

## Utilities Exemption 2007 (No 3)

Disallowable instrument DI2007- 287

made under the

### Utilities Act 2000, s22 (Exemption)

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#### 1. Exemption

I exempt the electricity supply provider, Active Utilities Pty Ltd, from the requirement for a licence in relation to supplying electricity, upon the conditions prescribed in clause 3 of this instrument.

#### 2. Duration of licence exemption

Active Utilities Pty Ltd is exempted from the requirement to hold a utilities licence to supply electricity on behalf of Direct Factory Outlet Canberra Pty Ltd until the exemption is revoked.

#### 3. Conditions

Active Utilities Pty Ltd is exempt from the requirement for a licence in relation to supplying electricity on behalf of Direct Factory Outlet Canberra Pty Ltd on the following conditions as set out in this instrument.

- (i) That Active Utilities Pty Ltd has in place disconnection procedures that disconnection cannot occur unless:
  - a. two written notices have been served, at least seven (7) days apart;
  - b. the customer has been given at least five (5) days from the service of the second notice and a reasonable attempt has been made to contact the customer; and
  - c. the customer has failed to make and comply with a payment arrangement to pay the account that is reasonable in the financial circumstances of the customer and agreed to by Active Utilities Pty Ltd.
- (ii) Active Utilities Pty Ltd must arrange to restore supply as soon as practical, and in any event, within twenty-four (24) hours of the customer paying the account or of Active Utilities Pty Ltd accepting a payment arrangement by the customer.

- (iii) That Active Utilities Pty Ltd must have in place complaints handling procedures that include the right to have a complaint:
  - a. reviewed;
  - b. referred to a more senior employee of Active Utilities Pty Ltd; and
  - c. referred to an appropriate dispute resolution forum.
- (iv) That when it commences selling electricity to customers, Active Utilities Pty Ltd advises all customers in writing that they have the right to purchase electricity from a licensed retailer of their choice.

Jon Stanhope MLA  
Minister for the Environment, Water and Climate Change  
13 November 2007