



Guidelines for Raising Awareness of Utilities Disputes and Powerswitch

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Gas Industry Co.



Explanatory note

These Guidelines for Raising Consumer Awareness of Utilities Disputes and Powerswitch provide for gas retailers and gas distributors to raise consumer awareness of the services provided by Utilities Disputes and Powerswitch through their customer communications.

Context and scope

These guidelines have been developed by Gas Industry Company Limited in consultation with gas industry participants and are intended to raise consumer awareness of the services provided by Utilities Disputes and Powerswitch through promotion of these services in customer communications.

The guidelines have been developed in response to the Government's objective for the gas industry in the Government Policy Statement on Gas Governance - *"To ensure that gas is delivered to existing and new customers in a safe, efficient, fair, reliable and environmentally sustainable manner"*.

Alignment with these guidelines

Alignment with these guidelines is voluntary.

Gas Industry Co will undertake an assessment of retailers' alignment with these guidelines. The first assessment for dual fuel (gas and electricity) retailers will take place 12 months after publication of these guidelines. Compliance of stand-alone gas retailers will be assessed 24 months after publication.



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Guidelines for Raising Awareness of Utilities Disputes and Powerswitch

Definitions

"complaint" has the meaning given in the Utilities Disputes Rules (being an expression of dissatisfaction made to or about a Retailer where a response or a resolution is explicitly or implicitly expected). For example, a complaint may be made by letter, email, phone call, text message or a post on a social media page maintained by the Retailer, but not on a social media page maintained by the complaining consumer or a third party.

"consumer" means a person who is supplied natural gas or LPG for consumption, as defined in the Gas Act 1992.

"directed outbound communication or notification" means a communication or notification for a specific named consumer (i.e. not a general communication or mass advertising), personalised for that consumer (i.e. contain information that is specific to that consumer). Where there are a series of related communications between the participant and a consumer, participants need to provide this information in at least one communication in that series.

"Gas Distributor" means any person who supplies line function services (in respect of natural gas or LPG), whether by means of a distribution system or by other means, to any Gas Retailer.

"Gas Switching Rules" means the Gas (Switching Arrangements) Rules 2008.

"Guidelines" means these Utilities Disputes and Powerswitch Guidelines.

"ICP" has the meaning given in the Gas Switching Rules.

"line function services" has the meaning given in the Gas Act 1992.

"LPG Bottle" means a 45kg bottle.

"LPG Retailer" means any person who supplies LPG to a consumer by reticulated distribution network or in LPG bottles.

"Natural Gas Retailer" means any person who supplies natural gas to a consumer.

"Powerswitch" is the electricity and gas plan comparison website as contracted by the Electricity Authority for this purpose from time to time.

"registry" has the meaning given in the Gas Switching Rules.

"residential consumer" means with respect to a natural gas consumer, a consumer assigned the load shedding category of "DOM" in the registry, and with respect to an LPG consumer, a domestic and not a business consumer of LPG bottles.

"Retailer" means a Natural Gas retailer or an LPG Retailer.

“Utilities Disputes” is the dispute resolution scheme as defined in section 43E of the Gas Act 1992.

“Utilities Disputes Rules” means the scheme rules for the Energy Complaints Scheme under the Gas Act 1992.

“website” means a website maintained by a Retailer or a Gas Distributor that deals with, describes or offers the supply of Gas or line function services by the Retailer or Gas Distributor.

1) Purpose

- (a) The purpose of these Guidelines is to improve consumer awareness of Utilities Disputes and Powerswitch, giving Retailers guidance on how to achieve this through effective communications.
- (b) These Guidelines should always be read to favour an outcome that achieves their purpose.

2) Natural Gas Retailers

Utilities Disputes

- (a) All Natural Gas Retailers shall provide clear and prominent information about Utilities Disputes:
 - (i) on their website;
 - (ii) when responding to complaints from consumers;
 - (iii) in directed outbound communications to consumers about the Retailer’s natural gas services; and
 - (iv) on consumer natural gas bills.

Powerswitch

- (b) All Natural Gas Retailers with residential consumers of natural gas shall provide clear and prominent information about Powerswitch:
 - (i) on their website;
 - (ii) in directed outbound communications to those residential consumers about natural gas price and service changes;
 - (iii) to those residential consumers on an annual basis; and
 - (iv) in directed outbound communications about a bill of a residential consumer of natural gas.

3) Gas Distributors

Utilities Disputes

- (a) All Gas Distributors shall provide clear and prominent information about Utilities Disputes:
 - (i) on their website;
 - (ii) when responding to complaints from consumers; and

- (iii) in directed outbound communications to consumers about the Gas Distributor's line function services.

4) LPG Retailers

Utilities Disputes

- (a) All LPG Retailers shall provide clear and prominent information about Utilities Disputes:
 - (i) on their website;
 - (ii) when responding to complaints from LPG consumers (LPG Bottles or reticulated LPG);
 - (iii) in directed outbound communications to consumers about LPG (LPG Bottles or reticulated LPG) services; and
 - (iv) on LPG (LPG Bottles or reticulated LPG) bills.

5) Gas pricing information on Powerswitch

Natural Gas Retailers shall continue to add natural gas pricing details to Powerswitch.



Utilities Disputes and Powerswitch Guidance Notes

- 1) These Guidance Notes are designed to support Gas Industry Company's Utilities Disputes and Powerswitch Guidelines, to help Retailers comply with the Utilities Disputes and Powerswitch Guidelines.
- 2) The focus of these Guidance Notes is to help natural gas and LPG (Gas) retailers and Gas distributors understand the context and goals of the Utilities Disputes and Powerswitch Guidelines, and to support a meaningful increase in consumer awareness of the Utilities Disputes and Powerswitch services, consistent with changes made in the electricity market.
- 3) The following table summarises the scope of the Utilities Disputes and Powerswitch Guidelines:

| The Utilities Disputes and Powerswitch Guidelines apply to the following Gas market participants | | | | |
|--|-----------------------------|----------------------------|---------------------------|-------------------|
| Powerswitch components | | | | |
| Natural Gas Retailer | LPG Retailer (45kg bottles) | LPG Retailer (reticulated) | Distributor (Natural Gas) | Distributor (LPG) |
| ✓ | ✗ | ✗ | ✗ | ✗ |
| Utilities Disputes components | | | | |
| Natural Gas Retailer | LPG Retailer (45kg bottles) | LPG Retailer (reticulated) | Distributor (Natural Gas) | Distributor (LPG) |
| ✓ | ✓ | ✓ | ✓ | ✓ |

| The Utilities Disputes and Powerswitch Guidelines apply to the following Gas market consumers | | |
|---|----------------|-------------------------|
| Powerswitch components | | |
| Residential | Small business | Commercial & industrial |
| ✓ | ✗ | ✗ |
| Utilities Disputes components | | |
| Residential | Small business | Commercial & industrial |
| ✓ | ✓ | ✓ |

- 4) These Utilities Disputes and Powerswitch Guidelines are closely aligned with the Electricity Authority's guidelines for electricity market participants, to help deliver consistency and efficiency across electricity and Gas markets.
- 5) The Utilities Disputes and Powerswitch Guidelines should be interpreted with common-sense, giving words their plain English meaning, and having regard to the intent of the Utilities Disputes and Powerswitch Guidelines - to increase consumer awareness of the Utilities Disputes and Powerswitch services.
- 6) Compliance by participants with the Utilities Disputes and Powerswitch Guidelines is voluntary provided that compliance with the Utilities Disputes and Powerswitch Guidelines does not absolve participants of any legal or contractual obligation to Gas consumers.
- 7) The Utilities Disputes and Powerswitch Guidelines are deliberately non-prescriptive. They set out when information must be provided. The content and form of the communication are not prescribed. This non-prescriptive approach provides a framework in which participants can innovate and align communications with their business and communication processes.
- 8) These Guidance Notes include some examples of good practice to help guide thinking. It is possible that alternative approaches that still meet the Utilities Disputes and Powerswitch Guidelines requirements may be a better solution for some Retailers.
- 9) If Retailers are unsure about anything relating to the Utilities Disputes and Powerswitch Guidelines they can discuss the same with Utilities Disputes, Powerswitch or Gas Industry Company.

Utilities Disputes explained

- 10) Utilities Disputes help to resolve complaints about electricity, gas water and access to shared property for fibre installations. Its service is free, independent, and fair.
- 11) Utilities Disputes can support participants' complaint processes (including consumer enquires) by handling complaints and enquiries at any stage, including:
 - helping parties understand each other;
 - facilitating conversations or negotiation;
 - making sense of information on notices or invoices;
 - answering questions about the relevant industry;
 - providing an independent third-party perspective;
 - independent validation of a participant's statement(s);
 - referring enquirers to more appropriate forums;
 - communicating the complaint issues and desired resolution in a clear way;
 - managing expectations about outcomes.
- 12) Under the Gas Act 1992, Gas Retailers, LPG Retailers and Gas Distributors must be members of the Utilities Disputes Scheme and abide by the Utilities Disputes Scheme rules.

Powerswitch explained

- 13) Powerswitch is a free and independent energy plan comparison site. Powerswitch makes it easier for consumers to compare energy plans and find a deal that suits their needs.
- 14) Powerswitch is operated by Consumer New Zealand and has been engaged by the Electricity Authority to provide an energy plan comparison service.

Summary of when information needs to be provided

- 15) The following table summarises when information needs to be provided to a consumer.
- 16) Note that Gas Industry Company is proposing a narrower approach than that implemented for the electricity market in relation to the provision of Utilities Disputes information, to simplify compliance while retaining a focus on consumer complaints, consistent with the scope of the Utilities Disputes Rules.
- 17) Responses to consumer "complaints" are the focus for the provision of Utilities Disputes information in Gas markets (in addition to requirements around Retailer websites, directed outbound communications and Gas bills), rather than the wider "query" category applied to the electricity market:

| Type of communication | Utilities Disputes (Natural Gas and LPG Retailers and Gas Distributors) | Powerswitch (Natural Gas Retailers only) | When to provide the information |
|---------------------------------|---|--|--|
| Website | ✓ | ✓ | Permanently displayed on website – must be clear and prominent |
| Responding to complaints | ✓ | ✗ | Include in the directed outbound communication – must be clear and prominent |
| Bill | ✓* | ✓ | Displayed on each consumer bill - must be clear and prominent |
| Billing changes | ✓* | ✓ | Displayed on directed outbound billing change notification – must be clear and prominent |
| Terms and conditions for supply | ✓* | ✗ | Displayed on directed outbound service notification – must be clear and prominent |
| Service changes | ✓ | ✓ | Displayed on directed outbound service change notification – |

| Type of communication | Utilities Disputes (Natural Gas and LPG Retailers and Gas Distributors) | Powerswitch (Natural Gas Retailers only) | When to provide the information |
|-----------------------|---|--|---|
| | | | must be clear and prominent |
| Annually | X | ✓ | Annual communication to customer (Powerswitch only) – must be clear and prominent |

* Excluding Gas Distributors who do not bill, or have direct contractual relationships with, consumers.

Providing information about Powerswitch is only required for contestable residential connections (natural gas)

18) The provision of information about Powerswitch is only required for residential natural gas connections. These ICPs will generally have load shedding category of "DOM" in the registry

19) LPG pricing is not currently available on Powerswitch.

The amount of information required to increase consumer awareness will depend on the context

20) Communication to consumers takes many forms and the level of information required to raise consumer awareness will depend on the context and form of the communication. As a minimum, the information should include the name of the service and what the service does.

21) For example a text message may include a short link for the consumer to follow while a telephone call may use the service name and phone number or website.

22) It is important to note that the amount of information required is to raise consumer awareness of these services.

Specific wording is provided to help implementation, but is not mandatory

23) The following wording can be used when communicating with consumers. This is suggested wording only and not mandatory. The exact wording will depend on the communication medium and brand being portrayed. It is possible to meet the requirements in other ways. Retailers should be clear on how they are meeting the goals and requirements within their communications:

23.1) Powerswitch:

Consumer Powerswitch is a free and independent energy price comparison site. Visit powerswitch.org.nz to check you're on the right plan for your needs.

23.2) Utilities Disputes:

If you have a complaint, please call ([retailer/distributor] contact details) or email ([retailer/distributor] email details) to access our free complaints process. If we cannot resolve your complaint, you can contact Utilities Disputes on 0800 22 33 40 or go to www.utilitiesdisputes.co.nz. Utilities Disputes is a free and independent service for resolving complaints about utilities providers.

Emergency Communications

- 24) During an emergency it is likely that participants will be engaging directly with consumers to help support them through the emergency. During this time there will be a consumer expectation that the participant will be responding to the emergency and focussing on the consumer's immediate needs.
- 25) Compliance with the Utilities Disputes and Powerswitch Guidelines is not required in the context of these emergency-related consumer communications.

Alignment timing

- 26) Gas Industry Company will survey Gas Retailers that also supply electricity to consumers and Gas distributors 12 months after publishing the Utilities Disputes and Powerswitch Guidelines, to monitor compliance.
- 27) Gas Industry Company will survey Gas Retailers that do not also supply electricity to consumers (Stand-alone Gas Retailers) 24 months after publishing the Utilities Disputes and Powerswitch Guidelines, to monitor compliance.

Frequently Asked Questions

| Q# | Question | Answer |
|----|--|--|
| 1 | I get my metering service provider (MSP) to contact the customer for a Gas meter change. Do they need to comply with the requirements? | Yes. Natural gas retailers need to make sure an agent communicating on their behalf meets these requirements. In this case, the MSP is acting as an agent for the retailer in arranging access to the site. The retailer should ensure the MSP communicating on their behalf complies. |
| 2 | I am a gas retailer and broadband supplier. Does this requirement apply to communications solely about broadband? | No. This requirement only relates to your role as a gas retailer. Communications that are unrelated to your role as a gas retailer are not covered by these requirements, including broadband and other services. Note however that similar requirements apply to electricity suppliers. |

| Q# | Question | Answer |
|----|--|--|
| 3 | Do I need to be putting information about Utilities Disputes and Powerswitch on advertisements? | No. General advertising or marketing campaigns including print mail drops are not covered by the Utilities Disputes and Powerswitch Guidelines. To apply, the communication must be personalised for a specific named consumer. |
| 4 | I use an app to communicate with customers. Do I have to promote Utilities Disputes and Powerswitch on my app? | If you use the app to present the bill, respond to queries or to push directed outbound communications to named consumers then you should provide information about Utilities Disputes and Powerswitch in the app. If the app does not have these features or the information has already been provided via the same communication sent through traditional channels then you should not need to also provide this information on the app. |
| 5 | How do I prove my communications meet the Guideline requirements of clear and prominent? | In most cases this should be evident. Users will be able to easily find and understand the information within the wider communication. Retailers and distributors can demonstrate this by testing communications with consumer groups for clarity and prominence. |
| 6 | Do I have to use Utilities Disputes / Powerswitch branding and messaging? | No. The Utilities Disputes and Powerswitch Guidelines require the information to be clear and prominent. We believe using the Utilities Disputes and Powerswitch branding and messaging will achieve this, but it does not prevent participants from innovating. We recommend testing innovative solutions with consumers to ensure it will meet the goals of raising consumer awareness of Utilities Disputes and Powerswitch. We also expect communications will not mis-represent the services or undermine their relevancy for the consumer. |
| 7 | Do I need to use colour logos? | No. The Utilities Disputes and Powerswitch Guidelines require the information to be clear and prominent. |

| Q# | Question | Answer |
|----|---|--|
| | | We believe using colour versions of the Utilities Disputes and Powerswitch branding and messaging will achieve this but it does not prevent participants from innovating or using greyscale versions if necessary. We recommend testing any non-colour solution with consumers to ensure it will meet the goals of raising consumer awareness of Utilities Disputes and Powerswitch. |
| 8 | How should I make consumers aware of Utilities Disputes and Powerswitch if English is not their first language? | We recommend retailers and distributors provide information on Utilities Dispute and Powerswitch in the same language as the rest of the communication. |
| 9 | How do I contact Utilities Disputes and Powerswitch if I have any questions? | Powerswitch can be contacted at: feedback@powerswitch.co.nz 0800 CONSUMER or 04 384 7963 Utilities Disputes can be contacted at: communications@utilitiesdisputes.co.nz or info@utilitiesdisputes.co.nz |
| 10 | How will these requirements be audited? | Compliance with the Utilities Disputes and Powerswitch Guidelines is voluntary. However, Gas Industry Company will survey gas retailers and distributors 12-24 months after making this recommendation, to monitor compliance. |
| 11 | If Gas Distributors are mentioning Powerswitch at their own discretion, must they follow the same guidelines? | No. Promoting Powerswitch is at the distributor's discretion. This is because the Utilities Disputes and Powerswitch Guidelines do not recommend gas distributors provide information about Powerswitch. |
| 12 | A consumer claims to have not received the initial communication. What should I do? | Retailers should be using reasonable endeavours to ensure consumers receive the communication. If the information was included in a communication that the consumer claims they have not received, it should be included when responding to the enquiry. |
| 13 | What are the penalties for not providing clear and prominent | Compliance with the Utilities Disputes and Powerswitch Guidelines is voluntary. There are no penalties. However, Gas |

| Q# | Question | Answer |
|----|--|---|
| | information about Utilities Disputes and Powerswitch to consumers? | Industry Company will be monitoring non-compliance. |

About Gas Industry Co

Gas Industry Co is the gas industry body and co-regulator under the Gas Act. Its role is to:

- Develop arrangements, including regulations where appropriate, which improve:
 - the operation of gas markets;
 - access to infrastructure; and
 - consumer outcomes;
- Develop these arrangements with the principal objective to ensure that gas is delivered to existing and new customers in a safe, efficient, reliable, fair and environmentally sustainable manner; and
- Oversee compliance with, and review such arrangements.

Gas Industry Co is required to have regard to the Government's policy objectives for the gas sector, and to report on the achievement of those objectives and on the state of the New Zealand gas industry.

ENQUIRIES:
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