

Gas Distribution Complaints Handling Code

firmus energy Ltd

Version 1.0

As approved by the Northern Ireland Authority for Utility Regulation

Coming into Effect: 1st March 2013

Code of Practice for the handling of consumer complaints

1. Aim

This code of practice for the handling of consumer complaints (the “Code”) has been prepared by firmus energy (Distribution) Limited (“firmus energy”) in compliance with Condition 2.8A of its licence reproduced at Annex A of this Code.

This Code ensures that firmus energy operates an accessible, equitable and transparent, simple and inexpensive complaints procedure which shall enable any person who is connected to or requests a connection to the natural gas network to bring and have promptly dealt with any complaint they may have in respect of the activities of firmus energy in providing such a connection.

2. Definition of a complaint

For the purposes of this Code, ‘complaint’ means

“an expression of dissatisfaction made by any person or business in respect of the activities of firmus energy in the provision of its regulated activities”.

firmus energy will record each complaint using the classifications detailed in the template issued to it by the Northern Ireland Authority for Utility Regulation (the “Authority”), as required under Section 4 of this Code.

3. Specific Requirements

firmus energy must have in place a written procedure (the “**complaints handling procedure**”) for handling complaints made by any domestic or business consumer who is connected to or requests a connection to its natural gas network. The complaints handling procedure will enable those consumers to bring and have fairly and promptly dealt with any complaint they may have in respect of the activities of firmus energy in providing that connection.

The complaints handling procedure must as a minimum include information about:

1. how to make an complaint;
2. the steps firmus energy will take to process and endeavour to resolve the complaint;
3. the timeframes in which firmus energy will endeavour to resolve the complaint but which shall not be longer than three months, including when firmus energy is likely to notify the consumer about the progress or resolution of the complaint;

4. the contact details for consumers to lodge a complaint with firmus energy, including all of the following low-cost options:
 - i. a telephone number charged at the local call rate;
 - ii. a UK postal address; and
 - iii. online.
5. the contact details for the Consumer Council of Northern Ireland

firmus energy shall ensure that its complaints handling procedure is sufficiently accessible to all consumers. Firmus energy shall also ensure that it operates to its complaints handling procedure.

4. Monitoring and enforcing of the Code

firmus energy must maintain a record of the complaints received by any domestic or business consumer who is connected to or requests a connection to the firmus energy network in respect of the activities of firmus energy in providing that connection in the template issued to it by the Authority for a period of two years.

Compliance with this Code will be reviewed when required and at the request of the Authority. The Authority may request from firmus energy, having giving reasonable notice (but not less than 14 days), the completed template.

firmus energy shall provide the Authority with all assistance reasonably necessary to enable the Authority to monitor the implementation and operation of the Code.

5. Reviewing and modification of the Code

This Code and the manner in which it has been operated shall be reviewed by firmus energy whenever requested to do so by the Authority, with a view to determining whether any revisions should be made to it.

The review will include representation from the Consumer Council for Northern Ireland, and may require a meeting of the Distribution Operators' Forum.

firmus energy may propose an amendment to this Code by preparing an “**Application for Change**” which will include the proposed change and the proposed text amendments to this Code together with the proposed date of implementation.

The Application for Change should be sent to the Authority and the Consumer Council for Northern Ireland with a request for a meeting.

If the Authority approves the change to this Code, it will reissue the Code to firmus energy.

6. Publication

firmus energy shall publish this Code and any revision and its complaints handling procedure as soon as practicable on, and make it readily accessible from, its website; and give or send free of charge a copy to any person who requests it.

Annex A

Condition 2.8A: Complaints Handling Procedure

2.8A.1 Requirement to Prepare etc. a Code

The Licensee shall, no later than three months after this Condition takes effect or such later date as the Authority directs, prepare, submit to and have approved by the Authority a code of practice for the handling of consumer complaints (the Code).

2.8A.2 The Code

The Code shall include arrangements by which the Licensee will establish and operate an accessible, equitable and transparent, simple and inexpensive complaints procedure which shall enable any person who is connected to or requests a connection to the Licensee's Network to bring and have promptly dealt with any complaint he may have in respect of the Licensee's activities in providing such a connection.

2.8A.3 Minimum Requirements

The complaints procedure established and operated by the Licensee in accordance with the Code shall as a minimum:

- (a) specify the period, which may differ for different types of complaint but which shall not be longer than three months, within which it is intended that complaints will be processed and resolved;
- (b) be made available to any person without charge; and
- (c) facilitate the fair and prompt settlement of complaints and disputes.

2.8A.4 Consultation of the Code

The Licensee shall, before submitting the Code to the Authority for its approval, consult with, and consider any representations made by, the General Consumer Council.

2.8A.5 Review of the Code

The Licensee shall, whenever requested to do so by the Authority, review the Code and the manner in which it has been operated, with a view to determining whether any revisions should be made to it.

In carrying out any such review the Licensee shall consult with, and consider any representations made by, the General Consumer Council.

2.8A.6 Direction to Modify the Code

The Authority, following consultation with the Licensee, the General Consumer Council and any other person who in the opinion of the Authority is likely to be interested or affected, may direct the Licensee to make such modifications to the Code as the Authority considers are necessary or expedient for the purposes of meeting the requirements of paragraph 2.8A.2.

2.8A.7 Revision of the Code

Where the Licensee revises the Code following a review undertaken in accordance with paragraph 2.8A.5 or following a direction from the Authority given under paragraph 2.8A.6, it shall submit the revised Code to, and have it approved by, the Authority.

2.8A.8 Publication of the Code

The Licensee shall:

- (a) as soon as practicable following the Authority's approval of the Code (including following a revision):
 - (i) send a copy of it to the Authority and the General Consumer Council; and
 - (ii) publish it on, and make it readily accessible from, its website; and
- (b) give or send free of charge a copy of the Code to any person who requests it.

2.8A.9 Compliance with the Code

Subject to paragraph 2.8A.12, the Licensee shall comply with the Code as approved by the Authority.

2.8A.10 Monitoring of the Code

The Licensee shall provide the Authority with all assistance reasonably necessary to enable the Authority to monitor the implementation and operation of the Code and this assistance shall include permitting the Authority access to relevant documentation held by the Licensee.

2.8A.11 Derogation

The Authority may (following consultation with the Licensee) issue directions relieving the Licensee of any of its obligations under this Condition to such extent as may be specified in those directions and subject to such terms and conditions as the Authority thinks fit.