

WATRS

Water Redress Scheme

ADJUDICATOR'S FINAL DECISION SUMMARY

Adjudication Reference: WAT-X192

Date of Final Decision: 1 November 2022

Party Details

Customer:

Customer's Representative:

Company:

Complaint

The customer claims there were errors with the three submeters on the customer's shared supply, which caused an increase in charges on the primary meter for the shared supply, for which the customer is responsible. The customer is seeking the company to revise its main meter charges to correctly reflect the usage on the three submeters and refund any overpayment.

Response

The company says that the wholesaler has investigated all the meters on the shared supply and found that the submeter REDACTED has remained at the same reading since May 2021 despite the customer saying that this meter was in use. However, even if the submeter was recording correctly, it would not cover the increased usage recorded on the main meter. The company has requested that the wholesaler investigate the submeter. Furthermore, it has investigated the customer's complaint thoroughly, chased the wholesaler and tried to resolve it. Until the wholesaler has investigated the submeter, the company cannot make any revisions to its main meter charges to reflect the usage on the three submeters or refund any overpayment. The company has not made any offers of settlement.

Preliminary Findings

I am satisfied the company did not fail to provide its services to the customer to the standard to be reasonably expected concerning the submeters on the shared supply pipe or its charges. Furthermore, I am satisfied there have been no failings concerning customer service.

Preliminary Outcome

The company needs to take no further action.

The customer has until 29 November 2022 to accept or reject this decision.

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Case Outline

The customer's complaint is that:

- There were errors with the three submeters on the customer's shared supply.
- This caused increased charges on the primary meter for the shared supply, for which the customer is responsible.
- The customer is seeking the company to revise its main meter charges to correctly reflect the usage on the three submeters and refund any overpayment.

The company's response is that:

- The wholesaler has investigated all the meters on the shared supply and found that the submeter REDACTED has remained at the same reading since May 2021 despite the customer saying that this meter was in use.
- However, even if the submeter was recording correctly, it would not cover the increased usage recorded on the main meter.
- The company has requested that the wholesaler investigate the submeter.
- Furthermore, it has investigated the customer's complaint thoroughly, chased the wholesaler and tried to resolve it.
- Until the wholesaler has investigated the submeter, the company cannot make any revisions to its main meter charges to reflect the usage on the three submeters or refund any overpayment.

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.

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2. Whether or not the customer has suffered any financial loss or another disadvantage as a result of a failure 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 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 dispute centres on whether the company has failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the submeters on the customer's pipework.
2. The company must meet the standards set out in the Water Industry Act 1991 and the Water Supply and Sewerage Services (Customer Service Standards) Regulations 2008. The combined effect of these is to place an obligation on a water and sewerage company that when there is a leak report, the company needs to thoroughly investigate if the company's pipework is to blame and, if repairs are required, make such repairs to prevent further leaks.
3. Furthermore, the company also has certain obligations regarding its customer services as set out in the OFWAT Guaranteed Standards Scheme and its Customer Guarantee Scheme.
4. Since April 2017, a non-household customer only has a relationship with the company, not the wholesaler. Therefore, if a non-household customer has an issue with their water supply or sewerage services, they must approach the company, which is responsible for chasing the wholesaler and trying to resolve the matter. Accordingly, all parties must bear in mind that I cannot find the company liable for something that only the wholesaler is responsible for within this decision.
5. From the evidence put forward by the customer and the company, I understand that the wholesaler had been notified in June 2018 that a possible leak existed on the customer's supply pipe or one of the three submeters connected to the supply pipe. I understand that it took until July 2021 for

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the wholesaler to identify and repair the leak on the supply pipe. Once the repair had been made, the customer was granted a leak allowance.

6. However, the evidence shows that the customer's main meter continued to show higher usage than expected and on 7 June 2022, a further leak was found on one of the sub-supply pipes, which was repaired by the customer's plumber on 27 June 2022.
7. Following the repair, the customer contacted the company to query the usage recorded on the submeters, as these did not match the usage on the main meter. Various discussions occurred between the company, the wholesaler and the customer regarding the submeter readings. However, the customer was unhappy as the company and wholesaler had not investigated the submeter issue thoroughly and, on 29 July 2022, progressed the dispute to CCWater to resolve.
8. As CCWater had not been able to resolve the dispute, on 19 September 2022, the customer commenced the WATRS adjudication process. Meanwhile, the evidence shows that the company and wholesaler undertook further investigations and found that the submeter REDACTED has remained at the same reading since May 2021. The customer has previously advised that this meter's reading should have increased as it supplied a water trough which was in use. The last correspondence shows that the wholesaler was investigating the submeter to see whether it had stopped or needed replacement and the company was of the view that until the submeter has been investigated by the wholesaler, the company is not in a position to make any revisions to its main meter charges to reflect the usage on the three submeters or refund any overpayment.
9. Concerning whether the company is liable for delays in identifying any issues with and making any repairs to the submeter REDACTED. On review of the evidence, I find I cannot say with any certainty that the submeter REDACTED is faulty until the wholesaler has completed its investigations. Furthermore, I cannot find the company liable for something that only the wholesaler would bear responsibility for, which in this instance is identifying any issues with and making any repairs to the submeter.
10. On reviewing the evidence, I find that I am not persuaded that the company is liable for any delays in identifying any issues with and making any repairs to the submeter. The evidence shows that, following the notification by the customer of leakage at the property or an issue with the submeter, the company acted appropriately by advising the wholesaler to investigate the leakage and issues

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with the submeter. In addition, I find that the company is entitled to continue to bill the customer for any fixed charges and any consumption recorded through the main meter.

11. The company has certain obligations in respect of its customer services. As evidenced by the timeline within the company's defence documents, I am satisfied that by the end of the company's dialogue with the customer, the company had adequately explained the reasons behind why it is not in a position to make any revisions to its main meter charges to reflect the usage on the three submeters or refund any overpayment. This is shown by the correspondence put forward by the customer as evidence and within the CCWater documentation.
12. The customer and company has made minor comments on the preliminary decision and having carefully considered each aspect of both sets of comments, I find that they do not change my findings, which remain unaltered from the preliminary decision.
13. Considering the above, I find the evidence does not show that the company failed to provide its services to the customer to the standard to be reasonably expected by the average person concerning the submeters on the customer's supply pipe, nor does the evidence show that the company failed to provide services to the standard to be reasonably expected when investigating these issues. Furthermore, I am satisfied there have been no failings concerning customer service

Outcome

The company needs to take no further action

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 29 November 2022 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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A handwritten signature in black ink, appearing to read 'M Ledger', with a long horizontal line extending to the right.

**Mark Ledger FCI Arb
Adjudicator**

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