

## Fact sheet

### *Tasmanian Economic Regulator's Consultation Policy*

---

The Tasmanian Economic Regulator (the Regulator) acknowledges that community and industry engagement is a vital part of its approach to the regulation of entities across a range of industries.

The Regulator encourages interested parties, including members of the public, to participate in its consultation activities. Submissions can provide important insights, views and feedback that will inform the Regulator in its decision-making process.

#### **When and on what does the Regulator undertake consultation?**

As part of its responsibilities, the Regulator will often consult and seek feedback on decisions that affect the interests of the businesses that it regulates, consumers and others. Most frequently, the Regulator will consult during the conduct of its pricing investigations, when considering licencing applications or amendments, or when it is revising its codes or guidelines.

#### **How does the Regulator conduct consultation?**

The Regulator generally posts current consultation opportunities on the Office of the Tasmanian Economic Regulator (OTTER) website at [www.economicregulator.tas.gov.au](http://www.economicregulator.tas.gov.au). In some instances, notices regarding consultations will be published in local newspapers or in the Tasmanian Government Gazette. The Regulator may also contact interested parties directly.

The Regulator usually allows interested parties a minimum of 21 days to prepare and provide a submission. However, the Regulator determines the consultation period on a case-by-case basis to ensure it is of sufficient length to allow interested parties to prepare informed submissions, and it will sometimes decide that a longer period is appropriate.

While most consultation processes are by means of the publication of a consultation document seeking written submissions, in some instances the Regulator will conduct public hearings, hold workshops to explore subject matter in greater depth, establish focus groups or request advice from specialist bodies and consultants. The appropriateness of the Regulator's consultation approach will depend on the issue(s) under consideration, the nature of the parties being consulted, and the time available for the consultation process.

#### **How can you make a submission?**

The Regulator generally prefers that submissions be in writing and provided by way of e-mail to [office@economicregulator.tas.gov.au](mailto:office@economicregulator.tas.gov.au). However, if a submission in writing is not possible, the Regulator encourages you to contact OTTER to discuss alternative options.

## **Will your submission be published?**

In the interest of transparency, all submissions provided as part of a consultation process will be published on the OTTER website, unless the person providing the submission considers the submission, or part of the submission, to be confidential. If you claim confidentiality with respect to your submission, you must provide reasons to the Regulator in support of that claim.

For consultations related to the electricity supply and gas industries, you must explain the potential impact of disclosing the information on your competitive position, or the commercially sensitive nature of the information

For consultations related to the water and sewerage industry, you must demonstrate that disclosing the information would cause detriment to you or to the person from whom you received that information, and that the detriment would outweigh any public benefit to be gained from the disclosure.

If the Regulator does not accept your reasons for claiming confidentiality, you will be given the option to withdraw your submission.

It is important to note that material that the Regulator accepts as confidential may be accorded less weight in the Regulator's decision-making process than material that is published.

Further information regarding claiming confidentiality may be found in the *Consultation Policy and Procedures of the Tasmanian Economic Regulator Guideline* located on the OTTER website.

In addition, the Regulator will not publish material that it considers to be potentially derogatory or defamatory.

## **What happens next?**

Following the close of a consultation period, the Regulator will consider all submissions received and, where relevant, incorporate feedback into its decision-making process. The Regulator's decisions will generally be published on the OTTER website. The Regulator will also provide written notification of its decision(s) to those parties that provided submissions.

## **Further assistance**

Any further enquiries on the consultation procedures of the Regulator may be directed to OTTER staff by way of telephone (03) 6145 5899 or e-mail at [office@economicregulator.tas.gov.au](mailto:office@economicregulator.tas.gov.au).