

## **Part 5 Relationship between distributors and retailers—retail support obligations**

### **Division 1 Preliminary**

#### **93 Application of this Part**

- (1) This Part applies to a distributor and a retailer where they have a shared customer.
- (2) Where a distributor and a retailer have a shared customer, they are respectively referred to in this Part as “the distributor” and “the retailer”.

### **Division 2 Assistance and cooperation**

#### **94 Assistance and cooperation**

- (1) The distributor and the retailer must give all reasonable assistance to each other, and cooperate with each other, in relation to the performance of their respective obligations and the enforcement of their respective rights in respect of the sale and supply of energy to shared customers under *the Law*, the Regulations, these Rules and the Retail Market Procedures.
- (2) In particular, the distributor and the retailer must each use their best endeavours to provide or make available to the other at no cost and in a timely manner information or documentation that the other reasonably requires to carry out its obligations under *the Law*, the Regulations, these Rules and the Retail Market Procedures.
- (3) The distributor and the retailer must each, on becoming aware of any material change in any of the information provided or made available in accordance with this Part, notify the other as soon as reasonably practicable of the change.
- (4) The distributor and the retailer must each take all reasonable steps to ensure that all information that it provides or makes available to the other (irrespective of whether the information is generated by a third person) under this Part is accurate and complete.

### **Division 3 Information requirements**

#### **95 Information about applicable tariffs, connection related information and other information**

- (1) This rule applies where, under a customer retail contract or customer connection contract, the retailer or the distributor is required to provide information to the other in relation to the shared customer that is held by that party (including information about applicable tariffs and connection related information).

- (2) Each party must use its best endeavours to provide the information, from time to time as occasion requires, to the other party in an up to date form, at no cost and in a timely manner to allow the other party to carry out its obligations to the customer under the relevant customer contract.

## **96 Requirements for information**

The distributor and the retailer must:

- (a) notify each other of the information referred to in and as required by this Division, except so far as they have already provided the information under the Retail Market Procedures; and
- (b) ensure that the details are at all times current.

## **97 Distributor and retailer contact details**

- (1) The distributor must provide the distributor's contact details to the retailer.
- (2) The retailer must provide to the distributor:
  - (a) the retailer's contact details; and
  - (b) the name and contact details of the retailer's *NEM Representative* (if applicable).

## **98 Contact details for customers**

- (1) The distributor must provide to the retailer a contact telephone number for:
  - (a) customer inquiries, including inquiries to obtain information about *unplanned interruptions*; and
  - (b) fault reporting by customers; and
  - (c) emergency reporting by customers.
- (2) The retailer must provide to the distributor the retailer's contact telephone number for customer inquiries.

## **99 Information on planned interruptions**

- (1) The distributor:
  - (a) must notify the retailer of *planned interruptions* and give the retailer all information that the distributor is required to give to a customer under rule 90; and
  - (b) must do so within the same time period as the distributor is required to notify the customer.

- (2) The information must include information regarding the area in which the *planned interruption* is to occur.
- (3) At the request of the retailer, and if the information is readily available, the information must include information regarding specific premises affected.
- (4) If a customer contacts the retailer about a *planned interruption* requested or proposed by the distributor, the retailer must:
  - (a) refer the customer to the distributor; or
  - (b) if the customer does not wish to contact the distributor, give the customer the information provided by the distributor under this rule.

**Note:**

This subrule is a civil penalty provision for the purposes of *the Law*. (See the National Regulations, clause 6 and Schedule 1.)

## **100 Information on unplanned interruptions**

- (1) The distributor:
  - (a) must make available to the retailer all information regarding *unplanned interruptions* due to faults or emergencies that the distributor is required to make available to a customer under rule 91; and
  - (b) must do so within the same time period as the information is required to be made available by the distributor to the customer.
- (2) The information made available by the distributor under subrule (1) is not required to distinguish between faults or emergencies affecting customers of the retailer and faults or emergencies affecting customers of other retailers.
- (3) If a customer contacts a retailer by telephone about a fault or emergency, the retailer must refer the customer to the distributor's fault enquiries or emergency telephone number.

**Note:**

This subrule is a civil penalty provision for the purposes of *the Law*. (See the National Regulations, clause 6 and Schedule 1.)

## **Division 4 Shared customer enquiries and complaints**

### **101 Enquiries or complaints relating to the retailer**

- (1) If a shared customer makes an enquiry or complaint to the distributor about an issue relating to the sale of energy, the distributor must:
  - (a) if the enquiry or complaint is made by telephone—refer the customer to the retailer's enquiry or complaint telephone number where practicable; or

- (b) otherwise, as soon as practicable, but no later than the next business day after receiving the enquiry or complaint, provide the retailer with the details of the enquiry or the complaint, including contact details of both the customer making the enquiry or complaint and the person who received the enquiry or complaint.
- (2) The retailer must respond to an enquiry expeditiously.
- (3) The retailer must resolve a complaint expeditiously and in accordance with its standard complaints and dispute resolution procedures.
- (4) The distributor must provide to the retailer on request copies of any documents or written records (including in electronic format) relating to an enquiry or complaint and provide any other assistance reasonably requested by the retailer for the purpose of responding to an enquiry or resolving a complaint.

## **102 Enquiries or complaints relating to the distributor**

- (1) If a person makes an enquiry or complaint to a retailer about an issue relating to a distribution system or customer connection services (other than a fault, an emergency, a *planned interruption* or an *unplanned interruption*), the retailer must:
  - (a) if the enquiry or complaint is made by telephone—refer the person to the relevant distributor’s enquiry or complaints telephone number where practicable; or
  - (b) otherwise, as soon as practicable, but no later than the next business day after receiving the enquiry or complaint, provide the relevant distributor with the details of the enquiry or the complaint, including contact details of both the person making the enquiry or complaint and the person who received the enquiry or complaint.
- (2) If a retailer requests a distributor to provide information about a shared customer’s energy consumption, the distributor must use its best endeavours to provide the information to the retailer at no cost and in a timely manner to allow the retailer to carry out its obligations to provide information to its customer.
- (3) The distributor must respond to an enquiry expeditiously.
- (4) The distributor must resolve a complaint expeditiously and in accordance with its standard complaints and dispute resolution procedures.
- (5) The retailer must provide to the distributor on request copies of any documents or written records (including in electronic format) relating to an enquiry or complaint and provide any other assistance reasonably requested by the distributor for the purpose of responding to an enquiry or resolving a complaint.

## **Division 5 De-energisation and re-energisation of shared customer's premises**

### **103 De-energisation of premises by the distributor**

- (1) If the distributor is entitled under the energy laws to refuse a retailer's request to de-energise a customer's premises, the distributor must promptly notify the retailer of its reasons for doing so.
- (2) If the distributor is entitled under the energy laws to de-energise a customer's premises at the customer's request, the distributor must notify the retailer of the request as soon as practicable.

### **104 Notification of de-energisation**

If the distributor de-energises a customer's premises in accordance with the energy laws, the distributor must notify the retailer of the de-energisation, and the reason for the de-energisation, as soon as practicable, except where the de-energisation is as a result of the retailer's request.

### **105 Liability for ongoing charges**

- (1) If a distributor is required to de-energise a customer's premises within the timeframes for de-energisation in accordance with a distributor service standard, and the distributor fails to do so, the distributor must (unless the failure is due to an act or omission of the customer or retailer):
  - (a) waive any network charges applicable to the premises after the timeframes expire; and
  - (b) pay charges for energy consumed at the premises after the timeframes expire, if the retailer has used all reasonable endeavours to recover the charges from the customer and has been unable to do so.
- (2) If the retailer subsequently recovers from the customer all or any part of any amount that the distributor has waived or paid, the retailer must pay that recovered amount to the distributor.

### **106 Re-energisation**

If, in accordance with the energy laws, the retailer is required to arrange for the re-energisation of a customer's premises, the retailer and the distributor must deal with the request in accordance with those energy laws.

**Note:**

This rule is a civil penalty provision for the purposes of *the Law*. (See the National Regulations, clause 6 and Schedule 1.)