

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /0803

Date of Decision: 13 July 2018

Complaint

The customer submits that he is dissatisfied with his wastewater service charges from the company. The customer submits that this service was much cheaper when it was provided by his previous provider. The customer indicates that, in protest to the charges, he has only made partial payments to the company. The customer's singular claim is for the company to "adjust the huge increase" in its wastewater service charges.

Defence

The company submits that the customer has been correctly charged for his wastewater services and this has already been illustrated to him in the communications between the parties. The company submits that it has provided the customer with further opportunities to discharge his bills but he has not done so. The company does not accept that it is liable to the customer for the redress claimed and has made no offer of settlement.

Findings

It has not been established that the company failed to provide its services to the standard to be reasonably expected by the average person. The company is entitled to charge the customer for his wastewater services and seek payment. I find there is no substantive evidence that the customer has been incorrectly charged. I am also satisfied that the company has appropriately communicated with the customer and provided adequate responses to his concerns.

Outcome

The company does not need to take any further action.

The customer must reply by 10 August 2018 to accept or reject this decision.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

- The company submits that the customer's water provider charges him by rateable value and his wastewater bills are generated using the same methodology. It submits that if the customer wishes to be charged by a different method, he would need to arrange this with his water service provider.
- Accordingly, the company does not accept any liability to provide the redress claimed by the customer.

How is a WATRS decision reached?

In reaching my decision, I have considered two key issues. These are:

1. Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
2. Whether or not the customer has suffered any financial loss or other disadvantage as a result of a failing by the company.

If the evidence provided by the parties does not prove both of these issues, the company will not be directed to do anything.

I have carefully considered all of the evidence provided. If I have not referred to a particular document or matter specifically, this does not mean that I have not considered it in reaching my decision.

How was this decision reached?

1. The crux of this dispute lies with the customer's dissatisfaction with his wastewater service charges. The customer submits that this service was much cheaper when it was provided by his previous provider. The customer's singular claim is for the company to "adjust the huge increase" in its wastewater service charges.
2. I remind the parties that adjudication is an evidence-based process and in order for any remedy to be awarded, the evidence must show that the company has not provided its services to the standard that would reasonably be expected of it.
3. Following a close review of all the evidence provided to me at the time of adjudication (with particular attention paid to the communicative exchanges between the parties), I note that the

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

company provided the customer with a detailed breakdown of how his wastewater bill was generated in order to illustrate that it has been correctly calculated. In the absence of any substantive evidence to dispute the accuracy of the customer's wastewater bills (and their calculation), I am inclined to accept that they provide an accurate reflection of the customer's wastewater service bills. Consequently, I am not satisfied that the customer has been incorrectly charged by the company for wastewater services.

4. I acknowledge the customer's submission that his current wastewater service charges from the company are higher than they were with his previous provider; however, I do not find that this amounts to a failure on the part of the company to provide its services to the standard to be reasonably expected by the average person.
5. After reviewing the communicative exchanges between the parties, I note that the company has always maintained the position that the customer's wastewater service charges are correct and payable (I draw particular attention to the letter from the company to the customer dated 9 February 2018). I note that the company also provided a detailed explanation for the charges (along with a calculation of the charges to further prove their accuracy) and the debt recovery process if the bills were not paid. In particular, the company explained that the customer's wastewater service charges are calculated in accordance with his freshwater service charges and that this is currently based on rateable value. Furthermore, I note that the company provided an explanation to the customer of how he could change his charging methodology (rateable value) with his water provider if he was dissatisfied with this.
6. In addition to the above, I also acknowledge that the company provided the customer with further opportunities to pay his wastewater bills before proceeding to its debt recovery procedures. It is not disputed that the customer did not pay the bills and the company proceeded with its debt recovery procedures. I do not find that the company's actions in this regard amount to a failure to provide its services to the standard to be reasonably expected by the average person.
7. In light of all the above, under the circumstances, I do not find that the company's actions amount to a failure to provide its services to the standard to be reasonably expected by the average person.

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.

8. Consequently, in the absence of any substantiated failures on the part of the company; I am unable to uphold the customer's claim for redress.

Outcome

The company does not need to take any further action.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 10 August 2018 to accept or reject this decision.
- When you tell WATRS that you accept or reject the decision, the company will be notified of this. The case will then be closed.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.



E. Higashi LLB (Hons), PGDip (LPC), MCI Arb.

Adjudicator

This document is private and confidential. It must not be disclosed to any person or organisation not directly involved in the adjudication unless this is necessary in order to enforce the decision.