



Commission for Energy Regulation

An Coimisiún um Rialáil Fuinnimh

Consumer Protection in the Liberalised Electricity Market

Customers with Special Needs

Code of Practice

CER/04/252

July 2004

Introduction

The Commission for Energy Regulation recently published a consultation paper detailing the criteria which will be used to assess a supplier's code of practice concerning customers with special needs (CER/04/140). This paper details the criteria the Commission will use to assess a supplier's code of practice and takes into account the comments received from interested parties. This paper should be read in conjunction with the response paper (CER/04/251).

As stated previously this paper addresses the issues which the Commission believes will be required as a minimum from suppliers. This is based on the Commission's interpretation of the EU Directive and from experience in other liberalised markets. However, the Commission cannot guarantee that the items covered in this paper are exhaustive or indeed completely consistent with the legislation currently being drafted to implement the EU Directive and should be taken as the Commission's initial thinking on these issues.

Code of Practice - Customers with Special Needs

Application

This code of practice will apply to the supply of residential customers.

General

A supplier's code of practice must ensure the supplier does not discriminate against customers with special needs. Customers with special needs are broken into two categories:

- **Customers particularly vulnerable to supply interruptions** (e.g. customers that rely on special home medical equipment run by electricity, such as a home dialysis machine, an oxygen concentrator or an artificial ventilator.)
- **Customers with disabilities and the elderly** (e.g. customers with a visual impairment)

Specific Requirements

The supplier's code of practice must provide that it:

- must keep a register of special needs customers, broken into the two categories described above, which may be broken down to further sub-categories;
- when signing up a residential customer must query whether this customer is a special needs customer;
- must make customers with special needs aware that they intend to provide the customers details to the Distribution System Operator (DSO) and the intended use of this information, in particular customers that are particularly vulnerable to supply interruptions or have special communications or means of identification for callers. In addition the supplier may, in certain circumstances, contact appropriate agencies, such as social services, in relation to the supply of electricity.
- must advise the DSO which customers have special needs, which are vulnerable in the event of a supply interruption, require special means of identifying persons or have any special communication needs;
- must provide such services which reasonably take into account the special need of the customer with the aim of providing equal service to the customer and are provided free of charge;
- must make customers with special needs aware of the additional services provided by the supplier;
- must ensure that its staff (and agents etc) are trained to implement the supplier's code of practice;

- must take all reasonable efforts to ensure that a customer with special needs is not de-energised and where appropriate to engage with social services prior to requesting a de-energisation.
- must make customers aware of the supplier's arrangements for participation in the free electricity allowance scheme run by the Department of Social and Family Affairs.
- must explain how a supplier will publicise the additional services provided to customers with special needs. (Suppliers should seek the assistance of relevant organisations representing the elderly or disabled and state agencies to help publicise the service.)

Reporting

The code of practice must provide for an annual report to be submitted to the Commission detailing the number of customers with special needs being supplied, the services supplied and a commentary on the operation and review of the services supplied in the previous year.