

Draft Customer Service Charter Guidelines

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Economic Regulation Authority

 WESTERN AUSTRALIA

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Economic Regulation Authority
Perth, Western Australia
Phone: (08) 9213 1900

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Contents

1	What are the Customer Service Charter Guidelines?	2
2	What is a Customer Service Charter?	2
3	Charters in the Energy Industry	3
3.1	Review of Energy Charters	3
3.2	Amendment of Energy Charters	3
4	Charters in the Water Industry	4
5	Charter Review Guidelines for Electricity & Water	4
5.1	Existence	4
5.2	Accuracy	5
5.3	Consultation	5
5.4	Accessibility	5

1 What are the Customer Service Charter Guidelines?

Western Australian gas¹, electricity² and water licensees are required to produce a customer service charter (charter). Licensees are required to review their charter every 36 months, unless otherwise notified by the Authority, and submit their reviewed charter to the Authority.

The Authority must approve the charter for water licensees and assess the charter for electricity licensees. The Authority has no formal approval or assessment role in relation to gas charters.

These charter guidelines provide information on:

- the minimum requirements for charters in each of these industries;
- the matters to be taken into account by the licensee when reviewing their charter; and
- an explanation of the process that will be employed by the Authority in approving water charters and reviewing electricity charters.

2 What is a Customer Service Charter?

A charter can be broadly defined as a published statement containing:

- a list of customer entitlements;
- details regarding a licensee's services; and
- information relevant to the relationship between the customer and the licensee.

Charters have a range of purposes which may include customer education and the differentiation of service providers in a competitive market. The benefit derived from a charter is usually commensurate with the effort invested by the licensee in the development and review process.

In the energy industry, licensees are required to produce, and have approved by the Authority, a standard form contract. The standard form contract is the principle document that establishes the terms and conditions of the relationship with customers. In the water industry, where there is no approved standard form contract, the charter developed by water licensees represents the principle document governing the relationship between licensee and customer.

These guidelines provide the minimum content requirements for water charters. For gas and electricity charters, the minimum charter content requirements are contained in the relevant licences and Codes. Licensees may choose to provide additional information about matters such as safety within their charters, however, this is an internal business matter for the licensee.

¹ Gas Distribution and Trading Licensees who supply gas to small use customers

² Electricity Distribution and Retail Licensees who supply electricity to small use customers

3 Charters in the Energy Industry

Part 11 of the *Code of Conduct for the Supply of Electricity to Small Use Customers 2008* and Part 11 of the *Compendium of Gas Customer Licence Obligations* (Gas Customer Code) require that electricity and gas distribution and retail/trading licensees produce and publish a charter.

The charter must contain:

- a summary of both the customer's and the retailer's or distributor's rights and obligations under the Code;
- an explanation of the complaints handling process;
- an explanation of the difference between the retail and distribution functions;
- reference to key documents in relation to the supply of electricity or gas to customers; and
- contact details of the retailer or distributor, the Authority, Energy Safety and the Energy Ombudsman.

3.1 Review of Energy Charters

It is a condition of the licence that the licensee review the charter at least once every 36 months and that the review have regard to the guidelines published in this document. The licence requires that the licensee submit the results of the review to the Authority within 5 business days after completion.

It is a licence condition that the Authority examine an electricity licensee's review and charter. The Authority must also publish the licensee's review and the Authority's assessment of the review on the Authority's web site within a reasonable time of receiving the review.

There is no requirement for the Authority to assess or publish a gas licensee's review and charter.

3.2 Amendment of Energy Charters

A licensee may amend its charter at any time by submitting to the Authority an amendment to the charter or a substituted charter. It is not a condition of the licence that the amendment process have regard to the guidelines published in this document.

The Authority may examine an amendment to an electricity charter and publish the Authority's assessment of the amendment on the Authority's web site within a reasonable time. If, in the Authority's view, an amendment to an electricity charter is minor (such as correcting an error, changing the contact details of a licensee, etc), the Authority will not publish an assessment of the amendment on the Authority's web site.

There is no provision in the gas licence regarding the Authority's ability to examine an amendment to a gas charter or publish the Authority's assessment of the amendment on the Authority's web site.

4 Charters in the Water Industry

The operating licence requires that a licensee have in place a charter that accords with these guidelines.

The Authority recommends that the charter contain elements including:

- An introduction which provides a brief description of the utility and a commitment to service that states the service values underpinning the operations of the utility.
- A section detailing conditions for connection including how customers can obtain services and a list of products and services offered. These should be clearly and individually identifiable.
- A statement of standards and customer rights including the level of service that customers can expect should be specified.
- A section detailing the utility's powers including, for example, the power to prohibit the discharge of unauthorised substances into the wastewater system.
- A section detailing communication procedures including, for example, information on customer committees, notice for work to be undertaken, and dealing with correspondence.
- Contact information containing the address, telephone number and general business hours of the agency. It should also contain the positions and numbers of relevant contact officers, and make it clear who is the appropriate point of contact. The charter also needs to explain how customers can obtain emergency assistance with a list of appropriate telephone number(s).
- A section dealing with complaints resolution mechanisms, including relevant contact details for the Department of Water.

It is a licence condition that all licensees review their charter not less than once in every three year period.

The licence requires that any proposed amendment to the charter must be forwarded to the Authority for approval prior to implementation.

The Authority aims to utilise the guidelines laid out in this document as a basis for the approval process. The Authority will publish the review or amendment and the Authority's assessment of the review or amendment on the Authority's website within a reasonable time.

5 Charter Review Guidelines for Electricity & Water

It is important that the Authority undertakes a transparent decision making process when reviewing or approving charters. To this end, the Authority has developed a list of criteria that it plans to use when undertaking the charter review or approval process:

5.1 *Existence*

Has the licensee undertaken a review process, at regular intervals and within the required timeframe?

5.2 Accuracy

Does the charter comply with all relevant legislative, code or regulatory requirements and is it in line with the standard form contract and/or the licence requirements?

5.3 Consultation

Has the licensee engaged with customers and/or their representatives in the development and/or review and/or amendment process?

For example, has the licensee placed an advertisement calling for public submission in its newsletter or the (local) newspaper, or sought input from consumer representative organisation(s), consumer focus groups, other licensees and/or Staff and Board members, or undertaken a customer survey, etc?

5.4 Accessibility

Has the final document been prepared in simple language that is easily understood by customers?