

3 April 2020

Dr Annette Weier
Chief Executive Officer
Independent Competition and Regulatory Commission
PO Box 161
Civic Square ACT 2608

Dear Dr Weier,

Electricity Feed-In Tariff Code review

Evoenergy acknowledges the Commissions work in updating the Consumer Protection Code and understands the consequent need to review the draft Electricity Feed-in Tariff Code. This letter supplements previous comments provided by Evoenergy in a letter dated 17 February 2020.

On consideration of the draft code, Evoenergy provides the following comments:

1. The removal of the word 'negotiated' before contract in section 4.1(b) is acknowledged and supported by Evoenergy.
2. The deletion of subsections that quoted complaints provisions that are outlined in the Consumer Protection Code is acknowledged and supported by Evoenergy.
3. Section C (a) prescribes the role of the independent expert in the dispute resolution process and states "*The Independent Expert will act as an expert and not as an arbitrator*". Then at section H (b) states "*unless the parties otherwise agree, the Independent Expert will determine which party will bear the costs of the determination and in what proportion, having regard to the degree to which he or she considers that party was at fault or unreasonable in failing to agree to the matter under reference, and that party will bear those costs accordingly*".
Evoenergy suggests the two sections be reviewed to ensure section H (b) aligns with the intent of section C (a).

Thank you for the opportunity to provide comment on the draft Electricity Feed-in Tariff Code.

Yours sincerely



Fiona Wright
Acting General Manager