



Comhairle Cathrach & Contae Phort Láirge  
Waterford City & County Council

Commission for Regulation of Utilities,  
The Grain House,  
The Exchange,  
Belgard Square North,  
Tallaght,  
Dublin 24

22<sup>nd</sup> May 2020

### **Irish Water Non-Domestic Customer Handbook Requirements (CRU/20/035)**

Dear Non-Domestic Team,

Please consider the following as a submission on behalf of Waterford City & County Council with respect to the Consultation Paper on the above document. The submission is outlined in the format of a response to each of the questions listed in the aforementioned Consultation Paper. There are also a small number of additional comments that we believe should be considered by the CRU with respect to the proposed amendments to the Non-Domestic Customer Handbook.

It is acknowledged that the amendments to the Handbook are necessary to update the requirements placed on Irish Water to provide a high quality of service to its Customers following a review of the previous Handbook and the impact of the introduction of Excess Use charges for Domestic Customers. The proposed amendments will protect the interests of Non-Domestic Customers and that is to be welcomed.

If further clarifications are required on any part of the submission on the following pages, please do not hesitate to contact me.

Yours sincerely,

Colum Flynn,  
Senior Executive Engineer,  
Water Services,  
Waterford City & County Council



## **Irish Water Non-Domestic Customer Handbook**

### **Waterford City & County Council Response to Proposed Changes**

**1.** Do you agree with the proposed overarching principles detailed in Section 1 of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*Yes, the principles that have been included are fair and equitable. The change over time from a prescriptive to a more principle-based approach is to be welcomed.*

**2.** Are there additional or alternative overarching principles that should be included? Please provide rationale for your answer.

*No additional or alternative principles recommended*

**3.** Do you agree with the proposal to introduce an 'Implementation Date' subsection to clearly identify the dates by which the new Handbook requirements will come into force?

*Staggered implementation dates for the new requirements are advisable depending on the relative complexity that the changes will bring to the systems and methods of operation of Irish Water. With the current Service Level Agreement approach, there needs to be recognition of the additional time required for IW to roll-out those more complex changes to Local Authorities and other contractors.*

**4.** Do you agree with the CRU's proposed implementation timelines of 6 months for new non-IT dependent requirements and 12 months for new IT dependent requirements?

*Without definitive knowledge of the internal working systems (including IT) of Irish Water, it is difficult to comment whether or not the two deadlines proposed are reasonable. However, given the current Service Level Agreement approach, there needs to be recognition of the additional time required for IW to roll-out those more complex changes to Local Authorities and other contractors, particularly those where there are IT requirements*

**5.** Do you agree with the proposed amendments detailed in **Section 5.1** of the Irish Water Non-Domestic Customer Handbook? Please provide your rationale for answer.

*New provisions set out in this section appear to be appropriate.*

**6.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook?

*No additional or alternative requirements recommended*

**7.** Do you agree with the CRU proposed amendments detailed in **Section 5.2** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*Given the required interactions between the Local Authorities, the Call Centre and Irish Water for Unplanned Outages, the deadline of two hours noted in 5.2.5 may be insufficient in some cases,*



*particularly where the interruption occurs outside of normal working hours. A more realistic limit may be four hours.*

**8.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook?

*Yes. In 5.2.4. it is recommended that 'anticipated time of restoration' be changed to 'estimated time of restoration'.*

**9.** Do you agree with the proposed amendments detailed in Section 5.8 of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*Yes, these additional requirements at Customer sign-up appear reasonable.*

**10.** Are there additional or alternative requirements that should be included within or removed from this subsection of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**11.** Do you agree with the proposed amendments detailed in **Section 6.1** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*In 6.1.4, the inclusion of 'to the extent reasonably practical' is welcomed as being fair. However, it may need to be clarified as to who decides what is 'reasonably practical'.*

**12.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**13.** Do you agree with the proposed amendments detailed in **Section 6.2** of the Irish Water Non-Domestic Customer Handbook? Please provide a rationale for your answer.

*Yes, but suggest replacing the phrase 'work with the Customer to help' with 'make all reasonable efforts to assist the Customer to' in 6.2.4.*

**14.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer

*No additional or alternative requirements recommended*

**15.** Do you agree with the proposed amendments detailed in **Section 7.1** of the Irish Water Non-Domestic Customer Handbook? Please provide a rationale for your answer.

*Principles under 7.1.1 are laudable and worthwhile. However, it should be noted that there may be issues with the ability of Customers being allowed to submit self-reads for some meter types, as noted in 7.1.2 and 7.1.4. Non-Domestic meters with automated reading capabilities are sensitive to damage to the data transfer unit on the meter that may be caused by the Customer when trying to see the actual reading.*



*There has been history of these units being damaged by customers when they try to read the meter themselves, thereby rendering the meters incapable of being read remotely and requiring replacement data transfer units to be installed.*

**16.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*Yes, in 7.1.14 there is a need to define a grace period for Customers between when a Customer is notified of a leak and when they start getting charged for this increased usage. This would provide them with a definitive period in which they know the leak needs to be fixed before they get charged for the additional use caused by the leak.*

**17.** Do you agree with the proposed amendments detailed in **Section 7.2** of the Irish Water Non-Domestic Customer Handbook? Please provide a rationale for your answer.

*In 7.2.5, there is a danger that a Non-Domestic Customer may rightly be entitled to change to a Mixed Use designation, yet due to a low domestic occupancy, they may effectively get a significant part of their Non-Domestic Charges written off as part of the 213m<sup>3</sup>/annum annual domestic allowance. They would only pay for water usage above this domestic allowance. This is especially true if it is a business with low water use.*

**18.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*Yes, the IW process for leak allowances needs to be available on-line and must include defined timeframes for the allowance and how long before the leak must be fixed so as not to incur additional charges*

**19.** Do you agree with the proposed amendments detailed in **Section 7.6** of the Irish Water Non-Domestic Customer Handbook? Please provide a rationale for your answer.

*In 7.6.5 should there be a reciprocal duty on Customers to inform Irish Water of changes that materially affect their account such as the removal of a domestic allowance if a premises no longer has a domestic element to it or a change in process that results in the discharge of an increased volume of waste water etc.*

**20.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**21.** Do you agree with the proposed amendments detailed in **Section 7.7** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*In 7.7.3a, the issue around damage caused by self-reads exists for those meters that are read automatically. See comment under Q15 previously for more details.*



*7.7.6 appears to be open-ended. If the situation arises that the customer does not agree to a particular solution, then the Irish Water closing reads should be definitive.*

**22.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*Yes, there is a need to protect Irish Water's interests by allowing a disconnection of a non-domestic water supply following closure of an account, unless a new Customer is taking over the account immediately, in which case the requirements outlined in this section apply. This would prevent unauthorised use of the supply.*

**23.** Do you agree with the proposed amendments detailed in **Section 7.10** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*In 7.10.2 and 7.10.33 this person (who takes over the duty of paying bills on the departure of the Customer) should be identified at the time the Customer is being signed up in the first instance. Can this be provided for in 5.8? Otherwise, it is very difficult for Irish Water to identify who the new Customer is due to GDPR.*

*Can it be clarified in 7.10.4 what relevant agencies could provide this information and be GDPR compliant? This requirement is too general and may not be effective as a result of the need for GDPR compliance.*

**24.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**25.** Do you agree with the CRU's proposed amendment to remove all requirements relating to disconnection from the Billing Code of Practice and placing them into a new Code of Practice on Disconnection?

*Yes. It is appropriate to have a dedicated Code of Practice for Disconnections.*

**26.** Do you agree with the proposed amendments detailed in **Section 8.1** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*Yes.*

**27.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**28.** Do you agree with the proposed amendments detailed in **Section 8.2** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.



Yes.

**29.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**30.** Do you agree with the proposed amendments detailed in **Section 8.3** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*Can it be clarified for 8.3.1.d whether or not the appeal to the CRU must be completed in order for the complaint being deemed to be exhausted? This is required to provide clarity to both the Customer and Irish Water.*

*Also, in 8.3. If the use of 'Site Works' as an example of monies owed that are not related to the supply of water is not a useful one. Almost all site works are carried out at when a connection is made and have been paid for before the connection is made. Can the CRU provide an alternative example?*

**31.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**32.** Do you agree with the proposed amendments detailed in **Section 8.4** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*With respect to 8.4.2, some clarity is required around what Irish Water should do if there is no response to the telephone call. Is leaving a message sufficient? What if the Customer does not have a voicemail option activated? Does Irish Water need to record the call?*

**33.** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**33 (should be Q34?).** Do you agree with the proposed amendments detailed in **Section 9.5** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*No, is there a particular reason why 9.5.1 is worded differently to the same paragraph in the Domestic Customer Handbook? Surely the same requirements should apply for both types of customers?*

*Also, it isn't always possible to attempt to stop the flooding on the initial visit. It may just be an assessment of the cause and making a plan to stop the flooding that could take several hours or more.*



**34 (should be Q35?).** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**34 (should be Q36?).** Do you agree with the proposed amendments detailed in **Section 9.6** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*Yes.*

**35 (should be Q37?).** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**36 (should be 38?).** Do you agree with the proposed amendments detailed in **Section 10.2** of the Irish Water Non-Domestic Customer Handbook? Please provide a rationale for your answer.

*For 10.2.6.i, it would be fairer if the ten working days ran from the date of the issue of the first response.*

**37 (should be Q39?).** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.

*No additional or alternative requirements recommended*

**37 (should be Q40?).** Do you agree that Irish Water should offer standard Terms and Conditions of Supply to its non-domestic customers? Please provide rationale for your answer.

*Yes. Terms and conditions should provide correct expectations for customers and a reference point for them if they are considering a complaint. Also, the services should be equal across all users, where possible.*

**38 (should be Q41?).** Do you agree with the proposed content and review of the Terms and Conditions of Supply set out in **Section 11** of the Irish Water Non-Domestic Customer Handbook? Please provide rationale for your answer.

*Some clarity is required in 11.1.2 as to what happens if the Customer requests a written copy of the Terms & Conditions.*

**39 (should be Q42?).** Are there additional or alternative requirements that should be included within or removed from this section of the Handbook? Please provide rationale for your answer.



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*No additional or alternative requirements recommended*

There are two further comments on the Non-Domestic Customer Handbook not directly relating to the questions asked by the CRU in the Consultation Paper.

Firstly, it is not clear in 5.7.1 as to how Irish Water would identify themselves in any SMS correspondence. There is no Subject Bar in an SMS. Is it sufficient for Irish Water to identify themselves in the first line of the text?

Secondly, 7.6.2 does not appear to be consistent with the removal of 7.4.3 in the Domestic Customer Charter in its treatment of Direct Debits and the SEPA standard. Is there a reason for this apparent inconsistency?