

December 2011

Lynley

Quarterly report September – December 2011

This is my second quarterly report for the Roles under the new contract format. Below is a report for both:

Dispute Resolution Adviser National Electricity Market

Dispute Resolution Adviser National Gas Rules

Summary

This is historically the quarter where a dispute will be raised if there is to be one, in the week before Christmas. There have been none this year.

Disputes in Stage 1: nil (one foreshadowed and resolved before referral)

Scheduling Errors: nil

Training: nil

Design: **face to face** consultation with billing experts re Retail support amendment disputes process

Meetings: 15 C liaisons Group meeting postponed

1. Outputs:

Finalization and draft Documentation on the processes for the Retail support amendment rules (gas)

Further updating of DMS/DMC contacts and briefings of new contacts

2 Training

With the changes that have taken place in NSW it would be good to run another overview session, similar to the one we had in Vic, in NSW. I am hopeful to do this in the first quarter.

3 Pool Update and announcements

Peter Gray has been appointed a Senior Counsel of the Victorian Bar in November 2011. Many of us have had the privilege of working with him, either as Counsel or a DRP member. For us it is confirmation of his excellence. I am sure you all join me in wishing him a warm congratulations and best wishes for this next stage in his career.

John Clarke Q.C from our NSW panel will be formally resigning on 30 December 2011. John has had a long, successful and distinguished practice. John Clarke, a Queen's Counsel, spent 14 years as a judge in the NSW Supreme Court and later worked for the Independent Commission against Corruption.

Mr Clarke's work at ICAC included an investigation into allegations the former NSW health minister Craig Knowles bullied nurses who had raised allegations of malpractice at Camden and Campbelltown hospitals. He also conducted an inquiry for the Howard government into the entitlements of veterans in 2002.

As an independent consultant John conducted mediations, expert determinations and arbitrations. He also conducted The Haneef inquiry.

John has run a number of matters as a DRP panel member and has been a source of support and advice for me over the years. His contribution particularly in the early stages of forming the processes was invaluable. On behalf of all of myself and all the DMS members I wish him a meaningful and successful retirement.

4 Consultation on the processes for the Retail Support Amendment Rules (gas and electricity)

In the last quarterly report I outlined the steps I had taken to consult on this issue.

I have now finalised a first draft of the process documentation. I have had a meeting with a number of the billing experts in the participant organisations to discuss the draft (AGL, TRUenergy and Energex).

5 Further updating of DMS contacts

Carmel Price from Ergon has recently announced that she is leaving to focus more on her photography and her personal life. Carmel has been very involved in the Regulatory framework for the market. She has also been an extremely active DMS contact and a champion of ADR. She has attended all the training and has resolved at least 2 complex and heated matters with her DMS counterparts without them escalating.

I would like to wish Carmel all the best and I hope that she continues to stay in contact.

We have continued to add and update DMS and DMC contacts. Dominique Chivers has been supportive and effective at implementing these changes promptly.

6 15 C Liaison Group (gas only)

I expect to meet with the 15C liaison group again in February and will set the next set of priorities for the next 6 months.

Sincerely

Shirli Kirschner