



queensland council of social service inc

WORKING FOR A FAIR QUEENSLAND

21 April 2011

The General Manager
Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dear General Manager,

**RE: Energy Assured Ltd applications for authorisation A91258 & A91259
– draft determination**

QCOSS welcomes the opportunity to comment on the draft determination on authorisation of the Energy Assured Limited (EAL) self-regulatory scheme.

QCOSS made submissions on both the original and amended applications raising concerns about a number of issues that we believed would undermine the effectiveness of the proposed scheme. These included:

- A complaints process that does not allow consumers to make complaints about an EAL member
- Sanctions that are too weak to provide an effective deterrent against breaches of the EAL Code, or that do not reflect the seriousness of the breach
- Lack of redress for consumers when the Code has been breached
- Weaknesses in the accreditation process

We are pleased that the ACCC in its draft determination has heard our concerns about the complaints process, sanctions, and accreditation process. QCOSS agrees with the ACCC's assessment about the effect of these and other issues on the likely benefits of the proposed scheme.

Although QCOSS supports efforts to improve the standard of door-to-door energy marketing in principle, we do not believe that the EAL scheme in its current form would be capable of achieving this objective. Accordingly, QCOSS supports the ACCC's proposal to deny authorisation to the EAL scheme.

If you would like any further information or to clarify any aspect of this submission, please contact Linda Parmenter or Nadine Lester on 07 3004 6900.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Mikelsons'.

John Mikelsons
A/Director