

## Guidance Note – Energy Retail Code

### Guidance note 2020: 1 De-energisation (or disconnection) of premises—small customers cl109(5)(d) of the Energy Retail Code

Following a referral by the Energy and Water Ombudsman (Victoria), the commission considered the requirements of cl 109(5)(d) of the Energy Retail Code (v16). Clause 109 is contained in Part 6 of the code, titled *De-energisation (or disconnection) of premises—small customers*, and sets out the requirements for a reminder notice.

Subclause 109(5)(d) provides:

A reminder notice **must**:

- (a) ...
- (b) ...
- (c) ...
- (d) give details of how to contact the retailer in connection with a complaint or dispute.  
(Bold emphasis added)

The commission considered a reminder notice that contained a contact number for customers under headings such as ‘Need to talk?’ or ‘Can we help?’. The reminder notice did not specify that this number was available for customers to contact the retailer in connection with a complaint or a dispute.

The commission considered that the reminder notice did not comply with the mandatory requirements of clause 109(5)(d). The requirement of this clause is not only to provide a retailer’s contact number but to provide details of how a customer can contact the retailer specifically ‘in connection with a complaint or dispute’. Although no specific wording is required under clause 109(5)(d), it must be clear from the reminder notice how the customer can contact the retailer about a complaint or dispute.

Dated: 9 September 2020