

The Electricity Act 1989 and Gas Act 1986 Provisional Order under section 25(2) of the Electricity Act 1989 and section 28(2) of the Gas Act 1986

To:

E.ON Next Energy Limited (company number 03782443), having its registered office at Westwood Way, Westwood Business Park, Coventry, CV4 8LG ("E.ON") the holder of an electricity supply licence granted or treated as granted under section 6(1) of the Electricity Act 1989 and the holder of a gas supply licence granted or treated as granted under section 7A of the Gas Act 1986.

WHEREAS:

- A. The Gas and Electricity Markets Authority ("the Authority") has received information regarding E.ON's compliance with its obligations under the standard conditions of the gas and electricity supply licences (jointly referred to as "SLCs").
- B. Based on the information received by the Authority and its engagement with E.ON, it appears to the Authority that E.ON is contravening or is likely to contravene SLC 0.3c(i) and (iii).
- C. Having had regard to the matters set out in section 25 of the Electricity Act and section 28 of the Gas Act, the Authority considers it is requisite to make a Provisional Order in exercise of the powers in section 25(2) of the Electricity Act and section 28(2) of the Gas Act.

NOW THEREFORE:

The Authority, pursuant to section 25(2) of the Electricity Act and section 28(2) of the Gas Act, and for the purpose of securing compliance with SLC 0.3c(i) and (iii), makes a Provisional Order requiring E.ON:

1. Not to act in contravention of SLC 0.3c(i) and (iii)
2. To ensure that it has Domestic Customer service arrangements and processes which are complete, thorough, fit for purpose and transparent for the purpose of securing compliance with SLC 0.3c (iii) and which make it easy for Domestic Customers to contact it for the purposes of securing compliance with SLC 0.3c(i), in particular (but without prejudice to the broader requirements of 1 above), E.ON shall:
 - 2.1. At all times, for the duration of this Provisional Order, ensure that it:
 - 2.1.1. Takes such steps and measures to make significant and sustained improvements to reduce the length of time taken by E.ON's Representatives to answer Offered Calls placed by Domestic Customers, such that there is a there is a significant and sustained reduction to its Average Call Waiting Times¹.

¹ As defined in the Annex to this Provisional Order

- 2.1.2. Takes such steps and measures to make significant and sustained improvements to its rate of answering Offered Calls² such that there is a significant and sustained reduction in the rate of Offered Calls abandoned by its Domestic Customers.
- 2.2. Provide the Authority with a remedial plan, to be agreed by the Authority, to address the customer service issues outlined in Part 2.1 of the Order,
 - 2.2.1. The plan must include targets for improvement, and clear timeframes when these will be achieved. However, these timeframes should not extend past 3 April 2023.
 - 2.2.2. An initial draft of the Remedial Plan is to be provided to the Authority for review by no later than Thursday 9 February 2023.
- 2.3. Produce and submit to the Authority weekly reports of the total number of telephone calls received along with the raw data from which they are derived. The first report shall be submitted by 13:00 hours on Monday 13 February 2023. Each subsequent report shall be submitted on the Monday of each week thereafter by 13:00 hours. These reports must also include the following data for each reporting week:
 - 2.3.1. the Average Call Waiting Times and the Maximum Call Waiting Times;
 - 2.3.2. the percentage of calls which have dropped out of the call queue or have otherwise been disconnected and the length of the call waiting times preceding the disconnection³;
 - 2.3.3. the maximum, minimum, average, median and standard deviation of call durations of calls which are answered by E.ON customer service agents (excluding calls connected as a result of a call back request);
 - 2.3.4. the number of call back requests⁴ and the day and time of the call back request, the day and time the Domestic Customer was called back, and the length of time spent on the call with a E.ON customer service agent; and
 - 2.3.5. the numbers of Representatives⁵ answering calls on each day and the time periods for which those Representatives were answering calls on each day.
 - 2.3.6. the numbers of Representatives dealing with written customer callback requests on each day and the time periods for which those Representatives were dealing with written callback requests each day⁶.

This order shall cease to have effect on 2 May 2023 unless confirmed by the Authority on or before that date.

² As defined in the Annex to this Provisional Order

³ This can also be provided as an absolute number in addition to a percentage rate

⁴ This includes call back requests made via digital channels (eg webchat, social media, online enquiry forms, instant messaging services and email).

⁵ As defined in SLC 1 of the Gas and Electricity supply licences

⁶ Written customer callback requests include those requests made via webchat, social media, online enquiry forms, instant messaging services, emails and letters). These Representatives may deal with other written correspondence in addition to processing callback requests.

Dated: 2 February 2023

Charles Hargreaves
Deputy Director, Enforcement
Duly Authorised on behalf of the Gas & Electricity Markets Authority

ANNEX

Meaning of terms

“Average Call Waiting Times” means the average time taken to answer all calls received between 09:00 and 17:30 Monday to Friday and 09:00 and 13:00 on Saturday during the week prior to each relevant reporting deadline specified in this Provisional Order.

“Maximum Call Waiting Times”: means the maximum time taken to answer all calls received between 09:00 and 17:30 Monday to Friday and 09:00 and 13:00 on Saturday during the week prior to each relevant reporting deadline specified in this Provisional Order.

“Offered Calls” means the total of number of calls received between 09:00 and 17:30 Monday to Friday and 09:00 and 13:00 on Saturday during the week prior to each relevant reporting deadline specified in this Provisional Order.