



# Commission for Energy Regulation

## Energy Customers Team

### Annual Report for 2011

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CER-13-095



***To: Mr. Pat Rabbitte, T.D. Minister for Communications, Energy and Natural Resources***

In accordance with the requirements set out in S.I. 452 of 2004 and S.I. 60 of 2005, which were replaced in September 2011 by SI 463 of 2011, the Commission is pleased to present its third report on the number and type of complaints received from customers, their resolution and the service levels provided by suppliers in respect of the period 1<sup>st</sup> January 2011 to 31<sup>st</sup> December 2011.

This report also outlines the additional activities of the Commission's Energy Customers Team during 2011.

Dermot Nolan  
Chairperson

## **Foreword**

The Commission's Energy Customers Team has a number of functions with respect to consumer protection. It is responsible for providing an independent complaints resolution service, monitoring the way in which suppliers operate and also setting minimum guidelines for suppliers to follow in relation to particular aspects of their business. Within the Commission the Energy Customers Team (ECT) is also the first point of contact for domestic and small business customers either directly or via the [www.energycustomers.ie](http://www.energycustomers.ie) website.

The main focus for the ECT in 2011 was the management of customer contacts and dispute resolution. During 2011, the ECT spoke with or corresponded with almost 2700 customers in relation to their queries and complaints about the energy industry. Of those customers, 415 had complaints that required formal dispute resolution including full investigation involving a supplier or network operator. Following full investigation 52% of cases referred to the ECT were upheld. More detail on type of contacts we received are examined by relevant supplier, category type and outcome in the body of this report

In addition to the provision of information in response to queries and investigation of complaints, the ECT remit also covers monitoring the behaviour of the suppliers and network operators and responsibility for developing guidelines, where needed, to improve the levels of service to customers.

As the ECT has seen sustained increases in the number of customers making contact on a daily basis, the key priority in 2012 for the ECT is the management of ongoing customer contact.

Dermot Nolan  
Chairperson

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## **1. Introduction**

This report summarises the work undertaken by the Commission's Energy Customers Team (ECT) in 2011. The ECT was established in 2006 to provide a complaint resolution and information service directly to small business and domestic customers. Since its establishment the ECT has worked to make information more freely available to electricity and natural gas customers and to assist customers who experience difficulties within the market. Included in this report are details on the type of work the ECT carried out during 2011 and of the number and types of complaint dealt by the ECT in 2011.

### **1.1. The Role of the Commission for Energy Regulation & the Energy Customers Team**

The Commission has a statutory responsibility to provide a complaint resolution service to customers with an unresolved dispute with their supplier or network operator. The ECT provides this service in a transparent, free and easy to use way for domestic and small business customers. When a customer has completed their supplier or network operator's internal complaint process, and is still not satisfied that their complaint has been adequately considered, the ECT will investigate the matter on their behalf. Following investigation, the Commission has the power to direct suppliers and network operators to award compensation or to resolve the complaint in a set fashion if the customer's complaint is upheld.

In addition, the ECT website, [www.energycustomers.ie](http://www.energycustomers.ie) provides clear information to empower customers to make informed choices as competition develops in the energy markets. It includes information on how to switch suppliers, energy suppliers' Codes of Practice and also explains how to handle problems with bills, connection to the electricity or natural gas network and other energy supply related issues. If a customer cannot find the information they are looking for on the website they can contact the ECT by phone, email or in writing and the ECT will provide a response directly.

As well as responding to customer queries and complaints, the ECT uses information gained through its investigations to provide input to industry policy development and to raise consumer issues with suppliers and network operators for the long term benefit of the electricity and gas markets.

### **1.2. The Structure of the Energy Customers Team (ECT)**

The ECT is part of the Commission's Safety and Customer Affairs Division. By the end of 2011 the team consisted of 1 Manager, 1 Analyst, 2 Customer Complaints Co-ordinator and 1 Customer Complaints Administrator.

## 2. Operational Work

The operational work of the ECT is carried out over the phone, by email and in writing. In 2011, 2770 customers made contact with the ECT to raise a complaint or to request information or advice regarding the natural gas and electricity markets.

Of these, 1512 made initial contact over the phone, with 1258 customers choosing to raise their issue in writing by email, fax or letter. While the ECT handles queries over the telephone, customers who wish to forward a complaint for formal investigation must put their complaint in writing.

Following initial customer contact with the ECT, in order to best manage customer contacts, each contact is categorised by the ECT. In 2011 the ECT logged contacts under seven categories:

1. Return to Supplier – This type of contact is from a customer who has either mistaken the Commission for their supplier or who has contacted the Commission for advice regarding their complaint prior to completing their supplier’s complaints handling process. In these cases the ECT would talk through the complaint with the customer and go through the process they need to follow with their supplier. The customer would also be advised of the Commission’s complaint handling process should they need to refer their complaint for investigation at a later stage.
2. Refer to Third Party – From time to time a person may contact the Commission regarding an issue outside the Commission’s remit. In these instances the person would be referred to the most appropriate body for their issue.
3. Information Requests – These contacts generally involve customers asking for information on aspects of how the market works.
4. Standard Complaints – These are complaints which are forwarded to the Commission which do not necessarily require investigation as they may be in relation to a policy decision or a tariff decision. In these cases, while the customer may have a valid complaint to make, an investigation is not necessary to establish the root cause of the problem.
5. Complex Complaints – These are complaints formally sent to the Commission against a supplier or network operator which require full investigation. Prior to investigation a customer must have completed their supplier or network operator’s full complaints handling process.
6. Switching Complaint – From time to time a person may contact the Commission stating their electricity or gas account was moved without their permission or as a result of mis-selling. In these instances the Commission raises a complaint or requests

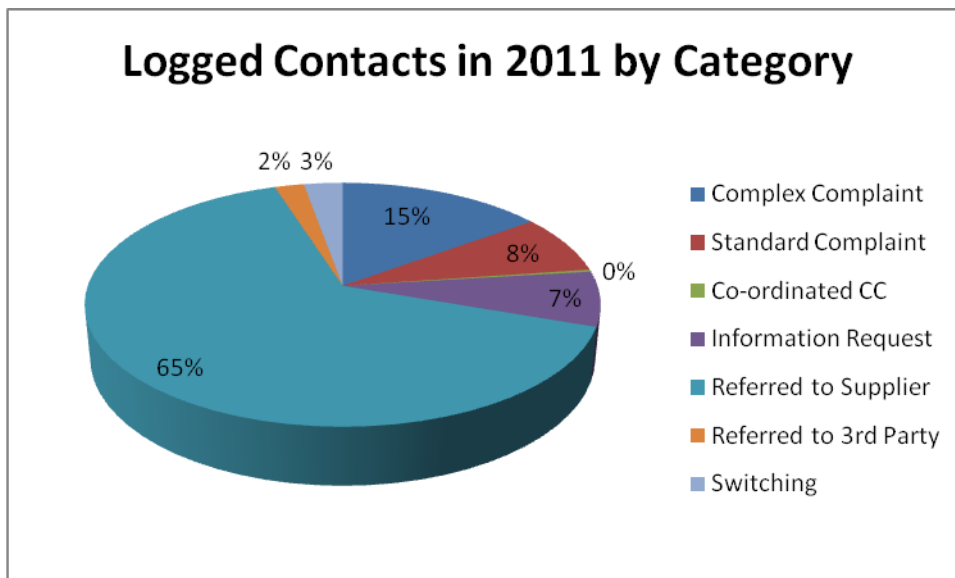
information or advice regarding the natural gas and electricity markets. The ECT launches an immediate investigation and contacts the supplier in order to establish the facts of the case. Priority is given to returning these customers to their original suppliers.

7. Coordinated Complex Complaints – These are complaints which are received by the Energy Customers ECT but investigated and followed up by another team within the Commission. These are usually complaints received from large industrial customers as the Energy Customers ECT is geared to domestic and smaller business customers.

**Table I: Contact Category & Number of Contacts Logged 2011 v.s. 2010**

Contact Category	2011	2010
Complex Complaint	415	231
Co-ordinated Complex Complaint	8	8
Standard Complaint	216	342
Information Request	201	287
Refer to 3 <sup>rd</sup> Party	59	63
Return to supplier	1793	999
Switching	78	0
<b>Total</b>	<b>2770</b>	<b>1930</b>

**Graph I: Contacts Logged in 2011 by Category**



## Accessing the ECT Service

While there were 2770 customer contacts in 2011, it is worth remembering that this represents only a small percentage of the total customers supplied with electricity and natural gas. It is essential that customers can access the service offered by the ECT when they need to escalate a complaint or they require information. The ECT provides energy customers with a one-stop-shop for decisions on unresolved complaints and information about the energy industry. To ensure that customers can access the ECT service, suppliers are required to include contact details for the ECT on the back of their bills.

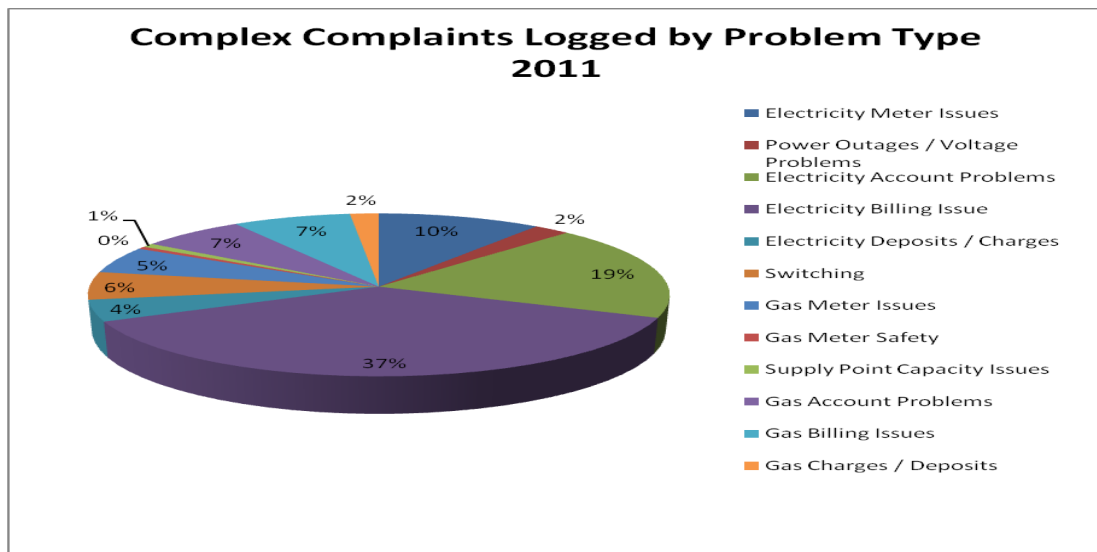
### 2.1. Complex complaints

While complex complaints account for only 15% of contacts logged in 2011, they make up the majority of the ECT case workload. By their nature they require close scrutiny and a number of contacts with the complainant, the relevant utility operator, and in some cases 3<sup>rd</sup> parties, before a final adjudication on the matter in dispute is made.

In 2011 the ECT logged 415 complex complaints. This showed a significant increase of 79% when compared to 2010. Of the complaints logged, electricity billing, which accounted for 37% of the complaints raised, was the biggest issue facing customers. Billing complaints generally refer to issues such as direct debits being deducted inappropriately, calculations being incorrect and bills being unexpectedly large. Billing complaints also account for the largest category of gas related complaints.

Meter issues in gas and electricity accounted for 15% of complex complaints investigated in 2011. These complaints usually require a meter to be tested to ensure that it is functioning correctly and they arise when a customer receives a very large bill that is out of line with previous estimates and cannot be explained by meter reading history at the property or a change in consumption behaviour.

**Graph II: Complex Complaints Logged by Type in 2011 as Percentage**

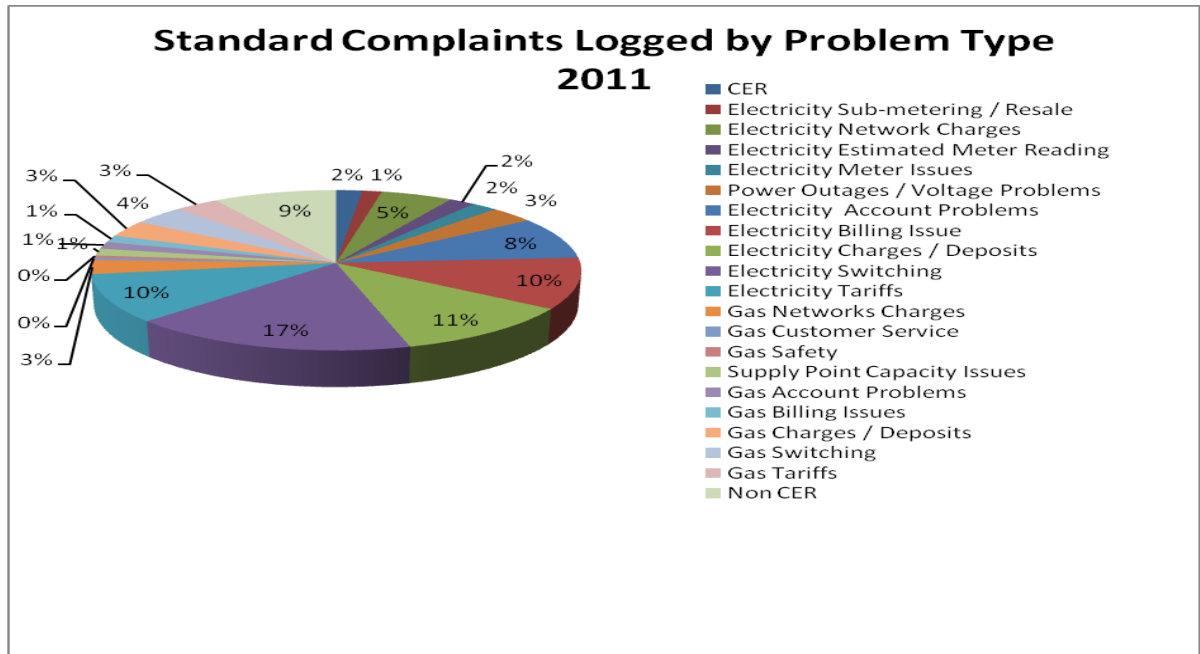


## 2.2. Standard complaints

Standard complaints are referred to the ECT by customers who are unhappy with a general practice or a decision that has been made. In general, the majority of these complaints can be addressed quickly as no investigation is required prior to issuing a response. This type of contact includes complaints regarding deposits, estimated meter readings, fees for disconnection or reconnection, fees for initial network connections, and complaints regarding Commission decisions. The ECT aims to respond to these contacts within five days of receipt.

The ECT received 216 standard complaints in 2011. It can be seen in the chart below that switching and electricity charges accounted for the highest number of standard complaints. This reflects the pattern seen in complex complaints, with electricity customers making up the majority of the ECT's contacts.

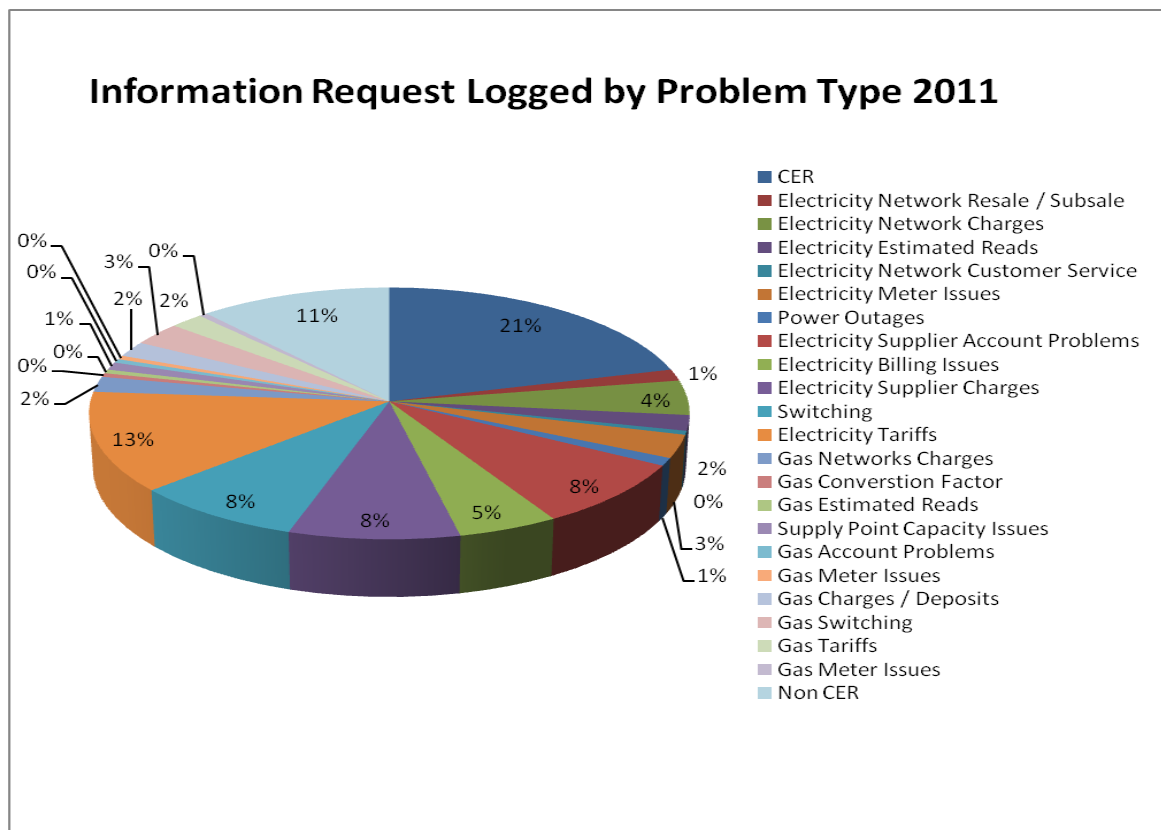
**Graph III: Standard Complaints Logged by Type in 2011 as Percentage**



### 2.3. Information Requests

As well as assisting customers who are experiencing difficulty with their supplier or network operator, the ECT provides information directly to customers on a wide range of topics. The ECT received 201 direct requests for information in 2011. The requests received varied greatly and ranged from requests for CER Papers or CER policy decisions, supplier contact details, information on specific tariffs, details regarding the PSO levy, carbon tax, help with suppliers automated phone services and how to submit customer meter reads.

**Graph IV: Information Requests Logged by Type in 2011 as Percentage**



In addition to customers contacting the ECT directly, the Commission had over 18,000 visitors to its customer website, [www.energycustomers.ie](http://www.energycustomers.ie), in 2011. The customer website provides a range of information starting with how to get connected and going through the steps of how to switch supplier, how the market operates and it also provides information on what to do if a customer wishes to make a complaint.

#### **2.4. Refer to 3rd Party**

The ECT receives a small number of contacts every year from customers in relation to issues which are not regulated by the Commission. In 2011, 59 members of the public contacted us regarding a variety of issues including the gas installer commercial issues, the price of liquefied petroleum gas (LPG) and Combined Heat & Power System queries. In these instances the ECT explains to the customer who they need to get in touch with and provides them with contact details if they are available.

## 2.5. Return to supplier or network operator

The majority of contacts received in 2011 fell into the “return to supplier or network operators’ category”. In total, 1793 customers made contact with the ECT in relation to queries and complaints they had under this category. Where a customer wishes to make a complaint, but has not yet raised this with their supplier or network operator a member of the ECT will go through the complaints process. The customer is provided with the contact details they need in order to make their complaint with the appropriate supplier or network operator and is advised that if they are not satisfied with the resolution proposed, once the complaints process is completed with their Supplier/Network Operator, they can then refer their complaint to the ECT.

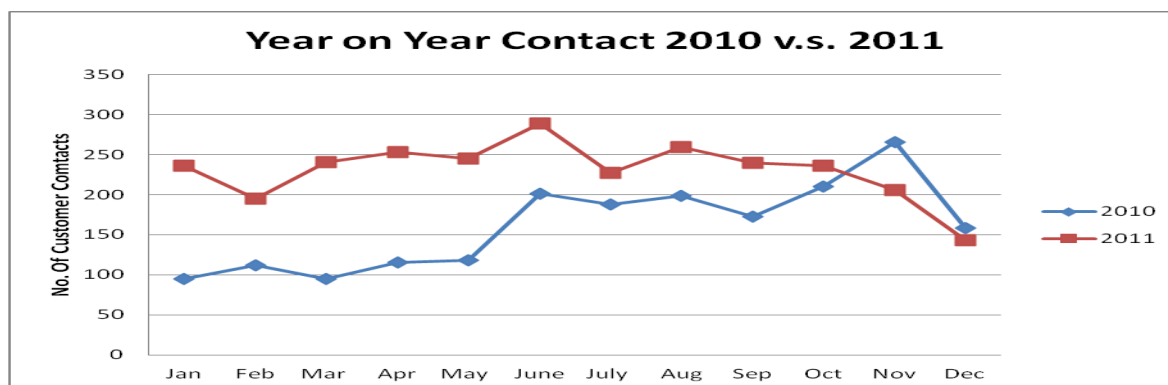
This category also captures customers who have made contact with the ECT in error but are in fact looking for their supplier. On occasion, customers will call the ECT helpline number but are looking to query a specific aspect of their bill or account. In these circumstances, if we can assist we will provide the appropriate information, however if this is not possible the correct contact details are provided to the customers so they can gain the assistance they require.

## 2.6. Customer contacts logged in 2011 v.s. 2010

Overall, there was very was a significant difference between the number of ECT customer contacts in 2011 and 2010, at totals of 2770 and 1930 respectively. From the beginning of 2011 there was an increase in contacts which the ECT attributes to the ‘big freeze’ that took place at that time. With the exception of a slight decrease in February, the level of contacts remained similar throughout the first 5 months of the year.

As seen from the 2011 figures from May to June, there is a notable increase in the level of contacts. From examining the 2010 figures for the same period this can be attributed to a seasonal increase in the level on contacts.

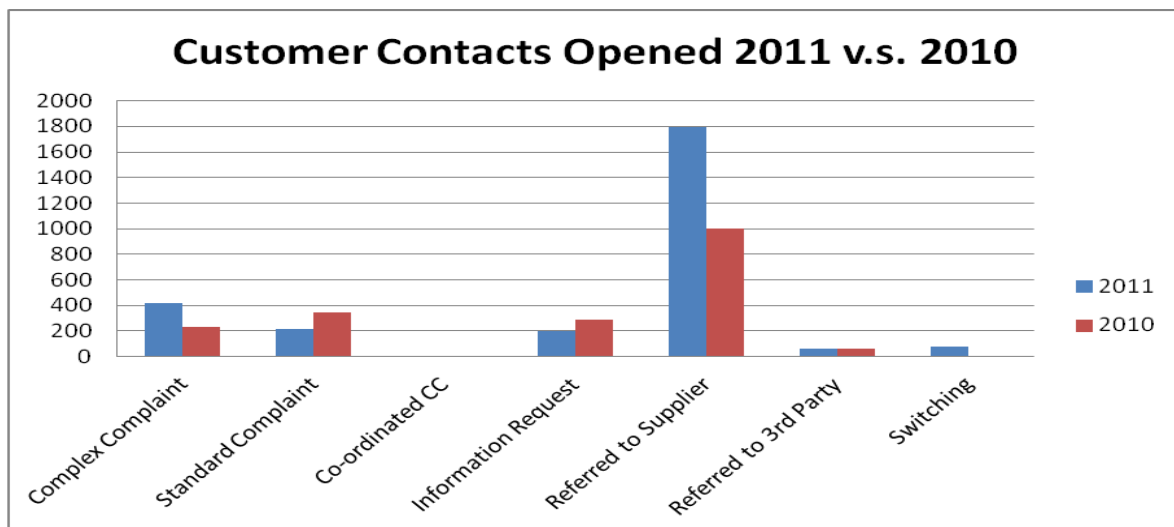
**Graph V: Customer Contacts Opened 2011 v.s. 2010**



Given that the number of customers referred back to their supplier's complaints process in 2011, far exceeded the number of complex complaints investigated by the ECT, the Commission considers that a large number of those customers that were returned to their supplier to complete their supplier's complaint process resolved their complaint without the intervention of the ECT.

In comparison to 2010, 2011 Complex Complaints reduced by 79% and Standard Complaints reduced by 37%, Information Requests decreased by 30%, Refer to 3<sup>rd</sup> Party reduced by 6% and Return to Supplier increased by 79%.

**Graph VI: Comparison of Logged Contacts 2011 v.s. 2010 by Contact Category**

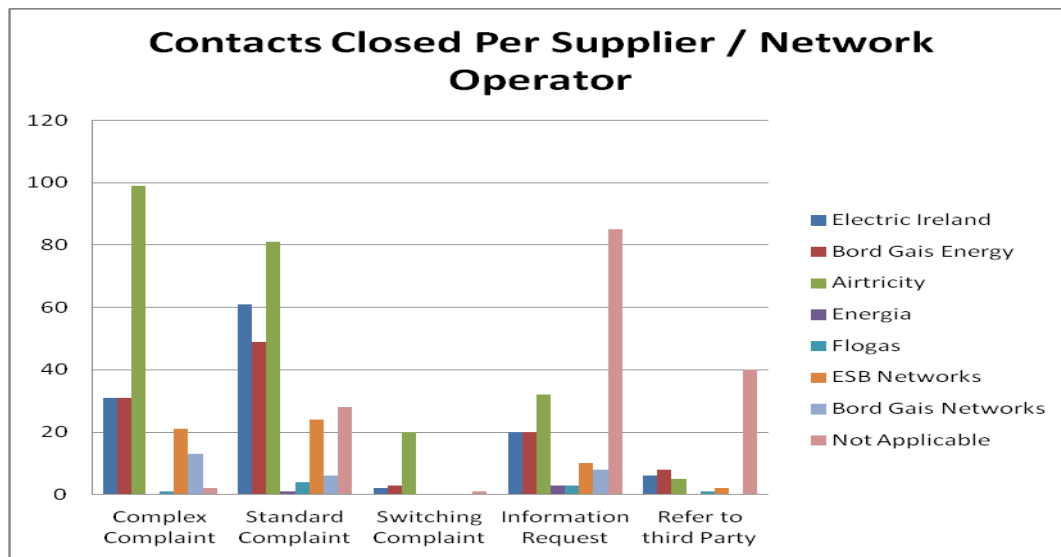


It is clear that the volume of complaints from electricity customers greatly outweighs the volume from natural gas customers; however this is explained by the customer numbers in each case. While there are 2,213,404 electricity customers there are only 649,947 natural gas customers, which is an approximate ratio of 1:3.4. The percentage of contacts based on customer numbers is 0.09% of the combined Electricity and Gas Market and relatively low.

### 2.7. Comparison of contacts closed during 2011 by supplier

The chart overleaf shows the breakdown of contact by supplier, with the greatest total number of these customer contacts being attributable to Airtricity. For the Complex and Standard Complaints three suppliers appear most prominently in the graph, ESB Electric Ireland (ESB EI) BGE (Bord Gáis Energy) and Airtricity.

**Graph VII: Contacts Closed Per Supplier / Network Operator**



Where supplier related Complex Complaints are concerned 162 Complex Complaints referred to 31 Electric Ireland, 33 to BGE and 98 to Airtricity or in percentage terms, it is 19.4%, 20.37% and 60.49% respectively.

**Table II: Complex and Standard Complaints by Supplier**

	Complex Complaint	Standard Complaint
<b>Electric Ireland</b>	31	61
<b>Bord Gais Energy</b>	33	49
<b>Airtricity</b>	98	81
<b>Energia</b>	0	1
<b>Flogas</b>	1	4
<b>ESB Networks</b>	21	24
<b>Bord Gais Networks</b>	13	6
<b>Not Applicable</b>	2	28

It is, however, more informative to look at this data from the point of view of percentages of complex and standard complaints versus the percentage of customers supplied, the other suppliers have been included below for completeness.

As per the table above, the vast majority of complex and standard complaints in 2011 were regarding Electric Ireland, BGE and Airtricity, however there was a substantial variation across these companies when one considers the number of customers that are supplied by these three suppliers. Where it may be expected that Electric Ireland would be involved with the majority of complaints, as they supply the greatest number of customers, this is not always the case. It can be seen from Graph VII above that Airtricity are involved in 60.49% of the overall supplier related complex complaints whereas they supply 17.6% of the overall electricity and gas customers.

## **2.8. Analysis of complex complaint outcomes**

Once complex complaints have been investigated and the ECT considers that all available information has been provided, a decision is issued on whether the complaint is upheld or not upheld. This decision may include, the instruction to make payment of compensation if this is deemed appropriate under legislation any decision issued by the Commission is binding on the supplier or network operator involved.

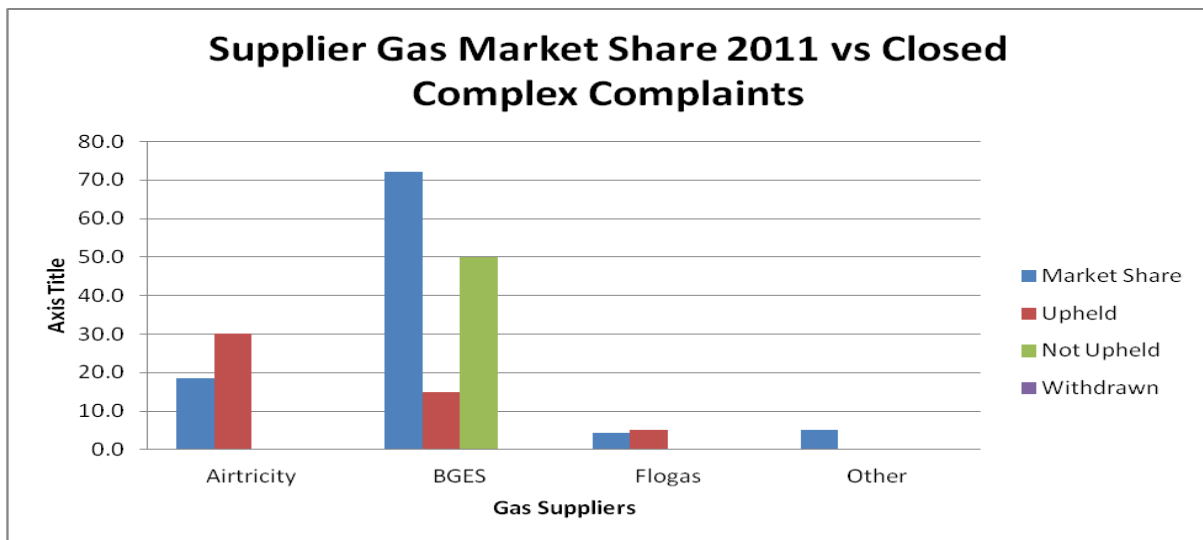
The ECT issued 198 decisions in 2011. The Commission note that there has been an increase in the amount of complaints examined by the ECT in relation to complaints received in comparison to 2010. Some 52% of cases referred to the ECT were upheld.

Graphed below are the percentage of gas / electricity customers supplied and the percentage of Complex per supplier. The graphs illustrate the relationship between the percentages of complaints against a supplier when compared to their percentage of total customer numbers. The graphs focus on the percentage of complaints lodged against the three largest suppliers, Electric Ireland, BGE and Airtricity, is compared with the percentage of customers that they supply. The other category illustrates complex complaints received from customer avail of other suppliers on each of the respective markets.

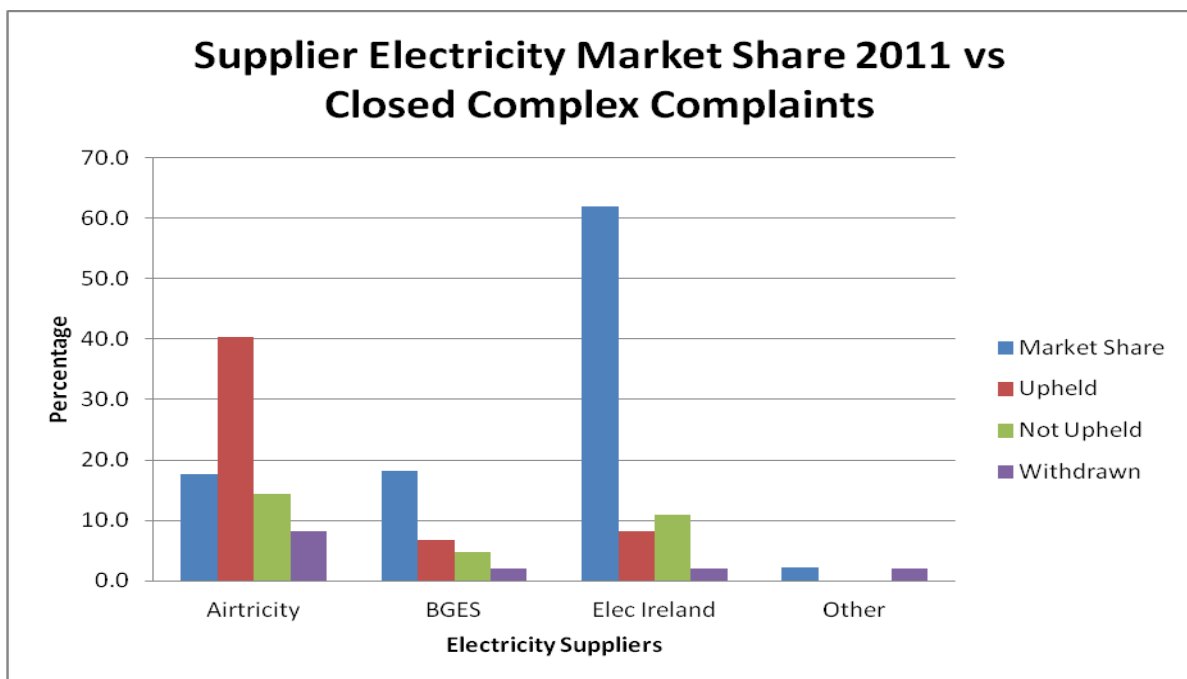
The graph below clearly highlights the divergence between the percentage of Airtricity customers and the percentage of complaints when the figures are examined. The withdrawn category illustrates the number of customer who have withdrawn their complaint from the commissions process prior to the CER reaching a final decision in relation to the complaint.

We have distinguished Gas & Electricity separately to illustrate the market share comparison. Also, as the ECT take complaints against Network Operators, we have included a graph of Electricity and Gas Network decisions.

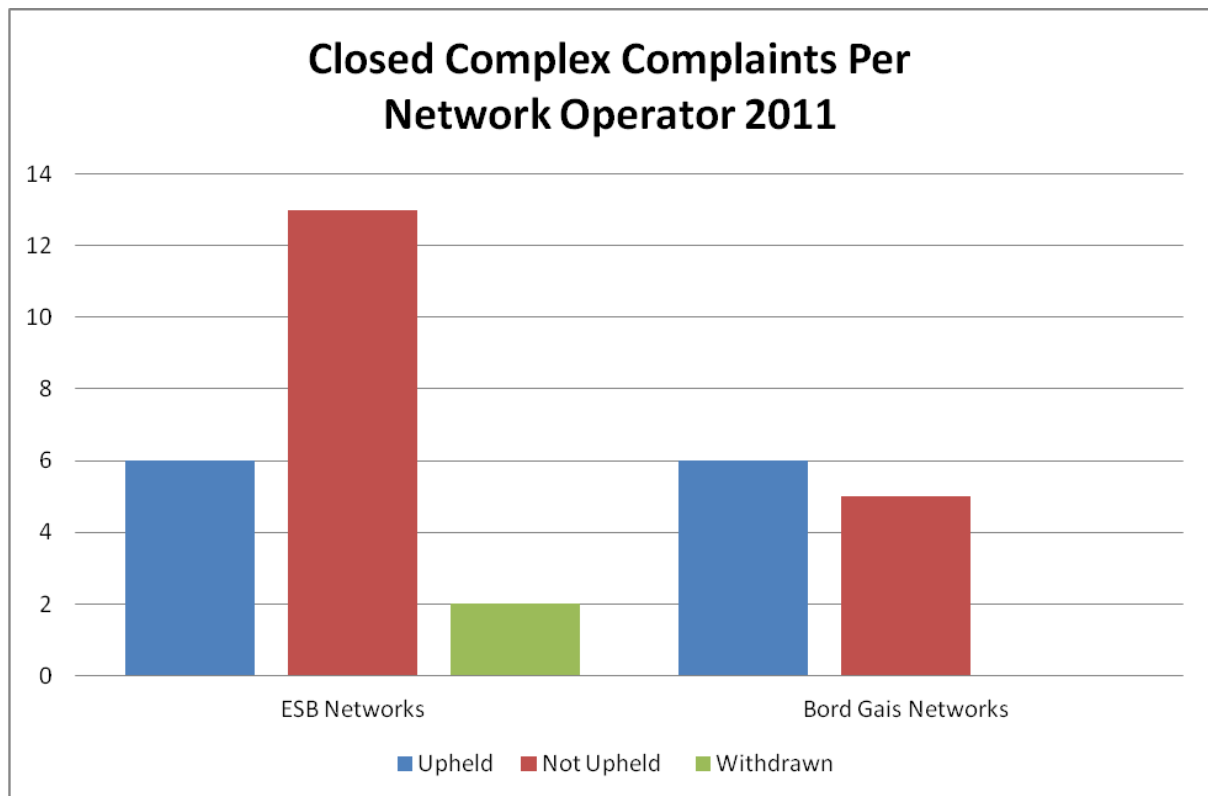
**Graph VIII: Percentage of Customers Supplied v.s. Percentage of Complex Complaints**



**Graph IX: Percentage of Customers Supplied v.s. Percentage of Complex Complaints**



**Graph X: Upheld / Not Upheld / Withdrawn by Network Operator 2011**



### 3. Case Studies

The following case studies represent a sample of the complaints received by the Commission in 2011. They provide an outline of the complaints received, the investigation undertaken and the outcome/finding of the complaint. They serve to illustrate the range and individual nature of complaints. We have selected one complaint that was upheld and one complaint that was not upheld from the suppliers who generated the most complex complaints in 2011. These case studies also show that while a customer may contact us with a complaint against their supplier or network operator, when the investigation is carried out the root cause of the problem may be attributable to a different party. It is also the case that while the cause of a problem may lie with the network operator, in many cases the supplier must also form part of the solution for their customer by agreeing to a payment plan for any outstanding balance on the customer's account. The Commission welcomes suppliers' flexible approach to assisting their customers even when the root cause has been due to a network issue.

#### 3.1.a Airtricity Complaint – Upheld

A customer made contact with the ECT as they felt their energy usage was very high and were unhappy with the response received from their supplier. They were tenants who moved into a property in 2003 and after monitoring their energy usage for some time, they concluded that their energy usage was much higher than in other properties they had lived in.

##### Investigation

In 2010 they turned off all appliances but their meter continued to run so they requested a meter check from Airtricity. When the technician was carrying this out he found that the meter in the house was in fact connected to the premises directly next door. His advice was to have the builder's electrician reconnect the correct cables to the correct premises and then have the meters reset officially. Having contacted Airtricity it was agreed that the tenants were due a sizeable refund but no reset of meters had been carried out.

##### Decision

As part of the investigation the ECT examined all information available and found that Airtricity had not taken the adequate steps in resolving this complaint. Airtricity were instructed to apply the ESB Networks adjustment to the tenants account. The CER also felt that an ex gratia payment should be awarded, along with a letter of apology.

### **3.1b Airtricity Complaint – Not upheld**

A landlord contacted the ECT regarding a new tenant. Airtricity had been notified that a new tenant would be taking over the lease. The new tenant confirmed with Airtricity that they would be taking over the electricity account, provided meter readings, bank details and approval letters. This tenant was now the new account holder. On the same day that this had taken place Airtricity de-energised the property. Electricity supply was restored to the property in question, 3 days after the de-energisation took place. The delay to reconnect was due to an outstanding amount owing on the account that Airtricity required to be paid before they would re-energise. A further amount was put on the account for a de-energisation fee.

#### Investigation

As part of the investigation the ECT examined all information available and found that Airtricity had requested a de-energisation of the property due to the fact that no new account had been opened at the property in question. It was a co-incidence that it happened on the day the new tenant opened the account but de-energisation requests are scheduled in advance so Airtricity were not aware when it was going to happen. Airtricity were within their rights to recover the costs associated with the de-energisation.

#### Decision

The ECT did not uphold this customer's complaint. While it was unfortunate that the de-energisation of the property took place, the ECT believes that Airtricity took the appropriate steps in this case.

### **3.2.a Bord Gáis Energy Complaint – Upheld**

A customer contacted the ECT when Bord Gáis Energy incorrectly opened an electricity account in their name for an old property where the customers use to reside. Bord Gáis Energy proceeded to send disconnection letter to the customer's current address. This customer was unhappy with the resolution offered by Bord Gáis Energy and so brought the complaint to the ECT.

#### Investigation

Upon investigation it was established that there was an error made when the person, who was currently residing in the complainant's old property, requested a switch to Bord Gáis Energy. When the bills for this premise went out to that address, in the complainant's name, they were returned as not residing at this address. Bord Gáis Energy performed a data clear up and this action lead the name to be link to the customers new address and thus the bills and disconnection letters started to issue.

### Decision

As part of the investigation it was noted that Bord Gáis had already issued a letter of apology and offered a good will gesture. It was the ECT decision to uphold this customer's complaint as an account should not have been opened in this customer's name, nor should he have received disconnection letters. The ECT instructed Bord Gáis Energy to increase the good will gesture offered to the customer.

### **3.2.b Bord Gáis Energy Complaint – Not Upheld**

A customer contacted the ECT as she had a problem with her electricity usage. The customer believed that since moving to BGE their usage had increased significantly. A meter test was requested and an exchange of the meter took place. Eight months later a report on the meter claimed that no fault was found and the tenant was referred to ESB Networks. The customer felt that Bord Gáis Energy was not interested in addressing her issues.

### Investigation

As part of the investigation the ECT examined all information available and found that according to the meter report, the meter was working correctly and their account was not overcharged. ESB Networks provided the ECT with past meter readings from 2003 – 2010 for the tenants perusal. The ECT also calculated the average daily consumption during specific periods and plotted it on a bar chart to illustrate the energy consumption which was increasing yearly since 2003.

### Decision

This customer's complaint was not upheld. It was concluded that there was no fault with the meter and the usage was billed accurately.

### **3.3.a Electric Ireland Complaint – Upheld**

A customer contacted the ECT to make a complaint as he had received a large bill for his property. When he made his complaint to Electric Ireland they informed the customer that there had been a meter issue and that they had been under billed for a number of years. The customer was not happy with the response received from Electric Ireland when he lodged a complaint as he believed that he should not have been billed for this electricity usage.

### The Investigation

The ECT investigated this complaint with both ESB Networks and Electric Ireland as the issue was in relation to the customer's meter. When examining all of the information available it was established that the customer's meter had been recording day units at the night rate for a period in excess of 5 years. On two occasions Electric Ireland debited the amount in question from the customer's bank account, on one occasion using an old direct debit mandate from.

### Decision

The ECT reached a decision to uphold the customer's complaint. While Electric Ireland could have collected the amount from the customer however as ESB Networks had not allocated this to the customer's account or billed Electric Ireland, the ECT was of the view that Electric Ireland were not entitled to bill the customer for this. Electric Ireland were directed to remove the charges associated with this mix up from the customer's account and asked to compensate the customer with an ex grata sum of money.

### **3.3.b Electric Ireland Complaint – Not Upheld**

A customer contacted the ECT to make a complaint as she had received a letter from Electric Ireland says that she owed a large sum for electricity usage in a property that she had moved out from 3 years earlier. The customer said that she had never received an invoice or notification of an outstanding balance in the past few years.

### The Investigation

After considering the information received, from both the customer and Electric Ireland, it was established that the customer had closed the account with Electric Ireland on an estimated read and that the previous 8 bills were estimated too. When Electric Ireland received an actual read the bill generated a large sum. Electric Ireland had tried, on a number of occasions, to contact the customer through text message and letters to make them aware of this outstanding amount.

### Decision

The ECT reached a decision to not uphold this customer's complaint. While the ECT accepts that the customer did not expect to receive the bill after that amount of time had passed, the customer still remains liable for the usage of electricity at the time they resided in that residence. The ECT considered Electric Ireland's offer of a payment plan acceptable in this case.

### **3.4.a ESB Networks Complaint– Upheld**

A customer contacted to the ECT regarding a large bill that they had received. When the complaint was investigated by the customer's supplier it was established that there had been a meter reading issue and this accounted for the large bill. The customer was unhappy with the final response received from raising the complaint with her supplier and network operator and so brought her complaint to the ECT.

### Investigation

Having examined all documents relating to this case, the ECT established that there was an error in the presentation of some of the meter readings taken by both ESB Networks and the customer. A

special meter reading was taken which confirmed correct meter readings, and when adjusted it transpired that the large bill had been a result of the customer being billed for too few units at the day rate.

#### Decision

This customer's complaint was upheld. ESB Networks were requested to make an ex gratia payment. In light of the meter reading error, while the customer's supplier was also requested to compensate the customer for the errors made on their part.

### **3.4b ESB Networks Complaint –Not Upheld**

A customer contacted the ECT as his electricity bill had been estimated for 10 months. He felt that this was inequitable given that ESB Networks state on their website that they commit to read the meter 6 times yearly yet he only had 1 reading. When the meter was read a discrepancy arose and it appeared that his pump had a leak. The customer believed that this discrepancy was allowed to manifest due to the fact that the meter was not read.

#### Investigation

As part of the investigation the ECT examined all information available and found that the meter reader did not gain access to the property through the correct entrance, he had tried to use the side gate instead of the main gate, this led to no meter reading cards being left.

ESB Networks may be unable to take a meter reading at a property for a number of reasons, there may be no meter reader in the area, there may be difficulty accessing the meter or the weather could impact the ability to take a reading. This does not negate a customer's liability to pay for the electricity they use.

#### Decision

The customer's complaint was not upheld. The ECT acknowledges receipt of estimated readings and receipt of a large bill. This could have been avoidable however if meter reads were rang/emailed in by the customer. In this instance the ECT believe that ESB Networks followed their meter reading procedures.

### **3.5.a Bord Gáis Networks Complaint – Complaint Upheld**

A customer contacted the ECT as they felt as though they had been unfairly treated in relation to a complaint made after receiving a bill in excess of several thousand Euros. This customer was not in receipt of bills for the almost a two year period.

### Investigation

There was a locked meter at this property until October 2007. At this time, the customer paid for the meter to be moved to a gable wall and requested a meter unlock. BGN failed to update their system to reflect the meter move and failed to update their system to note the meter had been unlocked. This meant that no account was opened for the customer and no data returned to their supplier for billing purposes. In July 2008 BGN took a meter read at the property however no action was taken. In November 2008 BGN put a note on the system to record that an unlock had taken place in October 2007. There was a further issue with the meter being incorrectly recorded as an imperial meter instead of a metric meter which led to the suppliers issuing a bill for several thousand Euros.

### Decision

The ECT upheld this customer's complaint. Due to BGN's errors in recording information regarding the customer's account the customer went unbilled for a period of 18 months. The ECT accepted that there was no dispute over the natural gas consumed at the property and as such, it was pointed out to the customer that it was acceptable to be billed for the natural gas used for the time in question. The ECT requested that BGN credit the customer's account with an ex gratia sum and issue a letter of apology.

## **3.5b Bord Gáis Networks Complaint – Complaint Not Upheld**

A customer contacted the ECT as they felt they wished to bring a complaint against Bord Gáis Networks. The customer believed that the estimate used for the gas consumed at their property had been incorrectly calculated by Bord Gáis.

### Investigation

Upon investigating the case, it was determined that an old meter was damaged at the customers property and a new meter installed. During the course of time for which the customer was querying, there was a lack in available actual meter reads. The ECT based there investigated on the last actual read of the old meter and on the current actual reads of the new meter installed, (the new meter was placed on an outside wall, so collecting meter reads was not an issue). Based on this information it was clear that the customer was billed, on average, at a level lower than the current usage at the property and therefore the estimates used by Bord Gáis were deemed correct.

### Decision

The ECT did not uphold this customer's complaint. Having considered all of the information available, the ECT found nothing to indicate that the estimate used by Bord Gáis Networks was unfair or inappropriate.

## **4. Additional work of the ECT**

During 2011, the ECT focused mainly on maintaining the operational service to customers. In addition to this the ECT continued to meet with consumer representative groups to identify ongoing issues that customers face and to ensure that knowledge of the ECT is provided to customers.

### **4.1. Consumer Protection**

The protection of consumers in the Irish energy industry falls within the remit of the ECT on behalf of the Commission. A decision paper on consumer protection in the Deregulated Electricity market was published in April 2011.

#### **4.2.1 CER Electricity and Natural Gas Supplier Handbook**

The Commission consulted on revised guidelines for suppliers Codes of Practice, Customer Charter and Terms and Conditions of Supply for Household Customers. The guidelines are combined into one handbook and take into account changes in the markets and new requirements under the 3<sup>rd</sup> package of energy legislation issued by the European Commission.

To note: The Commission issued the Natural Gas and Electricity Supplier Handbook on 15<sup>th</sup> June 2012. The Commission are currently in the process of approving individual suppliers Code of Practice and Customer Charter submissions.