

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-XX82

Date of Decision: 30/07/2021

Party Details

Customer: The Customer

Company: The Company

Complaint

The customer complains the wholesaler overcharged him from 1999 to 2002. And, in 2015, it failed to apply the correct credit to his account. He wants the company to adjust his bill based on historic readings.

Response

The company says it is not responsible for matters arising before it took over the account. The wholesaler has evidenced they applied the correct credit in 2015 and it is not possible for the wholesaler to now investigate charges applied in 1999.

Findings

The customer has not proven the company failed to provide its services to the standard to be reasonably expected.

Outcome

The customer's claim does not succeed. The company does not need to take any action.

The customer must reply by 27/08/2021 to accept or reject this decision.

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Case Outline

The customer's complaint is that:

He believes the wholesaler, **XX** failed to credit incorrect charges in 2015 in full. Further, that the wholesaler may have overcharged him due to relying on estimated reads only, from 1999 to 2002. The company has said these matters arose before it took over his account. It confirmed the 2015 issue was properly resolved. It also said it would not be possible for the wholesaler to investigate the spike in consumption for the period 1999 to 2002 due to the time passed. This is because the customer had not raised this previously and it would be unable to find out now if this was due to a leak or usage. He remains unhappy with the company's response to date and wants it to adjust his bills based on the historical readings. I note the customer did not provide comments on the company's response to his complaint, within the deadline.

The company's response is that:

The customer raised these issues previously and CCWater issued a response in 2016. This was before the company took over the customer's account. Despite this it allowed the customer to raise a new complaint and proceed to WATRS, hoping to finally settle the issue. It cannot answer billing queries related to a period where it was not the billing agent. It cannot offer any more information than that given to it by the wholesaler, and it cannot accept liability for matters that arose before it took over the account. The billing information provided by the wholesaler shows it applied the correct credits to the customer's account in 2015. It cannot explain the customer's billing for the period 1999 to 2002 as it was not responsible for his account. The wholesaler confirmed the customer did not raise any queries and so it had no records of investigations being requested or done. As the customer did not challenge the consumption on the meter at the time when it occurred, it was impossible for the wholesaler to conduct an investigation now, for something that happened 20 years ago. It denies the claim.

How is a WATRS decision reached?

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

- . Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
- . 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.
2. 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 customer disputes bills issued by the wholesaler from 1999 to 2002 and in 2015. However, I cannot comment upon or question the actions of the wholesaler. I have no remit to do so. I can only consider whether the company provided its own services to the standard to be reasonably expected.
4. The CCWater documents provided alongside the customer's application form show that he raised these matters with the company. The company promptly sought a response from the wholesaler and then relayed this back to the customer. I am satisfied the company acted properly in this respect.
5. The customer wants the company to adjust his bills. However there is no evidence the company has billed the customer incorrectly.
6. Having considered the information provided, I find no evidence the company failed to provide its services to the standard to be reasonably expected. Therefore, the customer's claim is unable to succeed.
7. In comments on my preliminary decision, I acknowledge the customer has continued to challenge bills issued by the wholesaler, **XX**. However, for

reasons already explained, it is not within my remit to comment upon such matters.

Outcome

1. The customer's claim does not succeed. The company does not need to take any action.

What happens next?

This adjudication decision is final and cannot be appealed or amended.

The customer must reply within 20 working days to accept or reject this final 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
Adjudicator