

Ministerial Council on Energy

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Information Bulletin

Appeals and Reviews

The Standing Committee of Officials (SCO) of the Ministerial Council on Energy (MCE) recognises that energy stakeholders are particularly interested in the future appeals and reviews mechanisms to be available in relation to decisions under the National Electricity Law (NEL) and Gas Pipelines Access Law (GPAL). The 2004 Productivity Commission *Review of the National Gas Access Regime* also considered the administrative appeals mechanisms in the GPAL, focusing principally on the economic regulatory decisions of the regulator and the Ministers' coverage decisions.

Accordingly, SCO has established a Merits Review Working Group chaired by NSW which is developing a discussion paper as a basis for consultation with stakeholders on the scope of any future appeals and review mechanisms. The paper will address principles for the application of review mechanisms to decisions under the gas and electricity regimes, the type of review, including the appropriate review body, its powers, standing for who can apply for review, the grounds of review available, the evidence that may be used, and the costs involved.

This paper is expected to be released in the next month and provide stakeholders with an opportunity to submit comments to SCO over a four week period. The MCE will then make a policy decision taking into account stakeholders' comments.

MCE Standing Committee of Officials
1 September 2005

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