

# synergy

Our Reference: 3151696  
Enquiries: Simon Thackray  
Telephone: (08) 6212 1433

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Mr Paul Kelly  
Executive Director  
Licensing, Monitoring and Customer Protection  
Economic Regulation Authority  
Level 6, Governor Stirling Tower  
197 St Georges Terrace  
PERTH WA 6000

Dear Paul

## **DRAFT CUSTOMER COMPLAINTS GUIDELINES**

The Economic Regulation Authority (**ERA**) released for public comment on 27 June 2008 the *Draft Customer Complaints Guidelines* (**Guideline**) for public consultation.

Synergy welcomes the opportunity to provide comment on the draft Guideline. Please find attached our submission in that regard.

If you have any queries regarding the attached submission please do not hesitate to contact me on 6212 1433.

Yours sincerely,

**SIMON THACKRAY**  
**MANAGER REGULATORY RETAIL AND COMPLIANCE**

Economic Regulation Authority 14 Aug 2008

## DRAFT CUSTOMER COMPLAINTS GUIDELINES

As a general comment, Synergy considers the Guideline to be a helpful aid for licensees. The usefulness of the Guideline can be enhanced further if the scope of the document is broadened. This is especially important to an electricity retailer who is legally obliged to comply with the Guideline opposed to other utility licensees.

Without such further elaboration or clarity within the Guideline there is a risk that a retailer could incur additional cost and timeframes to respond to customer contacts could take longer.

### Section 3 – Distinguishing complaints from enquiries, enquiries and other communication

- The Guideline should specify what is meant by:
  - A “customer” from both a retail and distribution perspective (for example does customer include their representative or agent);
  - an “expression of dissatisfaction”;
  - a “response or resolution explicitly expected”; and
  - “response or resolution implicitly expected.
- The Guideline needs to address situations where a customer makes a complaint which implicitly or explicitly requires a response, but the action is outside the control of a retailer. For example:
  - Regulated tariffs. A customer comments the tariff levels are set too high and should be reduced. Synergy’s regulated tariffs are established by government.
  - An action has been undertaken by a retailer as required by law. For example, a customer complains about receiving more than one customer charter within a 12 month period and does not wish to receive any more. However, the *Code of Conduct for the Supply of Electricity to Small Use Customers 2008* (Code) obliges a retailer to provide specific information each an every time a contract is entered into.
- The statement, “If dissatisfaction has not been expressed or the customer has not sought resolution, or the resolution is outside of the control of the retailer the matter should not be classified as a complaint.” should be amended to make it explicit that the customer’s dissatisfaction must relate to the organisation’s product, consistent with the definition of complaint contained within the Code.
- Synergy considers the Guideline should delineate between a customer complaint and customer feedback. A negative criticism or opinion (e.g. retailers should not advertise on television) or expression of difficulty (e.g. I don’t know how to read my meter), which does not involve an expression of dissatisfaction with a product, should not constitute a complaint. The Guideline should detail these distinctions.
- Any issues which are not the responsibility of a retailer should not be classified as a retail complaint. Any distribution matters referred to a retailer by a customer, such as network infrastructure or equipment, should not be recorded as retail complaints. Rather these are distribution complaints and should be classified, collected and reported accordingly. The Guideline should explicitly address this matter beyond the examples provided in section 4.1.1.

**Section 4 – Categorising and Recording Energy (Electricity & Gas Complaints)**

- The Guideline should include examples of “dissatisfaction”.
- The Guideline should include examples of “enquiries”.
- The Guideline should include examples of “other communications”.

**Other**

- Licensees should have a single reference document, the Guideline, which provides all pertinent information that assists them in meeting their regulatory compliance obligations.
- The Guideline contains a number of footnotes which direct the reader to various external sources. It would be useful to include within the Guideline a “Part 6 – Reference Material” which lists all relevant material in a single section and is available from the ERA’s website.