures must be provided to one decimal place (where appropriate).

Guidance – **Connection Points**:

1. **Connection Points** reported must be those that correspond to the **Sales** and **Revenue from sales** figures reported for the relevant reporting period (i.e. quarter).
2. If a **NMI** (or **MIRN**) associated with a premises is billed at least once during a quarter, the **NMI** (or **MIRN**) is counted as only one **connection point** regardless of the number of times it is billed during the quarter.

Part A. 1. Prepayment Meter System Connection Points – Electricity

| | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN - MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|--------------------|------------------|------------------|---------------------|---------------------|
| TOTAL ELECTRICITY PREPAYMENT METER SYSTEM CONNECTION POINTS | | | | | |
| ≥160MWh P.A. | | | | | |
| <160MWh P.A.: | | | | | |
| <i>RESIDENTIAL INC OPCL</i> | | | | | |
| <i>OPCL</i> | | | | | |
| <i>SMALL BUSINESS</i> | | | | | |

Part A. 2. Sales to Prepayment Meter System Customers - Electricity (MWh)

| | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN - MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|---|--------------------|------------------|------------------|---------------------|---------------------|
| TOTAL SALES TO ELECTRICITY PREPAYMENT METER SYSTEM CUSTOMERS (MWh) | | | | | |
| ≥160MWh CUSTOMERS | | | | | |
| <160MWh CUSTOMERS: | | | | | |
| <i>RESIDENTIAL INC OPCL</i> | | | | | |
| <i>OPCL</i> | | | | | |
| <i>SMALL BUSINESS</i> | | | | | |

Part A. 3. Revenue from Sales to Prepayment Meter System Customers (\$million, inclusive of GST) - Electricity

| | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN - MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|--------------------|------------------|------------------|---------------------|---------------------|
| TOTAL REVENUE FROM SALES TO ELECTRICITY PREPAYMENT METER SYSTEM CUSTOMERS (\$MILLION, GST INC.) | | | | | |
| ≥160MWh CUSTOMERS | | | | | |
| <160MWh CUSTOMERS: | | | | | |
| <i>RESIDENTIAL INC OPCL</i> | | | | | |
| <i>OPCL</i> | | | | | |
| <i>SMALL BUSINESS</i> | | | | | |

Part B. Payment Difficulties

Part B. 1. Self-Disconnection - three or more times in any three month period

(Prepayment Meter System Code Clause 4.4.2)

Guidance:

1. This statistic records the number of **residential customers** or **small business customers** where the customer has 'self disconnected' three or more times in any three month period.
2. This statistic records the number of **residential customers** or **small business customers** where the customer has no credit, including emergency credit, available.

| <i>ELECTRICITY:</i> | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN – MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|---------------------------|-------------------------|-------------------------|----------------------------|----------------------------|
| <i>NUMBER OF RESIDENTIAL CUSTOMERS</i> | | | | | |
| <i>NUMBER OF SMALL BUSINESS CUSTOMERS</i> | | | | | |

Part B. 2. Self-Disconnection – total number of times a small customer has self disconnected for a period longer than 240 minutes

(Prepayment Meter System Code Clause 4.4.1)

Guidance:

1. This statistic records the number of times where **residential customers** or **small business customers** have 'self disconnected' for a period longer than 240 minutes.
2. This statistic records the number of **residential customers** or **small business customers** where the customer has no credit, including emergency credit, available.

| <i>ELECTRICITY:</i> | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN – MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|---------------------------|-------------------------|-------------------------|----------------------------|----------------------------|
| <i>NUMBER OF RESIDENTIAL CUSTOMERS</i> | | | | | |
| <i>NUMBER OF SMALL BUSINESS CUSTOMERS</i> | | | | | |

Part B. 3. Prepayment Meter Removals – prepayment meters removed or rendered non-operational during the trial period

(Prepayment Meter System Code Clause 2.5.1)

Guidance:

1. This statistic records the number of times where **residential customers** or **small business customers** have removed or rendered the prepayment meter non-operational during the trial period.

| <i>ELECTRICITY:</i> | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN – MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|---------------------------|-------------------------|-------------------------|----------------------------|----------------------------|
| <i>NUMBER OF RESIDENTIAL CUSTOMERS</i> | | | | | |
| <i>NUMBER OF SMALL BUSINESS CUSTOMERS</i> | | | | | |

Part B. 4. Prepayment Meter Removals – prepayment meters removed where the customer is facing payment difficulties

(Prepayment Meter System Code Clause 4.4.2)

Guidance:

1. This statistic records the number of times where **residential customers** or **small business customers** have removed prepayment meters due to payment difficulties.

| <i>ELECTRICITY:</i> | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN – MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|---------------------------|-------------------------|-------------------------|----------------------------|----------------------------|
| <i>NUMBER OF RESIDENTIAL CUSTOMERS</i> | | | | | |
| <i>NUMBER OF SMALL BUSINESS CUSTOMERS</i> | | | | | |

Part B. 5. Prepayment Meter Removals – prepayment meters removed for other reasons

(Prepayment Meter System Code Clause 5.1.1 and 5.2.1)

Guidance:

1. This statistic records the number of times where **residential customers** or **small business customers** have removed prepayment meters for other reasons.

| <i>ELECTRICITY:</i> | <i>JULY - SEPT</i> | <i>OCT - DEC</i> | <i>JAN – MAR</i> | <i>APRIL - JUNE</i> | <i>YEAR TO DATE</i> |
|--|---------------------------|-------------------------|-------------------------|----------------------------|----------------------------|
| <i>NUMBER OF RESIDENTIAL CUSTOMERS</i> | | | | | |
| <i>NUMBER OF SMALL BUSINESS CUSTOMERS</i> | | | | | |

PROFORMA OP6 – Responsibility Statement

Having reviewed this Quarterly Report* / Annual Return* containing the operational results of the **Licensee** for the period ended [insert period end], in my opinion this report:

1. has been prepared in a manner that meets the requirements of Energy Industry Guideline No. 2 ("the Guideline");
2. presents fairly and accurately all information concerning operational performance as required by clause 2 of the Energy Retail Code for the period ended [insert period end];
3. contains a fair and accurate description of, and reasons for:
 - a. all marked deteriorations in operational performance (including all failures to meet service standards in accordance with the **Energy Retail Code**); and
 - b. all significant variations in the data from one period to the next or from this reporting period to the same period last year; and
4. contains information concerning plans to improve performance (where required) so as to meet the service standards set out in clause 2 of the **Energy Retail Code**.

Reporting Variations and Failure to Meet Service Standards (*where relevant)

A detailed explanation must be provided by a **licensee** in the format below, where there is:

1. a failure by a **retailer** to meet service standards; or
2. a marked variation in any reported statistics from the previous quarter or year for a particular measure.

The explanation must include the reason(s) for the variation or failure to meet the service standard and in the event of failure to meet the service standard, how and when the retailer intends to improve performance to meet the service standard.

| PROFORMA REFERENCE | METRIC DESCRIPTION | EXPLANATION OF VARIATION/FAILURE TO MEET SERVICE STANDARD | HOW PERFORMANCE WILL BE IMPROVED | BY WHEN |
|-------------------------------|---------------------------|--|---|----------------|
| OP1 | | | | |
| OP2 | | | | |
| OP3 | | | | |
| OP4 | | | | |
| OP5 | | | | |

Signed: _____

Name of Chief Executive/

Approved Senior Officer _____

Licensee: _____

Date: _____

APPENDIX 2: ELECTRONIC DATA SYSTEM

APPENDIX 2: PROCESS FOR ELECTRONIC DATA SYSTEM

1. The Commission sends an automated email to a nominated representative of all Guideline 2 obliged retailers in the first week after the end of the relevant reporting quarter. The email:
 - i. serves as a reminder to retailers to submit the data; and
 - ii. provides the unique URL for the Electronic Data System for the submission of the data.
2. The retailer should use the URL to access the Electronic Data System online. Retailers can:
 - i. commence entering the data upon receipt of the URL;
 - ii. suspend data entry, saving progress of the data entry and go back to complete data entry in the Proformas at a later date; and
 - iii. submit the data once it is completed by clicking the 'submit' button.
3. The retailer must submit the data to the Commission by no later than one calendar month after the end of that quarter in accordance with this Guideline.
4. The retailer will receive a confirmation email upon the Commission's receipt of the data. This email will contain a copy of all data submitted by the retailer in respect of that quarter.
5. The retailer must submit to the Commission a hard copy of the data and a signed responsibility statement in accordance with this Guideline.

Note: in the event of the change in the retailer's nominated representative, please advise the Commission by email escosa@escosa.sa.gov.au.

APPENDIX 3: DATA VARIATION TEMPLATE

APPENDIX 3 – DATA VARIATION TEMPLATE

1. The Commission requires all data variations to be submitted in the format prescribed in the data variation template available on the Commission's website at <http://www.escosa.sa.gov.au/electricity-overview/codes-guidelines-rules/guidelines.aspx>.
2. Data variations will not be accepted in any other format.
3. The retailer must acknowledge and explain all data variations, including the reasons for those variations, in a covering letter to the Commission.
4. The data variation template, together with the covering letter should be sent electronically to escosa@escosa.sa.gov.au.

GLOSSARY

A term appearing in this Guideline has the following meaning:

“abandoned telephone calls” means a **telephone call** received by a licensee where the **customer** terminated the **telephone call** before it was answered by the **licensee**.

“agreed-upon procedures report” means an agreed-upon procedure engagement report, prepared in accordance with Australian Auditing Standards AUS904. The objective is for the auditor to carry out procedures of an audit nature specified by the **Commission** and to report on factual findings.

“appointment” means a personal meeting with a **customer** or representative of a **customer** at a time agreed with the **customer** or the representative. Appointments with third parties, such as contractors or marketing agents acting on behalf of a **licensee**, are not included.

“best endeavours” means to act in good faith and use all reasonable efforts, skill and resources to achieve an outcome in the circumstances.

“bill smoothing” means circumstances where a **customer** makes payments under a payment plan as a matter of convenience or for flexible budgeting purposes, not for the payment of arrears. For the avoidance of doubt, not an **instalment payment plan**.

“billing complaint” includes, but is not limited to, a **complaint** regarding timeliness of bills, overcharging or undercharging, prices and payment methods.

“business day” means a day other than a Saturday or a Sunday or a public holiday in the state of South Australia.

“Commission” means the Essential Services Commission established under the **ESC Act**.

“complaint” means a written or verbal expression of dissatisfaction about an action, a proposed action, or a failure to act, or in respect of a product or service offered by or provided by a **licensee**, its employees or contractors, including **complaints** referred by the **Industry Ombudsman**.

“concession recipient” means a customer in receipt of a State Government **energy** (electricity) concession during the relevant reporting period, including both permanent concession cardholders and beneficiaries.

“connection points billed” means the total number of **connection points** in respect of which the **licensee** has issued a bill during the relevant reporting period.

“connection point” means:

- (a) in the case of a **small electricity customer**, the agreed point of **supply** between the **small electricity customer’s** electrical installation and the **distribution network**; and
- (b) in the case of a **small gas customer**, the agreed point of **supply** between the **small gas customer’s** gas installation and the **distribution system**.

“customer” means a customer as defined in the **Electricity Act** or the **Gas Act**, as the context requires, who buys or proposes to buy **energy** from a **licensee**.

"customer sale contract" means a **standing contract**, a **market contract** or a **default contract**, as specified in the **Energy Retail Code**.

"default contract" means the **customer sale contract** between a **retailer** and a **default customer** arising in accordance with the regulations under the **Electricity Act** or the **Gas Act**, as the context requires.

"default contract customer" means, in relation to a **connection point**, a person who is deemed pursuant to the regulations under the **Electricity Act** or the **Gas Act**, as the context requires, to have a **default contract** with a **retailer** in relation to that **connection point**.

"direct debit plan termination" means the circumstance where a direct debit plan/facility is terminated as a result of a **customer's** default/non-payment.

"disconnection for non-payment" means each occasion on which a **small customer's** supply has been disconnected due to that **small customer's** failure to pay amount owed, including in respect of vacant premises.

"disconnection warning" means a notice in writing issued in accordance with clause 9 of the **Energy Retail Code**.

"distributor" means a holder of a licence authorising the operation of a **distribution system** under Part 3 of the **Gas Act** or the holder of a licence authorising the operation of a **distribution network** under Part 3 of the **Electricity Act** (as the case may be).

"distribution network" has the meaning given to that term in the **Electricity Act**.

"distribution system" has the meaning given to that term in the **Gas Act**.

"dual fuel" means the circumstance where a **residential customer** and a **licensee** have entered into two **customer sale contracts** for the **retailing** of electricity and/or gas, or a single **customer sale contracts** for the **retailing** of electricity and gas, under which a single bill for **energy** is, or two simultaneous bills for electricity and gas are, issued to that **residential customer** by the **licensee**.

"Electricity Act" means the *Electricity Act 1996*.

"embedded electricity generation" means generation connected to the distribution system.

"embedded generator" means a generator who owns, operates or controls an **embedded generating unit**.

"embedded generating unit" means a generating unit which is connected to a **distribution network** and does not have direct access to a transmission network.

"energy" means either or both of gas or electricity as the context requires.

"Energy Industry Ombudsman" means the Ombudsman appointed under the scheme approved by the **Commission** in accordance with the **licensee's** licence.

"ESC Act" means the *Essential Services Commission Act 2002*.

"Gas Act" means the *Gas Act 1997*.

“industry codes” means any industry code made by the **Commission** under section 28 of the **ESC Act**.

“instalment payment plan” means an arrangement between a **licensee** and a **small customer** under which the **customer** pays arrears only or arrears and continued usage on its account, according to an agreed payment schedule and capacity to pay.

“large customer” means for electricity a **customer** consuming more than 160 megawatt hours (MWh) per annum and for gas a **customer** consuming more than 1 terra joule (TJ) per annum.

“large electricity customer” means a **customer** with an annual electricity consumption level more than 160MWh per annum at a single **connection point**.

“large gas customer” means a **customer** with an annual gas consumption level more than 1 terra joule (TJ) per annum at a single **connection point**.

“licensee” means the holder of a **retail licence** granted under Part 3 of the **Electricity Act** by the **Commission** to sell electricity and a licence granted under Part 3 of the **Gas Act** by the **Commission** to sell and **supply** gas.

“market contract” means a **customer sale contract** between a **licensee** and a **small customer** which complies with Part A of the **Energy Retail Code**, other than a **standing contract** or a **default contract**.

“marketing complaint” means a **complaint** associated with a **licensee’s** actions in inducing a **small customer** to enter into a **market contract**, and includes, without limitation matters such as the nature of the approach or conduct, contract details, customer consent and adherence to contract cooling-off period requirements .

“material” means an items omission, misstatement or non-disclosure has the potential to prejudice the understanding of operational position and nature of the business activities of the **licensee** gained by reading the **regulatory reporting statements**.

“MIRN” means a Meter Installation Registration Number assigned to a metering installation at a gas customer’s **supply** address.

“MSATS” refers to the Market Settlement and Transfer Solution system operated by the Australian Energy Market Operator Ltd.

“National Electricity Rules” means the rules, as defined in the **National Electricity Law**.

“National Electricity Law” means the *National Electricity Law* referred to in the *National Electricity (South Australia) Act 1996 (SA)*.

“NMI” means a National Metering Identifier assigned to a metering installation at an electricity customer’s **supply** address.

“off-peak controlled load” or **“OPCL”** means, in relation to **residential customers** only, consumption in respect of permanently installed storage water heaters (with a rated delivery of not less than 125 litres), storage space heaters and other approved applications involving a time switch and separate metering where the timing has been set in accordance with ETSA

Utilities' requirements regarding the timing of loads, and which is charged under an off-peak controlled load electricity tariff.

“other complaints” means any **complaints** about the quality and timeliness of **retail** service, other than a **billing complaint**, **marketing complaint** or a **transfer complaint**.

“prescribed customer” has the meaning given to that term in regulation 8AB of the Gas Regulations 1997.

“regulatory reporting statement” means any regulatory report prepared by the **licensee** and submitted to the **Commission** in accordance with this Guideline.

“residential customer” means a **small customer** which acquires **energy** primarily for domestic use.

“Responsible Person” means the person who has responsibility for ensuring that the appropriate meter is supplied, maintained and read, as defined under the **National Electricity Rules**.

“responsibility statement” means a statement in the form specified in OP6 of this Guideline signed and dated by the Chief Executive of the **licensee** (or senior officer as agreed in writing with the **Commission**) evidencing responsibility for information provided to the **Commission**.

“retail” means:

- (a) in relation to electricity, the sale of electricity to a **customer**; and
- (b) in relation to gas, the sale and **supply** of gas to a **customer**,

and **retailing** has a corresponding meaning.

“retail licence” means a licence granted under Part 3 of the **Electricity Act** by the **Commission** to sell electricity and a licence granted under Part 3 of the **Gas Act** by the **Commission** to sell and **supply** gas.

“retailer” means a person licensed under the **Electricity Act** or the **Gas Act** to **retail** electricity or gas (as the case may be).

“revenue from sales” means in respect of any reporting period, the total value (expressed in dollars) due and payable to the **licensee** in respect of **connection points billed**.

“sales” means the quantity of electricity (MWh) or gas (GJ) as reflected in all bills issued in respect of the **connection points** on a **licensee**.

“small business customer” means a **small customer** who is not a **residential customer**.

“small customer” means either or both of **small electricity customer** and **small gas customer**.

“small electricity customer” has the same meaning as is given to that term in the **Electricity Act**; at present, the term refers to a **customer** with an annual electricity consumption level less than 160MWh per annum at a single **connection point**.

“small gas customer” has the same meaning as is given to that term in the **Gas Act**; at present, the term refers to a **customer** with an annual gas consumption level less than 1 terra joule (TJ) per annum at a single **connection point**.

“standing contract” means:

- (a) in relation to a **small customer**, a **customer sale contract** published by a **retailer** in the form set out in Part B or Part C of the **Energy Retail Code** in accordance with the **retailer’s** standing offer obligation under the **Electricity Act** or the **Gas Act**, as the context requires; and
- (b) in relation to a **prescribed customer**, a **customer sale contract** published by a **retailer** in accordance with the **retailer’s** standing offer obligation under the **Gas Act** and clause 1.2 of the **Energy Retail Code**.

“standing contract customer” means a **small customer** to whom a declared **retailer** is obliged, on request, to offer a **standing contract** in accordance with the **Electricity Act** or the **Gas Act**, as the context requires.

“supply” means the physical delivery of electricity or gas.

“telephone call” means a call made to any telephone number established by the **licensee** for the purposes of receiving enquiries and **complaints** from **customers** in South Australia between the hours of 8am and 6pm on a **business day**.

“transfer complaint” means a **complaint** associated with the financial responsibility for a customer’s **NMI** or **MIRN** being transferred to a **market contract** with either an existing or new **licensee**. It could deal with matters such as delays in the transfer process or customer consent, but is not limited to such matters.

“unmetered supply” means supply of electricity or gas (as the case may be) to a **connection point** where the rate of consumption of that electricity or gas is not measured by means of a meter.

“written enquiries” means an enquiry by e-mail, fax or letter from a **small customer** to a **licensee** via nominated enquiry channels.