GRC 0067 - COMPENSATION AND DISPUTE RESOLUTIONS FRAMEWORK

stakeholder feedback template

The template below has been developed to enable stakeholders to provide their feedback on the questions posed in the consultation paper and any other issues that they would like to provide feedback on. The AEMC encourages stakeholders to use this template to assist it to consider the views expressed by stakeholders on each issue. Stakeholders should not feel obliged to answer each question, but rather address those issues of particular interest or concern. Further context for the questions can be found in the consultation paper.

SUBMITTER DETAILS

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| **ORGANISATION:** |  |
| **CONTACT NAME:** |  |
| **EMAIL:** |  |
| **PHONE:** |  |
| **DATE** |  |

project DETAILS

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| **NAME OF RULE CHANGE [OR REVIEW]:** | Compensation and dispute resolutions framework |
| **PROJECT CODE:** | GRC0067 |
| **PROPONENT:** | The Hon. Chris Bowen M.P on behalf of the Energy Ministers’ Sub-Group |
| **SUBMISSION DUE DATE:** | 20 July 2023 |

**CHAPTER 3** – The problem in the rule change request

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| 1. WILL THE PROPOSED SOLUTION ADDRESS THE ISSUES RAISED

BY ENERGY MINISTERS?Do you consider that the proposed changes to the Rules will solve the issue(s) raised by Energy Ministers and improve the regulatory framework? Or are there other factors that would have a greater impact? |  |
| 1. SHOULD SIMPLIFICATIONS TO THE PROCESS BE INTRODUCED?
2. Should a simpler, quicker process for determining claims be available in certain circumstances? If so, what are these circumstances? How could this be achieved?
3. What considerations are relevant to the proposed process to allow claims to be joined into one process?
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| 1. SHOULD FURTHER INCENTIVES BE CONSIDERED IN CERTAIN

CIRCUMSTANCES?Should entities receive only direct costs or should further incentives, such as compensation for other costs, e.g. opportunity costs, be available in certain circumstances? If so, what should these further incentives be? What circumstances should these further incentives apply? |  |
| 1. SHOULD THE GOVERNANCE FRAMEWORK ALLOW FOR

INFORMATION REQUESTS?Should we progress Energy Ministers’ proposal to allow the body determining compensation claims to request information from third parties to support this process? Should any other changes be made to allow the body determining compensation claims to obtain the information it needs from the claimant? |  |
| 1. SHOULD COMPENSATION CLAIMS BE CAPPED?

Should there be a cap on compensation claims? If so, what form should these caps take, eg, annual aggregate, individual claims, etc? |  |
| 1. SHOULD ANOTHER EXISTING OR NEW ENTITY OVERSEE OR

DETERMINE CLAIMS?What factors should inform the AEMC’s work on the roles of the Adviser and Dispute Resolution Panel (DRP) in overseeing the compensation claims process and making determinations? |  |
| 1. WHAT ARE YOUR VIEWS OF THE COSTS AND BENEFITS OF THE PROPOSED SOLUTION?

What do you consider will be the costs and benefits of the proposed solution? If there are costs, will these be one off or ongoing? Is there anything the Commission could do in designing the rule that would help to minimise the costs and maximise the benefits? |  |
| 1. ARE THERE IMPORTANT IMPLEMENTATION CONSIDERATIONS?

Do you have any suggestions regarding the target commencement timeframes? Are there additional measures that should be considered that would support the effective implementation of the desired solution? |  |
| 1. SHOULD THE BROADER FRAMEWORKS BE ALIGNED?
2. Should the changes to the ECGS compensation framework be applied to the DWGM compensation framework?
3. Should any of these changes be made to the broader compensation and dispute resolution frameworks?
4. Are there factors that may limit the application of the changes to the ECGS framework to each of these frameworks?
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| 1. ARE THERE ALTERNATIVE SOLUTIONS THAT WOULD BE PREFERABLE?
2. Do you think there are any alternative, more preferable rule based solutions, which are more aligned with the long-term interests of consumers?
3. Are there alternative solutions that sit outside of the energy rules such as industry or jurisdictional initiatives that would better address the identified issue?
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**Chapter 4**: Making our decision

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| 1. ASSESSMENT FRAMEWORK

Do you agree with the proposed assessment framework? Are there additional principles that the Commission should take into account or are principles included here that are not relevant? |  |