

7th November 2005

Manager – Energy Market Reform Team
National Energy Market Branch
Department of Industry, Tourism and Resources
GPO Box 9839
CANBERRA ACT 2601

Dear Manager – Energy Market Reform Team,

Re: Consultation on MCE Review of Decision-Making in the Gas and Electricity Regulatory Frameworks

We refer to the Public Consultation on a National Framework for Energy Distribution and Retail Regulation dated May 2005.

The Centre for Credit and Consumer Law has been provided with the submission made by the Public Interest Advocacy Centre in relation to the Public Consultation document. We endorse this submission.

The Centre for Credit and Consumer Law has been funded by the National Consumer's Electricity Advocacy Panel to undertake a study investigating Queensland's entry into the National Electricity Market. This study is in its infancy and due to funding constraints the Centre is, unfortunately, unable to respond to the Consultation Document in more detail.

As electricity and gas are essential items for consumers the issue of consumer protection in the electricity and gas market is paramount. It is essential that small end users of electricity are able to challenge and obtain a review of regulatory decisions so as to ensure that they are able to obtain just outcomes.

It is noted that the Consultation Document suggests two models for a forum for review of regulatory decisions. We reiterate that we support the Public Interest Advocacy Centre's submission. We also note that any model that is established needs to ensure: -

- That it is easily accessible to consumers (small end users) in terms of costs;
- Small end users or consumer advocates are able to obtain standing to bring an action in relevant circumstances; and
- That the grounds upon which a decision may be reviewed are sufficiently wide enough to take into account all reasonable circumstances.

We would like to thank you for giving the Centre an opportunity to comment on the Consultation Document.

Please do not hesitate to contact Dr Jane Bathgate on (07) 37353244 if you require any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'E. Marchetti', followed by a period.

Dr Elena Marchetti
Acting Director
Centre for Credit and Consumer Law