Submissions
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ERANZ submission on raising consumer awareness of Utilities Disputes and Powerswitch

The Electricity Retailers Association of New Zealand (ERANZ) welcomes the opportunity to provide feedback on the Electricity Authority's (the Authority) 21 January 2020 consultation paper "Raising consumer awareness of Utilities Disputes and Powerswitch services."

Both Utilities Disputes and a price comparison service, in this case Powerswitch, can be highly valuable to consumers, and the sector benefits from their participation in the market.

While we are broadly supportive of the objectives of the Authority's proposal, we do have significant concerns with how those objectives are intended to be achieved. In particular we have two specific pieces of feedback:

1. While the approach for Utilities Disputes is broadly appropriate, the proposal does not recognise that promotion of Utilities Disputes is secondary to the key messages intended to be conveyed in communications between retailers and their customers. The prominence requirements would negatively affect retailers' attempts to communicate clearly and concisely with customers, and therefore needs to be reworked.

2. Powerswitch should be treated very differently from Utilities Disputes given the considerably higher consumer awareness of that service. The requirements for promoting Powerswitch need to be reworked and made considerably less prescriptive.

This letter and attached submission provides further detail of these two concerns.

ERANZ is broadly supportive of the proposed approach to increasing awareness of Utilities Disputes

ERANZ and its members are very supportive of Utilities Disputes and would like to see greater consumer awareness of its services. Presently, all ERANZ members display Utilities Disputes' details on power bills and websites.

Utilities Disputes merits prominent promotion. It makes sense for Utilities Disputes to be promoted in the "Contact us" or "Help" area of a bill, website, and app, because Utilities Disputes offers a support service complementary to the retailers' own support. This is an area where it is appropriate for the Authority, Utilities Disputes, and retailers to work toward a well-defined form the promotion should take.

Ensuring these messages are simple, clear, and prominent is something ERANZ supports.

A potential unintended consequence of prominent promotion of Utilities Disputes is customer confusion over where a they should first call when they have a complaint. Both ERANZ and Utilities Disputes are keen to ensure a customer approaches their retailer as a first step if they have any issues. We are confident this can be resolved with the appropriate framing of the promotion of Utilities Disputes (by ensuring it sits alongside messaging that says to contact retailers in the first instance), and continued strong cooperation between Utilities Disputes, ERANZ, and retailers.

Powerswitch should be treated very differently from Utilities Disputes

Encouraging consumers to compare plans and engage with the market is a good thing. ERANZ and its members support regular, periodic promotion of a price comparison service by retailers.

But the Authority's proposal applies a one-size-fits-all approach to Utilities Disputes and Powerswitch even though the two services differ substantially.

As the Authority itself notes, the level of awareness of the two services among consumers is very different. Only 6% of consumers are aware of Utilities Disputes, whereas Powerswitch and other price comparison websites are well known. The Authority's 2018 consumer survey showed 61% of consumers already prefer using price comparison websites as a source of information to making switching decisions. [1] Indeed, over half of consumers who review the market and choose not to switch use a price comparison website in making their decision.[2]

The Authority cites 6% of households who consider they do not have a choice of electricity retailer as a key reason for additional promotion of Powerswitch. However, these households may well be correct in their judgement—considering situations where a consumer has agreed to a fixed-term contract, or has their retailer chosen by their landlord, or has bad credit or outstanding debt, all things which could prevent switching at a given point in time.

Requiring promotion of Powerswitch on every customer communication is overkill. Overcommunication—in this case, repeatedly sending information about something the consumer is already aware of, or that is not relevant to the consumer at that point in time—could disengage customers, which in turn could lead to a decline in open rates for key communications. This may also create a perverse incentive for retailers to minimise communications to customers, counteracting the intention of this proposal.

Considering the far greater degree of recognition of Powerswitch and similar websites, the Authority should be considerably less prescriptive regarding Powerswitch promotions than is proposed. It may be appropriate for retailers to periodically send residential customers a reminder about Powerswitch, such as every six months or at the end of a fixed-term contract—not on every single communication.

[1] 2018 Electricity Authority Electricity Consumers' Survey, 8.2 (p. 53)
[2] 2018 Electricity Authority Electricity Consumers' Survey, 5.2 (p. 32)

Even for Utilities Disputes we strongly disagree with the proposed implementation of the prominence principle as currently drafted

The principles as currently drafted are too prescriptive and give too much prominence to promotion of Utilities Disputes, to the detriment of other communications between retailers and their customers.

Promotion of Utilities Disputes, while important, is secondary to the key messages retailers are looking to convey to consumers as part of their communications. As currently drafted, the principles do not recognise this and need to be rewritten to reflect this distinction.

It is not reasonable to require promotions of Utilities Disputes and Powerswitch on the front page of a website, or alongside the key messages of a bill. As currently drafted, the proposal will negatively affect retailers' attempts to communicate clearly and concisely with customers. It may also decrease customer engagement with their power companies by diluting what customers see as the key messages coming in communications from their retailer.

As written, the principles mean promotion of Utilities Disputes and Powerswitch comes before most key information on the website's home page. When consumers visit a retailer's website, they expect to see information about the retailer's services or their personal data—not a promotion for another service. Moreover, different screen resolutions, devices, browsers, and zoom settings make this request technically unfeasible. On a mobile phone promotion of the two services would take up half the initial screen or more, which would significantly compromise a retailer's ability to communicate key information essential to customers.

ERANZ is similarly concerned with the Authority's current description of prominence in printed communications and emails—"on the first page" and "without the consumer needing to read past the key messages" (2.4b). On a bill, the key messages are the retailer's logo, the customer's usage, the amount required to be paid, payment information, and payment cheque. It would be inappropriate to have promotions for the two services amongst this vital information. These things are the key purpose of the bill, and its key messages, and any promotion of Utilities Disputes or Powerswitch needs to follow these.

These issues are further exacerbated for electricity retailers who offer multiple products—such as broadband or solar. If other industries adopted the proposal suggested by the Authority it is not an exaggeration to say the front page of retailers' websites would only have room for links to complaints resolution services or price comparison websites and nothing else. This sounds farcical but is accurate.

Most consumers look in specific places for information. A consumer with a complaint will go to the "contact us" section of a website or a bill, and it's there a promotion for Utilities Disputes is most appropriate and should appear prominently. Similarly, promotion of Powerswitch would better fit where a retailer's different plans and pricing options appear—not on the homepage of a website.

The proposed code amendment conflicts with the proposed principles regarding 'all' communications

The proposed principles note promotions for Utilities Disputes and Powerswitch wouldn't be appropriate in all communications (such as some text messages), but the language in the proposed amendment references "all consumer communications" (Appendix A, 1b). As the code will override the principles when the proposal is being implemented, ERANZ considers the word "all" should be removed.

Additionally, we cannot predict future forms of communication, and having "all" communications be subject to regulation may not be feasible for some future, as of yet unknown types of communication.

Finally, the proposed code changes and principles should be tweaked to clarify they relate only to communications with *residential* customers, with particular reference to Powerswitch which is not relevant to commercial or industrial customers.

Given uncertainty as to the effectiveness of the proposed regulation, ERANZ prefers a voluntary approach initially

ERANZ believes the alternative voluntary arrangement approach proposed in section 3.25 of the consultation paper (called "Alternative 2") is the best way to meet the Authority's objectives at this time and would provide much-needed flexibility as the effect of the changes are tested. It is unclear how effective these steps will be in raising awareness of the two services—and note that even with a significant increase in awareness of Utilities Disputes the expected net benefit over the next 10 years is only $117,000.

The parties involved in this consultation are policy experts, not marketing experts. The effectiveness of these changes should therefore be tested before being locked into regulation.

Proceeding on a voluntary basis will allow changes to be made more easily should the proposal prove not to be effective at raising awareness. This is the safest approach and ensures we aren't stuck with a regulation that soon requires amendment if it's found to be ineffective.

Should a voluntary approach be agreed, ERANZ members are committed to implementing the proposed principles for Utilities Disputes by Q3 2020, and Powerswitch in the same timeframe should the Authority agree with the changes suggested in this submission.

In addition, ERANZ has met with Utilities Disputes and the Electricity Networks Association to test support for a cross-sector working group that would meet periodically over the year (perhaps once a quarter) to discuss issues related to Utilities Disputes, ensure compliance with the Utilities Disputes scheme, and, with reference to this consultation, continue to monitor promotion of Utilities Disputes.

Though discussions around the working group are still informal, the idea has broad agreement for further discussion, and we believe a group could quickly be formed. Ideally, the group would have representation from retailers, EDBs, Utilities Disputes, ERANZ, ENA, and the Authority.

Improvements to Powerswitch are needed

ERANZ supports raising the profile of a price comparison service like Powerswitch. Consumers need an accessible and reliable tool which helps them find a plan suited to them, and price comparison services contribute to the competitiveness of the market which leads to great results for consumers. Powerswitch is a good example of this. It already receives funding and support from ERANZ members.

However, Powerswitch needs improvement. ERANZ has long-held concerns that Powerswitch does not account for non-price factors in different power plans. For many consumers price is the only factor they are interested in, but for others non-price factors such as levels of customer service, term lengths, and bundled deals with other utilities play a role in their decision making. Indeed, for some consumers the cheapest plan isn't the one best suited to them—they may be vulnerable consumers who need specific support, or they may not be able to meet credit requirements or may not be able to meet a retailer's payment terms.

For that reason, ERANZ strongly encourages the Authority and Consumer NZ to work quickly to upgrade Powerswitch and add considerations beyond price. We have repeatedly raised this issue with Consumer NZ and others in the past. This is especially important given Powerswitch's selection as the sole comparison website to receive government funding, essentially enshrining Powerswitch as a monopoly and undercutting the potential for competitors to enter the market.

An alternative way forward would be for the Authority to acquire the Powerswitch brand and contract its use to the best-positioned service provider. This would mitigate the risk of wasted investment in building awareness of Powerswitch as a Consumer NZ product if a future review finds improvements to the website have not been made, and/or an alternative provider would be more appropriate, or if some other factor affects the website, like unreliability, an outright failure, or a change in Consumer NZ's operations.

Making Powerswitch a government-operated brand tendered to the best-designed website would not only encourage the development of price comparison websites in the market but would ensure a switch to a new provider is easy while retaining the Powerswitch brand and its high level of awareness.

Thank you for your consideration of this letter. ERANZ has appreciated the opportunity to engage with the Authority as it prepared this policy, although the final proposal did not fully align with our understanding of earlier discussions. ERANZ would be keen to continue discussions on this proposal as regulation is developed further.

Yours sincerely,

Cameron Burrows
Chief Executive

Appendix – Consultation questions

Question 1: Do you agree the issues identified by the Authority are worthy of attention?
ERANZ agrees with the overall objective of the changes proposed by the Authority. ERANZ has supported proposals like this for some time, including where this appeared in the Electricity Price Review (proposal C2). **ERANZ agrees awareness of Utilities Disputes needs to increase** ERANZ agrees it would be good to see increased consumer awareness of Utilities Disputes. Increasing awareness of Utilities Disputes is important to ensure consumers know they can call on impartial assistance if something goes wrong. ERANZ has been independently working with Utilities Disputes on ways to promote Utilities Disputes' services. ERANZ members already include information about Utilities Disputes on power bills and websites, and ERANZ has been working with Utilities Disputes on cross-promotion on social media. While ERANZ is fully supportive of increasing awareness of Utilities Disputes, it's important to recognise retailers already work hard at (and perform well) resolving customers' concerns. Retailers typically field around 5 million enquiries from consumers each year and most enquiries, including complaints, are dealt with to the customers' satisfaction. In 2018/19 Utilities Disputes received 2,059 complaints related to either retailers or lines companies (approximately 0.01 per cent of ICPs). Only 15% of the cases considered by Utilities Disputes required its intervention. In cases where a complaint is raised, more often than not the retailer is able to resolve the issue on its own. **Utilities Disputes and Powerswitch should be treated differently** Encouraging consumers to compare plans and engage with the market is a good thing. ERANZ and its members support regular, periodic promotion of a price comparison service by retailers. But the Authority's proposal applies a one-size-fits-all approach to Utilities Disputes and Powerswitch even though the two services differ substantially. As the Authority itself notes, the level of awareness of the two services among consumers is very different. Only 6% of consumers are aware of Utilities Disputes, whereas Powerswitch and other price comparison websites are well known. The Authority's 2018 consumer survey showed 61% of consumers already prefer using price comparison websites as a source of information to making switching decisions.[3] Indeed, over half of the consumers who review the market and choose not to switch use a price comparison website in making their decision.[4] The Authority cites 6% of households who consider they do not have a choice of electricity retailer as a key reason for additional promotion of Powerswitch. However, these households may well be correct in their judgement—considering situations where a consumer has agreed to a fixed-term contract, or has their retailer chosen by their landlord, or has bad credit or outstanding debt, all things which could prevent switching at a given point in time.

[3] 2018 Electricity Authority Electricity Consumers' Survey, 8.2 (p. 53)
[4] 2018 Electricity Authority Electricity Consumers' Survey, 5.2 (p. 32)

Requiring promotion of Powerswitch on every customer communication is overkill. Overcommunication—in this case, repeatedly sending information about something the consumer is already aware of, or that is not relevant to the consumer at that point in time—could disengage customers, which in turn could lead to a decline in open rates for key communications. This may also create a perverse incentive for retailers to minimise communications to customers, counteracting the intention of this proposal.

Considering the far greater degree of recognition of Powerswitch and similar websites, the Authority should be considerably less prescriptive regarding Powerswitch promotions than is proposed. It may be appropriate for retailers to periodically send residential customers a reminder about Powerswitch, such as every six months or at the end of a fixed-term contract—not on every single communication.

Powerswitch needs improvement

An additional issue, not raised in the consultation, is that improvements to Powerswitch are needed to account for plans with non-price factors.

For many consumers price is the only factor they are interested in, but for others non-price factors such as levels of customer service, term lengths, and bundled deals with other utilities play a role in their decision making. Indeed, for some consumers the cheapest plan isn't the one best suited to them—they may be vulnerable consumers who need specific support, or they may not be able to meet credit requirements or may not be able to meet a retailer's payment terms.

Retailers compete on these factors. For instance, among those who actively reviewed their plan, term length mattered to 81% of consumers, contract terms mattered to 78%, and sustainability 67%.[5] Trying to drive all comparisons through a website which does not take these factors into account risks removing incentives on retailers to innovate and compete on anything other than price, reducing choice for customers.

For that reason, ERANZ strongly encourages the Authority and Consumer NZ to work quickly to upgrade Powerswitch and add considerations beyond price. We have repeatedly raised this issue with Consumer NZ and others in the past. This is especially important given Powerswitch's selection as the sole comparison website to receive government funding, essentially enshrining Powerswitch as a monopoly and undercutting the potential for competitors to enter the market.

An alternative way forward would be for the Authority to acquire the Powerswitch brand and contract its use to the best-positioned service provider. This would mitigate the risk of wasted investment in building awareness of Powerswitch as a Consumer NZ product if a future review finds improvements to the website have not been made, and/or an alternative provider would be more appropriate, or if some other factor affects the website, like unreliability, an outright failure, or a change in Consumer NZ's operations.

[5] 2018 Electricity Authority Electricity Consumers' Survey, 5.4 (p. 37)

Making Powerswitch a government-operated brand tendered to the best-designed website would not only encourage the development of price comparison websites in the market but would ensure a switch to a new provider is easy while retaining the Powerswitch brand and its high level of awareness.

While these concerns don't detract from ERANZ's strong support of price comparison services, ERANZ recommends further consideration is given to these issues before the Authority proceeds with regulation around promoting Powerswitch. ERANZ would welcome the opportunity to engage further with the Authority and Consumer NZ on future improvements to Powerswitch, and we and encourage the Authority to consider ways to ensure fair competition between comparison services, perhaps by putting its funding to tender after a certain period of time.

Finally, ERANZ also believes price comparison websites should disclose their funding sources to ensure consumer confidence in the neutrality and independence in their rankings of retailer offers.

2. Do you agree with the objectives of the proposed amendment? If not, why not?

See Q1.

3. Do you agree the benefits of the proposed amendment outweigh its costs?

It is unclear how effective these steps proposed will be in raising awareness of the two services—we note that even with a significant increase in awareness of Utilities Disputes the expected net benefit over the next 10 years is only $117,000.

The parties involved in this consultation are policy experts, not marketing experts. The effectiveness of these changes should therefore be tested before being locked into regulation.

ERANZ believes the Authority has underestimated the cost to retailers. All retailers, regardless of the size of their customer base, will have to make changes to print collateral (not just bills but information packs, letters, and other types of notifications), websites, social media, and email marketing templates. Many retailers will also have to make changes to highly technical systems—like apps, phone support, online chatbots. Changes to these latter three will be costly, which may not be insignificant for smaller retailers. In all cases, staff time (including external contractors) will need to be dedicated to making the changes.

4. Do you agree the proposed amendment is preferable to the other options? If you disagree, please explain your preferred option in terms consistent with the Authority's statutory objective in section 15 of the Electricity Industry Act 2010.

ERANZ believes the alternative voluntary arrangement approach proposed in section 3.25 of the consultation paper (called "Alternative 2") is the best way to meet the Authority's objectives at this time and would provide much-needed flexibility as the effect of the changes are tested. It is unclear how effective these steps will be in raising awareness of the two services—and note that even with a significant increase in awareness of Utilities Disputes the expected net benefit over the next 10 years is only $117,000.

The parties involved in this consultation are policy experts, not marketing experts. The effectiveness of these changes should therefore be tested before being locked into regulation.

It's not clear how effective these steps will be in raising awareness of the two services. A voluntary approach, closely following the principles outlined by the Authority, is risk-free. It allows a future consumer advisory council to adopt the principles as implemented by retailers if they're found to be effective—or for the matter to be referred back to the Authority if they're found to be ineffective, or if this type of promotion is found to not make a meaningful difference to consumer awareness of the two services.

Should a voluntary approach be agreed, ERANZ members are committed to implementing the proposed principles for Utilities Disputes by Q3 2020, and Powerswitch in the same timeframe should the Authority agree with the changes suggested in this submission.

In addition, ERANZ has met with Utilities Disputes and the Electricity Networks Association to test support for a cross-sector working group that would meet periodically over the year (perhaps once a quarter) to discuss issues related to Utilities Disputes, ensure compliance with the Utilities Disputes scheme, and, with reference to this consultation, continue to monitor promotion of Utilities Disputes.

Though discussions around the working group are still informal, the idea has broad agreement for further discussion, and we believe a group could quickly be formed. Ideally, the group would have representation from retailers, EDBs, Utilities Disputes, ERANZ, ENA, and the Authority.

In sum, regulation may be appropriate in future, but fundamentally it's much easier to tweak a voluntary approach than to further amendment this proposed amendment if it is found to be ineffective. The future consumer advisory council offers the means to check the progress of a voluntary approach.

Finally, with retailers being asked to make changes to their communications and marketing collateral, ERANZ believes it's reasonable to expect data on whether the changes have any effect on the name recognition of the two services. Separately, it would be useful to see data on any other types of promotions the Authority, the government, or the service operators run promoting either service in future (like advertising campaigns or other marketing).

5. Do you agree the Authority's proposed amendment complies with section 32(1) of the Act?

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6. Do you have any comments on the drafting of the proposed amendment?

As set out earlier, ERANZ does not consider the proposal is appropriate as it relates to Powerswitch. The Authority should be less considerably less proscriptive regarding Powerswitch promotions than is proposed. It may be appropriate for retailers to periodically send residential customers a reminder about Powerswitch every six months, or at the end of a fixed-term contract.

With regards to Utilities Disputes, we are broadly comfortable with the proposed amendment (noting our preference for the regulation to be voluntary in the first instance).

However, ERANZ suggests the word "all" be removed from 1b of the proposed amendment. While the proposed principles note that promotions for Utilities Disputes and Powerswitch wouldn't be appropriate in all communications, the code overrides the principles discussed in this consultation.

As the proposed principles note, promotions for the two services wouldn't be appropriate in all communications—for instance, not in all text messages, or short door-to-door interactions with would-be customers.

ERANZ appreciates the Authority's intention in futureproofing the proposed amendment, but the proposed amendment's vagueness may have unintended consequences. We have no way of anticipating what new technologies or means of communication may emerge. Some of the proposed five guiding principles may not apply to future technology. Each type of communication may have to be reviewed as it becomes mainstream, rather than taking an all-encompassing approach.

There is also at least one case where promotions for Utilities Disputes and Powerswitch would confuse messaging critical to the safety of consumers: when notices are sent to consumers informing them their electricity supply has been shut off for safety reasons. In this case, promotions for other services wouldn't just add bloat to a communication that needs to be simple and clear, but the promotions may also give the consumer the perception they are able to challenge the notice when, to protect them from harm, it's critical they follow the notice's advice. This is a very specific communication, but it is useful to highlight because shows how using broad wording in the regulation can have unintended consequences that can, in this case, be serious.

Accordingly, to ensure consistency with the principles and to ensure further regulation isn't required in future to properly define which types of communications are subject to the regulation, ERANZ suggests this could be solved be removing the word "all."

Finally, the proposed code changes and principles should be tweaked to clarify that the Powerswitch promotion only relates to communications with *residential* customers. Powerswitch is not relevant to commercial or industrial customers.

7. Do you have any comments on the proposed principles?

Prominent

The principles as currently drafted are too prescriptive and give far too much prominence to promotion of Utilities Disputes, to the detriment of other communications between retailers and their customers.

Promotion of Utilities Disputes, while important, is secondary to the key messages retailers are looking to convey to consumers as part of their communications. The principles as currently drafted, particularly 2.4(a) and 2.4(b) do not recognise this, and need to be rewritten to reflect this distinction.

It is not reasonable to require this promotion on the front page of a website, or alongside the key messages of a bill. As currently drafted, the proposal may negatively affect retailers' attempts to communicate clearly and concisely with customers. It may also decrease customer engagement with their power companies by diluting what customers see as the key messages coming in communications from their retailer.

As written, the principles mean promotion of the Utilities Disputes and Powerswitch comes before most key information on the website's home page. When consumers visit a retailer's website, they expect to see information about the retailer's services or their personal data—not a promotion for another service. Moreover, different screen resolutions, devices, browsers, and zoom settings make this request technically unfeasible. On a mobile phone promotion of the two services would take up half the initial screen or more, which would significantly compromise a retailer's ability to communicate key information essential to customers.

Similarly, apps have limited space and it may not be technically feasible to add mentions of Utilities Disputes and Powerswitch in a prominent position in an app. Many apps don't allow the user to scroll the home page of the app (i.e. the view is fixed, a single page). Users want to see the most important information upfront, like their usage data, and wouldn't expect a large portion of the home view of an app occupied by a promotion for other services. This would be a bad user experience, causing frustration for the user.

ERANZ is similarly concerned with the Authority's current description of prominence in printed communications and emails—"on the first page" and "without the consumer needing to read past the key messages" (2.4b). On a bill, the key messages are the retailer's logo, the customer's usage, the amount required to be paid, payment information, and payment cheque. It would be inappropriate to have promotions for the two services amongst this vital information. These things are the key purpose of the bill, and its key messages, and any promotion of Utilities Disputes or Powerswitch needs to follow these.

These issues are further exacerbated for electricity retailers who offer multiple products, like broadband or solar. If other industries adopted the proposal suggested by the Authority it's not an exaggeration to say the front page of retailers' websites would only have room for links to complaints resolution services or price comparison websites and nothing else. This sounds farcical but is accurate.

Promotion of Utilities Disputes shouldn't come before details of the retailers' own customer support service. For any query, complaint, or other issue, the retailer should be the customer's first port of call. This is not only because the retailer should manage its relationship with its customer, but also because the retailer is in almost all cases best placed to first address the customer's concerns. Most queries relate to issues Utilities Disputes doesn't address (e.g. an advertised promotion, questions about a power plan, help with understanding a bill, help with logging into an app or online portal, queries about a local outage).

In its submission to the Electricity Price Review options paper, Utilities Disputes cited an example where it received an outsized increase in calls from one retailer's customer base due to more prominent promotion of Utilities Disputes' contact details. ERANZ understands it is likely most (if not virtually all) these queries should have been to the retailer in the first instance.

The goal of this particular consultation is to increase name recognition, not drive calls to Utilities Disputes at a volume it may not be able to support. Not understanding who to call first, or calling one number only to be redirected onto a second, risks frustrating and disengaging consumers.

ERANZ proposes promotion of Utilities Disputes appear in the same place as the retailers' own customer service information. That is where it is most logical (and therefore most appropriate), because that is where customers look for a way to get help when they have a query or concern. It should appear prominently in that section—with bold, clearly readable text.

It would be inappropriate for information about Utilities Disputes to appear elsewhere, separate from a retailers' customer service information. In the case of a power bill or an email sent to the customer, this means customer service information could be prominent on the first page of a bill, including a promotion for Utilities Disputes. On a website or in an app, promotion of Utilities Disputes would appear in the "Contact us" section.

This may mean Utilities Disputes' information isn't the first thing a user sees on a website or in an app—ERANZ considers this appropriate, because this is not where consumers would expect to find support information. No consumer anticipates visiting a retailer's website and for the support information to be immediately upfront. It's understood that queries, concerns, and help information can be found in places where support information typically appears on a website—on the "Contact us" page or in the website's footer.

Similarly, promotion of Powerswitch would better fit on a webpage which shows the retailers different plans—not on the homepage.

Clear

ERANZ would encourage the Authority to not require Utilities Disputes and Powerswitch's logos to appear in the two promotions. Most retailers may include the logos, but there are justified concerns around conflating multiple brands within a communication, and confusing who is responsible for what on a bill, a website, and who owns a particular product (e.g. if a retailer has a Powerswitch logo on their bill does that mean they run Powerswitch?)