

Appendix three: Suggested feedback forms

To assist the Commission in the orderly and efficient consideration of stakeholders' responses, a suggested format for submissions has been prepared.

Feedback form 1:

Question	Response
<p>1 Do you see any problems with the Commission using the Australian Benchmarks consumer complaints resolution schemes? If so what valuation method should the Commission use?</p>	<p>We are very happy that the Commission uses the Australian Benchmarks. They represent best practice for private sector dispute resolution schemes in this part of the world.</p>
<p>2 The suggested level of achievement is to indicate the level at which the Commission believes the benchmark criteria would be met. Is it useful to have a suggested level of achievement for each of the benchmark criteria?</p>	<p>In our view, it is very useful for the Commission to flesh-out the Australian Benchmarks with its own achievement standards.</p>
<p>3 The Commission is seeking comments on the individual benchmark criteria and achievement standards detailed in the table attached as Appendix one:</p> <ul style="list-style-type: none">a) Identify <u>benchmark criteria</u> that are not suitable for the evaluation of an electricity consumer complaints resolution scheme. If possible, suggest an alternative;b) Identify <u>achievement standards</u> that are not suitable for the evaluation of an electricity complaints resolution scheme. If possible, identify an alternative; andc) Should any additional benchmark criteria be inserted? If so, what should the additional benchmark criteria specify, and what would the achievement standard be?	<p><i>(3a) see table at the end of this submission.</i></p> <p><i>(3b) see table at the end of this submission.</i></p> <p><i>(3c) see table at the end of this submission</i></p>

Question	Response
<p>4 Should the Commission approve more than one scheme?</p>	<p>We strongly support the introduction of one scheme. Our reason for this is clarity and certainty for consumers when they have a complaint about an electricity retailer. Two or more complaint schemes are going to add to the complexity and reduce the ability for consumers to make a judgement call as to which scheme they should approach.</p>
<p>5 If the Commission were to approve more than one scheme, what should be required of each scheme to ensure that consumer confusion is avoided? Are the achievement standards under criteria 6.2(a) sufficient?</p>	<p>The Commission's achievements standards under 6.2 (a) provides a framework that would be workable should there be more than one scheme available to consumers. Nevertheless, we hold strongly to our view that a single scheme would serve consumers the best.</p>
<p>6 Is it appropriate that the Commission is able to consider applications that do not meet the level of achievement for each benchmark criterion? That is, should the Commission be able to accept alternative evidence that a benchmark principle is met to an acceptable standard even though individual benchmark criteria are not satisfied as specified by the achievement standards?</p>	<p>In our view, the benchmark criteria and the Commission's standards are extremely detailed and have obviously been considered in depth by the Commission. We don't totally rule out the Commission considering applications that do not meet the level of achievement of benchmark criterion. However, it would have to be something quite exceptional and in no way reducing the excellent protection offered to consumers in the draft proposal.</p>
<p>7 Do you have any comments on the performance monitoring process?</p>	<p>This question appears to be covered by benchmark criterion 5.11. This being so, we would like to see the first review of the performance of the scheme conducted after one year and then at two-yearly intervals thereafter.</p>

Feedback form 2: Submissions relating to specific benchmark criteria and achievement standards (question 3)

Benchmark/benchmark criteria reference	Feedback on benchmark criteria	Feedback on achievement standard
<i>Example 1.2</i>	<i>Feedback</i>	<i>Feedback</i>
1.21	We have some reservations about legal representations being allowed at all. Nevertheless, the restrictions imposed under criterion 1.20 would appear to limit the use that could be made of this provision and 1.22 means that a customer would not be financially disadvantaged if a company chose to be represented by a lawyer.	See the comments made under the benchmark criteria heading.
2.2	We disagree that the decision maker is appointed to the scheme for a fixed term.	We agree with the Commission's stand that it is not necessary for the decision maker to have a fixed term appointment.
5.11	We agree that there are regular reviews of its performance.	We feel that there should be a review after the initial year and thereafter, two-yearly reviews.
6.11	We agree that the scheme be reviewed within three years of its establishment by an independent party.	We would prefer to see the independent review taking place on a rolling three year basis instead of the proposed five yearly, after an initial three year term.