



An Coimisiún
um Rialáil Fónas
Commission for
Regulation of Utilities

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Customer Care Team Annual Report 2017

Annual Report

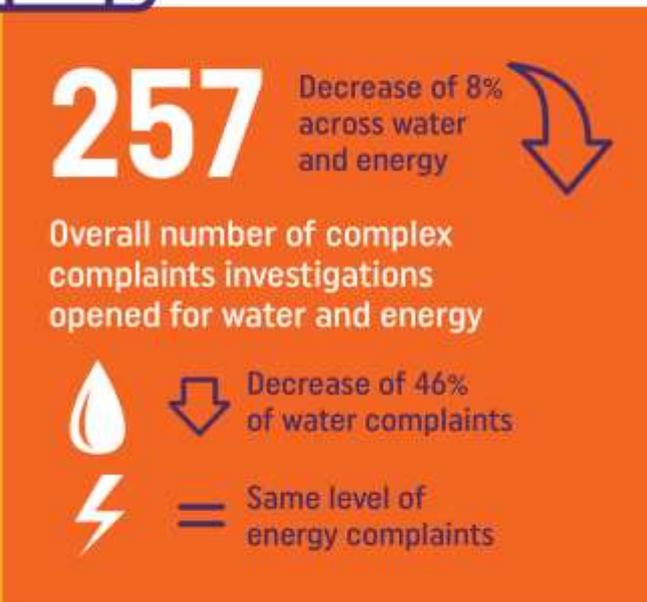
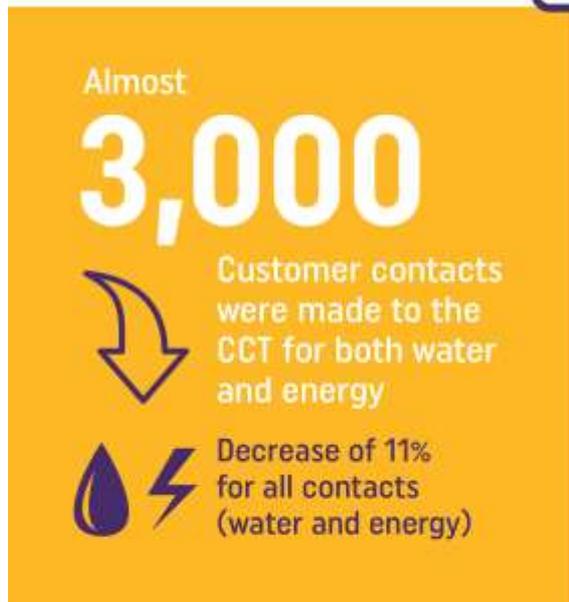
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CUSTOMER CARE TEAM

Annual Report 2017



The main drivers of complex complaints for energy suppliers in 2017 were billing and account issues



Executive Summary

The CRU Customer Care Team (CCT) provide a range of free and easy to access services for energy and water customers. Two of our primary services are:

- provision of a free dispute resolution service to customers with an unresolved complaint against an energy supplier, network operator or Irish Water; and
- provision of information for customers about energy or water services, including information on customer rights and obligations.

The CRU is required under S1 463 2011¹, and the Water Services Act 2014² to produce an annual report on our dispute resolution service.

The first section of this report examines the level and type of energy complaints investigated in 2017. We opened 232 investigations in the energy sector in 2017, this is the same level as 2016. 40% of the complaints investigated and closed during 2017 were upheld in favour of the customer.

The second section of this report examines the level and type of energy customer contacts. Almost 3,000 contacts were made over the course of 2017, this is a reduction of 11% since 2016. We want to ensure that all consumers who require advice or information regarding energy or water issues are aware of our services, and we will continue to promote our services throughout 2018.

The third section of this report looks at both complaints and contacts in the water sector in 2017. The number of complaints opened relating to Irish Water, and the level of contacts relating to Irish Water have fallen by 46% and 37% respectively since 2016.

Finally, the last section of this report includes cases studies based on actual complaints investigated in 2017.

¹ <http://www.irishstatutebook.ie/eli/2011/si/463/made/en/pdf>

² <http://www.irishstatutebook.ie/eli/2014/act/44/enacted/en/print>

Public/ Customer Impact Statement

The purpose of this annual report is to inform consumers, industry and other interested stakeholders on the level and type of contacts and complaints from energy and water customers to the Commission for the Regulation of Utilities (CRU) in 2017. The annual report assists the CRU in its mission to regulate water, energy and energy safety in the public interest.

The Customer Care Team (CCT) provide an independent complaint resolution service within the CRU. This complaint resolution service is for customers with an unresolved dispute with their energy supplier, network operator or Irish Water. The CCT have powers to issue determinations and directions to suppliers, network operators or Irish Water, which can include instructions to issue a refund or proportionate compensation.

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1. Introduction

1.1 Background

1.1.1 The CRU

The CRU is Ireland's independent energy and water regulator. The CRU was established in 1999 and has a wide range of economic, customer protection and safety responsibilities in energy. The CRU is also the regulator of Ireland's public water and wastewater system. Our mission is to regulate water, energy and safety in the public interest.

1.1.2 The Customer Care Team

The CRU has a statutory responsibility to provide a dispute resolution service to customers with an unresolved dispute with an energy supplier, network operator or Irish Water. The independent dispute resolution service is transparent, simple and free. This service is a key responsibility for the CRU Customer Care Team (CCT).

We are committed to providing a high-quality service to all customers who contact us. Our Customer Charter sets out the standards of service that customers are entitled to receive from us. A copy of our Customer Charter can be found on our website³.

What we offer customers:

- an information resource for queries or information in relation to rights and obligations of energy and water customers;
- a free and transparent complaint resolution service for domestic and small business customers, with an unresolved complaint with their energy supplier, network company or Irish Water;
- a customer care section on the CRU website which provides information tailored for domestic and small business customers;
- we use information from customer contacts and complaints to promote the interests of customers in CRU policy;
- we facilitate consumer engagement with the CRU through a quarterly Consumer Stakeholder Group;

³ <https://www.cru.ie/wp-content/uploads/2017/09/CRU-CCT-Customer-Charter.pdf>

- we engage with suppliers, network operators and Irish Water to continually improve customer service levels and complaint handling; and
- we provide access officers to assist persons with disabilities to access our services.

CCT contact details:

- **Email:** customercare@cru.ie
- **Telephone:** 1890 404 404
- **Writing:** The Customer Care Team, P.O. Box 11934, Dublin 24
- **Webform:** <https://www.cru.ie/need-assistance/customer-care-team/>

1.1.3 Purpose of this report

The CRU is required by S.I. 463 2011 and the Water Services Act, 2014 to report annually on our complaint resolution service. This annual report outlines the number and type of complaints made to us in 2017, including detail on the number of complaints per supplier, network company and for Irish Water. The report also details the level and type of contacts. The last section of this report has case studies based on complaints investigated in 2017.

2. Complex Complaints

2.1 Background

2.1.1 Complex complaints process

Although many customers contact us with queries and with complaints, we only carry out a full investigation on 'complex complaints'. A complex complaint occurs when a customer cannot resolve their complaint with a supplier, network operator or Irish Water. While complex complaints only account for 9% of the number of customer contacts we received in 2017, they represent a major part of our work. Complex complaints are important as they detail the issues that customers are experiencing with energy undertakings and Irish Water and are important for informing CRU policy.

Before we can accept a complex complaint the supplier, network operator or Irish Water must confirm that the complaint has completed their internal complaints process. For Irish Water customers, Irish Water must also confirm that the customer was a registered customer of Irish Water at the time the cause of the complaint occurred.

Each complex complaint is carefully investigated. The investigation includes gathering of information from the suppliers, network operators or Irish Water and the customer. We review correspondence and communications between all the involved parties. This can include a review of call recordings, bills, letters, emails, photographs, meter reads, and any other useful information. During the investigation we consider relevant legislation, Codes of Practice⁴ and the guidelines in the Electricity and Natural Gas Supplier Handbook⁵ or the Irish Water Customer Handbook⁶.

Once these steps have been completed we issue a proposed decision to the relevant parties and seek their comments. Our final decision is made following a review of all comments on the proposed decision. We have powers to direct suppliers, network operators or Irish Water to issue refunds, award proportionate compensation or to resolve the complaint in a particular way.

⁴ Suppliers are required to produce Codes of Practice which provide minimum service guarantees to customers in the following areas: Marketing and Sign-Up, Billing and Disconnection, Complaint Handling, Vulnerable Customers, Pay As You Go Metering, and Budget Controllers

⁵ [The Electricity and Natural Gas Supplier Handbook](#) (CER/12/081) details what the energy suppliers and network operators are required to include in their Customer Charters and Codes of Practice

⁶ [The Irish Water Customer Handbook \(CER/15/010\)](#) provides guidelines to Irish Water for required levels of customer service

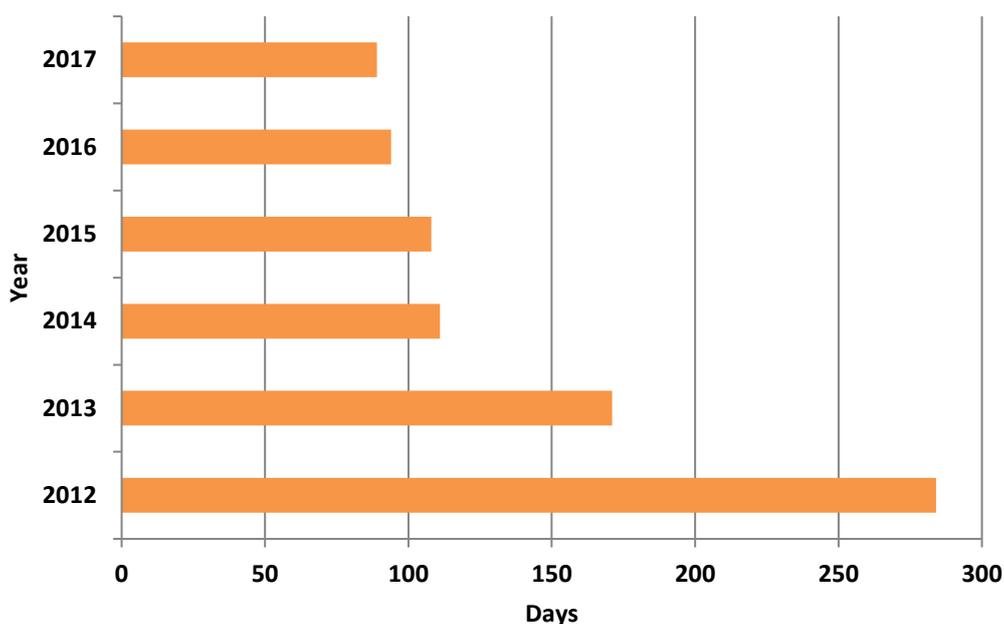
Our decision is not subject to appeal and is binding on the supplier, network operator or Irish Water. Customers may refer the matter to another forum if they are unhappy with the decision, such as the Small Claims Court.

For more details on this process, or for details on how to raise a complaint with us, please visit the customer care section of the CRU website: <https://www.cru.ie/need-assistance/customer-care-team/>

2.1.2 Complex complaint investigation resolution timeframe

In 2016 we set a new target to resolve complex complaints in less than 90 days, in line with Alternative Dispute Resolution legislation⁷. Our average complaint resolution time in 2017 was 89 days, down from 94 days in 2016. Graph 1 shows the average complaint resolution time has decreased since 2012. This is due to more effective processes within our team and a reduction in complaint volumes.

Graph 1: Average Complaint Resolution Time

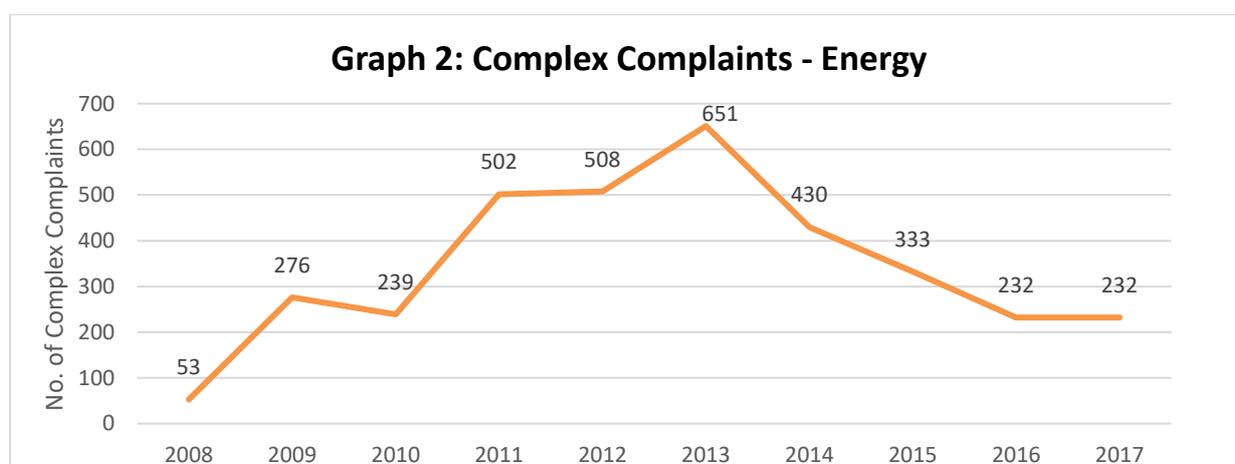


⁷ Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR)

2.2 Complex Complaints – Energy Sector

2.2.1 Overview of results

In this section we look at the number of complex complaints **opened** against energy suppliers or network companies in 2017. We opened 257 complex complaint investigations in 2017, 232 of these were energy related. It is encouraging to see that the number of complex complaints in the energy sector decreased from 2014 to 2016 and is now static. We will continue to work with energy suppliers and network companies to reduce the number of complex complaints.



Factors that may have had an impact on falling complex complaint levels are:

- improved customer service levels from suppliers and network companies;
- decreased disconnections for non-payment of account.

Wholesale prices for gas and electricity increased significantly towards the end of 2017, which has led to price increase announcements by suppliers. We expect that this may lead to an increase in the level of complex complaints and contacts in 2018. We launched a consumer awareness campaign in 2018, which may also have an impact on level of complaints and contacts.

2.2.2 Complex complaint resolution profiles – energy

We **closed** 199 energy complex complaints investigations in 2017⁸. 40% of complex complaints were upheld and 51% were not upheld. 6% were settled by an early settlement offer, this

⁸ The number of complex complaints ‘opened’ and ‘closed’ in a year can vary, as a complaint opened in one year may not be closed until the following year.

happens when a customer accepts a settlement offer made during the investigation process. 3% are classified as ‘other’, this refers to complaints that were re-classified as another type of contact, involved issues outside our remit, or withdrawn by the customers before any decision was made. As shown in the table below, this overall profile is broadly in line with the resolution profile for complaints in 2016.

Resolution profile	2016	2017
Upheld	37%	40%
Not upheld	51%	51%
Early settlement offer	10%	6%
Other	2%	3%

2.2.3 Cause of complex complaints – energy suppliers

The majority of complex complaints closed against electricity suppliers in 2017 were concerned with billing (58%), which was also the key driver in 2016. The percentage of complex complaints related to ‘switching’ remained at 6%. We expect to see a drop in the level of switching complaints, as switching processes should continually improve to allow customers switch suppliers with ease.

Complex complaint type – Electricity Suppliers		2017
1	Billing (eg inaccurate bills, disconnections, catch up bills)	58%
2	Account problems (eg incorrect details, contract terms)	15%
3	Charges and tariffs (eg standing charges or additional account charges)	13%
4	Switching (eg delays, incorrect switching)	6%
5	Marketing (eg misleading information)	1%
6	Other	7%

Billing issues also accounted for the highest number of complaints customers had with gas suppliers (69%). Issues with charges and tariffs decreased from 14% in 2016 to 4% in 2017. Customer accounts and account problems increased from 8% to 15%. In contrast to electricity, no complex complaints were raised in relation to switching gas supplier.

Complex complaint type – Gas Suppliers		2017
1	Billing (eg inaccurate bills, disconnections, catch up bills)	69%
2	Charges and tariffs (eg standing charges or additional account charges)	4%
3	Account Problems (eg incorrect details, contract terms)	15%
4	Disconnections	10%
6	Other	2%

2.2.4 Cause of complaints – energy networks

Complex complaints involving the two energy network companies – Gas Networks Ireland (GNI) and ESB Networks (ESBN) - are classified into the following six categories:

Complex complaint type – Energy Networks		GNI	ESBN
1-	Network charges	7%	14%
2-	Meter issues (faulty meters, issue with meter reading etc)	44%	16%
3-	Connections (problems with connection/ disconnection, delays)	15%	20%
4-	Customer service	-	10%
5-	Quality of supply	-	14%
6-	Other	33%	24%

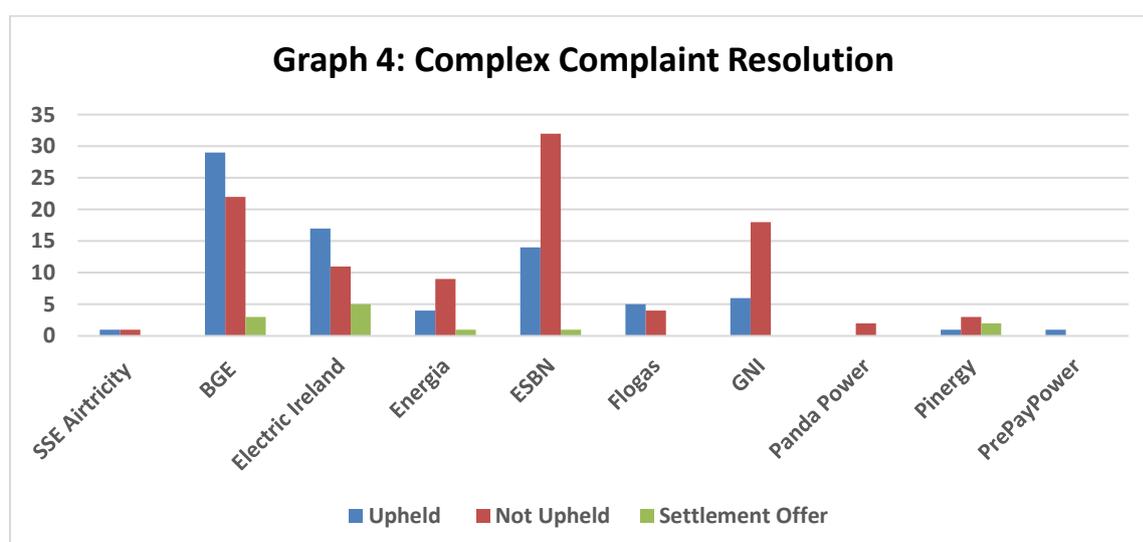
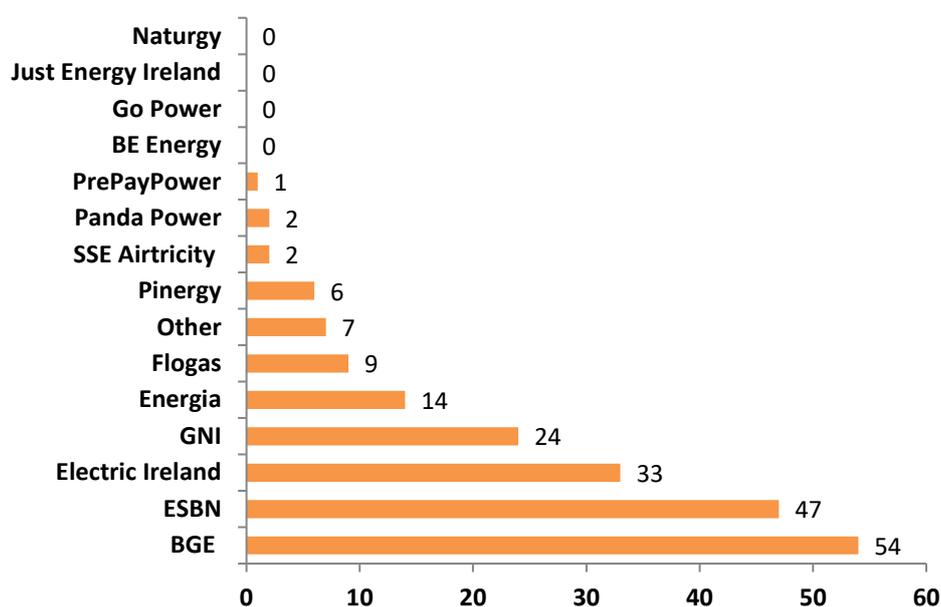
All natural gas customers are served by GNI. Services provided by GNI include the operation of the gas network, reading gas meters, as well as a safety function, which includes emergency call-outs. The majority of complaints against GNI related to metering (44%). Due to the wide variety of responsibilities GNI hold, the complaint category of 'Other' is high at 33%. Issues that fall under 'other' include disputes over usage and problems with works completed by GNI.

All electricity customers are served by ESBN who operate the electricity distribution network. ESBN also operate, install and read all electricity meters. Issues with electricity connections (20%) was the largest identifiable issue that customers had with ESBN in 2017. Like GNI, due to the wide variety of responsibilities that ESBN hold, the complaint category of 'other' is quite high at 24%.

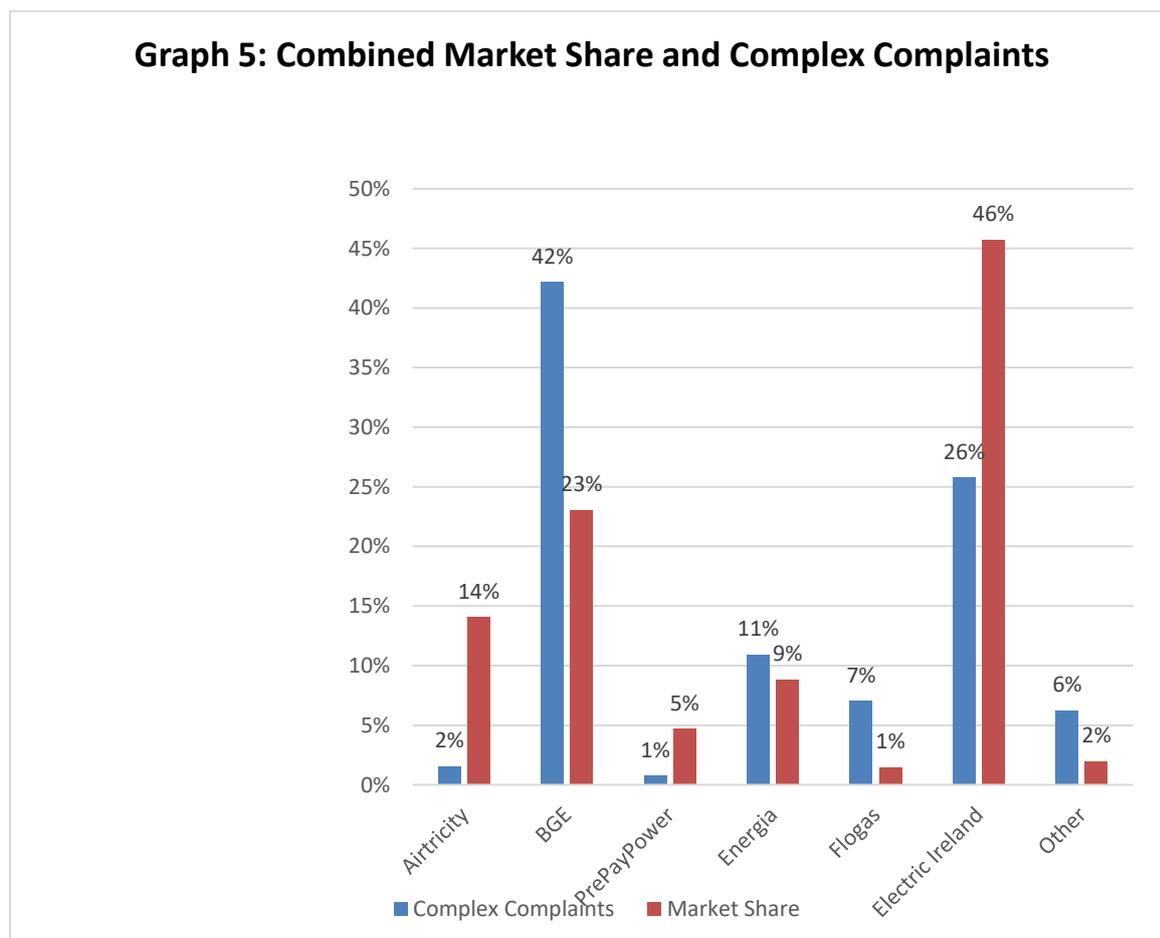
2.2.5 Market Share and Complex Complaints

Two new suppliers BeEnergy and Just Energy entered the market in 2017, bringing the total number of suppliers in the domestic electricity market to 12, and in the domestic gas market to 8. Graph 3 provides a breakdown of the number of complex complaints closed per energy supplier and network company in 2017, while graph 4 provides the breakdown of the level of complaints upheld or not upheld against each.

Graph 3: Complex Complaints (Closed) 2017

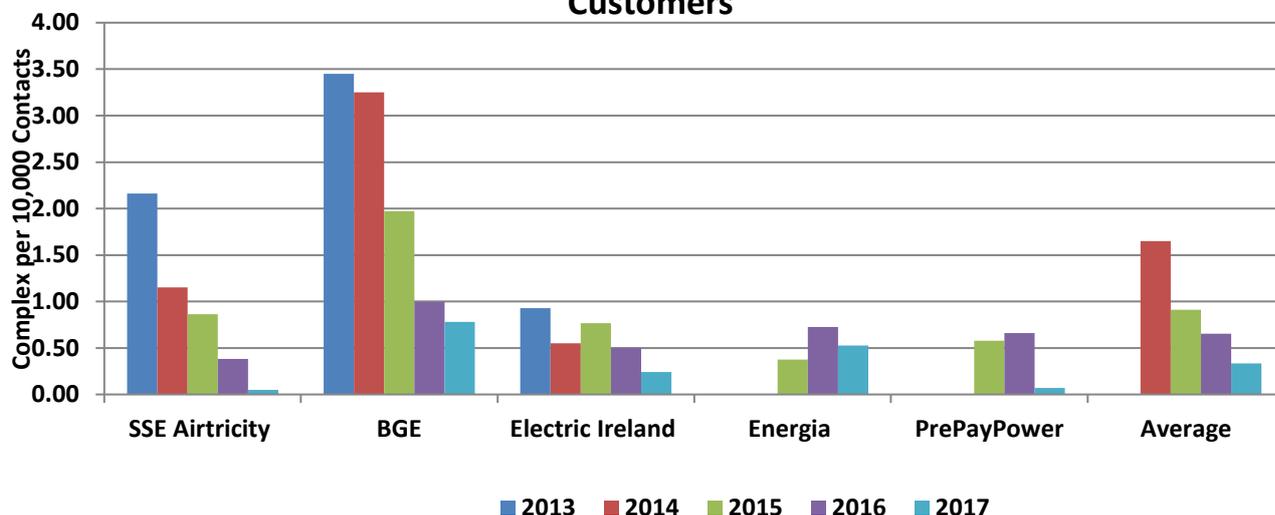


Graph 5 compares the share of complex complaints **closed** in 2017 of the six largest suppliers and their respective percentages of market share in 2017 in terms of customer numbers for the **combined gas and electricity** sectors. While Electric Ireland held the largest combined market share (46%), they only accounted for 26% of all complex complaints closed. By comparison BGE had a combined market share of 23% in 2017 and accounted for 42% of all complex complaints closed. However, as detailed later BGE’s level of complex complaints has continued to fall since 2013. SSE Airtricity had 14% of the market share and contributed 2% of complex complaints.



Graph 6 compares the volume of complex complaints closed per 10,000 customers for energy suppliers with over 100,000 customers. Smaller suppliers have been excluded because the low numbers can result in an inaccurate picture of the smaller supplier’s performance. SSE Airtricity, PrePayPower and Electric Ireland fall below the average level of complaints per 10,000 customers. SSE Airtricity have continued to reduce the number of complaints against them. In 2017 they had 0.05 complex complaints per 10,000 customers which is the lowest of the large suppliers. This is down significantly from 2.1 complex complaints per 10,000 customers in 2013. While BGE had the highest level of complex complaints at 0.81 per 10,000 customers this has decreased consistently each year since 2013.

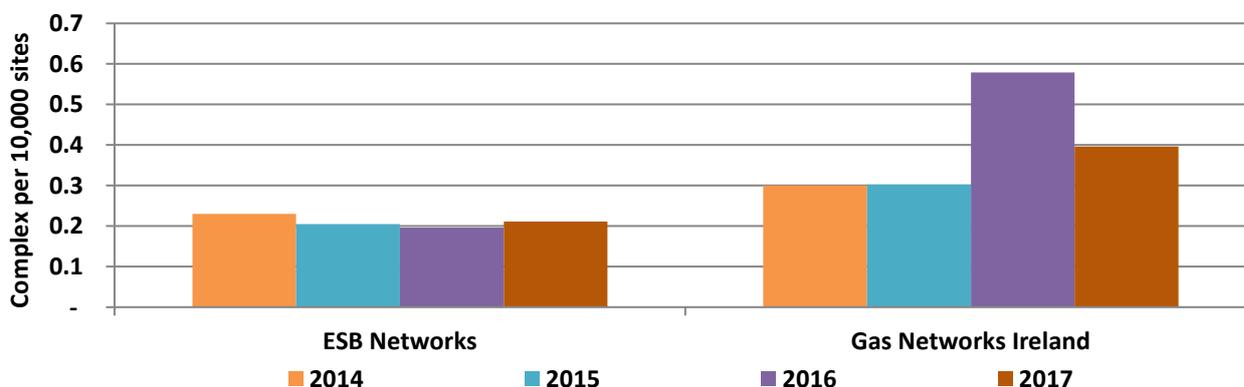
Graph 6: Energy Suppliers - Complex Complaints per 10,000 Customers



2.2.6 Market share and complaints – energy networks

ESBN supplied electricity to 2.3 million sites and GNI supplied gas to over 681,000 sites in 2017. Based on the number of complex complaints made against network operators, for every 10,000 sites, 0.2 complex complaints were logged against ESBN, which is the same as 2016. There were 0.4 complex complaints per 10,000 sites against GNI which is a welcomed decrease from 2016, when there were 0.6 complaints per 10,000 sites.

Graph 7: Network Operators - Complex Complaints per 10,000 sites



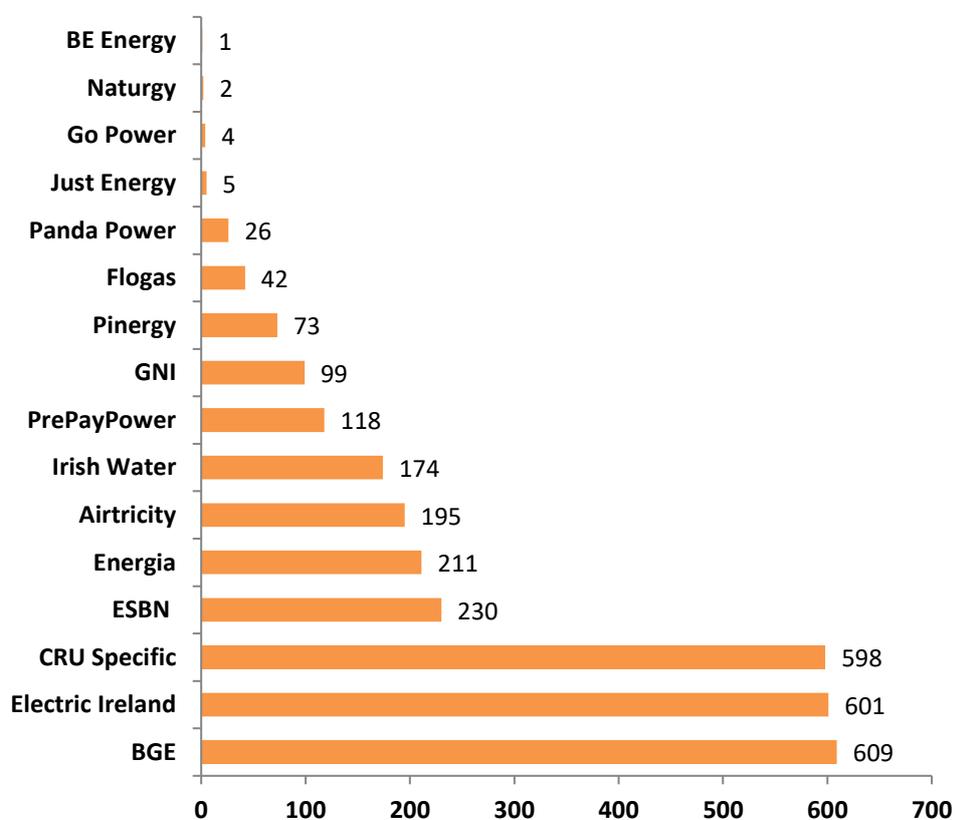
3. Customer Contacts

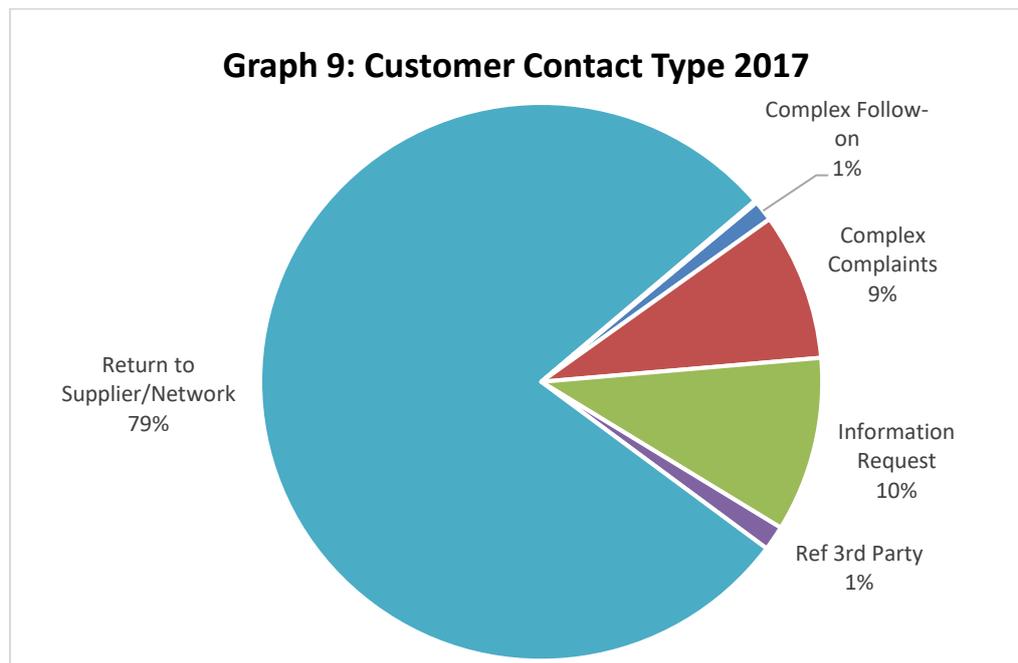
3.1.1 Overview

A customer contact is any call, email (including webform) or letter received by the CRU. In 2017 we received 2,987 customer contacts. This is a 15% decrease on the number of contacts received in 2016. This decrease may mean customers are experiencing less difficulties. However, we want to ensure that all water and energy customers are aware of our services if they require them. In 2018 the CRU launched a consumer awareness campaign which may lead to an increase in contacts.

Approximately 49% of all customer contacts were received by telephone, 38% by email and 9% by letter. Graph 8 details the number of customer contacts related to each energy supplier, network operator and Irish Water.

Graph 8: Total Customer Contacts 2017





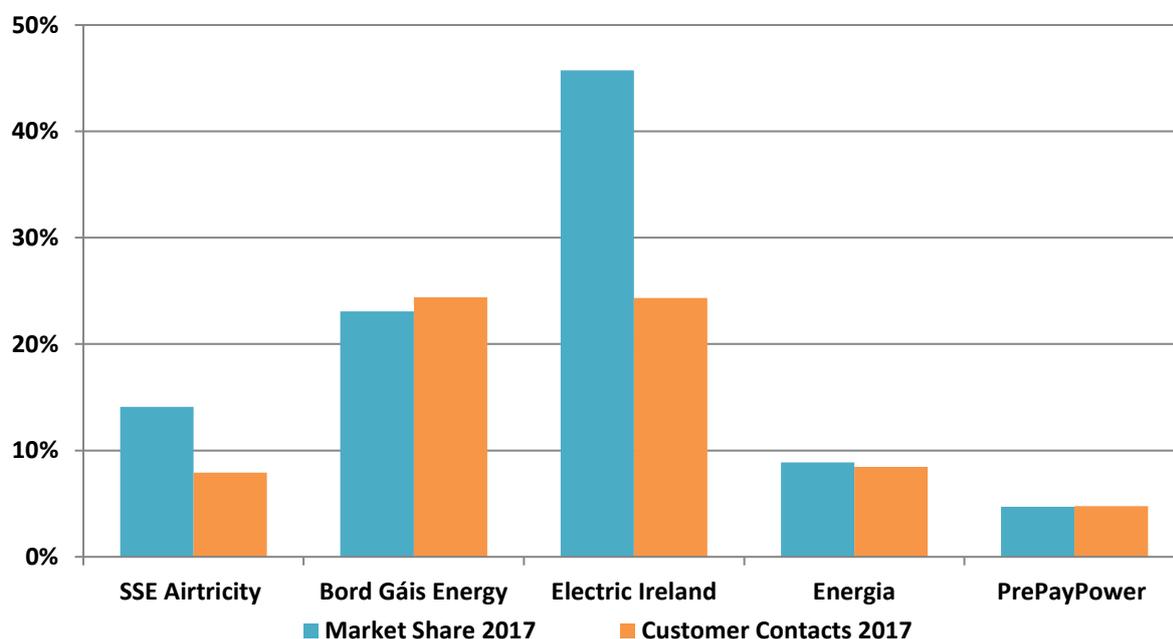
The majority of contacts (79%) were referred back to the supplier, network operator or Irish Water for further information or to complete their complaint handling process. This is broadly similar to 2016, when 75% of contacts were returned to the supplier, network operator or Irish Water. 9% of contacts escalated to a complex complaint, which is higher than 2016 (1%). 10% of contacts were information requests, these normally involve general queries/requests for information relating to energy or water sectors.

3.1.2 Market share and customer contacts

Graph 10 looks at the five largest suppliers in the combined energy sector and compares the proportion of customer contacts against market share. The share of customer contacts for each of the five largest suppliers is broadly in line with their market share, with the exception of Electric Ireland. The level of contacts (24%) made regarding Electric Ireland is significantly lower than its market share (46%).

The issues and concerns that are raised via customer contacts throughout the year, provide us with useful insight of consumer issues. While we recognise that a small percentage of contacts are escalated to complex complaints, it is useful to monitor trends that arise through customer contacts so that we can act on recurring issues that might negatively impact customers.

Graph 10: Market Share and Customer Contacts



4. Irish Water

4.1.1 Overview

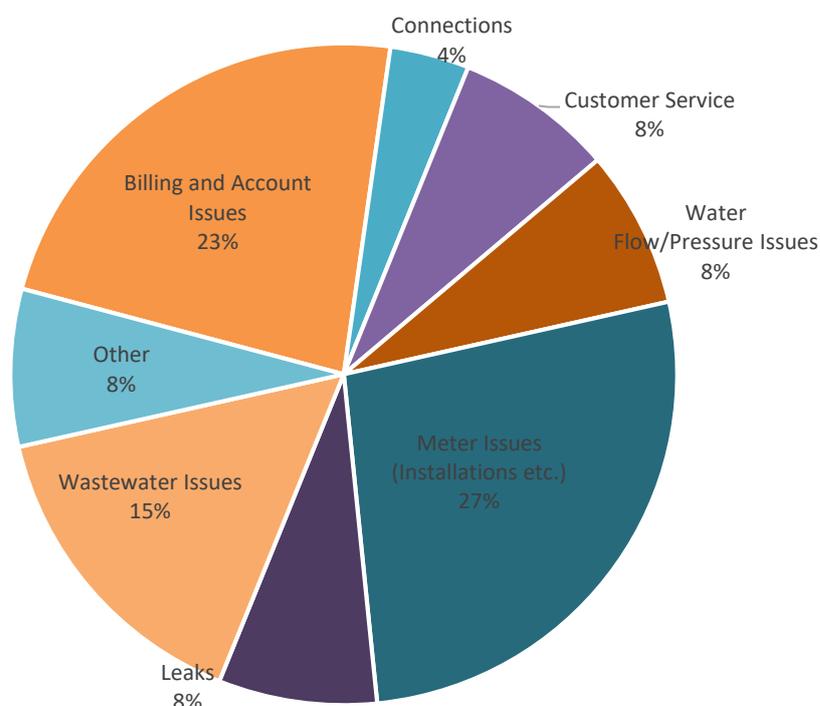
The Water Services Act 2014 gave statutory responsibility to the CRU to provide a complaints resolution service to registered Irish Water customers with an unresolved dispute with Irish Water.

Water charges commenced from January 2015 and billing for water charges began in April 2015. In July 2016 there was a change in legislation and domestic water charges were suspended. These changes have had impacts on the levels of customer contacts and complex complaints received by the CRU.

4.1.2 Complex complaints

In 2017 we opened 25 complex complaints in relation to Irish Water. This is a decrease of 46% from 2016. The decrease is mainly due to the suspension of domestic billing in 2017. We investigated and closed 26 complex complaints relating to Irish Water. The drivers for these complaints varied, as illustrated below.

Graph 11: Irish Water complex complaints

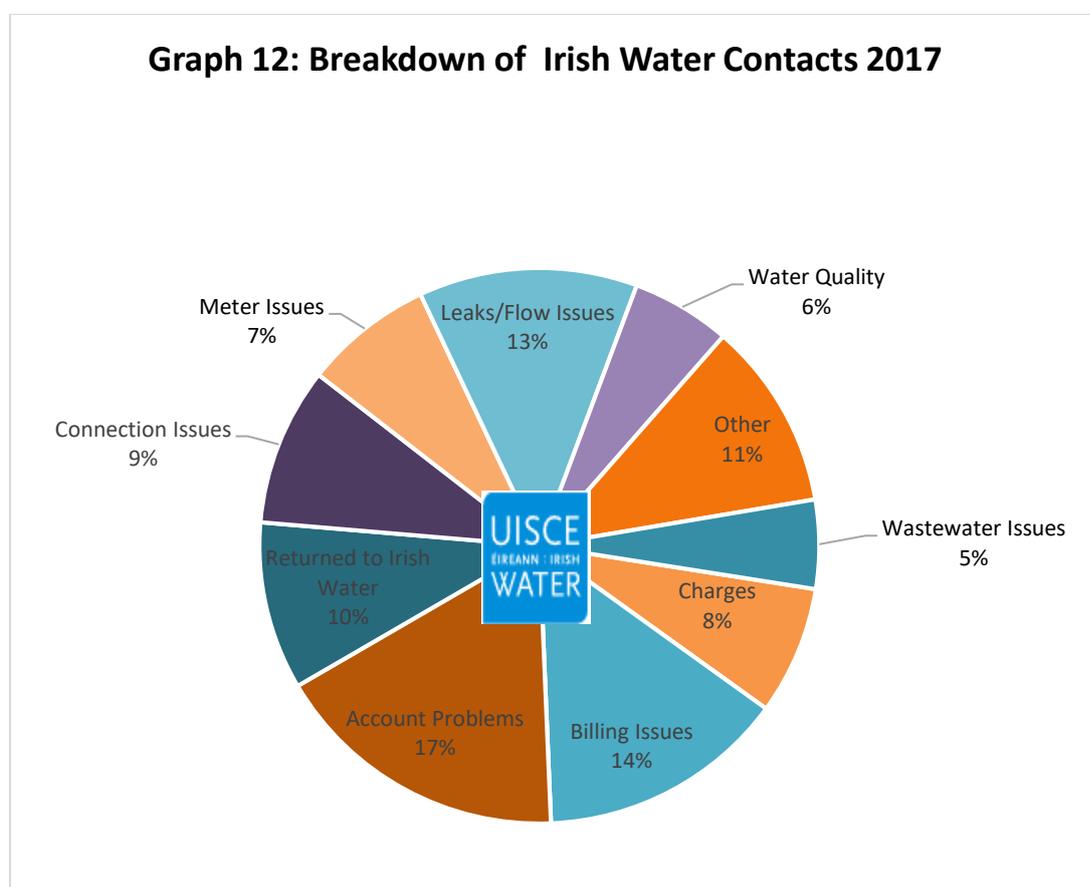


4.1.3 Complaint resolution

29% of the 26 complex complaints closed during 2017 were 'Upheld' in favour of the customer, while 67% were 'Not upheld'. When drawing conclusions from the data it is important to bear in mind the small sample size. No complaints were closed by 'Settlement Offer' in 2017. The 'Other' category constituted 4% of complex complaints closed in 2017. These complaints were those that could not be accepted as they were outside our remit.

4.1.4 Contacts

We received 174 contacts in relation to Irish Water during 2017. This is a decrease of 37% from 2016. The decline in contact levels is primarily attributable to the suspension of domestic water charges in July 2016.



Graph 12 details the type of Irish Water contacts. Similar to the breakdown of complex complaints relating to Irish Water, the issues are varied and reflect the wide range of roles carried out by Irish Water. Contacts relating to Irish Water account for 6% of the total of all contacts made to the CRU.

5. Complaints outside the scope of the CCT

There are instances, based on legislation, when we cannot investigate a complaint:

- where the complaint is, or has previously been through the Courts
- where the complaint was made six years after the cause of the complaint occurred
- where the complaint does not concern the functions or objectives of the CRU
- where the complaint is relating to Irish Water and the customer is not a registered customer of Irish Water at the time of the cause of the complaint.

In 2017 we were not able to investigate six complaints, five related to energy and one case related to Irish Water.

The complaint relating to Irish Water could not be accepted because the customer was not a registered customer of Irish Water.

Two complaints against energy suppliers could not be accepted as the complaint was not raised by the account holder, and they were not able to provide us with an authorisation from the account holder that they could act on their behalf. We can only accept complaints from the final customer unless permission has been provided by the customer for someone to act on their behalf. Two complaints were subject to legal proceedings so could not be investigated by us.

6. Case Studies

Case No. 1 – Electricity – Faulty Meter (Domestic Customer) – Complaint Upheld

This case involved a customer with a faulty electricity meter. The customer's meter did not record usage for 12 years. During that period the customer was only billed for standing charges, PSO levy and VAT. Once the faulty meter was identified and exchanged, the network operator estimated the customer's usage for the 12 year period based on their current usage. The customer's supplier then issued a catch-up bill.

When the customer raised a complaint about the catch-up bill, the network operator offered the customer a 50% reduction on the catch-up bill as the faulty meter should have been noticed sooner. The supplier also offered 20% off the catch-up bill. The customer was not happy with this offer and wanted the full amount of the catch-up bill to be written off.

Our final decision was to uphold the customer's complaint against the network operator as it the fault should have been noticed sooner. However, while we sympathised with the customer, we acknowledged that the customer had benefitted from lower electricity bills over the 12-year period. We found that the network operator and the supplier's offers were fair and reasonable in the circumstances, as the electricity was consumed but underpaid for. We instructed the supplier to put in place a payment plan to assist the customer in repaying the arrears.

Case No.2 Electricity – Prepay Meter Debt (Domestic Customer) – Complaint Upheld

This customer had a prepay meter installed three years previously to help manage a debt that had accrued. The debt was to be paid off by 25% deductions on each top-up the customer made.

When this customer attempted to switch electricity supplier they were notified of an outstanding debt of €509. The customer was unaware of any debt owing on their account at the time.

The supplier confirmed that the original debt was placed on the prepay meter. However, the 25% was not deducted at each top-up because the customer did not top-up twice in the 60 days that followed the prepay meter installation. The supplier confirmed that the customer was never informed of the requirement to top-up twice in the 60 days following the meter installation.

Following our investigation, the customer's complaint was upheld against the supplier. It was upheld due to the supplier's failure to adequately inform the customer of the actions required to

repay the debt applied to the prepay meter. This lack of communication caused the customer to remain in debt despite believing they had cleared their debt. The complaint was also upheld against the supplier because the first communication the customer received regarding this debt was a letter threatening legal action.

We instructed the supplier to write off 50% of the debt.

Case No.3 Gas – Large Gas Capacity Charge (Domestic Customer) – Complaint Upheld

The customer was not happy with their gas capacity charge for the 2016/17 gas year, as they believed it was too high. The customer maintained that they did not use in excess of the threshold of 73,000kWh per year for the higher capacity charge. The supplier advised the customer that the network operator stated the capacity charge could not be changed as it was based on historic usage at the property. The customer raised a complaint with the CRU.

During the investigation we determined that the customer usage was based on estimated historic reads. The property had been vacant for five years prior to the customer purchasing the property. This fact was highlighted with the network operator who then undertook a further review. This review resulted in an admission by the network operator that there had been an error.

As a result of this review a refund was owed to the customer for the higher capacity charge. In addition, the review found the customer was owed a refund for fixed rates charged by the supplier, at the wrong rate. We also awarded the customer compensation against the network operator due to the errors that had occurred.

Case No.4 Gas – Level Pay Plan (Domestic Customer) – Complaint Upheld

The customer contacted us after going through their supplier's complaint process. Following the supplier complaint process and proposed resolution the customer remained dissatisfied with the amount they were billed by their supplier.

The customer was unsatisfied with the amount billed as they had not been advised that the amount they paid through their level pay plan did not adequately cover their gas usage. The supplier failed to notify the customer of the anomaly in payment and usage in the period 2014 – 2016. The customer was aggrieved as the error was made by the supplier and they were in debt as a result. Before the complaint was brought to us the supplier offered a 40% reduction on the amount owed by the customer.

Our investigation found that due to a miscalculation on the customer's gas level pay account the default monthly payment had been incorrectly reduced.

We upheld this complaint against the supplier. We instructed that the supplier apply the 40% reduction on the amount owed as it was felt that this offer made by the supplier was fair and reasonable. We instructed that a payment plan be set-up to facilitate the customer in repaying the amount that was owed. We also applied a charter payment as a result of the poor customer service.

Case No.5 Water – Incorrectly Charged Commercial Tariff (Domestic Customer) – Complaint Upheld

This complaint was raised because the customer was charged as a commercial customer by Irish Water instead of a domestic customer.

To resolve the matter Irish Water sent a field engineer out to site to check that it was domestic connection. The engineer confirmed that there were three boundary boxes installed with three pipes that were unconnected. There were no commercial meters installed and there was a domestic meter which supplied the domestic property.

The location of the domestic meter and the boundary boxes created confusion about the classification of this property and this confusion carried over at the time of migration of data from Cork County Council to Irish Water. As a result of this the property was categorized as a mixed-use premise. Irish Water confirmed that this was a legacy location issue relating to the three boundary boxes. It was necessary to move these meters to a more appropriate location.

We upheld the customer's complaint as there were issues with how Irish Water handled the matter. There were also serious delays determining the problem. It took seven months to get an Irish Water field engineer to the site despite the information that was being provided to them by the customer. We instructed Irish Water award €150 compensation and to carry out all corrective actions detailed as required in their report.

Case No. 6 – Electricity – Expiration of Wiring Certificate (Domestic Customer) – Complaint Not Upheld

This customer had electrical works carried out in a property by an electrical contractor. The wiring certificate was submitted by a Registered Electrical Contractor (REC) to the network operator in preparation for reconnection. Six months later the network operator contacted the customer to inform them that their electrical certificate had expired. The customer had not been in contact with the network operator to arrange the reconnection. The customer raised a

complaint as they did not think it was fair practice that the certificate had expired without an opportunity for them to use it.

The CCT did not uphold this complaint because the network operator does not have an obligation to contact the customer to advise them in advance of the expiration of the electrical certificate. Information provided from the certificate remains live on the network operator's database for six months and a notification is sent when the six months has lapsed.

The CCT decision noted that there is no expiry date on electrical certs but for safety reasons the network operator will only keep them on their system for six months. The CCT feel this is sufficient time for the customer to arrange to have the electrical works completed by the network operator.

The customer was advised that to proceed with the works they would require a new REC certificate. The CCT final decision explained to the customer that the tails from the fuse board at their property to the networks meter must be checked by a REC to ensure that they are still in proper and safe order to be tied into the meter. It was emphasised that this procedure was developed to ensure there are no safety issues.