

**QUEENSLAND  
COMPETITION  
AUTHORITY**

Our Ref: Gary Henry  
Direct Line: 07 3222 0504  
File Ref: 222222

24 July 2008

Mr Terry Effeney  
Chief Executive Officer  
ENERGEX Limited  
GPO Box 1461  
Brisbane Qld 4001

Dear Mr Effeney

**Warning Notice under the Electricity Industry Code**

I refer to your letter dated 30 June 2008 and our correspondence to date regarding the Electricity Industry Code (the Code) and the disconnection of premises under clause 5.7 of the Code.


Based on our correspondence, ENERGEX has indicated that it has failed to meet requests for disconnections for domestic move-outs on approximately 14,000 occasions over the months of April and May 2008.

In light of this information and having regard to s120G of the *Electricity Act 2004* (Qld) (the Act), the Authority considers that, at least from April 2008, ENERGEX has been, and continues to be, in material contravention of its obligation to meet valid service order requests for disconnections under clause 5.7 of the Code.

Therefore, the Authority is issuing ENERGEX with the attached warning notice pursuant to s120S of the Act.

The Authority believes that the steps ENERGEX is required to undertake, within the warning period, to avoid future breaches of the Code are to propose a remedial plan setting out the actions and timeframes to achieve compliance for approval by the Authority and then undertake to comply with the approved plan.

Yours sincerely



EJ Hall  
Chief Executive

**Warning Notice under section 120S of the *Electricity Act 1994* (the Act)**

**Issued to ENERGEX Limited**

**24 July 2008**

***Particulars of contravention***

The Queensland Competition Authority (the Authority) considers that ENERGEX has been, and is likely to be, in material breach of clause 5.7.3 of the Electricity Industry Code (the Code) by:

- (a) failing to meet a significant number of standard service order requests for disconnection over the months of April and May 2008; and
- (b) failing to meet future requests,

within the timeframe specified by the Code.

***Required action***

The Authority proposes to issue EXERGEX with a code contravention notice under s120V of the Act unless ENERGEX:

- (a) takes steps reasonably necessary to remedy the contravention or avoid the likely contravention; and
- (b) gives the Authority a written assurance that it will:
  - (i) avoid any similar future contravention; and
  - (ii) take steps reasonably necessary to avoid a future recurrence of the contravention.

***Warning Period***

The Warning Period is [30] business days from the date of this notice.

***Right to make submissions***

ENERGEX, may within the Warning Period provide written submissions to the Authority showing why the proposed code contravention notice should not be given.

[REDACTED]

EJ Hall  
Chief Executive

