

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1281

Date of Decision: 25 March 2019

Complaint

The customer submits three-monthly meter and sub-meter readings to the company so that his non-return to the sewer ("NRTS") allowance can be calculated. The customer complains that his bills do not include his sub-meter readings or show how his NRTS allowance is calculated. The customer states that this is confusing and prevents him from checking whether he has been billed correctly. The customer wants the company to demonstrate transparency by including all meter readings and calculations on his bills.

Defence

The company states that the customer's NRTS allowance is calculated by the wholesaler, RST Water. The NRTS allowance is shown as a figure and a percentage on the customer's bills. The company's current billing system cannot produce bills showing sub-meter readings or NRTS allowance calculations as the customer's sub-meter is privately owned.

The company has not made an offer of settlement.

Findings

The evidence provided shows that the company's billing system is currently unable to produce bills that include privately owned sub-meter readings or NRTS allowance calculations. I accept that this lack of information makes it difficult for the customer to check that he is being billed correctly. However, the company is not obliged by statute or policy to include this information on its bills and, therefore, I do not find that the company has failed to provide its service to the standard reasonably expected by the average customer in this regard.

Outcome

The company does not need to take any further action.

The customer must reply by 22 April 2019 to accept or reject this decision.

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the wholesaler's policy. It forwards these readings to the wholesaler in order for the NRTS allowance to be calculated. The wholesaler tells it how much NRTS allowance the customer is entitled to, and it applies this amount as a credit on the customer's account. The customer's bills display the NRTS allowance as a monetary figure and a percentage.

- It accepts that the customer's bills do not show the sub-meter readings or the NRTS allowance calculation. However, it explains that the customer's sub-meter is a private asset, owned by the customer, not the wholesaler, and its current billing system cannot generate bills that display meter readings from private assets or calculations of NRTS allowances.
- It has provided the customer with an explanation of how the NRTS allowance system works and it has explained why it cannot show sub-meter reads or NRTS calculations on the customer's bills.

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.

In order for the customer's claim against the company to succeed, the evidence available to the adjudicator must show on a balance of probabilities that the company has failed to provide its services to the standard one would reasonably expect and that as a result of this failure the customer has suffered some loss or detriment. If no such failure or loss is shown, the company will not be liable.

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. Having reviewed the evidence provided by the parties, I find that the company is the customer's retail provider and is responsible for billing, accounting and customer services. RST Water is the customer's wholesaler and, as such, is responsible for the maintenance and repair of the water and sewerage assets and, also, the calculation and authorisation of NRTS allowances.

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Therefore, RST Water is responsible for assessing the customer's NRTS allowance, and the company is responsible for applying the authorised NRTS allowance to the customer's account.

2. In order to make a decision in this matter I must clearly distinguish between actions taken by the wholesaler and the duty owed by the retailer (the company) to its customers. Since the water market in England opened up to retailers in April 2017, all non-household customers have been moved to a wholesale/retail split service. As a result, a non-household customer now only has a relationship with the retailer. In turn, an adjudicator operating under the Water Redress Scheme may only make findings related to those things for which the retailer, as the party to the case, has responsibility, and not those things for which the wholesaler has responsibility.
3. The parties agree that the customer's bills do not include sub-meter readings or show the NRTS allowance calculation used by the wholesaler. The customer complains that the lack of information on his bills is confusing and means that he is unable to check whether the NRTS allowance applied to his account is correct. The company states that it is unable to provide the customer with bills displaying sub-meter readings and NRTS allowance calculations as its billing system cannot currently generate bills that show this information. The company explains that this is because the customer's sub-meter is not owned by the wholesaler, but is a private asset belonging to the customer.
4. I have reviewed the documents provided by CCWater and note that CCWater enquired whether it was possible for the sub-meter to be 'adopted' by the wholesaler, thereby allowing the sub-meter to be registered on the customer's account as an asset belonging to the wholesaler. If the sub-meter became an asset of the wholesaler's, the company's billing system could include the sub-meter readings on the customer's bills. However, the company advised CCWater that the wholesaler would not agree to this. As explained above, because the wholesaler is not a party to this dispute, I am unable to direct the wholesaler in this regard.
5. Having reviewed the bills provided by the customer, I accept that the NRTS allowance is presented as a monetary amount and a percentage on the customer's bills and that the sub-meter readings and NRTS calculations are not shown. I agree with the customer that the limited information shown on his bills does not allow him to check that he has been billed correctly, or help him understand how the NRTS allowance has been calculated. However, having read the communications between CCWater and the company, I also accept that the company's current

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billing system cannot produce bills showing readings from private sub-meters or NRTS calculations.

6. Whilst I find that a more detailed bill would benefit the customer, the company is not required by statute or policy to provide bills showing sub-meter readings or NRTS allowance calculations. In view of this, I do not find that the company has failed to provide its services to the standard to be reasonably expected by the average person. Therefore, whilst I appreciate that this is not the outcome the customer hoped for, I cannot direct the company to change its bills to include sub-meter readings and NRTS calculations. Accordingly, the customer's claim does not succeed.

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 22 April 2019 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.

KS Wilks

Katharine Wilks

Adjudicator

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