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Companies within EWON's jurisdiction (as at 31 October 2012)

Energy Distributors

ActewAGL Distribution
 Albury Gas Company
 APT Allgas Energy
 Ausgrid
 Central Ranges Pipeline
 Endeavour Energy
 Envestra NSW
 Essential Energy
 Jemena
 TransGrid

Energy Retailers

ActewAGL
 AGL
 Aurora Energy
 Australian Power & Gas
 Country Energy
 Diamond Energy
 Dodo Power & Gas
 EnergyAustralia
 GoEnergy
 Integral Energy
 Lumo Energy
 Momentum Energy
 Origin Energy
 Powerdirect
 QEnergy
 Red Energy
 Sanctuary Energy
 Simply Energy
 TRUenergy

Water Distributors & Retailers

AquaNet
 Gosford City Council
 Hunter Water
 Shoalhaven Water
 State Water
 Sydney Desalination Plant
 Sydney Water
 Veolia Water Solutions & Technologies
 Water Factory Company
 Wyong Shire Council

Ombudsman's report

Annual report

The overriding theme for 2011-2012 was rising pressure, which affected many consumers as they faced increased energy prices and affordability issues. This also impacted on retailers and regulators as well as EWON itself as we worked to manage the large increase in customer complaints that flowed on from these pressure points.

While we were not surprised that customer complaints to EWON rose during 2011-12, we did not expect the scale of growth that occurred. The year saw a remarkable 43% increase in complaints, with EWON closing 25,162 cases (up from 17,559 the previous year).

Our figures show consumers were experiencing problems across all categories in larger numbers than ever before. Billing issues dominated, in particular disputed high bills, affordability-related credit issues and customer service problems, with large rises also noted in marketing and transfer complaints. The underlying issue of energy affordability is of great concern to EWON.

Rising levels of hardship were reflected in disconnection complaints for the period and in the growing numbers of customers affected by debt collection activity and credit default listing – often for small amounts well under \$300.

As energy prices continue to increase, so too will the scale of affordability issues. It is an issue for consumers right across Australia and EWON called for a national discussion bringing together all key stakeholders to work towards a national solution.

We have received strong support for the discussion and we will continue to pursue this proposal.

Looking ahead, we predict further increases in complaint volumes for 2012-2013.

NECF deferral

On 31 May 2012 it was announced that the National Energy Customer Framework (NECF), expected to come into effect 1 July 2012, would be deferred in NSW. We then made urgent



submissions about what features of NECF should be replicated in state regulation in the meantime.

Under the new regulations, customers can only be backbilled for nine months' usage and cannot be disconnected for an unpaid bill of less than \$300, provided the customer agrees to pay this. NECF is now due to be introduced in NSW on 1 July 2013.

Rebates

We are concerned that many consumers are not getting the rebates they are entitled to receive. Some consumers are not aware of all the rebates available and some customers' rebates drop off when they switch retailers. Others are uncertain about how to apply or are put off by the perceived difficulty in making an application. To help raise awareness and clarify what's on offer, we've compiled a list of rebates available through State and Federal governments and how to apply for them. See page 2 for details.

New EWON members

We welcome the following companies as new members of EWON:

GoEnergy
 QEnergy
 Sydney Desalination Plant

Clare Petre

Clare Petre
Energy & Water Ombudsman NSW

'Credit repair' agent survey reveals big fees and worrying practices

WITH RISING NUMBERS of complaints being brought to EWON by expensive 'credit repair agents', we conducted a research survey to understand why some consumers engage credit repair agents rather than coming directly to EWON for free assistance, and what information credit repair agents provide to them.

Our research survey results highlight common consumer circumstances and practices by agents that are of significant concern to EWON.

The survey found that the minimum average fee for removing a credit listing is around \$950 and that customers are likely to have multiple credit listings (70%). Worryingly,

the clear majority of consumers (88%) do not discover they have a listing against their name until they are rejected for a loan application (eg a home loan, small business loan or mobile phone contract). This means the problem of needing to have a credit listing removed is often compounded by elevated time and financial pressures.

EWON is now working with other ombudsmen and agencies to help raise awareness among consumers of the free assistance ombudsmen provide for dealing with disputed credit default listings. A call directly to an Ombudsman rather than a 'credit fix' agent could literally save a consumer thousands of dollars.

See case studies on next page

ENERGY REBATES: WHAT'S ON OFFER AND HOW TO APPLY

REBATE	\$ VALUE (per annum)	APPLICATION & ELIGIBILITY
Low Income Household Rebate	\$215	<p>APPLICATION Apply directly through retailer. The rebate is applied to bills pro rata.</p> <p>ELIGIBILITY Customers must live in NSW and hold EITHER a Centrelink Health Care Card or Pensioner Concession Card, OR a Department of Veterans' Affairs (DVA) Pensioner Concession Card OR a DVA Gold Card marked with War Widow/er Pension, Total and Permanent Incapacitation (TPI) or Disability Pension (EDA). Eligibility is assessed annually.</p>
Family Energy Rebate	\$75*	<p>APPLICATION Apply through NSW Trade & Investment. The rebate is credited to the applicant's energy account. *Value is \$35 for customers also receiving the Low Income Household Rebate.</p> <p>ELIGIBILITY Customers must live in NSW and be eligible for Family Tax Benefit A or B. Eligibility is assessed annually.</p>
Life Support Rebate	Varies	<p>APPLICATION Apply directly through retailers. A doctor's certificate and completed retailer form are required. The rebate is credited to the applicant's energy account. Reapply every 2 years.</p> <p>ELIGIBILITY Customers or someone residing in the home must require certain medical equipment necessary for life support. There are 8 approved machines such as PAP machines, kidney dialysis or oxygen concentrators respirators. This rebate is not means tested – you do not require a concession card.</p>
Medical Energy Rebate	\$215	<p>APPLICATION Apply directly through retailers. A doctor's certificate and completed retailer form are required. The rebate is credited to the applicant's energy account pro rata.</p> <p>ELIGIBILITY The customer or anyone residing at the residence must have an inability to self-regulate body temperature AND the customer must hold a Centrelink Pensioner Concession Card or Health Care Card, OR either a DVA Gold Card or DVA Pensioner Concession Card.</p>
Essential Medical Equipment Payment	\$140	<p>APPLICATION Apply online via Centrelink's website. Customers will need to provide proof that the specific equipment or heating/cooling is medically required. The rebate will automatically be paid each year once an application is accepted, so customers only need to reapply if their personal circumstances change.</p> <p>ELIGIBILITY Customers must hold a Centrelink or DVA Concession Card AND provide proof that the specified equipment or heating/cooling is medically required. Please note that this payment can be claimed for a wider range of equipment than is covered by the NSW State Government's Life Support and Medical Rebate schemes, including insulin pumps, electric wheelchairs and airbed vibrators.</p>

FOR MORE INFORMATION:

- Call the Energy Information Line on 1300 136 888
- Visit NSW Trade & Investment online www.trade.nsw.gov.au/energy/customers/rebates
- Visit Centrelink online www.humanservices.gov.au

Note: Long term residents of residential parks are eligible for the Low Income Household, Family Energy, Life Support and Medical Energy rebates. However, special instructions for claiming them apply. Please contact the Energy Information Line on 1800 136 888 for details.

“Please help me get this credit listing removed. I stand to lose my house deposit if I can’t get my finance approved.”

Customer



CASE STUDIES:

Credit default listing

In a number of cases, credit repair agents bring their client's matter to EWON for resolution. They then charge the client, who could access our free service and avoid agent fees by contacting EWON directly. These case studies highlight some common circumstances of credit default listed customers whose cases come to EWON via a credit repair agent, and demonstrate how these particular matters were resolved.

Customer doesn't receive final energy account at his new address

When he obtained his credit report, Iqbal discovered he had been credit listed nearly a year earlier for a dual fuel debt of \$208. He was unsure why the listing had occurred as he was unaware of any amount outstanding on the account.

Iqbal contacted the energy supplier to resolve the matter, but with only limited English skills he found the experience frustrating and upsetting. Iqbal was able to explain that he had not been aware of the outstanding debt, and he then paid the \$208.

When he spoke to the supplier again, he learned that the debt was for his previous address. He believed he had taken the correct steps to finalise his account and update his contact details when he moved, and he confirmed that the new address on the supplier's record was correct. However, it had come to his attention when he received a call from another credit provider advising of his arrears that there was a problem with his mail redirection and that some of his mail had gone missing.

Iqbal took his case to a credit repair agent, who in turn came to EWON to resolve the matter.

It emerged that the \$208 debt included a \$50 early termination fee for transferring the gas account, but that this transfer never occurred.

On the basis that the listed debt amount was therefore incorrect, the supplier agreed to remove the listing. They also issued a refund cheque for this amount in Iqbal's favour.

Loan denial leads to default discovery

Anne discovered she had been credit listed for an electricity debt of \$189 when an application she made for a loan was rejected. She wanted her credit history cleared so she would not be prevented from obtaining credit in the future, so she contacted the retailer and paid the debt. The retailer suggested that she contact a credit repair agent to see about getting the listing removed.

The credit agent engaged by Anne approached the retailer on her behalf, but was unsuccessful in obtaining their agreement to request removal of the listing. The agent then brought the case to EWON.

EWON contacted Anne to confirm that she agreed to being represented by the credit repair agent. We explained that consumers can deal with us directly and that EWON's service is free. Anne decided to withdraw her permission for the agent to advocate for her and requested that EWON deal directly with her in resolving the matter.

EWON investigated the circumstances around the credit listing. The debt was for an account closed by Anne when she moved interstate. Anne said that she called the retailer to close the account and to request the final bill be sent to her forwarding address, which she provided. Anne said she received no mail or phone call about the account and disputed the default listing on the basis that the prescribed notice was not issued.

The retailer confirmed they had received her request and had mailed the final account to her new address, as provided. Their records showed a number of attempts had been made to contact Anne by phone and mail when payment was not received and that they had acted in accordance with regulatory requirements.

EWON advised Anne that there did not appear to be any basis upon which the retailer would be required to remove the credit listing as it was compliant with the obligations of a credit provider. Unfortunately, Anne had already paid a non-refundable up front fee of \$950 to the credit repair agent, so she was left with the default listing on her credit report and a \$950 dent in her savings.

Single parent credit listed over debts accrued for a failed business

Yasmin, a single mother with two children, had been credit listed by two different energy companies and one telecommunications company for debts accrued with her ex-partner following the failure of their business. The credit repair agent quoted a \$990 up front fee and \$990 for each listing that was removed.

When the telecommunications listing was removed, the credit repair agent requested that she pay \$2,000 up front. The credit repair agent threatened to credit list her when she said that she couldn't afford this, however, she then entered into an \$80 per week payment arrangement.

Yasmin decided to deal directly with EWON after we contacted her to explain that she didn't need to use a credit repair agent. Yasmin reported that the credit repair agent was confusing to deal with. A voice recording was made of her agreeing to the contract with the credit repair agent. However, when she received a written copy of the contract and recording she noted that the recording stopped at each point where she had questioned anything that she was unsure about.

Yasmin wanted the energy company to review whether there was any basis for listing her debt in the first place. EWON referred Yasmin's complaint to a senior customer service representative at the company and invited her to contact EWON again if she wasn't satisfied with the company's response.

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Complaint statistics

NOW FUNDING Energy-efficiency upgrade projects

\$200 million in federal funding is available now through the Community Energy Efficiency Program (CEEP).

CEEP is a competitive, merit based grant program that provides co-funding to local governing bodies and non-profit community organisations to implement projects that deliver a range of energy efficiency measures in council and community owned buildings, facilities and sites.

The program is particularly intended for upgrades that stand to benefit low socio-economic and other disadvantaged communities or that support energy efficiency in regional and rural councils.

The Federal Government is encouraging all eligible applicants to apply. Community Energy Efficiency Program funding applications are now open and will close on 7 February 2013.

To find out more visit www.climatechange.gov.au

Scam alert!

CONSUMER ENERGY SCAM WARNINGS

Scammers are continuing to exploit consumers' concerns about energy bills and in recent weeks two new scams have come to EWON's attention.

The first of these was reported to EWON by Essential Energy following incidents in North Western NSW. The scammers had approached consumers at their front doors and in public spaces, falsely claiming to represent the "energy section of the Ombudsman's office". They told their targeted victims that they were due a refund for overpaid energy bills and requested bank account details. We released an urgent media alert to warn consumers against providing details to unauthorised representatives.

The Independent Pricing and Regulatory Tribunal (IPART) also discovered soon after that scammers were cold-calling consumers and posing as representatives of IPART's independent price comparator website, myenergyoffers.nsw.gov.au. The scammers were directing the people they rang to switch to a particular retailer. This is completely at odds with the genuine IPART comparator service, which shows offers available, but gives no recommendations or financial advice.

If you or someone you know receives a suspicious approach or phone call, ask for identification, contact the organisation to check, contact NSW Fair Trading or call the police.

Overview of complaints:

EWON has experienced another round of increases in this reporting period. Complaints were up 23% on the previous six months, in line with our forecast for continued growth in complaint numbers through 2012–2013.

1 April 2012 – 30 September 2012

From April to September 2012, EWON finalised 14,796 cases, a 23% increase from the previous 6 month period. While the majority of complaints (74%) related to electricity retailers, complaints about gas, dual fuel and water also increased.

High and disputed bill complaints continued to dominate customer issues, though their numbers remained consistent with the previous period. There were large increases in tariff complaints as people experienced issues relating to solar feed-in tariffs. We were also concerned to see further increases in complaints regarding disconnection (up 22%), debt collection and credit listing (up 30%) as well as a significant increase in complaints across the transfer category (up 54%).

SNAPSHOT OF CUSTOMER ISSUES 1 APRIL 2012 – 30 SEPTEMBER 2012

	Oct 2011– March 2012	April 2012– Sept 2012	% change
Billing			
High bill or disputed account	2708	2713	0%
Tariff	1020	1628	+60%
Error	606	828	+37%
Opening/closing account	710	826	+16%
Fees & charges	646	706	+9%
Credit			
Arrears or utility debt	1140	1262	+11%
Debt collection or credit listing	780	1012	+30%
Facing disconnection for non-payment	931	960	+3%
Disconnected due to non-payment	490	598	+22%
Denied an extension or payment plan	239	262	+10%
Marketing			
Misled by marketers	535	661	+24%
Pressured into signing or agreeing to a contract	182	277	+52%
Non-account holder approached for consent	98	126	+29%
Transfer			
Problems with the contract terms (variation in price, termination fee)	701	1139	+62%
Did not consent to the transfer	469	668	+42%
Transferred in error	236	428	+81%
Site ownership or disconnected in error due to transfer	317	414	+31%

Complaint statistics

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SNAPSHOT OF COMPLAINTS 1 APRIL 2012 – 30 SEPTEMBER 2012

Overall	Total complaints closed	14796
Customers	Residential customers	14005 (95%)
	Small business customers	665 (5%)
	Living in public housing*	339 (2%)
	Receiving pension/benefits*	2314 (16%)
	Aboriginal or Torres Strait Islander customers*	40 (<1%)
	Culturally and linguistically diverse customers*	299 (2%)

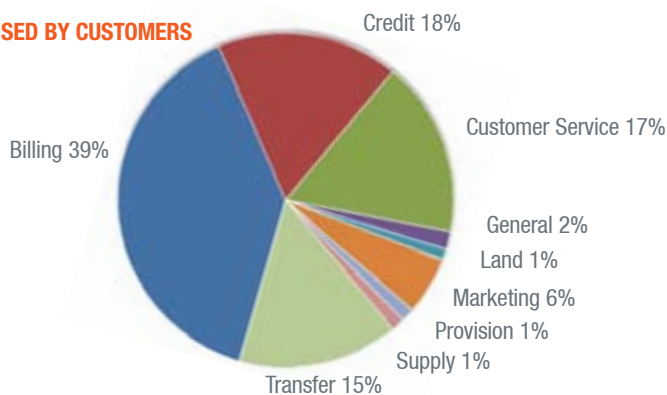
*EWON does not routinely collect demographic information however it is recorded if offered by the customer.

COMPLAINTS BY INDUSTRY

Industry	Provider type	Oct 2011- March 2012	April 2012- Sept 2012	% change
Electricity	Retailer	8689	10992	+27%
	Distributor	571	623	+9%
	Exempt Retailer	32	65	+103%
	Other*	211	248	+18%
Gas	Retailer	1546	1645	+6%
	Distributor	60	67	+12%
	Exempt Retailer	0	1	+100%
	Other*	5	12	+140%
Dual Fuel	Retailer	426	565	+33%
	Exempt Retailer	1	0	-100%
	Other*	0	1	+100%
Non-energy/non-water	Retailer	0	2	+100%
	Other*	38	41	+8%
Water	Retailer	306	371	+21%
	Distributor	126	146	+16%
	Exempt Retailer	0	2	+100%
	Other*	16	15	-6%
Total		12027	14796	+23%

*Non provider specific, out of jurisdiction

ALL ISSUES RAISED BY CUSTOMERS



HOW WE CATEGORISE COMPLAINT ISSUES

Note: there may be more than one issue raised per complaint
 Billing – high and disputed bills, fees and charges, responsibility for accounts
 Credit – disconnection, arrears, difficulty in payment, payment arrangement declined, debt collection
 Customer service – failure to respond, incorrect advice, poor attitude/service
 Marketing – conduct by marketers, misleading information, pressure, non-account holder signed up
 Provision – problems with new or existing connections
 Supply – quality, damage/loss, outages
 Transfer – error in billing or transfer of account due to switching retailers, contract terms, delay in transfer, site ownership
 Land – impact of network assets, maintenance, environment
 General – non-energy/non-water related, contractors

COMPLAINTS BY COMPANY* 1 APRIL 2012 – 30 SEPTEMBER 2012

LEGEND: NSW RETAIL CUSTOMER BANDWIDTH

- Above 1 million customers
- 500,001 to 1 million customers
- 100,000 to 500,000 customers
- under 100,000 customers

Energy Retailers	No. complaints
ActewAGL	127
AGL	3135
Aurora Energy	1
Australian Power & Gas	588
Country Energy	671
Diamond Energy	1
Dodo Power & Gas	99
EnergyAustralia	1629
Integral Energy	1152
Jackgreen (suspended from market)	76
Lumo Energy	485
Momentum Energy	9
Origin Energy	3292
Powerdirect	84
Red Energy	208
Sanctuary Energy	204
Simply Energy	2
TRUenergy	1190

Energy Distributors	No. complaints
Ausgrid	284
Endeavour Energy	157
Envestra NSW	3
Essential Energy	171
Jemena	59
TransGrid	4

Water Distributors/Retailers	No. complaints
Essential Energy**	8
Gosford City Council	14
Hunter Water	76
Shoalhaven Water	4
State Water	4
Sydney Water	361
Wyong Shire Council	9

There were no complaints received about ActewAGL Gas Distribution, Albury Gas Company, APT Allgas, AquaNet, Central Ranges Pipeline, GoEnergy, QEnergy, Sydney Desalination Plant, Veolia Water Solutions & Technologies or Water Factory Company.

**Essential Energy is a water provider for Broken Hill customers only.

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Community outreach

EWON's recent outreach activities

EWON HELD ITS 8th annual Anti Poverty Week Forum in Newcastle in October, which was attended by over 70 community workers (see next page for more details). We have been busy delivering information to community workers through council and interagency events across NSW – from Moruya in the south to Lightning Ridge in the north and many towns and suburbs in between. EWON also continues to reach culturally and linguistically diverse clients through our outreach work.

As well as teaching English and communication skills, the Adult Migrant English Program (AMEP) helps new migrants and refugees to learn about living and working in Australia. This includes learning about services such as EWON and how to access them. Our Community Development worker Narelle Brown delivered four sessions to 240 students learning English through AMEP at the Navitas College in Auburn. The students of all ages and levels of English were interested in energy and water issues, rebates and payment options and were assisted by interpreters where necessary.

Other presentations to CALD groups in recent months include:

- Auburn – Arabic group at Auburn Diversity Services
- Epping – Indian seniors group
- Fairfield – Workshop for Arabic and Somali speakers
- Fairfield – Forum for CALD advocates and workers hosted by NSW Fair Trading forum, Fairfield Council and STAARTS
- Gladesville – Spanish group
- North Ryde – Arabic group
- Sutherland – Sutherland and St George Maltese group

Connecting with small business

In October, Clare Petre, Energy & Water Ombudsman NSW, joined Narelle in meeting with the NSW Small Business Commissioner to discuss issues facing small business.

Many small business owners are unaware of EWON's free assistance with resolving energy and water complaints. In order to address this, we have increased our focus on building awareness among small business by presenting at forums, holding stalls and providing resources. Many business owners attending these events report that they were not aware of EWON previously and that EWON's information and services are helpful to them in running their business.

An EWON factsheet specifically for small business will soon be available in print and online.

Would you like to organise for EWON to participate in a community event or initiative or to give a presentation? If so, please contact Narelle, our Community Development Officer, at narelleb@ewon.com.au or contact Tracey, our Aboriginal Project Officer, at traceyd@ewon.com.au.



EWON'S NARELLE BROWN (CENTRE) WITH ANTHONY ROBERTS, FAIR TRADING MINISTER (LEFT) AND STEPHEN BROMHEAD MP AT FORSTER FORUM



SMALL BUSINESS SEMINAR, BLACKTOWN



Right: Forum attendees speak with stallholders. Page 7: PIAC's Carolyn Hodge addresses community workers on energy pricing and affordability challenges.

A big thank you to community workers and a reminder about rebates

THANK YOU TO the community workers who continue to provide us with timely updates about EAPA and other issues affecting clients and their work with them. We appreciate hearing from you and we encourage you to continue communicating with us on issues as they arise.

EWON values its relationships with community workers and continues to provide training, refresher workshops and forums. We also benefit from workers' frontline knowledge about energy and water issues affecting clients.

Evaluations we collect at these events show that community workers appreciate forums being held in their local area and find the training updates very useful in their work. They also note the value of hearing about new trends, scams and emerging problems, as well as options available for energy and water consumers experiencing financial difficulty. In turn, the work done by community workers empowered with this information assists in reducing demands on EWON's services.

Community workers have also reported a growing need to check customers' rebates and eligibility for the new Family Energy rebate and Commonwealth Essential Medical Equipment payment. Many customers are not aware of the variety of rebates available through State and Federal Governments. Community workers play a critical role in alerting consumers to rebate assistance available. Please see page 2 for a full list of rebates, their dollar value and a guide to eligibility criteria.

It is also important to note that backdating of rebates is only available where a retailer has made an error, eg where a retailer was advised of a customer's pension number and did not apply it to the account. This makes timely application for rebates by eligible clients even more valuable in helping them to manage their bills.

EWON'S TRACEY DUNCAN ON OUTREACH IN RURAL NSW



Important update:

EWON HAS MOVED!

We have relocated! Our phone numbers and email addresses have not changed, but please update your records to reflect our new postal and street addresses:

Mail PO Box A2436, Sydney South NSW 1235

Freepost Reply Paid 86550, Sydney South NSW 1234

Street address Level 11, 133 Castlereagh St Sydney

EWON's 2012

ANTI-POVERTY WEEK FORUM

This year EWON held its 8th Anti-Poverty Week affordability forum for community workers in Newcastle. Speakers from Hunter Water, the Telecommunications Industry Ombudsman and IPART addressed key issues in understanding and responding to affordability challenges, including hardship programs and energy pricing. Some of these speakers then joined representatives from the Energy Retailer's Association of Australia, Maitland Neighbourhood Centre and PIAC for a panel discussion.

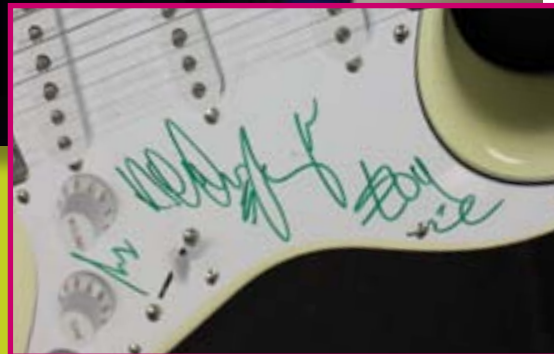
Attendees were encouraged to ask questions of the panel to explore options for consumers who have long term difficulty managing energy and water bills. With stakeholders across all sectors of the energy industry facing the problem of how to manage and assist consumers who may never be able to afford the energy they use, this timely topic drew much interest and debate. EWON hopes that this debate will continue nationally to develop cohesive, long term strategies for consumers experiencing fuel stress.





ABOVE: IAN KIERNAN RECEIVES THE SIGNED GUITAR

RIGHT: (DETAIL) U2'S SIGNATURES



CLEAN AND GREEN HOME FOR ENVIRO AWARDS PRIZE

When EWON's Narelle Brown won the donation rights to an electric guitar signed by U2 at the NSW Government's Green Globe Awards, she was posed with the challenge of deciding upon a beneficiary.

After conferring with Clare Petre, Ombudsman, Clean Up Australia was chosen to receive the collectible guitar donation, valued at \$5,000, for fundraising.

Founded by environmental veteran Ian Kiernan in 1989, Clean Up Australia is now an international initiative to engage the community in caring for and taking action to protect their environment.

With 590,000 Australians participating in the 2012 Clean Up Australia Day event, it's an initiative that has mustered extraordinary momentum and one EWON is proud to support.

About EWON

The Energy & Water Ombudsman NSW (EWON) provides an independent way of resolving customer complaints about all electricity and gas suppliers in NSW and some water suppliers. Our service is free, fair and independent. Our aim is to keep essential services within reach of everyone.

We can help customers with a range of problems including:

- high bills, disputed accounts
- debts, arrears
- negotiating affordable payment plans
- problems getting reconnected
- disconnection/restriction of supply
- opening/closing accounts
- energy marketing practices
- negotiated contracts or switching retailers
- reliability or quality of supply

Contact EWON

Freecall 1800 246 545*

Monday–Friday, 9am–5pm

*Calls from mobile phones may attract a fee, which will vary depending on your service provider. If you are calling from a mobile phone, let us know and we will call you back.

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About EWONews

EWONews is a bi-annual publication of the Energy & Water Ombudsman NSW.

Editorial enquiries: news@ewon.com.au

Note: names have been changed in case studies for confidentiality reasons.

ABN: 21 079 718 915

Stock No: 1990-1110