

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1492

Date of Decision: 2 September 2019

Complaint

The customer submits the company has charged her for water that she did not use. She claims for the company to waive £2000.00 from her final bill.

Defence

The company denies the claim. It asserts it billed the customer based on the wholesaler's meter readings. It has communicated with the wholesaler on the customer's behalf but the wholesaler denies any fault or leak that would result in incorrect charges.

Findings

The customer has not proven any failing by the company.

Outcome

The company does not need to take any further action.

The customer must reply by XX September 2019 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.

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Party Details

Customer: []

Company: []

Case Outline

The customer's complaint is that:

- Her bill was usually £300.00 per quarter however her final bill for the period March to June 2018 was approximately £2500.00. She believes this is an error.
- She has provided an account of previous bills and meter readings to demonstrate that usage increased significantly in the final quarter. However, she did not use this amount of water.
- She claims for the company to waive £2000.00 from her final bill.
- In her comments on the company's defence, she asserts the meter was not read correctly in the past and this has now resulted in a high final bill.

The company's response is that:

- Upon the customer's request it queried the bill with the wholesaler, RST Water.
- The wholesaler confirmed the bill was accurate and based on the final meter reading.
- Following communication with CCWater it again asked the wholesaler to amend the bill. However the wholesaler insisted the bill was correct and based on water used. The wholesaler said there was no evidence of a leak.
- This is a wholesaler issue but it has tried to support the customer by approaching the wholesaler on her behalf.

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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. 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.
2. The company (retailer) issues bills to the customer based upon meter readings. However, the water meter belongs to the wholesaler and if there is any fault on the meter or any leak, this would be the wholesaler's responsibility.
3. I note the customer found the final meter reading wholly inconsistent with her usage and therefore considers there must be an error. However, I cannot comment on the accuracy of the meter reading, as this is the responsibility of the wholesaler.

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4. I can however consider how the company communicated with the wholesaler, in its attempt to resolve the dispute on the customer's behalf.
5. The documents demonstrate the company properly raised queries with the wholesaler and sought it amend the customer's bill. However, the wholesaler refused. The company then correctly informed the customer of this. I am satisfied that the company discharged its duty to the customer by making representations to the wholesaler on her behalf.
6. The crux of this dispute relates to matters for which the wholesaler is responsible, but I can only consider the claim against the company. I am unable to find any failing by the company; it acted properly in communicating with the wholesaler. Therefore, the customer's claim is unable to succeed.
7. In accordance with WATRS rule 5.4.3 I must disregard any new matters raised in the customer's comments. Therefore I will not comment upon the customer's assertion that the company failed to read her meter correctly in the past.

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 XX September 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.

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Justine Mensa-Bonsu, LLB (Hons), PGDL (BVC)

Adjudicator

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