

EnBW Energie Baden-Württemberg AG · D-76180 Karlsruhe · Germany

**Per email: [consumers@ergeg.org](mailto:consumers@ergeg.org)**

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**ERGEG public consultation on “Draft Advice on Customer Compliant Handling, Reporting and Classification” (Ref: E09-PC-40 and E09-CEM-26-03)**

1 December 2009

Dear Ladies and Gentlemen, dear Mrs Geitona,

EnBW welcomes the opportunity to comment on ERGEG’s Draft Advice on Customer Compliant Handling, Reporting and Classification.

The new Electricity and Gas Directives of September 2009 mandate that energy suppliers provide their customers with a good standard of service and complaint handling. Suppliers have an obligation to inform final customers about their rights as regards the means of dispute settlement available to them. Such out-of-court settlement procedures shall enable disputes to be settled fairly and promptly. Customer complaints are to be resolved amicably in a transparent, simple and inexpensive procedure.

EnBW considers it important that these provisions are implemented in a practicable, efficient and unbureaucratic manner, which is sufficiently reflective of the requirements of the market.

We think that the dispute settlement procedure should be dealt with by a neutral instance. It thus appears appropriate that this mechanism is installed directly at the national regulatory agency responsible for supervising the energy markets, and not at consumer protection organizations or energy suppliers. In order to ensure the independence of the body responsible for the settlement of such disputes during ongoing proceedings, we consider its organizational separation from the decision-making departments or judicial functions of the national energy regulators indispensable.

EnBW hopes that its comments contribute to ERGEG’s finalization of its Advice on Customer Compliant Handling, Reporting and Classification and we remain at your disposal should you have any further enquiries.

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Kind regards.

Yours sincerely

EnBW Energie Baden-Württemberg AG

i.A. Dr. Eckart Ehlers