

Appendix D Recommended Format for Submissions

To assist Gas Industry Co in the orderly and efficient consideration of stakeholders' responses, a suggested format for submissions has been prepared. This is drawn from the questions posed in the body of this Consultation Paper. Submitters are also free to include other material on the exemption application in their responses.

Submission from: E-Gas Limited, Rodney Moore

Question	Comment
<p><i>Q1: Do participants agree with the proposed approach (currently adopted by Jade and Gas Industry Co) to disregard NEW, DST and RET breaches on the maintenance breach report)? Should alternative arrangements be put in place for assessing compliance with these rules or is it sufficient for breaches to be alleged on an ad hoc basis as they arise?</i></p>	<p>Regarding the first part of question one, yes we agree to this approach. However concerning the second part, we currently support the situation where breaches can be alleged on an ad-hoc basis where participants believe that there has been some adverse effect.</p> <p>From the first read (of the Switching Rules prior to going live) we were unable to fathom just how Rules 51.3, 53.1 and 54.1 would be used to effectively track the breaches for which they were intended. As it was obvious to us at the time that critical information was missing to correctly administer this rule. While the merits and intent are welcome and in line with the rest of the switching rules, it would require an industry review of how new connection processes are instigated across all retailers to provide the information required to fully automate this level of checking. The outcome of which may or may not elevate the problem. Based on present market practices it seems unlikely that additional information would be forthcoming in reasonable timeframes to enable more automation.</p>
<p><i>Q2: Do participants believe that further automating the production of breach reports and notices, and the inclusion of extra information, would be beneficial in the longer term?</i></p>	<p>Yes we agree automation will be beneficial if the number of monthly breaches remains high. However they seem to be steadily dropping and it is likely to be nil and therefore not required. That being said, the extra information will also be beneficial to illustrate more of the factors involved in the switch as well as highlight compliance issues with more rules than the MA is currently reporting.</p>

Question	Comment
<p><i>Q3: Do participants have any further suggestions for the enhancement of the compliance process or to reduce the compliance burden (assuming that changes to the Compliance Regulations will not be progressed in the near future)?</i></p>	
<p><i>Q4: Do participants support the proposed amendment to the registry which would remove the option to re-submit a GNW if the first GNW request were rejected? Do participants agree that following receipt of a GAN or GTN the option to request a switch withdrawal should be re-opened and unlimited withdrawal requests should be allowed?</i></p>	<p>E-Gas understands that the removal of the option to re-submit a second GNW will result in a registry system change removing the ability to process such a request. Therefore E-Gas supports this proposal to remove the option of the responsible retailer responding to a GNT with no more than one GNW prior to sending a GAN or GTN. We do wish to clarify that if the first GNW is rejected this doesn't limit the requesting retailer from sending a GNW before a GAN or GTN.</p> <p>However E-Gas doesn't agree with re-opening or unlimited withdrawals GNW's after a GTN has been processed. We believe that both the responsible retailer and the requesting retailer remain limited to issuing only one GNW each <u>before</u> a GTN and one GNW each <u>after</u> the GTN.</p>
<p><i>Q5: If the registry is amended as per the proposal do participants consider that this gives effect to the purpose of rule 78.5? In conjunction with this change, would it be appropriate for Gas Industry Co to issue a blanket exemption or a guideline note to amend or clarify the purpose of the rule?</i></p>	<p>Clarification of purpose would be helpful, but disagree that any exemptions are required. The rulings panel has already provided their interpretation of Rule 78.5 (and subsequent related 69.x Rules), which for the majority of participants was how this rule was interpreted and applied.</p>
<p><i>Q6: In the longer term do participants feel that it is necessary for a rule change to clarify rule 78.5?</i></p>	<p>Given that the Rulings Panel has provided their interpretation and the problem has ceased to occur we do not believe this is necessary.</p>
<p><i>Q7: Do participants agree that a change is necessary to the method used by the registry for calculating days overdue where non-business days are involved? Would participants prefer that breaches which are 'zero' business days overdue not be reported or that the count of days overdue for such breaches be the number of calendar days?</i></p>	<p>We are unsure how the system is unable to calculate this simple equation and surprised that this is an issue. We would prefer that alleged breaches of 0 days are not reported as this requires un-necessary processing time of both retailer and registry. From the layout of the reports we assume that they are derived from an Excel spreadsheet? Therefore a check could be run to highlight action dates and due dates that match and therefore can be removed before reporting.</p>

Question	Comment
<i>Q8: Do participants agree that it is sufficient to rely on manual reporting of potential breaches of rule 72.2 or is there a preference for the registry to be amended to automatically flag where an actual switch date falls after a requested switch date?</i>	Our preference is to have reporting this rule breach automated. As the current market is set up to bill customers post usage the situation of a consumer being billed past a switch date is highly unlikely. Therefore a calculation can be easily added to derive the difference between the GNT requested switch date and the subsequent GTN switch date. As the breaches reported are “alleged” this will still give the retailer the chance to identify a pre-pay gas customer (if such a customer exists) and therefore no breach of the “alleged” rule.