



**Customer Service Standards  
for the Supply of Electricity  
to Permanent Residents of  
Residential Parks**

**AUGUST 2006**

(Revised July 2014)

# TABLE OF CONTENTS

<b>1. INTRODUCTION .....</b>	<b>1</b>
1.1 PREAMBLE .....	1
1.2 LEGISLATIVE FRAMEWORK .....	1
1.3 OBJECTIVES .....	1
1.4 SCOPE .....	1
1.5 DISPUTE RESOLUTION.....	2
1.6 DEFINITIONS.....	2
<b>2. GUARANTEED CUSTOMER SERVICE STANDARDS.....</b>	<b>2</b>
2.1 COMPENSATION FOR FAILURE TO SUPPLY ELECTRICITY AS AGREED.....	2
2.1.1 <i>Failure to connect supply by the agreed date</i> .....	2
2.1.2 <i>Failure to advise of Planned Interruption</i> .....	2
2.1.3 <i>Exemptions</i> .....	2
2.1.4 <i>Payment of Compensation</i> .....	3
2.2 CONTACT DETAILS.....	3
2.3 INFORMATION PROVISION .....	3
<b>3. COMMERCIAL ARRANGEMENTS FOR SUPPLY .....</b>	<b>3</b>
3.1 ELECTRICITY CHARGES.....	3
3.1.1 <i>Maximum charge per kWh</i> .....	3
3.1.2 <i>Maximum Service Availability Charge (SAC)</i> .....	4
3.1.3 <i>“Late fees” prohibited</i> .....	4
3.1.4 <i>Off-peak supply</i> .....	4
3.1.5 <i>Changes in the standing offer price for new connections</i> .....	4
3.2 CAPACITY OF ELECTRICITY SUPPLY TO SITE (IN AMPS) .....	4
3.3 BILLING ARRANGEMENTS .....	5
3.3.1 <i>Billing Period</i> .....	5
3.3.2 <i>Account Details</i> .....	5
3.3.3 <i>Receipts</i> .....	5
3.4 CONFIDENTIALITY OF ACCOUNT INFORMATION.....	5
3.4.1 <i>Disclosure of Resident Account Information</i> .....	5
3.4.2 <i>Provision of Account Information to a Resident</i> .....	5
3.5 DISCONNECTION OR DISCONTINUANCE OF SUPPLY .....	6
3.5.1 <i>Authorisation Required to Disconnect or Discontinue Supply</i> .....	6
3.5.2 <i>Circumstances where disconnection is prohibited</i> .....	6
<b>4. TECHNICAL &amp; SAFETY STANDARDS .....</b>	<b>6</b>
<b>5. RESPONSIBILITY OF PERMANENT RESIDENT .....</b>	<b>6</b>
<b>6. MISCELLANEOUS.....</b>	<b>7</b>
6.1 CONCESSIONS AND REBATES.....	7
6.3 DISCONNECTION OF PARK OWNER.....	7
<b>DICTIONARY .....</b>	<b>8</b>

## 1. INTRODUCTION

### 1.1 Preamble

*Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks* (the Document) specifies minimum customer service standards to be met by residential park owners who supply electricity<sup>1</sup> to permanent residents.

This Document applies as prescribed by the Residential Parks Regulation 2006 as specified by section 37 (6) (b) of the *Residential Parks Act 1998*.

### 1.2 Legislative Framework

Under the National Energy Retail Law, most park owners who sell metered energy to permanent residents of residential parks are classified as 'exempt sellers'. Exempt sellers have a range of obligations to their customers as conditions of their exemption. These conditions are based on the obligations of authorised retailers and vary according to the specifics of a seller's operations.

The terms under which park owners can supply electricity to permanent residents are:

- (a) the residential premises must be separately metered; and
- (b) the park owner must provide connection services, or supply electricity, to the premises in accordance with any agreement with the resident relating to occupation of the premises; and
- (c) the maximum amount that may be charged for the supply of electricity during a particular period must not exceed the standing offer price that would be charged by the relevant local area retailer for new connections, if the local area retailer were to supply that quantity, or estimated quantity, of electricity to the premises.
- (d) the park owner is bound by, and must comply with, any decision of the Energy and Water Ombudsman (EWON) in relation to a complaint or dispute relating to the provision of connection services or the supply of electricity.

*Note: Every attempt has been made to ensure that this Document is consistent with the provisions of relevant legislation. Should any inconsistencies become apparent between the requirements of this Document and the provisions of the legislation, the legislation prevails.*

### 1.3 Objectives

The objective of this Document is to provide permanent residents of residential parks who are supplied with electricity by the park owner with similar customer service standards as those provided to electricity customers in New South Wales who are supplied directly by a local area retailer.

### 1.4 Scope

The *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks* provides minimum customer service standards for the supply of electricity to permanent residents by park owners where supply is separately metered

---

<sup>1</sup> See definition in Dictionary

as required by legislation, and for which the resident has agreed to pay<sup>2</sup> and for which the resident is separately charged.

Where a permanent resident is a direct customer of an authorised electricity retailer the conditions of the retailer's contract with the resident will apply, not this Document.

### *1.5 Dispute Resolution*

Permanent residents and park owners may make an application to the NSW Civil and Administrative Tribunal (NCAT) regarding any dispute arising under a residential tenancy agreement relating to the supply of electricity under this Document.

Where the dispute relates to the supply of electricity by the park owner, a resident may, if attempts to resolve the dispute with the park owner have been unsuccessful, make application to the Energy and Water Ombudsman (NSW) Ltd (EWON) for investigation of the complaint.

### *1.6 Definitions*

Definitions of terms used in this Document can be found in the Dictionary.

## **2. GUARANTEED CUSTOMER SERVICE STANDARDS**

The park owner guarantees to provide a standard of customer service as established in this Document.

### *2.1 Compensation for failure to supply electricity as agreed*

#### **2.1.1 Failure to connect supply by the agreed date**

The park owner will arrange the connection of electricity supply to the moveable dwelling by the date agreed between the parties. If the park owner fails to connect the electricity by the agreed date, the park owner will compensate the resident for the delay, by giving compensation of \$60 per day for each day after that date until the date the connection is actually provided, up to a maximum of \$300.

#### **2.1.2 Failure to advise of Planned Interruption**

The park owner will provide at least two business days notice of any planned interruption to the electricity supply. If the park owner:

- fails to provide at least two business days notice of the interruption, or
- interrupts the supply for longer than the time indicated in the notice

then the park owner will pay each affected permanent site \$20 compensation for the interruption of supply.

#### **2.1.3 Exemptions**

Compensation is not payable if the failure to supply arises from the need to carry out emergency work, or otherwise from circumstances beyond the control of the park owner.

---

<sup>2</sup> see section 37 *Residential Parks Act*

#### **2.1.4 Payment of Compensation**

Any compensation which the park owner is required to pay a permanent resident under this Document will be deducted from the next electricity bill. If the amount of compensation the park owner is required to pay is greater than the amount of the bill, the difference will be credited and shown on the following electricity bill or bills until the amount of compensation is exhausted. The resident has the option of applying to NCAT for immediate payment of the balance of the compensation amount.

### **2.2 Contact Details**

The park owner will provide:

- a mechanism or facility that operates 24 hours a day, 7 days a week to receive notice of urgent faults and difficulties with the electricity supply, and
- a mechanism or facility that operates during business hours to receive queries and give information concerning resident's electricity accounts and connection services.

The cost to the resident of accessing either of these mechanisms must be either the incremental cost to the park owner of providing access to the mechanism or the cost of a local telephone call, whichever is the lesser.

### **2.3 Information Provision**

The park owner will advise residents at the commencement of their tenancy or on request of:

- dispute resolution procedures provided for under this Document, including the resident's right of access to EWON
- any payments arrangements for electricity, operated by the park owner including payment plans such as payment by instalments in cases of arrears or payment difficulties
- how to obtain information on Government rebate schemes.

## **3. COMMERCIAL ARRANGEMENTS FOR SUPPLY**

### **3.1 Electricity Charges**

Where the park owner supplies electricity to the resident and the resident has agreed to pay for electricity, two types of charges can be made: a charge for electricity consumption expressed as a cost per kilowatt hour (kWh) of electricity consumed, and a service availability charge expressed as a cost per day that electricity is supplied. The conditions under which these charges can be made are as follows.

#### **3.1.1 Maximum charge per kWh**

The charge for electricity consumption, expressed as a price per kilowatt hour (kWh), can be no more than the standing offer price that would be charged by the relevant local area retailer for new connections, if the local area retailer were to supply that quantity, or estimated quantity, of energy directly to the premises of the resident.

### 3.1.2 Maximum Service Availability Charge (SAC)<sup>3</sup>

Many of the costs in supplying electricity to retail customers are fixed, such as the cost of providing access to the network infrastructure. The service availability charge (SAC) recovers these fixed costs and ensures all customers contribute to the overall cost of making the supply of electricity available.

Where electricity is supplied to the park resident by the park owner, the park owner may charge the SAC at a rate no greater than that charged by the relevant local area retailer, except where electricity is supplied to the park resident's site at a rate of less than 60 amps. Where supply is less than 60 amps, the maximum rate for the SAC is according to the following table:

<b>Level of Supply to Site</b>	<b>Maximum level of SAC</b>
less than 20 amps	20% of relevant local area retailer's SAC
20-29 amps	50% of relevant local area retailer's SAC
30-59 amps	70% of relevant local area retailer's SAC
60 amps or more	100% of relevant local area retailer's SAC.

### 3.1.3 "Late fees" prohibited

The charging of a "late fee" for an electricity account which is not paid in full by the due date is not permitted.

### 3.1.4 Off-peak supply

Where the park owner offers residents off-peak supply, the charge for off-peak electricity consumption, expressed as a price per kilowatt hour (kWh), can be no more than that which would have been charged by the relevant local area retailer for new connections, if the local area retailer were to supply that quantity, or estimated quantity, of energy directly to the resident's premises.

### 3.1.5 Changes in the standing offer price for new connections

Increases in the price paid by residents for electricity are only possible if the park owner has provided residents with advance notice of the increase. Notice may be given by affixing the relevant information to the park notice board.

Where there is a change in the standing offer price of the relevant local area retailer for new connections during a metering period, the amount payable by a resident cannot increase until notice of the increase has been given to the resident in accordance with this section. The increased rate shall only be payable from the date on which the notice was given.

## 3.2 Capacity of electricity supply to site (in amps)

The park owner will advise the permanent resident at or before the commencement of the tenancy agreement of the level of power available to the site.<sup>4</sup>

<sup>3</sup> also called the network access charge or the system access charge

<sup>4</sup> as required in the standard form residential site agreements, Residential Parks Regulation 1999

### 3.3 *Billing Arrangements*

#### 3.3.1 **Billing Period**

It is preferable that the meter for each permanent site should be read and bills issued to residents no more frequently than rent is paid and no less frequently than quarterly, unless an alternative billing cycle is agreed between the park owner and resident.

#### 3.3.2 **Account Details**

The *Residential Parks Act* requires that within seven days of the end of the agreed meter reading period the park owner will provide each permanent site occupant with an account for that meter reading period. For each permanent site the park owner shall maintain records<sup>5</sup> of the following:

- site number
- name of the permanent resident
- date of the account
- date of the meter reading
- present meter reading (in kWh)
- previous meter reading (in kWh)
- days in the meter reading period
- calculation of charges showing the total consumption and appropriate rates,
- total amount payable, and
- capacity of supply to the site (in amperes).

The park owner will also maintain records in respect of any other fees (such as a security deposit) charged in relation to the supply of electricity.

#### 3.3.3 **Receipts**

The park owner shall provide to each permanent resident a receipt for any amount paid to the park owner for electricity. Either a separate receipt must be provided or payment for electricity must be identified separately on the rent receipt.<sup>6</sup>

### 3.4 *Confidentiality of Account Information*

#### 3.4.1 **Disclosure of Resident Account Information**

Except as required by law, the park owner may not disclose any information relating to a resident's electricity account to any person other than the resident, unless the park owner receives the resident's written consent.

#### 3.4.2 **Provision of Account Information to a Resident**

The resident may ask the park owner to provide the resident with any of the resident's account information which is held by the owner. The park owner must provide that account information, free of charge, within a reasonable time of being asked.

---

<sup>5</sup> section 37(3) of the *Residential Parks Act 1998*

<sup>6</sup> Section 37(1) (c) of the *Residential Parks Act 1998*

### 3.5 Disconnection or Discontinuance of Supply

#### 3.5.1 Authorisation Required to Disconnect or Discontinue Supply

A park owner can only become authorised to disconnect or discontinue supply to a park resident who is supplied electricity under a residential tenancy agreement by order of NCAT. Should a park owner become authorised to disconnect<sup>7</sup> electricity supply to a resident, the park owner cannot proceed with disconnection unless the resident has been given at least 14 days written notice of the intention to disconnect and the reason for disconnection

#### 3.5.2 Circumstances where disconnection is prohibited

A park owner must not disconnect or cease energy supply to a resident's premises where:

- a person residing at the resident's premises requires life support equipment that depends on energy for its operation, or
- an application has been made by or on behalf of the resident for assistance to an organisation responsible for a rebate, concession or relief available under any government or non-government funded energy charge rebate, concession or relief scheme and a decision on the application has not been made, or
- the resident has made a complaint directly related to the proposed reason for disconnection or cessation of supply to the park owner, EWON or another relevant external dispute resolution body and the complaint remains unresolved, or
- the disconnection or cessation of supply would occur on:
  - a business day before 8am or after 3pm, or
  - a Friday or the day before a public holiday, or
  - a weekend or a public holiday, or
  - the days between 20 December and 31 December (inclusive) in any year.

## 4. TECHNICAL & SAFETY STANDARDS

The park owner is responsible for maintaining the park's electrical installation, other than the electrical installation within premises owned by the permanent resident.

The park owner must comply with all appropriate legislation and the appropriate technical and safety standards for the electrical installation.

## 5. RESPONSIBILITY OF PERMANENT RESIDENT

The permanent resident is responsible for notifying the park owner of any electrical defects of which the resident becomes aware, including any damage or tampering with metering equipment.

Where the moveable dwelling is owned by the permanent resident, the resident is responsible for keeping electrical wiring and equipment within the dwelling in a safe condition.

---

<sup>7</sup> disconnection includes any method which causes the discontinuance of supply to the site

## **6. MISCELLANEOUS**

### ***6.1 Concessions and rebates***

Where a resident is eligible to receive a government or non-government energy rebate, concession or assistance under a relief scheme, the park owner must not hinder a resident's attempts to establish eligibility.

If the government or non-government energy rebate, concession or assistance under a relief scheme can only be claimed by the park owner on behalf of the resident, the park owners must use their best endeavours to make a claim and, if successful, they must apply the rebate, concession or assistance to the resident's bill.

### ***6.2 Life support customers***

Where a resident provides the park owner with confirmation from a registered medical practitioner that a person residing at the resident's premises requires life support equipment, the park owner must:

- advise the park owner's authorised retailer and distributor that a person residing at the premises requires life support equipment, and
- provide the park owner's authorised retailer and distributor with any relevant information about the premises for the purposes of updating their records and registers.

The park owner must maintain records of any residents who have life support equipment that depends on energy for its operation on their premises.

### ***6.3 Disconnection of Park Owner***

The park owner, on receiving notice that the residential park is to be disconnected from the distribution system, for whatever reason, must immediately give written notice of this, including the intended time and date of disconnection, to all residents of the park who will be affected by the disconnection.

The requirement that a resident be given written notice is a requirements that the resident be given notice in writing either personally or by post. If previously agreed between the resident and the park owner, the resident may be given written notice by personal e-mail or facsimile transmission.

## DICTIONARY

**For the purposes of this Document, terms used in the Document take the following meaning**

- *amps* means amperes
- *business day* means a day that is not a Saturday, Sunday or public holiday
- *Document* means the *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*
- *electrical installation* has the same meaning as in the *Electricity (Consumer Safety) Act 2004*.
- *EWON* means the Energy and Water Ombudsman NSW.
- *licensed electricity retailer* means a retailer, licensed by the NSW Minister for Energy under the *Electricity Supply Act 1995*, as a retail supplier of electricity
- *local area retailer* means the nominated local area retailers, as defined by the National Energy Retail Law (Adoption) Regulation 2013.
- *manufactured home* means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes a toilet and laundry facilities) being a dwelling:
  - a) that comprises one or more major sections and
  - b) that is not a registrable vehicle within the meaning of the *Road Transport (Vehicle Registration) Act 1997* and
  - c) includes any associated structures that form part of the dwelling
- *moveable dwelling*<sup>8</sup> means:
  - a) any caravan or other van or other portable device (whether on wheels or not) other than a tent, used for human habitation, or
  - b) a manufactured home, or
  - c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition
- *NCAT* means the NSW Civil and Administrative Tribunal.
- *park owner* means the person who entered into the residential tenancy agreement or residential site agreement with the permanent resident, and includes the person's heirs, executors, administrators and assigns, or park owner as otherwise defined by the *Residential Parks Act 1998*
- *permanent resident* or *resident* means a person occupying a site or dwelling in a residential park under a residential tenancy agreement or residential site agreement, as the person's principal place of address, or as otherwise defined by the *Residential Parks Act 1998*
- *residential park* has the same meaning as in the *Residential Parks Act 1998*, namely:
  - a) a caravan park (that is, land, including a camping ground, on which caravans, or caravans and other moveable dwellings, have been, are or are to be placed, installed or erected) or
  - b) a manufactured home estate (that is, land on which manufactured homes have been, are or are to be placed)
  - c) whether or not the caravan park or manufactured home estate is the subject of approval under the *Local Government Act 1993*

---

<sup>8</sup> see *Residential Parks Act 1998* and Regulations

- *site, permanent site or dwelling site* means an area of land within a residential park on which a moveable dwelling may be installed and which is allocated for use by a permanent resident
- *standing offer price* has the same meaning as in the *National Energy Retail Law (NSW)*.
- *supply of electricity* means the supply of electricity to a permanent resident by a park owner, such supply being separately metered as required by legislation, and for which the resident has agreed to pay (see section 37 *Residential Parks Act*) and for which the resident is separately charged