

IN THE WESTERN AUSTRALIAN ELECTRICITY REVIEW BOARD

No.1 of 2019

B E T W E E N :

ECONOMIC REGULATION AUTHORITY

Applicant

and

ELECTRICITY GENERATION AND RETAIL CORPORATION TRADING AS
SYNERGY

Respondent

PROGRAMMING ORDERS

Date of Document: 22 November 2022

Place: Perth

The Electricity Review Board orders and directs that:

1. The Respondent do have liberty, 2pm (Perth time) on 24 November 2022, to file and serve submissions and affidavit material in relation to the version of the redacted Decision provided to the parties on 20 November 2022.
2. Publication of the declaration be deferred until after the extent of the redactions has been finalised.
3. By 4.00pm on 16 December 2022, the parties:
 - a. provide to the Board proposed final orders;
 - b. file any statement of agreed facts and admissions which identifies any agreed facts as to penalty and other relief; and
 - c. file any joint written outline of submissions in support of the proposed final orders.

4. The parties confer and liaise with the Board regarding a hearing date in the event that a statement of agreed facts and a joint written outline of submissions is filed pursuant to order 3 by 4.00pm on 16 December 2022.
5. In the event that a statement of agreed facts and a joint written outline of submissions are not filed pursuant to order 3 by 4.00pm on 16 December 2022, the following orders will apply.

Evidence

6. By 4.00pm on 23 February 2023, the Applicant file any evidence, including expert evidence, on which it intends to rely at the hearing on penalties and other relief.
7. By 4.00pm on 23 March 2023, the Respondent file any evidence, including expert evidence, on which it intends to rely at the hearing on penalties and other relief.
8. By 4.00pm on 6 April 2023, the Applicant file and serve any responsive evidence.
9. By 4.00pm on 14 April 2023, the parties notify each other of any documents they intend to tender at the hearing.

Objections to evidence

10. By 4.00pm on 20 April 2023, the parties provide to each other any objections to evidence (including documents proposed to be tendered).
11. By 4.00pm on 27 April 2023, the parties provide to each other responses to any objections to evidence.
12. By 4.00pm on 3 May 2023, the parties file documents that set out any objections to evidence that are pressed and responses to those objections.

Hearing book

13. By 4.00pm on 5 May 2023, the Applicant deliver to the Board and the respondent a hearing book, the content and format of which will be agreed between the parties.

Submissions

14. By 4.00pm on 11 May 2023, the Applicant file and serve a written outline of submissions.

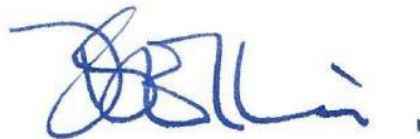
15. By 4.00pm on 25 May 2023, the Respondent file and serve a written outline of submissions.

Hearing

16. The issues of penalties and other relief be listed for hearing commencing on a date after 29 May 2023 to be fixed after conferral with the parties on an estimate of 1 day.

Ongoing constitution of the Board

17. The Board notes that Ms McMahon will shortly resign from the Board and become unable to continue with the proceedings. I determine pursuant to s 51(3) of the *Energy Arbitration and Review Act 1998* that Mr Harding and I will continue and complete the proceedings.



Presiding Member
Electricity Review Board