



Listen Assist Resolve

12 June 2014

Economic Regulation Framework Review Secretariat
Office of Living Victoria
Level 35, 2 Lonsdale Street
MELBOURNE VIC 3000

By email: erf.review@olv.vic.gov.au

Dear Economic Regulation Framework Review Secretariat,

Re: Economic regulation, governance and efficiency in the Victorian water sector - Preliminary advice from the Independent Reviewer

Thank you for the opportunity to provide comment on the Economic regulation, governance and efficiency in the Victorian water sector - Preliminary advice from the Independent Reviewer (Preliminary Advice Paper).

As an industry-based external dispute resolution scheme, the Energy and Water Ombudsman (Victoria) (EWOV) provides alternative dispute resolution services to Victorian energy and water consumers by receiving, investigating and facilitating the resolution of complaints. EWOV's comments relate to the description about our role included in the Preliminary Advice Paper.

The Preliminary Advice Paper incorrectly states that EWOV uses the codes to "decide breaches and penalties as they serve as a measure of what is reasonable and acceptable for service standards"¹. To clarify, EWOV resolves complaints in an informal and expeditious manner while having regard for the law and licences, industry codes, regulations, good industry practice and individual complaint circumstances. When handling complaints, EWOV pursues resolutions in a fair and reasonable manner². In all cases, EWOV considers the relevant laws, codes and regulations, which establish the minimum standards to be met. However, this is only one element in a suite of considerations that EWOV uses to resolve complaints.

¹ Preliminary Advice Paper - page 23.

² Section 5.1 of EWOV's Charter page 5.

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The majority of EWOV's investigations are resolved through conciliation, which means that the customer and company have mutually agreed to the outcome. Where an agreement cannot be reached between the company and the customer, EWOV will make a fair and reasonable assessment to determine the merits of the case. If the customer or provider do not agree with EWOV's assessment, either the case will be closed on the basis that no further investigation is warranted or a Binding Decision may be made by the Ombudsman.

As EWOV is not the regulator of the energy or water sectors in Victoria, it is not our role to decide breaches and penalties applicable to companies. We do however have a systemic issues role in both sectors, with EWOV's water systemic issues function is to identify, investigate and seek redress for all affected customers and report the outcomes to the Department of Environment and Primary Industries (DEPI).

We trust the above comments are helpful. Should you require further information or have any queries, please contact Belinda Sandilands, Senior Research and Communications Advisor, on (03) 9672 4460 or at Belinda.Sandilands@ewov.com.au.

Yours sincerely



Cynthia Gebert
Energy and Water Ombudsman (Victoria)