



Making a positive difference
for energy consumers

Melanie Everitt
Competition Group
Ofcom, Riverside House
2A Southwark Bridge Road
London
SE1 9HA

Direct Dial: 020 7901 1861
Email: james.veaney@ofgem.gov.uk

Date: 27 September 2016

Dear Melanie

Proposed Guidance under the Communications (Access to Infrastructure) Regulations 2016

As the statutory regulator for gas and electricity networks, we are interested in how the Broadband Cost Reduction Directive 2014 is implemented to ensure that it supports the interests of gas and electricity consumers.

We welcome your consultation on the proposed guidance under the Communications (Access to Infrastructure) Regulations 2016.¹ We consider that the proposed guidance provides clarity on how stakeholders can refer disputes to you and how you will deal with any such dispute.

We do not have comments on all the sections of the proposed guidance document. However we do have some comments on the proposed dispute resolution process:

- If a party contacts you about a dispute involving an electricity and gas network companies, it might be useful to firstly encourage the party to attempt to resolve their dispute with the company concerned.² This could reduce the number of disputes that you have to resolve and ensure that you are able to focus on disputes where the parties are unable to reach a resolution.
- To help with the planning of our work and ensure that we are able to respond to requests for information as soon as possible, we would consider it beneficial if you notify us as soon as possible once you receive a dispute involving a gas or electricity network operator. This will help ensure that we have the resources required, should the dispute proceed.
- We will endeavour to respond to any request for information and advice within three to 10 working days (as specified in the proposed guidance document). However, we note that it may take us longer to answer complex or technical questions (eg any questions that require specific technical and operational knowledge that is not immediately available internally). To ensure that we are able to answer questions in a timely manner, we ask that you informally engage with us in advance of sending any formal requests for information and advice.

¹ <http://stakeholders.ofcom.org.uk/consultations/ATI-dispute-guidance/>

² As a result of the Consumers, Estate Agents and Redress (CEAR) Act 2007 and the Gas and Electricity (Consumer Complaints Handling Standards) Regulations 2008, electricity and gas network companies are required to establish arrangements to handle complaints and disputes.

If you have any questions about the comments raised in this response then please contact my colleague Stephen Perry by email at stephen.perry@ofgem.gov.uk or by telephone on 0207 901 1806.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Veaney', written in a cursive style.

James Veaney

Head of Electricity Connections and Constraints Management