



ENERGY & WATER
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Mr Rod Sims
Chairman
Australian Competition and Consumer Commission
GPO Box 3648
Sydney NSW 2001

By email adjudication@acc.gov.au

12 June 2020

Dear Mr Sims,

**Submission to the Australian Competition and Consumer Commission (“ACCC”):
Solar Retailer Code of Conduct Review**

The Energy and Water Ombudsman (SA) Limited (“EWOSA”) welcomes the opportunity to comment on the ACCC’s consultation on the Solar Retailer Code of Conduct (“the Code”).

EWOSA is an independent Energy and Water Ombudsman Scheme in South Australia. It receives, investigates and facilitates the resolution of complaints by customers with regard to (*inter alia*) the connection, supply or sale of electricity, gas or water.

EWOSA provided a submission to the Clean Energy Council’s (CEC) recent consultation on the Code and we attach that submission to this letter. We note that our submission to the CEC focussed on the number of out of jurisdiction complaints that EWOSA receives about solar installers and draw the ACCC’s attention to this data. We believe that monitoring should be in place to determine the extent of consumer detriment which is being experienced in relation to this issue and whether additional protections are required.

Should you require further information or have any enquiries in relation to this submission, please contact Jo De Silva via jo.desilva@ewosa.com.au or phone (08) 8216 1851.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Jo De Silva'.

Jo De Silva
Policy and Communications Lead
Energy and Water Ombudsman SA

ATTACHMENT:

EWOSA Submission to CEC on Solar Retailer Code of Conduct



Mr Kane Thornton
Chief Executive
Clean Energy Council
Level 15, 222 Exhibition St
Melbourne VIC 3000

Submitted via email: codeofconduct@cleanenergycouncil.org.au

2 April 2020

Dear Mr Thornton,

Submission on the Clean Energy Council's ("CEC") Draft Consultation Solar Retailer Code of Conduct ("Draft Code")

The Energy and Water Ombudsman (SA) Limited ("EWOSA") welcomes the opportunity to comment on the CEC's Draft Code.

EWOSA is an independent Energy and Water Ombudsman Scheme in South Australia. It receives, investigates and facilitates the resolution of complaints by customers with regard to (*inter alia*) the connection, supply or sale of electricity, gas or water.

EWOSA's submission on the Draft Code relates to solar installation:

"The Code also deliberately connects the responsibility of the retailer with the obligations of accredited installers/designers, to ensure that retailers are fully accountable for the actions of any subcontracted parties. This Code aims to address identified issues that may impact on the reputation of the solar industry. These issues include:...

- Sub-standard installation work.

...To achieve its objectives, this Code addresses four broad subject areas:...

2. Post-Sale activities

- To ensure that the consumer receives a system that is installed correctly, in accordance with existing legislation, regulations, standards and guidelines."¹

¹ CEC – Solar Retailer Code of Conduct March 2020 – Consultation Draft at <https://www.cleanenergycouncil.org.au/industry/retailers/code-of-conduct-re-authorisation>

As attachment A indicates, EWOSA receive a substantial number of cases about solar installers – for the 2019/20 FY, EWOSA received 115 cases. This is our largest out of jurisdiction issue. We would like to emphasise the importance of robust dispute resolution mechanisms for the associated issues.

Thank you for consideration of this submission. Should you require further information or have any enquiries in relation to this submission, please contact Jo De Silva via jo.desilva@ewosa.com.au or phone (08) 8216 1851.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Jo De Silva', written in a cursive style.

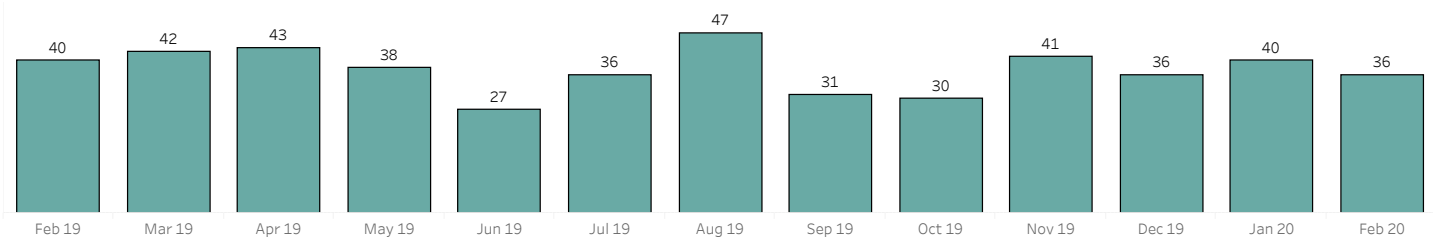
Jo De Silva
Policy and Communications Lead
Energy and Water Ombudsman SA

ATTACHMENT A

Out of jurisdiction cases for Energy and Water Ombudsman SA

Dashboard 5 - Out of Jurisdiction Cases

OOJ cases received each month



OOJ reasons

Reason	FY 2019		FY 2020			Grand Total
	Q3	Q4	Q1	Q2	Q3	
Solar Installers	22	29	29	35	19	134
Non Energy or Water	10	9	16	11	16	62
Government Agency	9	9	6	3	3	30
Interstate/Overseas	9	10	11	7	8	45
Legal Advice or Civil Dispute	5	8	14	10	2	39
Pricing Enquiry	2	4	3	4	2	15
No license/ outside license	4	1	1	1	1	7
Electrician or Gas Fitters	1	4	1	7	3	16
LPG	2	3	5	3	2	15
Credit Collection Agency		3		2		5
Issue Greater than 12 Months		2	2	1	1	6
Appliances or Internal Wiring	5	2	4	4	10	25
Case before court		3	4	1	1	9
Capital Contribution Enquiry		2	1	2		5
Battery Storage	2	3	3	2		10
Other OOJ	11	16	15	14	8	64
Total	82	108	114	107	76	487

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