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Mr Wesley Tuszynski
A/Senior Policy Officer Contestable Works
Department of Energy, Utilities and Sustainability
Level 17, 227 Elizabeth Street
Sydney NSW 2000

Dear Mr Tuszynski

Thank you for the opportunity to comment on the *Code of Practice (the Code) – Service and Installation Rules of New South Wales (the Rules)*. EWON acknowledges the importance of the publication of this *Code* and the referenced *Service and Installation Rules of New South Wales* in confirming the respective responsibilities of customers, Distribution Network Service Providers (DNSPs) and licensed contractors regarding the technical requirements governing the connection of electrical installations to electricity distribution systems.

We also note that while Network Operators must adopt the *Code* under the provisions of the *Electricity Supply (Safety and Network Management) Regulation 2002*, there is also an important recognition that *the Rules* may not capture every situation relating to customer connections to the distribution network. EWON acknowledges that customers and/or service providers, while also bound by the *Rules'* provisions for the minimum requirements for customer connection services, can propose an alternative course of action if the DNSP agrees that this achieves the same or better outcome. This appears to be an important provision for ensuring the adoption of practical and safe technical alternatives to address atypical situations without compromising safety considerations and should minimize complaints to DNSPs and to EWON.

EWON supports the *Code's* requirement that DNSPs provide access to independent dispute resolution where customers or service providers propose an alternative method to

that outlined in the *Rules* and we note that we have already independently reviewed and resolved a significant number of complaints from customers, which involve reference to the provisions of the *Rules*. We acknowledge that DEUS as the technical regulator is the appropriate forum for complaints which raise compliance issues related to electrical safety but note also that EWON has independently reviewed complaints which raise other compliance issues. On this basis, we consider that it is appropriate for customers to be referred to EWON where there is disconnection of supply for non-credit reasons. This would appear to be in line with the *Code's* requirement that:

“An electricity distributor must deal with proposals for alternative methods of providing customer connection services in accordance with a documented procedure obtainable by the proposer which details the method of examining a proposal including:

- *a provision for fair and impartial dispute resolution.*

As EWON is the approved external dispute resolution scheme under clause 96B of the *Electricity Supply Act 1995* and has significant experience in investigating this kind of complaint, we consider it may be appropriate for the *Code* to require that information be provided by the DNSP to complainants regarding their ability to have the matter independently reviewed by EWON.

EWON acknowledges the significance of the *Code's* emphasis on the provision of consistent requirements from DNSPs for Service Providers across all NSW jurisdictions. We support the promotion of industry consistency through standardizing practices and consider it essential that customers in different electricity distribution areas in NSW have the benefit of standardized practices. The fact that the *Code* does not give DNSPs the authority to create local Service and Installation Rules is important.

Finally, we note that the *Terms of Reference for the Service and Installation Rules Committee* provide for other interested parties to play an advisory role in the working group. EWON would appreciate the opportunity to be involved on this basis.

Please ring Anne Miller, Manager Conciliation, on 8218 5238 should you wish to discuss any aspect of this letter.

Yours sincerely

Clare Petre
Energy and Water Ombudsman