

Raising consumer awareness of regulated dispute resolution service and electricity plan comparison website

Guidelines

2 March 2021



Version control

Version	Date amended	Comments
1.0	12/01/2021	Original release
1.1	02/03/2021	Update examples of Powerswitch branding

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1 Introduction

- 1.1 The Electricity Authority (Authority) has amended the Electricity Industry Participation Code (Code) to raise consumer awareness of Utilities Disputes and Powerswitch.
- 1.2 Utilities Disputes provide a free and independent dispute resolution service to help consumers to resolve electricity, gas and water complaints with their provider. Powerswitch is an independent energy plan comparison website which helps consumers to work out which power company and pricing plan is best for their specific needs.
- 1.3 From 1 April 2021 the new clauses 11.30A to 11.30E of the Code will:
- (a) require all retailers and distributors to provide clear and prominent information about Utilities Disputes¹:
 - (i) on their website
 - (ii) when responding to queries from consumers
 - (iii) in outbound communications directed to consumers about electricity services and bills.
 - (b) require retailers that trade at a residential ICP recorded on the registry to provide clear and prominent information about Powerswitch²:
 - (i) on their website
 - (ii) in outbound communications to residential consumers about price and service changes
 - (iii) to residential consumers on an annual basis
 - (iv) in outbound communications directed to residential consumers about the consumer's bill.
- 1.4 This decision was made to address issues with the level of consumer awareness of the Utilities Disputes and Powerswitch services.
- 1.5 Raising consumer awareness of Utilities Disputes and Powerswitch will result in an empowered consumer base. This will create a more efficient and competitive electricity industry in New Zealand.
- 1.6 These guidelines have been created to help support retailers and distributors in complying with clauses 11.30A to 11.30E of the Code. This will deliver the benefits of raising consumer awareness of these services.
- 1.7 These guidelines are not exhaustive but are designed to help participants understand their obligations. Participants need to consider how to apply the Code requirements to their own individual situation.
- 1.8 In addition to providing guidance around how participants can comply, we have included examples of best practice communications. These examples are intended to help inform retailers and distributors thinking. The examples are not prescriptive standards of how communications must look and feel.

¹ Utilities Disputes is the dispute resolution scheme identifier under Clause 3 of Schedule 4 of the Electricity Industry Act 2010 (Act).

² Powerswitch is the electricity plan comparison website.

- 1.9 Clauses 11.30A to 11.30E of the Code, and these guidelines will be reviewed by the Consumer Advocacy Council and Authority in the future. The review will help to ensure that the Code change is effective and will also make refinements to improve outcomes for consumers.

Disclaimer

- 1.10 These guidelines do not form part of the Code. Although the Authority has taken care in the preparation of the content of these guidelines, the Authority offers no warranty (express or implied) as to the accuracy, completeness, or legality of that content. The Authority is not liable or responsible to any persons for direct or indirect loss or damage that may result from the action or failure to act by any person in reliance on these guidelines. They are provided for general information only and not as legal advice. These guidelines do not establish any legal obligation. If you are unsure about your obligations, please contact the Authority and seek independent legal advice.
- 1.11 These guidelines include description of options and some specific examples of how the Code could be met. This is designed to help support participants understanding and does not prevent participants from innovating and implementing alternative solutions not envisaged in the guidelines.
- 1.12 The guidelines and Code do not absolve participants of any legal or contractual obligation to provide consumers information when interacting with them. Participants need to be mindful of other requirements such as the Fair Trading Act and Utilities Disputes Scheme rules when complying with the Code. For example, the Utilities Disputes scheme rules explicitly require its members to provide contact information at three different stages in the complaint process. The clarification that clear and prominent information must only be provided once in a conversation under the Code does not override the Utilities Disputes obligation to provide this information at specific times during the dispute process.

2 Context and Goal

2.1 These guidelines are designed to support the Code amendment to raise consumer awareness of Utilities Disputes and Powerswitch. The focus of these guidelines is on helping participants to ensure that the outcome (consumers are aware of these services following the interaction with the participant) is met.

Context

2.2 Utilities Disputes and Powerswitch give consumers simple and accessible channels to get more information about their electricity options. They empower and enable consumers to make choices and to act.

2.3 The Utilities Disputes and Powerswitch services contribute to an efficient and competitive electricity industry. However, consumers need to be aware of Utilities Disputes and Powerswitch in order to access and benefit from the services they provide.

2.4 The Authority has created clauses 11.30A to 11.30E of the Code to:

(a) require retailers to provide information to consumers about Utilities Disputes and Powerswitch.

(b) require distributors to provide information to consumers about Utilities Disputes.

2.5 The Authority has developed these guidelines to help retailers and distributors understand the context and goals of clauses 11.30A to 11.30E, and to support a meaningful increase in consumer awareness.

2.6 The wording of the Code amendment can be found in Appendix A.

Powerswitch

2.7 Powerswitch is a free and independent energy plan comparison site. Powerswitch makes it easier for consumers to compare energy plans and find a deal that suits their needs.

2.8 Powerswitch is operated by Consumer New Zealand and has been engaged by the Authority to provide an energy plan comparison service.

Utilities Disputes

2.9 Utilities Disputes help to resolve complaints about electricity. Its service is free, independent, and fair.

2.10 Utilities Disputes can support participants complaint processes (including consumer enquires) by handling complaints and enquiries at any stage, including:

- helping parties understand each other
- facilitating conversations or negotiation
- making sense of information on notices or invoices
- answering questions about the industry
- providing an independent third-party perspective
- independent validation of a participant's statement(s)
- referring enquirers to more appropriate forums
- communicating the complaint issues and desired resolution in a clear way

- managing expectations about outcomes.
- 2.11 Retailers and distributors must be a member of Utilities Disputes³ and abide by the Utilities Disputes scheme rules.⁴
- 2.12 These rules include additional requirements members must follow to promote Utilities Disputes.⁵ Utilities Disputes scheme members need to follow the Code requirements and the Utilities Disputes scheme rules when promoting Utilities Disputes.

Goal

- 2.13 The goal of the Code amendment is to raise consumer awareness of Utilities Disputes and Powerswitch services.
- 2.14 Certain communications from retailers and distributors should actively raise consumer awareness of the Utilities Disputes and Powerswitch services.
- 2.15 This move should improve consumer awareness and accessibility to these services.

Innovation in light of the goal

- 2.16 Clause 11.30A to 11.30E of the Code is deliberately non-prescriptive. It sets out when information must be provided. The content and form of the communication are not prescribed.⁶
- 2.17 This approach provides a framework in which participants can innovate and align communications with their business and communication processes.
- 2.18 These guidelines include detailed examples of good practice to help guide thinking. It is possible that alternative approaches that still meet the Code requirements may be a better solution for some organisations. Participants should be clear about how they are meeting the goals and requirements of the Code within their communications.
- 2.19 If participants are unsure they can discuss their design decisions with Utilities Disputes, Powerswitch or the Authority.
- 2.20 We encourage participants to focus on the intent of the Code amendment when innovating and communicating with consumers. We expect a post implementation review and engagement with the consumer advocacy council to determine whether there is a need to specify what information is required and in what form.

³ Section 96 of the Electricity Industry Act 2010.
<http://www.legislation.govt.nz/act/public/2010/0116/latest/DLM2634497.html>

⁴ https://www.utilitiesdisputes.co.nz/UD/Resources/Scheme_rules/UD/Resources/Scheme_rules.aspx

⁵ See paragraph 12 of the Utilities Disputes Scheme Rules.

⁶ For example, there is no requirement in the Code to educate consumers on the switching or dispute resolution process (although we encourage participants to provide additional information on these services as is appropriate).

3 Overview

Key elements of the Code

3.1 Clauses 11.30A – 11.30E of the Code requires:

- (a) all retailers and all distributors to provide clear and prominent information about Utilities Disputes:
 - (i) on their website
 - (ii) when responding to queries from consumers
 - (iii) in directed outbound communications to consumers about electricity services and bills.
- (b) retailers that trade at an ICP recorded on the registry to provide clear and prominent information about Powerswitch:
 - (i) on their website
 - (ii) in outbound communications to residential consumers about price and service changes
 - (iii) to residential consumers on an annual basis
 - (iv) in directed outbound communications about the consumer's bill.

3.2 Where there are a series of related communications between the participant and consumer, participants need to provide this information in at least one communication in that series.⁷

3.3 Please refer to Appendix A for a copy of the wording of the Code that will come into force on 1 April 2021.

⁷ For example, if the information is already clear and prominent in the bill communication received by the consumer, reminder notices about the bill will not be required to include information about Utilities Disputes and Powerswitch.

Providing information about Utilities Disputes and Powerswitch

3.4 Retailers and distributors are required to provide information about Utilities Disputes and Powerswitch in certain communications. Table 1 contains a summary of when this information needs to be provided.

Table 1: Summary of when information needs to be provided

Section	Type of communication	Utilities Disputes (retailers and distributors)	Powerswitch (retailers only)
5	Website	✓	✓
6	Responding to queries	✓	✗
7	Bill	✓	✓
8	Billing changes	✓	✓
9	Service	✓	✗
10	Service changes	✓	✓
11	Annually	✗	✓

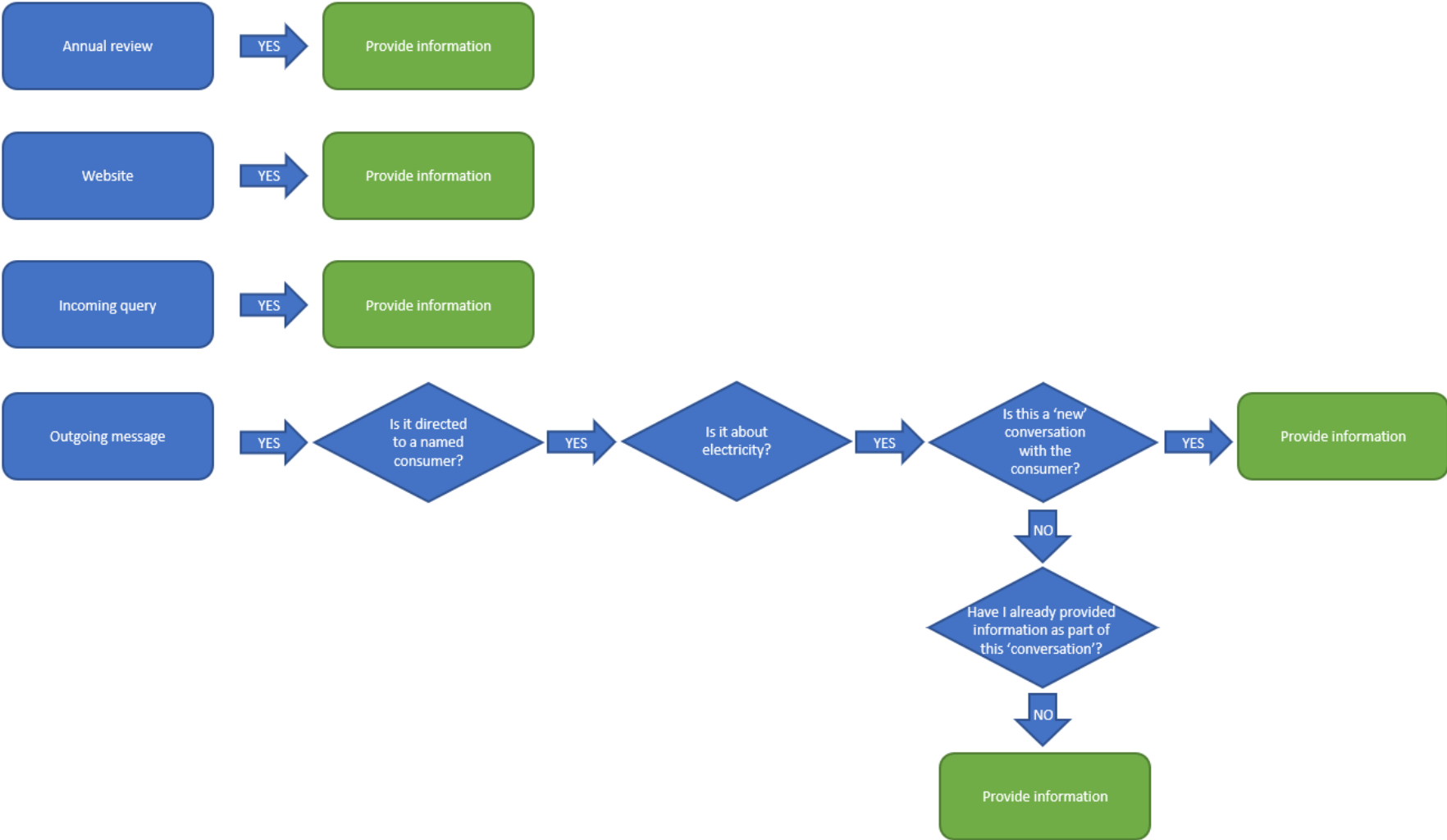
When to provide this information

3.5 Knowing when to provide information about Utilities Disputes and Powerswitch can be simplified to four scenarios⁸:

- (a) **Website** – ensure the information is appropriately located on the website
- (b) **Annually** – ensure there is an annual communication that includes information about Powerswitch
- (c) **Incoming queries (such as phone calls)** – ensure information is provided about Utilities Disputes in
 - (i) the welcome message; or
 - (ii) as part of responding to the query
- (d) **Outgoing messages about bills or services** – ensure information is provided in all communications that are new to the consumer.

⁸ This simplification is designed to help frame thinking and the participants individual circumstance may mean there are more appropriate mechanisms that will meet the requirements of the Code and increase consumer awareness of Utilities Disputes and Powerswitch.

3.6 The Code provides flexibility as to when information is provided. The below simplified decision tree can help participants understand when they should provide information to consumers:



3.7 As noted throughout this document, this is an example of one way to meet the obligation. It does not prevent participants from complying with the Code in other ways that also achieve the goal of increasing consumer awareness of Utilities Disputes and Powerswitch.

4 General requirements of the Code

The Code applies to all retailers and all distributors

‘All retailers’ includes retailers that purchase electricity from another retailer

4.1 A retailer is a business engaged in the sale of electricity to a consumer other than for the purpose of resale.⁹ A retailer includes anyone who is selling electricity to an entity consuming the electricity.

4.2 A retailer may purchase electricity from the wholesale market or from another retailer.

‘All distributors’ includes distributors that are not connected to the grid

4.3 A distributor is a business engaged in distribution. Distribution means the conveyance of electricity on lines other than lines that are part of the national grid.¹⁰

4.4 A distributor may be connected to the grid or may be connected to another network.

The Code refers to Utilities Disputes and Powerswitch

The dispute resolution scheme identified under clause 3 of Schedule 4 of the Act means Utilities Disputes

4.5 The Electricity Industry Act 2010 requires all retailers and distributors to be members of the dispute resolution scheme.¹¹

4.6 The dispute resolution scheme identified under clause 3 of Schedule 4 of the Act is currently Utilities Disputes. If the dispute resolution scheme was to change then retailers and distributors will need to provide information about the new scheme instead.

The plan comparison site is Powerswitch

4.7 At the time of publication of these guidelines, the plan comparison site is Powerswitch.

4.8 Should this change, notice will be given via Market Brief and published on the Authority website, consistent with any other changes to stated services or requirements.

4.9 Retailers will have three months from the date of any new plan comparison site changes to update their relevant communications.¹²

The Code requires participants to provide information about Utilities Disputes and Powerswitch

The term “information” has the plain English meaning

4.10 **Information:** *facts about a situation, person or event.*¹³

⁹ Electricity Industry Act 2010, definition of retailer and retailing.
<http://www.legislation.govt.nz/act/public/2010/0116/latest/whole.html#DLM2634242>

¹⁰ Electricity Industry Act 2010, definition of distributor and distribution.
<http://www.legislation.govt.nz/act/public/2010/0116/latest/whole.html#DLM2634242>

¹¹ Unless exempt under subsection 3 of the Act.

¹² This is from the date they are the new plan comparison provider, not the date the Authority notified the industry of the change. For example, if the Authority notifies retailers on 1 April that the plan comparison provider will change from 1 July, retailers will have 3 months from 1 July to make the changes.

¹³ <https://dictionary.cambridge.org/dictionary/english/information>

- 4.11 In the context of information about Powerswitch and Utilities Disputes information should, at a minimum, include the name of the service and what the service does.
- 4.12 The messaging should be 'fit for purpose' in achieving the goal of raising consumer awareness of the services and helping consumers understand what these services are.

The amount of information required to increase consumer awareness will depend on the context

- 4.13 Communication to consumers takes many forms and the level of information required to raise consumer awareness will depend on the context and form of the communication.
- 4.14 For example a text message may include a short link for the consumer to follow while a telephone call may use the service name and phone number or website.
- 4.15 It is important to note that the amount of information required is to raise consumer awareness of these services. The message does not necessarily need to be a call for action or cover the details of the complaints or switching process.

Specific wording is provided to help implementation, but is not mandatory

- 4.16 The following wording can be used when communicating with consumers:

Powerswitch

Consumer Powerswitch is a free and independent energy price comparison site. Visit powerswitch.org.nz to check you're on the right plan for your needs.

Utilities Disputes

If you have a complaint, please call **(your contact details)** or email **(your email details)** to access our free complaints process. If we cannot resolve your complaint, you can contact Utilities Disputes on 0800 22 33 40 or go to www.utilitiesdisputes.co.nz. Utilities Disputes is a free and independent service for resolving complaints about utilities providers.

- 4.17 As covered in 2.18 the wording above is an example of how compliance with the Code requirements could be achieved. The exact wording will depend on the communication medium and brand being portrayed. It is possible to meet the requirements in other ways. Participants should be clear on how they are meeting the goals and requirements within their communications.

The Code requires *information* to raise awareness, but Utilities Disputes scheme rules require *contact details* to support dispute resolution

- 4.18 The Code requires all retailers and all distributors to provide clear and prominent information about Utilities Disputes:
- (i) on their website
 - (ii) when responding to queries from consumers

- (iii) in directed outbound communications to consumers about electricity services and bills.

- 4.19 In contrast the Utilities Disputes scheme rules include prescriptive requirements to provide contact details in certain circumstances including at various points during the complaint process.
- 4.20 In some cases, (depending on the communication and wording used) it will be possible to meet the Utilities Disputes scheme rules and Code requirements at the same time.
- 4.21 There may be instances where it is more appropriate to include separate messaging to meet the requirements of the Code and Utilities Disputes scheme rules.

Providing clear and prominent information

The terms clear and prominent have the ‘plain English’ meaning.

- 4.22 **Clear:** *Easy to understand, hear, read or see.*¹⁴
- 4.23 **Prominent:** *Something that is in a prominent position can easily be seen or noticed.*¹⁵
- 4.24 In order for information about Utilities Disputes and Powerswitch to be considered clear and prominent, this information should be easy to understand and easily seen or noticed.
- 4.25 Information about Utilities Disputes and Powerswitch does not need to be so prominent that it overshadows the purpose of the communication.
- 4.26 If participants are unsure whether information is prominent or not, we recommend they test changes with consumers or raise the issue with the Authority or Consumer Advocacy Council.
- 4.27 The level and nature of any testing is up to the participant but conclusions from any consumer testing should be defensible to support an assessment that the requirements of the Code are being met.
- 4.28 Compliance with, and effectiveness of, the requirements will be reviewed by the Authority or Consumer Advocacy Council in the future.
- 4.29 Examples of clear and prominent information can be found in Appendix B below.

Clear and prominent information in non-visual communications

- 4.30 Some communications are not visual. For example, telephone calls or in person conversations.
- 4.31 If these are the only way the participant is communicating with the consumer, then it is still necessary to provide clear and prominent information about Utilities Disputes and Powerswitch.
- 4.32 Generally, information will be provided during the call. Information can be included at any part of the call, such as:
 - (a) at the start of the telephone call or conversation
 - (b) as part of a follow-up telephone call or conversation.

¹⁴ <https://dictionary.cambridge.org/dictionary/english/clear?q=Clear>

¹⁵ <https://dictionary.cambridge.org/dictionary/english/prominent?q=Prominent>

‘Directed outbound communications’ means personalised for a specific consumer

- 4.33 The guidance refers to the requirement to provide clear and prominent information about Utilities Disputes *in directed outbound communications to consumers about electricity services and bills*.
- 4.34 The actual wording used on the Code is:
as part of or accompanying any communication personalised for a specific named consumer (whether in print, electronic or other medium) from the retailer or distributor, or by an agent or related entity of the retailer or distributor...
- 4.35 For an outbound communication to fall within the requirements of the Code amendment it must:
- (a) be for a specific named consumer (i.e. not a general communication or mass advertising); and
 - (b) be personalised for that consumer (i.e. contain information that is specific to that consumer).
- 4.36 For example, a leaflet drop to all consumers in an area about an upcoming power outage in that area is not for a specific named consumer and is not personalised for that consumer.
- 4.37 However, a letter to the named consumer advising them of a power outage affecting their premises will trigger the Code requirements because it is for a named consumer and contains information that are personal for that consumer.

Information only needs to be provided once for a series or related exchanges of information

- 4.38 Clause 11.30D describes how participants do not need to continue to provide information about Utilities Disputes in any subsequent consumer communication on the same matter.
- 4.39 The Code is designed to raise awareness of Utilities Disputes and Powerswitch. The Code can compliment, but not replace, existing scheme rules and processes. Utilities Disputes scheme members should continue to act in accordance with the scheme rules including providing Utilities Disputes contact details when:¹⁶
- the Complainant first makes the complaint to the Provider
 - when advising the Complainant of the outcome of the Provider's complaints handling system (which may or may not result in deadlock)
 - the complaint reaches deadlock.

This means follow-up communications do not need to include the information if it has already been provided

- 4.40 Where there is an exchange of information, or where the retailer or distributor is following up from a previous communication, the retailer or distributor does not need to provide

¹⁶ For a full list of requirements please refer to the Utilities Disputes scheme rules.
<http://media.utilitiesdisputes.org.nz/media/Scheme%20Documents/ECS%20rules%20Utilities%20Disputes%201%20April%202019.pdf>

information about Utilities Disputes and Powerswitch under the Code, if they have already done so in an earlier communication.

- 4.41 For example, if a retailer is sending a reminder notice about a bill, and information about Utilities Disputes and Powerswitch was contained in the original communication, then there is no need to provide the information in the reminder notice.
- 4.42 We expect participants to take a pragmatic approach to communication and consider if a reminder of these services is appropriate in follow-up communications to help keep consumers informed of their options and achieve the goal of raising consumer awareness of Powerswitch and Utilities Disputes.

A new topic means information must be provided again

- 4.43 If the communication is primarily covering a new topic, then the retailer needs to ensure that communication contains information on Utilities Disputes and Powerswitch.
- 4.44 For example, if an overdue reminder notice is included in a communication with the next bill, the primary purpose of the communication is to provide the new bill to the consumer and information about Utilities Disputes and Powerswitch should be provided in the communication.

This exception does not supersede other legislation or requirements, such as the Utilities Disputes scheme rules

- 4.45 The Code does not supersede other requirements such as the Utilities Disputes scheme rules or Fair Trading Act.
- 4.46 The Utilities Disputes scheme rules contain prescriptive requirements, particularly when handling a complaint (not query) from a consumer. Participants should continue to follow the scheme rules, including providing Utilities Disputes contact details at various stages during the complaints process.
- 4.47 For example, the Utilities Disputes scheme rules require scheme members to advise the consumer of the Utilities Disputes service and contact details when the complaint is first made, at the end of the scheme member's complaints process, and if the complaint has reached deadlock, even if the consumer had been made aware of Utilities Disputes in a previous communication.¹⁷

Information needs to be included in the communication

- 4.48 The Authority is specifying the nature of the communication and not the form of communication or how it is included in the communication.
- 4.49 This means that retailers and distributors can choose when in the communication the information is provided and can innovate around how they meet the requirement to provide clear and prominent information about Utilities Disputes and Powerswitch.
- 4.50 For example, a notification about an upcoming price change may contain clear and prominent information about Utilities Disputes and Powerswitch:
- (a) as part of notification of a price change; or
 - (b) as part of a covering letter or e-mail with the price change; or

¹⁷ 12(f) of the Utilities Disputes scheme rules.
<http://media.utilitiesdisputes.org.nz/media/Scheme%20Documents/ECS%20rules%20Utilities%20Disputes%201%20April%202019.pdf>

(c) as a separate document within the communication 'envelope'¹⁸

- 4.51 This list is not exhaustive and detailed examples are available in Appendix B.
- 4.52 Similar to 4.45, participants will still need to follow other requirements, including the Utilities Disputes scheme rules, to promote the scheme on any invoice to customers and in other relevant customer information.¹⁹

Providing information about Powerswitch is only required for contestable residential connections

- 4.53 The provision of information about Powerswitch is only required for residential connections where the consumer is able to switch retailers.
- 4.54 One way of confirming this is by checking:
- (a) if the ICP is recorded on the electricity registry; and
 - (b) if the ICP should have an ANZSIC code of '000000' on the registry.
- 4.55 If the answer is 'yes' to both questions, then the retailer should be providing information about Powerswitch.

¹⁸ For example, an insert into a postal bill or clearly labelled attachment with the e-mail.

¹⁹ 12(a) of the Utilities Disputes scheme rules.
<http://media.utilitiesdisputes.org.nz/media/Scheme%20Documents/ECS%20rules%20Utilities%20Disputes%201%20April%202019.pdf>

5 Providing information on websites

5.1 This section relates to information provided about Utilities Disputes and Powerswitch.

Definition of a website

5.2 A website is: *a set of pages of information on the internet about a particular subject, published by a single person or organization*

For example:

- <https://www.ea.govt.nz/> is the main page of the Electricity Authority website
- <https://www.powerswitch.org.nz/> is the main page for Powerswitch
- <https://www.utilitiesdisputes.co.nz/> is the main page for Utilities Disputes.

Websites limited to sites that are offering supply of electricity to consumers

5.3 Retailers are required to provide information about Utilities Disputes and Powerswitch on their websites.

5.4 Distributors are required to provide information about Utilities Disputes on their websites.

5.5 These websites should be the sites consumers go to when they want to interact with or get information from the participant.

5.6 This could be:

- (a) the participants website (if the participant is focussed on electricity)
- (b) the brand website (if the parent company is the participant and is operating one or more electricity brands)
- (c) an agent website (if the participant uses an agent to provide the customer facing website).

5.7 If the website offers supply of electricity to consumers then information about Utilities Disputes and Powerswitch must be provided, even if that website also offers bundled services such as broadband or gas.

5.8 If the participants main website does not offer electricity services (for example it only offers Broadband services) and there is a separate site for electricity services, then information about Powerswitch and Utilities Disputes only needs to be on the website that offers electricity services.

Consumers need to be able to easily find information on websites

5.9 To support clarity and prominence the Authority recommends participants locate information with other relevant information and within easy reach of the consumer landing on the main page of the website.

5.10 The information can be on the main page or provided on pages that are accessible from the homepage (for example one to two clicks from the main page) and have content relevant to the service.

Example 1: Powerswitch

5.11 From the landing page there may be a direct link to help the consumer switch to the electricity retailer or to view the retailer's pricing plans.

5.12 Information about Powerswitch could be clearly presented on these pages, giving the consumer the opportunity to compare that retailer's offer to the wider market.

Example 2: Utilities Disputes

- 5.13 From the landing page the participant may have a page outlining the complaints process.
- 5.14 Information about Utilities Disputes could be clearly presented on this complaints page, giving the consumer information about how Utilities Disputes can help resolve complaints.

Example 3: Utilities Disputes and Powerswitch available on the main page

- 5.15 The landing page has information on Utilities Disputes and Powerswitch on the landing page.
- 5.16 Context is provided to help the consumer understand the role of Utilities Disputes and Powerswitch so they can make a decision on if they want to investigate these services further.
- 5.17 Detailed examples are available in Appendix B

It is recommended that websites include 'click through' functionality

- 5.18 It is recommended that information provided on websites and in other electronic media includes a link to the relevant service.

For example, the information on Utilities Disputes includes a link or button embedded within the logo which consumers can click on to go directly to the Utilities Disputes webpage.

6 Responding to queries

6.1 This section relates to information provided about Utilities Disputes.

Definition of a query

6.2 A query is: *a question, often one expressing doubt about something or looking for information.*²⁰

6.3 Queries are initiated by the customer and can be received through many channels including telephone, e-mail, web chats and social media.

Query vs. comment

6.4 A comment is: *something that you say or write that expresses your opinion.*²¹

Table 2: Example of difference between a query and a comment

Query: <i>a question, often one expressing doubt about something or looking for information</i>	Comment: <i>something that you say or write that expresses your opinion.</i>
Do you supply power to the Chatham Islands?	I think everyone should be able to supply power to the Chatham Islands.

6.5 It is possible for a comment to also include a query, where the comment is expressing an opinion and asking a question.

6.6 Comments are common in social media interactions, such as when posting on platforms such as Facebook and Twitter.

Query vs. complaint

6.7 A query differs from the definition of a complaint under the Utilities Disputes scheme rules.

6.8 The Utilities Disputes scheme rules define a complaint as: *an expression of dissatisfaction made to or about a Provider where a response or a resolution is explicitly or implicitly expected. For example, a complaint may be made by letter, email, phone call, text message or a post on a social media page maintained by the Provider, but not on a social media page maintained by the Complainant or a third party.*²²

6.9 Not all queries will be complaints, and subject to the more prescriptive Utilities Disputes scheme rules for handling complaints.

²⁰ <https://dictionary.cambridge.org/dictionary/english/query>

²¹ <https://dictionary.cambridge.org/dictionary/english/comment>

²² https://www.utilitiesdisputes.co.nz/UD/Resources/Scheme_rules/UD/Resources/Scheme_rules.aspx

Table 3: Example of difference between a query and a complaint

Query: <i>a question, often one expressing doubt about something or looking for information</i>	Complaint: <i>an expression of dissatisfaction made to or about a Provider where a response or a resolution is explicitly or implicitly expected.</i>
Do you supply power to the Chatham Islands?	You should be able to provide me power in the Chatham Islands.

6.10 Retailers and distributors should review communication mechanisms and ensure all common communication channels are identified, and information about Utilities Disputes is provided to consumers raising queries via these channels.

6.11 Communication channels are likely to include:

- telephone
- e-mail
- online chat
- social media
- walk-ins (if a physical presence).

Telephone queries

6.12 Organisations with established call centres and automated systems could include information about Utilities Disputes in the introductory message or Interactive Voice Response (IVR) system. Providing information to the consumer at the point of contact will achieve the requirements and goal of ensuring consumers are aware of Utilities Disputes.

6.13 Alternative mechanisms such as providing information during the telephone call or as part of a written follow-up to the call can also meet the requirements.

E-mail queries

6.14 Participants that are responding to consumer queries can include information about Utilities Disputes within the communication. This can include:

- (a) in the e-mail signature
- (b) in the body of the e-mail
- (c) as an attachment to the e-mail.

Online chat

6.15 It is becoming increasingly common for consumers to engage with participants via online chat functionality. This includes web chats, where consumers are interacting with the participant, such as via functionality embedded within the retailer's website and chatbots where there is a software solution responding to the consumers query.

6.16 Chatbots are increasingly used by businesses as part of their customer service platform, including to respond to consumer queries. Using a chatbot to respond to queries can trigger the awareness requirements.

- 6.17 Ways of providing information about Utilities Disputes as part of a web chat or chatbot could include:
- providing information as part of the initial welcome message for the chat
 - a follow-up communication to close the query, where the consumer has provided an e-mail address or contact details as part of the chat.

Social media

- 6.18 Consumer queries can be received via social media and other public communications which allow consumers to comment and ask queries that are associated with the communication. Examples of this include Facebook and Twitter.
- 6.19 When responding to social media queries the participant should be aware that information about Utilities Disputes should be incorporated in the process of responding to the query. Information only needs to be provided if the consumer is asking a question, and the participant is choosing to respond.
- 6.20 The information can be provided as part of the response or within the scope of the social media post, including:
- as part of the response to the query (regardless of if the response is public or private)
 - within the original communication that triggered the query
 - as a 'pinned' post within the comments.
- 6.21 Additionally, we understand that any complaints (including complaints made via social media) will trigger the more prescriptive Utilities Disputes scheme rules and require the participant to provide Utilities Disputes contact details to the complainant.

7 Providing information with consumer bills

7.1 This section relates to information provided about Utilities Disputes and Powerswitch.²³

Clarification on what constitutes a bill

7.2 A bill is *a request for payment of money owed, or the piece of paper on which it is written*.²⁴

7.3 A bill includes invoices and other requests for payment.²⁵ For the purposes of this guideline the term bill refers to “*billing or charges to, or payments owed or made by, the consumer, including any invoice, request for payment or statement of account.*”

7.4 For simplicity any request for payment can be considered a bill, including a formal invoice or covering correspondence. Information about Utilities Disputes should be provided as part of this communication. As noted in 4.38 - 4.42 this information only needs to be provided once in a series of communications about the same bill.²⁶

Providing information on the bill

7.5 Most retailers and distributors directly bill consumers using a computer-generated bill created in the billing system. A bill may be physical (sent via the post) or electronic (sent via e-mail or application).

7.6 Physical and electronic bills may be generated from different systems and may have a different look and feel to each other.²⁷

7.7 Participants should be aware that the Utilities Disputes Scheme rules require promotion of Utilities Disputes on invoices. Compliance with the existing Utilities Disputes Scheme rules may be sufficient to meet the requirement to provide information about Utilities Disputes with invoices, if the information provided is clear and prominent.

7.8 To meet the prominence requirement, we encourage participants to put information about Utilities Disputes and Powerswitch on the first page of the bill to ensure the information provided is clear and prominent.

7.9 We also encourage the use of simple graphics and messaging provided by Utilities Disputes and Powerswitch to ensure the information is clear and consistent.

7.10 An example of what a bill could look like can be found in Appendix B.

7.11 Similarly, information that is lost within the messaging is unlikely to meet the requirements of the Code. For example, providing information on the last page of the invoice in four-point font or surrounding a logo with logos for unrelated services is unlikely to achieve the requirement to provide clear and prominent information.

²³ Distributors do not need to provide information about Powerswitch. Distributors are only required to put information about Utilities Disputes on invoices for consumers they bill directly.

²⁴ <https://dictionary.cambridge.org/dictionary/english/bill>

²⁵ An invoice is defined as *a list of things provided or work done together with their cost, for payment at a later time* <https://dictionary.cambridge.org/dictionary/english/invoice>

²⁶ While we encourage retailers and distributors to include this information in all billing communications, it is only required once in a series of related communications about the same bill. For example, if the information about Utilities Disputes and Powerswitch is clear and prominent on the initial bill there is no requirement in the Code to include it in the reminder notice or any follow-up phone call.

²⁷ Look and feel refers to *the way that something, typically software or a website, appears to a user or customer, and how attractive or easy to use it is* <https://dictionary.cambridge.org/dictionary/english/look-and-feel>

Providing information with the bill

- 7.12 An alternative to including the information on the bill is to include the information with the bill.
- (a) where the bill is electronic this could include:
 - (i) providing information about Utilities Disputes and Powerswitch in the covering e-mail or request for payment
 - (ii) providing the key message with the covering e-mail and including an attachment about Utilities Disputes and Powerswitch with more information
 - (b) where the bill is posted, this may be a physical insert (separate piece of paper) included with the bill
 - (c) where the bill is online, the information about Utilities Disputes and Powerswitch may be provided on a screen before or when the consumer accesses their bill.
- 7.13 When considering how to provide information with consumer bills we recommend focussing on the goal that the consumer is made aware of Utilities Disputes and Powerswitch through the billing communication.
- 7.14 When providing information with the bill, participants should be aware of the Utilities Disputes scheme rules, which require contact details on the invoice.²⁸

Consumer billing and future awareness needs

- 7.15 We recommend participants reserve a single space within the bill for consistent industry-wide messaging. This space should be capable of including information to promote Utilities Disputes and Powerswitch as well as future messaging to support consumers.²⁹
- 7.16 Examples of how information could be provided with the bill can be found in Appendix B.

8 Providing information with billing changes

- 8.1 This section relates to information provided about Utilities Disputes and Powerswitch.
- 8.2 Price and billing changes refers to communications to consumers about changes to the price of the services they pay for.
- 8.3 This can include where consumer's tariffs or tariff rates are changing, such as a price change notification.
- 8.4 For example, where the retailer is notifying the consumer of a change to their electricity price (such as a change to the kWh or daily change) this communication needs to include information about Utilities Disputes and Powerswitch.
- 8.5 As with section 7 this information can be included on the notification of billing change or with the notification of billing change.

9 Providing information with consumer service communication

- 9.1 This section relates to information provided about Utilities Disputes.

²⁸ Clause 12(a) of the Utilities Disputes scheme rules (https://www.utilitiesdisputes.co.nz/UD/Resources/Scheme_rules/UD/Resources/Scheme_rules.aspx)

²⁹ For example, the [Medically Dependent Consumer and Vulnerable Consumer guidelines](#) update may include guidance on additional information to support consumers.

Clarification on electricity services

- 9.2 Electricity services refers to the services required to provide electricity to the consumer, including:
- the electricity consumed
 - the transport of electricity to the premises
 - the provision of related services such as quantification services (commonly including metering but can also include how unmetered load and distributed unmetered load are quantified).
- 9.3 Services that are not related to electricity, for example communications relating solely to gas or broadband are not covered by the Code.
- 9.4 Tree felling notices under the Electricity (Hazards from Trees) Regulations 2003 are not considered electricity services, unless the participant has included these requirements in the contract for the supply of electricity. (For example, if failure to comply would trigger a contractual right for the participant to terminate supply to the consumer).
- 9.5 Where the retailer or distributor is notifying the consumer about their services, such as a planned outage or scheduled maintenance of a metering installation, clear and prominent information should be provided about Utilities Disputes.

10 Providing information with service changes

- 10.1 This section relates to information provided about Utilities Disputes and Powerswitch.
- 10.2 This notification applies when there is a change to an electricity service such as:
- the electricity consumed
 - the transport of electricity to the premises (for example a planned outage notification)
 - the provision of related services such as quantification services (for example an upgrade to a communicating meter).
- 10.3 It can also include where there will be a change to the services the provider will be providing, including to meter reading services or to outages.
- 10.4 Similar to section 7, this information can be included on the notification of service change or with the notification of service change.

11 Providing information annually

- 11.1 This section relates to information provided about Powerswitch.
- 11.2 Clause 11.30B(4) requires retailers to provide information about Powerswitch on an annual basis.
- 11.3 This requirement is in addition to the requirement to provide information to consumers on their website and in communications to consumers about the bill and about price and service changes.

- 11.4 We expect retailers to include this information in existing communications to consumers, such as within the annual promotion of the low fixed charge tariff options, however the communication can be made separately.³⁰

12 Common questions and clarifications

- 12.1 This section is to support retailers and distributors in consistently complying with the Code in situations which may not be clear from the Code.

Emergency Communications

- 12.2 During an emergency it is likely that participants will be engaging directly with consumers to help support them through the emergency. During this time there will be a consumer expectation that the participant will be responding to the emergency and focussing on the consumers immediate needs.
- 12.3 Providing information to improve consumer awareness of Utilities Disputes and Powerswitch at incorrect touchpoints during an emergency may undermine consumer confidence that the emergency is being handled effectively. Participants should be aware of this when providing information about these services.
- 12.4 We expect emergency communications will be reactive (responding to an emergency) or proactive (keeping consumers informed during an emergency):
- (a) reactive - call centre saturation
 - (b) proactive – widespread outage notifications

Reactive communications

- 12.5 Reactive communications occur when consumers contact the participant during an emergency. This could be a widespread emergency (where there are many consumers contacting the participant) or localised emergency (where a small number of consumers require urgent assistance).
- 12.6 For a widespread emergency it may be appropriate to add an automated message when consumers first contact the call centre letting them know about the emergency and what the participant is doing to address it. Information about Utilities Disputes could be provided at this time.
- 12.7 Where there is a localised emergency, for example there are only a small number of consumers that need urgent assistance it may be more appropriate to follow up with the consumer after the emergency to ensure their issues have been addressed and that awareness of Utilities Disputes is provided.

Proactive communications

- 12.8 Where the participant is proactive in communicating about an emergency that is underway, it is unlikely the communication will be personalised for the individual consumer. In these cases, awareness of Utilities Disputes is not required.
- 12.9 If the communication is personalised for the consumer, for example providing information about when the technician will be at their property then information about Utilities

³⁰ Clause 12 of the [Electricity \(Low Fixed Charge Tariff Option for Domestic Consumers\) Regulations 2004](#) requires each retailer to promote the low fixed charge tariff options at least once in every 12 months.

Disputes should be provided at some point during that interaction. This could be once the emergency is resolved.

Alternative forms of consumer engagement such as SMS and Apps may need to comply

- 12.10 We recognise that consumer engagement changes over time and some consumers are engaging with participants via applications or short messaging (such as SMS).
- 12.11 It is possible for the Code requirements to apply, but this will depend on the context of the interaction.
- 12.12 For example, the consumer may 'pull' information from an app. Because this is not a notification to the consumers there is no obligation to provide information about Utilities Disputes within the app.
- 12.13 Similarly, a retailer may 'push' information to consumers via a notification (such as via SMS or app). If the communication is not directed to the specific consumer (such as an SMS communication to all consumers of a new power deal that has gone live) then there is no obligation to provide information about Utilities Disputes or Powerswitch.
- 12.14 However if the 'push' is specific to that named consumer then the context of the communication becomes important and may require the participant to provide information on Utilities Disputes and Powerswitch.
- 12.15 We appreciate that alternative forms of consumer engagement such as SMS and apps may complement existing communication channels. Providing information about Utilities Disputes and Powerswitch will not normally be required in mobile apps, except for business' obligations under 12.14. This is because consumers will have already been made aware of the services via the same communication sent via traditional channels.

In person communications (such as door to door sales and 'pop-up' kiosks) will need to comply

- 12.16 It is possible for participants (or their representative) to engage directly with consumers. For example, when engaging in door to door sales, a 'pop up' kiosk in a mall or telephone marketing encouraging consumers to switch retailers or when a technician is onsite to service the site.
- 12.17 In these situations, the Code requirements apply. We recommend that fixed sites such as an office or kiosk includes clear and prominent information on Utilities Disputes and Powerswitch. This could include posters or flyers that are accessible to the consumer.
- 12.18 For door to door sales and telemarketing, the requirement should only apply when the consumer has been engaged. This is generally when there has been a two-way discussion on price or service.
- 12.19 In these situations, the salesperson can provide information during the engagement (verbally or through a hand-out) or as part of a follow-up communication. For door-to-door sales we recommend providing this information at the time of contact, well within the five business day 'cooldown' period in the Fair Trading Act.
- 12.20 For technicians onsite, the information may have already been provided as part of the initial contact, or could be a leaflet left in the customer's letterbox.

12.21 If a technician does not communicate with the consumer about electricity price or service (for example a meter reader) then the Code does not require information about Utilities Disputes and Powerswitch to be provided.

Commonly asked questions

Table 4: When do I comply

Q#	Question	Answer
1	I get my Metering Equipment Provider (MEP) to contact the customer for a meter change. Do they need to comply with the requirements?	Yes. Retailers need to make sure agents communicating on behalf of them meet these requirements. In this case the MEP is acting as an agent for the retailer in arranging access to the site. The retailer should ensure the MEP communicating on their behalf complies.
2	I am an electricity retailer and broadband supplier. Does this requirement apply to communications solely about broadband?	No. This requirement only relates to your role as an electricity retailer. Communications that are unrelated to your role as an electricity retailer are not covered by these requirements, including broadband, gas and other services.
3	Do I need to be putting information about Utilities Disputes and Powerswitch on advertisements?	No. General advertising or marketing campaigns including print mail drops are not covered by the Code. The communication must be personalised for a specific named consumer.
4	I use an app to communicate with customers. Do I have to promote Utilities Disputes and Powerswitch on my app?	If you use the app to present the bill, respond to queries or to push directed outbound communications to named consumers then you may be required to provide information about Utilities Disputes and Powerswitch. If the app does not have these features or the information has already been provided via the same communication sent through traditional channels then you should not need to also provide this information on the app.

Q#	Question	Answer
5	The guideline workshop held on 15 October 2020 discussed the concept of 'transactional' queries and notices. Does this mean I don't have to provide information if I consider a query is 'transactional'.	<p>No.</p> <p>Information about Utilities Disputes should be provided in the course of responding to any query.</p> <p>Similarly, any communications to a specific named consumer should include information about Utilities Disputes and Powerswitch in the course of the communications.</p> <p>Transactional queries related to interactions that were administrative in nature, particularly where the consumer was not necessarily asking a question. For example, logging into their account to check their balance or download their consumption data.</p>

Table 5: How do I comply

Q#	Question	Answer
6	How do I prove my communications meet the Code requirements of clear and prominent?	<p>In most cases this should be evident. Users will be able to easily find and understand the information within the wider communication.</p> <p>Retailers and distributors can demonstrate this by testing communications with consumer groups for clarity and prominence.</p>
7	Do I have to use Utilities Disputes / Powerswitch branding and messaging?	<p>No.</p> <p>The Code requires the information to be clear and prominent. We believe using the Utilities Disputes and Powerswitch branding and messaging will achieve this, but it does not prevent participants from innovating.</p> <p>We recommend testing innovative solutions with consumers to ensure it will meet the goals of raising consumer awareness of Utilities Disputes and Powerswitch. We also expect communications will not mis-represent the services or undermine their relevancy for the consumer.</p>

Q#	Question	Answer
8	Do I need to use colour logos?	<p>No.</p> <p>The Code requires the information to be clear and prominent. We believe using colour versions of the Utilities Disputes and Powerswitch branding and messaging will achieve this but it does not prevent participants from innovating or using greyscale versions if necessary.</p> <p>We recommend testing any non-colour solution with consumers to ensure it will meet the goals of raising consumer awareness of Utilities Disputes and Powerswitch.</p>
9	The Code talks about changing Powerswitch. How will that work in practice?	<p>Powerswitch is currently contracted with the Authority.</p> <p>If the Authority was to change providers, this will be notified to the industry via the Market Brief in advance of any change. The industry will have three months from the date of the change to align their communications with the changes.</p>
10	How should I make consumers aware of Utilities Disputes and Powerswitch if English is not their native language?	<p>We recommend retailers and distributors provide information on Utilities Dispute and Powerswitch in the same language as the rest of the communication.</p>
11	How do I contact Utilities Disputes and Powerswitch if I have any questions?	<p>Powerswitch can be contacted at: feedback@powerswitch.co.nz 0800 CONSUMER or 04 384 7963</p> <p>Utilities Disputes can be contacted at: communications@utilitiesdisputes.co.nz or info@utilitiesdisputes.co.nz</p>
12	How will these requirements be audited?	<p>Compliance with the new Code obligations will be incorporated into existing participant audits.</p>

Q#	Question	Answer
13	We do not have an IVR system. How can we provide information about Utilities Disputes to incoming callers?	<p>Before responding to the query, you may wish to collect information about the consumer that is calling. This can be used to provide follow-up information outside of addressing the specific query the consumer is calling about.</p> <p>Alternatively, you may include information about Utilities in the welcome script.</p>
14	If distributors are mentioning Powerswitch at their own discretion must they follow the same guidelines or are there any limitations?	<p>There are no limitations under the Code, promoting Powerswitch is at the distributor's discretion.</p> <p>This is because the Code does not regulate distributors providing information about Powerswitch.</p>

Table 6: Other points of clarification

Q#	Question	Answer
15	The consumer claims to have not received the initial communication. What should I do?	<p>Participants should be making reasonable endeavours to ensure consumers receive the communication.</p> <p>If the information was included in a communication that the consumer claims they have not received it should be included when responding to the enquiry.</p>
16	What is being classed as responding to a query?	<p>Responding to a query means responding to a question or request for information.</p> <p>To avoid confusion, we expect these questions to be initiated by the consumer.</p>
17	What are the penalties for not providing clear and prominent information about Utilities Disputes and Powerswitch to consumers?	<p>Not providing clear and prominent information would be a breach of the Code and subject to the compliance regime.</p>
18	If I get a query but don't respond to it, will I be in breach?	<p>No.</p> <p>The Code requires information to be provided when responding to a query. If you do not respond to a query that information does not have to be provided.</p>

Q#	Question	Answer
19	Does an 'electricity service' change refer to disconnections and outages?	Yes. Electricity service changes include disconnections and outages. It can also include non-outage related service changes that could influence the consumer, such as changes to billing or load control.

Appendix A Clause 11.30A to 11.30E of the Code

11.30A Provision of information on dispute resolution scheme

- (1) Each **retailer** and **distributor** must provide information in the circumstances specified in subclauses (2) and (3) about the dispute resolution scheme identified under clause 3 of Schedule 4 of the Act.
- (2) The information required by subclause (1) must be clearly and prominently published on any website that—
 - (a) is maintained by, or on behalf of, the **retailer** or **distributor**; and
 - (b) deals with, describes or offers the supply of **electricity** or **line function services** by the **retailer** or **distributor**, or by an agent or related entity of the **retailer** or the **distributor**.
- (3) The information required by subclause (1) must also be clearly and prominently provided—
 - (a) as part of or accompanying any communication personalised for a specific named **consumer** (whether in print, electronic or other medium) from the **retailer** or **distributor**, or by an agent or related entity of the **retailer** or **distributor**, about—
 - (i) billing or charges to, or payments owed by or made by, the **consumer** for the supply of **electricity** or line function services, including any invoice, request for payment or statement of account; or
 - (ii) the terms and conditions for the supply of **electricity** or **line function services** to the **consumer**, including the prices, tariffs, energy plan, price plan, tariff plan and terms of service for the **consumer**; and
 - (b) in association with or in the course of the **retailer** or **distributor**, or any person on behalf of the **retailer** or **distributor**, responding in any form, to any query from a **consumer**, including—
 - (i) in association with or in the course of any telephone call from a **consumer**; or
 - (ii) in any emails.
- (4) A **retailer** or **distributor** may meet the requirement in sub-paragraph (3)(b)(i) by providing the information as part of initial automatic answering systems or call holding systems, provided in each case the information is reasonably likely to come to the attention of the **consumer**.

11.30B Provision of information on electricity plan comparison site

- (1) Each **retailer** that supplies **electricity** at any **ICP** for which the relevant business classification code for the purposes of clause 9(1)(k) of Schedule 11.1 is “000000” or “Residential” must provide clear information in the circumstances specified in subclauses (2) to (4) about the electricity plan comparison website or other platform, as identified on the **Authority’s** website.
- (2) The information required by subclause (1) must be clearly and prominently published on any website that—

- (a) is maintained by, or on behalf of, the **retailer**; and
 - (b) deals with, describes or offers the supply of **electricity** at any such **ICP** by the **retailer**, or by an agent or related entity of the **retailer**.
- (3) The information required by subclause (1) must also be clearly and prominently provided as part of or accompanying any communication personalised to a specific named **consumer** (whether in print, electronic or other medium) from the **retailer**, or by an agent or related entity of the **retailer**, about—
- (a) billing or charges to, or payments owed or made by, the **consumer** for the supply of **electricity** at any such **ICP**, including any invoice, request for payment or statement of account; or
 - (b) the terms and conditions for the supply of **electricity** at any such **ICP**, including the prices, tariffs, energy plan, price plan, tariff plan and terms of service for the **consumer**.
- (4) The information required by subclause (1) must also be clearly and prominently provided at least once every calendar year to each customer whose **electrical installation** is connected to an **ICP** referred to in subclause (1).
- (5) If the **Authority** changes the web address of the electricity plan comparison website, establishes a new platform to perform the same purpose, or changes that platform or its location descriptor, each **retailer** must change the information published or provided under clause 11.30A to refer to the new address, platform or location descriptor as soon as reasonably possible and no later than 3 months from the date the change is notified on the **Authority's** website.

11.30C Specific requirements for information provided on websites and by other electronic means

The information provided under clauses 11.30A(2) and 11.30B(2)—

- (a) must be prominently provided on, or linked to, a page or pages of the **retailer's** or **distributor's** website, which a **consumer** seeking information on or in relation to the supply of **electricity** or **line function services**, or on the complaint processes of the **retailer** or **distributor**, is reasonably likely to view; but
- (b) does not need to be provided on every such page or every part, provided a **consumer** seeking such information is reasonably likely to come across the information in the course of visiting the website.

11.30D Limitations on required information disclosure under clause 11.30A or 11.30B

- (1) If a **retailer** or a **distributor** has provided the information required by clause 11.30A or 11.30B to a **consumer**—
- (a) in a **consumer** communication under clause 11.30A(3)(a) or 11.30B(3), the **retailer** or **distributor** does not need to continue to provide the information in any subsequent **consumer** communication on the same matter; or
 - (b) in response to any query under clause 11.30A(3)(b), the **retailer** or **distributor** does not need to continue to provide the information in any further responses to the same or related queries.

- (2) Under subclause (1):
- (a) an invoice and any request for payment, reminder notice, notice of late payment, demand, or disconnection notice in respect of the amount in the invoice are on the same matter; but
 - (b) invoices that apply to different periods are not on the same matter.

11.30E Meaning of “related entity”

For the purposes of clause 11.30A and 11.30B, the term “related entity” has the meaning set out in section 2(3) of the Companies Act 1993, where the reference in that section to “company” is read as if it referred to either a “company” or a “body corporate”.

Appendix B Examples

B.1 This appendix provides examples of how different forms of communication could look, while integrating the requirement to provide clear and prominent information about Utilities Disputes and Powerswitch. The Authority is aware that the way participants present themselves to consumers is diverse. The examples provided should not be considered 'best practice' billing or website design and may not directly apply to any one participant. These examples are intended to help participants with their design thinking and meeting the Code requirements within their specific circumstances and brand.

Design principles

B.2 The design goal is to ensure the consumer is aware of Utilities Disputes and Powerswitch, while still understanding who the message is from and the key message of the communication.

B.3 The general principles are:

- (a) the consumer can clearly see and identify the information about Utilities Disputes and Powerswitch (it is clear and prominent)
- (b) the messaging does not overshadow the key purpose of the communication
- (c) where possible Utilities Disputes and Powerswitch logos and branding is used (in line with Utilities Disputes and Powerswitch branding guidance).

B.4 Please contact Utilities Disputes and Powerswitch for support on how to apply this guidance to your specific circumstance and the use of their information and branding.

Providing Information on websites

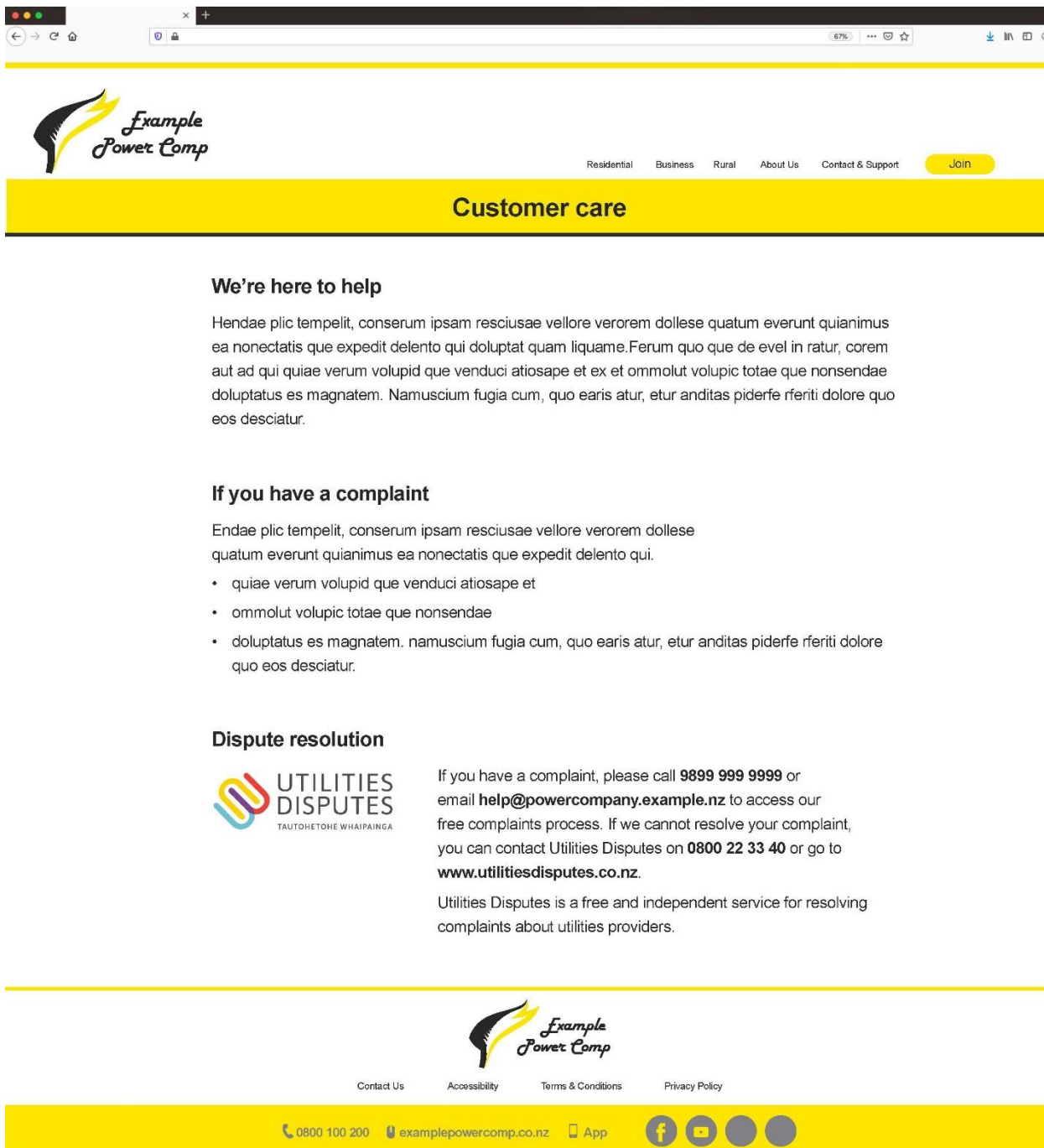
Example 1: Providing information on the main page

The screenshot shows a website for 'Example Power Comp'. At the top left is the logo. A navigation menu includes 'Residential', 'Business', 'Retail', 'About Us', 'Contact & Support', and a 'JOIN' button. Below the navigation is a large image of a city at night with a yellow banner at the bottom that says 'Join us on the right plan for you'. Underneath are four circular icons for 'Sign up for Electricity', 'Sign up for Natural Gas', 'Sign up for Bottled Gas', and 'Sign up for Dual Fuel'. A section titled 'Come and see what it is all about' features two photos: one of a family looking at a laptop and another of two women in a kitchen. Below each photo is a heading and a paragraph of placeholder text. Further down are three yellow circular icons representing electricity, gas, and bottled gas, each with a heading and a paragraph of placeholder text. A 'Consumer support' section contains two columns: 'POWERSWITCH by consumer' with a description and website, and 'UTILITIES DISPUTES' with a description and contact information. The footer includes the company logo, contact links (Contact Us, Accessibility, Terms & Conditions, Privacy Policy), and a yellow bar with the phone number 0800 100 200, the website URL examplepowercomp.co.nz, an app icon, and social media icons for Facebook and YouTube.

Example 2: Providing information about Utilities Disputes on websites

Front page has link to 'Consumer Care' section

Consumer Care section has information about Utilities Disputes noticeable on the page



The screenshot shows a web browser window displaying the 'Customer care' section of the 'Example Power Comp' website. The page features a yellow header with the company logo and navigation links. The main content area is white with a yellow background for the 'Customer care' title. The text is in a serif font and includes sections for 'We're here to help', 'If you have a complaint', and 'Dispute resolution'. The 'Dispute resolution' section includes a logo for 'UTILITIES DISPUTES' and contact information.

Example Power Comp

Residential Business Rural About Us Contact & Support [Join](#)

Customer care

We're here to help


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If you have a complaint

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Dispute resolution


 **UTILITIES DISPUTES**
TAUTOHETOHE WHAIPAINGA

If you have a complaint, please call **9899 999 9999** or email **help@powercompany.example.nz** to access our free complaints process. If we cannot resolve your complaint, you can contact Utilities Disputes on **0800 22 33 40** or go to **www.utilitiesdisputes.co.nz**.

Utilities Disputes is a free and independent service for resolving complaints about utilities providers.

Example Power Comp

Contact Us Accessibility Terms & Conditions Privacy Policy

0800 100 200 examplepowercomp.co.nz App 

Example 3: Providing information and Powerswitch on websites

Front page has a 'switching' or 'pricing' section


Information about Powerswitch is provided in relevant switching and pricing sections

The screenshot shows a web browser displaying the front page of 'Example Power Comp'. The page features a yellow header with the company logo and navigation links: Residential, Business, Rural, About Us, Contact & Support, and a 'Join' button. Below the header is a yellow banner with the text 'Choose a plan that's right for you'. The main content area is divided into two columns, each representing an energy plan. The left plan is titled 'Borrum nonectio' and lists features: 'Lowest energy rates on offer' and '12 month fixed term'. The right plan is titled 'laborrum nonectio' and lists features: 'Choose 12 months fixed term flexible payments' and 'Choose how you manage your bill payments'. Below each plan is a section titled 'Nem que poris ut omnihillorit ut quiam' followed by a paragraph of placeholder text. A 'Consumer support' section follows, featuring the 'POWERSWITCH by consumer.' logo and a description: 'Powerswitch is a free and independent energy price comparison website. powerswitch.org.nz'. A 'Compare prices' button is located below this section. The footer contains the company logo, contact information (0800 100 200, examplepowercomp.co.nz), and social media icons (Facebook, YouTube, Instagram, Twitter).

Example Power Comp

Residential Business Rural About Us Contact & Support Join

Choose a plan that's right for you




Borrum nonectio

- Lowest energy rates on offer
- 12 month fixed term

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laborrum nonectio

- Choose 12 months fixed term flexible payments
- Choose how you manage your bill payments

Nem que poris ut omnihillorit ut quiam

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Consumer support

POWERSWITCH

by consumer.

Powerswitch is a free and independent energy price comparison website. powerswitch.org.nz

Compare prices

Example Power Comp

Contact Us Accessibility Terms & Conditions Privacy Policy

0800 100 200 examplepowercomp.co.nz App

f y i t

Providing information when sending a bill to a consumer

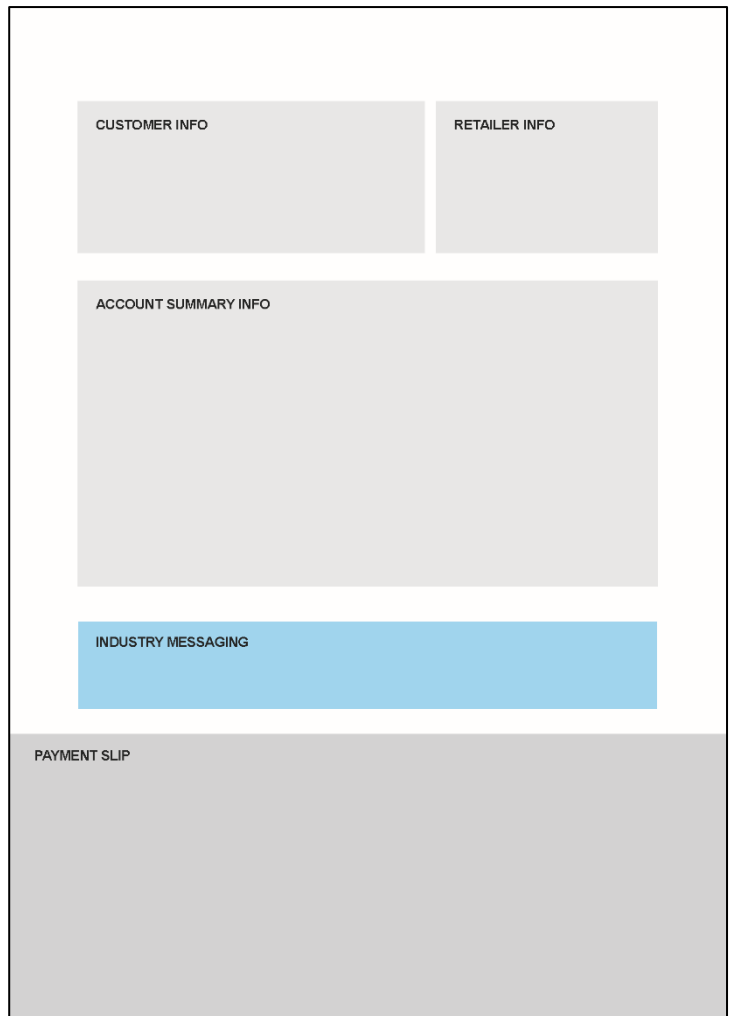
Zone Layout

This is an example of a zone layout for a consumer invoice.

We recommend participants reserve a single space within the invoice for consistent industry-wide messaging.

This space should be capable of including information to promote Utilities Disputes and Powerswitch as well as future messaging to support consumers.

An example bill using this zone layout is below.



Example 1: Promotion of Utilities Disputes and Powerswitch on the bill

CUSTOMER NAME
1 EXAMPLE LANE
SUBURB NAME
CITY 9999

Your customer number **900 9000 9999**
Your ICP number **1234567999ABC13**

Invoice date
1 January 2020
Statement number
999910001
GST number
99-999-XX1



Your electricity account

Summary of payments since your previous account

Closing balance of your previous account	\$	256.92
Payments received	\$	256.92 cr

Current account summary

Current electricity charges	\$	223.41
-----------------------------------	----	--------

Total amount due \$ **256.92**

Payment due by 31 January 2020


Total current GST: \$33.51 (refer to page 2 for details)



Powerswitch is a free and independent energy price comparison website.
powerswitch.org.nz



Utilities Disputes can help with energy complaints. It is free and independent.
0800 22 33 40 utilitiesdisputes.co.nz



CUSTOMER NAME
1 EXAMPLE LANE
SUBURB NAME
CITY 9999

Your customer number
900 9000 9999

Statement number
999910001

You can pay by internet banking using the following details:

Bank: Example Power Comp
Bank account number: 99-9999-9999999-99
Account name: Example Power Comp NZ
Reference: 999910001

Please make cheque payable to Example Power Comp. Cut off this part of the bill and return it with your payment in the reply paid envelope, or post it to:

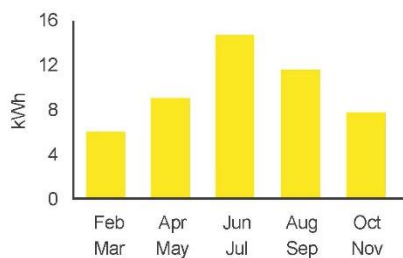
PO Box 99999, City 9999

Total amount due \$ **256.92**

Amount paid \$

9999 991191999999 0000000000 0000099999

Average daily electricity usage over past year



Current electricity usage

	ICP	Previous reading	Current reading	Read type	Units used	Rate	Total
Daily fixed charge, low user tariff	999990000ZZ-111	5000	7000	Actual	1999 @	11.0000 c/unit	220.00
Power plan name					31 days @	11.0000 c/day	3.41
Sub total							223.41
GST							33.51

Total current electricity charges

\$ 256.92

Your average daily electricity cost for the billing period excluding discount is \$8.29 including GST.

Covers the 31 day period from 1 December 2019 to 31 December 2019. Your meter was read on 31 December 2019.

Do you have a query?

For electricity faults (24 hours) call 9899 999 999.

If you have any concerns about our service or want to make a complaint please call us on 9899 999 999 to access our free complaints process.



If we're unable to resolve your complaint you can call the free independent dispute resolution service provided by Utilities Disputes on **0800 22 33 40** or visit utilitiesdisputes.co.nz

Example 2: Promotion of Utilities Disputes and Powerswitch with the bill (cover letter or e-mail)

Provide the information within the covering letter or e-mail.

You are subscribed as customer.name@gmail.com
Ensure our emails reach you by adding noreply@mail.examplepowercomp.co.nz to your address book.



Hi CUSTOMER NAME

Here's your Example Power Comp for
1 EXAMPLE LANE
SUBURB NAME, CITY 9999
on August 2020

Your bill is also attached

Your bill amount

Includes your prompt payment discount

\$256.92

Due by:
31 Jan 2020

Thank you. This will be automatically taken from your account

WHAT'S ON



One line heading here

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Subheading here

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And then there is a two line subheading here

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Consumer support

POWERSWITCH by consumer.

Powerswitch is a free and independent energy price comparison website.
powerswitch.org.nz

UTILITIES DISPUTES TAUOHETEHOE WHAIKANGA

Utilities Disputes can help with energy complaints. It is free and independent.
0800 22 33 40 utilitiesdisputes.co.nz

0800 100 200 examplepowercomp.co.nz App



Please do not reply to this email. If you need assistance, use the links below.

Example 3: Promotion of Utilities Disputes and Powerswitch with the bill (cover letter or e-mail, information near the bill amount)

You are subscribed as customer.name@gmail.com
Ensure our emails reach you by adding noreply@mail.examplepowercomp.co.nz to your address book.



Hi CUSTOMER NAME

Here's your Example Power Comp for
1 EXAMPLE LANE
SUBURB NAME, CITY 9999
on August 2020

Your bill is also attached

Your bill amount

Includes your prompt payment discount

\$256.92 | Due by:
31 Jan 2020

Thank you. This will be automatically taken from your account

Consumer support



Powerswitch is a free and independent energy price comparison website.
powerswitch.org.nz



Utilities Disputes can help with energy complaints. It is free and independent.
0800 22 33 40 utilitiesdisputes.co.nz

What's On



One line heading here

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And then there is a two line subheading here

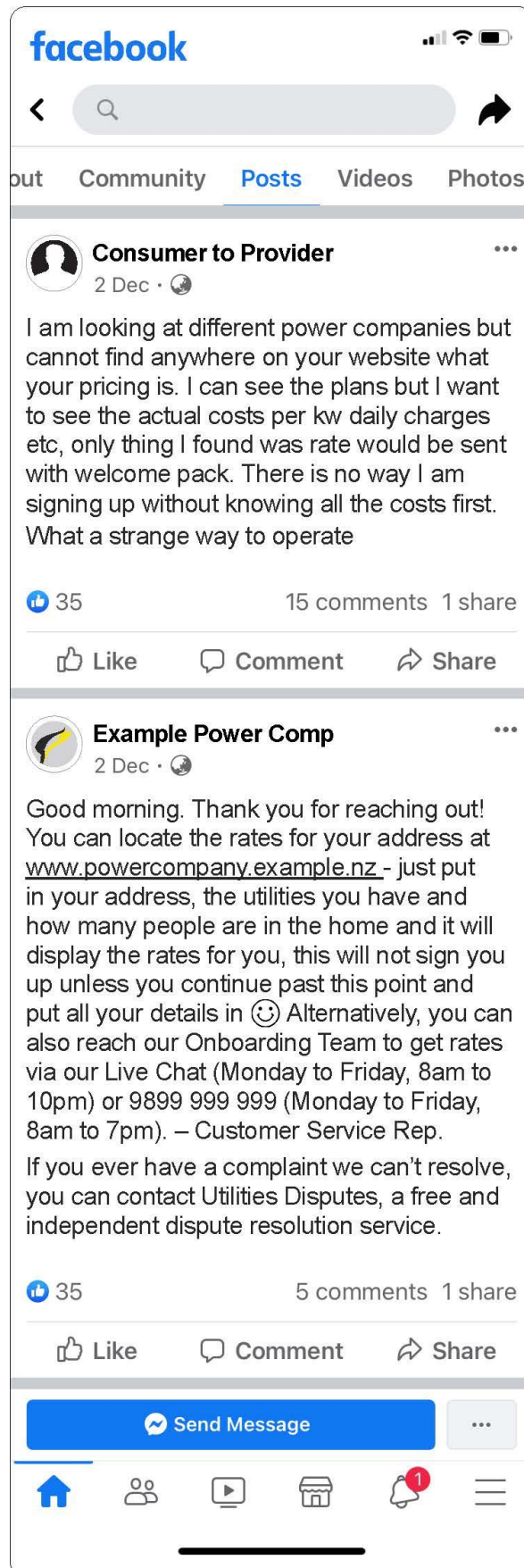
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0800 100 200 | examplepowercomp.co.nz | App |

Please do not reply to this email. If you need assistance, use the links below.

Providing information when responding to consumer queries

Example 1: Responding to a social media query



Appendix C Alignment between the Code and Utilities Disputes scheme rules

C.1 The Utilities Disputes scheme rules clause 12 states that:

Each Provider must:

- (a) *promote the relevant Scheme(s) on any invoice to customers and in other relevant customer information*
- (b) *have an comply with a documented Complaints process appropriate to the nature of their services and scale of their operations, including providing and keep up to date information about the staff member(s) responsible for compliant handling.*
- (c) *provide information about their Complaints process to their customers or consumers.*
- (d) *ensure Complaints can be made in any reasonable form and are promptly recognised as complaints*
- (e) *promptly refer Complaints made to them in error to the correct Provider.*
- (f) *Provide Utilities Disputes' contact details to Complainants when:*
 - *The Complainant first makes the Complaint to the Provider*
 - *Advising the Complainant of the outcome of the Provider's Complaints handling system, or,*
 - *The Complaint has reached Deadlock*
- (g) *When advising the Complainants of the outcome of the Complaints dealt with by the Provider's Complaints handling system, also advise the Complainants that they may compliant to Utilities Disputes, if they are not satisfied with that outcome.*

C.2 The key elements of the Utilities Disputes scheme rules that complement the Code amendment are:

Table 7: How Utilities Disputes scheme rules compliment the Code

Scheme rule	Code requirement	How requirements could work together
12(a): <i>Each Provider must promote the relevant Scheme(s) on any invoice to customers and in other relevant customer information</i>	Must provide clear and prominent information about Utilities Disputes with communications: <ul style="list-style-type: none"> • about the bill • about electricity services 	Ensure that information being provided to promote Utilities Disputes under the existing scheme rules is clear and prominent.

Scheme rule	Code requirement	How requirements could work together
<p>12(d): <i>Each Provider must ensure Complaints can be made in any reasonable form and are promptly recognised as complaints</i></p> <p>12(f): <i>Each Provider must (f) Provide Utilities Disputes' contact details to Complainants when:</i></p> <ul style="list-style-type: none"> • The Complainant first makes the Complaint to the Provider • Advising the complainant of the outcome of the Provider's complaints handling system • The complaint has reached Deadlock 	<p>Must provide clear and prominent information about Utilities Disputes when responding to queries.</p>	<p>Ensuring that information about Utilities Disputes is provided upfront when responding to queries via existing communication channels consumers.</p> <p>More detailed information about the Utilities Disputes can be provided via existing mechanisms as part of handling any compliant when the compliant is made to the provider.</p>

C.3 We understand most outbound communications the participant should already be providing information about Utilities Disputes and the key change will be to ensure the messaging is clear and prominent.

Glossary of abbreviations and terms

Act	Electricity Industry Act (2010)
Authority	Electricity Authority
Bill	A request for payment of money owed, or the piece of paper on which it is written
Clear	Easy to understand, hear, read, or see
Code	Electricity Industry Participation Code (2010)
Consumer	A person who is supplied electricity for consumption
Customer	A person who purchases or has agreed to purchase electricity from a retailer
EPR	Electricity Price Review
Invoice	A list of things provided or work done together with their cost, for payment at a later time
Look and feel	The way that something (typically software or a website), appears to a user or customer, and how attractive or easy to use it is
Powerswitch	Energy plan comparison service
Prominent	Can easily be seen or noticed
Utilities Disputes	Electricity industry dispute resolution scheme approved under clause 3 of Schedule 4 of the Act