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14th February 2008

Dear Ayesha,

Notice of proposal under section 33BAA of the Gas Act 1986 to prescribe standards of performance in regulations

I am writing further to the notice of 17th January 2008, under section 33BA of the Gas Act 1986 in respect of proposals to prescribe standards of performance in the regulations, Please find WWU's representation below in respect of the proposals for regulation 10 B (responding to complaints) and regulation 12 (Payments) :-

The current version of the drafting for regulation 10 B (1) which makes provision for the arrangements for a GT receiving a verbal complaint (as detailed in Annex B) has been amended since the previous drafting that was included in Annex 3 of the Open letter on Ofgem's proposals to implement revised standards of performance arrangements for gas transporters. The current version does not include the previous wording - "telephone number advised for that purpose" however it does include a new Para 5 which goes some of the way. We are troubled that with the drafting as is, a customer may get hold of an individual mobile no and ring in expecting to be able to make a complaint via that number.

We think the solution, which requires minimal changes to the previous drafting, is to use instead of "a telephone number that the transporter has advised **the customer...**" the wording "has advised **customers...**" That clearly then satisfies Ofgem's intention whereby a customer can ring a generally advised number, whether the published general number or a more specific customer number set up for a specific purpose e.g. for incidents or major replacement schemes in towns, to then be transferred to the relevant internal complaints contact.

Regulation 12 (6)(c) only allows for payments to be made for failure to meet the requirements of the regulations via cheque, cash, BACs or a credit to the account of the customer. The provisions of SC20 (1) enable us to meet the requirements by making a payment to a shipper for onward transmission to the customer however what is not covered is a provision for GT's to pay shippers via xoserve. In practice where we do not have a specific name of the customer, only a property address and MPRN, we notify xoserve that this property is due a payment. xoserve raise a credit on the appropriate shippers account on our behalf, the shipper then identifies the customer and passes on the payment.

As suggested by Ofgem in the Licence Drafting working group meeting on 04th February we agree that the solution to this could be to amend the wording of Regulation 12(6)(c)(ii) to refer only to the method of payment rather than also including the recipient. We suggest the

24 hour gas escape number
Rhif 24 awr os bydd nwy yn gollwng

0800 111 999*

*calls will be recorded and may be monitored
caiff galwadau eu recordio a gellir eu monitro

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wording could be revised from “a credit to the account of a customer” to “an account credit

If you require any further clarification please contact Chris Talbot, General Counsel on 02920 278542 or chris.talbot@wwutilities.co.uk.

Yours sincerely,

A handwritten signature in black ink that reads "Bob Westlake".

Bob Westlake
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