

**Benchmarking Report on the roles and  
responsibilities of NRAs in customer  
empowerment and protection  
as of 1<sup>st</sup> January 2011**

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## INFORMATION PAGE

### Abstract

This document (C11-CEM-46-03) is a CEER document on the roles and responsibilities of National Regulatory Authorities (NRAs) in customer empowerment and protection as of 1<sup>st</sup> January 2011.

This Benchmarking Report describes the current situation and highlights the activities of NRAs, including their work with the industry, consumer organisations and public authorities. Moreover, it provides information and figures on the resources upon which NRAs rely in the following activities: informing consumers, handling complaints/disputes, promoting energy savings/smart use of energy and protecting vulnerable customers.

### Target Audience

Energy suppliers, traders, gas/electricity customers, gas/electricity industry, consumer representative groups, network operators, Member States, academics and other interested parties.

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### Related Documents

CEER/ERGEG documents

- “ERGEG Customer Information Handbook. A review of good practices”, ERGEG, December 2006, Ref. E06-CPR-04-03, [http://www.energy-regulators.eu/portal/page/portal/EER\\_HOME/EER\\_PUBLICATIONS/CEER\\_PAPER\\_S/Customers/2006/E06-CPR-04-03\\_Customer\\_Info\\_Handbook.pdf](http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_PUBLICATIONS/CEER_PAPER_S/Customers/2006/E06-CPR-04-03_Customer_Info_Handbook.pdf)
- "Status review of the definitions of vulnerable customer, default supplier and supplier of last resort", ERGEG, July 2009, Ref. E09-CEM-26-04, [http://www.energy-regulators.eu/portal/page/portal/EER\\_HOME/EER\\_PUBLICATIONS/CEER\\_PAPER\\_S/Customers/Tab/E09-CEM-26-04\\_StatusReview\\_16-Jul-09.pdf](http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_PUBLICATIONS/CEER_PAPER_S/Customers/Tab/E09-CEM-26-04_StatusReview_16-Jul-09.pdf)
- “GGP on customer complaint handling, reporting and classification”, ERGEG, June 2010, Ref. E10-CEM-33-05, [http://www.energy-regulators.eu/portal/page/portal/EER\\_HOME/EER\\_PUBLICATIONS/CEER\\_PAPER\\_S/Customers/Tab1/E10-CEM-33-05\\_GGP-ComplaintHandling\\_10-Jun-2010.pdf](http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_PUBLICATIONS/CEER_PAPER_S/Customers/Tab1/E10-CEM-33-05_GGP-ComplaintHandling_10-Jun-2010.pdf)
- “ADR practices: case studies. Update to Annex 2 of GGP on Customer Complaint Handling, Reporting and Classification”, CEER, June 2011, Ref. C11-RMC-48-03, [http://www.energy-regulators.eu/portal/page/portal/EER\\_HOME/EER\\_PUBLICATIONS/CEER\\_PAPER\\_S/Customers/Tab2/C11-RMC-48-03\\_ADR-CaseStudies-Complaints.pdf](http://www.energy-regulators.eu/portal/page/portal/EER_HOME/EER_PUBLICATIONS/CEER_PAPER_S/Customers/Tab2/C11-RMC-48-03_ADR-CaseStudies-Complaints.pdf)

#### External documents

- Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC,  
<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0055:0093:EN:PDF>
- Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC,  
<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0094:0136:EN:PDF>
- Interpretative Note on Directive 2009/72/EC and Directive 2009/73/EC – Retail Markets, 22 January 2010,  
[http://ec.europa.eu/energy/gas\\_electricity/interpretative\\_notes/doc/implementation\\_notes/2010\\_01\\_21\\_retail\\_markets.pdf](http://ec.europa.eu/energy/gas_electricity/interpretative_notes/doc/implementation_notes/2010_01_21_retail_markets.pdf)
- Interpretative Note on Directive 2009/72/EC and Directive 2009/73/EC – The Regulatory Authorities, 22 January 2010,  
[http://ec.europa.eu/energy/gas\\_electricity/interpretative\\_notes/doc/implementation\\_notes/2010\\_01\\_21\\_the\\_regulatory\\_authorities.pdf](http://ec.europa.eu/energy/gas_electricity/interpretative_notes/doc/implementation_notes/2010_01_21_the_regulatory_authorities.pdf)

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## EXECUTIVE SUMMARY

The 3<sup>rd</sup> Package – specifically the Directive 2009/72/EC<sup>1</sup> and the Directive 2009/73/EC<sup>2</sup> - calls for a new role for consumers in the energy markets and makes National Regulatory Authorities (NRAs) responsible for empowering customers and promoting competitive markets in their interest. Consequently, it is essential that customers are aware of their rights and of market opportunities. Moreover, it is necessary that customers are confident that the market delivers benefits for them and that vulnerable customers are protected appropriately.

The 3<sup>rd</sup> Package bestows new responsibilities in consumer protection and empowerment on EU National Regulatory Authorities (NRAs). This CEER Benchmarking Report on the roles and responsibilities of NRAs aims to examine the practices followed by energy regulators in customer empowerment and protection as of January 2011. The report focuses on their duties and activities, including their relationships with consumer representations, public authorities and industry as well as the resources upon which they rely in informing consumers, dealing with complaints, settling disputes, promoting energy efficiency and protecting vulnerable customers.

The report is not a status review of the implementation of the 3<sup>rd</sup> Package provisions. On the contrary, it represents an overview of the practices implemented by NRAs just before Directives 2009/72/EC and 2009/73/EC entered into force.

The results of the questionnaire, submitted to NRAs on a voluntary basis, show that NRAs are very active in the field of customer empowerment and protection even in jurisdictions characterised, as of 1<sup>st</sup> January 2011, by the lack of national legal provisions and the shortage of human and financial resources.

NRAs play a very important role in the field of consumer protection. Despite the lack of specific provisions in some countries, each NRA is called to the very important task of providing customers with information about the energy markets and making them more aware of their rights and of the opportunities offered by the market. Customer empowerment really stimulates competition and enhances customers' confidence in the market.

Customer complaint handling and customer information are the main fields where the majority of NRAs play an active role, in cooperation with several stakeholders. In the field of protection of vulnerable customers, it seems less widespread for NRAs to have a leading role, although there is a good level of cooperation with other relevant actors. A leading role for NRAs is quite unusual in the promotion of end-user energy efficiency.

As regards the topic of cooperation with/support to consumer representatives, other public bodies and industry in the field of customer empowerment and protection, one notices a wide range of experiences, even when cooperation is carried out on an informal or voluntary basis.

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<sup>1</sup> Directive 2009/72/EC of the European Parliament and the Council of 13<sup>th</sup> July concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC

<sup>2</sup> Directive 2009/73/EC of the European Parliament and the Council of 13<sup>th</sup> July concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC

Generally speaking, NRAs collect input from customers for various purposes. Data can be collected as a contribution for better regulation or for investigating suppliers' and distribution system operators' behaviour. Several NRAs also collect information from customers when they do not have a direct responsibility or a defined role in the field of customer protection.

In conclusion, most NRAs have already achieved a high level of expertise on customer related issues and their role has to be considered as crucial.

The NRAs have shown a common understanding of the central role of customers in market development. Consequently, NRAs have gained a remarkable role in customer protection and empowerment.

Some good practices can be identified:

- preventing complaints through information services;
- protecting customers, especially vulnerable ones, through adequate information;
- cooperating with other stakeholders on a regular basis;
- collecting input coming from customers.

*1- Preventing complaints through information services*

Customers sometimes suffer from lack of information and this can lead to customer complaints where they are not aware of their rights and duties as customers or just because some aspects of the supply service are unclear to them.

*2- Protecting customers, especially vulnerable ones, through adequate information*

Adequate information can be seen as an effective tool for protecting customers, especially when they are vulnerable.

Information on end-user energy efficiency can lead customers to energy savings; moreover, information on the opportunities offered by the market can lead to customers benefiting from competition. Vulnerable customers need to be reached through a wide range of channels.

*3- Cooperating with other stakeholders on a regular basis*

Alongside NRAs, several other actors, both public and private bodies, such as consumer organisations, advisory bodies, etc. are involved in the field of customer empowerment and protection and their **actions need to be coordinated and focused on this common goal. Consequently there is a need for steady cooperation.** NRAs are able to play an essential role in this dialogue.

*4- Collecting input coming from customers*

Regulation needs to be developed and supported by a thorough understanding of customers' needs and demands and their view of the market. The evaluation of complaints and information requests is an important way of collecting information and assessing the functioning of the market. Moreover, it helps NRAs to better regulate and intervene where necessary.

In 2012, CEER is planning to further assess the key findings of this Benchmarking Report by developing a Status Review of the 3rd Package implementation related to customer and retail market issues.



## Background

The European Energy Regulators' work programme for 2011 is set against a background of increasing demands and concerns coming from stakeholders and the European Commission, in particular in the field of customer empowerment and protection.

The implementation of the 3<sup>rd</sup> Package provisions is a key objective for 2011: new, concrete implementing measures need to be developed. The importance given to customer protection and empowerment and the new roles of the NRAs in this field have prompted the launch of this Benchmarking report, providing a picture of the current situation as of 1<sup>st</sup> of January 2011. Thus, it represents a starting point.

The report covers a range of important activities: complaint handling/dispute settlement, protection of vulnerable customers, promotion of end-user energy efficiency and customer information. Furthermore, it envisages the existence of other activities related to customer empowerment and protection.

In order to understand the complete picture, it has been necessary to investigate the various forms and patterns of cooperation between NRAs and different stakeholders involved in customer issues such as other public bodies, industry and consumer representatives.

## 1 INTRODUCTION

By way of background, it is important to point out the new objectives, duties and powers of NRAs provided for by Directive 2009/72/EC and Directive 2009/73/EC in the field of consumer protection.

Article 36 of Directive 2009/72/EC and Article 40 of Directive 2009/73/EC state the general objectives of an NRA. In carrying out its regulatory tasks, the NRA shall take all reasonable measures, within the framework of its powers, in close consultation with other relevant national authorities including competition authorities, and without prejudice to their competencies, among the other measures:

- ensuring that customers benefit from the effective functioning of their national market; promoting effective competition; helping to ensure consumer protection;
- helping to achieve high standards of universal and public service; contributing to the protection of vulnerable customers and to the compatibility of necessary data exchange processes for customer switching.

Consequently, Article 37 of Directive 2009/72/EC and Article 41 of Directive 2009/73/EC state the duties and powers of the NRA, including:

- monitoring the level and effectiveness of market opening and competition at wholesale and retail levels; prices for household customers including prepayment systems; switching rates; disconnection rates; charges for and the execution of maintenance services; complaints by household customers;
- helping to ensure, together with other relevant authorities, that consumer protection measures, including those set out in Annex I, are effective and enforced;
- ensuring access to customer consumption data.

According to the 3<sup>rd</sup> Package consumer rights need to be strengthened and guaranteed also to make consumers benefit from a competitive market. Consumer rights should be enforced by Member States or, where a Member State has so provided, by the NRA.

### **Complaint handling and out-of-Court dispute settlement**

Consumer protection is not limited to complaint handling and out-of-Court dispute settlement. It also has the goal of building a well-functioning energy market. Thus, it is essential to make consumers actively participate in the internal energy market.

The role of complaints and requests submitted by customers may be appreciated if an independent mechanism, such as an energy ombudsman or a consumer body, deals efficiently with complaints and facilitates out-of-court dispute settlements<sup>3</sup>. Furthermore, according to Annex I to the above mentioned Directives, consumers must benefit from transparent, simple and inexpensive procedures for dealing with their complaints. Member States must ensure that suppliers effectively communicate to consumers their rights, including information on alternative dispute settlement procedures.

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<sup>3</sup> Article 3(13) of Directive 2009/72/EC; Article 3(9) of Directive 2009/73/EC

In fact, Directive 2009/72/EC and Directive 2009/73/EC state that greater consumer protection is guaranteed by the availability of effective means of dispute settlement for all consumers. Consequently Member States should introduce speedy and effective complaint handling procedures. In particular, they shall ensure that an independent mechanism (an energy ombudsman or a consumer body) is in place to ensure efficient treatment of complaints and out-of-court dispute settlements.

Furthermore, according to Article 17(3) of Directive 2009/72/EC and to Article 41(11) of Directive 2009/73/EC, any party having a complaint against a Transmission System Operator (TSO) or a Distribution System Operator (DSO) in relation to that operator's obligations under the Directive, may refer the complaint to the NRA which acts as dispute settlement authority. The NRA's decision shall have binding effect unless and until overruled on appeal.

### **Consumer information - Single Point of Contact**

To avoid consumers becoming confused when dealing with a wide range of agents involved in the energy markets, Member States must ensure that there are single points of contact to provide consumers with all necessary information on their rights and on how they can have access to the relevant dispute settlement procedure (Article 3(12) of Directive 2009/72/EC; Article 3(9) of Directive 2009/73/EC).

Member States shall ensure the provision of single points of contact to provide consumers with all necessary information on their rights, on the current legislation and on the available means of dispute settlement in the event of a dispute.

Moreover, the Commission shall establish, in consultation with relevant stakeholders, including regulatory authorities, a clear and concise energy consumer checklist of practical information relating to energy consumer rights.

### **Vulnerable customers**

Member States are called upon to take appropriate measures to protect final customers and ensure that there are adequate provisions to protect vulnerable customers. Each Member State shall define the concept of a 'vulnerable customer', which may refer to energy poverty and to the prohibition of disconnection of vulnerable customers at critical times. In particular, Member States shall take measures to protect final customers in remote areas. They shall also ensure high levels of consumer protection, especially with respect to transparency regarding contractual terms and conditions, information and dispute settlement mechanisms. With reference at least to household customers, the above mentioned measures shall include those set out in Annex I to both the Directives.

Member States shall also take appropriate measures to ensure the necessary energy supply to vulnerable customers, providing benefits in social security systems or providing support for energy efficiency improvements.

## End-user energy efficiency

In order to promote energy efficiency, Member States or, where a Member State has so provided, the NRA, shall strongly recommend that electricity undertakings optimise the use of electricity, for example by providing energy management services, developing innovative pricing formulas, or introducing intelligent metering systems or smart grids. As regards the gas sector, Member States or, where a Member State has so provided, the NRA, shall strongly recommend that natural gas undertakings optimise the use of gas, for example by providing energy management services, developing innovative pricing formulas or introducing intelligent metering systems or smart grids.

## Cooperation with other bodies and entities and data collection

According to Article 35(4) of Directive 2009/72/EC and Article 39(4) of Directive 2009/73/EC, the NRA's independence is without prejudice to close cooperation with other relevant national authorities.

In their role, the NRAs will have to perform duties in relation to consumer protection, especially helping to ensure, together with other relevant authorities, that consumer protection measures, including those set out in Annex I, are effective and enforced (Article 37(1) of Directive 2009/72/EC and Article 41(1) of Directive 2009/73/EC). However, the NRAs are not only given quite extensive duties but also the necessary powers to carry them out. In fact, they need to be granted the appropriate power to contribute to ensuring high standards of universal and public service, the protection of vulnerable customers and the effectiveness of consumer protection measures.

The NRA's powers to obtain all necessary information to perform its duties are guaranteed by the 3<sup>rd</sup> Legislative Package. An NRA can indeed require any information from electricity and gas undertakings for the fulfilment of its assigned duties. Moreover, it is allowed to execute inspections on the premises of energy companies.

### 1.1 Methodology

In April 2011, an online questionnaire was developed in order to collect information on the NRAs current situation and activities in the field of customer empowerment and protection, including their work with the industry, with consumer representations and with public authorities and the resources upon which they rely in informing consumers, handling complaints/disputes, promoting energy savings/smart use of energy and protecting vulnerable customers.

The questionnaire was submitted to the NRAs on a voluntary basis and was divided into two parts: the first part aimed at providing a general overview through basic questions; the second part aimed at collecting some short case studies on good practices and was to be filled in by NRAs with a successful experience to share.

Full or partial answers have been provided by **22 voluntary countries**, as detailed in Table 1. The same table shows the number of electricity and gas household customers in each country.

The NRAs have also been asked questions about the human and financial resources on which they can rely to develop activities related to customer empowerment and protection. However, it is not possible to have a complete and significant picture about this issue.

*Table 1 - Answers received and number of household customers as of 1<sup>st</sup> January 2011*

Country	Answers to the questionnaire Part I	Answers to the questionnaire Part II	No. gas households customers	No. electricity households customers
AUSTRIA	X	X	1.300.000	4.150.000
BELGIUM	X	X	2.558.000	4.667.000
CZECH REPUBLIC	X	X	2.645.000	5.729.000
ESTONIA	X	X	53.000	701.700
FINLAND	X			3.100.000
FRANCE	X	X	10.723.000	30.200.000
GERMANY	X	X	11.270.000	45.270.000
GREECE	X	X	245.000	7.500.000
HUNGARY	X	X	3.318.000	5.135.000
IRELAND	X	X	622.000	2.020.000
ITALY	X	X	19.500.000	28.040.000
LITHUANIA	X	X	536.000	1.496.000
LUXEMBOURG	X	X	82.000	269.000
NORWAY	X			2.146.000 <sup>4</sup>
POLAND	X	X	6.500.000	14.848.000
PORTUGAL	X	X	1.140.000	6.190.000
SLOVAK REPUBLIC	X	X	1.399.000	2.097.000
SLOVENIA	X	X	115.000	818.000
SPAIN	X	X	7.110.000	28.800.000
SWEDEN	X	X	37.000	4.473.000
THE NETHERLANDS	X	X	6.295.000	6.824.000
UNITED KINGDOM <sup>5</sup>	X	X	22.048.000	26.703.000

<sup>4</sup> Data for the year 2009-

<sup>5</sup> In this report, United Kingdom refers to Great Britain and is exclusive of the situation in Northern Ireland.

## 1.2 Objective

With reference to the fields investigated, the objective of the present Benchmarking Report is to provide a picture of the situation existing just before the 3<sup>rd</sup> Package entered into force and, if possible, to point out some good practices.

In line with the findings of the internal questionnaire, the report is divided into two parts: the first part reporting the general situation of the responsibilities assigned to the NRAs and the activities carried out; and the second part (Chapter 9 and Annex 4) pointing out good practices or experiences in the same fields.

However, only the responses received to the second part, pointing out good practices or significant experiences, have been included in the report, both considering the purpose to be achieved and since the questionnaire was submitted on a voluntary basis.

## 2 Roles and responsibilities of NRAs in customer protection and empowerment: legal provisions as of 1<sup>st</sup> January 2011

In most respondent countries, legal provisions give the NRA a responsibility in the field of customer empowerment and protection. This responsibility covers both the electricity and the gas sector. Only in **Germany, Lithuania, Norway** and the **Slovak Republic**, there are no legal provisions addressing this matter. In **Poland**, according to energy law, the NRA is not directly responsible for customer protection but its task is to balance the interests of customers and energy enterprises. In practice, it means that the customer, who is the weaker side of the market relation, has to be empowered by the NRA.

It is noticeable that most jurisdictions state that the NRA is involved in customer empowerment and protection. However, as regards countries where the NRA is not officially involved, it plays an important role in dealing with consumer issues in the energy sector.

### 3 Complaint handling and dispute settlement

This section will focus on the role and responsibilities of the NRAs in the fields of complaint handling and dispute settlement. The information collected here relates to that contained in the Status Review of the implementation of GGPs on customer complaint handling reporting and classification and to the case studies annexed to the same GGPs and updated in June 2011<sup>6</sup>.

#### 3.1 General overview

NRAs were asked if as of 1<sup>st</sup> January 2011, they were responsible for complaint handling, dispute settlement between customers and service provider and dispute settlement concerning the access to the grid.

*Table 2 - Role of the NRA in complaint handling and dispute settlement concerning the access to the grid  
 “As of 1st January 2011 was the NRA responsible for complaint handling/dispute settlement between customers and service providers and dispute settlement concerning the access to the grid?”*

Country	Complaint handling	Dispute settlement between customers and service providers	Dispute settlement concerning the access to the grid	Estimation of human resources involved (full time equivalent)
AUSTRIA	Y	Y	Y	7
BELGIUM	Y	Y	Y	8
CZECH REPUBLIC	Y	Y	Y	n/a
ESTONIA	Y	Y	Y	2
FINLAND	Y	Y	Y	n/a
FRANCE	N	N	Y	n/a
GERMANY	Y	N	Y	n/a
GREECE	Y	N	Y	2
HUNGARY	Y	Y	Y	7
IRELAND	Y	Y	Y	3
ITALY	Y	Y	Y	70
LITHUANIA	Y	Y	Y	1
LUXEMBOURG	Y	Y	Y	0
NORWAY	Y	N	N	n/a
POLAND	Y	Y	Y	4
PORTUGAL	Y	Y	Y	2

<sup>6</sup> E10-CEM-33 and C11-RMC-48-03



Country	Complaint handling	Dispute settlement between customers and service providers	Dispute settlement concerning the access to the grid	Estimation of human resources involved (full time equivalent)
SLOVAK REPUBLIC	Y	N	Y	n/a
SLOVENIA	Y	N	Y	n/a
SPAIN	N	N	Y	n/a
SWEDEN	Y	N	Y	n/a
THE NETHERLANDS	Y	Y	Y	n/a
UNITED KINGDOM	N	N	Y	n/a

As the table above shows, all the NRAs are responsible at least for one of the examined tasks.

Where the estimated data are available, it is possible to point out that the amount of NRA human resources (full time equivalent) working on the aforementioned topics is – in most of the cases – larger than the amount of human resources dedicated to other NRA activities. In three cases, the activity or part of it has been outsourced (**Italy, Belgium, Estonia**). However, in some countries a different third body is responsible for dispute resolution.

### 3.2 Customer complaint handling

The majority of the NRAs (19 out of 22) are responsible for complaint handling. In some cases, other bodies are in charge of complaint handling and the NRA cooperates with them.

Looking at the specific role played by the NRA, which is described in the second part of the report, some NRAs deal with complaints on a voluntary basis (e.g. **Germany, Poland** where there isn't a legal provision giving responsibility for customer protection).

There are cases where the NRAs have the power to issue binding decisions (e.g. **Greece, Slovak Republic, Hungary, Italy**), and other cases where the NRA has a role in speeding up the resolution process of the complaint (e.g. **Germany**) or trying to mediate the communication between the customer and the supplier (**Czech Republic**), or giving the customer advice in order to solve his complaint himself (e.g. **the Netherlands**).

Even though some NRAs can impose fines when they find an infringement of regulation in the complaint handling process, they may also try to lead the supplier to change behaviour through “moral suasion” (e.g. **Italy**).

Complaint handling is often supported by a single point of contact service, where, before raising the complaint, the customer can receive useful information and be “empowered” through the awareness of his rights (e.g. **Austria, Italy, the Netherlands**).

Annex 4 describes the experiences of some national NRAs in more detail.

### 3.3 Dispute settlement

The results of the survey show that 13 NRAs out of 22 are responsible for dispute settlement between customers and service providers and 21 are responsible for dispute settlement concerning access to the grid.

In some cases, the Alternative Dispute Resolution (ADR) board is part of the NRA (e.g. **Austria, Czech Republic, Ireland**), in other cases, there are no legal provisions giving the NRA the responsibility in this field, but the regulator uses a voluntary intervention (**Portugal**). In **Germany**, there is no dispute resolution service in the energy sector, but the future is to have an independent third party body enhanced by the industry.

In certain cases, there is a specific procedure for disputes concerning access to the grid, e.g. in **France** or in **Sweden** or in the **United Kingdom**, where the procedure is applicable for some defined connection disputes.

### 3.4 Cooperation in complaint handling/dispute settlement

There are a variety of relationships between the NRAs and the other stakeholders in the field of complaint handling/dispute settlement. These activities can be carried out by the NRA on a legal basis or on a voluntary approach. The support/cooperation is mainly given through advice and public consultation processes (**Estonia, Hungary, Luxembourg, Czech Republic, Portugal, Greece and Ireland**).

In this field, there is often an external body – a third body or an ombudsman – with whom the NRA cooperates.

In very few cases, the cooperation is regulated by a protocol detailing the processes of collaboration (**Belgium, Italy, United Kingdom**).

Table 3 - Support-cooperation in the field of complaint handling/dispute settlement

Country	Other public bodies/organisations	Industry	Consumer representatives	Other	Type of support/cooperation
AUSTRIA	X	X	X		legal provision/formal
BELGIUM	X				legal provision/formal
CZECH REPUBLIC	X	X	X		legal provision/formal
ESTONIA	X	X	X		legal provision/formal
FINLAND	X	X	X		voluntary/informal
FRANCE					
GERMANY			X		voluntary/informal
GREECE	X	X	X		voluntary/informal
HUNGARY	X	X			legal provision/formal
IRELAND	X	X	X		legal provision/formal
ITALY	X	X	X	X	legal provision/formal
LITHUANIA	X	X	X		legal provision/formal

Country	Other public bodies/organisations	Industry	Consumer representatives	Other	Type of support/cooperation
LUXEMBOURG	X	X	X		voluntary/informal
NORWAY	X	X			voluntary/informal
POLAND	X	X	X		voluntary/informal
PORTUGAL	X		X		legal provision/formal
SLOVAK REPUBLIC					
SLOVENIA				X	voluntary/informal
SPAIN	X	X	X		voluntary/informal
SWEDEN	X		X		legal provision/formal
THE NETHERLANDS	X				legal provision/formal
UNITED KINGDOM	X		X		legal provision/formal

In **Austria**, as regards complaint handling, E-Control must publish a yearly report to be sent to the Parliament, ministries and consumer organisations. On an informal basis, consumer organisations direct specific energy related cases to E-Control. Complaints which are related to service provider's malpractices may lead to contacts between E-Control's complaint handling board and the relevant service provider to clarify the case or find a solution.

In **Belgium**, the NRAs cooperate with the public independent Ombudsman, Chambre de Recours Regional, Competition Authority, Federal administration and local entities. There is a Protocol detailing the processes of collaboration, regular meetings for exchanging information/studies, training programme and workshops.

In **Ireland**, the NRA works in co-operation with the National Consumer Agency in relation to some consumer issues. The NRA holds public consultations in relation to consumer protection guidelines and policy decisions. These consultations are open to consumer representative bodies, suppliers and all members of the public who wish to comment. The NRA also meets with consumer representative bodies, as necessary, to discuss specific issues that may arise for the consumers they are representing. In addition, the NRA has an open door policy, allowing anybody who may wish to raise an issue to do so at any time.

In **Italy**, the NRA (AEEG<sup>7</sup>) promotes the ADR by giving technical and training support to consumer associations. Consumer associations also receive financial support through a fund run by the Ministry of Economic Development. The fund is fed by fines imposed on energy companies by AEEG, which submits to the Ministry a set of proposals – such as the financing of training courses and of ADR procedures submitted for approval for the period 2010-2011 - aimed at supporting consumer interests. In the field of complaint handling, AEEG, the Sportello per il consumatore di energia (the Consumer Help Desk, set up by AEEG, in charge of dealing with complaints) and the main consumer associations (household and non-household) meet regularly, to discuss complaint handling related issues.

In **the Netherlands**, the service called Consuwijzer is run in cooperation with the Consumer Authority and the Telecom authority.

In **Poland**, URE cooperates on a voluntary basis with customer organisations, local governments' customer ombudsmen, public administration units as well as with industry associations, with the goal to discuss common problems and promote good practices.

In **Sweden**, the Energy Markets Inspectorate (EI) has a far reaching cooperation with both the Swedish Consumer Agency and the Consumer Electricity Advice Bureau. On a regular basis, through meetings and phone or mail contact, complaint handling issues and dispute settlement issues are discussed. EI is also represented in the Board of the Consumer Electricity Advice Bureau. The Consumer Electricity Advice Bureau is an independent office that gives consumers cost-free help and guidance on different electricity market-related matters. The objective of the Bureau is to promote greater consumer protection.

In **the United Kingdom**, Ofgem is statutorily required to approve the Ombudsman scheme and is party to a Memorandum of Understanding with the Ombudsman. Ofgem also provides informal advice and information to the Ombudsman.

Consumer Focus (statutory consumer body) has a role in complaint handling for vulnerable consumers and those facing disconnection. Ofgem provides informal advice and information to Consumer Focus.

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<sup>7</sup> Autorità per l'Energia Elettrica ed il Gas

## 4 Role and responsibilities of NRAs in the specific protection of vulnerable customers

This section of the report focuses on the role and responsibilities of NRAs in the specific protection of vulnerable customers. In 2009, ERGEG issued a Status review of the definitions of vulnerable customer, default supplier and supplier of last resort<sup>8</sup>, focused on the existence of a definition or, at least, on the existence of a support mechanism (economic or non-economic). The Status Review did not investigate the actors of the mechanism. The present Benchmarking Report aims to point out the role played by NRAs in the protection of vulnerable customers.

### 4.1 What is the role of the NRA?

There are only a few countries where the NRA has a leading role, whereas in the majority of cases, the NRA has no role, or plays only a subsidiary role. The answer “other” has been given by those countries where there is not yet a definition of vulnerable customers. However, it is confirmed that the absence of a definition of ‘vulnerable customer’ does not affect the existence of a protection mechanism.

*Table 4 - Role of the NRA in the specific protection of vulnerable customers*

YES with a leading role	YES, but in a subsidiary role	NO	Other
<b>6</b> Belgium, United Kingdom, Hungary, Ireland, Italy, Lithuania	<b>4</b> Germany, Greece, Portugal, Spain	<b>6</b> Estonia, France, Luxembourg, Slovak Republic, Slovenia, Sweden	<b>6</b> Austria, Czech Republic, Finland, Norway, Poland, the Netherlands

Where available<sup>9</sup>, the data on the **human resources** on which the NRA can rely for the specific protection of vulnerable customers show that they are, in general, less than the human resources dedicated to complaint handling.

Looking at jurisdictions where the NRA plays a leading role, in some countries the NRA fixes social tariffs or discounts, following the principles set out at national level (**Belgium, Italy**). However, this can also occur where the NRA has a subsidiary role (**Portugal**). In these cases, the social policy-makers define the level of income or the categories that can benefit from the tariff or the discount.

In some cases, the NRA provides specific protection to vulnerable customers, through special services, typically, restrictions in disconnections (**Ireland, the United Kingdom, Greece, Finland, the Netherlands**).

<sup>8</sup> E09-CEM-26-04

<sup>9</sup> 4 full-time equivalent for Belgium, 1 for Greece, 0.2 for Hungary, 0.5 for Ireland, 1 for Italy (within AEEG), 1 for Lithuania, 0.2 for Poland, 1 for Slovenia, 1 for Spain

In other cases, the protection activity carried out by the NRA consists in dealing with complaints involving vulnerable customers (**Austria, the Netherlands**), in checking the compliance with licence conditions (e.g. **Greece**), promoting a competitive market or providing advice to customers on how to change supplier and make the best choices (**Poland**).

In a few cases, there are differences between the gas sector and the electricity sector: in the **United Kingdom**, the specific protection is limited to the gas sector; in **Finland**, the specific protection is limited to electricity; in **Portugal** and **Spain**, there is a social tariff only for electricity.

Some of the main experiences are examined in more detail in Annex 4.

## 4.2 Cooperation in the protection of vulnerable customers

Also when the NRAs do not play a crucial role in the protection of vulnerable customers, there is cooperation with other stakeholders, such as other public bodies/organisations, industry, and consumer representatives. In the field of protection of vulnerable customers, the NRAs could also be involved in the legislative process leading to the definition of vulnerable customers or of the financial support scheme.

The cooperation is usually provided for by a legal provision where the NRA has a direct responsibility, but it could also be formally stipulated for NRA with a subsidiary role (e.g. **Greece, Portugal**).

*Table 5 - Support-cooperation in the protection of vulnerable customers*

Country	Other public bodies/organisations	Industry	Consumer representatives	Other	Type of support/cooperation
AUSTRIA				X	voluntary/informal
BELGIUM	X		X		legal provision/formal
CZECH REPUBLIC					
ESTONIA					
FINLAND					
FRANCE					
GERMANY	X		X		voluntary/informal
GREECE	X				legal provision/formal
HUNGARY	X	X			voluntary/informal
IRELAND	X	X	X		legal provision/formal
ITALY	X	X	X	X	legal provision/formal
LITHUANIA	X	X	X		legal provision/formal
LUXEMBOURG	X	X	X		voluntary/informal
NORWAY				X	
POLAND	X	X	X		voluntary/informal

Country	Other public bodies/organisations	Industry	Consumer representatives	Other	Type of support/cooperation
PORTUGAL	X				legal provision/formal
SLOVAK REPUBLIC					
SLOVENIA				X	voluntary/informal
SPAIN	X	X	X		voluntary/informal
SWEDEN					
THE NETHERLANDS				X	
UNITED KINGDOM	X	X	X		legal provision/formal

The cooperation/support is carried out in different ways. Exchange of information, advice and consultation processes are common (**Belgium, Greece, Hungary, Luxembourg, Poland, Spain**).

Sometimes, the NRA organises or participates in working groups, whose task is to share best practices in the field of vulnerable customer protection (**Poland, the United Kingdom**).

## 5 Role and responsibilities of NRAs in the promotion of end-user energy efficiency

This section of the report concentrates on the role and responsibilities of NRAs in the promotion of end-user energy efficiency, including measures to save energy or to concentrate the consumption when the cost of energy is lower.

### 5.1 What is the role of the NRA?

There are only a few countries where the NRAs have a leading role, whereas in the majority of cases they do not play any role or have a subsidiary role.

Table 6 - Role of the NRA in the promotion of end-user energy efficiency

YES with a leading role	YES, but in a subsidiary role	NO
<p><b>2</b> Italy, Norway</p>	<p><b>9</b> Belgium, Czech Republic, Finland, France, Greece, Ireland, Poland, Portugal, United Kingdom</p>	<p><b>11</b> Austria, Estonia, Germany, Hungary, Lithuania, Luxembourg, Slovak Republic, Slovenia, Spain, Sweden, The Netherlands</p>

End-user energy efficiency is often regarded as a tool for the protection of vulnerable customers, since it can reduce their bills through energy-savings.

In some cases, the role of the NRA consists in managing complex mechanisms for the promotion of energy efficiency (**Italy, Portugal**) whereas in other countries the NRA provides advice on energy efficiency and energy savings through the website or through specific campaigns (**Austria, Greece**), and also through workshops, seminars, and training (**Poland**).

Some NRAs have to take into account the importance of energy efficiency in carrying out their regulatory duties (**Ireland, United Kingdom**).

In **Slovenia**, there is another authority responsible for energy efficiency (AURE) and in **the Netherlands**, information regarding end-user energy efficiency is mainly provided by the Ministry for Environmental Affairs.

Where available, the data on the **human resources** on which the NRA can rely for this task show that there are no more than 3 human resources working on the promotion of end-user energy efficiency (e.g. in **Italy**, where the NRA has a leading role).



## 5.2 Cooperation in the promotion of end-user energy efficiency

Despite the fact that most NRAs do not have any direct role in the promotion of end-user energy efficiency, a lot of them cooperate with other stakeholders in this field.

*Table 7 - Support/cooperation in the field of end-user energy efficiency*

Country	Other public bodies/organisations	Industry	Consumer representatives	Other	Type of cooperation/support
AUSTRIA				X	voluntary/informal
BELGIUM	X				legal provision/formal
CZECH REPUBLIC	X				legal provision/formal
ESTONIA					
FINLAND					
FRANCE					
GERMANY					
GREECE				X	voluntary/informal
HUNGARY					
IRELAND	X			X	voluntary/informal
ITALY	X	X		X	legal provision/formal
LITHUANIA	X	X	X		legal provision/formal
LUXEMBOURG	X	X	X		voluntary/informal
NORWAY	X				voluntary/informal
POLAND	X	X	X		voluntary/informal
PORTUGAL	X	X	X	X	legal provision/formal
SLOVAK REPUBLIC					
SLOVENIA				X	
SPAIN					
SWEDEN					
THE NETHERLANDS				X	
UNITED KINGDOM	X	X	X		legal provision/formal

Usually, the forms of cooperation in this field are the following: advice, working groups, consultation process.

In **Austria**, the NRA (E-control) started an initiative with Caritas Austria (NGO) to help households that live in energy poverty. Free of charge advice was given on energy topics and there was a pilot project with corporate partners to change domestic appliances for socially weak.

In **Italy** the NRA (AEEG) cooperates in particular with the Energy Service Companies (ESCOs), companies promoting energy efficiency by submitting specific projects to the NRA. The cooperation is also carried out through financial and technical support, a consultation process, a public audience and working groups.

## 6 Other activities connected to customer empowerment and protection

This section will focus on the other activities - different from the protection of vulnerable customers, complaint handling/disputes settlement, customer information - in which the NRAs play a role for promoting customer protection and empowerment.

There is a significant number of NRAs making available a price comparison service for the benefit of customers. This kind of activity has been included in “other activities”.

### 6.1 Other customer-related activities

NRAs were asked if as of 1<sup>st</sup> January 2011, they were involved in other activities connected with customer empowerment and protection and to give a brief description of such activities. 12 NRAs out of 21 play a leading role in several activities linked to the protection and empowerment of customers.

The “other activities” generally are regulation activities (issuing rules) or monitoring activities. In some cases, NRAs have included among “other activities” the information they provide to customers.

The number of dedicated human resources, where the data is available, is limited (maximum 3 persons<sup>10</sup>).

In **Austria**, the NRA (E-Control) has to check the general terms of contracts drafted by service providers.

In **Belgium**, supplier services and processes are screened and, if necessary, regulation is used to change practices which lead to negative outcomes for customers. In some well-defined cases, a customer can be given the status of protected customer, which includes some specific protections.

In **Czech Republic**, the Draft of Energy Act - that will enter into force in August 2011 - includes provisions concerning ERU's information obligation including the obligation to publish some of ERU's decisions concerning customer issues.

ERU has prepared a public notice concerning billing, which should streamline the practice of market players and should facilitate customers' orientation in invoice reading and should ensure their access to consumption data based on real consumption.

In **Hungary**, the NRA (HEO):

- approves DSO and supplier business codes (including standard service agreements);
- sets the scheme of guaranteed services, by the resolutions of HEO. DSOs shall pay a penalty to customers in the case of non-compliance with the provisions;

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<sup>10</sup> 0.5 full-time equivalent for Estonia, 1 for Hungary, 0.5 for Ireland, 3 for Italy, 1 for Lithuania, 0.3 for Luxembourg, 1 for Poland, 3 for Portugal, 3 for Slovenia, 3 for Spain, 3 for the Netherlands

- sets quality of supply requirements for continuity of supply (network reliability), voltage quality and commercial quality (customer relations) and monitors performance. There are financial incentives: quality dependent network tariff, overall standards of performance, guaranteed standards of performance (active consumer involvement in the control and compensation system).

In **Ireland**, the NRA (CER) is responsible for developing guidelines for consumer protection Codes of Practice, which all suppliers must adhere to. The CER has recently consulted on additional customer protection mechanisms (CER/11/057).

In **Italy**, the NRA (AEEG) has many different duties with reference to consumer protection and empowerment. To begin with, it sets regulations regarding contractual terms and pre-contractual transparency duties on suppliers. AEEG has issued a Commercial Code of Conduct, which suppliers must comply with when contacting potential customers. Suppliers are requested to provide potential customers with information before they decide to enter into a contract. Moreover, AEEG has imposed service quality standards on DSOs, regarding technical and commercial quality, and on suppliers, regarding commercial quality (complaints and information requests). Furthermore, AEEG's resolutions guarantee billing transparency: for example, the bill must contain two distinct sections for the presentation of data (a simplified section and a detailed section), as well as additional information concerning the type of consumption, the annual consumption and the trend of average daily consumption.

In **Lithuania** the NRA (NCC) plays a role in price setting principles and sets the prices themselves, the regulation about market entry (licensing), promotion and supervision of competition, and defence of customer rights.

In **Portugal** the NRA (ERSE) carries out inspections of the companies' complaints records, in order to monitor how they deal with complaints. There is also an informal and formal appreciation of the bills of the energy suppliers.

In **Slovenia**, a new Energy act is being prepared.

## 6.2 Price comparison service

In the field of price comparison tools, in 8 cases the NRA runs a price comparison service itself, and in two cases (**Portugal, Czech Republic**) it also sets minimum requirements for price comparison services. No NRA gives a quality label. As of 1<sup>st</sup> January 2011 **Spain** was working on the price comparison tool<sup>11</sup>.

CEER has developed a Draft Advice on this topic<sup>12</sup>, on the basis of several case-studies that have been analysed.

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<sup>11</sup> Which has since been launched

<sup>12</sup> CEER Draft advice on Price Comparison Tools for Consumers, CEER, September 2011, Ref. C11-CEM-45-5

The fact that NRAs neither run a price comparison tool, nor set minimum requirements, nor give a quality label, does not mean that in the country there are not price comparison tools available for customers. For example, in **France** the Energy Ombudsman runs a price comparison tool which is a service set up together with the NRA. The price comparison tool is available online for customer information, on a website run by both the Ombudsman and the NRA.

Table 8 - Price comparison services

	The NRA runs a price comparison service	The NRA sets minimum requirements for price comparison services	The NRA gives a quality label to price comparison services
<b>YES</b>	<b>8</b> Austria, Belgium, Czech Republic, Finland, Italy, Portugal, Slovenia, Sweden	<b>2</b> Czech Republic, Portugal	<b>0</b>
<b>NO</b>	<b>14</b> Estonia, France, Germany, Greece, Hungary, Ireland, Lithuania, Luxembourg, Norway, Poland, Slovak Republic, Spain, the Netherlands, United Kingdom	<b>20</b> Austria, Belgium, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Norway, Poland, Slovak Republic, Slovenia, Sweden, Spain, the Netherlands, United Kingdom	<b>22</b> Austria, Belgium, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Norway, Poland, Portugal, Slovak Republic, Slovenia, Sweden, Spain, the Netherlands, United Kingdom

In the **Netherlands**, the NRA carried out a study and used certain criteria to evaluate the private price comparison websites and separate the 'good' sites from the 'bad', but does not give a quality label.

In the **United Kingdom**, independent online price comparison services are covered by a *voluntary* Code of Practice - called 'the Confidence Code' - with an accreditation scheme. This is provided by Consumer Focus and not by the NRA.

### 6.3 Cooperation in other activities

There is a wide range of relationships between NRAs and stakeholders in the field of the "other activities" related to customer empowerment and protection. These may be carried out by NRAs on a legal basis or on a voluntary basis.

*Table 9 - Support/cooperation in the field of other activities for customer protection and empowerment*

Country	Other public bodies/organisations	Industry	Consumer representatives	Other	Type of support/cooperation
AUSTRIA					
BELGIUM	X	X	X		voluntary/informal
CZECH REPUBLIC	X				legal provision/formal
ESTONIA	X	X	X		legal provision/formal
FINLAND					
FRANCE					
GERMANY	X		X		voluntary/informal
GREECE					
HUNGARY	X	X	X	X	voluntary/informal
IRELAND	X	X	X		voluntary/informal
ITALY	X		X		legal provision/formal
LITHUANIA	X	X	X		legal provision/formal
LUXEMBOURG	X	X	X		voluntary/informal
NORWAY					
POLAND	X	X	X	X	voluntary/informal
PORTUGAL	X	X	X		legal provision/formal
SLOVAK REPUBLIC					
SLOVENIA				X	voluntary/informal
SPAIN	X	X	X		voluntary/informal
SWEDEN	X	X	X		voluntary/informal
THE NETHERLANDS	X				legal provision/formal
UNITED KINGDOM	X		X		legal provision/formal

The forms of cooperation are mainly advice, consultation processes and exchange of information.

In **Italy**, there is a protocol between the NRA and main Consumer Associations, establishing several activities to carry out in cooperation. A permanent working group meets regularly. The NRA also cooperates with the Competition Authority in the field of unfair commercial practices (in the form of information exchange). Moreover, according to a law issued in 2010 more formal cooperation will be developed between AEEG and the Competition Authority.

In **Lithuania** the cooperation is assured by information exchange. The Commission has a right to obtain all necessary information from all entities, whose prices are determined, as well as other public institutions, organisations or persons.

In **Poland**, the NRA (URE) is deeply involved in different fields of cooperation on customer issues, including formal cooperation, subject to Energy Law regulation, like the obligation for URE to cooperate with the Office of Competition and Consumer Protection (UOKiK). The NRA has mainly a consultation, advisory and reporting role. URE is very active in voluntary cooperation with consumer organisations through consultation processes, working groups, and conferences. There is also a special working group (Customer Zone) mainly devoted to corporate social responsibility (CSR) promotion among energy enterprises. The working group is run under the auspices of the NRA and consists of different stakeholders: URE representatives, customer organisations, commercial advisors companies, scientific institutes.

In **Sweden**, the NRA (EI) has regular meetings with the Consumer Agency, with consumer representatives (through the Consumer Electricity Advice Bureau) and with the industry organisation Swede Energy. EI exchanges experiences in customer-related issues with all these institutions.

In the **United Kingdom**, there is a statutory mechanism for cooperation between general enforcement bodies ('The Office of Fair Trading' and 'Trading Standards') and the designated enforcement body for the energy market (Ofgem) to ensure the effective allocation of cases under consumer protection laws. Ofgem is a member of a 'concurrency' working group with these bodies.

## 7 Role and responsibilities of NRAs in informing customers

This section of the report concentrates on the role and responsibilities of NRAs in the task of customer information. Information is a crucial matter for the improvement of competition in the market. Informed customers can make the best choices and take better opportunities from the market.

### 7.1 Customer information activities

All responding NRAs are involved in providing information to customers. Many NRAs can quote significant experience in this field, as proof that customer empowerment requires a good level of information. 9 out of 22 NRAs have a leading role and the other 13 NRAs have a subsidiary role.

*Table 10 - Role of the NRAs in customer information*

Country	Leading role	Subsidiary role	Estimation of human resources involved (full time equivalent)
AUSTRIA	x		NA
BELGIUM	x		7
CZECH REPUBLIC		x	n/a
ESTONIA		x	0,5
FINLAND		x	n/a
FRANCE		x	n/a
GERMANY	x		n/a
GREECE		x	0,2
HUNGARY		x	n/a
IRELAND		x	0,5
ITALY	x		17 <sup>13</sup>
LITHUANIA	x		1
LUXEMBOURG		x	0,3
NORWAY		x	n/a
POLAND		x	3
PORTUGAL	x		1
SLOVAK REPUBLIC		x	1
SLOVENIA		x	3
SPAIN	x		2
SWEDEN	x		7

<sup>13</sup> 15 people work within the hotline of the “Sportello per il consumatore di energia”, the outsourcer



Country	Leading role	Subsidiary role	Estimation of human resources involved (full time equivalent)
THE NETHERLANDS	x		3
UNITED KINGDOM		x	n/a

Where available, information on the estimated number of dedicated human resources shows that in several countries there is at least 1 full time equivalent dedicated to this task.

NRAs were also asked to describe how often they provide customers with information or advice on different customer-related issues and whether they have provided information on these issues in the last 12 months. The results are shown in the table below.

Table 11 - Frequency of customer information

Country	Market Functioning:	Supplier switching:	Specific protection vulnerable customers:	End user energy efficiency:	Complaint handling/dispute settlement:	ADR:	Customer rights:	Other customer issues:
AUSTRIA	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
BELGIUM	2 major reports per year	regularly on the website, monthly statistics	on the website, occasionally in the press	n/a	yearly	yearly	on the website, occasionally in the press	on the website, occasionally in the press
CZECH REPUBLIC	irregularly through the press	regularly on the website	n/a	n/a	on the website	n/a	on the website	on the website, in the press
ESTONIA	annually	annually	n/a	n/a	annually	n/a	annually	n/a
FINLAND						n/a	n/a	n/a
FRANCE	4 times a year through a market monitoring report	4 times a year through a market monitoring report	n/a	n/a	n/a	n/a	n/a	n/a
GERMANY	yearly	yearly	yearly	n/a	yearly	n/a	whenever there are changes	whenever there are changes
GREECE	whenever there is an update	whenever there is an update	whenever there is an update	rarely	whenever there is an update	whenever there is an update	whenever there is an update	n/a
HUNGARY	annually	on the website	rarely	n/a	often	often	on the website	on the website
IRELAND	quarterly reports	weekly updates	whenever there is an update	n/a	ongoing – on website	ongoing – on website	ongoing – on website	ongoing – on website
ITALY	through the website	daily through the hotline and the website	daily through the hotline and the website	through the web site	daily through the hotline	n/a	daily through the hotline	daily through the hotline
LITHUANIA	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
LUXEMBOURG	<10 per year	<10 per year	<10 per year	<10 per year	<10 per year	<10 per year	<10 per year	

Country	Market Functioning:	Supplier switching:	Specific protection vulnerable customers:	End user energy efficiency:	Complaint handling/dispute settlement:	ADR:	Customer rights:	Other customer issues:
NORWAY								
POLAND	very often	very often	often	often	n/a	n/a	very often	often
PORTUGAL	often	often	less often	often	very often	less often	very often	often
SLOVAK REPUBLIC	annually	Annually	n/a	n/a	annually	n/a	n/a	n/a
SLOVENIA	annual report on the state of the energy sector	annual report on the state of the energy sector	annual report on the state of the energy sector	n/a	partially in annual report on the state of the energy sector	n/a	customer right in relation to complaints briefly summarised in annual report on the state of the energy sector	permanently reported price comparison tool
SPAIN	weekly	weekly	weekly	n/a	weekly	weekly	weekly	weekly
SWEDEN	several times a week	several times a week	rarely	rarely	several times a week	10-15 times per year	several times a week	several times a week
THE NETHERLANDS	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
UNITED KINGDOM	two major reports since 2008	published annual survey	published annual report	Ongoing – on website	ongoing – signposting on website	ongoing – signposting on website and by our contact team	ongoing – on website	ongoing - on website

All NRAs have provided customers with information over the last 12 months on the majority of the issues. The topic which has been covered least is end user energy efficiency: 9 NRAs haven't provided any information to customers over the last 12 months (**Belgium, Greece, Hungary, Ireland, Luxembourg, Slovak Republic, Spain, Sweden and the Netherlands**).

Table 12 - Information or advice provided to customers in the last 12 months

	Market functioning	Supplier switching	Specific protection vulnerable customers	End-user energy efficiency	Complaint handling/ dispute settlement	ADR	Customer rights	Other customer issues
<b>YES</b>	<b>20</b> Austria, Belgium, Czech Republic, Estonia, France, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, The Netherlands, United Kingdom	<b>19</b> Austria, Belgium, Czech Republic, Estonia, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, The Netherlands, United Kingdom	<b>14</b> Belgium, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Slovenia, Spain, Sweden, The Netherlands, United Kingdom	<b>6</b> Austria, Italy, Lithuania, Poland, Portugal, United Kingdom	<b>19</b> Austria, Belgium, Czech Republic, Estonia, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, The Netherlands, United Kingdom	<b>16</b> Austria, Belgium, Greece, Hungary, Ireland, Italy, Lithuania, Luxembourg, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, The Netherlands, United Kingdom	<b>17</b> Austria, Belgium, Czech Republic, Germany, Greece, Hungary, Ireland, Italy, Lithuania, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, The Netherlands, United Kingdom	<b>14</b> Belgium, Czech Republic, Estonia, Germany, Hungary, Ireland, Italy, Lithuania, Portugal, Poland, Spain, Sweden, The Netherlands, United Kingdom
<b>NO</b>			<b>2</b> Austria, Slovak Republic	<b>7</b> Belgium, Greece, Hungary, Ireland, Luxembourg, Slovak Republic, Sweden		<b>1</b> Slovak Republic	<b>1</b> Slovak Republic	<b>1</b> Luxembourg
<b>n/a</b>	<b>2</b> Finland, Norway	<b>3</b> Finland, Norway, France	<b>4</b> Finland, Norway, France, Germany	<b>6</b> Czech Republic, Estonia, Finland, France, Germany, Norway	<b>3</b> Finland, France, Norway	<b>7</b> Finland, Norway, Czech Republic, Estonia, France, Germany, United Kingdom	<b>3</b> Finland, Norway, Luxembourg	<b>7</b> Austria, Finland, France, Norway, Greece, Slovak Republic, Slovenia

The channels through which information and advice are provided have also been investigated. The number of contacts with customers, where available, gives an idea of the importance of each channel.

Table 13 - Through which channel did you provide information or advice?

Country	Leaflets	Hotline/ single point of contact	Contacts per year	Web site	Web visitors per year	Information campaigns	Individual letters	Letters per year	Newslett ers
AUSTRIA	yes	yes	13.000	yes	n/a	no	no	n/a	no
BELGIUM	no	yes	32.000	yes	904.000	yes	no	n/a	yes
CZECH REPUBLIC	yes	yes	n/a	yes	494.000	yes	yes	n/a	n/a
ESTONIA	no	no	n/a	yes	n/a	no	yes	n/a	no
FINLAND		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
FRANCE		n/a	480.000	yes	560.000	yes		n/a	yes
GERMANY	yes	yes	n/a	yes	n/a	no	no	n/a	yes
GREECE	no	no	n/a	yes	n/a	no	no	n/a	no
HUNGARY	no	yes	n/a	yes	520.000	no	yes	n/a	no
IRELAND	yes	yes	2.000	yes	16.000	no	no	n/a	no
ITALY	yes	yes	664.000	yes	400.000	yes	yes	n/a	yes
LITHUANIA	no	yes	n/a	yes	n/a	yes	yes	n/a	yes
LUXEMBOURG	yes	yes	n/a	yes	n/a	yes	no	n/a	yes
NORWAY	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
POLAND	yes	yes	n/a	yes	n/a	yes	yes	n/a	yes
PORTUGAL	yes	yes	756.000	yes	695.000	no	yes	6.000	no
SLOVAK REPUBLIC	no	no	n/a	yes	n/a	no	no	n/a	no
SLOVENIA		n/a	n/a	yes	n/a	n/a	n/a	n/a	n/a
SPAIN	no	yes	3.600	yes	NA	yes	yes	3.800	no
SWEDEN	yes	yes	1.500	yes	540.000	no	yes	600	yes
THE NETHERLAND S	no	yes	57.000	yes	2.357.000	yes	yes	1.500	no
UNITED KINGDOM	yes	yes	4.687	yes	n/a	yes	yes	n/a	yes

Some NRAs use other channels than those surveyed. In **Austria**, for example, information is also disseminated through collaboration with DSOs and seminars. In **France**, quarterly publications like the Market Observatory - a market monitoring report that gives information about the state of the market through various indicators - are available on the NRA website. Several information activities (such as information campaigns) are carried out in cooperation with the Ombudsman.

In **Italy**, in 2009 AEEG issued a Consumer rights handbook (Consumer Atlas). It is available on the website; some paper copies have also been distributed. It was updated in 2010. Regarding the number of individual letters giving only information, the “Sportello” (the Consumer Help Desk in charge of dealing with complaints) sent an average of 12 letters per day. In 2010, AEEG issued a “Glossary” explaining the words used in bills (prices, consumption, etc.) that the suppliers have to make available to their customers (mainly through their website).

In **Sweden**, in 2010 the NRA reached approximately 1.500 customers.

In **the Netherlands**, 40.000 e-mails have been sent; moreover, on a bimonthly basis, a column in a free nationwide newspaper (Spits) is dedicated to energy-related consumer issues.

## 7.2 Information to customers about the NRA’s role

NRAs were asked to indicate the channels through which customers are informed about the role and initiatives of the NRA itself in protecting and empowering customers. The channels are, in general, the same as those used for providing general information. Some of these channels are not specifically aimed at customers.

All the responding NRAs have a website, which is the main channel of communication. A dedicated hotline is available in **Austria, Belgium, Germany, Italy, Luxembourg, Poland and Portugal**.

The NRA publishes leaflets in **Belgium, Czech Republic, Germany, Ireland, Poland, Portugal, Luxembourg** and **Sweden**. Newsletters are available in **Belgium, France, Germany, Italy, Luxembourg, Lithuania** and **Sweden**.

Information campaigns are carried out in **Austria, Belgium, Estonia, Greece, Italy** and **Poland**. Press releases are issued in **Czech Republic, Hungary** and **Italy**. In **Austria, Italy**, and **Sweden**, consumers are also informed about the NRAs activities during public fairs.

In **France, Hungary, Italy, Lithuania, Poland** and **Slovenia**, an Annual Report is presented, whereas a Bulletin is published in the **United Kingdom** and in **Poland**.

In **Austria** and **Sweden**, the price comparison tool is used to inform customers. In Sweden, according to EI’s experience, customers prefer to visit the price comparison site when they are looking for relevant information about the electricity market. As a result of this, the new version of [www.elpriskollen.se](http://www.elpriskollen.se) will contain additional information about, for example, the functioning of the Swedish market and historical development of electricity prices.

In **Ireland**, all suppliers are required to publish a short description of how to make a complaint on the back of all bills. This includes the contact details for the CER.

In **the Netherlands**, Consuwijzer is promoted via campaigns on the radio, and on the internet (Google-ads), including via Twitter and Facebook.

### 7.3 Cooperation in customer information

The NRAs need to cooperate with several stakeholders in order to develop fruitful customer information activities. The cooperation with other parties can be carried out by the NRA on a legal or voluntary basis. The latter is the most frequent case.

Table 14 - Support-cooperation in the field of customer information

Country	Other public bodies/org anisations	Industry	Consumer representatives	Other	Type of support/cooperation
AUSTRIA			X		voluntary/informal
BELGIUM	X	X	X		legal provision
CZECH REPUBLIC	X				legal provision
ESTONIA	X	X	X		legal provision
FINLAND	X	X	X		voluntary/informal
FRANCE	X				legal provision
GERMANY	X	X			legal provision
GREECE		X			voluntary/informal
HUNGARY	X	X	X		voluntary/informal
IRELAND	X	X	X		voluntary/informal
ITALY			X		legal provision
LITHUANIA	X	X	X		legal provision
LUXEMBOURG	X	X	X		voluntary/informal
NORWAY	X				voluntary/informal
POLAND	X	X	X		voluntary/informal
PORTUGAL	X		X		legal provision
SLOVAK REPUBLIC					
SLOVENIA				X	voluntary/informal
SPAIN	X	X	X		legal provision
SWEDEN	X	X	X		voluntary/informal
THE NETHERLANDS	X				legal provision
UNITED KINGDOM	X	X	X		voluntary/informal

In **Austria**, there is some financial support for the price comparison tool “Tarifkalkulator”, annually provided to the NRA by the Chamber of Labour and the Economic Chamber.

In **Belgium**, there are stakeholder meetings, workshops and consultations.

In the **Czech Republic**, cooperation between the NRA, the Ministry of Trade, the State Energy Inspectorate, the Competition Authority, etc. is based on the division of powers laid down by legal provisions.

In **Estonia, Luxembourg, Greece and Norway**, the cooperation is carried out through advice and consultation process; in **Germany** through advice and working groups; in **Hungary** through consultation processes, advice, and contributing newspaper articles; and in **Spain** through advice, technical support and information exchange.

In **Finland**, there is only informal co-operation on current topics.

In **France**, regarding customer information, a service called 'Energie-info' has been set up and is shared by both the NRA and the Energy Ombudsman (this cooperation is more in terms of financial support). The Ombudsman takes care of all the other issues. The website is also maintained in collaboration with the General Directorate for Energy and Climate.

In **Ireland**, the NRA (CER) works with other bodies to provide information on its role, the rights of consumers and to ensure that customers are aware of the ways to access information and on the procedure to switch. The CER provides leaflets to consumer organisations to be distributed to their clients as appropriate. The CER also seeks information from the groups to ensure that it is providing the most up to date information to consumers making contact.

In **Italy**, there's a Protocol between the NRA and the main Consumer Associations, establishing several activities to be carried out in cooperation, especially training. Consumer associations are also involved in a working group which meets regularly to discuss issues regarding the Sportello per il consumatore di energia (hotline and complaints unit).

In **Lithuania**, the NRA has a right to obtain all the necessary information from all entities as well as other public institutions, organisations or persons.

The **Polish** NRA cooperates with different public organisations e.g. the Office of Competition and Consumer Protection (UOKiK), the Polish National Energy Conservation Agency, and consumer organisations. The cooperation is carried out through advice, consultation and support from working groups.

In **Slovenia**, there is no such cooperation or activity except informal information exchange. It is not known exactly what amendments will be proposed in the new Energy act.

In **Sweden**, the NRA (EI) has regular meetings with the Consumer Agency, consumer representatives in the form of the Consumer Electricity Advice Bureau and with the industry organisation Swede Energy. EI exchanges experiences in customer-related issues with all these institutions, particularly with regard to how to inform customers and explain to them the functioning of the market.

In **the Netherlands**, the first point of contact (Consuwijzer) is shared by the NMa, the Consumer authority and the Telecom authority.

In the **United Kingdom**, the NRA provides consumer organisations, the ombudsman, and other organisations with advice on regulations to support them with their provision of information to consumers.

Ofgem has undertaken a joint voluntary initiative with Citizens Advice (a free service for consumers) and funded by industry, called 'Energy Best Deal'. This provides advice on energy consumer rights and how to get the best deal (covered further in Annex 4).



## 8 NRA resources dedicated to customer-related activities

In order to investigate the state of play and to focus on the important and challenging tasks given to the NRA in the field of customer protection and empowerment and the resources which they can rely on, NRAs were asked to provide at least an estimation of:

- Human resources (number of full time equivalent);
- Financial resources.

This kind of data is very difficult to collect. In fact, with reference to the organisation and budget of an NRA, it is not always possible to find out the level of resources assigned to deal with each specific task, as these can be distributed across several departments.

Considering the limited data available, only a general overview is provided here.

Outsourcing of the activities is rare.

In **Belgium**, outsourcing is used for complaint handling and customer information services.

In **Estonia**, the NRA has arranged a legal service for the handling of complaints.

In **Hungary**, customer satisfaction surveys are outsourced to a market research company.

In **Italy**, 63 people dealing with complaints worked as of 1<sup>st</sup> January 2011 for the Sportello per il consumatore di energia (complaints unit), and there was a team dedicated to vulnerable customer complaints (on *social bonus*<sup>14</sup>). 15 people involved in customer information activities work for the Sportello per il consumatore di energia (hotline). The Sportello is totally financed by a specific fund fed by penalties paid by service providers when they do not meet the quality standards set in the regulation. Its "other activities" include regulation and a price comparison tool.

In the field of energy efficiency ENEA (National Energy Agency) supports AEEG in the evaluation of energy efficiency projects presented in the framework of a white certificates mechanism. Consultants give support to the development of deemed savings (simplified measurement and evaluation methods).

In **the Netherlands**, the front office for Consuwijzer is outsourced.

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<sup>14</sup> Discount given to low-income customers and customers where life-safety equipment is installed

Table 15 - Resources

Table head	Complaint handling/dispute settlement	Specific protection of vulnerable customers	Promotion of end-user energy efficiency	Customer information	Other activities	Total budget (estimation)
AUSTRIA	7					n/a
BELGIUM <sup>15</sup>	8	4	0	7	0	n/a
CZECH REPUBLIC	n/a	n/a	n/a	n/a		n/a
ESTONIA	2			0,5	0,5	n/a
FINLAND	n/a	n/a	n/a	n/a	n/a	n/a
FRANCE	n/a	n/a	n/a	n/a	n/a	n/a
GERMANY	n/a	n/a	n/a	n/a	n/a	n/a
GREECE	2	1	1	2	n/a	n/a
HUNGARY	6,6	0,2	0	0,2	1	n/a
IRELAND	3	0,5	0,1	0,5	0,5	24.000 <sup>16</sup>
ITALY	69,5	1	3	17	3	440.000 <sup>17</sup>
LITHUANIA	1	1	1	1	1	n/a
LUXEMBOURG	0,3	n/a	n/a	0,3	0	100.000
NORWAY	n/a	n/a	n/a	n/a	n/a	n/a
POLAND	0,3	1	0,5	3	1	135.000
PORTUGAL	2	0	1	1	3	n/a
SLOVAK REPUBLIC	1	n/a	n/a	1	n/a	n/a
SLOVENIA	5	1	0	3	3	13.000
SPAIN	2	1	0	2	3	n/a
SWEDEN	1	0	0	7	0	n/a
THE NETHERLANDS	n/a	0	0	3	3	n/a
UNITED KINGDOM	n/a	n/a	n/a	n/a	n/a	n/a

<sup>15</sup> The data provided by **Belgium** are calculated including the regional regulators.

<sup>16</sup> Allocated solely for promotion activities

<sup>17</sup> Staff costs and total budget of Sportello per il consumatore di energia are excluded

For the **Czech Republic**, the number of full-time equivalent resources involved in activities mentioned above and executed by ERU is not available. The employees are usually partly involved in several or nearly in all the mentioned activities. For this reason it is very difficult to determine the number of full-time workers involved in each individual task.

In **France**, the NRA cannot evaluate this within the NRA as it is not really in the main roles of the NRA. Regarding all these issues, the Energy Ombudsman has the main role.

In **Greece**, there's one department for consumer protection, consisting of 2 executives, 1 secretary and 1 Head of the Department.

In **Ireland**, the budget provided does not include staffing costs.

For **Luxembourg** and **Poland**, the total budget is an estimate and includes staff costs.

In the **Netherlands**, the NRA (NMa) can also settle disputes between household consumers and DSOs. However, most disputes between household consumers and DSOs are settled by the independent ADR body 'De Geschillencommissie'. Most disputes that are being settled by the NMa are between non-household consumers and DSOs. Now and then there are disputes between household consumers and DSOs being settled by the NMa, but they are relatively rare. Therefore it is difficult to estimate the amount of full time equivalent (FTE) solely for dispute settlement between household consumers and DSOs.

Within the NMa, there are about 3 human resources (FTE) for Consuwijzer. This amount cannot be specifically split up between the categories above. Thus, the numbers above cannot be summed up.

Consuwijzer is financed by the Consumer authority and effectively by the Ministry for Economic Affairs.

## 9 Input coming from customers

The new roles and responsibilities of the NRAs require a great knowledge of customer issues. Collecting input coming from customers can be very useful in informing the development of the different activities for customers' benefit. Understanding customers' needs and attitudes could help market improvement. The possibility of collecting data from consumers strongly depends on the availability of financial resources.

The NRAs have been asked to say whether, in the last three years, they've collected data on various customer related issues, as detailed in the table below. Annex 4 briefly describes some interesting experiences about how input coming from customers has been used.

Table 16 - Collection of data on customer-related issues in the last 3 years

	Customer awareness of the market	Customer awareness of their rights	Consumer satisfaction on billing transparency	Customer satisfaction on quality of services
<b>Yes</b>	<b>8</b> Austria, Belgium, Czech Republic, France, Ireland, Portugal, The Netherlands, United Kingdom	<b>8</b> Austria, Belgium, Czech Republic, France, Ireland, Portugal, The Netherlands, United Kingdom	<b>10</b> Austria, Belgium, Czech Republic, France, Ireland, Hungary, Italy, Lithuania, The Netherlands, United Kingdom	<b>12</b> Austria, Belgium, Czech Republic, France, Hungary, Ireland, Italy, Lithuania, Portugal, Slovenia, The Netherlands, United Kingdom
<b>No</b>	<b>10</b> Estonia, Germany, Greece, Hungary, Lithuania, Luxembourg, Poland, Slovak Republic, Spain, Sweden	<b>10</b> Estonia, Germany, Greece, Hungary, Lithuania, Luxembourg, Poland, Slovak Republic, Spain, Sweden	<b>9</b> Estonia, Germany, Greece, Luxembourg, Poland, Portugal, Slovak Republic, Spain, Sweden	<b>8</b> Estonia, Germany, Greece, Luxembourg, Poland, Slovak Republic, Spain, Sweden
<b>n/a</b>	<b>4</b> Finland, Norway, Slovenia, Italy	<b>4</b> Finland, Norway, Slovenia, Italy	<b>3</b> Finland, Norway, Slovenia	<b>2</b> Finland, Norway,

In the same period, NRAs have also collected data on other customer-related issues.

The **Czech** NRA has collected information on Customers awareness of the existence of state institutions and public administration bodies such as Energy Regulatory Office and State Energy Inspection.

In **Hungary**, data have been collected on customer satisfaction, customer service, switching, information, prices.

In **Ireland**, the NRA has recently undertaken consumer surveys on the attitudes and experience in the domestic electricity and gas markets in Ireland. The electricity survey included questions spanning the following areas:

- Complaint handling;
- Vulnerable Customers;
- Switching and experience of the switch;
- Sources of information and supplier actions;
- Consumer awareness and understanding of market structures;
- Consumer interest in variable tariffs, dual fuel or smart metering enabled offerings.

In **Italy**, AEEG collected data about micro-interruptions in 2006 and customer satisfaction and expectations in 2007. Moreover, data collection is run on a regular basis in order to monitor energy operators' performance and quality standards. In particular, twice a year a customer satisfaction survey on the telephone services of the suppliers is carried out.

In **the Netherlands**, surveys have been made on customer perception as regards prices, quality of services, understanding and awareness of different types of contract, intention to switch supplier, use of information channels<sup>18</sup>, barriers and motivations to switch supplier, the transparency of the energy market as a whole and on offers, customer satisfaction on complaint handling and results of mystery shopping at price comparison websites for energy.

In **Poland**, the issue of market perception by customers is dealt with through specific customer-oriented activities (call centre, individual interventions, cooperation with customer organisations, conferences, correspondence); no dedicated surveys or special monitoring activities are conducted.

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<sup>18</sup> Price comparison websites, public websites, etc.

## 10 Conclusions

An analysis of NRAs roles and responsibilities in the field of customer empowerment and protection, allows us to draw some general and some specific conclusions.

Generally speaking, responding NRAs were all active – as of 1<sup>st</sup> January 2011 – in the field of customer protection and empowerment. In some countries, they have taken action in certain areas, despite the lack of a statutory obligation requiring them to do so. The general idea of balancing the protection and empowerment of individual consumers and market functioning is common among NRAs.

The main fields of action seem to be the following: customer information and complaint handling. Regarding the specific protection of vulnerable customers, a leading role seems to be less common and this role is quite unusual where end-user energy efficiency is concerned.

Customer-related issues require a high level of cooperation among different stakeholders. The data collected show that cooperation is very common even if it is not provided for by a legal provision.

In some cases, regulators have the task of protecting customers in different sectors (e.g. **the Netherlands, Germany**).

### **Complaint handling/dispute settlement**

In the field of complaint handling/dispute settlement:

- there is no general agreement on the use of the terms “complaint handling”, “dispute settlement” and “ADR”;
- in some cases, despite the fact that the NRA has no statutory responsibility, the NRA itself plays a role in “mediation”;
- in other cases, the NRA has the power to impose a solution and has a role in ensuring that suppliers and DSOs comply with the regulation;
- in some cases, the NRA deals with all kinds of complaints/dispute settlement whereas in other cases, it only deals with very specific matters;
- in some cases, information services (like single point of contact) are considered as a first step in complaint handling. A higher level of information might help solving issues in a first instance, without need to go through a complaint procedure.

In the field of complaint handling/dispute resolution, cooperation with consumers associations, ombudsmen, and third party bodies is very common. In rare cases, cooperation is formalised by some formal act (e.g. through a protocol/memorandum of understanding). Financial support is given by the NRA only in one case.

## **Specific protection of vulnerable customers**

Concerning protection of vulnerable customers, NRAs play a subsidiary role in many cases, because they do not have responsibility for social policy matters. However, there are various ways to protect customers who suffer from bad economic conditions. Vulnerable customers can be provided with special services, like non-disconnection periods, special assistance or dedicated information channels about how to save energy or how to get the best deal and switch to a less expensive contract.

Some of the tools described are typically managed by NRAs, which are also involved in a great variety of relationships with the relevant stakeholders.

Information could also be seen as a tool for protecting vulnerable customers: informed customers can save energy and become active participants in the market, finding their best deal.

NRAs can also play a very important role in the process that leads to the definition of vulnerable customers, giving advice to the Bodies in charge for it.

## **Promotion of end-user energy efficiency**

In general, NRAs do not seem to have developed a high level of activity in the field of end-user energy efficiency, and in some cases the task is assigned to other entities through national legislation. Except in rare cases, the promotion of end-user energy efficiency has been seen as a complementary tool for the protection of (vulnerable) customers and not as a specific field of action.

## **Customer information**

Several interesting NRA experiences can be found in the field of customer information. Customer information is a pre-requisite of customer protection, because the first protection for the consumer is to be informed on his/her rights and to be aware of the possibilities offered by the market.

NRAs use several channels and many resources to provide information to customers. A high level of cooperation among different stakeholders is required to provide information effectively. Joint ventures are also quite common in this field (e.g. with ombudsmen or other authorities dealing with different sectors).

## **Other activities connected with customer protection and empowerment**

The wording “other activities” connected with customer protection and empowerment has been interpreted in various ways by NRAs: these words might mean concrete measures (e.g. some NRAs regulate contractual terms or billing, or set quality standards) or simply taking into account consumer interests while regulating (e.g. fixing tariffs) or in checking suppliers and DSOs’ behaviour (e.g. through the assessment of complaints).

Concerning cooperation, there are many experiences of permanent groups or working groups, where NRAs, industry and consumer representatives exchange opinions and experiences on customer-related issues.

## **Collection and use of input coming from customers**

There is a wide range of experience among NRAs in collecting data from customers. In some cases, it is collected on a regular basis, in other cases it is only collected in specific cases. Customer data collection may also occur where the NRA does not have a direct responsibility in this field.

Data can be collected as a contribution to better regulation or to investigating supplier and DSO behaviours.

Complaints are also a good source of information for all the mentioned purposes.

As a result of the Benchmarking Report, the following existing good practices that benefit customers can be pointed out:

- Preventing complaints through information services;
- Empowering customers, especially vulnerable ones, through adequate information;
- Cooperating with other relevant stakeholders on a regular basis;
- Collecting input coming from customers and using them as a contribution for better regulation.

In 2012, CEER is planning to further assess the key findings of this Benchmarking Report by developing a Status Review of the 3rd Package implementation related to customer and retail market issues.



## Annex 1 – CEER

The Council of European Energy Regulators (CEER) is the voice of Europe's national regulators of electricity and gas at EU and international level. Through CEER, a not-for-profit association, the national regulators cooperate and exchange best practice. A key objective of CEER is to facilitate the creation of a single, competitive, efficient and sustainable EU internal energy market that works in the public interest.

CEER works closely with (and supports) the [Agency for the Cooperation of Energy Regulators \(ACER\)](#). ACER, which has its seat in Ljubljana, is an EU Agency with its own staff and resources. CEER, based in Brussels, deals with many complementary (and not overlapping) issues to ACER's work such as international issues, smart grids, sustainability and customer issues.

The work of CEER is structured according to a number of working groups and task forces, composed of staff members of the national energy regulatory authorities, and supported by the CEER Secretariat.

This report was prepared by the Customer Empowerment Task Force of the Retail Markets and Customer Working Group.

## Annex 2 – List of abbreviations

Term	Definition
ADR	Alternative Dispute Resolution
AEEG	Italian NRA (Autorità per l'Energia Elettrica ed il Gas)
BNetzA	German NRA (Bundesnetzagentur)
CEER	Council of European Energy Regulators
CER	Irish NRA (Commission for Energy Regulation)
CoRDIS	French dispute settlement authority within the NRA
CRE	French NRA (Commission de Régulation de l'Energie)
DSO	Distribution System Operator
E-Control	Austrian NRA (Energie-Control Austria)
EI	Swedish NRA (Energimarknadsinspektionen – Energy Markets Inspectorate)
ERGEG	European Regulators Group for Electricity and Gas
ERSE	Portuguese NRA (Entidade Reguladora dos Serviços Energéticos)
ERU	Czech NRA (Energetický Regulační Úřad)
ESCO	Energy Services Company
EU	European Union
GGP	Guidelines of Good Practice
HEO	Hungarian NRA (Hungarian Energy Office)
n/a	Not available
NMa	Dutch NRA (Nederlandse Mededingingsautoriteit)
NRA	National Regulatory Authority
Ofgem	British NRA (Office of Gas and Electricity Markets)
RAE	Greek NRA (Regulatory Authority for Energy)
TSO	Transmission System Operator
UOKiK	Polish Office of Competition and Consumer Protection

## **Annex 3 – Examples of good practice and relevant experience in customer protection and empowerment**

The second part of the Benchmarking Report follows the internal questionnaire structure and aims to point out some relevant experience in the field of customer empowerment and protection. The goal is to provide evidence of the work that has been done and the valuable experience gained by the NRAs before the 3<sup>rd</sup> Package entered into force.

In this Annex, the reader can find more details about some individual experiences of the NRAs in the different fields of activity investigated in the report.

### **1. Complaint handling/dispute settlement**

Considering that much good practice is already described in the GGPs on Customer complaints handling case-studies<sup>19</sup> (Austria, France, Italy, Poland, Romania, Spain, Sweden, the Netherlands and the United Kingdom), we describe here a range of different experiences.

#### **Germany**

The NRA (BNetzA) provides help to customers. Anybody can raise complaints about problems with his/her energy supplier, especially problems related to switching. When complaints are raised, BNetzA asks the relevant market actor to provide a statement. The network operator is then required to give information about the problem, e.g. the switching process. This information is given to the customer. In most cases the parties agree on a private settlement. If the parties are not able to find a solution, the customer can go to court. Usually, however, the parties find a solution satisfying both sides. When BNetzA is called in, the process speeds up.

#### **Greece**

When the NRA (RAE) receives written complaints, it asks for the company's opinion in writing and:

- (a) if the outcome is satisfactory and complies with the Energy Law, a final response is sent to the consumer;
- (b) if the outcome is not satisfactory but there is no violation of the law, the case remains unsolved.

Based on the frequency of unsolved cases or the severity of an unsolved problem, the NRA publishes general guidelines for the protection of consumers or issues binding decisions.

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<sup>19</sup> ADR practices: case studies. Update to Annex 2 of GGP on Customer Complaint Handling, Reporting and Classification”, CEER, June 2011, Ref. C11-RMC-48-03,

### **Hungary**

The NRA (HEO), as an out-of-court dispute settlement authority, has responsibilities for:

- resolving complaints lodged against authorised operators, with the exception of any complaints lodged by household customers in connection with cases of infringement of the relevant legislation (i.e. cases relating to quantities of electricity/gas wrongly charged for; billing; payment of bills; metering; suspension of service or disconnection from the electricity/gas service due to late payment; and reconnection following payment of outstanding debts);
- taking action regarding the complaints of users filed against authorised distribution and transmission network operators relating to connection or the availability of the network in the quality required;
- monitoring compliance with user demands and checking the proper amount of network-related connection charges paid by end users for connection to the public utility system;
- imposing fines and penalties.

## **2. ADR procedures and dispute settlement**

Looking at ADR procedures and dispute settlement, not all NRAs have a specific role. However, some development is in progress in some Member States (MS).

### **France**

CoRDIS<sup>20</sup> within the NRA is a dispute settlement authority, which settles disputes between:

- operators and users of public electricity transmission and distribution grids;
- operators and users of natural gas transmission and distribution infrastructures;
- operators and users of natural gas storage installations;
- operators and users of liquefied natural gas (LNG) installations and of facilities for the transport and the geological storage of CO<sub>2</sub> related to access to grids.

Customers must follow a formal procedure. CoRDIS decisions are binding.

### **Italy**

According to the institutional law, the NRA (AEEG) has been granted the remit to handle out-of-court settlements and arbitrate in disputes between users or consumers and service providers. One or more sets of regulations will define the criteria, the conditions, the terms and the procedure to be followed in conciliation or arbitration disputes between users and the parties operating the service. Likewise, these regulations will establish the cases in which such conciliation or arbitration proceedings may be submitted in the first instance to arbitration or conciliation commissions set up at the Chambers of Commerce, Industry, Crafts and Agriculture. However, in the meantime AEEG is supporting alternative dispute resolutions developed jointly by energy companies and consumer associations.

AEEG has the power to handle complaints concerning the access to the grid. Moreover, the implementation of the 3<sup>rd</sup> Package has confirmed the role of AEEG in the functioning of ADR procedures in the energy markets.

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<sup>20</sup> Comité de règlement des différends et des sanctions

### **Czech Republic**

The NRA (ERU) is entitled to decide:

- disputes between licence holders or between a licence holder and its customer when there is problem with contract conclusion;
- disputes between licence holders or between a licence holder and its customer resulting from the contractual terms, if both parties agree with the competence of ERU;
- disputes concerning financial compensation which a customer is entitled to receive from its supplier (DSO), due to the infringement of rules on the quality of supply (distribution) and other service standards;
- disputes concerning the access to the grid;
- disputes concerning the buy-out of electricity from renewable energy sources.

### **Sweden**

The NRA (EI) can, (under the Electricity Act), examine the cost for connection to the grid for each customer. This is under the assumption that the customer contacts EI with a written complaint. If EI determines that the customer's cost for connection to the grid is unreasonable, the DSO will be responsible for paying back the difference. EI decisions can be appealed in court.

### **The Netherlands**

The NRA (NMa) can settle disputes between customers and DSOs. Moreover the NMa provides procedural information on how to make use of ADR via the independent ADR body 'De Geschillencommissie'.

## **3. Specific protection of vulnerable customers**

### **Greece**

For electricity there is a lower tariff for vulnerable customers. The role of the NRA is to investigate cases following a complaint, where the vulnerable customer has been denied access to the low tariff despite being eligible. In the gas sector the role of the NRA is to check compliance with the Supply Licence. A few special services for vulnerable customers are part of the Licence (e.g. not to be disconnected through winter months).

### **Ireland**

The NRA (CER) has a statutory requirement to ensure that adequate safeguards to protect vulnerable customers are in place. The CER has defined and outlined the services to be provided to vulnerable customers in a Code of Practice. The Code of Practice currently defines vulnerable customers as those reliant on electrical life support equipment, the elderly, visually/hearing/mobility impaired customers and disabled persons reliant on electricity for cooking or heating and who have been without electricity for a prolonged period. Vulnerable customers, who register as such through their supplier, are provided with a greater degree of service protection as prescribed in the relevant Code of Practice. The government department responsible for energy (the Department of Communications Energy and Natural Resources) is in the process of enacting legislation to introduce a definition of vulnerable customers at a national level. The proposed definition expands upon the current definition (placing more customers under the definition).

The CER has sought comment from the public on the definition and received comment that due to its broad nature, the definition of vulnerable customers may be interpreted differently by different suppliers. To ensure that the definition will be applied by suppliers in a clear and consistent way, the CER will publish guidance (in the form of interpretive guidelines) as to its application. The CER has also introduced additional safeguards for vulnerable customers to ensure that they are benefiting from competition. The CER has decided that suppliers are to be required to ensure that vulnerable customers are on their most economic tariff rate for the customer's chosen payment method.

In Ireland the CER works with suppliers to identify appropriate measures to assist vulnerable customers.

The CER also meets with vulnerable customer representative groups and seeks information in relation to specific issues when developing policy. In addition, the CER has an open door policy, allowing anybody who may wish to raise an issue to do so at any time.

### **Italy**

AEEG sets the rules for the "social bonus", a discount given to low income customers and customers where life-safety equipment is installed. Customers cannot be disconnected if they have life-safety equipment installed. The Council of Municipalities runs the "social bonus" IT system, under AEEG coordination and control. A working group meets regularly. Before issuing regulations concerning the protection of vulnerable customer, there is a consultation process involving all relevant stakeholders. Written complaints about social bonuses are settled by a dedicated team within the Sportello per il consumatore di energia.

### **The Netherlands**

There is no specific definition of vulnerable customer. However, there is specific legislation for the protection of every household consumer. For vulnerable customers (i.e. households with low income) there are social support schemes. An important exception to the above is the so-called 'no-disconnection period' between October 1st and April 1st. During this period no households will be disconnected from electricity and gas as a result of the inability to pay the monthly bill, unless there is proof of fraud.

### **United Kingdom**

For gas there are some specific protections for vulnerable customers including free gas safety checks by suppliers for households where at least one occupant:

- is under 5 years old;
- lives alone and is of pensionable age, disabled or chronically sick;
- lives with others who are all of pensionable age, disabled chronically sick or under 18.

Under the 'Guaranteed Standards of Performance' regulations in gas, in the event of an interruption to the supply to the premises of a vulnerable domestic customer, the distribution network company must provide alternative cooking and heating facilities at the customer premises:

- where the company has notified the customer of a service interruption, within 4 hours; -
- where the company has not notified the customer of a service interruption and the interruption affects less than 250;
- has not notified the customer of a service interruption and the interruption affects 250 or more customers, within 8 hours, of the start of the interruption.

There are no equivalent provisions for electricity.

Moreover, Ofgem has a statutory duty covering the protection of vulnerable consumers and must also have regard to the Social and Environmental Guidance issued by Government under the Gas Act (1986) and Electricity Act (1989). Ofgem provides a range of advice and information on the formal enforceable requirements protecting vulnerable customers contained in the licences it issues to energy companies, and other regulations covering them.

Ofgem monitors and publishes reports on:

- supplier obligations around debt and disconnection;
- supplier social programmes (such as provision of social tariffs).

Ofgem is member of a number of working groups covering vulnerable consumers including Fuel Poverty Advisory Group (set up to advise Government) and Public Utilities Access Forum (to discuss and share best practice on vulnerable issues with other stakeholders).

Ofgem also participates in a number of project specific working groups (e.g. a group to develop 'data sharing' practices to help identify low income and elderly consumers).

Ofgem has undertaken a joint voluntary initiative with Citizens Advice (a free service for consumers) and funded by industry called 'Energy Best Deal' to provide advice on energy consumer rights and how to get the best deal (covered further in the case study section). The campaign provides front line advisors with the training they need to deliver a package of face to face advice to lower income households on their energy rights and how to get the best from their energy deal.

#### **4. Promotion of end-user energy efficiency**

##### **Austria**

E-Control offers an energy savings/efficiency check on their website where customers can insert the different parameters of their daily energy consumption, be it with their domestic appliances, heating or their means of transportation. They can easily check their potential savings if appliances are renewed or habits are changed.

##### **Ireland**

CER has a statutory duty to promote energy efficiency on the part of electricity and gas undertakings and it is accounted for in its decision making. In addition there is a requirement for all suppliers to promote energy efficiency. This stems from national legislation, S.I. No. 542 of 2009, which states: "all energy suppliers shall promote energy end use efficiency to their final customers, with an emphasis on information relevant to the form of energy provided by that energy supplier and how that energy is typically used".



### **Italy**

AEEG has a crucial role as regards the white certificates mechanism:

- issuing the technical and economic regulation governing the scheme, e.g. rules for the measurement and evaluation of energy efficiency projects; trading rules (jointly with the Electricity market operator for those regarding the spot market); cost-recovery mechanism; sanctions for non-compliance; projects qualitative requirements;
- administration e.g. apportionment of the annual national targets among obligated electricity and natural gas distributors, energy efficiency projects evaluation, authorisation to the issuing of white certificates, target compliance checks, sanctions for non compliant distributors, payment of the tariff contribution to compliant distributors;
- monitoring of results (Annual Report, quarterly statistical reports);
- proposals to the Government concerning possible legislative measures in order to increase its effectiveness or to solve problems.

In addition, the promotion of end-use energy efficiency is a general objective that has to be taken into account in other regulatory fields e.g. tariff regulation, market regulations.

Moreover, AEEG provides on the website, a tool for the calculation of the time-of-day energy consumption.

In Italy higher energy efficiency is also supported by the deployment of smart meters according to AEEG resolutions.

### **Poland**

URE developed a help book on "how to increase end-user energy efficiency in households", which is available on its website, and organised several local conferences on this subject with different market actors (especially with interested consumers)."

### **Portugal**

The NRA (ERSE) approves and manages a fund for end-user energy efficiency promotion. The fund is financed through the regulated tariffs. This fund provides financing to energy efficiency promotion activities, carried out by promoters and chosen by a competitive tendering procedure. The regulator is also responsible for the initial assessment of the proposals. The regulator approves, manages a fund for end-user energy efficiency promotion, approves financial support to activities in the field of energy efficiency promotion and monitors its implementation and accounting. The NRA cooperates with universities and energy agencies.

### **Sweden**

EI has no explicit role in promoting end-user energy efficiency. However, EI works with other projects that can contribute to a more energy-efficient society. Examples of such issues are smart metering, demand response and hourly measurement.

### **The United Kingdom**

Ofgem does not have a primary role in providing energy efficiency advice. Under the Gas Act (1986) and Electricity Act (1989) Government provides Ofgem with Social and Environmental Guidance which states that in carrying out its regulatory duties:



'The Authority should have regard to the fact that improved household energy efficiency can also reduce costs to consumers and help to reduce fuel poverty. The Government expects the Authority, within the scope of its powers and responsibilities, to help secure energy efficiency targets set by Government, including by making sure that the appropriate incentives exist for energy generators, suppliers and those involved in transmission and distribution to pursue the most cost-effective delivery of their goals by adopting best practice energy efficiency measures.'

There is an obligation in supply company licences issued and enforced by Ofgem for companies to provide consumers entering into debt with energy efficiency advice.

Ofgem also monitor suppliers' energy efficiency measures installation programmes.

## **5. Customer information**

All NRAs can quote experiences in the field of customer information.

### **Austria**

Customers can receive information via the website, the Tarifkalkulator (i.e. the NRA price comparison tool), the energy hotline or through information campaigns.

### **Belgium**

Information is disseminated on a permanent basis through the website, newsletters, a hotline, training sessions and seminars.

### **Czech Republic**

ERU is obliged to publish the annual report concerning the outcomes of the monitoring activities, roundups concerning the prices of the heat power, including its comparison according to different areas and technical options of generation and distribution. Moreover, on a daily basis, ERU provides information concerning nearly all the areas mentioned below, usually by the phone call of an individual customer.

### **Estonia**

The NRA provides general information to customers regarding their rights as natural gas and electricity customers and how to switch.

### **France**

CRE and the energy ombudsman have set up a joint tool, Energie Info, that includes

- a website, managed in collaboration with the General Directorate for Energy and Climate (DGEC) and DGCCRF which is dedicated to household and professional customers (practical information, FAQ supplier lists, consumer rights and how to complain / settle a dispute);
- a multi-channel customer information service which offers clear and practical consumer advice through phone, mail and e-mail. In this respect, a call centre has been set up for answering simple questions on the opening up of the residential market and the rights and procedures for electricity and natural gas.

### **Germany**

Information is given in connection with supplier switching, special abuse procedures, prices, billing and general customer rights.

### **Greece**

The NRA has no legal responsibility. However information is given through a special section of the NRA website for consumers (with information on legislation, useful advice, frequent questions, consumer organisations and other public services responsible for consumer protection matters, customer rights, etc.).

### **Hungary**

HEO provides information to the general public through its website and the annual report. It publishes articles in customer newspapers on a regular basis. Press releases on customer's issues are also published.

### **Ireland**

CER provides general information to customers on switching and their rights as natural gas and electricity customers. This is done through a telephone hotline and website supported by additional information leaflets. With deregulation of the domestic retail electricity markets in April 2011, CER will increase its customer education activities to further inform domestic customers of market deregulation and the competitive market and to promote active switching. The education campaign will be delivered through CER's website, press releases, targeted letters and leaflets, as appropriate. This will be an ongoing activity.

### **Italy**

AEEG has a leading role in providing customer information. The Consumer Help Desk set up by AEEG consists of 2 departments: a *hot-line* (available from 8.00 hours until 18.00 hours) where the staff answers customer calls; and a *complaint unit* dealing with complaints. Since 2007 a dedicated hot-line has been answering customer questions about liberalisation, prices, contracts and complaint procedures. Since 2009 the hot-line has been incorporated into the Consumer Help Desk and it represents the single point of contact for energy customers. In 2010 it answered to around 664.000 calls.

### **Lithuania**

The NRA publicly announces prices for electricity and natural gas transmission and distribution, and charges for the connection of customers' devices to the electricity and natural gas networks.

### **Luxembourg**

The NRA informs customers, among others, about their rights as electricity and gas customers and about supplier switching procedure.

### **Poland**

The NRA has prepared and carried out a complex campaign informing customers about their rights. The campaign has consisted of radio advertisements, publication in newspapers, training for senior citizens (65+), "idea placement" in a tele-novel, an outdoor campaign (billboards and posters) and dedicated leaflet distribution. Over 50 conferences promoting the customer right to switch supplier has accompanied the campaign, which was co-financed from the Norwegian Financial Mechanism.

Polish energy consumers can find all the necessary information about supplier switching process on a dedicated website operating from mid-2010 or through the customers call centre which started to operate in mid-2007.

Periodically NRA's regional branches organise workshops and training for energy customers in order to promote their rights, exchange good practice and empower them.

### **Portugal**

In addition to other ways and means, an annual program of education (ERSEFORMA) works for consumers and their representatives on the most relevant issues. Besides the regular program there is a thematic program for specific matters (e.g. switching, networks connections, metering, etc.).

### **Slovenia**

Informing customers in general is the mission of the Customer Protection Office. Additional info on energy market and prices are published by the NRA.

### **Spain**

CNE provides information on the rights of customers, on complaint procedures, on suppliers and on prices of the offers in the market.

### **Sweden**

One of the main tasks that is given to the EI from the Swedish Parliament and Government is to strengthen customers in the Swedish markets through information. EI uses a variety of channels when it comes to informing customers. The websites, both for EI ([www.ei.se](http://www.ei.se)) and the price comparison website ([www.elpriskollen.se](http://www.elpriskollen.se)) are used for providing information to customers. EI experience is that customers prefer to visit the price comparison website when they are looking for relevant information about the electricity market. As a result of this, the new version of [www.elpriskollen.se](http://www.elpriskollen.se) will contain more additional information about, for example, the functioning of the Swedish market and historical development of electricity prices. EI is also distributing factsheets/leaflets to customers, both through the website and in public fairs. Newsletters on a weekly basis and press releases on (minimally) a monthly basis are also used when customers are informed about issues like the development of electricity prices.

### **The Netherlands**

NMa is involved in 'Consuwijzer', a first point of contact for all consumers with questions on and/or complaints on all sorts of topics, including energy. NMa does so together with the Consumer Authority and the Authority for Telecommunications. Consuwijzer can be reached via internet, telephone, e-mail and post. Customers will receive practical information about their rights. In case of a problem they can use a checklist which will help them solve the problem themselves.

Simple cases will be handled by a front office, more complex cases will be handled by a back office at the concerning authority.

A full description of Consuwijzer can be found in the Annex of the Status Review of the GGP on Complaint Handling<sup>21</sup>.

### **United Kingdom**

The 'Energy Best Deal' is a consumer advice campaign, with funding support from some energy companies.

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<sup>21</sup> Status Review of the Implementation of the GGP on Complaint Handling, Reporting and Classification as of 1 January 2011, CEER, October 2011, Ref. C11-CEM-45-03

This campaign provides front line advice workers with the appropriate training they need to deliver a package of face-to-face advice to lower income households on their energy rights and how to get the best from their energy deal. Since 2008 the Energy Best Deal campaign has reached more than 60.000 consumers and the feedback received from programme evaluations has shown high levels of consumer satisfaction.

To broaden the campaign, a series of seven short online videos was launched. These deliver the key messages on an effective new platform providing the advice that consumers require to engage effectively with the market. The NRA is working with a range of partners to ensure that this information reaches as many consumers as possible. The campaign is an important source of advice for consumers and is a very good example of the positive outcomes that can be achieved through the cooperation of the regulator and a consumer body.

For April 2011 the Energy Best Deal webpage received approximately 2.500 hits

## 6. Collecting input from customers

### Austria

Surveys have focused on customer knowledge of the opportunity to switch supplier, roles of market actors, supplier switching and experience, bills and their understandability, etc. The resulting input is used for information campaigns, regulatory aspects, website etc.

### Belgium

The NRA asked customers if they feel sufficiently informed about energy liberalisation, about their satisfaction with the service they are receiving from suppliers, the motivations to switch or not to switch and their interest in green electricity. The data were used to provide market information and to detect disfunctionalities in market functioning. This led to provide advice to the political authorities with regard to developing new or better legislation in the field of customer protection. Results of surveys are published ([www.vreg.be/rapp-2010-11-0](http://www.vreg.be/rapp-2010-11-0)) and also used in writing the Market Monitor<sup>22</sup>.

### Czech Republic

The NRA has undertaken a public survey on customer satisfaction with the billing practices of suppliers (DSOs), in preparation of the legal provision concerning billing. This led to an increase of the general public awareness, which is reflected in a dramatic increase in switching.

### France

Data were collected through surveys on customers; this activity was outsourced. The data collected were about customer awareness of market opening, customer knowledge of the existence of alternative suppliers, of the possibility to switch supplier and of customer satisfaction. The data are available on the Energy Ombudsman website.

### Greece

Survey data were collected through personal interviews (focus groups for qualitative data and survey for quantitative data) covering a lot of areas (customer satisfaction, expectations, proposals) 5 years ago.

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<sup>22</sup> [www.vreg.be/vreg-publishes-market-monitor-2010](http://www.vreg.be/vreg-publishes-market-monitor-2010) (in English)

### **Hungary**

The NRA conducted surveys and focus groups. The results are available on the website and in the annual report. The input was used for the preparation of legal provisions (improvement of billing, more severe regulation in the field of guaranteed services).

### **Ireland**

CER collects data from numerous sources to determine customer experience in the retail market place.

The CER conducts annual consumer surveys to assess customer experience of retail markets.

The consumer survey is a useful tool in gauging customer experience in the retail market. In conjunction with ongoing market monitoring it is used to inform whether policy steps are required to ensure that all customers are benefiting from competition. The consumer survey has been used to inform the CER on how to better assist customers in obtaining the best deals in the market place. To effectively shop around for these deals, customers must be aware of their consumption level as to compare prices (either through price comparison sites or otherwise). The most recent consumer survey, with reference to electricity customers, has included questions such as billing clarity and asked whether more frequent billing and/or the inclusion of additional information regarding historical consumption would be beneficial to consumers.

Results from consumer surveys are published in the public domain through the CER website. The results of the surveys have directly influenced CER policy making on consumer issues and were recently referenced in the decision to deregulate the electricity market and on follow up customer protection measures to be implemented in the deregulated market.

### **Italy**

Focus groups have given rise to important input in the field of billing transparency, leading to a new regulation.

With reference to customer satisfaction, since 1998, 22.000 domestic customers were involved every year through face to face interviews inside National Omnibus research.

With reference to customer satisfaction about quality telephone services, from 2008 semi-annually, 15.000 call back telephone interviews to customers who spoke with a call center agent + voluntary additional interviews paid by retail companies.

The data about billing transparency have been summarised in a Consultation Document about the new billing transparency directive. The data collected by ISTAT are published in the AEEG Annual Report.

The results of the surveys about quality telephone services are included in the ranking retail companies (website publication and Annual Report).

Moreover, AEEG collects data from suppliers on the number of complaints received and also data on disconnections.

The input is used for the implementation of customer protection regulation and to publish suppliers' performance rankings.

Data about micro-interruptions were collected in 2006. In 2007, data on customer satisfaction and expectations led to new regulation on quality of service.

### **Lithuania**

The NRA calculated the benefits that customers received thanks to its regulation of the energy sector.

The data are published in the Annual Report, which is available on the official NRA website ([www.regula.lt](http://www.regula.lt)). In 2010, cost accounting and pricing supervision performed by the NRA enabled customers to save at least 458 million LTL (132,75 million EUR).

### **Portugal**

Through public consultations, the regulator collects information about new rules to implement. Through the inspection of complaint records kept by companies, it is possible to collect information on several matters concerning consumers. On the website of the regulator ([www.erse.pt](http://www.erse.pt)), one can find the annual reports about quality of service, information about public consultations (with comments received and regulator's answers) and annual reports about complaint handling/dispute settlements and information requests.

As individuals, consumers can submit complaints and information requests directly to the regulator. The consumer representative bodies are members of consultative structures of the regulator and participate in all public consultations.

Commercial practices and contractual terms are monitored by the regulator. When the regulator has to approve the general terms of the contract for energy supply, consumer representative bodies must give their opinions. The regulator also uses information from consumer representatives for retail markets monitoring activities.

### **Slovenia**

The NRA conducted willingness to pay (WTP) and willingness to accept (WTA) analysis through a customer survey. A summary of the analysis was published. The NRA uses the quality-related data to monitor the system operator activities.

### **The Netherlands**

The channels used to collect data are the following:

- Online survey (for the annual consumer survey, with questions on the intention to switch, perception of transparency, quality of service, pricing and offers);
- Focus groups (specific themes);
- Online mystery shopping (price comparison websites);
- Survey via telephone (satisfaction on complaint handling);
- Annual consumer survey (in Dutch only).

Other data are used in a compiled manner in reports, such as the report on price comparison websites<sup>23</sup> or the report on the quality of complaint handling.<sup>24</sup>

The NMa can use input from customers, especially input via Consuwijzer, to start an investigation into a certain topic and/or a certain energy company. Data on perception is used as input for a yearly report on the energy market or other reports on specific issues. On a whole, this leads to more effective regulation and supervision of the energy market.

The NMa has seen an improvement in different aspects, including quality of complaint handling of price comparison websites and higher awareness within the NMa on customer behavior (although the latter might be difficult to be measured).

This leads to a better view on how to effectively regulate or supervise the market.

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<sup>23</sup> [http://www.energiekamer.nl/nederlands/actueel/Persberichten/CA-NMa\\_01-10\\_Prijsvergelijkers\\_en\\_energiebedrijven\\_moeten\\_samen\\_verbeterslag\\_maken\\_in\\_informatieverschaffing\\_aan\\_consument.asp](http://www.energiekamer.nl/nederlands/actueel/Persberichten/CA-NMa_01-10_Prijsvergelijkers_en_energiebedrijven_moeten_samen_verbeterslag_maken_in_informatieverschaffing_aan_consument.asp)

<sup>24</sup> [http://www.energiekamer.nl/nederlands/energiebedrijven/Energiebedrijven\\_vergelijken/Kwaliteit\\_klachtenafhandeling\\_energieleveranciers\\_2010.asp](http://www.energiekamer.nl/nederlands/energiebedrijven/Energiebedrijven_vergelijken/Kwaliteit_klachtenafhandeling_energieleveranciers_2010.asp)



### **The United Kingdom**

Ofgem undertakes research to ensure consumer views are embedded in policy making. The “Fourth omnibus tracking survey” has just been completed. It looks at domestic switching rates and engagement with the market, since 2007. The insight gathered from this recent research was a key input into Ofgem’s Retail Market Review (March 2011). Ofgem has recently undertaken some focus groups and in-depth interviews with micro, small and medium sized businesses to gauge their views on how the energy market is working for them, including for the micro-business sector, and their experience of the new rules introduced following Ofgem’s Energy Supply Probe. The findings will provide additional evidence to assess whether further measures need to be taken to help business consumers. Ofgem’s Consumer First Panel is a group of 100 domestic energy consumers from a wide range of backgrounds and a variety of locations across United Kingdom. Panel members meet regularly to give us the “ordinary person’s” perspective on topical and challenging energy issues. They have proved to be a powerful resource in Ofgem’s drive to fully engage with consumer issues and concerns. Ofgem has been running the Panel for 3 years. Membership and locations are refreshed each year to ensure that the views put forward come from people with an everyday consumer understanding of the energy industry. The Panel has provided evidence on a range of issues including engagement in the market and switching (most recently for our Retail Market Review) billing transparency, tariff comparisons, use of energy/energy efficiency, attitudes to aspects of smart metering rollout and priorities for network companies. Where relevant it boosts this research with bespoke groups covering vulnerable consumers (elderly, disabled). Ofgem uses the evidence gathered to feed into policy documents. Ofgem has recently used a range of both qualitative and quantitative evidence on consumer engagement in the market to provide evidence for our Retail Market Review consultation proposals on simplifying tariffs.

The findings of the research are published on the website and summaries of the research have been sent to consumer groups and other interested parties. Ofgem references research findings as evidence in our published policy reports.