

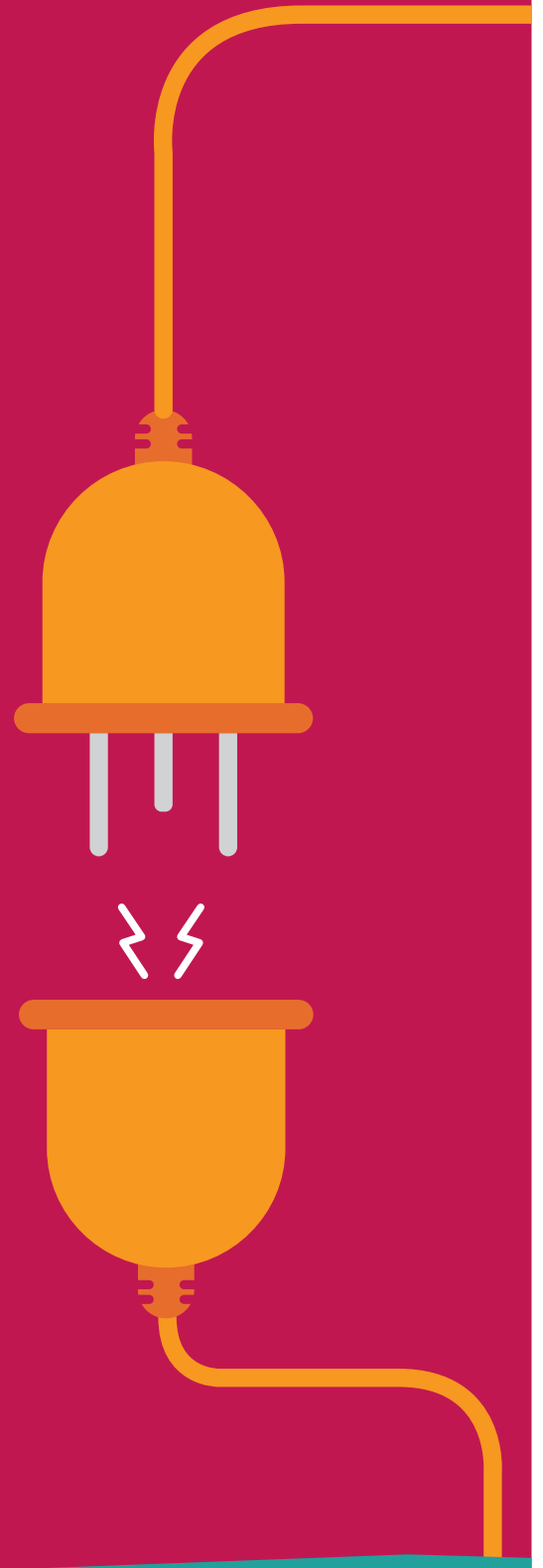
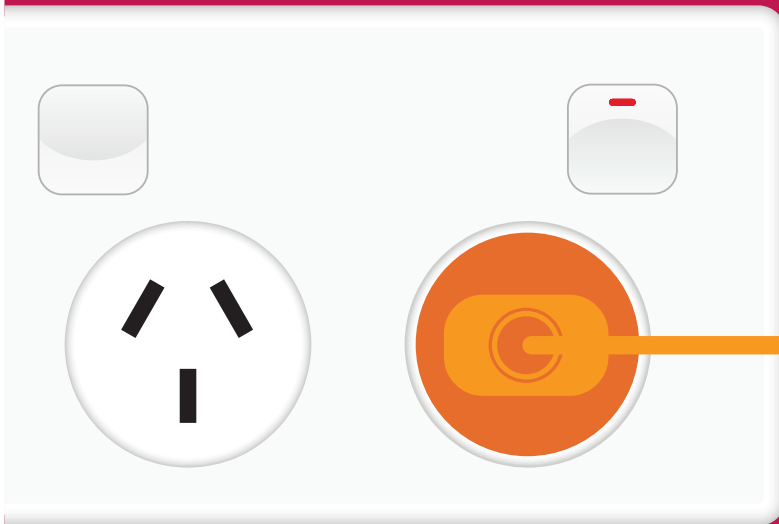


Energy & Water
Ombudsman NSW

EWON Insights

Complaints Analysis

1 April 2019 - 30 June 2019



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Ombudsman NSW

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Introduction



5,551
COMPLAINTS RECEIVED
down from 6,597 last quarter

↓ **15.9%**
decrease in complaints
compared with last
quarter

↓ **18.6%**
decrease in complaints
compared with the same
period in 2017/2018

I am pleased to bring you our latest EWON Insights quarterly activity report while the Ombudsman, Janine Young, enjoys a hard-earned break.

Complaint environment

Following a consistent complaints environment throughout the 2018/2019 financial year, the April to June quarter saw a drop in complaints to EWON. Complaints were down by almost 19% on the same quarter last year, and by close to 16% on the previous quarter. In fact, our complaint numbers have not been this low since the July to September quarter in 2016.

Complaints about most issues fell by 10 to 15%, but the most significant reduction, with a decrease of 53%, was 'Customer Service – failure to respond'. This is an excellent outcome for customers as it indicates that providers are getting back to customers and alleviating the need for them to come to EWON for assistance.

Customer service has been a significant focus for EWON over the last 12 months. We have worked with providers individually and through our member induction and development activities, to improve internal dispute resolution. We also extended the period providers have to respond to customers who we refer back to their specialist teams for resolution from three to five days. This change has led to a significant increase in providers reaching out to customers within the specified timeframe.

But it isn't all good news. The one complaint issue that didn't fall compared to the same quarter last year was 'Disconnections', where we saw a concerning 30% increase. We are monitoring this situation closely and working with providers to address it as quickly and effectively as possible.

Themes of this report

This quarter we take a close look at complaints associated with solar installations and problems with having rebates applied. We also focus on complaints about opening and closing accounts, including those where family violence is a factor.

We investigate solar complaints related to metering issues and refer those that are out of our jurisdiction to NSW Fair Trading. The case studies in this report cover both scenarios.

There are a number of electricity, gas and water rebates available to eligible customers. These rebates provide significant help to customers experiencing affordability issues. However, we continue to receive complaints from customers who have problems getting retailers to apply rebates to their accounts or have faced long delays having rebates applied.

Issues with opening and closing accounts can have a serious impact on customers, including disconnection of supply. The Australian Energy Market Commission is currently reviewing the transfer rules to reduce the delays in transfers and EWON looks forward to participating in this review.

There is growing awareness of the impact that family violence has on energy and water customers. Ineffective or overly onerous processes for opening or closing an account or having it transferred into another name as a result of family violence, only compound the stress these customers are already under.

EWON is aware that a number of providers have, or are developing, family violence policies. We believe it is important for retailers to have policies in place to assist frontline staff to manage these complaints in a considerate and effective way. We are also developing our own policy and accompanying training regarding how we assist customers in these circumstances.

Helen Ford | Deputy Ombudsman
Energy and Water Ombudsman NSW





Complaint activity

April - June 2019



↓ 15.8%

decrease in electricity complaints compared with last quarter



↓ 20.5%

decrease in gas complaints compared with last quarter



↓ 4%

decrease in water complaints compared with last quarter

ELECTRICITY

Overall electricity complaints decreased by 18.4%, 4,433 this quarter compared to 5,431 in the corresponding 2018 quarter. There was a 15.8% decrease in electricity complaints compared to the previous quarter. The 4,127 electricity retail complaints represent a decrease of 18.3% when compared with the same quarter last year, when there were 5,050 complaints. This was a 15.4% decrease from last quarter's 4,879 complaints. The 222 network cases opened represents a slight decrease when compared with 253 in the same quarter last year and 257 in the previous quarter.

GAS

Overall, gas complaints (881) decreased by 21.8%, compared to the same quarter last year (1,127) and were 20.5% fewer compared to 1,108 complaints last quarter. The number of gas retail complaints received this quarter (835) decreased 20.3% in comparison to the corresponding period in 2018 (1,047). They also decreased 20.6% when compared with the previous quarter (1,052). The number of gas network complaints (39) fell by 42.6% in comparison to the equivalent period last year (68) and decreased by eight complaints since last quarter.

WATER

The number of water complaints received this quarter (214) decreased by 9.3% compared to the corresponding period in 2018 (236) and decreased by 4.0% compared to last quarter (223). High bills remained the largest driver of water complaints.

EXEMPT ENTITIES

EWON received 29 complaints from customers of exempt entities this quarter compared to 22 in the same quarter in 2018 and 37 last quarter. Most of these were electricity related (28).



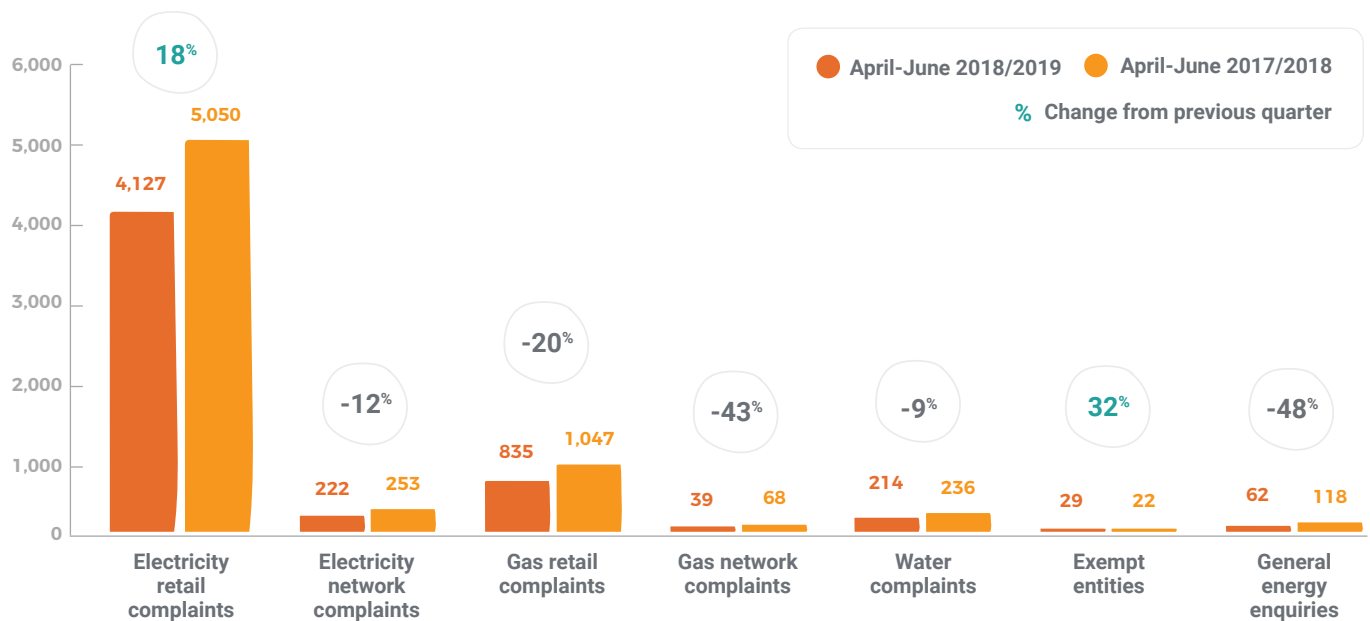
Complaint activity

Complaints received

Complaint activity overview

Complaints received by EWON this quarter decreased by 18.6% in comparison to the same period in 2018 (6,816 down to 5,551). When compared with last quarter, complaints decreased by 15.9% (6,597 compared to 5,551), owing to 827 fewer complaints about electricity and 227 fewer complaints about gas. This is the lowest level of complaints since the July to September quarter in 2016 when EWON received 5,534 complaints. This lower level of complaints seems to result from a period of price stability and a greater level of customer service from the industry.

Figure 1: Complaint activity



Customer complaint issues

Nine of the top ten issues this quarter showed a decline in comparison to the same quarter in 2018, corresponding to the overall drop in complaint numbers. Unfortunately, the only issue with increased complaints is completed disconnection / restriction of supply. There were 287 completed disconnections in this quarter compared to 220 in the same quarter in 2018, an increase of 30.5%. Compared to the last quarter the increase is 28.7% (223). Payment difficulties (548) increased this quarter by 16.6% compared with the previous quarter but declined by 5.5% on the same quarter last year.

High bill complaints numbered 1,587, down from 1,875 last quarter, and continued to be the largest issue, representing 14.7% of all issues raised this quarter. This was also down from the same quarter last year where this issue drew 1,958 complaints and represented 13.4% of all issues.

Complaints where customer service was identified as an issue declined significantly this quarter. Poor customer service declined by 29.1%, incorrect advice or information by 28.5% and failure to consult by 39.2% compared to the same quarter in 2018. The customer service issue, failure to respond, declined by 52.8% from 1,122 in 2018 to just 530 this quarter. EWON has been working closely with retailers to improve the referral to higher level process and this is reflected in the considerable drop for this issue.

Despite the introduction of new rules setting strict timetables, delays in the installation of digital meters was again in the top ten issues raised by customers coming to EWON. The number of complaints about this issue only decreased by 60 to 330 from 390 in the previous quarter.









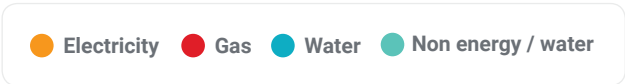
Complaint activity

Complaints received

Figure 2: Complaints received April - June 2019, including previous quarters

Figure 2 provides more detailed information about the number of complaints received from April to June 2019, in comparison to the previous four quarters.

Provider type	Apr-Jun 2019	Jan-Mar 2019	Oct-Dec 2018	Jul-Sep 2018	Apr-Jun 2018
 Retailer	4,127	4,879	5,230	5,449	5,050
Network	222	257	248	232	253
 Exempt retailer	29	35	34	47	21
Not allocated	56	89	82	92	107
Total	4,433	5,260	5,594	5,820	5,431
 Retailer	835	1,052	986	1,075	1,047
Network	39	47	44	79	68
 Exempt retailer	1	2	3	5	1
Not allocated	6	7	7	9	11
Total	881	1,108	1,040	1,168	1,127
 Retailer	116	124	131	146	165
Network	73	84	54	6	53
Not allocated	25	15	19	14	18
Total	214	223	204	224	236
 Non-energy/Non-water	23	6	23	13	22
Grand total	5,551	6,597	6,861	7,225	6,816





Top 10 issues

April - June 2019

Figure 3: Top 10 issues for this quarter and previous quarters

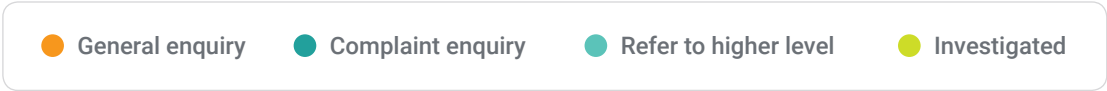
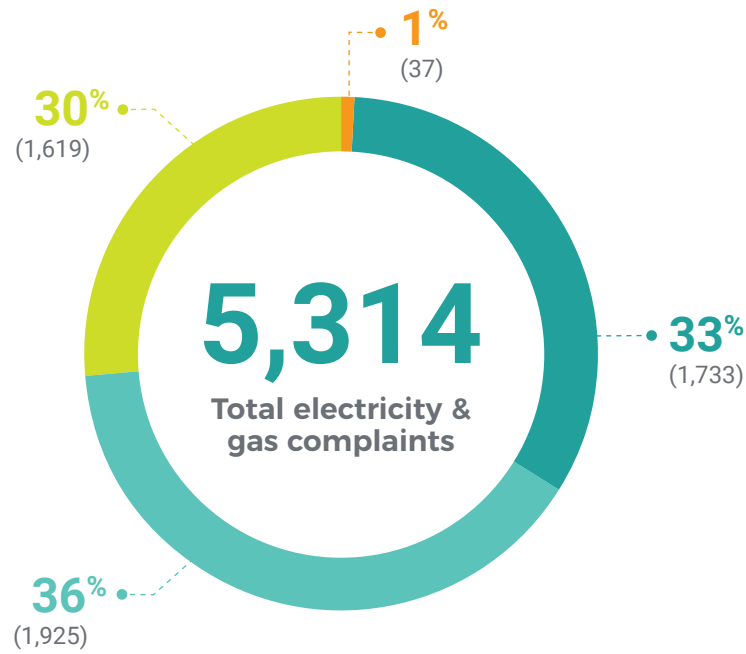
Primary and secondary issue	Apr-Jun 2019	Jan-Mar 2019	Oct-Dec 2018	Jul-Sep 2018	Apr-Jun 2018
1 High, disputed	1,587	1,875	2,343	2,274	1,958
2 Poor service	1,130	1,494	1,770	1,857	1,595
3 Payment difficulties, current/arrears	548	470	404	599	580
4 Failure to respond	530	800	975	1,018	1,122
5 Opening/closing account	449	574	589	680	662
6 Estimation, meter access/not read	443	555	558	561	554
7 Incorrect advice/information	343	433	480	518	480
8 Delay	330	390	399	329	364
9 Disconnection/restriction	287	223	179	252	220
10 Failure to consult/inform	262	289	392	520	431
Total number of issues per quarter	10,799	12,727	13,932	15,551	14,630

● Billing
 ● Customer service
 ● Credit
 ● Digital meter exchange



Energy

Figure 4: Electricity and gas complaints by case category





Energy issues

Opening and closing accounts

The most serious issue that customers face when trying to open an account is when a retailer refuses their application. It is clear that retailers have the right to refuse market customers (often on the basis of a credit check) however, in some circumstances a retailer is obliged to open an account for a customer. This is where the retailer is the incumbent retailer and the obligation to supply requires that it offers the customer a standard retail contract.

Disconnection is the other serious consequence of errors and delays in opening an account. When a customer thinks they have an account and are not informed about a delay, all too often the incumbent retailer initiates disconnection proceedings. The Australian Energy Market Commission (AEMC) is currently reviewing the transfer rules to reduce delays in transfers. EWON will participate in this review.

Obligation to supply



CASE STUDY

CREDIT

Long term disconnected customer refused an account

A customer had been disconnected for nearly two months when she contacted EWON. She said that her retailer had refused to open an account for her and had told her to go to another retailer. She had tried to do this but had failed a credit check and did not know what to do.

When EWON investigated it became clear that the customer had a complex history of bad debts and illegal connections and that the last disconnection in February 2019 had been a pole top disconnection. EWON pointed out that as the incumbent, her retailer had a legal obligation to open a new account

on a standing offer contract. The retailer raised the customer's extremely troubling history but acknowledged its obligations. EWON continued to work with both the customer and the retailer to ensure continuation of supply.

The final outcome included establishing a Centrepay arrangement, referral to the retailer's affordability program and referrals for EAPA and financial counselling. The customer was informed of the consequences of failing to meet her payments and the need to reduce her consumption if possible.

[VIEW MORE CASE STUDIES](#)



Energy issues

Opening and closing accounts

Difficulties opening an account



CASE STUDY

TRANSFER

Transfer refused due to metering arrangements

A customer agreed to transfer his electricity account away from his current retailer on 15 November 2018. He was then advised that his previous retailer had objected to the transfer until the end of his scheduled billing cycle. As he had a digital meter he did not understand why the transfer had to wait until the end of the billing cycle. His preferred retailer advised it would request the transfer again but could not confirm when this would take place. He was not satisfied with the response and approached EWON. This matter was referred to the retailer at a higher level.

The customer returned to EWON as his transfer request was denied as the retailer did not have a contract with the meter provider for the site and did not have an alternate meter provider to install a new meter. He considered it was unreasonable that it took him six weeks to find this out. He said that the retailer advised him there are rules in NSW preventing it from

taking over the site.

EWON confirmed with the retailer that it couldn't accept the transfer as it didn't have a contract with the current meter data provider and hadn't begun to implement its own meter program. It also said the customer had transferred through a comparison service which further complicated the issue. EWON questioned the lack of notification (under NERR 59) and pointed out that the customer felt he had been financially disadvantaged because he remained with his old retailer waiting for the transfer to occur.

EWON then explained the new metering arrangements to the customer and why he couldn't transfer to his preferred retailer. We advised that he needed to check if other retailers had relevant metering contracts in place but that this was difficult as the information was not readily available. The customer said he was angry with the situation and felt that he was being denied the power of choice.

[VIEW MORE CASE STUDIES](#)



Energy issues

Opening and closing accounts

Disconnections related to opening an account

CASE STUDY

TRANSFER

Disconnection due to delayed transfer

A customer advised that she set up an electricity account with her preferred retailer when she moved into a new home in October 2018 and was provided with an account number and a welcome pack. The customer said that the power was disconnected on 18 February 2019 by another retailer under a 'Dear Occupier' account. She rang her preferred retailer and was advised that the transfer did not proceed. It advised it was unable to reconnect the premises and she would need to contact the retailer that had the billing rights.

EWON contacted the incumbent retailer and arranged for a reconnection. The customer said there was a lot of correspondence for the previous tenants which she had not read and so was unaware of the Dear Occupant notices from the incumbent retailer. The customer said she could not follow up about the delayed transfer as she was a month away from giving birth and just wanted her electricity to work. She decided to open an account with the incumbent retailer and asked for the complaint to be closed.

[VIEW MORE CASE STUDIES](#)

Other account opening issues

CASE STUDY

TRANSFER

Confusion with online application form

A customer moved into a new flat and opened an account with her preferred retailer. She then received a warning notice from another retailer requiring her to open an account or be disconnected. She was confused and concerned, so she contacted EWON.

EWON arranged for a hold on the disconnection and investigated the transfer delay. It was identified that her preferred retailer had a request for transfer pending and was waiting for the next meter read. The retailer said that the customer had signed up

online and hadn't indicated that she was moving in rather than just transferring her account. When EWON looked at the online application process the question 'Are you moving home?' provided the choice between '1) Yes, I'm moving home' or '2) No, I already live here'. If the customer had already moved in before opening the account and selected 2) then an in-situ transfer based upon the next meter read was triggered.

The retailer agreed to undertake a special read to facilitate the transfer.

[VIEW MORE CASE STUDIES](#)



Energy issues

Opening and closing accounts

Family violence

When a customer has been involved in a family dispute there are many issues to deal with, especially if violence is involved. The *Royal Commission into Family Violence (Victoria)* made a number of recommendations specific to utility companies and also the relevant industry Ombudsman schemes intended to provide practical support to those experiencing family violence.



CASE STUDY

CREDIT

Debt after leaving family home

A customer had left the family home due to family violence. When she left, she closed the account which was in her name and the retailer agreed to send her a form related to her circumstances. However, there was no further contact from the retailer and the arrears of \$283 were passed to a collection agency. The customer said that she was still trying to establish a new home and would like the arrears waived or at least put on hold until she could afford

to pay. This matter was referred to the retailer for resolution at a higher level. The customer returned to EWON as the retailer had advised her that the account would only be put on hold for three months.

EWON opened an investigation and the retailer immediately recognised the customer's situation warranted waiving the arrears.

[VIEW MORE CASE STUDIES](#)



Energy issues

Opening and closing accounts

Final bills

Ensuring that final bills are correct is important as resolution of a dispute becomes more difficult after an account is closed. The ramifications, especially if the customer is unaware of a debt, are significant and can include credit listing.



CASE STUDY

BILLING

Significant confusion over final bill

A customer closed her small business and requested a final bill from her gas supplier. She made two appointments for a special read but a meter reader did not come and the shop was closed. She then contacted the retailer seeking a final bill which did not arrive. She sought assistance from EWON, and the complaint was referred to the retailer at a higher level for resolution. The customer returned to EWON

because the retailer hadn't contacted her, and she had received an estimated bill for one month for \$550.

EWON investigated and established that the bill was for July to October 2018, not just one month. The retailer also recognised that there had been multiple amendments to the account and very poor customer service. It reduced the customer's arrears, which left the account \$23 in credit.



Energy issues

Solar generation systems connected to non-compliant meters

When a solar installer or customer activates a solar generation system while it is connected to an electricity meter that lacks the functionality to separately measure both electricity consumption and generation, electricity generated by the solar system causes the meter to 'run backwards'. As well as being non-compliant, this makes it impossible to accurately determine how much electricity has been consumed from the network or how much has been exported into it.

As a result of these limitations, the distributor is forced to estimate the amount of electricity the customer has consumed. These estimations are generally based on the property's historical electricity consumption. Where there is no historical data, the consumption of similar sized properties may be used. Distributors do not estimate exported electricity for non-compliant connections.

Customers often voice dissatisfaction to EWON that these bills do not reflect the electricity their solar systems have generated, that is either been used within their property to offset consumption or as excess generation exported to the network. These bills can also prompt financial difficulty where customers have outlaid significant amounts to install the solar system and were anticipating reductions to their electricity bills.

Once a digital meter has been installed, subsequent electricity consumption and generation can be accurately recorded. However, estimated meter readings can continue if the non-compliant connection is not identified immediately by the customer. Similarly, delays installing a digital meter (such as when a meter box contains asbestos) can extend the time over which estimations continue.

Most complaints about the actions of solar installers connecting solar generation systems in a non-compliant manner are outside EWON's jurisdiction, instead falling under the remit of NSW Fair Trading. EWON does investigate where the installer is a contractor acting on behalf of an EWON member that retails solar systems. EWON will likewise investigate where a customer advises that they or their installer have activated the solar system on instruction from a retailer. The review of electricity bills falls within EWON's jurisdiction, so EWON can investigate customer complaints about the appropriateness of estimations.

Numbers of complaints

EWON receives a large number of complaints where customers indicate they have a non-compliant solar generation system connection and resulting estimated bills.

In the January to March 2019 quarter, EWON received at least 150 of these complaints. While this dropped to around 110 in the April 2019 to July 2019 quarter, these numbers suggest a concerning trend regarding the frequency of non-compliant connections.

Responsibility and reasons for non-compliant connections can vary

In most complaints that EWON has received involving this issue, customers advise it was their solar installer who turned on the solar generation system while it was connected to a non-compliant meter. In some cases this appears to have been due to lack of knowledge about or misunderstanding of the requirements of the *Service and Installation Rules of NSW* and the consequences of this action. For example, customers have told us they were advised by installers that they would receive feed in tariff credits straight away or that estimated bills would be recalculated once a new meter was eventually installed. In other cases, customers advised that their installers had not informed them of the requirement for a digital meter at all, or told them the necessary paperwork had been submitted when this was not the case.

Generally complaints about solar installers are referred to NSW Fair Trading, with no reasonable basis for a retailer to consider adjusting an estimated bill. However, where the installer is a contractor of an EWON member that sells solar generation systems, EWON will investigate on the basis that the installer is an agent acting on behalf of the EWON member.

EWON will also investigate complaints where it considers a retailer may have unreasonably contributed to delays in rectifying a non-compliant connection. This can be the case where a retailer fails to inform a customer of a non-compliant connection when it has a reasonable opportunity to do so (such as when a customer disputes an estimated bill), where the retailer contributes to a delay in identifying the issue (such as delays in issuing bills that would allow a customer to identify their bills are being estimated), or where a retailer contributes to delays in rectifying a non-compliant connection (such as delays in installing a digital meter).

In such cases, EWON considers that best practice is for the retailer to apply a credit equivalent to any missed solar generation for the period it contributed to. EWON has observed that some retailers already have internal procedures for calculating such credits, including by accepting generation data from the customer's inverter or by using data from the new meter as a basis to estimate past generation.



Energy issues

Solar issues

Solar generation systems connected to non-compliant meters



CASE STUDY

BILLING

A customer purchases solar panels but their installer did not notify their retailer to arrange a digital meter

A customer installed a solar generation system in November 2018 which the installer activated at the time. Following installation, the customer received an estimated bill for \$589 in April 2019 that he considered was too high and also did not include any feed in credits. The customer contacted his retailer which advised that it had not received notification of an installed solar generation system or a request for a digital meter. The system had been connected in a non-compliant manner to an accumulation meter, causing the meter to run backwards when electricity was exported to the grid and resulting in estimated bills.

The retailer organised a new digital meter to be installed on 18 April 2019, within the regulated timeframes. The retailer directed the customer to its solar installer to discuss recompense for the non-compliant connection and the resulting billing impact. While it declined to adjust the billing or provide a feed in tariff, the retailer provided a \$100 credit to the customer's electricity account as a customer service gesture. The customer advised EWON that the solar

installer refused to provide any form of recompense and denied responsibility for connecting the solar system to a non-compliant meter, arguing that the retailer should have automatically known there was a solar generation system and organised a meter without involvement of the installer or customer. This was despite an email from the installer to the customer in October 2018 advising that the meter would need to be replaced and it would complete and submit the necessary paperwork requesting a digital meter once the installation was complete.

Based on the information and copies of emails that the customer provided, EWON concluded that the retailer was not reasonably responsible for the delayed meter installation as it had only been informed of the solar generation system in April 2019 and had responded promptly by organising a digital meter to be installed by 19 April 2019. Based on the documented advice from the installer to the customer that it would handle the meter exchange, EWON referred the customer to NSW Fair Trading for further review of the installer's actions.

[VIEW MORE CASE STUDIES](#)



Energy issues

Solar issues

Impacts on transfer between retailers

Under current market rules, a customer can only transfer to a new retailer on an actual meter reading. As meter readings are estimated for properties where a non-compliant solar

connection has been identified, this means that transferring between retailers cannot occur until the situation is resolved.



CASE STUDY

TRANSFER

Solar installer's failure to request a digital meter prevents customer transferring to a new retailer

The customer installed solar panels in February 2019 and then received an estimated bill that did not show a reduction in usage or exported electricity. On speaking with her retailer, the customer learned that the solar installer had not notified the retailer or distributor of the completed works, requested a digital meter, or submitted a compliance certificate. The contractor had also turned on the solar generation system while it was connected to the existing meter, resulting in the meter readings being estimated.

The customer was dissatisfied with the process for obtaining a digital meter through the retailer and the need for documents from the solar installer who she

had difficulty contacting, and so decided to switch to another retailer. However, as the non-compliant activation of the solar system meant that the meter readings were being estimated, this prevented the transfer from occurring.

After speaking with EWON, the customer decided to continue discussions with her current retailer about obtaining a digital meter and advised she would continue to follow up with the solar installer about submitting the necessary documents. The customer was also referred to NSW Fair Trading if she was unable to resolve the issues she had with the solar installer.

[VIEW MORE CASE STUDIES](#)



Energy issues

Solar issues

Impacts on new customers and tenants

While most customers that raise complaints involving non-compliant solar connections are the purchasers of the solar generation system, this is not always the case. A growing number of these complaints involve customers buying or renting properties that already have solar panels in place, but

without installation of a compliant meter. These customers are often unaware of the issue until they receive their first estimated bill or when their preferred retailer is unable to open an account for them, forcing them to open an account with the retailer that holds billing rights.



CASE STUDY

CUSTOMER SERVICE

A customer buys a property with existing solar panels and unknowingly inherits the problem of a non-compliant solar system connection

A customer advised EWON that he moved into the supply address in July 2018 and contacted his preferred retailer to open an electricity account. He advised the retailer that there were solar panels on the roof and accepted a contract with a solar feed in tariff. His preferred retailer already held billing rights for the property and so was able to open an account for him without any issues.

His first bill was estimated and there were no credits for exported solar generation. On receiving his second bill which also had no credits, the customer

contacted the retailer which advised he did not have a digital meter and so the solar generation system was not compliant but it would arrange to have one installed free of charge. The customer submitted the paperwork for a digital meter but was subsequently advised by the retailer that he would need to hire an electrician to install the meter at his own cost.

The customer contacted EWON for assistance and the complaint was referred to the retailer at a higher level, knowing he could return to EWON if an agreed outcome could not be negotiated

[VIEW MORE CASE STUDIES](#)



Energy issues

Solar issues

Possibility of defect notices from electricity distributors and fees for re-inspection of works once rectified

Where an electricity distributor identifies a solar generation system has been connected to a non-compliant meter, it may choose to issue a defect notice to the customer ordering the work to be rectified and potentially levying fees. If the

work is considered a safety hazard, a distributor may also threaten disconnection if it is not rectified or, in extreme circumstances, immediately disconnect.



CASE STUDY

CUSTOMER SERVICE

Connection of solar panels to non-compliant meter results in defect notice from distributor

In November 2018, a customer subdivided a property and arranged for the existing rooftop solar generation system to be rewired. In doing so, the customer's electrician disconnected the system from the existing compliant Type 5 meter and connected it to a non-compliant Type 6 meter. On 8 February 2019, the customer was sent a defect notice from the distributor advising that the metering was non-compliant and needed to be rectified within 21 days. The notice also advised that a \$205.39 reinspection fee would be charged on completion of the rectification.

The customer contacted his retailer to arrange a new compliant meter but was not given a timeframe for when this would occur. After receiving a second defect notice from the distributor the customer contacted EWON for assistance.

In EWON's investigation, the distributor agreed to provide an extension to the defect notice in acknowledgement of the delay the customer was experiencing with the retailer installing a compliant meter. The meter was eventually installed by the retailer on 8 May 2019.

[VIEW MORE CASE STUDIES](#)



Energy issues

Social Code rebates

The *NSW Social Programs for Energy Code* forms the basis for retailer provision of various rebates. This code governs eligibility, responsibilities of retailers and requirements of customers. Protections include the responsibility of retailers to notify customers if entitlement to a rebate is not verified.

EWON receives complaints from customers who have applied for concession cards, but the cards are sometimes not received until months after the application. The cards are backdated to the date of the application and customers can then apply for the rebate. The current Code only allows the rebate to be paid from the date of its application. Customers feel disadvantaged by the difference between the two systems and, as can be seen in the case studies below,

express frustration that the rebate is not backdated to the start date on the concession card.

While errors in data entry are unavoidable, when they relate to rebates these errors can cause significant detriment. When a customer contacts a retailer concerning rebate issues, data verification should be carried out. The correction of such errors should not require an EWON investigation.

We also feature case studies where the rebate in question is related to life support equipment. These complaints can be complicated by the additional need to properly register the equipment to ensure the customer is not disconnected in contravention of the rules.

Backdating



CASE STUDY

BILLING

Significant backdating of rebate

The customer was a disabled pensioner under the care of the NSW Trustee and Guardian (NSW T&G). The customer's advocate identified that when her father-in-law moved from one community housing scheme to another in 2009, the Low Income Household Rebate stopped being paid to his electricity account. When she raised this with the customer's retailer, it offered a credit equivalent to 12 months rebate. She asked EWON to investigate.

When EWON began its investigation the retailer offered to increase the credit to two years of rebate, however the advocate rejected this offer. EWON sought and received evidence from the NSW T&G that the rebate was applied to the customer's original account and that when the customer moved the rebate had ceased. At this point the retailer offered to increase the credit to five years of rebate. Again, the advocate rejected this as she felt that the retailer had the customer's details, and these should have

been transferred when he was moved to other accommodation.

EWON identified in the *NSW Social Programs for Energy Code* the retailer's responsibility to ensure eligible customers continued to receive the rebate after moving residence (Section A5.6.3) and that if the rebate lapsed through retailer action or inaction the retailer must reimburse the customer (Section A5.7.1). The retailer argued that the customer had some responsibility to identify that the rebate was not being paid. EWON pointed out that the NSW T&G was paying the bills and that the customer was not able to identify that the rebate was not being applied.

On this basis the retailer fully reimbursed the customer the missing rebate and credited the customer's account with \$1,947.60. The advocate accepted this but remained dissatisfied with the retailer and indicated that she intended to move the customer's account to a new retailer.

[VIEW MORE CASE STUDIES](#)



Energy issues

Rebates

Retailer errors



CASE STUDY

BILLING

Postcode entry error by retailer

A customer approached EWON at an outreach event seeking assistance getting the Low Income Household Rebate. He understood that the postcode he had supplied did not match his address and therefore his application had been rejected.

EWON's investigation identified that the postcode

of the customer's postal address had been entered as the postcode of the supply address. The retailer corrected this error and indicated that the customer's application could now be processed without further delay. After prompting from EWON, the retailer recognised this had been its error and provided a \$500 customer service gesture to the customer.



CASE STUDY

BILLING

Incorrect name on account

A customer who had been disconnected came to EWON seeking assistance with reconnection and payment arrangements. In the course of EWON's investigation it was identified that the customer was not receiving the Low Income Household Rebate because the retailer had spelt his surname incorrectly

when opening the account. The retailer provided a customer service gesture of \$119 matching the lost rebate and ensured that the rebate was applied by correcting the spelling error. EWON also arranged for reconnection, a payment plan and a referral to the retailer's affordability program.



Energy issues

Rebates

Other rebate issues



CASE STUDY

BILLING

Centrelink error

A customer advised EWON that he tried to provide his retailer with his concession details but the retailer declined without providing a reason. The customer indicated that he had contacted Centrelink a number of times and was told that his card was correct and that he was eligible for the Low Income Household Rebate.

During an EWON investigation the retailer advised

that the the customer's card was being rejected by the electronic confirmation system. After a referral to Centrelink where his eligibility was again confirmed, EWON established the customer's card was a Commonwealth Seniors Health Care Card which did not make the customer eligible for the rebate. We were able to explain the difference to the customer and also explain that Centrelink had provided him with the wrong information.



CASE STUDY

BILLING

Privacy concerns

A customer approached his retailer to have the Low Income Household Rebate applied to his account. The retailer correctly requested his concession card number and then asked his permission to check his personal details with Centrelink. He said he inquired about what details and was told that it would be an

authority for the retailer to 'look into everything'. He was concerned about his privacy. EWON was able to assure the customer that all the retailer would be able to check would be the details provided on his concession card and that this would be done electronically with his privacy protected.

[VIEW MORE CASE STUDIES](#)



Energy issues

Rebates

Life Support Rebate



CASE STUDY

BILLING

Medical rebate for two machines

A customer had two CPAP machines (for two different residents of the household) and his retailer told him its systems only allow for one Life Support Rebate to be paid. He said he had been complaining for two years and after each bill he had to contact the retailer for a manual adjustment. The customer also said that the calculation was often different depending on who he spoke to. This complaint was referred to the retailer at a higher level for resolution. The customer returned because the solution offered by the retailer was no different than the situation that he was complaining about.

In response to EWON's investigation the retailer said this was an IT issue and the only option was for the

customer to manually request the second rebate each quarter. EWON pointed out that the customer accepted this but his concern was having to re-explain his issue every quarter, as well as the wrong calculations that were performed manually, which resulted in bill corrections and multiple bills.

A solution was proposed and accepted by both parties; the customer was provided with a direct number to a case manager in the complaint handling team, avoiding the call centre. This meant that the manual adjustment would be calculated by the same person and the customer would not need to explain the situation each quarter.



CASE STUDY

BILLING

Two different forms required for medical confirmation

A customer sent a completed Life Support Rebate form to his retailer which began paying the rebate in March 2019. He then received another form which he said indicated that he needed to complete and provide another medical confirmation, by 6 May 2019 or the rebate would stop.

EWON's investigation established that the Life Support Rebate was in place and that the second

form was a Retailer Medical Confirmation form required by the life support rules for the purpose of registering the premises with the retailer and distributor. EWON accepted this explanation but pointed out to the retailer that it was inconvenient for the customer to complete two forms and seek two medical appointments. EWON reassured the customer that the rebate was not at risk.



Water

The number of water complaints received this quarter (214) decreased by 9.3% compared to the corresponding period in 2018 (236) and decreased by 4.0% compared to last quarter (223).

High bills continue to be the most complained about issue for water customers contacting EWON. Other complaints to EWON about water providers relate to customer service issues, property damage and affordability, as seen in Figure 5 below.

Figure 5: Water complaints

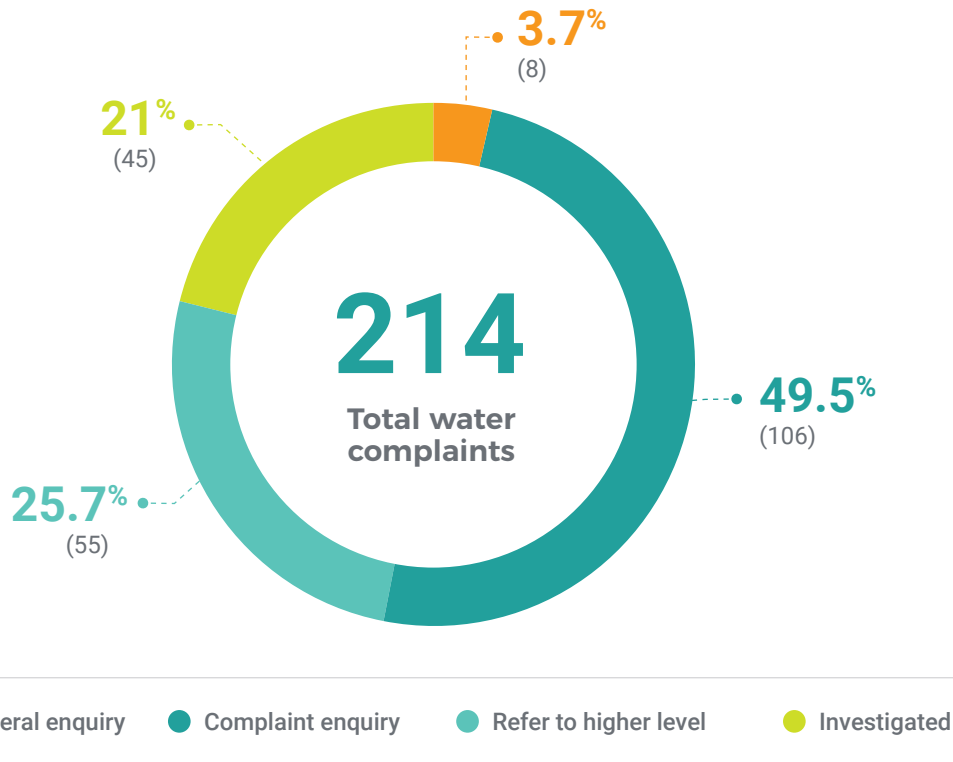
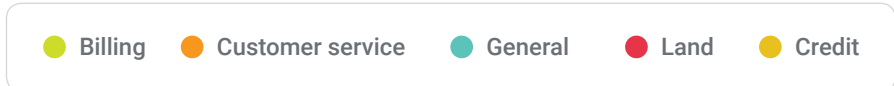


Figure 6: Top 6 water issues

Primary and secondary issue	Apr-Jun 2019	Jan-Mar 2019	Oct-Dec 2018	Jul-Sep 2018	Apr-Jun 2018
1 High, disputed	38	40	40	45	57
2 Failure to respond	33	29	29	29	28
3 Poor service	29	35	31	43	49
4 Energy/water	28	26	28	26	38
5 Property damage/restoration	20	19	18	16	15
6 Payment difficulties, current/arrears	20	12	9	22	11
Total number of issues per quarter	168	161	155	181	198





Water issues

Complaints about network infrastructure and the conduct of contractors

Damage can be caused to private property by an electricity, gas or water network operator in the course of carrying out their functions. However, complaints about the conduct of contractors or damage caused by the works undertaken by water providers can be difficult to resolve. It may be that the cause of an incident is difficult to determine or the original

works that caused damage to a customer's property may be remote in time. EWON's role in these complaints is to ensure that the distributor is fair and reasonable in its response to a customer's complaint and that the customer has been given appropriate reasons for the provider's decision.



CASE STUDY

LAND

The water provider did not give adequate reasons for refusing the customer's claim for damages and repair costs in full

A customer first contacted EWON in May 2018 about a sewer blockage on his property. The customer had contacted the provider and was advised that if the blockage was on his property then it was his responsibility to resolve. The customer employed a plumber to clear the sewer pipes on his property. The provider also attended the property to inspect and found no blockages in the main. The repairs and investigation of the sewer blockage resulted in damage to the customer's property.

The customer was referred to make a complaint about the cost of the private plumber and the repairs to his property directly to the provider in the first instance. The customer returned to EWON to advise that the provider had paid most of his claim of

\$4,094.75 but that it declined to pay for the private plumber's labour costs for investigating the blockage.

EWON's review of the customer's complaint indicated that the provider had declined to pay a \$636 portion of the plumber's labour costs because it would only pay for a reasonable amount of time to diagnose a fault in its asset. EWON pointed out that the plumber had undertaken the excavation and investigation work while communicating directly with the provider. Therefore, the provider had been aware the plumber had been required to undertake the excavation work on the customer's property to investigate the problem. The provider offered to resolve the complaint by paying the customer \$636 for the final part of the labour costs. The customer accepted this outcome.

[VIEW MORE CASE STUDIES](#)



Water issues

Restriction of a customer's water supply due to non-payment of water charges

Water is usually not disconnected because of the impact on public health. However, water can be restricted to allow only a very limited flow to the property. Many customers

facing water restriction are experiencing payment difficulties. Tenants can be particularly vulnerable as the water account is in the name of the property owner.



CASE STUDY

CREDIT

The customer received a water restriction notice after receiving a high bill caused by a concealed leak

A customer approached EWON after receiving a notice from her water provider that her water supply would be restricted in 10 business days due to \$813.99 being overdue on her water account. The customer told EWON that after she spoke to the provider about her bills, she found a concealed leak on her property. The customer advised the water provider about the concealed leak and it told her the claim would be reviewed. The customer said that she could afford a payment of \$200 that same day.

EWON contacted the provider which placed a hold on the water restriction and further credit action. The

provider confirmed that it had spoken to the customer about the concealed leak, however, the customer was not eligible for a rebate because the property was not the customer's principal place of residence. EWON contacted the customer again and confirmed that as the property was not her principal residence the water provider's concealed leak policy did not extend to her situation. EWON confirmed that the restriction was on hold to allow her to contact the provider and discuss a payment arrangement. EWON provided the customer with a direct contact at the water provider to talk about payment options.



CASE STUDY

CREDIT

A social housing tenant receives a water restriction notice for non-payment of the water account

A customer advised EWON by email that her temporary housing was provided by a community agency. The customer's accommodation was in a private rental, but she paid rent and utility charges to the community agency, not to the real estate agent. The customer complained to EWON that she had received a notice from the water provider that her water supply would be restricted the next day due to an unpaid water account. The customer was very worried about the \$93 reconnection fee that was referenced on the notice.

EWON was unable to contact the customer by

telephone, so we contacted the provider directly to ensure that it was aware that the customer was in temporary accommodation provided by a community agency and had been paying water charges directly to that agency. The customer contacted EWON by phone the following day and confirmed that she had since been contacted by the provider which told her that she would not have her water supply restricted. The customer also advised EWON that the community agency had contacted the real estate agent for the property who had then paid the outstanding water account.



Water issues

Water customers that fall outside EWON's jurisdiction

Hunter Water, Sydney Water, Water NSW and Essential Energy (which supplies water to Broken Hill) are required to be members of EWON under their operating licence. Water providers licensed under the Water Industry Competition Act are also required by IPART to be members of EWON. Councils that supply water are not required to be members of EWON

but may join voluntarily. Shoalhaven Council is a voluntary member of EWON.

Customers often contact our office to complain about their local government water authority which is not a member of EWON. We refer these matters directly to the NSW Ombudsman.



CASE STUDY

CREDIT

A customer in financial hardship had their water supply restricted by a local government authority water provider

A customer complained to EWON that his water supply had been restricted by his local government authority water provider. The customer explained that he owed a debt of \$2,431.40 on his water account and he was currently experiencing financial difficulties. The customer had an ongoing payment arrangement

with the water provider of \$55 a fortnight which he had maintained. The provider advised him that he would need to increase his fortnightly instalments which the customer could not afford.

EWON transferred the customer directly to the NSW Ombudsman.



CASE STUDY

CREDIT

Water supply restricted by a local government authority water provider

A customer approached EWON staff at a community outreach event in regional NSW. The customer complained to EWON that her water supply had been restricted by a local government authority water provider for overdue water charges of \$709. The provider advised the customer that she had to pay 50% of the debt upfront before it would negotiate an ongoing payment plan and lift the restriction.

The customer told EWON that she was also behind in paying rent and electricity. The customer had

negotiated a payment plan with her real estate agent and her electricity retailer had provided her with a payment arrangement and referrals for Energy Accounts Payment Assistance. The customer had told the water provider that she could not afford to make the upfront payment to have the restriction lifted. She also said that the water provider would not provide any other assistance.

EWON provided the customer with referrals to community support agencies and transferred the customer directly to the NSW Ombudsman.

[VIEW MORE CASE STUDIES](#)



Water issues

Complaints about water charges from social housing providers

Through EWON's community outreach program in urban, regional and remote communities, we are often approached by tenants complaining about the water charges they receive from their social housing provider. Tenants complain about the calculation of water charges and the lack of specific information about their water usage on the invoices they receive. In several instances, tenants have expressed frustration that they simply receive an itemised water charge on their tenancy account without any other supporting information. Tenants have told EWON that they are reluctant to pay a water charge when they are given so little information about the charges or their water usage.

The Residential Tenancies Act 2010 states that a tenant is not required to pay the water usage charges unless the landlord gives the tenant a copy of the part of the water supply authority's bill setting out the charges, or other evidence of the cost of water used by the tenant. However, another section of the *Residential Tenancies Act* requires social

housing tenants to pay for water charges as determined by the Ministerial guideline. The current Ministerial guideline for determining water charges states that housing providers must itemise the tenant water usage charges separately on their accounts and develop a fair and transparent water charging policy which outlines the method for calculating charges. However, the guideline is not clear about what information must be given to a tenant with their invoice or charge for water usage.

It is our experience dealing with customers generally, that it is critical for them to have adequate information on their energy or water invoice to be able to understand the charges they are being asked to pay. This includes basic information such as the billing period and the readings taken from the meter at the start and end of the billing period. We are currently engaging with community housing stakeholders and the NSW Government about this issue.



CASE STUDY

BILLING

An Aboriginal housing tenant with an \$11,000 debt relating to rent and water charges complains to EWON that her community housing provider would not provide bills for water usage

A customer approached EWON staff at a community outreach event in a remote NSW community. She asked EWON to review her combined rent and water statement from her housing provider with arrears of over \$11,000. The customer complained that she had only ever been given a statement of charges, and no water bills with details of how her water usage

has been calculated or meter readings. She also complained that her housing provider could not help.

EWON provided advice to the customer on the kind of information about her water usage that might be available from the local water provider. EWON also provided the customer with a referral to the Western Aboriginal Tenants Advice and Advocacy Service.

[VIEW MORE CASE STUDIES](#)



Embedded networks

This quarter EWON opened 77 cases and closed 80 cases from customers whose electricity or gas is supplied through an embedded network. The following case studies will also be included in the regulators' report that EWON provides to the

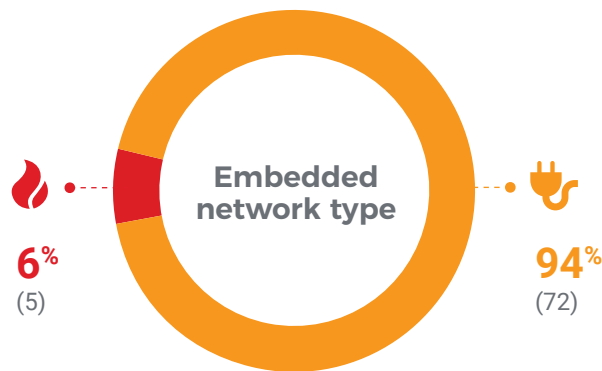
Australian Energy Market Commission (AEMC), the Australian Energy Regulator (AER) and NSW Department of Planning, Industry and Environment.

Figure 7: Cases opened and closed



- Authorised retailer (EWON member)
- Exempt seller (non member)
- Residential park operator (non member)

Figure 8: Embedded network type complaint



- Electricity
- Gas



Embedded networks

Embedded network operators providing bundled utility services to residents

The bundling of utility services is becoming more common place. At least three energy retailers in NSW also offer telecommunications services. In 2019, EWON received two complaints about an energy retailer marketing broadband services to its energy customers. EWON expects that bundled utility services will continue to increase in complexity as more customers take up technologies such as solar and battery installations, energy management systems, and electric vehicles. The bundling of services can be even more complex in embedded networks where residents have no choice but to agree to energy accounts that are combined with other building services.

In our submission to the AEMC's consultation on the *Review of the regulatory frameworks for stand-alone power systems - Priority 2*, we urged regulators to start designing regulatory frameworks that were flexible enough to accommodate the future energy services that will be provided to consumers. We believe that it is vital that the energy specific consumer

protections contained in the National Energy Consumer Framework (NECF) continue to be extended to all customers no matter how energy services are separated out or bundled together.

The following case study shows that some embedded network customers are required to open accounts with an energy retailer that are bundled together with non-traditional energy services, such as separate charges for the energy used to provide air conditioning or hot water. These complex arrangements can be confusing for customers, as each service may be provided in a different regulatory framework and come with different levels of consumer protections. In an environment where utility services are increasing bundled together, including traditional and non-traditional energy services, the need for consumers to access free and independent external dispute resolution will be more critical than ever.



CASE STUDY

BILLING

Multiple customers from a single residential complex complain about bundled centralised services, including electricity, hot water and air conditioning

Between April and June 2019 EWON was contacted by 12 residents of the same residential complex established as an embedded network. The embedded network retailer was billing customers usage charges for electricity, and other centralised services, such as hot water consumption and air conditioning. The customers complained to EWON about:

- not being provided with adequate information when opening their energy accounts that they would also be billed for centralised services (hot water usage and air conditioning)

- delayed bills for hot water usage and air conditioning which resulted in unaffordable backbills
- high bills for electricity usage.

In each case, EWON provided the residents with advice, and either referred the customer to their retailer in the first instance or referred them to the retailer at a higher level. At the time of writing this report, EWON had two open complaints about billing issues at this address. We will monitor the outcome of these complaints and any new complaints received.



Embedded networks

Access to the NSW Government's Energy Accounts Payment Assistance scheme

The Energy Accounts Payment Assistance (EAPA) scheme is a critical NSW Government program for helping energy consumers in crisis. It is our experience that EAPA vouchers often provide crucial assistance to customers who have

been disconnected by their energy retailer for non-payment, by giving those customers with a basis to negotiate reconnection. Unfortunately, embedded network customers do not currently have access to the EAPA scheme.



CASE STUDY

CREDIT

Embedded network customer in financial hardship cannot access EAPA vouchers

The customer lived in a residential building established as an embedded network. He complained to EWON that he could not access EAPA vouchers because he lives in an embedded network. The customer had also been advised by his retailer that he cannot receive the NSW Low Income Household Rebate.

EWON confirmed that embedded network customers currently do not have access to the EAPA scheme. However, we advised the customer that he can apply directly to the NSW Government for the Low Income Household Rebate as an embedded network customer and provided him with information on how to do so.



Embedded networks

Hot water embedded networks

EWON has noted the lack of clarity about what consumer protections exist for customers in hot water embedded networks in recent submissions to the AEMC and in our quarterly reports. EWON has also recently engaged with the NSW Government to raise awareness that the sale of bulk hot water is not regulated under the National Energy Retail Law or the Water Industry Competition Act (NSW).

The AEMC has also recently commented on this issue in its final report *Updating regulatory arrangements for embedded networks and the 2019 Retail Energy Competition Review*.

The AEMC recognised that the energy market has evolved significantly in recent years in relation to non-traditional energy services and products and that the specific nature of the NECF has not adapted to these changes. The AEMC has stated it will review whether changes to the NECF are necessary to make consumer protections fit for purpose and reduce barriers to innovation. This review will likely analyse the regulatory approach for new non-traditional energy services and products. For example, consumer protections in relation to distributed energy resources and bulk hot water.



CASE STUDY

BILLING

An embedded network customer disputes the accuracy of her hot water billing

A customer had lived at an apartment with an individual hot water meter for four months. Her meter indicated that she had used approximately 9,500 litres of hot water in that time. The customer complained that the billing agent for the building had issued her bills that showed she was using 4,500 litres per month. The meter readings on the bills she received did not match her reading of the meter. The customer contacted the billing agent to complain but did not receive a response for months. The customer also complained that she paid her first bill by direct debit and the billing agent then continued to deduct payments from her account without permission. The billing agent told her that direct debit was the only

payment option provided.

EWON advised the customer that we were limited in the assistance we could provide as the billing agent providing the hot water service was a not an authorised energy retailer or a member of EWON. The customer provided EWON with her billing information and EWON contacted the billing agent to confirm what action was being taken to address the customer's complaint. The billing agent advised that the customer's meter was identified as faulty and would be replaced. The billing agent then contacted the customer and offered her a credit to the account of \$300 which would average her hot water usage for the disputed period to 3,000 litres per month.



Embedded networks

Gas embedded networks



CASE STUDY

BILLING

Embedded network customer disputes high bill for bundled hot water and cook top gas charges

A customer moved into an apartment building with an embedded network. She opened an account with the retailer in July 2018 after receiving an invoice addressed to the 'Unit Occupier'. The bill was for the energy used to heat the hot water and supply charges for unmetered cook top gas. The customer then received a re-issued bill covering the period from the date of connection (March 2018). She complained to EWON, via an interpreter, that she felt the re-issued bills were too high. She was also concerned that the payment she made of \$368.10 was not noted on the bill.

The customer contacted the retailer which advised her that the billing was based on digital meter data and was correct. She was confused about what charges (electricity, hot water, or cook top gas) were contributing to the higher than expected bill. The customer agreed to have her complaint referred to the embedded network retailer at a higher level, knowing she could return to EWON if an agreed outcome could

not be negotiated. The retailer notified EWON that it responded to the customer's complaint by email on 9 October 2018.

The customer contacted EWON again on 19 October 2018 to advise that she had not received a response from the retailer. The retailer advised EWON that the customer's payment of \$368.10 was received on the same day the bill was issued. The retailer also advised EWON that it had engaged the meter data provider to investigate the meter readings following the customer's complaint.

The meter data provider provided a photograph of the customer's meter which confirmed the correct billing of the account. The retailer noted that more information could have been provided to the customer at the first point of contact about how its hot water billing worked. The customer contacted EWON again on 29 January 2019 to advise that the retailer had contacted her and resolved the complaint.



Stakeholder engagement

Members

Meetings	Staff involved
Ausgrid, Endeavour Energy and Essential Energy	Manager Policy & Research
Jemena Gas Networks workshop	Manager Policy & Research
Flow Systems	Manager Governance, Investigations Manager
Endeavour Energy – CEO and Marketing Officer	Ombudsman, Executive Officer
Jemena Gas Networks Customer Council Meeting	Ombudsman, Manager Policy & Research
Essential Energy, Endeavour Energy, Ausgrid	Manager Policy & Research
Ausgrid Customer Council Meeting	Manager Policy & Research
EWON Operational Advisory Group for Exempt Entities and Water Industry Competition Act providers	Deputy Ombudsman, Manager Governance, Manager Policy & Research
Energy Charter workshop	Ombudsman, Manager Policy & Research



Stakeholder engagement

Government and other stakeholders

Meetings	Staff involved
ANZOA	Deputy Ombudsman , Senior Policy Officer
ANZEWON	Ombudsman , Deputy Ombudsman, Member Liaison Officer
NSW Department of Planning Industry and Environment	Ombudsman Deputy Ombudsman, General Manager Investigations
Fair Trading NSW	Deputy Ombudsman, Manager Policy & Research, Investigations Manager, Senior Policy Officer
Australian Energy Regulator	Ombudsman, Deputy Ombudsman, Manager Policy & Research, Policy Officer
Office of Environment and Heritage	Deputy Ombudsman, Manager Communications
Real Estate Reference Group	Deputy Ombudsman, Manager Governance
EWON Consultative Council	Ombudsman, Deputy Ombudsman, GM Investigations, GM Finance & Corporate Services, Manager Policy & Research, Manager Communications & Outreach, Executive Officer, Policy Officers, Board Members
EWON Quarterly Regulator meeting	Manager Policy & Research, Manager Governance
NSW Minister for Energy and Environment	Ombudsman, Policy & Research Manager
NSW Minister for Water, Property and Housing	Ombudsman, Deputy Ombudsman
NSW Business Chamber	Ombudsman, Deputy Ombudsman, Manager Communications & Outreach
Thriving Communities	Ombudsman, Executive Officer
FCA Conference	Ombudsman, Manager Communications & Outreach
EDR Forum at FCA annual conference	Ombudsman, Manager Communications & Outreach
ATSI Yarning Circle at FCA Annual Conference	Ombudsman
Strata Communities NSW	Deputy Ombudsman, Manager Governance

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Opening and closing accounts

Obligation to supply

Gas account refused unless customer opened electricity account

A customer moved into a new house and opened an electricity account with his preferred provider prior to his move. He then received a 'Dear Occupant' account from the incumbent gas retailer. He called and tried to open an account but that retailer refused to open an account unless he also opened an electricity account. He contacted EWON after he received a disconnection notice from that retailer and was in the process of trying to open an account with a different retailer.

When EWON investigated, the retailer said that its policy was to only open gas accounts for electricity customers. EWON reminded the retailer of its responsibility under the rules to supply a customer if it was the incumbent retailer. The retailer had to seek further advice. When the retailer returned to EWON the customer had already found another retailer and a transfer was in process. The retailer confirmed its original advice but added that if a customer insisted on supply it would provide a standing offer contract. EWON was able to inform the customer that, as the transfer was occurring, he could ignore the disconnection warning and any further notices. The retailer waived the period of billing between the customer's move in date and the transfer date.

Customer refused account

Having moved into a new house on 7 May 2019, the customer attempted to open an account with the incumbent retailer. She said that it required an upfront payment and payment of a pre-existing bill for her phone service, which the retailer also supplied. She tried to find another retailer but failed the credit check. She said that she again tried to open an account with the incumbent retailer but this was refused because she failed a credit check. On 27 May 2019 the retailer disconnected her supply. The customer informed EWON that she was prepared to pay the 'move-in' fee and her phone bill but wanted an electricity account.

EWON contacted the retailer and advised it that, as the incumbent retailer, it was obliged to open an account and that it had no right to require a upfront payment for a standing offer contract, nor did it have the right to require the payment of a different utility before opening an electricity account. The retailer's initial response was that, while the bill was for a separate utility, it was with the same company. EWON pointed out the relevant sections of the NERL and the NERR. The retailer then apologised and offered to contact the customer directly to open an account. The supply was reconnected the next day.



Opening and closing accounts

Difficulties opening an account

Cancelled transfer request

A customer moved into a new home in November 2018 and requested an electricity account with his preferred retailer. He then received disconnection warning notices addressed to 'The Resident' from another retailer. His preferred retailer advised it couldn't obtain the rights and he needed to establish an account with the current retailer for the site. He was not satisfied with this response and did not want to establish an account with the other retailer.

EWON investigated and established that a transfer request on 8 November 2018 had been cancelled without a valid explanation. The preferred retailer raised a move-in request with a special reading to occur on 17 April 2019 and applied a credit of \$500 towards the first bill as a customer service gesture for any inconvenience caused as a result of the initial failed transfer. The customer accepted the outcome and considered the complaint resolved on this basis.

Unable to transfer on estimated read

A customer advised he had been attempting to transfer to his preferred retailer since September 2018 but was now being told that this was going to occur at the next scheduled read. He told his current retailer that he did not consider this to be reasonable as this would be five months after the initial request. It did not respond so he came to EWON. This matter was referred to the retailer at a higher level. The customer returned to EWON as he had not been contacted by the retailer.

EWON investigated and established that the preferred retailer was unable to win the billing rights to the meter because the previous read had been an estimate and the transfer request from his preferred provider could not go ahead until there was a special read request. Further investigation established that there was a solar installation connected to the old meter and that this needed to be upgraded before an actual read could be established. The current retailer agreed to accept a retrospective transfer request once an actual read was available.



Opening and closing accounts

Disconnections related to opening an account

Incorrectly opened account leads to disconnection

Two months after opening an account and paying the first bill a customer was disconnected by another retailer. She contacted that retailer and then contacted EWON seeking assistance in recovering the money she paid to the other retailer.

When EWON contacted the customer's preferred retailer, it acknowledged it had opened the customer's account at the wrong address. It immediately cancelled that account and provided the customer with a refund of the amount paid and a \$250 customer service gesture.

Unexplained account closure results in disconnection

After opening an account through a switching service, a customer was disconnected without warning. She rang her retailer which said she did not have an account. She then opened an account, however the retailer could not promise reconnection on that day. The customer rang EWON as she had two small children and nowhere else to stay.

EWON immediately confirmed that the retailer had requested reconnection and then contacted the distributor to facilitate that reconnection. EWON then sought the reasons that the disconnection had occurred and established that the customer had an email confirming the opening of the account. The retailer then identified that the account was cancelled one month before the disconnection but could not identify why. The retailer confirmed that the customer had been reconnected on the same day as the disconnection and offered a \$150 credit for the customer's inconvenience.

Other account opening issues

Problems with required documentation

A customer moved into an apartment and when he attempted to open an electricity account with a market retailer, he discovered he was supplied by an embedded network. He then received a disconnection warning notice from the embedded network requiring him to open an account. He contacted it and was directed to its website to open an account online. He provided identification but the application was rejected and he was informed that he was required to provide a copy of his lease agreement. He approached EWON because he was overseas for a month and could not access that document until he returned.

After being contacted by EWON the retailer agreed to delay the disconnection proceedings until a week after the customer's planned return to the country.



Opening and closing accounts

Family violence

Customer seeking information after partner leaves family home

A customer resided at the family home and after his partner moved out, his name was removed from the electricity account. The customer said that he had sought information from the retailer about the account so that he could pay the bills. This matter was referred to the retailer for resolution at a higher level. The customer returned as he was told that he was not authorised on the account and the retailer could not talk to him.

EWON investigated and established that the customer was only 'secondary on the account', the account was in his partner's name and the retailer had correctly refused to provide him with account details. EWON advised the customer of this situation and suggested that, as he still resided in the family home, he open a new account in his name.

Account not closed after customer leaves family home

A customer moved out of her home due to family violence and closed the electricity account which had been in her name. She had been contacted by the retailer seeking payment of arrears. She sought EWON's assistance at an outreach event to establish what the arrears were and whether the account had been closed as she had requested.

EWON contacted the retailer which indicated that, while the customer had rung to say she had moved out and was seeking EAPA, she had not formally closed the account. It confirmed that the account had been closed two and a half months later when a new customer opened an account at the address. EWON advised that this was a family violence situation, but the retailer said that it would only consider backdating the closure if the customer provided a statutory declaration and a letter from a landlord confirming the declaration.

After EWON opened an investigation, the retailer offered to backdate the account closure and waive all but \$100 from the arrears. After the customer told EWON she could not afford any payment at the moment, the retailer waived the entire arrears.

Final bills

Additional bill after account closure

The customer moved address and closed her account in November 2015 after paying the final bill. The following year she received a bill for a two-day period in April 2016 for \$330. She contacted the retailer and provided evidence that she had left the premises in 2015 and also pointed out that she couldn't consume that amount of electricity in two days. She heard nothing further and assumed the matter had been resolved. She approached EWON in April 2019 when she was contacted by a debt collection company seeking payment of the two-day bill.

An EWON investigation established that the amount of \$330 had been incorrectly added to the customer's closed account in 2016 and this debt had been sold in 2018. The retailer agreed to buy back and waive the debt, and to request that if the customer had been credit listed, the listing be removed. The retailer also offered to provide \$150 to the customer for the inconvenience this error had caused.



Solar issues

Solar generation systems connected to non-compliant meters

Customer purchases solar panels through his electricity retailer and the retailer's solar installation arm connects the panels to a non-compliant meter

A customer informed EWON that he moved into a property in mid 2018 and, when he opened an account with his preferred retailer, also engaged the retailer to install a solar generation system. However, the customer's first electricity bill following the installation was estimated at \$3,936.

When he contacted the retailer to dispute the bill, he learned that the retailer's contractor had connected the solar system in a non-compliant manner to an accumulation meter, causing it to run backwards and forcing the distributor to estimate usage. The customer said that neither the retailer or its subcontractor had mentioned a digital meter would be needed in the original phone call. The retailer agreed to place the bill on hold and arrange for a digital meter to be installed. The full \$3,936 amount was subsequently direct debited from customer's bank account, despite the assured hold.

Due to significant delays, a compliant meter was not installed until March 2019. During that time, the customer continued to receive high estimated electricity bills. The retailer advised that they would investigate the billing, but this was still unresolved in June 2019.

The customer contacted EWON in June 2019 and agreed his complaint could be escalated to the retailer at a higher level, knowing he could return to EWON if an agreed outcome could not be negotiated.

Retailer delay in installing digital meter to rectify non-compliant connection causes customer's bills to be estimated for longer than necessary

A customer had solar installed in August 2018 and requested a new meter from her retailer. The initial installation scheduled for October 2018 did not occur. The customer made multiple additional attempts which also failed, and was advised this was because the customer lived in a regional area that was difficult for the retailer's installers to reach. As the solar system was connected to the current meter, it was running backwards and resulting in high estimated bills. The customer contacted EWON in January 2019 and the complaint was referred to the retailer at a higher level.

The customer returned to EWON as she had been advised the meter would be installed on 6 February 2019 but this did not occur and the retailer had not proposed a new date.

EWON investigated the complaint and the meter was installed on 20 March 2019. From 1 February 2019, new regulations meant that digital meters had to be installed within 15 business days so the delay was considered non-compliant. The retailer also advised that prior to that date, based on its own internal service levels, the meter should have been installed no later than 29 November 2018.

On this basis, the retailer proposed to first provide a credit of \$102.56 to amend the estimated billing to match lower historical bills for the same period and then for the customer to send confirmation of her solar system's size and capacity which they would use to calculate a further adjustment to the bills based on estimated generation back to 29 November 2018. The customer was satisfied with this outcome.



Rebates

Backdating

Notification of concession details

In the course of investigating a billing and metering dispute, EWON identified that a rebate was no longer being paid. The retailer advised EWON that the customer's concession card had expired and that it had included this information on a bill. The retailer offered to apply \$300 credit to the account, in lieu of the rebate, to assist resolve the customer's complaint.

Discontinued rebate

A customer approached EWON with a concern over a high bill. The customer also raised a number of other issues including legal disputes, wiring issues and disputes with her landlord. She identified that she had not been receiving the Low Income Household Rebate (LIHR) and in her discussions with her retailer it agreed to backdate her rebate for 12 months. The customer was unhappy with this offer as she felt that the rebate should be applied to her account from the date the account began.

EWON investigated and identified that the high bill was due to a difference in the number of days billed. The customer accepted this explanation. The retailer offered to extend backdating the rebate to two years in order to resolve the dispute but the customer did not accept this offer. EWON investigated further and it was identified that the customer had a pension concession card. The rebate was initially applied to her account in February 2012 and ceased in December 2012.

The retailer then backdated the rebate to December 2012 and provided a credit of \$1,179 to the customer's account. EWON also referred the customer to a number of other agencies to assist her with her other concerns.

Start date on concession card

A customer received his concession card in February 2019 and applied for the Low Income Household Rebate. There was a delay and when the customer contacted the retailer, it informed him that it would backdate his eligibility to the start date on his concession card, November 2018. He was then informed that the retailer would only backdate his rebate to the date he applied for it. He disputed this and approached EWON.

The retailer acknowledged it had provided the customer with wrong information and provided a credit of \$60 to cover the period between November 2018 and February 2019.

Other rebate issues

Generous offer

A customer with a high bill approached EWON at a 'Bring Your Bills' outreach event. She explained that she had some financial difficulties and that her bills seemed high. EWON examined her bills and identified that she was not receiving the Low Income Household Rebate. EWON contacted the retailer to arrange for the rebate to be applied and to set up a payment arrangement. The retailer offered to provide a credit equivalent to the rebate back to the start of the customer's account.



Water

Complaints about network infrastructure and the conduct of contractors

The customer's seawall was damaged due to poor and non-compliant work by the water provider's contractors

A customer complained to EWON that works conducted by the provider in 2010 and 2012 resulted in structural damage to seawalls at the rear of his property. The provider's contractor had inserted new sewerage pipes over the customer's property through a section of the seawall. The customer said that the works conducted by the contractor caused the wall to move and had accelerated its degradation. The seawall extended along the rear of several properties and the issue had impacted on his neighbour's property as well.

The customer had complained directly to the provider and asked for the seawall to be repaired. The provider informed the customer that the contractor who performed the work was now insolvent and records related to the original works could not be located. The provider agreed to contribute 25% of the amount of the customer's lowest quote for repairs. The customer complained to EWON that the provider should pay the full \$76,065 quoted to replace the seawall.

EWON engaged with the customer and the provider to obtain further information. The provider confirmed that the original contractor went into liquidation in 2014 but was able to provide EWON with some records of the original works. Our negotiations resulted in site visits attended by the provider, the customer and engineers.

Due to the ongoing risk caused by the degradation of the seawall, the customer commenced work to repair the damage before the provider made a final decision on the claim. The repair work exposed the previously completed sewerage works and revealed that the contractor had filled in the sewerage works, behind the seawall, with a concrete block. The provider agreed that the concrete fill was non-compliant, was most likely work done by the contractor and that the non-compliant concrete works appeared to have contributed to the damage to the seawall. The provider agreed to pay for the removal of the block and also agreed to pay 75% of the repair costs, \$46,200, which the customer accepted.

Water customers that fall outside EWON's jurisdiction

A customer of a local government authority water provider complains about high bills and the poor quality of drinking water

A customer approached EWON staff at a community engagement event in regional NSW. The customer said that the quality of the water supply from her local government water authority was so poor that she considered it undrinkable and she did not want to use the water to wash her clothes. The customer also complained about high bills for water usage. The customer had not made a complaint to the water provider.

EWON reviewed the customer's bill and noted that the water provider listed a telephone number to report water quality issues.

EWON provided a referral to the NSW Ombudsman but recommended that the customer call the water provider to complain in the first instance.



Water

Complaints about water charges from social housing providers

Aboriginal housing tenant unable to obtain assistance with water debt

The customer contacted EWON to complain that he had lived at the supply address for four years and was under the impression he did not have to pay for the water. The customer received a bill from his community housing provider with charges outstanding for \$2,000 in rent and \$7,000 in water charges. The customer had contacted a community organisation for assistance paying the water bill but because the bill was issued by a social housing provider and not a water authority, he was not eligible for assistance.

The complaint was not within EWON's jurisdiction. EWON's community outreach team provided the customer with assistance to find an appropriate advocate to help him resolve the complaint.

Social housing provider refuses to provide the tenant with access to the bill issued by the local water government water authority

A customer, a social housing tenant, contacted EWON to complain that although she paid her landlord for water charges, she was not provided with a copy of the water bill from the local water provider even though she had requested it.

EWON transferred the customer directly to the NSW Ombudsman.