



An Coimisiún  
um Rialáil Fónas  
Commission for  
Regulation of Utilities



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Commission for Regulation of Utilities

# Irish Water Non-Domestic Customer Handbook Requirements

## Decision Paper

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## CRU Mission Statement

The CRU's mission is to protect the public interest in Water, Energy and Energy Safety.

The CRU is guided by four strategic priorities that sit alongside the core activities we undertake to deliver on the public interest. These four strategic priorities are:

- Deliver sustainable low-carbon solutions with well-regulated markets and networks;
- Ensure compliance and accountability through best regulatory practice;
- Develop effective communications to support customers and the regulatory process; and
- Foster and maintain a high-performance culture and organisation to achieve our vision.

## Executive Summary

This paper sets out the Commission for Regulation of Utilities' ('CRU') decisions on amendments to the service level requirements in the Irish Water Non-Domestic Customer Handbook. The purpose of the amendments is to strengthen the standards of service Irish Water is obliged to provide to its non-domestic customers and ensure that they are fit for purpose and appropriate for customers.

One of the CRU's roles as the economic regulator of Irish Water is to ensure that customers of Irish Water receive a high quality of service. For non-domestic customers, the expected level of service is documented in the 'Irish Water Non-Domestic Customer Handbook'<sup>1</sup>. Irish Water is required to prepare separate Codes of Practice, which must, at a minimum, reflect the customer service requirements set out in the Handbook. There are now six Codes of Practice for non-domestic customers, namely, Codes for Customer Communication, Metering, Billing, Disconnection, Network Operations and Complaint Handling.

This Handbook is published by the CRU and sets out the minimum required levels of customer service and customer protection measures that Irish Water must provide to its non-domestic customers and reflect in each of Irish Water's Codes of Practice.

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<sup>1</sup> There is also a separate Customer Handbook for domestic customers called the 'Irish Water Domestic Customer Handbook' (CRU/20/116a).

In reviewing and updating the Non-Domestic Customer Handbook, the CRU has considered a wide range of matters including legislative changes since the last update, feedback from the CRU's Customer Care Team who deal directly with customer queries and complaints with Irish Water, findings from compliance audit reports and the latest development of regulatory approaches in other jurisdictions. Additionally, since the last review of the Non-Domestic Customer Handbook<sup>2</sup>, new policies have been implemented (such as Irish Water's Connection Charging Policy) or will soon be implemented (such as Irish Water's Non-Domestic Tariff Framework).

In March 2020, the CRU published a public consultation (CRU/20/035) which consisted of a full review of the Irish Water Non-Domestic Customer Handbook requirements (CRU/20/036). This review is to ensure that Irish Water's customer commitments remain appropriate, are sufficient for customers and fit for purpose given the developments in the water sector since the Handbook was last published. The CRU received seven responses to the Consultation Paper. After careful consideration of the responses and further stakeholder engagement, the CRU has come to a final decision on the Irish Water Non-Domestic Customer Handbook.

### Summary of CRU's Decisions

Below is a summary of the CRU's principal approved changes to strengthen the standards of service Irish Water is obliged to provide when providing services to its non-domestic customers.

For ease, the CRU has **bolded** the text which has changed as a result of the responses to the Consultation paper.

<b>Handbook Section</b>	<b>CRU Decision</b>
Introduction	<ul style="list-style-type: none"><li>• Introduce “Overarching Principles” to provide guidance as to how Irish Water should interact with its customers whether directly or indirectly.</li><li>• Set out implementation Dates to provide clarity as to the date(s) the new Handbook requirements will come into force (12 months from date of this publication).</li></ul>

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<sup>2</sup> The Non-Domestic Code of Practice Handbook requirements were first introduced in 2014. Since that time the Billing Code of Practice Handbook requirements were reviewed and updated in 2018.

<p>Code of Practice on Customer Communications</p>	<ul style="list-style-type: none"> <li>• Introduce a new requirement for Irish Water to provide information to its customers on tariffs, bills, payment methods and arrears handling.</li> <li>• <b>Introduce a new requirement for Irish Water to make available on its website a range of communication channels through which customers can contact Irish Water.</b></li> <li>• <b>Introduce a new requirement that Irish Water shall make water conservation information available to customers.</b></li> <li>• Amend a requirement relating to planned interruptions to specify that Irish Water must communicate updates to customers that Irish Water anticipates will be affected during the planned interruption.</li> <li>• Amend a requirement relating to unplanned interruptions for Irish Water to include the likely duration of the interruption, the <b>estimated</b> time of restoration of Supply.</li> <li>• Introduce a new requirement for Irish Water to publish information on unplanned interruptions as soon as possible but no later than two hours after Irish Water become aware of the interruption.</li> <li>• <b>Introduce a new requirement that an exception to the two hour rule exists in the case where the unplanned interruption is due to an extreme or severe weather event. In this instance, Irish Water must publish information on the issue as soon as possible but no later than five hours after Irish Water becomes aware of the interruption.</b></li> <li>• Introduce new requirements to ensure that Irish Water explains to new customers how they will be billed, their billing frequency, how they can make payments, <b>direct customers as to where they will find water conservation information</b> and how to access the standard Terms and Conditions of Supply.</li> <li>• A requirement which obliges Irish Water to identify themselves in the “text” of an SMS when contacting customers by SMS has been made more general.</li> </ul>
<p>Code of Practice on Metering</p>	<ul style="list-style-type: none"> <li>• Reduce the length of notification period for Irish Water to give to its customers when installing a new meters – from two weeks to two days. <b>The notice period can be waived if Irish Water seeks and receives agreement from the customer in advance of carrying out works.</b></li> <li>• Introduce a new requirement to facilitate the request for a meter by an unmetered connection. If a meter can be installed, the work must be completed within a further four weeks after all the necessary checks are carried out, <b>subject to constraints outside the control of Irish Water.</b></li> </ul>

	<ul style="list-style-type: none"> <li>• Amend a requirement that Irish Water must, within reason, guarantee to leave a customer’s property in the same condition in which it was before they began meter installation.</li> <li>• Introduce a new requirement to ensure Irish Water engage and help customers having difficulty locating their meter. <b>If the meter cannot be found, Irish Water must install a new meter free of charge within four weeks subject to constraints outside the control of Irish Water.</b></li> </ul>
<p>Code of Practice on Billing</p>	<ul style="list-style-type: none"> <li>• Introduce a new requirement that Irish Water will ensure that the charging of customers is in line with legislation, equitable across customers, clear and easy to understand.</li> <li>• Introduce a new requirement that Irish Water shall ensure that all charges, discounts and allowances are calculated and applied accurately to customers’ bills.</li> <li>• Introduce a new requirement that allows customers to submit a self-read to Irish Water in instances where an estimated bill was generated by Irish Water.</li> <li>• Introduce a new requirement regarding how Irish Water can request a security deposit from a customer.</li> <li>• Introduce a new requirement to ensure that Irish Water notifies its customers of unusual and significant increase in their metered consumption.</li> <li>• Introduce new requirements for how Irish Water informs and communicates individual ‘Annual Quantity’ and tariff class information to customers.</li> <li>• <b>Introduce a new requirement to ensure that Irish Water will inform customers every year that they have the right to challenge their Annual Quantity (‘AQ’) and assigned tariff class. Irish Water must provide a reasonable timeframe for customers to submit a challenge.</b></li> <li>• <b>Introduce a new requirement to ensure that Irish Water must inform connections that are moving to a lower tariff class and facing a higher annual bill as a result, that they have the right to request to stay on the tariff rates of their old tariff class.</b></li> <li>• Introduce new requirement for Irish Water to develop a process to facilitate non-domestic customers that request to be categorised as a ‘domestic’ or ‘mixed-use’ premises and vice versa.</li> <li>• Introduce a new requirement to ensure Irish Water provides its customers with advance notice of any proposed changes to domestic</li> </ul>

	<p>allowances applied at a premises and/or the categorisation of a premises for charging purposes.</p> <ul style="list-style-type: none"> <li>• Introduce a new requirement where customers can submit an application to Irish Water where the customer is of view that their wastewater discharged volume is not equal to water supplied volume at a customer’s premises.</li> <li>• Introduce a new requirement for Irish Water to make available to customers information on their leakage allowance policy, and information on how the customer can request an adjustment to their billed volume.</li> <li>• Introduce a new requirement for Irish Water to engage with its customers on changes that impact the charging of customers in a fair, reasonable and timely manner.</li> <li>• Introduce a new requirement requiring Irish Water to give at least 30 days’ notice in advance of any changes to customer’s charges taking affect.</li> <li>• Introduce a new requirement that Irish Water shall keep customers informed of upcoming changes that affect how they are charged.</li> </ul>
<p><u>(New)</u> Code of Practice on Disconnections</p>	<ul style="list-style-type: none"> <li>• Introduce new requirements for instances where Irish Water can and cannot initiate a disconnection of a non-domestic customer’s supply.</li> <li>• Introduce a new requirement requiring Irish Water to contact customers by telephone at least 5 working days in advance of carrying out a disconnection due to non-payment.</li> </ul>
<p>Code of Practice on Network Operations</p>	<ul style="list-style-type: none"> <li>• Amended a requirement regarding water pressure, specifically setting out the process Irish Water must follow to investigate reduced pressure.</li> </ul>
<p>Code of Practice on Complaints Handling</p>	<ul style="list-style-type: none"> <li>• Amended a requirement to ensure Irish Water makes all customers with a complaint aware of Irish Water’s Code of Practice on Complaints.</li> <li>• Strengthening requirements relating to the timeframes for Irish Water’s complaints handling process and Irish Water’s engagement with customers during the complaints handling process.</li> <li>• Introduce a new requirement requiring Irish Water to provide an update to customers on complaints that remain open for 10 days after the complaint was lodged.</li> </ul>

	<ul style="list-style-type: none"> <li>• Introduce a new requirement that Irish Water shall respond to the CRU with a confirmation that Irish Water has implemented the CRU's final decision on a complaint.</li> <li>• Introduce a requirement that in 'Stage 2' of the complaints handling process, Irish Water must notify customers that, in the event their complaint is referred to the CRU, they will need to have been a registered customer of Irish Water at the time of the issue occurring.</li> </ul>
Terms & Conditions of Supply	<ul style="list-style-type: none"> <li>• Introduce a new requirement that Irish Water shall provide Terms and Conditions of Supply to its non-domestic customers.</li> <li>• Sets out the minimum requirements to be contained within Irish Water's Terms and Conditions of Supply and how the CRU will review Irish Water's Terms and Conditions.</li> </ul>

In addition to the above decisions, the CRU has also made a number of editorial changes to the current requirements in order to make the Handbook clearer, more accessible and easier to read for customers. The CRU did not consult on these explicitly, as they do not relate to policy, but they are provided here for completeness.

Amendment Type	Amendment Detail
CRU's Legislative Role	<ul style="list-style-type: none"> <li>• Introduce a statement regarding the CRU's role in relation to the Codes of Practice as outlined in legislation to aid clarity.</li> </ul>
Consistency of Terms used	<ul style="list-style-type: none"> <li>• All reference to 'Account Holder' was removed from the Handbook as 'Customer' will now be used consistently throughout.</li> <li>• Apply a consistent use of terms to avoid confusion for customers.</li> </ul>
Clarity and Transparency	<ul style="list-style-type: none"> <li>• In a number of places within the Handbook, lengthy requirements are split into several shorter requirements to add clarity and for ease of reading for customers.</li> <li>• Out-of-date requirements were removed to ensure that the Handbook is fit for purpose.</li> <li>• Clarity that the Handbook applies to customers in respect of non-domestic premises and mixed-use premises.</li> </ul>

Please see the Irish Water Non-Domestic Customer Handbook (CRU/20/117b) for full details of the approved amendments to the service standards which is published alongside this paper.

## **Public / Customer Impact Statement**

One of the CRU's roles as the economic regulator of Irish Water is to ensure that customers of Irish Water receive a high quality of service from the utility. This is achieved through setting minimum standards which Irish Water is obliged to offer its customers. These customer standards are set out in the 'Irish Water Non-Domestic Customer Handbook'. The Non-Domestic Customer Handbook is published by the CRU and sets out the minimum standards of service that Irish Water must offer its customers across a number of service areas such as metering, handling of complaints, network operations, disconnections, communications with customers, billing customers.

The Non-Domestic Customer Handbook is an important customer protection measure as it provides transparency to Irish Water and its customers regarding the expected quality of service that Irish Water must provide. The Handbook is an evolving document and is kept under review by the CRU to ensure that the service standards remain appropriate as developments and policies in the water sector are implemented over time.

The Handbook was first published in 2014<sup>3</sup> and the CRU considers this an appropriate time to review the document, reconsider the requirements and, where appropriate, update it and recommend new obligations to refresh and enhance the approach taken to customer protection. In March 2020, the CRU has undertaken an 8 week public consultation (CRU/20/035) which consisted of a full review of the Irish Water Non-Domestic Customer Handbook (CRU/20/036) requirements to ensure that Irish Water's customer commitments remain appropriate, are sufficient for customers and fit for purpose given these developments in the water sector. This paper sets out the CRU's decision on the amendments to the Irish Water Non-Domestic Customer Handbook.

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<sup>3</sup> The Non-Domestic Billing Code of Practice Handbook requirements were reviewed and updated in 2018.



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# 1. Introduction

## 1.1 Background

The Water Services Act (No. 2) 2013<sup>4</sup> which conferred on to the CRU the role of economic regulator of Irish Water includes the provision for the CRU to regulate the customer service levels provided by Irish Water. The CRU, therefore, has a key role in protecting the interests of water and wastewater customers of Irish Water and ensuring that customers receive a high quality of service. One way this is achieved is through the Irish Water Domestic and Non-Domestic Customer Handbooks.

The Customer Handbooks are published by the CRU and set out the required levels of customer service and customer protection measures that Irish Water must provide to its customers. Irish Water is required by the CRU to prepare separate Codes of Practice, which must, at a minimum, reflect the customer service requirements set out in the Irish Water Non-Domestic Customer Handbook. The Codes of Practice cover a number of service areas, such as customer communications, metering, billing, customer complaints, network operations and disconnection. The Customer Handbooks were first introduced by the CRU in 2014. Irish Water must submit each Code of Practice for approval by the CRU. The CRU has the authority to approve or refuse under the Water Services (No.2) Act 2013 Section 32.3(b)<sup>5</sup> the Business Codes of Practice developed by Irish Water.

## 1.2 Objectives of the Handbook Review

The CRU has undertaken a review of the existing Handbook requirements to ensure that Irish Water's customer commitments remain appropriate, are sufficient for customers and fit for purpose.

Specifically, the CRU's objectives in reviewing the Non-Domestic Customer Handbook are as follows:

- To strengthen the standards of service Irish Water is obliged to provide when providing services to its non-domestic customers;

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<sup>4</sup> <http://www.irishstatutebook.ie/eli/2013/act/50/enacted/en/html>

<sup>5</sup> <http://www.irishstatutebook.ie/eli/2013/act/50/enacted/en/print#sec32>

- To ensure the customer service standards are up-to-date and reflect policies that have been implemented (such as Irish Water's Connection Charging Policy) since the last Handbook review or will soon be implemented (such as Irish Water's Non-Domestic Tariff Framework);
- To respond to feedback from the CRU's Customer Care Team, who deal directly with customer queries and complaints with Irish Water, on how the service requirements can be improved to enhance the customer experience;
- To consider the latest developments in regulating customer service standards in other jurisdictions, and CRU policies with regard to customer service standards in the electricity and gas sectors, and evaluate if these should be adopted;
- To consider any legislative changes that may need to be reflected in the customer service standards; and
- To make editorial changes to the current requirements in order to make the Handbook clearer, more accessible and easier to read for customers. This also involves the removal of out-of-date requirements to make ensure that the Handbook is fit for purpose.

### **1.3 Monitoring Irish Water's Compliance with Codes of Practice**

The CRU monitors the compliance of regulated entities with their obligations under the relevant primary and secondary legislation, licences, codes, and safety frameworks across the various sectors regulated by the CRU. The CRU monitors Irish Water's implementation of the various Customer Handbook requirements to ensure it continues to deliver a high standard of service for customers. If Irish Water fails to meet the customer service standards outlined in Irish Water's Codes of Practice, the CRU has the authority to require Irish Water to comply with the Codes of Practice or provision of a Code of Practice under Section 32.5 of the Water Services (No.2) Act 2013.

The CRU will assess Irish Water's compliance with particular aspects of the Customer Handbook requirements throughout the year as well as conducting an annual audit on the Handbook. The aim of these compliance checks is to protect consumers by ensuring that Irish Water has implemented all the requirements of the Customer Handbook. The results of these checks will be

published on the CRU website<sup>6</sup>, to increase transparency and provide confidence to Irish Water's customers that Irish Water is meeting its obligations.

In addition to the CRU's monitoring activities, if a customer feels they have not received the required standard of service as set out in a Code of Practice, they can raise a complaint with Irish Water. After completing Irish Water's complaints process the customer is not satisfied with the outcome, the complaint can be further escalated to the CRU for resolution.

## **1.4 Purpose of this Paper**

The purpose of this paper is to set out the CRU's decision on the proposed amendments to the Irish Water Non-Domestic Customer Handbook.

Please note, that for ease of reference the approved Irish Water Non-Domestic Customer Handbook – October 2020 that reflects the CRU's decision is published alongside this document (CRU/20/117b). This replaces the previous 'Irish Water Non-Domestic Customer Handbook – 27 March 2018' document.

## **1.5 CRU's Legislative Remit & Strategic Plan**

As the economic regulator of Irish Water, the CRU has a key role in protecting the interests of water and wastewater customers of Irish Water. Under Section 39(2)a of the Water Services Act (No. 2) 2013, the CRU must ensure that the customers of Irish Water are provided with the quality of service provided for in a Code of Practice.

The Customer Handbooks are published by the CRU and set out the required levels of customer service and customer protection measures that Irish Water must provide to its customers. Irish Water is required by the CRU to prepare separate Codes of Practice, which must, at a minimum, reflect the customer service requirements set out by the CRU in the Irish Water Non-Domestic Customer Handbook. The Codes of Practice cover a number of service areas, such as customer communications, metering, billing, customer complaints and network operations.

Irish Water must submit each Code of Practice for approval by the CRU. Under Section 32.3(b)<sup>7</sup> of the Water Services (No.2) Act 2013 the CRU has the authority to approve or refuse to approve the Codes of Practice developed by Irish Water.

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<sup>6</sup> Irish Water Compliance Audits: [https://www.cru.ie/document\\_group/irish-water-compliance-audits/](https://www.cru.ie/document_group/irish-water-compliance-audits/)

<sup>7</sup> <http://www.irishstatutebook.ie/eli/2013/act/50/enacted/en/print#sec32>

Once the Codes of Practice are approved, if Irish Water fails to meet the customer service standards outlined in Irish Water’s Codes of Practice, the CRU has the authority to require Irish Water to comply with the Codes of Practice or provision of a Code of Practice under Section 32.5 of the Water Services (No.2) Act 2013.

Under the CRU’s 2019 – 2021 Strategic Plan<sup>8</sup>, one of the CRU’s objectives is to “*Proactively and transparently place the public interest at the centre of the CRU’s policy development. Ensure that the customer’s voice is heard and reflected in CRU decisions*”. The desired outcomes related to this objective are outlined in Figure 1 below.

**Figure 1: CRU Strategic objective and desired outcomes**



A key outcome of this objective is for utility customers to have “...*greater awareness of their rights*”.

Further information on the CRU’s role and relevant legislation can be found on the CRU’s website at [www.CRU.ie](http://www.CRU.ie)

## 1.6 Related Documents

By way of background to this decision paper, the following list of documents are provided which contain previous CRU consultations and decisions made in relation to the Irish Water Customer Handbook:

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<sup>8</sup> <https://www.cru.ie/wp-content/uploads/2019/03/CRU19030a-CRU-Strategic-Plan-2019-2021-English-Version.pdf>

- Irish Water Non-Domestic Customer Handbook - October 2020 (CRU/20/117b)
- CRU Non-Domestic Response to CRU Consultation Paper (CRU/20/035) - (CRU/20/117a)
- Irish Water Domestic Customer Handbook – October 2020 (CRU/20/116a)
- CRU Decision Paper on the Irish Water Domestic Customer Handbook – October 2020 (CRU/20/116)
- CRU Domestic Response to CRU Consultation Paper (CRU/20/041) - (CRU/20/116b)
- Draft Irish Water Non-Domestic Customer Handbook - 27 March 2020 (CRU/20/036)
- CRU Consultation Paper on Irish Water Non-Domestic Customer Handbook – 27 March (CRU/20/035)
- Draft Irish Water Domestic Customer Handbook – March 2020 (CRU/20/040)
- CRU Consultation Paper on the Irish Water Domestic Customer Handbook – March 2020 (CRU/20/041)
- CRU approved Irish Water Non-Domestic Customer Handbook – 27 March 2018
- CRU Decision and Response Paper on The Irish Water Non-Domestic Customer Handbook Requirements ‘Code of Practice on Billing for Non-Domestic Customers’ (CRU/18/042)
- Draft Irish Water Non-Domestic Customer Handbook (CRU/17/322)
- CRU Consultation Paper on The Irish Water Non-Domestic Customer Handbook Requirements ‘Code of Practice on Billing for Non-Domestic Customers’ (CRU/17/321)
- Division of the existing Irish Water Customer Handbook - Information Note (CRU/17/317)
- CRU approved Irish Water Non-Domestic Customer Handbook - 14 November 2017 (CRU/17/318)
- CRU approved Irish Water Domestic Customer Handbook – 14 November 2017 (CRU/17/319)
- CER approved Irish Water Customer Handbook revision (CER/15/010) – *Version 2.0*

Information on the CRU's role and relevant legislation can be found on the CRU's website at [www.cru.ie](http://www.cru.ie).

## 1.7 Structure of Paper

This decision paper is structured in the following manner:

- **Section 1** contains a general introduction and background information in relation on the existing Non-Domestic Customer Handbook and provides the purpose of the paper.
- **Section 2** outlines the CRU's decision on the proposed amendments to the Irish Water Non-Domestic Customer Handbook requirements.
- **Section 3** sets out the CRU's decision on the proposed minimum requirements for the Terms and Conditions of Supply for non-domestic customers.
- **Section 4** sets out the next steps for this paper.

Please note that the Irish Water Non-Domestic Customer Handbook – October 2020 is published alongside this Decision (CRU/20/117b).



## 2. CRU's Decisions on the Codes of Practice Requirements for Non-Domestic Customers

The CRU has reached a decision on the proposed amendments to the service standards requirements to ensure that Irish Water's customer commitments remain appropriate, are sufficient for customers and fit for purpose. This section provides a summary of the CRU's decision on the amendments to the six Non-Domestic Codes of Practice Handbook requirements. The CRU has made the following categories of changes to the Handbook:

- **Editorial changes** to the requirements in order to make the Handbook clearer, more accessible and easier to read for customers and potential customers. These changes do not have a material impact on the service requirement, but aim to add clarity by, for example, using clearer language, ensuring consistent use of terms and dividing lengthy requirements into separate sub requirements.
- The **introduction of additional requirements** to strengthen the standards of service Irish Water must provide its non-domestic customer base. This includes strengthening existing customer service requirements and adding new requirements. This will ensure the Handbook requirements remain appropriate and are sufficient for customers.
- The **removal of out-of-date Handbook requirements** to make ensure that the Handbook is fit for purpose.

Please note, the full list of approved customer service requirements are detailed in the 'Irish Water Non-Domestic Customer Handbook – October 2020 (CRU/20/117b) which is published alongside this paper.

### 2.1 Universal Amendments to all Codes – Consistency of Terms

There are a number of terms used throughout the Handbook. The CRU has reviewed the terms with the aim of achieving consistency in the use of terms in order to provide greater clarity to the Handbook requirements.

As these amendments do not change Irish Water's customer service obligations, the CRU did not consult on these editorial changes. However, they were outlined in the Consultation paper for clarity and to provide context to the changes detailed (via track changes) within the Customer

Handbook Consultation document (CRU/20/036), which was published alongside the Consultation paper.

### **'Customer' and 'Account Holder'**

The Non-Domestic Customer Handbook makes a distinction between a 'customer' and an 'account holder'. A Customer is defined as anyone who utilises water supplied by or wastewater services provided by Irish Water at a specific premises, while an account holder is an individual who pays for services supplied by Irish Water to the premises.

This distinction is made to recognise situations where the occupier of a premises (i.e., the customer) does not pay the bill for the water service(s) provided at the premises and another party (the account holder) may set up an account with Irish Water and pay for the services on behalf of the customer. An example of this, is where a landlord pays on behalf of its non-domestic tenants.

The relevant term ('customer' or 'account holder') is used throughout the Handbook depending on whether a particular Handbook requirement relates to providing services to the occupier of a premises (such as notifying the occupier of an upcoming interruption of supply, or the existence of a Boil Water Notice) or relates to providing services to the individual who pays the bill for services provided at a premises (such as the requirement to bill accurately and provide information on tariffs and billing frequencies).

However, there are a number of instances throughout the Handbook where the two terms 'customer' and 'account holder' are used interchangeably, and in some instances incorrectly, which may lead to confusion for customers. For example, many of the requirements in the Billing Code of Practice reference 'customer' when it should reference 'account holder' as it is the account holder who pays the bills.

To resolve this and make it clearer, the CRU will use 'customer' throughout the Handbook and align its definition in the Handbook with legislation, that is, the occupier of a premises in respect of which water and/or wastewater services are provided. The CRU will remove the term 'account holder' from the Handbook. Instead, the CRU has introduced text upfront in the Handbook that recognises that there may be instances whereby another party other than the customer sets up an account with Irish Water and pays for the services on behalf of the customer. In these circumstances, the paying party shall be deemed to be the customer for the purposes of billing and disconnections. As these changes are editorial changes, the CRU did not consult on these amendments.

### **'Property' and 'Premises'**

A relatively small number of requirements make reference to either 'premises' or 'property', however these terms refer to the same thing, that is, a customer's premises as defined in the Water Charges Plan<sup>9</sup>. These two terms are used interchangeably throughout the Handbook. The CRU will use the term 'premises' to throughout the Handbook to aid clarity and consistency.

### **'Tariffs' and 'Charges'**

The Handbook also refers to both 'charges' and 'tariffs' in a number of places. The CRU is of the view that it is clearer to use the term 'charges' throughout the Handbook (where possible), as both 'charges' and 'tariffs' refer to the same thing. That is, a charge that Irish Water applies to a customer for the provision of a service (which could be a charge to connect a customer to the network, a charge for the provision of water services, a charge for testing a meter etc.). For the purposes of the Handbook, the CRU intention was to use easily comprehensible language to make the Handbook accessible to the widest possible audience, to ensure the requirements are written in plain English and easy to understand. Using the term 'charges' was also to align the Non-Domestic Customer Handbook with the Domestic Customer Handbook and other water policy decisions.

The CRU had decided to not remove all reference to 'tariffs' within the Non-Domestic Customer Handbook as there are certain requirements (for example, in Handbook requirement 7.6.5 where it states "...*tariff classification*..."), that tariff should not be changed to 'charges' as this would be incorrect. This is one of the areas of the Handbook which will differ from the Domestic Customer Handbook.

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<sup>9</sup> The 'Water Charges Plan' is a document that sets out the manner and method by which charges under Section 21 of the Water Services (No. 2) Act 2013 shall be calculated. It includes the charges levied by Irish Water to its customers for the provision of water and wastewater services.

## 2.2 Introduction (Section 1)

The Introduction section of the Handbook provides a background to the Handbook and also places general obligations on Irish Water in relation to customer service. These include requirements that the Codes of Practice must be written in plain English and easy to understand, the Codes must be published on Irish Water's website in an easily accessible and visible location, Irish Water's staff must be appropriately trained in respect of the Codes requirements, and Irish Water must implement business processes which allows it to monitor the implementation of the Codes and report to the CRU on a regular basis.

The full list of the CRU's approved amendments to the customer service requirements within the Introduction Section of the Handbook are detailed in the Irish Water Non-Domestic Customer Handbook – October 2020, which is published alongside this paper. Below is a description of the CRU's principal approved amendments to this Section. Please see Section 1 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments. Responses to below sections are discussed within section 4.1 of the CRU's Response Paper to CRU Consultation Paper (CRU/20/035) – (CRU/20/117a).

### 2.2.1 Mixed-Use Premises (Section 1)

Customers that use water services for both domestic and non-domestic uses at a premises are termed mixed-use customers. Mixed-use premises may include farms with a farmhouse, or retail units with residential accommodation located above them. A single meter is used to measure the water delivered to these premises.

For clarity, the non-domestic 'use' of the mixed-use premises<sup>10</sup> is covered under the Non-Domestic Customer Handbook. For the domestic 'use' of the premises the Domestic Customer Handbook applies. To provide clarity in the Handbook, the CRU has stated *"To further clarify, this Handbook applies to Customers in respect of a non-domestic premises and mixed-use premises"*.

### 2.2.2 Implementation Date of Handbook Requirements (Section 1.1)

The CRU recognises that Irish Water may not be in a position to implement a number of the new Handbook requirements immediately, for example, due to the need for IT and system development to support the new service level requirements. For this reason, the CRU inserted a

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<sup>10</sup> Please see Irish Water's Water Charges Plan for further details.

new subsection called 'Implementation Date' to clearly identify the date by which such Handbook requirements will come into force.

The respondents to the Consultation Paper broadly agreed with the proposals. The CRU has made an amendment to the consulted proposal, as having considered responses received to the consultation, the CRU has added more flexibility to the proposed implementation dates. The CRU has decided to amend the implementation dates to allow Irish Water 12 months for all requirements, not just those that require changes to IT systems. The decision has been taken to reflect potential delays which may arise as a result of changing work practices due to the Covid-19 pandemic.

### **2.2.3 Overarching Principles (Section 1.2)**

The CRU has decided not to move to a more 'principles- based' approach for setting the customer service standards which Irish Water must provide to customers. However, the CRU considers that the Handbook would be strengthened by the inclusion of some principles which would guide all of Irish Water's interactions with customers. The CRU is of the view that customers should have a high level of protection in all circumstances. The CRU, therefore, has decided to introduce two new overarching principles. These overarching principles serve to further enhance the service level requirements within the Handbook rather than to replace the existing prescriptive requirements and will provide guidance as to how Irish Water should interact with its customers whether directly or indirectly. They do not relate specifically to any Code of Practice but rather have a general application to all facets of the customer-utility interactions.

These overarching principles will benefit customers in their interactions with Irish Water. They require Irish Water to treat customers in a fair, honest and professional manner and ensure consistency, accuracy and clarity across all Irish Water's written and oral communications with customers. Similar overarching principles are in place in the Electricity and Gas Suppliers' Handbook and this change will achieve consistency across the energy and water customers.

The CRU received broad support for the proposed overarching principles, however one respondent was of the view that they are incomplete. The CRU has made no amendment to the consulted proposal.

## **2.3 Code of Practice on Customer Communications for Non-Domestic Customers (Section 5)**

Section 5 of the Irish Water Non-Domestic Customer Handbook outlines the minimum standards of service a non-domestic customer can expect when it comes to Irish Water's customer communications. The aim of the Code is to ensure that Irish Water always communicates to its customers in a clear, accurate and customer focused manner. The current Code prescribes that Irish Water must adopt a transparent and fair approach to the communication of its services, with specific requirements regarding the information Irish Water shall provide to its customers during planned and unplanned interruptions, information to be supplied during water unfit for human consumption alerts and what information must be provided to customers when setting up an account with Irish Water.

The full list of the CRU's approved amendments to the customer service requirements within the Communications Code of Practice are detailed in the Irish Water Non-Domestic Customer Handbook (CRU/20/117b), which is published alongside this paper. Responses to below sections are discussed within section 4.2 of the CRU's Response Paper to CRU Consultation Paper (CRU/20/035) – (CRU/20/117a).

Below is a description of the CRU's principal approved amendments to this Code.

### **2.3.1 Customer information requirements (Section 5.1)**

The Handbook contains a number of requirements relating to customer information provision which outline the minimum requirements Irish Water is obliged to give to its customers when it comes to communication. Please see Section 5.1 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments.

#### **Adding Requirements for Providing Information to Customers**

Following feedback to the consultation, the CRU has amended this section to include two new requirements. The first new addition requires Irish Water to make available on its website, a range of communication channels through which customers can contact Irish Water. This requirement ensures for customer regardless of how they wish to contact Irish Water (i.e. through telephone, email or letter) that they will be able to do so.

The second new requirement requires Irish Water to make water conservation information available and inform customers as to where they will find it. This information is beneficial for customer as it may help customer use water more wisely and be more responsible in the way its business uses water. Additionally, by saving water, this allows the customer to save to reduce its water services bill.

### **Providing information on charges, bills, payment methods and arrears handling**

To enhance the existing requirements in this subsection of the Handbook, the CRU has made a decision to require Irish Water to provide additional details on billing process, charge details, charges and explanations of terms used, payment methods and arrears handling to customers through a range of communication channels. The CRU is of the view that these additional requirements benefit customers as they will help them understand how they will be billed for services provided to them and how they can make payments against their bills. This information will be particularly important when the new Non-Domestic Tariff Framework and charges are implemented later this year.

Additionally, similar requirements exist in the Electricity and Gas Suppliers' Handbook and the Irish Water Domestic Customer Handbook. The introduction of these requirements to the Irish Water Non-Domestic Customer Handbook will achieve greater consistency in service standards across both domestic and non-domestic water customers as well as energy customers.

Respondents agreed with the proposals and as such, the CRU has made no amendment to the consulted proposal.

### **2.3.2 Customer communication during supply interruptions and poor-quality supply periods (Section 5.2)**

Subsection 5.2 outlines the requirements Irish Water is required to follow regarding customer communications during a supply interruption (planned or unplanned) and poor-quality supply periods (for example, when a boil water notice is issued). This includes ensuring regular up-to-date information is available in advance of planned interruptions, ensuring anticipated affected customers will be notified at least two days in advance of the planned interruptions and ensuring certain information is provided to customers when notices are issued that declare water unfit for human consumption. Please see Section 5.2 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments.

### **Adding Clarity – Information provision on planned interruptions**

The CRU has made a decision to amend the wording to add clarity that Irish Water is required to communicate updates to customers that Irish Water anticipates will be affected during the planned interruption as previously this requirement did not specify to whom Irish Water should provide updates. This is important as supply interruptions can cause considerable disruption to businesses, and affected customers should be informed, in advance of and during a planned interruption, with regular and up-to-date information regarding the planned timing of the

interruption as well as the anticipated time of supply restoration. For avoidance of doubt, planned interruptions include both major and minor capital works. The CRU does not specify within its requirement the method by how Irish Water is to communicate information to its customers regarding unplanned interruptions, but rather stated that it must be via relevant communication channels and information shall be made available to customers through telephone helplines. The CRU would expect that Irish Water makes information available to customers through as wide a range of communication channels as possible, e.g. such as updates on its website, social media, named customer account manager<sup>11</sup>, press releases, SMS or local radio coverage. Information is also to be available to customers through telephone helplines so in instances where customers have a query about the interruption, Irish Water could assist those customers through this service. Irish Water may contact its customers through additional communications which the CRU has not outlined.

Respondents to the consultation broadly agreed with the CRU's proposals. However, two respondents were dissatisfied with the required 48 hours' notification requirement for customers Irish Water anticipates will be affected by a planned interruption. The respondents made a number of suggestion of how the requirements should be amended. The CRU has decided to amend the 'two days' to 'two working days' as this will ensure customers will have sufficient notification prior to the planned interruption taking place.

### **Adding Clarity & Strengthening Requirement – Information provision on unplanned interruptions**

The CRU has decided to require Irish Water to notify customers understood by Irish Water to be affected by an unplanned interruption of the likely duration of the unplanned interruption and the estimated time of restoration of supply.

The CRU has also decided to strengthen this requirement by requiring Irish Water to publish information on the interruption as soon as possible but no later than two hours<sup>12</sup> after Irish Water becomes aware of the interruption via relevant communication channels and information shall be made available to customers through telephone helplines. This is important as unplanned supply interruptions can cause considerable disruption to businesses, and interruptions to water

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<sup>11</sup> Irish Water assigns a named customer account manager for non-domestic customers who consume over a certain threshold. In the event of a supply interruption the account manager endeavours to make direct contact with their specific customers.

<sup>12</sup> For clarification, the two hour time period are from when Irish Water becomes aware of the unplanned interruption from the Local Authority only. This timeframe does not include the time it takes the Local Authority to investigate and notify Irish Water of the unplanned interruption.



services can have significant economic consequences for customers. It is important for customers that unplanned interruptions should be avoided at all costs, and if it does occur, Irish Water should communicate information to its customers as soon as possible but no later than two hours after Irish Water becomes aware of the interruption.

The CRU is conscious that in some instances Irish Water may not be able to notify affected customers of the likely duration of the unplanned interruption and the estimated time of restoration of supply immediately, as the HSE and EPA set the guidelines and they vary from case to case. The CRU deems it appropriate for Irish Water to insert a 'placeholder' timeframe to let its customers know that the unplanned interruption is ongoing and the length of time it expects the outage to last. Once Irish Water knows this information, it can update the notice with a definitive timeframe. Should the interruption take longer to fix than the initial estimation, then Irish Water can update the estimated duration in its notice.

The CRU does not specify within its requirement the method by how Irish Water is to communicate information to its customers regarding unplanned interruptions, but rather stated that it must be via relevant communication channels and information shall be made available to customers through telephone helplines. The CRU would expect that Irish Water makes information available to customers through as wide a range of communication channels as possible, e.g. such as updates on its website, social media, named customer account manager<sup>13</sup> press releases, SMS and local radio coverage.

Respondents to the consultation broadly agreed with the CRU's proposals. However, three respondents were dissatisfied, that in their view, the deadline of two hours specified in requirement 5.2.5 may be insufficient in some cases. Irish Water highlighted that it will only be able to publish information regarding anticipated duration and anticipated time of restoration of supply where this is known to Irish Water. In some instances, this is not known and cannot be stated. It requested that CRU either delete this requirement or make it clear that Irish Water can only state this where it is known at the time of issuing the information.

The CRU has made two amendment to the consulted proposals:

1. The CRU is of the view that under normal circumstances, two hours is an appropriate time to publish information regarding the interruption as this allows Irish Water time to

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<sup>13</sup> Irish Water assigns a named customer account manager for non-domestic customers who consume over a certain threshold. In the event of a supply interruption the account manager endeavours to make direct contact with their specific customers.

upload maps of affected areas onto its website and to clarify information with its contractors and local authority partners.

However, the CRU is mindful that there may be situations such as storms, or other unexpected weather events which may delay Irish Water notifying affected customers. Where an event of scale occurs (i.e. extreme or severe weather event), it may take Irish Water additional time to upload maps of affected areas on to its website.

Because of this, the CRU has decided to amend the requirement to include an exception for extreme or severe weather events. The CRU has decided to introduce a new requirement which states that, exceptions to requirement 5.2.4 and 5.2.5 exist in the case where the unplanned interruption is due to an extreme or severe weather event. Irish Water is required to publish information on the issue as soon as possible but no later than five<sup>14</sup> hours after Irish Water becomes aware of the interruption.

2. The CRU has decided to amend the wording of 'anticipated' to 'estimated' as this is more accurate and grammatically correct.

### **2.3.3 Customer Contact in Person (Section 5.5)**

If Irish Water, a representative of Irish Water or a contractor working on Irish Water's behalf engages in direct communication or has a need to visit in person at a customer's premises for maintenance or operational reasons, the representative must at all times provide an identity card and advise the customer of the purpose of the visit. Irish Water has requested that "account management" is also added as a purpose of a visit or direct communication from Irish Water. Irish Water has proposed this addition to capture potential visits of field based collection agents for purposes of visiting non-domestic premises with large overdue account balances. The CRU has decided to approve this amendment.

Respondents to the consultation agreed with the CRU's proposals and as such, the CRU has made no amendment to the proposal.

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<sup>14</sup> For clarification, the five-hour time period is from when Irish Water becomes aware of the unplanned interruption from the Local Authority only. This timeframe does not include the time it takes the Local Authority to investigate and notify Irish Water of the unplanned interruption.

### **2.3.4 Customer Contact by SMS (5.7)**

This section sets out one requirement which Irish Water must follow when contacting customers by SMS.

#### **Adding flexibility to a requirement relating to Irish Water contacting customers by SMS**

The CRU has decided to remove the provision for Irish Water to identify itself in the text of an SMS. However, the CRU continues to require Irish Water to identify itself in the subject title of the SMS itself.

As SMS no longer have a subject bar and the CRU has made a decision to remove the provision for Irish Water to identify themselves in the text of an SMS, Irish Water has informed the CRU that if a customer receives an SMS from Irish Water, Irish Water will appear as the sender of the message. Customers do not have to have Irish Water's contact number saved as the SMS will automatically show that the message is from Irish Water.

Respondents to the consultation broadly agreed with the CRU's proposals and as such, the CRU has made no amendment to the proposal.

### **2.3.5 New Customer (Section 5.8)**

#### **Removal of the words 'sign-up' for new customers**

Irish Water is required under the Handbook to have in its Code of Practice on Customer Communications clear rules around setting up a new customer account.

Before Irish Water was established, non-domestic customers received and paid for services by their Local Authority. When Irish Water was established, these customers were transferred to Irish Water. Irish Water has proposed that using the terminology 'setting up an account' would be more appropriate than the term 'sign up' in the Handbook as customers of Irish Water, unlike the gas and electricity sectors where competition exists, do not choose their supplier and 'sign up' to a particular products offered by that supplier. Irish Water make the point that under water legislation a customer of Irish Water is someone who is the occupier of a premises in respect of which water and/or wastewater services are provided by Irish Water.

Irish Water has proposed that the title of this subsection of the Handbook to reflect this, and the CRU is proposing to change the title from "Account holder sign up" to "New Customer". In

addition, the CRU is proposing to replace references to “sign up” in subsection 5.8 of the Handbook with “setting up a new Customer account” for the same reason.

One respondent broadly agreed with the CRU’s proposal but highlighted that the suggestion to remove 'sign up' from the handbook because new customers do not have a choice of any other water provider is a mischaracterisation. The CRU made no further amendments to its initial proposal.

**Explain how new customers will be billed, their billing frequency, how they can make payments & access the Standard Terms and Conditions of Supply**

The CRU has made a decision to strengthen the existing Handbook requirements by requiring that Irish Water explain during the new customer account process how the customer will be billed, including the billing frequency, how the customer can make payments against their bill and where the customer will find a copy of Irish Water’s Terms and Conditions of supply of water and wastewater services (once available<sup>15</sup>). In addition, if the customer requests, Irish Water must provide the customer with a copy of its Terms and Conditions of Supply in writing either via post or email. This information benefits customers in understanding their charges, how frequently they will be billed and also the obligations and responsibilities of both Irish Water and the customers in the provision of services to their premises.

For existing non-domestic customers, Irish Water must make available its standard Terms and Conditions of Supply on its website. Please see section 3.1.1 of this document for the proposed content of the standard Terms and Conditions of Supply.

Similar requirements exist in the Electricity and Gas Suppliers’ Handbook and the Irish Water Domestic Customer Handbook. The introduction of these requirements to the Irish Water Non-Domestic Customer Handbook will achieve greater consistency in service standards across both domestic and non-domestic water customers as well as energy customers.

Respondents to the Consultation Paper agreed with the proposals. Based on responses to the consultation, the CRU has made one amendment to the Handbook section.

When setting up a new customer account with Irish Water, customers should be made aware of water conservation information available to them as it may encourage good water stewardship

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<sup>15</sup> The CRU is proposing that Irish Water offer standard Terms and Conditions of supply for its customers. Please see Section 3 of this paper for further details.

practice. The CRU has introduced a new requirement which will require Irish Water to make available water conservation information to its customers when setting up an account.

## **CRU DECISIONS – CODE OF PRACTICE ON CUSTOMER COMMUNICATIONS**

### **1. Requirements for Providing Information to Customers**

The CRU's decision is to approve the introduction of Handbook requirements:

- Irish Water shall make available on its website, a range of communication channels through which Customers can contact Irish Water.
- Irish Water shall make water conservation information available and inform Customers as to where they will find it.
- Irish Water shall provide through a range of communication channels additional details on billing details such as sample of bills, charges details, charging methodologies, explanations of terms used, payment methods and arrears handling.

### **2. Information provision on planned interruptions**

The CRU's decision is to:

- Approve the amended wording to add clarity that Irish Water shall communicate updates to customers that Irish Water anticipates will be affected during the planned interruption.
- Customers that Irish Water anticipates will be affected during a planned interruption shall be notified at least two working days in advance of the event.

### **3. Information provision on unplanned interruptions**

The CRU's decision is to approve:

- Irish Water shall notify customers understood by Irish Water to be affected by an unplanned interruption of the likely duration of the unplanned interruption and the estimated time of restoration of supply.
- Irish Water shall publish information on the interruption as soon as possible but no later than two hours after Irish Water becomes aware of the interruption via relevant communication channels and information shall be made available to Customers through telephone helplines.
- Exceptions to requirement 5.2.4 and 5.2.5 exist in the case where the unplanned interruption is due to an extreme or severe weather event. In an event of an unplanned interruption that is due to an extreme or sever weather event, Irish Water

will publish information on the issue as soon as possible but no later than five hours after Irish Water becomes aware of the interruption via relevant communication channels and information shall be made available to Customers through telephone helplines.

**4. Customer Contact in Person**

- The CRU's decision is to approve the amended wording to include “*account management*” as a purpose of a visit or direct communication from Irish Water.

**5. Customer Contact by SMS**

- Irish Water shall no longer required to identify themselves in the text of an SMS.

**6. Removal of the words ‘sign-up’ for new customers**

The CRU has decided to:

- Use the terminology ‘setting up an account’ in place of ‘sign up’ throughout the Handbook.
- Change the title from “Account holder sign up” to “New Customer” and the replace references to “sign up” in subsection 5.8 of the Handbook with “setting up a new Customer account”.

**7. Explain how new customers will be billed, their billing frequency, how they can make payments & access the Standard Terms and Conditions of Supply**

The CRU has decided to:

- Irish Water shall explain during the new customer account process how the customer will be billed, including the billing frequency, how the customer can make payments against their bill and where the customer will find a copy of Irish Water’s Terms and Conditions of supply of water and wastewater services (once available<sup>16</sup>).
- Irish Water shall direct customers as to where they will find water conservation information available when setting up an account.

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<sup>16</sup> The CRU is proposing that Irish Water offer standard Terms and Conditions of supply for its customers. Please see Section 3 of this paper for further details.

## **2.4 Code of Practice on Metering for Non-Domestic Customers (Section 6)**

Section 6 of the Handbook outlines the minimum standards of service Irish Water must meet when metering a non-domestic customer. Specifically, the requirements outline the procedures Irish Water must follow when installing a new meter, testing for suspected faulty meters, the maintenance of meters, and the repair/replacement of meters that are faulty.

The CRU proposed to introduce additional requirements within this Code which require Irish Water to engage with customers that are having difficulty locating their meter and also the introduction of a requirement regarding unmetered customers wishing to be metered and how this can be facilitated by Irish Water.

The full list of the CRU's approved amendments to the customer service requirements within the Code of Practice on Metering are detailed in the Irish Water Non-Domestic Customer Handbook (CRU/20/117b), which is published alongside this paper. Responses to below sections are discussed within section 4.3 of the CRU's Response Paper to CRU Consultation Paper (CRU/20/035) – (CRU/20/117a)

Below is a description of the CRU's principal approved amendments to this Code.

### **2.4.1 Notification period for the installation of new meters (Section 6.1)**

This section sets out requirements which Irish Water must follow regarding meter installation including timeframes for notification of meter installation, location of meter installation and measures that Irish Water must undertake if an installation of a meter has caused damage to customer's premises. Please see Section 6.1 in the Irish Water Non-Domestic Customer Handbook for the text of the approved amendments.

#### **Amending the Notification Period of the Installation of a New Meter**

In 2014, the CRU approved requirements around the installation of new meters, one of which was specifically about the notice period Irish Water must provide to a customer before they install a meter at a premises. Irish Water was required to give at least two weeks' notification in advance of the installation, provide information to the customer regarding the meter installation process, and then another notification two days prior to the anticipated installation date.

This was written to address a situation where Irish Water would be undertaking large meter replacement programmes in particular geographic locations where it would be important that affected customers were given two weeks notification of the programme being rolled out in their area, as well as a two-day notification of the meter installation date at their actual premises.

According to Irish Water, the majority of the non-domestic meter installations now are either requested by the customer or identified by Irish Water during its operational and maintenance activities of the network (for example, the identification of faulty or under-recording meters).

Given the above, the CRU has decided to amend the requirement to remove the two-week notice but retain the requirement that Irish Water must give one notification at least two days in advance of the meter installation date. The approved amendment will also allow Irish Water to replace any faulty meters more quickly than before, rectifying any over or under recording of consumption for the customer, or install a new meter where a customer requests one. Please note, this will be done free of charge for the customer.

The CRU is of the view that requirement 6.1.1 also captures meters that are being replaced, as in some instances the act of swapping out an old meter for a new one could result in a disruption to the customer supply if the swapping out and in of a new meter is a bigger or more complex job than what Irish Water originally envisioned. Therefore, the customer must be contacted about their meter two working days in advance of the meter being replaced as this would give them sufficient time to plan for a potential disruption.

However, there may be certain instances where, for operational reasons, Irish Water may wish to replace a meter and may not have had the opportunity to give two working days' notice but may have capacity to replace the meter at short notice. The CRU is of the view that in these instances the two working day notice can be waived by the customer provided Irish Water has sought and received the consent of the customer to carry out the work. Absent such consent, Irish Water must adhere to the two working days requirement.

Respondents to the Consultation Paper agreed with the proposals. The CRU has made one amendment to the Handbook requirement, to require Irish Water to give two 'working' days' notice rather than 48'hours' notice.

#### **Amending a requirement on damage to customer's property caused by meter installation**

The CRU proposed to amend requirement 6.1.4 that requires Irish Water to cover the cost of damage to customers' property during meter installation.

The CRU proposed to add to this requirement a provision that Irish Water must remedy the damage *"to the extent reasonably practicable"* and that they will remedy the damage if it was caused by a *"direct"* result of meter installation. This wording is intended to reflect that while Irish Water is expected to remedy damage and return a customer's property to the exact condition that it had been in prior to the works being carried out, there may be some occasions where,



despite its best efforts, e.g. restoring concrete to the exact colour that it was prior to the works, this may not be possible.

The interpretation of “to the extent reasonably practicable” is that when completing a reinstatement, Irish Water may not always be able to reinstate to an exact match (i.e. tarmac colouring or cobble lock colouring), but it will be done to the extent that is reasonably practicable.

Respondents to the consultation broadly agreed with the CRU’s proposals and as such, the CRU has made no amendment to the proposal.

### **Requesting a Meter by Unmetered Customers**

For unmetered customers the CRU proposed to require Irish Water to facilitate the metering of unmetered connections.

Installing meters benefits unmetered customers as it would allow them to pay for the exact amount of water consumed and/or wastewater discharged at their premises, instead of paying a flat fixed charge that may not reflect their consumption. This would also incentivise customers to conserve water where possible and provide scope for customers to reduce their bills (by reducing their consumption). Metering unmetered customers would also achieve greater equity across all non-domestic customers as customers consuming the same volume water would pay the same amount. Metering also allows a customer to easily identify if there is a leak on their premises. However, not in all instances can a meter be installed. As per the requirement, Irish Water is to check if a meter can be installed at the premises. The obligation does not apply if Irish Water would be required to carry out extensive rearrangement of its pipe work network, in order to install a meter. If a meter can be installed, this work will be carried out within a further four weeks (subject to operational capacity).

Respondents to the consultation broadly supported the CRU’s proposals, however, Irish Water disagreed. Irish Water requested that this requirement be amended or deleted if it is not the case that the insertion of “subject to operational capacity” in the requirement captures Irish Water’s dependency on the availability of budget and operational capacity and feasibility being in place as Irish Water has highlighted that it cannot guarantee that a meter will be installed upon each request for one.

The CRU has decided to amend “...*subject to operational capacity.*” to ‘subject to constraints outside the control of Irish Water’. The CRU is cognisant that in some instances Irish Water may not be able to install a meter within the four weeks, for example, gaining a road opening licence may take longer than four weeks to obtain. To reflect such instances, the CRU has amended the

requirement to acknowledge that Irish Water may sometimes face circumstances where it is not possible to not possible install a meter in four weeks. To clarify, 'subject to constraints outside the control of Irish Water' does not include budgetary or resource constraints as the CRU is of the view that Irish Water should be adequately funded and resourced to meter unmetered connections within the four-week period.

#### **2.4.2 Meter ownership and meter access post installation (Section 6.2)**

This section sets out requirements relating to meter ownership and meter access, in particular it covers:

- Operational requirements and responsibility for maintenance of meter equipment;
- Clarification of meter ownership; and
- Responsibility for meter inspections and meter testing.

Please see Section 6.2 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments.

#### **Assistance in Locating your Meter**

It is important that a customer can locate their meter so that they can read the meter, monitor their consumption and in some instances identify the existence of a leak on the customer pipework, or internal plumbing. There are situations where Irish Water has not been able to inform the customer of the location of their meter, even though the meter is an Irish Water asset. The CRU has decided to introduce a new customer service requirement that Irish Water will engage and help customers locate their meter where the customer is unable to do so. In some instances, customers may find it difficult to locate their meter for a variety of reasons, for example when buying a property, the new owner may not know the location of the pipework on their premises, or where their pipework connects to the public water system.

In order to aid customers, the CRU has made a decision to require Irish Water to engage with and help customers who are having difficulty identifying where their meter is located.

Respondents to the consultation broadly agreed with the CRU's proposals. Irish Water highlighted that it will assist customers in locating their meter where it is within the capability of Irish Water to do so. Desk based analysis can be completed to try to assist the customer with this and in certain circumstances a site visit may be organised, but this cannot be guaranteed due to the SLA that is in place between IW and the LAs. Therefore, each request of this nature will be

dealt with on a case by case basis and different outcomes may result for different customers. A total commitment of this nature to always identify the location of the meter may not be possible. In addition, it cannot commit to doing invasive works to locate buried meters as existing budget restraints would not allow for this.

The CRU is conscious that Irish Water may not be always able to locate the lost meter. Hence, the CRU has amended the requirement which states that; where the meter cannot be found, Irish Water shall free of charge install a new meter within four weeks subject to constraints outside the control of Irish Water. The CRU is aware that in some instances Irish Water may not be able to install a meter within the four weeks, for example, gaining a road opening licence may take longer than four weeks to obtain.

To reflect such instances, the CRU has amended the requirement to acknowledge that Irish Water may sometimes face circumstances where it is not possible to not possible install a meter in four weeks. To clarify, 'subject to constraints outside the control of Irish Water' does not include budgetary or resource constraints as the CRU is of the view that Irish Water should be adequately funded and resourced to meter unmetered connections within the four-week period.

The four-week period begins at the day that Irish Water has confirmed that it is unable to locate, and no longer economical to search for, the meter.

### **2.4.3 Meter Testing (Section 6.3)**

This section sets out obligations that Irish Water must follow with respect to meter testing. More specifically the requirements cover areas such as facilitating a meter test upon customer's request, charging customers for meter testing and providing customers with refunds for meter testing if a meter is found to be faulty.

#### **Adding clarity to a requirement relating to charging customers for meter testing**

The CRU has decided to amend requirement 6.3.2 from its initial proposal to state that Irish Water may impose an up-front cost reflective additional charge on the Customer for meter testing. To align the Non-Domestic Handbook with the Domestic Handbook, the CRU has adopted the wording of the Domestic requirement. Please note, the only difference is that the Domestic requirement references the Irish Water's Water Charges Plan. For the purpose of clarity, the CRU notes that, this section sets out the requirements Irish Water is obliged to offer its customers regarding the testing of the meter i.e. a specific laboratory test to test the meter. This does not include any checks Irish Water may do in advance of the meter testing i.e. check for any other issues which does not involve the meter, e.g. leakage.

The CRU has decided to amend requirement 6.3.1 such that the customer can request an appropriate alternative assessment instead of a meter test if they wish. In a recent spot check of Irish Water's compliance with the current Domestic and Non-Domestic Customer Handbooks, the CRU noted that Irish Water instead of conducting a lab test (as described above) undertakes an assessment of the meter on-site in the first instance, rather than removing the meter to test it. The CRU has decided to amend this requirement to reflect the broader scope of how Irish Water sets about ensuring that the meter is working correctly. To capture the fact that it could be a test or an on-site assessment, the CRU has inserted "...or conduct an appropriate alternative assessment...". The CRU is of the view that this wording allows Irish Water flexibility to carry out the test/assessment in the manner it deems appropriate, while ensuring that the customer receives a satisfactory outcome.

## **CRU DECISIONS – CODE OF PRACTICE ON METERING**

### **1. Amending the Notification Period of the Installation of a New Meter**

- Irish Water shall no longer be required to give at least 2 weeks notification and meter installation information to a Customer in advance of meter installation, with at least 2 days advance notification of anticipated installation, but is now required to give at least two working days notification. The two working day notice can be waived by the customer provided Irish Water has sought and received the consent of the customer to carry out the work.

### **2. Amending a requirement on damage to customer's property caused by meter installation**

- Irish Water shall, within reason, guarantee to leave a customer's property in the same condition in which it was before they began meter installation.

### **3. Requesting a Meter by Unmetered Customers**

- An unmetered Customer can request Irish Water to fit a meter at its premises. Irish Water will check if a meter can be installed at the premises. Irish Water will endeavour to complete checks and reply to the Customer within three weeks of the date of the Customer's request. If a meter can be fitted, this will be completed within a further four weeks subject to constraints outside the control of Irish Water.

### **4. Assistance in Locating your Meter**

- Irish Water shall engage with and help customers who are having difficulty identifying where their meter is located. In instances where the meter cannot be found, Irish

Water shall free of charge install a new meter within four weeks subject to constraints outside the control of Irish Water.

**5. Adding clarity to a requirement relating to charging customers for meter testing**

- Irish Water will facilitate testing of water meters or conduct an appropriate alternative assessment upon request from a Customer. Irish Water will conduct the test or appropriate alternative assessment within a reasonable timeframe.
- Irish Water may impose an additional, up-front, cost-reflective, regulated charge on the Customer for this service, as approved by the CRU and must notify the Customer of this charge in advance to allow a Customer to decide whether to proceed with the testing. The cost of this service is set out in the approved Water Charges Plan.

## **2.5 Code of Practice on Billing for Non-Domestic Customers (Section 7)**

Section 7 of the Handbook sets out the minimum requirements that Irish Water must follow when it comes to billing its non-domestic customers. This Code outlines customer protection measures concerning the information provided on bills, the accuracy of bills, information on tariffs, how to close an account, payment options, payment plans and guidelines on dealing with billing errors (underpaying and overpaying).

The full list of the CRU's approved amendments to the Billing Code of Practice customer service requirements are detailed in the Irish Water Non-Domestic Customer Handbook (CRU/20/117b), which is published alongside this paper. Responses to below sections are discussed within section 4.4 of the CRU's Response Paper to CRU Consultation Paper (CRU/20/035) – (CRU/20/117a).

Below is a description of the CRU's principal approved amendments to this Code.

### **2.5.1 General customer service in relation to billing (Section 7.1)**

The existing “*General customer service in relation to billing*” subsection outlines the minimum requirements Irish Water must meet, including ensuring all bills are calculated accurately, ensuring at least one bill in any 12-month period is based on a meter read and rules around rectifying a situation where a customer has been either overpaying or underpaying (due to a billing error) for their water and/or wastewater services. Please see Section 7.1 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments.

To enhance the general level of customer service billing requirements the CRU has decided to introduce a number new requirements which will benefit customers when it comes to billing. The new requirements are as follows:

#### **Determination of Charging Liability**

Irish Water is responsible for determining the classification of each connection into non-domestic, domestic or mixed-use category. In addition, the introduction of the new Non-Domestic Tariff Framework and non-domestic charges<sup>17</sup>, Irish Water will need to classify each non-domestic connection into a tariff band, for the purposes of charging, based on the customer's Annual

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<sup>17</sup> Following the recent government measures regarding the Covid-19 pandemic, the Commission for Regulation of Utilities (CRU), in conjunction with the Department of Housing, Planning and Local Government and Irish Water, have agreed to approve Irish Water's proposals to defer the implementation of the new non-domestic tariff framework for business customers. The decision was taken to delay the implementation of the new non-domestic tariffs to a future point in time.

Quantity. Irish Water will also need to facilitate a customer requesting to change the categorisation of a premises (from a non-domestic premises to a domestic premises or a mixed-use premises or vice versa).

It is important that Irish Water strives to ensure that its customer classification is appropriate, based on accurate data and is in line with legislation, consistent and equitable across customers, and that the rationale for the decision is clear and easy to understand for customers. The CRU is therefore has approved the addition of a new requirement which states that Irish Water will ensure that the charging of customer is in line with legislation, equitable across customers and clear and easy to understand.

There are also similar requirements in place in the energy sector in Ireland and the water sector in other jurisdictions. For example, the Electricity and Gas Suppliers' Handbook requires electricity and gas suppliers to "...operate in line with any other existing legislation which covers their business"<sup>18</sup>. Ofwat<sup>19</sup> requires its suppliers to ensure its customer service arrangements and processes are "...accessible to and effective for Non-Household Customers".

Respondents to the Consultation Paper agreed with the CRU proposal and as such, the CRU made no further amendments to its initial proposal.

### **Ensuring charges, discounts and allowances are calculated and applied accurately**

The existing Handbook requirement 7.1.4 states that "*Irish Water guarantees to apply the applicable discount/rebate to a customer's bill in relation to notices that declare water unfit for human consumption in line with the CRU's decision on Irish Water's Water Charges plan.*" The CRU has decided to replace this requirement and introduce the following broader requirement, such that, Irish Water shall ensure that all relevant charges, discounts and allowances are calculated and applied accurately to a customer's bill.

The CRU has approved this amendment as it will introduce a more general requirement for Irish Water to calculate and accurately apply all charges, discounts (such a tariff discounts where a non-domestic connection is subject to a Boil Water Notice or Drinking Water Restriction Notice) and allowances (such a 'domestic allowances' applied at mixed-use premises or 'leakage allowances' where customers identify and fix leaks on their premises) to customers' bills. The

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<sup>18</sup> <https://mk0cruiefjep6wj7niq.kinstacdn.com/wp-content/uploads/2019/11/CRU19138-Electricity-and-Gas-Suppliers-Handbook-2019-.pdf>

<sup>19</sup> Customer Protection Code of Practice for the non-household retail market: <https://www.ofwat.gov.uk/wp-content/uploads/2019/03/CPCoP-v1.2.pdf>

charges and discounts are to be found in the Water Charges Plan that is approved and published by the CRU and modified from time to time, based on changes in policy and legislation.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **Submitting a meter read by a customer**

When a metered customer receives a water services bill, it can be based on an estimate meter read. The estimated bill calculated by Irish Water may differ from the actual volume of water consumed and or wastewater discharged by the customer over the billing period. To allow customers to submit a meter read and have their bill re-issued, the CRU has made a decision to introduce a new requirement, that if a customer receives an estimated bill, the customer may provide Irish Water with a customer meter read within seven days of the bill issue date and Irish Water will, upon request from the customer, re-issue the bill within 10 days of receiving the customer's meter read.

Please note, if a customer receives an estimated bill and has submitted a self-read to Irish Water, the customer should not pay the estimated bill until the customer receives an amended bill from Irish Water which reflects the meter read the customer submitted to Irish Water.

This requirement will benefit customers as it allows a customer to take a self-read and submit this self-read to Irish Water to get a revised bill which reflects their actual usage. By submitting self-reads, this will help both Irish Water and the customer to identify if there is a leak present on the customer side pipes which could go unnoticed if the bill is based on an estimate read. This also benefits Irish Water as this allows them to have more accurate meter read information on its customer base.

Respondents to the consultation paper broadly disagreed with the introduction of this requirement. Two respondents disagree with the CRU proposal to allow customers to read their meters as the respondents are of the view that the meters are currently read 4 times a year which gives adequate water consumption readings for billing purposes. Two respondents have found that there has been a history of the units being damaged by customers (damage the meter interface unit (MIU) and also damage the excess usage alarms) when trying to read their meter themselves. While acknowledging these issues, the CRU has not made any amendment to the consulted proposal.



### **One bill in any 12-month period is based on a meter read**

The existing Handbook states that, for metered connections Irish Water will endeavour to ensure at least one bill in any 12 months period is based on a meter read. This is to ensure that a customer does not receive a string of multiple estimated bills which could result in the customer receiving a large catch up bill. The CRU proposed a slight amendment to the requirement which stated that “...at least one bill in any 12 month period will be based on meter read.” to “...at least one bill in any 12 month period is based on meter read.”. This amendment is to ensure the language is more direct and clearer for customers.

To clarify, Irish Water is expected to make an attempt at obtaining one meter read by a representative of Irish Water at the customer’s premises once every 12 months. The CRU is aware that an actual read cannot be guaranteed as there may be circumstances where obtaining these reads will be impossible, such as, refusal of access to read the meter. To clarify, to fulfil this requirement. This requirement cannot be met by a customer self-read.

Respondents to the consultation broadly agreed with the CRU proposal. Irish Water highlighted that it can endeavor to ensure this, however, it is important to specify that many meter reads are still undertaken by the relevant local authority partner operating in that particular area and schedules are as per the LA read schedules. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **Security Deposit**

The requirement for a customer to provide a security deposit is common practice in the energy sector when new customers sign up to a supplier. This is because customers are billed in arrears. The CRU has decided to approve the introduction of the new requirement to ensure that if Irish Water requires a deposit from a customer, that it will be fair, transparent and reasonable in terms of the amount requested. The requirement will benefit customers by also requiring that Irish Water outlines to the customer the conditions under which their deposit will be refunded, and that Irish Water must not unfairly discriminate between customers.

The CRU notes that Irish Water does not currently require a security deposit from its customer for water and wastewater provision. However, it is envisaged that when this process commences, it will be for debt management purposes.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **Notifying Customers of Unusual and Significant Increases in their Metered Consumption**

A leak on a customer's pipework on their premises may lead to a big bill increase. Such leaks can go unnoticed as they can occur on pipes that are underground or not visible to the customer. To encourage the timely detection and fixing of leaks and to protect customers from further bill shocks, the CRU has made a decision to introduce a new requirement which obliges Irish Water to alert a customer if Irish Water finds that a meter reading shows an unusual and significant increase, relative to previous meter reads. This will allow the customer to investigate the source of this unusual and significant increase quickly to see if there is a leak on their premises and rectify the issue.

Irish Water generates a daily non-domestic report which indicates where consumption is greater than a certain threshold. Each customer in this report is manually checked and if the reading indicates that there may be an issue e.g. indication of a leak, Irish Water will contact the customer to discuss the reading to see if any further investigations need to be made or if any adjustments to the account will need to be applied. Additionally, Irish Water will work with customers who contact Irish Water with concerns regarding high consumption at their premises.

As Irish Water begins its meter replacement programme which intends to upgrade all non-domestic meters so that they have AMR reading capabilities equivalent to domestic meters, the number of customers who have the potential to be flagged for unusually high consumption will increase. This process should move from manual to automatic as Irish Water replace its non-domestic meter stock. If the CRU finds this is an emerging issue for customers with the implementation of the Non-Domestic Tariff Framework, the CRU will review the wording of the requirement. For customers who believe that they have a leak, please see the CRU's decision on Irish Water's Tariff Application rules<sup>20</sup> which details Irish Water's leak allowance policy.

Respondents to the consultation broadly agreed with the CRU proposal. However, Irish Water has requested that the requirement be changed to reflect the fact that IW can analyse sample reads and work with customers who contact Irish Water with concerns regarding high consumption at their premises as Irish Water will only be able to apply this requirement to a sample of customers reads. Following the consultation period, the CRU made no further amendments to its initial proposal, as it considers that the requirement is sufficiently broad to cover Irish Water's planned approach.

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<sup>20</sup> <https://www.cru.ie/wp-content/uploads/2020/07/CRU20072-CRU-Decision-Paper-Tariff-Application-Rules.pdf>

## **2.5.2 Determining Charging Liability (Section 7.2)**

The CRU has made a decision to introduce a new subsection 7.2 within the Code of Practice on Billing named “*Determining Charging Liability*” which relates to the obligations Irish Water have with regard to the application of the various charging arrangements. For example, to implement the non-domestic tariff framework, Irish Water will need to place each customer into the appropriate customer classification (domestic, non-domestic and mixed-use), and for non-domestic and mixed-use customers, into the appropriate tariff band, for water and wastewater services. Irish Water will also need to determine the appropriate number of ‘Domestic Allowances’<sup>21</sup> to apply to a mixed-use connection. Irish Water will also need to determine charging volumes for wastewater, where a customer has requested a review of the volume of wastewater discharged at their premises, if they consider that it is not equal to the volume of water supplied at their premises.

The CRU is of the view that it is important that Irish Water classifies customers and determines the basis for charging for water and wastewater services in an accurate, transparent and consistent manner. Additionally, Irish Water should provide customers with the necessary details to make applications (for example, in respect of an leakage allowance and to avail of a variation to the assumption that the volume of wastewater discharged from a premises is deemed to be equal to the volume of water supplied to that premises) and that Irish Water should process applications in a reasonable timeframe. It is also important that where Irish Water is proposing to change any aspect of a customer’s charging arrangement, which in turn impacts their bills, that Irish Water provide customers with advance notice and afford them the opportunity to challenge Irish Water’s proposed change. Please see Section 7.2 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments.

The following discusses each of the CRU’s approved amendments to this subsection of the Handbook.

### **Calculation of Annual Quantity**

To provide accurate bills to non-domestic customers, Irish Water must assign connections to the correct tariff band based on their ‘Annual Quantity’, which is the volume of water used (or wastewater discharged for wastewater only connections) by the connection<sup>22</sup> over a 12-

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<sup>21</sup> The Domestic Allowance represents the portion (volume in m3) of water consumed or wastewater discharged for domestic purposes at a mixed-use premises.

<sup>22</sup> Throughout this paper the term ‘connection’ is used to refer to a customer’s connection at their premises.

month period. The Annual Quantity determines the tariff class that the connection is placed into for the next tariff year.

To ensure that Irish Water implements the CRU's decision on Irish Water's Non-Domestic Tariff Framework in a manner that is customer friendly, the CRU is proposing to introduce three requirements regarding Irish Water's Annual Quantity ('AQ') calculations. The requirements are as follows:

- 7.2.1** In advance of each tariff year, Irish Water shall inform each Customer of the annual quantity<sup>2</sup> ('AQ') and corresponding tariff class for the Customer's connection(s) for the coming tariff year.
- 7.2.2** Irish Water shall make available for both its existing and potential Customers the rules for how Irish Water determines a connection's annual quantity ('AQ') and how this can be appealed by the Customer.
- 7.2.3** Where a revised annual quantity ('AQ') has been issued for a Customer's connection that will have a material effect on the connection's tariff class or charges, Irish Water will:
  - notify the Customer of the material impact, including a forecasted annual bill at the new tariff class; and
  - provide a reasonable timeframe to allow the Customer to appeal the connection's revised annual quantity ('AQ') figure with Irish Water.

Requirements 7.2.1, 7.2.2 and 7.2.3 will benefit customers as it will allow them to understand their annual quantity, what tariff class and tariff rates will be applied to their connection in the next tariff year. To clarify, Irish Water is to notify all customers directly in advance of each tariff year of their Annual Quantity ('AQ'), this includes both customers that are moving to a new customer class and those whose tariffs are remaining the same. Irish Water will also be required to explain as to how a connection is placed in a certain tariff class. This is to ensure that all customers will be treated fairly and that the rules are applied for all non-domestic customers in a non-discriminatory manner. In addition, once a connection has been placed into a tariff band (based on Irish Water's determined AQ value) as per Irish Water's rules, it is important that customers are provided with an opportunity to question and appeal Irish Water's determined AQ, if they consider that they have been placed in an incorrect tariff band. This may happen if the customer believes that their assigned AQ is not reflective of their likely water use in the next tariff year.

The CRU has decided to include requirement 7.2.3 to ensure customers fully understand the monetary impact of a change in tariff class where different standing and volumetric charges will apply. By supplying a forecasted bill using the new tariff class rates will give customers more

information as to what they potentially may pay over the next tariff year. For forecasted annual bills, Irish Water is to provide this information to both customers that will be moving to a new tariff class and customers whose tariff is remaining the same. A similar requirement exists in the Electricity and Gas Suppliers' Handbook. For Suppliers who serve gas customers, it specifies that where a revised AQ has been "...issued for a customer that will have a material effect on the customer's tariff category or charges, the supplier will notify the customer of the revised allocations within the customer to appeal the revised figure with BGN<sup>23</sup>". Adopting a similar requirement within the Non-Domestic Customer Handbook will achieve greater consistency in service standards across the energy and water sectors.

Respondents to the consultation broadly agreed with the CRU's proposals, however Irish Water highlighted that the introduction of requirement 7.2.1 would place unnecessary communication and resourcing costs on the business and that once the new non-domestic tariff framework is introduced, that all customers will be notified. However, after this point, it will only be customers for whom their tariffs are changing who should be communicated with, and not the entire nondomestic customer base. The CRU has amended its consultation proposals following the consultation and the publication of CRU's decision on Irish Water's Tariff Application rules. The CRU has decided to introduce two new requirements. These requirements will benefit customers as, Irish Water will be required to inform customers every year that they have a right to challenge their AQ and assigned tariff class and will provide a reasonable timeframe for customers to submit a challenge. The CRU is of the view that it is important that each customer is informed of its connection's AQ in advance of each tariff year, so that each customer is aware of whether it should challenge its assigned AQ or not.

Additionally, the second requirement requires Irish Water to inform connections that are moving to a lower tariff class and facing a higher annual bill as a result, that they have the right to request to stay on the tariff rates of their old tariff class.

**Non-Domestic Customers that request to be categorised as a 'domestic' or 'mixed-use' premises or vice versa**

Different charging arrangements apply for domestic, non-domestic and mixed-use customers. A customer of Irish Water may consider that their premises is not categorised correctly for the purposes of charging liability. For example, a customer may consider that they are a 'domestic'

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<sup>23</sup> For clarity, this means Gas Networks Ireland (GNI)

rather than a 'non-domestic' or 'mixed-use' connection or vice versa. To facilitate a customer requesting to change the categorisation of their premises, the CRU approved the introduction of a new requirement which requires Irish Water to adopt a standard approach to change a customer's categorisation from non-domestic to domestic or mixed-use, and vice versa. This will benefit customers as introducing a standard process will increase transparency and ensure all customers are treated equally.

Northern Ireland Water also offers a similar service for its customers. Under Northern Ireland Water's Billing and Metering Code of Practice, if a customer changes from non-domestic status to domestic status they must contact Northern Ireland Water to facilitate this change<sup>24</sup>.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

**Proposed changes by Irish Water to domestic allowances applied at a premises and the categorisation of a premises for charging purposes**

Mixed-use customers avail of water and wastewater services for both domestic and non-domestic purposes at their premises. The existing Local Authority charging arrangements applied to the non-domestic portion of a metered mixed-use premises includes a volumetric charge which is applied to the metered consumption in excess of a 'Domestic Allowance'. The Domestic Allowance represents the portion (volume in m<sup>3</sup>) of water consumed for domestic purposes in a mixed-use premises.

Statutory Instrument No. 597/2017<sup>42</sup> ("*Water Services Act 2007 (Threshold Amount and Allowance Amount) Order 2017*"), specifies a 'threshold' and an 'allowance amount' below which Irish Water shall provide water services without charge to a domestic customer. The 'threshold amount' is specified as 213,000 litres per year (or 213m<sup>3</sup> per year). The Ministerial Order also specifies that dwellings having more than 4 residents are given an additional 'allowance amount' of 25,000 litres per year (or 25m<sup>3</sup> per year) above the threshold amount for every person beyond 4 persons ordinarily resident in the dwelling.

To achieve parity between domestic customers and the domestic portion of mixed-use customers, under the Non-Domestic Tariff Framework Irish Water is to set the domestic

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<sup>24</sup> Billing and Metering for Non-Domestic Customers: <https://www.niwater.com/sitefiles/resources/pdf/billing-and-metering-for-non-domestic-customers-code-of-practice.pdf>

allowance equal to the threshold amount set by the Minister<sup>25</sup> (i.e., 213m<sup>3</sup>/annum)<sup>26</sup> for mixed-use premises with 1 to 4 occupants and also provide an additional allowance amount of 25m<sup>3</sup>/annum per person for premises with more than 4 occupants. Irish Water determines the number of domestic allowances associated with each mixed-use premises.

There may be instances where Irish Water is of the view that the number of Domestic Allowances applied to a premises and/or the categorisation of a premises should be changed. Such changes would result in bill changes for customers. Therefore, the CRU approved the introduction of the new requirement which requires that Irish Water provide advance notice of any changes in customer classification, that impacts the charges and/or the domestic allowances applied to a premises. Irish Water will also be required to explain the reason of the proposed change.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **Wastewater discharged volume not equal to water supplied volume at a premises**

There may be non-domestic customers who are of the view that the assumption that the volume of water supplied to a premises is equal to the volume of wastewater discharged from the premises is not appropriate for their business. Under Section 22.9 of the Water Services (No.2) Act 2013, there is a provision that states “*For the purpose of calculating a charge under section 21, the amount of waste water discharged from a premises is deemed to be equal to the amount of water supplied to that premises, unless Irish Water and the customer agree otherwise*”.

Although the CRU has no explicit legislative role in approving applications made under Section 22(9), it is good regulatory practice to put in place a requirement for Irish Water to provide a standard approach for customers to apply for a derogation from standard assumption regarding water in equal water out, that will benefit customers in terms of transparency and equity. Such a process is common practice with water utilities in other jurisdictions.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **Non-Domestic Leak Allowance**

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<sup>25</sup> Statutory Instruments S.I. No. 597 of 2017 <http://www.irishstatutebook.ie/eli/2017/si/597/made/en/pdf>

<sup>26</sup> Please see Irish Water's Water Charges Plan for further details.

As part of the Tariff Application Rules decision paper<sup>27</sup>, the CRU decided to make number of changes to Irish Waters existing Irish Water policy for granting leak allowances to non-domestic connections. This concerns what rules should apply to the granting of leak allowances to non-domestic connections when a leak on the customer's side of the meter has been identified and fixed. The CRU is of the view that Irish Water should have a standard approach to adjusting customers' bills in the event that the customer identifies a leak on the pipework on their premises. This will benefit customers in terms of transparency and ensure all customers are treated equally.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **Engaging with Customers**

To ensure Irish Water engages with customers on requirements 7.2.1 to 7.2.7 above in a fair and reasonable manner the CRU has approved to introduce the following requirements:

**7.2.10** When engaging with Customers in relation to the above, Irish Water shall, where relevant:

- a. Assess and treat all Customers in a fair and equal manner with no undue discrimination between Customers;
- b. Provide all Customers with all the required details (submission requirements, criteria etc.) necessary to make an application;
- c. Process applications and appeals in a reasonable timeframe;
- d. Inform Customers of Irish Water's decision in writing and set out the reasons for same;
- e. Shall notify Customers with at least 30 days' notice of any Irish Water proposed changes to the AQ for a connection, number of domestic allowances applied to the premises or categorisation of the premises in advance of a change taking effect; and
- f. Allow sufficient time for a Customer to dispute Irish Water's decision or proposed change.

Irish Water should pro-actively communicate with their customers regarding leak allowances, variation to the assumption that water in equals water out, changes to domestic allowances and

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<sup>27</sup> <https://www.cru.ie/wp-content/uploads/2020/07/CRU20072-CRU-Decision-Paper-Tariff-Application-Rules.pdf>



changes to customer's class i.e. Non-Domestic to Domestic whether it if the customers application is granted or not by Irish Water.

For customers who engage with Irish Water on these matters, Irish Water notes that it will liaise with the customer which the CRU views as very good customer practice. The CRU is of the view that by Irish Water additionally issuing a letter to the customer regarding the outcome of the application allows a customer to have Irish Water's final decision in writing for proof of it being granted or rejected and outline for the customer on what basis the customer was rejected. This letter could be used by the customer to either dispute Irish Water's decision or be used to work on again with another application for the process requested.

Respondents to the consultation broadly agreed with the CRU proposal. Irish Water proposed to remove requirement d. as imposing a requirement for confirmation letters to be generated would impose unnecessary costs and process changes on IW which would yield no additional customer benefits. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **2.5.3 Communication of Charges to Customers (Section 7.6)**

This section sets out requirements relating to how Irish Water must notify customers of change to charging structure and information that Irish Water must include when issuing pro-rata bills to customers. Please see Section 7.6 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments.

#### **Giving 30 days' notice of changes to a customer's charges**

The CRU has decided to introduce a new requirement which requires Irish Water to notify its customers 30 days in advance of a tariff change taking effect. To clarify, Irish Water is to notify all customers of upcoming changes to their charges, this includes customers for whom their tariffs are changing and for customers whom tariffs are remaining the same. It is important that customers are provided with advance notice of any change to their tariffs, which in turn impacts their bills. This will allow them to understand the impact of such changes to their bills and how they can prepare for such bill changes.

The same 30-day notice period of a tariff change taking effect exists in the energy sector. Under the Electricity and Gas Suppliers' Handbook for domestic customers<sup>28</sup> it states that "... *the*

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<sup>28</sup> <https://mk0cruiefjep6wi7niq.kinstacdn.com/wp-content/uploads/2019/11/CRU19138-Electricity-and-Gas-Suppliers-Handbook-2019-.pdf>

*customer will be notified of any change in tariff, including 30-days' notice of those changes taking effect...".* This will achieve consistency across the energy and water sectors.

Respondents to the consultation broadly agreed with the CRU proposal. One respondent suggested, for customers to budget and adjust their financial and operational plans accordingly, the notification of changes to billing should be 120 days in place of the CRU's proposal of 30 days. Irish Water in its response highlighted that the above requirement means that once the NDTFR project goes live, that all customers will be notified. However, after this point, it will only be customers for whom their tariffs are changing who will be communicated with, and not the entire non-domestic customer base. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **Informing Customers of upcoming changes that affect how customers are charged**

It is important that Irish Water keeps customers informed of upcoming changes to its charging policies that impact customers' charges and bills. This was sought by many businesses in response to the CRU consultation on Irish Water Non-Domestic Tariff Framework and it was also raised within the CRU Non-Domestic Water User Group. Understanding when new charges and charging basis will apply to customers' bills will benefit businesses in their planning, budgeting and investment cycles and decisions.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **2.5.4 Dealing with premises with no named Customer (Section 7.10)**

The CRU has made a decision to rename this section from "*Dealing with premises with no registered account holder*" to "*Dealing premises with no named Customer*", the CRU made this change for the same reason as outlined within section 2.3.4 of this paper. Throughout this subsection, the CRU has to replace text such as "registered" with "set up an account" to more accurately describe Irish Water's process of setting up an account. Please see Section 7.10 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of proposed amendments.

### **Adding Clarity - Issuing a direct notice in advance of disconnecting a premises with no named customer**

In addition, the CRU has made a decision to make minor amendments to the Handbook requirement 7.8.5 (now 7.10.6) requiring Irish Water to issue a direct notice to the occupant of a non-domestic premises (where there is no named customer) at least five working days in advance of disconnecting the premises. The first minor amendment involves introducing the words “*at least one*” direct notice to align with Handbook requirement 8.4.2 on disconnecting a customer (within the Disconnection Code of Practice).

The second minor amendment to this Requirement involves requiring that Irish Water set out in the notice that there “may” (instead of “will”) be a cost of disconnecting as well as reconnecting the premises. These changes are made to more accurately reflect that situation where there may or may not be a disconnection and/or reconnection charge applied by Irish Water. This depends on the disconnection and reconnection charging arrangements that were previously determined by Local Authority which Irish Water is required to continue to apply until a new Irish Water Disconnection Policy is developed and implemented. Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

#### **Adding Clarity – Irish Water working with third party agencies in identifying ownership of a premises**

Prior to the Consultation on the Irish Water Non-Domestic Customer Handbook (CRU/20/035), the CRU had placed an obligation on Irish Water, that where it was applicable Irish Water will work with other agencies to help identify the ownership of a premises, where that premises is receiving an Irish Water service\_(water supply and/or wastewater services) where a premises is believed to be rented to tenants and arrears have occurred.

The CRU has decided to amend the text from its initial proposal to remove the term “agencies” and replace with ‘third parties’ as the CRU is of the view that the term ‘third parties’ is more appropriate.

To clarify, Irish Water may use the services of third parties in an effort to determine ownership or occupation of a premises receiving Irish Waters services. For example, Irish Water, or third parties on its behalf, may access public databases such as the Property Registration Authority to determine details about a property or credit databases to carry out judgment/bankruptcy searches. Irish Water may also use third party contractors to visit businesses to check that the data held on that customer is correct. Irish Water has confirmed for the CRU that, in circumstances where Irish Water has a contract with a third party, the contract will contain GDPR clauses to ensure the contractor is GDPR compliant. Public databases have their own privacy notices and contain publicly available information.

## **CRU DECISIONS – CODE OF PRACTICE ON BILLING**

### **1. Determination of Charging Liability**

- Irish Water shall ensure that the charging of customers is in line with legislation, equitable across customers and clear and easy to understand.

### **2. Ensuring charges, discounts and allowances are calculated and applied accurately**

- Irish Water to ensure that all relevant charges, discounts and allowances are calculated and applied accurately to a customer's bill.

### **3. Submitting a meter read by a customer**

- If a customer receives an estimated bill, the customer may provide Irish Water with a customer meter read within seven days of the bill issue date and Irish Water will, upon request from the customer, re-issue the bill within 10 days of receiving the customer's meter read.

### **4. One bill in any 12 month period is based on a meter read**

- Irish Water will endeavour to ensure at least one bill in any 12-month period is based on a meter read.

### **5. Security Deposit**

- Should Irish Water requires a deposit from a customer, that it will be fair, transparent and reasonable in terms of the amount requested. Irish Water must not unfairly discriminate between customers. In addition, Irish Water will also inform the customer of the conditions under which the deposit will be refunded.

### **6. Notifying Customers of Unusual and Significant Increases in their Metered Consumption**

- Irish Water shall alert customers if it finds that a meter reading shows an unusual and significant increase via an appropriate communication channel.

### **7. Determining Charging Liability (Section 7.2)**

The CRU's decision is to introduce the following requirements which requires Irish Water to:

- In advance of each tariff year, Irish Water shall inform each Customer of the annual quantity ('AQ') and corresponding tariff class for the Customer's connection(s) for the coming tariff year.
- Irish Water shall make available for both its existing and potential Customers the rules for how Irish Water determines a connection's annual quantity ('AQ') and how this can be appealed by the Customer.
- Where a revised annual quantity ('AQ') has been issued for a Customer's connection that will have a material effect on the connection's tariff class or charges, Irish Water will:
  - notify the Customer of the material impact, including a forecasted annual bill at the new tariff class; and
  - provide a reasonable timeframe to allow the Customer to appeal the connection's revised annual quantity ('AQ') figure with Irish Water.
- Irish Water will inform Customers every year that they have the right to challenge their annual quantity ('AQ') and assigned tariff class. Irish Water must provide a reasonable timeframe for Customers to submit a challenge.
- Irish Water must inform connections that are moving to a lower tariff class and facing a higher annual bill as a result, that they have the right to request to stay on the tariff rates of their old tariff class.

**8. Non-Domestic Customers that request to be categorised as a 'domestic' or 'mixed-use' premises or vice versa**

- Where a customer is requesting to change the categorisation of a premises from a non-domestic premises to a domestic premises or a mixed-use premises, or vice versa, for the purposes of determining charging liability, the customer must contact Irish Water and apply through the Irish Water process, and such an application will be subject to Irish Water's approval.

**9. Proposed changes by Irish Water to domestic allowances applied at a premises and the categorisation of a premises for charging purposes**

- Where Irish Water is proposing to change the number of domestic allowances applied to a premises that is classified as mixed-use and/or the categorisation of a premises

(that is, a domestic, non-domestic or a mixed-use premises) that impacts the charges and/or domestic allowances applied to that premises, Irish Water must provide advance notice of, and explain this change to the Customer and the resulting change to the charges and/or domestic allowances.

**10. Wastewater discharged volume not equal to water supplied volume at a premises**

- A Customer may submit an application to Irish Water, under Section 22.9 of the Water Services (No.2) Act, to avail of a variation to the assumption that the volume of wastewater discharged from a premises is deemed to be equal the volume of water supplied to that premises and such an application will be subject to Irish Water's approval.

**11. Non-Domestic Leak Allowance**

- Where a customer is requesting a leak allowance, they must contact Irish Water through the Irish Water process, and such application will be subject to Irish Water's approval.

**12. Engaging with Customers**

- When Irish Water engages with customers in relation to requirements 7.2.1 to 7.2.9, Irish Water shall, where relevant:
  - a. Assess and treat all Customers in a fair and equal manner with no undue discrimination between Customers;
  - b. Provide all Customers with all the required details (submission requirements, criteria etc.) necessary to make an application;
  - c. Process applications and appeals in a reasonable timeframe;
  - d. Inform Customers of Irish Water's decision in writing and set out the reasons for same;
  - e. Shall notify Customers with at least 30 days' notice of any Irish Water proposed changes to the AQ for a connection, number of domestic allowances applied to the premises or categorisation of the premises in advance of a change taking effect; and
  - f. Allow sufficient time for a Customer to dispute Irish Water's decision or proposed change.

**13. Giving 30 days' notice of changes to a customer's charges**

- Irish Water shall notify all Customers of upcoming changes to their charges with at least 30 days' notice in advance of any change to charges taking effect.

**14. Informing Customers of upcoming changes that affect how customers are charged**

- Irish Water shall keep customers informed through appropriate communication channels of upcoming changes to a Customer's tariff classification, annual quantity, categorisation of premises (that is, a domestic, non-domestic or a mixed-use premises), allowances and any other item that affect their bills. Irish Water must inform Customers as to when new charges and charging basis will apply to their bills.

**15. Issuing a direct notice in advance of disconnecting a premises with no named customer**

- Where Irish Water intends to disconnect a premises with no named customer, Irish Water must issue at least one direct notice, in writing by letter to the occupier of the premises at least five working days in advance of disconnecting the premises. The notice should set out that a cost may apply due to the disconnection or reconnection of the premises and should refer the occupier to where more information on the cost that may apply can be found.

**16. Irish Water working with third party agencies in identifying ownership of a premises**

- Where applicable, Irish Water will work with third parties in identifying ownership of premises receiving Irish Water services (water supply and/or wastewater services) where a premises is believed to be rented to tenants and arrears have occurred.

## **2.6 Code of Practice on Disconnection for Non-Domestic Customers**

All Handbook requirements relating to disconnecting a premises are currently contained within the Code of Practice on Billing. These Handbook requirements outline that a disconnection should only take place as a last resort and only after the arrears handling processes have been exhausted. The CRU has approved the introduction of a new Code of Practice (called the Code of Practice on Disconnections) to capture the existing disconnection service level requirements. This will make it easier for Irish Water's customers to locate and identify Irish Water's service level requirements relating to disconnection. Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

Responses to below sections are discussed within section 4.5 of the CRU's Response Paper to CRU Consultation Paper (CRU/20/035) – (CRU/20/117a)

### **2.6.1 Disconnection Procedure (Section 8.1)**

Irish Water is only able to disconnect a non-domestic premises as a last resort when all other methods of arrears repayment has been exhausted. There is a prescriptive list of instances where Irish Water cannot disconnect a non-domestic customer in subsection 8.3 of the Handbook. Therefore, the CRU has approved the deletion of Handbook requirement 8.1.2 which states *“For avoidance of doubt a premises shall not be disconnected where this would involve another customer being disconnected”* as this is already captured under requirement 8.3.

~~**8.1.2** For avoidance of doubt a premises shall not be disconnected where this would involve another customer being disconnected.~~

Respondents to the consultation agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

### **2.6.2 Instances where Irish Water can initiate disconnection of a non-domestic customer's supply (Section 8.2)**

In this subsection the CRU outlines the situations where Irish Water can initiate the disconnection of supply to a non-domestic premises, such as failure to pay a bill relating to the supply of water/wastewater services and upon request of the customer. Please see Section 8.2 in the Irish



Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments.

**Instances where Irish Water can initiate a disconnection of a non-domestic customer's supply**

The CRU has approved the addition of two new requirements to further clarify situations in which Irish Water can initiate a disconnection of a non-domestic premises. The first one relates to an instance where a non-domestic customer has failed to pay a bill relating to the supply of water/wastewater services who also has a shared supply with another non-domestic customer who has also failed to pay their water/wastewater bill to Irish Water in respect of their premises. The second one relates to any criteria for disconnection that is in line with the CRU approved Disconnection Policy (to be consulted on later in 2020).

These new requirements will benefit customers by providing greater clarity on the instances where Irish Water can initiate the disconnection of supply to a non-domestic premises. To clarify, in instances where a customer who is on a shared pipeline is up to date on their billing, the line will not be disconnected, even if the majority of connected customers are in arrears. There can be no supply interruption to third parties/customers that are on the same supply pipe that are not in arrears.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

**2.6.3 Instances where Irish Water cannot initiate disconnection of a non-domestic customer's supply (Section 8.3)**

In this subsection the CRU outlines situations where Irish Water cannot initiate the disconnection of supply to a non-domestic premises, such as where a customer has entered into a payment plan and is honouring that arrangement, or where a customer is pursuing a complaint and the complaint relates to the reason for disconnection. Please see Section 8.3 in the Irish Water Non-Domestic Customer Handbook for further detail on the full list of approved amendments.

**Adding clarity for customers on shared supplies - Instances where Irish Water cannot initiate a disconnection of a non-domestic customer's supply**

The CRU has approved the introduction of a new requirement which specifies a situation in which Irish Water cannot disconnect supply to a non-domestic premises. This relates to a situation where non-domestic customer is in arrears but has a known shared supply with another

non-domestic customer who is paying their bills to Irish Water. This is also applicable where the non-domestic connection who is in arrears has a shared supply with a domestic or a mixed-use connection.

To clarify, as per requirement 8.3.1 a, if an instance arises where a customer who is on a shared pipeline is up to date on their billing, the line will not be disconnected, even if the majority of connected customers are in arrears.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

***Adding Clarity for customers pursuing a complaint - Adding Clarity for customers on payment plans - Instances where Irish Water cannot initiate a disconnection of a non-domestic customer's supply***

The CRU has made a decision to remove the word 'genuine' from Handbook requirement 8.3.1d, which states that Irish Water cannot initiate a disconnection if a customer is pursuing a genuine complaint and the complaint is related to the reason for Irish Water initiating disconnection. Irish Water may not initiate a disconnection in relation to the disputed amount until the appropriate complaint process has been exhausted. This will benefit customers as this removes the ambiguity around what is determined to be 'genuine' or not.

To clarify, within requirement 8.3.1 d. which references a customer pursuing a complaint and the complaint is related to the reason for Irish Water initiating a disconnection; if the complaint is due to the reason for IW initiating the disconnection, the process for disconnection is put on hold until the complaint is closed out. It is only after this point, that the disconnection process can be initiated again if it is still relevant to do so at that point.

If IW is informed that the complaint has been escalated to the CRU, then IW record this complaint on its system and if the disconnection process has commenced, this will be placed on hold until the CRU complaint has been resolved.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

**Adding Clarity for customers on payment plans - Instances where Irish Water cannot initiate a disconnection of a non-domestic customer's supply**

Under the existing Handbook requirement, if a customer has entered into a payment plan and is honouring that arrangement, Irish Water cannot disconnect supply to the premises. The CRU is proposed to add clarity to this requirement that the customer must also pay their bills issued after the payment plan has been agreed between Irish Water and the customer. That is, customers must honour both the payment plan payments as well as pay their bills for water use after the payment plan has been agreed.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

**2.6.4 Process for disconnection due to non-payment (Section 8.4)**

The Handbook sets out a number of requirements in relation to the procedure Irish Water must follow when disconnecting supply to a premises due to non-payment. One of these requirements specifies that Irish Water must issue at least one direct notice in writing in advance of carrying out a disconnection. In order to increase protection for Irish Water's customers, the CRU has made a decision to approve the introduction of a new requirement which would require Irish Water to also telephone the customer (if the number is known by Irish Water) and the occupier (if different) at least once in advance of carrying out a disconnection. To clarify, if Irish Water does not receive a response to the telephone call, Irish Water must leave a message if the customer has a voicemail activated and must document internally that it has contacted the customer.

Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made the following amendments to its initial proposal, the CRU has decided to amend "(if different)" to "(if different and known to Irish Water)" as in some instance Irish Water can only make contact when it is aware of whom the occupier is. As this would ensure that where Irish Water knows or is made aware that the occupant is different to the customer who is named on the account, Irish Water would be able to attempt to notify them of an impending disconnection and provide them with time to liaise with their landlord in relation to the matter.

## **CRU DECISIONS – CODE OF PRACTICE ON DISCONNECTION**

### **1. Introducing a new Code of Practice.**

- The CRU's decision is to introduce a new Code of Practice (called the Code of Practice on Disconnections) to capture the existing disconnection service level requirements.

### **2. Disconnection Procedure**

- The CRU's decision is to approve to delete Handbook requirement 8.1.2 which states "For avoidance of doubt a premises shall not be disconnected where this would involve another customer being disconnected".

### **3. Instances where Irish Water can initiate a disconnection of a non-domestic customer's supply**

- The CRU's decision is to permit Irish Water to initiate a disconnection of a non-domestic premises only under the following situations:
  - a. Failure to pay a bill relating to the supply of water/wastewater services.
  - b. Upon request of the Customer. Irish Water should clarify that the person making the request is the Customer, or has the permission of the Customer to disconnect the water supply;
  - c. No registered Customer at the premises has been established after attempts to determine occupancy /ownership;
  - d. Where the Customer has entered into a payment plan and that Customer fails to honour that plan;
  - e. Failure to pay a bill relating to the supply of water/wastewater services by a non-domestic Customer who also has a shared supply with another non-domestic Customer who has also failed to pay their water/wastewater bill to Irish Water in respect of their premises.
  - f. Any other criteria for disconnection that is in line with the CRU approved Disconnection Policy.

### **4. Instances where Irish Water cannot initiate a disconnection of a non-domestic customer's supply**

- The CRU's decision is to require Irish Water to not disconnect supply to a non-domestic premises under the following situations:
  - a. Where the non-domestic Customer has a known shared supply with another non-domestic Customer and disconnection or reduction in pressure of the non-

domestic Customer would also disconnect supply or reduce pressure to another non-domestic Customer who is paying their water/wastewater bill to Irish Water in respect of their premises;

- b.** Where the non-domestic Customer has a known shared supply with a domestic or mixed-use Customer and disconnection or reduction in pressure of the non-domestic Customer would also disconnect supply or reduce pressure to a domestic or mixed-use Customer;
  - c.** Where a Customer has entered into a payment plan and is honouring that arrangement, as well as paying all water services bills issued after the payment plan has been agreed between Irish Water and the Customer;
  - d.** Where a Customer is pursuing a complaint and the complaint is related to the reason for Irish Water initiating disconnection. Irish Water may not initiate a disconnection in relation to the disputed amount until the appropriate complaint process has been exhausted;
  - e.** In the event that a Customer is disputing a bill this clause only applies to the disputed bill and not any previous or subsequent bills which must be paid as normal;
  - f.** For failure to pay a bill which is not related to the supply of water or wastewater services; for example, site works charges or Section 16 licensing;
  - g.** For failure to pay a bill relating to the supply of water/wastewater services based on an estimate meter read unless it is fair and reasonable in the circumstances<sup>29</sup>, (for example, access to read a meter is refused).
- 5. Process for disconnection due to non-payment (Section 8.4)**
- The CRU's decision is to approve the introduction of the Handbook requirement which would require Irish Water to also telephone the customer (if the number is known by Irish Water) and the occupier (if different) at least once in advance of carrying out a disconnection.

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<sup>29</sup> By way of example, it is considered reasonable to request a Customer's disconnection where long term refusal or lack of access to a premises is an issue and the Customer has been informed. However, where a Customer receives an estimated read and this appears not to match the Customer's normal consumption pattern the Customer may dispute this and should not be disconnected.

## 2.7 Code of Practice on Network Operations for Non-Domestic Customers (Section 8)

Section 8 of the Handbook sets out requirements Irish Water must follow in relation to network operations for non-domestic customers. This Code outlines how a customer can access information on how to connect to Irish Water's network, network interruptions (both planned and unplanned), asset flooding and water pressure issues affecting customers as well as the obligations in terms of pipework maintenance.

This section provides a summary of the amendments the CRU is proposing to make to the existing Network Operations Code of Practice Handbook requirements. The full list of the CRU's proposed amendments to the customer service requirements are detailed in the Irish Water Non-Domestic Customer Handbook (CRU/20/036), which is published alongside this paper.

Responses to below sections are discussed within section 4.6 of the CRU's Response Paper to CRU Consultation Paper (CRU/20/035) – (CRU/20/117a).

### 2.7.1 Out of Service Hours (Section 9.7)

This section sets out one requirement which obliges Irish Water to provide details of the services it can provide for customers reporting an emergency. It also obliges Irish Water to provide customers with a phone number available to customers 24 hours a day.

#### **Amending a requirement relating to information Irish Water must provide to customers on emergency reporting**

The CRU has decided to amend the requirement on Irish Water to provide details of the services for customers reporting an emergency by adding that Irish Water must provide this information to customers through a range of appropriate communication channels. The CRU considers this an important customer protection measure.

#### **CRU DECISIONS – CODE OF PRACTICE ON NETWORK OPERATIONS**

##### **1. Out of Service Hours**

- Where Irish Water is required to provide customers with details of the services, i.e. its contact details, for customers reporting an emergency, Irish Water must provide this information to customers through a range of appropriate communication channels on which the customers can report emergencies.

## **2.8 Code of Practice on Complaint Handling for Non-Domestic Customers (Section 9)**

Section 9 of the Handbook sets out requirements Irish Water must follow in relation to complaint handling for non-domestic customers. This Code requires Irish Water to provide a complaint handling process for its customers and outlines minimum requirements that this process must contain.

Under the Water Services Act 2014<sup>30</sup>, the CRU has the power to provide a dispute resolution service to customers of Irish Water of unresolved complaints. The Customer Care Team (CCT) within the CRU provides an independent complaint resolution service for both energy and water customers. 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.

The CCT monitors the types of complaints from Irish Water customers that are escalated to the CRU. By engaging with customers with unresolved complaints the CCT has provided specific feedback on how the Handbook requirements can be strengthened to address the difficulties customers are experiencing through Irish Water's complaints process and provide a better experience for the customer. The proposed amendments to the requirements were aimed at ensuring Irish Water progresses complaints in a timelier manner, provides customers with an update on their complaint and also provides more clarity to customers on each stage of Irish Water's complaints process and how complaints can be escalated to the CRU. The approved amendments are outlined below.

In addition to these changes, the CRU has marked a number of editorial changes to the structure and layout of Handbook requirements to ensure Irish Water's customer service obligations are easier to follow. This involved inserting subheadings into the Handbook (such as "*Stage 1 – Irish Water Initial Complaint Process*", "*Stage 2 – Irish Water Escalation Complaint's Process*" etc.) and grouping Irish Water's service level requirements relating to each subheading together.

This section provides a summary of amendments the CRU approved to introduce to the existing Complaints Handling Code of Practice Handbook requirements.

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<sup>30</sup> <http://www.irishstatutebook.ie/eli/2014/act/44/enacted/en/print>

The full list of the CRU's approved amendments to the customer service requirements is detailed in the Irish Water Non-Domestic Customer Handbook (CRU/20/117b), which is published alongside this document. Responses to below sections are discussed within section 4.7 of the CRU's Response Paper to CRU Consultation Paper (CRU/20/035) – (CRU/20/117a).

### **2.8.1 General obligations in Complaint Handling (Section 10.2)**

This section of the Handbook sets out the general requirements that Irish Water must follow during complaints handling. It covers issues such as obliging Irish Water to provide customers with a clear process when they make a complaint, making every effort to resolve customer's complaints and ensuring that when a customer is not sure of the complaint resolution process, that Irish Water directs them to the Code of Practice on Complaints Handling.

#### **Introducing a new requirement relating to clarification on complaint escalation to the CRU**

For customers who wish to escalate their complaint to the CRU once they have completed Irish Water's complaint handling process (both the initial and escalation stage), under legislation, the customer must be a registered customer of Irish Water for the CRU to accept the complaint and offer a dispute resolution service.

The CRU proposed to introduce a new requirement which requires Irish Water to facilitate the registration of customers at the point that the customer first makes the complaint to Irish Water. This would be necessitated due to a legislative requirement which states the CRU's dispute resolution service can only be provided to customer of Irish Water:

*“(4) A person is not entitled to make a complaint unless—*

*(a) at the time to which the complaint relates he or she—*

*(i) was registered with Irish Water as a customer...”*

In the instance where the customer does not wish to register, the CRU proposed that Irish Water must explain to the customer that in the event the customer may want to escalate the complaint to the CRU once it has completed Irish Water's complaints handling process, they would be unable to do so (as they would not be registered).

Respondents broadly agreed with the proposed requirement. Irish Water, however, did not agree and was of the view that such a requirement would be bad customer service for customers i.e. Irish



Water should not have to inform a customer of the escalation procedure to the CRU at the initial point of a complaint as Irish Water, naturally, endeavours to solve the complaint first. Irish Water is also of the opinion that due to the wording in the legislation (i.e. that customers must be registered at the time of the issue occurring rather than when they contact Irish Water) introducing such requirement might not resolve this issue for all customers.

The CRU accepts Irish Water's view that it would expect to resolve the complaint at the initial point of contact and appreciates that the utility may not wish to, in the initial interaction with the customer, give the customer a doubt as to its ability to resolve the complaint. The CRU must, however, balance this against ensuring that a customer is fully aware of the complaints procedure and any difficulties they may encounter should Irish Water be unable to resolve the complaint. The CRU is of the view that customers should know in advance that if they escalate their complaint to the CRU, the CRU will not be able to accept their complaint. The CRU is of the view that when customers are aware of this issue in advance of contacting the CRU, they will have good notice of whether their complaint can be handled by the CRU or rejected. The CRU is of the view that knowing this in advance will be a more positive customer service experience for customers.

The CRU acknowledges that the wording of the legislation can unintentionally lead to an unsatisfactory outcome for customers in these instances. The CRU notes, however, that such instances are rare.

To achieve compromise between the Irish Water view and the CRU's position at the consultation, the CRU has removed the consulted-on requirement and introduced a new requirement into the section "**Stage 2 – Irish Water Escalation Complaints Process**" of the Handbook. The new requirement states that Irish Water must – for customers who are not registered – in its written notice, make customers aware of the legislative requirement and inform them that in a case where they wish to escalate their complaint to the CRU, the CRU will not be able to accept their complaint because they are not registered customers of Irish Water. The CRU is of the view that this achieves compromise in that Irish Water is not informing the customer at the initial stage of its complaint handling process. The fact that the complaint has been escalated to Stage 2 would mean that Irish Water has already had some engagement with the customer and will be able to notify the customer of pathway to resolution of the issue. It is also better customer service in that the customer will be better informed on the process and the legislative requirement. For clarity, it is the CRU's intention here that only in these instances, Irish Water will only inform the unregistered customers of this requirement, i.e. customers that were registered at the time the complaint occurred do not need to be notified as this does not affect them.

**Ensuring customers are aware of Irish Water's Code of Practice on Complaints Handling**

Under the Handbook, Irish Water is required to refer a customer to Irish Water's Code of Practice on Complaint Handling when it is requested by the customer or where the customer is unsure of the complaints process. However, the CRU's Customer Care Team, who resolve and adjudicate on complaints that are escalated to the CRU, have identified that in some instances Customers are not fully aware of Irish Water's complaints process. The CRU therefore proposed to amend this requirement so that Irish Water refers a customer to its Code of Practice in all cases where a complaint is raised, not just when it is requested by the customer or where the customer is unsure of the complaints process. This will ensure that all customers that raise a complaint with Irish Water are fully informed of each stage of Irish Water's complaint process and of requirement on Irish Water's to respond in a certain timeframe. It will also allow the requirement to cover a broader scope under which customers could initiate a complaint to Irish Water, thus offering additional protection for customers.

Within this requirement the CRU also proposed to add that Irish Water where requested must provide the Code of Practice to customers in an accessible format. The CRU considers that the addition of this sentence is an important protection measure.

**Amending a requirement relating to timeframes for resolving customer's complaints**

The CRU proposed to amend a requirement which obliges Irish Water to provide customers with a resolution or a plan for resolution of their complaint within five working days. The CRU proposed to clarify in the requirement that Irish Water must provide customers with a resolution or a plan on how to resolve a complaint within five working days "...after the complaint was lodged with Irish Water". This aims to add clarity as to what is expected of Irish Water under this requirement.

Respondents broadly agreed with the above proposal. The CRU made no further amendments to the proposed requirement.

**Providing customers with an update on the progress of their complaint**

To ensure that customers are kept up-to-date regarding the progress of their complaint, the CRU is proposing to introduce a requirement that Irish Water must contact a customer if their complaint remains open after 10 working days, with an update on the complaints progress.

Respondents were broadly disagreed of this proposal as they were of the view that providing customers with an update on their complaint within the 10 working days from when the complaint was lodged, is too short of a timeframe considering that Irish Water must firstly acknowledge the

complaint within 5 working days. The respondents suggest that this 10-working day timeframe is amended from 10 working days to 14/15 working days. While acknowledging these issues, the CRU made no further amendments to the consulted on proposal.

**Introducing a new requirement relating to clarification on complaint escalation to the CRU**

The CRU Customer Care Team (CCT) has noted that a significant number of customers attempt to lodge their complaint with the CRU without having fully completed the Irish Water complaints resolution process. The CRU noted that this is because Irish Water, in some instances, does not make it clear to customers that there is also a second stage (Stage 2 i.e. where a complaint is escalated to Irish Water's Customer Services Manager) of Irish Water's complaints process that they must complete if they wish to escalate the complaint further to the CRU.

Currently requirement 10.2.5 (m) of the Handbook, requires Irish Water to inform customers that if they wish to escalate their complaint to stage 2 of Irish Water's resolution process, the customer must submit their complaint to Irish Water in writing. The CRU proposed to add to this requirement that upon the closure of customer's complaint, Irish Water must also inform customers that if they are not satisfied with the outcome of their complaint, that they may escalate their complaint to Irish Water's Customer Services Manager. The CRU is of the opinion that such amendment will ensure that customers are provided with information with how they can escalate their complaint if they are not satisfied with the outcome of the initial stage of Irish Water's complaints process and to ensure that Irish Water informs customers about this at the correct point of the complaints process,

The CRU wishes to ensure there is no confusion as to whom the complaint should be escalated to if a customer is not satisfied how Irish Water resolved its complaint at Stage 1 of its complaints process. The CRU requires that the complaint must be escalated within Irish Water at a more senior level first and only after this is exhausted should the complaint be escalated to the CRU. To clarify this, the CRU also added to this requirement that Irish Water must explain to customers that by a "more senior level", Irish Water refers to Irish Water's Customer Services Manager and not the CRU.

Respondents broadly disagreed with this proposal. While acknowledging these issues, the CRU made no further amendments to the consulted on proposal.

**Providing customers with an update on the progress of their complaint**

To ensure complaints that are escalated to Irish Water are progressed in a timely manner, the CRU is proposing to add a new requirement that requires Irish Water to inform the customer of Irish Water's decision on their complaint with 10 working days of the complaint being escalated/

Respondents broadly did not agree with the above proposal e.g. Irish Water. Having considered all responses, the CRU decided to divide this requirement into two separate obligations. The first obligation requires Irish Water to provide customers (whose complaint resolution did not require operational works or a site visit), with a decision within 10 working days. The second obligation requires Irish Water (where complaint requires operational works or a site visit) to agree a reasonable timeframe for issuing a decision with customers on a case by case basis. The CRU is of the view that this requirement will better reflect that in some cases it might take Irish Water longer to resolve complaints as some complaints might require operational works or site visits.

**Introducing a new requirement relating to a timeframe on escalation of customers' complaints**

To ensure that Irish Water has implemented the CRU's final decision on a complaint which was escalated to the CRU by a customer, the CRU proposed to introduce a new requirement obliging Irish Water to respond to the CRU within three weeks from the date of the CRU's final decision (or by a date specified by the CRU in its decision) confirming that the CRU's final decision has been implemented. This will benefit customers by ensuring that Irish Water implements the CRU's final decision on their complaint in a timely manner.

Respondents broadly agreed with the above proposal. The CRU made no further amendments to the consulted on proposal.

**CRU DECISIONS – CODE OF PRACTICE ON COMPLAINTS**

1. **Ensuring customers are aware of Irish Water's Code of Practice on Complaints Handling**
  - Irish Water must now refer a customers to its Code of Practice in all cases where complaints are raised, not just when it is requested by the customer or where the customer is unsure of the complaints process.
2. **Amending a requirement relating to timeframes for resolving customer's complaints**

- A requirement which obliges Irish Water to provide customers with a resolution or a plan for resolution of their complaint within five working days is now amended. The requirement now clarifies that Irish Water must provide customers with a resolution or a plan on how to resolve a complaint within five working days “after the complaint was lodged with Irish Water”.
- 3. Providing customers with an update on the progress of their complaint**
- If a customer’s complaint remains open after 10 working days, Irish Water shall contact the customer with an update on the complaint progress. This must be provided to customers via a phone call or writing.
- 4. Informing customers that they can escalate their complaint within Irish Water**
- Irish Water must now inform customers that if they are not satisfied with the outcome of their complaint, that they may escalate their complaint to Irish Water’s Customer Service Manager’s Stage 2 of Irish Water’s complaint process.
- 5. Responding to customers who escalate a complaint within 10 working days**
- Irish Water is now required to respond to customer’s complaints in the following manner:
    - For complaints that do not require a site visit or operational works, Irish Water must make a decision on those complaints within 10 working days.
    - Where a complaint does not require operational works or site works, Irish Water must agree a timeframe with customers on case by case basis.
- 6. Introducing a new requirement relating to the CRU’s Final Decision on a complaint**
- Irish Water must respond to the CRU within three weeks from the date of the CRU’s final decision (or by a date specified by the CRU in its decision) confirming that the CRU’s final decision has been implemented.

### **3. Term and Conditions of Supply for Non-Domestic Customers**

The CRU first established the 'Irish Water Customer Handbook' in October 2014. At the time non-domestic customers were billed by their Local Authority ('LA') on behalf of Irish Water. This prevented the CRU from placing into the Customer Handbook minimum standards to be included in the Term and Conditions of Supply for non-domestic customers. Since October 2014, Irish Water has undertaken a project to migrate all non-domestic customers billing and consumption information from each LA billing system to Irish Water's central billing system. This project was completed in June 2017, and as of this date Irish Water has been billing all of its non-domestic customers directly.

Further, the CRU has also introduced a number of policies since 2014, for example, that govern how Irish Water connects a customer to its network, the charge it can apply for the provision of water and wastewater services to its non-domestic customers and the customer service level requirements it must offer its customers. These policies place obligations on Irish Water regarding how it carries out its business and engages with its customers, the 'Terms and Conditions of Supply' is a means for a utility to turn those obligations into contractual commitments to its customers. Responses to below sections are discussed within section 4.8 of the CRU's Response Paper to CRU Consultation Paper (CRU/20/035) – (CRU/20/117a).

#### **Benefits of introducing standard Terms and Conditions of Supply**

As a general principle, the CRU is of the view that introducing standard Terms and Conditions of Supply would be an important customer protection measure and would provide clarity as to the responsibilities and obligations of both Irish Water (as the provider of water services) and the customer (as the recipient and consumer of such services).

The CRU therefore approving that Irish Water introduce standard Terms and Conditions of Supply for non-domestic customers.

The following sets out additional rationale to support the introduction of standard Terms and Conditions of Supply for non-domestic customers:

1. Aligns with good practice of a corporate utility provider providing a service to its customers;
2. Provides clarity to customers regarding key aspects of service provision, such as water quality, charging, metering, payment, emergencies, complaints, pipeline maintenance responsibilities;

3. Collates the responsibilities and obligations of both Irish Water and the customer into one document, which increases transparency and accessibility for customers;
4. There is no competitive market in the provision of water and wastewater services in Ireland and thus customers do not have the ability to switch supplier. This places a greater importance on ensuring that the responsibilities and obligations in the provision of water and wastewater services are fair, transparent and non-discriminatory across customers;
5. Aligns with the approach to domestic customers - Irish Water currently provides standard Terms and Conditions of Supply for its domestic customers, this clarity should also be provided for its non-domestic customers;
6. Aligns with the practice of both gas and electricity utilities in Ireland regarding the provision of services to its non-domestic customers;
7. Irish Water currently holds individual contractual agreements with a small number of its non-domestic customers (which it inherited from the Local Authorities), Terms and Conditions of Supply should be provided for all of its customers.
8. Terms and Conditions define the rights and obligations of both Irish Water and the customer, and thus can form the basis for a customer making a complaint or taking legal action if necessary.

### **Existing individual agreements**

The CRU also recognises there may be a small number of legacy arrangements that currently exist. These legacy arrangements may include historical agreements or contracts entered into by a customer with a Local Authority, which may include legally binding bespoke provisions relating to the provision of water and/or wastewater services. Where Irish Water is legally bound to uphold such agreements, the terms of the individual agreement/contract will supersede Irish Water's standard Terms and Conditions of Supply.

#### **3.1.1 Content of Standard Terms and Conditions of Supply (Section 11)**

The requirements set out in this section play a key role in ensuring that customers are provided with clear and comprehensive information regarding the terms and conditions of water and wastewater service supply.

It should be noted the approved list does not create new requirements on Irish Water in terms of its obligations to provide services to its customers, but simply represent a restatement of existing obligations and requirements that arise from legislation and CRU decisions. The CRU would like to clarify, that if a customer requests a written copy of the Terms & Conditions, this will be

facilitated by Irish Water. Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made one minor amendment. Within requirement 11.1.2, Irish Water must make available to all Customers its standard Terms and Conditions of supply on its website. The CRU has added “*If requested, Irish Water must send a written copy of the Terms and Conditions of supply to a customer.*” This is to reflect a suggestion made by a respondent to the consultation.

### **3.1.2 Review Process (Section 11.3)**

The CRU has decided to review the Terms and Conditions as follows:

- a. That the minimum requirements set out above have been met;
- b. That the Terms and Conditions are written in plain English to greatest extent possible and are set out clearly and transparently so that a Customer would be able to read and understand what they are entering into;

This review process aligns with the CRU’s approach to reviewing the Terms and Conditions of Supply for domestic customers. Respondents to the consultation broadly agreed with the CRU proposal. Following the consultation period, the CRU made no further amendments to its initial proposal.

#### **CRU Decision – TERMS AND CONDITIONS OF SUPPLY**

##### **1. Content of Standard Terms and Conditions of Supply**

The standard Terms and Conditions of supply must include, at least:

- a. the identity, address and contact details of Irish Water;
- b. reference to Irish Water’s Codes of Practice which set out the services provided and the minimum service quality that should be expected;
- c. the means by which up-to-date information on all applicable charges may be obtained;
- d. the conditions for amendment/variation and termination of services;
- e. the conditions for amendment/variation and termination of the contract and should also clearly set out any steps the Customer must take in order to close their account in line with Section 7.7 of the Billing Code;
- f. details of any penalty clauses which may apply to the contract must be highlighted within the Terms and Conditions;



- g.** the means by which the Customer will be notified of any change in Terms and Conditions of Supply, including 30 days' notice in advance of those changes taking effect;
- h.** the means by which the Customer will be notified of any change in charges, with at least 30 days' notice in advance of those changes taking effect;
- i.** details of how the Customer will be billed, and the terms associated with payment of bills;
- j.** any obligation on the Customer in relation to payment of account, payment method and details of any penalties or actions which may apply in the event of failure to pay;
- k.** any obligation on the Customer in terms of limiting consumption of water in relation to water conservation, environmental or public health requirements and any penalties or actions which may apply including reference to supply reduction;
- l.** details of the pipework ownership and maintenance responsibilities of Irish Water and of an Irish Water Customer and
- m.** the method of initiating procedures for settlement of complaints including reference to Irish Water's Code of Practice on Complaint Handling.

## **2. Review Process**

The CRU will review the Terms and Conditions to establish:

- a.** That the minimum requirements set out above have been met;
- b.** That the Terms and Conditions are written in plain English to greatest extent possible and are set out clearly and transparently so that a Customer would be able to read and understand what they are entering into;

## 4. Next Steps

Irish Water is now required to update and submit its 'Business Customer Codes of Practice' document for approval by the CRU. The CRU will review Irish Business Customer Codes of Practice submission to ensure that it is in line with the Non-Domestic Handbook Requirements. Once approved, Irish Water will publish the updated Business Customer Code of Practice and make it easily accessible for the public on its website.