

**NATIONAL CONSUMERS ELECTRICITY
ADVOCACY PANEL**

**FINAL REPORT ON GUIDELINES FOR THE APPOINTMENT OF
REPRESENTATIVES TO THE ADVOCACY PANEL**

Final determination

Following my consideration of the Draft Report, I now publish this final report, available to all consulted parties, setting out:

1. my conclusions and determinations in relation to the guidelines for appointment;
2. the reasons for those conclusions;
3. the procedure followed in considering the matter;

and, subject to any confidential issues in the responses, I will provide on request by a consulted party copies of any material submitted to me.

No responses were received to the draft report and therefore there are no issues for me to respond to.

In preparing this final report I have noted that cl 8.10.2 (e) of the National Electricity Rules (the Rules) requires the chairperson to develop and publish guidelines and terms and conditions for the appointment of representatives to the Panel. The Rules also require appointed representatives to represent certain sectors of the national electricity market – market participants, market generators, domestic end-users and business end-users.

I also note that on 15 December 2005, the Australian Energy Market Commission (AEMC) received a Rule change proposal from the Ministerial Council on Energy (MCE) regarding governance, accountability and funding arrangements for the Advocacy Panel. The proposal affects the appointment guidelines that are the subject of this report in that it removes the right of the chairperson to appoint the other members of the Panel. It also removes the requirement that members of the Panel represent particular sectors within the national electricity market.

If the Rule change is adopted I anticipate that the AEMC will develop and publish new guidelines in the future.

I have concluded that as the MCE proposal sets down how members of the Panel are to be appointed in future and is currently being considered by the AEMC, it would be inappropriate for me to make a determination at this time on guidelines for the appointment of members of the Panel under the existing Rules.

I have therefore decided not to make a determination.

The final report has been provided to the AEMC for display on its website and is published on the Panel's website.

F J Peach
Acting Chairperson
Date: 23 February 2006

Consultation Process

Call for Submissions

On 27 October 2005 the chairperson of the Panel published a notice in *The Australian* newspaper advising interested parties of new guidelines for the appointment of representatives on the Panel (attachment A).

The notice was also displayed on the Panel's website and a copy of the notice was forwarded to each organisation that had applied to the Panel for funding.

The notice called for submissions to be made by no later than 5.00 pm on 2 December 2005 i.e. at least 25 working days was provided for responses.

Submissions

No submissions were received.

Process for further consultation

On 5 December 2005, the chairperson completed his draft report which was then published. The draft report set out:

1. the conclusions and determinations of the chairperson in relation to the appointment guidelines;
2. the reasons for those conclusions;
3. the procedure followed by the chairperson in considering the matter; and
4. in a notice in the front of the draft report, an invitation to consulted parties to make written submissions to the chairperson on the draft report.

The draft report was provided to the AEMC on 12 December 2005 for publication on its website. The draft report was also published on the Panel's website.

The chairperson sought responses to his draft report by 30 December 2005 being at least 10 business days from the date the draft report was provided to the AEMC.

No responses were received.

The current acting chairperson now publishes this final report, available to all consulted parties, setting out:

1. his conclusions and determinations in relation to the appointment guidelines;
2. the reasons for those conclusions;
3. the procedure followed in considering the matter;

The final report has been provided to the AEMC for it to display on its website and is published on the Panel's website.

**National Consumers Electricity
Advocacy Panel**

New Guidelines for Appointment of Representatives on the Panel

Call for Submissions

Pursuant to cl 8.10.2(e) of the National Electricity Rules, the chairperson of the Advocacy Panel must develop and publish guidelines for the appointment of representatives to the Panel. The guidelines must be developed having regard to the need to ensure that representatives selected are capable of reflecting the viewpoints and concerns of the constituencies they represent and the need for consultation with relevant consumer organisations and industry bodies.

The chairperson has developed proposed new guidelines which are available from the Panel's website at www.advocacypanel.com.au or from the Panel's office.

Registered participants, intending participants and interested parties are invited to make written submissions to the chairperson concerning the guidelines. Submissions should be forwarded to reach the Panel's office by no later than 5 pm on 2 December 2005.

Further details and enquiries:

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