ICRC
independent competition and regulatory commission

PERFORMANCE AND COMPLIANCE MONITORING REPORT

Utility Licence Annual Report 2019–20

Report 9 of 2021, April 2021

The Independent Competition and Regulatory Commission is a Territory Authority established under the *Independent Competition and Regulatory Commission Act 1997* (the ICRC Act). We are constituted under the ICRC Act by one or more standing commissioners and any associated commissioners appointed for particular purposes. Commissioners are statutory appointments. Joe Dimasi is the current Senior Commissioner who constitutes the commission and takes direct responsibility for delivery of the outcomes of the commission.

We have responsibility for a broad range of regulatory and utility administrative matters. We have responsibility under the ICRC Act for regulating and advising government about pricing and other matters for monopoly, near-monopoly and ministerially declared regulated industries and providing advice on competitive neutrality complaints and government-regulated activities. We also have responsibility for arbitrating infrastructure access disputes under the ICRC Act.

We are responsible for managing the utility licence framework in the ACT, established under the *Utilities Act 2000* (Utilities Act). We are responsible for the licensing determination process, monitoring licensees' compliance with their legislative and licence obligations and determination of utility industry codes.

Our objectives are set out in section 7 and 19L of the ICRC Act and section 3 of the Utilities Act. In discharging our objectives and functions, we provide independent robust analysis and advice.

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Snapshot of 2019–20

Each year the Independent Competition and Regulatory Commission reports on the performance and compliance of utilities licensed in the ACT. This report tells the utilities' customers and other interested people how well the licensed utilities performed in delivering services in 2019-20. We measure performance by the reliability of services, the number of customer complaints, compliance with consumer protections and whether each utility has met its licence and reporting obligations.

Five utilities are licenced under the ACT regulatory framework:

- Icon Water
- Evoenergy electricity distribution
- Evoenergy gas distribution
- TransGrid electricity transmission
- East Australian Pipeline Limited (EAPL) gas transmission.

The number of times the minimum service standards were not met fell

During 2019–20, the licensed utilities generally complied with their licence conditions and consumer protection obligations. Icon Water and Evoenergy electricity reduced the number of times the minimum service standards were not met but still identified hundreds of occasions where they had not met the minimum service standards. Evoenergy gas showed significant improvement in this area and only failed to meet the minimum service standards on one occasion.

Evoenergy electricity identified two instances of significant concern. The first was a failure to provide the required notice of a planned interruption of supply to a life support customer. Evoenergy has told us that it has now improved its processes to prevent similar failures in future. The second was disruption to a site of heritage significance, which was rectified.

EAPL reported that it is currently not compliant with its obligation to publish information on its annual performance and compliance with its legal obligations. We are working with EAPL to ensure it publishes this information in a timely way.

Water customer complaints fell in 2019-20 but sewerage service complaints went up

Icon Water reported fewer complaints about the quality of water services but more complaints about the sewerage network. Continuing dry weather in 2019–20 resulted in the most complaints in five years about sewer main breaks and chokes, mainly caused by tree roots

entering sewer main pipes. Sewer main breaks and chokes caused an increase in unplanned interruptions to sewerage services.

Electricity and gas customer complaints fell in 2019-20

Evoenergy again reported fewer complaints about its electricity distribution services, continuing a strong decline from the 2016–17 peak. Complaints about Evoenergy's gas distribution services fell slightly from 2018–19 but remained high because of billing related complaints.

The bush fires around Canberra over the summer months and the COVID-19 pandemic in the final quarter of 2019-20 affected Evoenergy's capacity to supply electricity. More customers experienced unplanned electricity interruptions for more than 12 hours because of 2020 bushfires. Evoenergy reported delays in meeting service requests for new connections and alterations in 2020 because of COVID–19 restrictions.

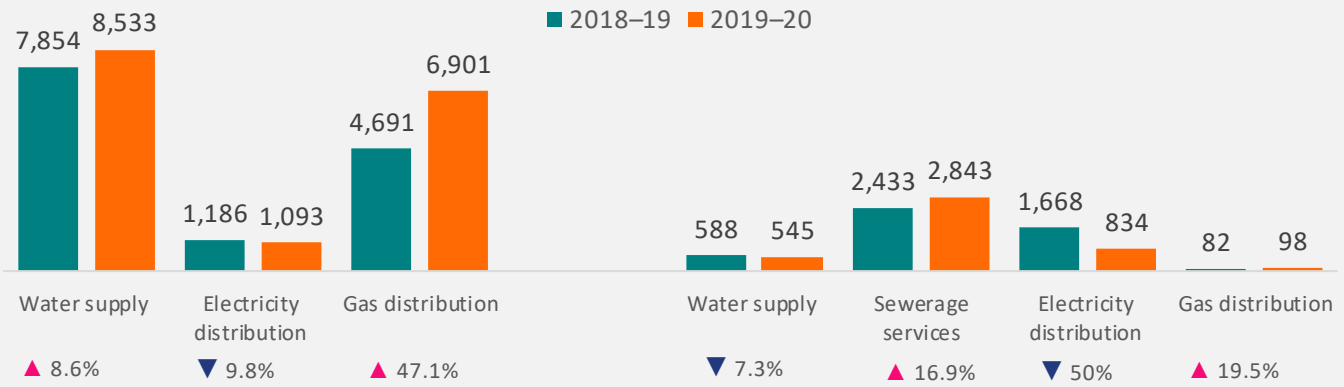
Rebates paid when minimum service standards are not met

Very few rebates were paid to customers despite Icon Water and Evoenergy reporting that they did not meet minimum service standards hundreds of times. Icon Water reported that as no customers had made claims for rebates, none were paid. Evoenergy electricity distribution reported that it paid rebates for the 24 claims it received.

We decided to make rebate payments automatic in the new Consumer Protection Code that came into effect on 1 July 2020. Since then, customers do not have to make claims for rebates because the utilities must pay rebates to customers whenever guaranteed service levels (previously called the minimum service standards) are not met. We will report on compliance with this requirement in our next annual report, which will be for 2020-21.

Outcomes at a glance

Interruptions



Electricity distribution

Planned interruptions

13

Number of premises where electricity supply was not restored within 12 hours.

▼ 96.5% from 2018–19

54

Electricity customers not notified within at least four business days before a planned interruption.

▼ 82.9% from 2018–19

Unplanned interruptions

614

Number of premises where unplanned interruptions to electricity supply were not restored within 12 hours.

▲ 380% from 2018–19

A large proportion of these interruptions were because of bush fires.

Water supply and sewerage services

17 Premises affected by planned interruptions to water supply and sewerage services were notified within 2 business days.

All interruptions were restored within 12 hours.

Sewer main breaks and chokes increased from 2,424 in 2018–19 to **▲16.7%**

Tree root intrusions into the sewers remain the main cause of sewer main breaks and chokes during 2019–20.

Gas distribution

All premises affected by planned interruptions to gas supply were notified within 2 business days.

All interruptions were restored within 12-hours.

Customer complaints

Water supply

461 Water supply complaints

▼7% from 2018–19

14 complaints were not responded to within 20 business days

Sewerage services

243 Sewerage services complaints

▲66.4% from 2018–19.

3 complaints were not responded to within 20 business days

Electricity distribution

573 Electricity distribution complaints

▼7.3% from 2018–19

All complaints were responded to within 20 business days

Gas distribution

111 Gas distribution complaints

▼ 5.9% from 2018–19

All complaints were responded to within 20 business days.

Consumer protection

Number of times utilities failed to meet the minimum service standards in 2019–20

Icon Water	Evoenergy	Evoenergy
Water supply and sewerage service	Electricity distribution	Gas distribution
649	696	1
No rebates paid	24 rebates paid ($1,200 in total)	No rebates paid

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1. Introduction

To provide a utility service in the ACT, a utility must be licensed or have an exemption from the Minister. Utility licences provide a layer of protection and oversight for the ACT community requiring the utility to comply with legislation and industry codes and report each year about their compliance with the licence. The utility must undertake audits and inform us of significant changes such as ownership of the utility or disposing of major assets. There are also individual requirements that are particular to each utility, such as providing water for firefighting in Icon Water's licence.

We are responsible for licensing utilities in the ACT and for monitoring licensed utilities' performance and their compliance with legislative and licence obligations. This monitoring report sets out the results of our assessment of the Utility Licence Annual Reports (ULAR) submitted each year by licensed utilities operating in the ACT. This report covers the 2019–20 reporting year.

1.1 How we monitor the utility's compliance and performance

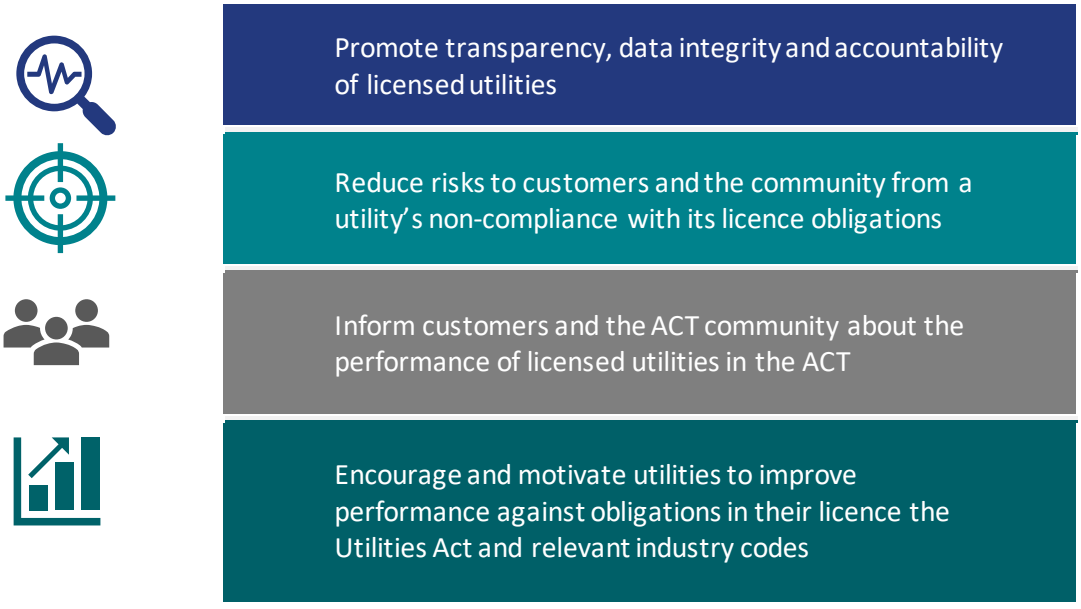
The Independent Competition and Regulatory Commission is the economic regulator for the Australian Capital Territory under the *Independent Competition and Regulatory Commission Act 1997* (ICRC Act). We also manage the utility licence framework in the ACT established by the *Utilities Act 2000* (Utilities Act).

We monitor utilities' performance and compliance with their licence conditions by requiring each licenced utility to prepare an annual compliance report. This annual compliance report is called a Utility Licence Annual Report.

We assess a utility's performance based on the information and data provided in its report. The report includes information on compliance with licence obligations and consumer protections, network reliability and customer complaints for the reporting period. We consider the impacts that compliance may have on customers and the ACT community and the utility's actions to rectify any issues that are associated with a non-compliance.

We look for issues reported over multiple reporting periods that could negatively affect customers or prevent a utility from meeting its licence obligations. We proactively engage with utilities when issues are identified and encourage utilities to take action to improve their performance.

Figure 1.1 Purpose of annual compliance monitoring



1.2 Licensed utilities in the ACT

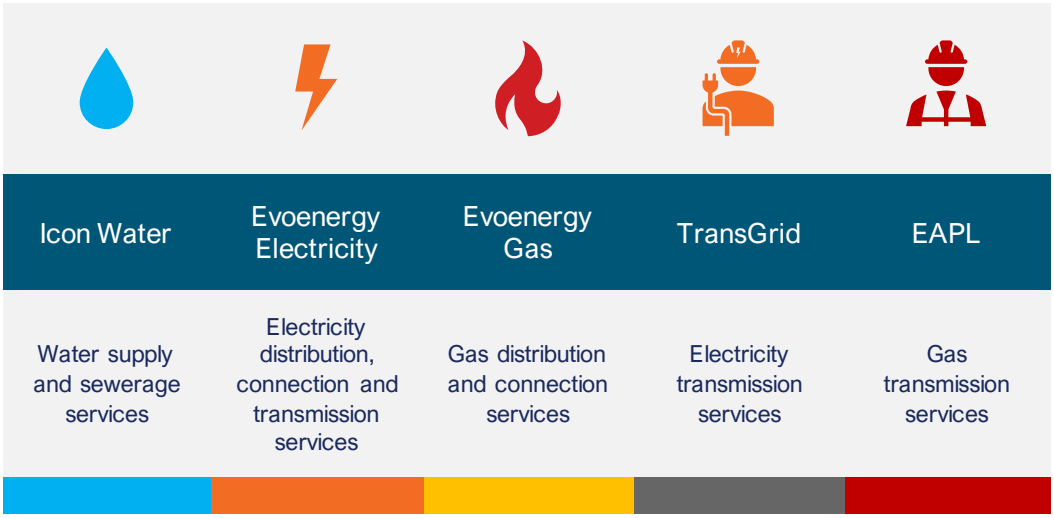
A person or entity must not provide a utility service in the ACT except under a utility licence (or if granted with an exemption from the Minister). We determine the obligations for licensees by referring to:

- the Utilities Act
- the *Utilities (Technical Regulation) Act 2014* (UTR Act)
- the utility licence
- industry codes determined by the Commission under Part 4 of the Utilities Act
- technical codes determined by the Utilities Technical Regulator under Part 3 of the UTR Act.

A list of current licensed utilities and their licences are on our website at https://www.icrc.act.gov.au/utilities-licensing/current-licences.

We do not license retail energy providers. Energy retailers are authorised under the national energy customer framework by the Australian Energy Regulator and the Australian Energy Regulator reports annually on their performance[1]. The Utilities Technical Regulator is responsible for technical regulation of utilities (licensed and unlicensed) and the ACT Environment, Planning and Sustainable Development Directorate regulates environmental obligations and standards. Figure 1.2 lists the licensed utilities that operated in the ACT during 2019–20 and the services they provided.

Figure 1.2 Licensed utilities operating in the ACT during 2019–20



1.3 Overview of the reporting obligations

1.3.1 Utility licence conditions

Each utility licence includes general conditions requiring compliance with the Utilities Act, relevant industry and technical codes and other laws in force in the ACT in supplying a utility service. The licence sets out obligations relating to environmental requirements, compliance reporting and record keeping.

1.3.2 Industry and technical codes and other laws

We monitor licensed utilities' compliance with the industry codes we have determined and the Utilities Technical Regulator monitors utilities' compliance with technical codes[2]. Current industry codes are the Consumer Protection Code[3], Water and Sewerage Capital Contribution Code[4], and the Electricity Feed-in Code[5].

[1] AER (Australian Energy Regulator), Retail markets: Performance reporting, AER website 2021, accessed 20 April 2021.
[2] See https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/2203/~/utilities-technical-regulation for Utilities Technical Regulator related information.
[3] *Utilities (Consumer Protection Code) Determination 2012* (DI2012-149).
[4] *Utilities (Capital Contribution Code) Approval 2017* (DI2017-291).
[5] *Utilities (Electricity Feed-in Code) Determination 2015* (DI2015-256).

1.3.3 Reporting of material breaches and non-compliances

A licensed utility must tell us about any material breach of its licence as soon as practicable.

For other incidents of non-compliance that are not significant, the utility must give us a brief statement that explains the circumstances of and reasons for the non-compliance, consequences of the non-compliance and actions the utility will take to rectify the non-compliance.

In 2020, the licensed utilities asked us for more detailed guidance on material breaches. We will review our guidance for the utilities in 2021.

What constitutes a material breach of the utility licence?

Material breach reporting under the licence is for serious matters and incidents. Under our Compliance Audit Framework, a breach would potentially be 'material' if the consequences of the breach, in terms of the impact on customers, is high.

1.3.4 Consumer protection code

The Consumer Protection Code is the main industry code that licensed utilities report against in their annual performance (ULAR) reports. The Code sets out:

- the basic rights of customers, consumers and utilities with respect to access to and provision of utility services
- the general conduct of utilities (and their agents) in delivering utility services
- circumstances in which a utility can interrupt, restrict or disconnect a utility service
- provisions that a utility must give effect to in its customer contracts
- obligations for responding to enquiries or complaints.

Utilities must address complaints from customers or consumers[6] and must provide the customer or consumer with information relating to the utility's complaint handling procedures. In its final decision on a complaint, a utility must tell a customer or consumer of his or her rights to refer the complaint to the ACT Civil and Administrative Tribunal (ACAT).

Minimum service standards

For 2019–20, the utilities reported against the code that came into effect in 2012. Schedule 1 of the code sets out five minimum service standards covering connection times, responding to complaints, response times to notification of network problems or concerns, notice periods and duration of planned interruptions and restoration of services when unplanned interruptions occur. If a utility does not meet a minimum service standard, affected customers or consumers can apply for and receive, a rebate. The minimum service standards apply to utilities that distribute and connect utility services (but not to transmission utilities like EAPL and TransGrid)[7]. Appendix 1 describes the minimum service standards under the Consumer Protection Code 2012.

[6] A customer of a utility service is a person for whom the service is provided under a customer contract. A consumer is the customer or an occupier of a customer's premises to which the service is provided. In the case of a rented property the landlord is usually the customer and the tenant is the consumer.

[7] Evoenergy electricity and gas are discussed in this report in chapters 3 and 4 respectively. TransGrid and EAPL do not fall within this area of monitoring due to the nature of their services being transmission, which means they do not directly have household or small business consumers or customers.

New Consumer Protection Code 2020

In 2018, we started reviewing the Consumer Protection Code to ensure it was still appropriate, considering current and emerging utility consumer protection issues. We finished the review and made a new code in December 2019. The new code took effect from 1 July 2020[8].

In our review, we found that ACT consumers are generally not aware of the minimum service standards and their right to claim a rebate when standards are not met. Consequently, few rebates have been claimed or paid, despite the standards not being met on hundreds of occasions each year. The new code has removed the requirement for a customer to apply for a rebate and instead requires utilities to automatically pay rebates when guaranteed service levels (previously called minimum service standards) are not met.

The new code sets out the guaranteed service levels for the licenced utilities and includes new guaranteed service levels that also apply to the energy retailers such as in the case of wrongful disconnection.

Licensed utilities will report on their compliance with the Consumer Protection Code 2020 and the guaranteed service levels in the 2020–21 reporting.

Full details of the review, findings and other changes to the code can be found on our website at https://www.icrc.act.gov.au/utilities-licensing/consumer-protection-code-review.

1.4 How to read the report

The rest of this report consists of these chapters:

Chapters 2–6 - Utilities

Chapters 2 to 6 set out our assessment of the ULARs submitted by the five licensed utilities during 2019–20. These chapters look at each utility's compliance with licence conditions and performance against industry codes.

In chapters 2 to 4, we report on the relevant utility's performance in supplying water and sewerage, electricity distribution and gas distribution services against:

- Interruptions – focuses on planned and unplanned interruptions
- Complaints – focuses on customer complaints received by utilities
- Consumer protection – focuses on a utility's performance against the minimum service standards
- Licence and reporting obligations – focuses on other licence and other reporting obligations.

Chapters 5 and 6 report on the relevant utility's performance in supplying gas and electricity transmission services. Because transmission service providers do not supply directly to household and small business customers, they do not report on customer complaints and consumer protections.

Chapter 7 - Assessment

In chapter 7, we set out our assessment of each utility's processing of its ULAR for 2019–20.

Appendix 1 describes in detail the minimum services standards in the Consumer Protection Code 2012.

In this report, the Consumer Protection Code refers to the Consumer Protection Code 2012, unless otherwise specified.

[8] *Utilities (Consumer Protection Code) Determination 2020* (DI2020-6)

2. Water supply and sewerage services

Icon Water is licenced to supply water and provide sewerage services in the ACT. In 2019–20, Icon Water was overall compliant with its licence conditions.

Icon Water reported more planned water interruptions over the year compared to previous years, these interruptions related to replacing water meters and water mains to improve the reliability of the water network. Unplanned water interruptions fell to their lowest since 2015–16.

Dry weather conditions continued to cause sewer breaks during 2019–20. Tree roots infiltrating sewers is still the main cause of sewer breaks, resulting in the highest number of unplanned interruptions to sewerage services in the past five years.

While water supply complaints remained low, more customers complained about the reliability of services. This resulted in the highest number of sewerage service complaints since 2015–16. Notifications related to damage to and restoration of property due to water main bursts and sewerage main breaks and blockages also increased. In contrast, water supply complaints have remained low for the last two years.

Icon Water reported a decrease in the number of times it did not meet minimum service standards during 2019–20. As for rebates paid for not meeting the standards, Icon Water said it did not receive any claims and therefore did not pay any rebates within 2019–20.

2.1 Interruptions to water supply and sewerage services

We monitor and report on interruptions to the water and sewerage networks to assess the reliability of water supply and sewerage services in the ACT and identify the main causes of interruptions. It also helps us monitor Icon Water's compliance with the required minimum service standards for interruptions under the Consumer Protection Code.

2.1.1 Planned interruptions to water supply increased over the year while unplanned interruptions fell

Planned interruptions to water supply increased to 8,533 in 2019–20 from 7,854 in 2018–19 (up 8.6%). Icon Water reported that the increase was caused by water meter replacement work, new development works and water mains renewal operations. Icon Water has an ongoing meter replacement program, where meters are replaced every 12 to 18 years[9]. Icon Water reported a significant increase in the length of 100mm water mains renewed in 2019–20 to 7.66km from 1.32km during 2018–19. Icon Water told us that the targeting of water mains renewal in locations with a high number of interruptions has had an impact on the number of unplanned interruptions.

Icon Water reported it notified all premises affected by a planned interruption to water supply at least two business days before the interruption began. Icon Water restored all water supply planned interruptions within 12 hours.

Unplanned interruptions to water supply fell to 545 in 2019–20 from 588 in 2018–19 (down 7.3%). Icon Water reported one unplanned interruption to the water supply that took more than 12 hours to restore. The incident was due to a burst water main causing damage to a property and Icon Water reported the delay was caused by the need to remove a tree by an arborist before Icon Water could work on a water main. The incident resulted in 17 premises being without water for 12.46 hours. Icon Water reported that while it was a dry year, the soil moisture content was fairly consistent and this also led to the decrease in unplanned water interruptions.

The average duration of planned and unplanned interruptions in Icon Water's water network both increased in 2019–20. Table 2.1 shows details about planned and unplanned interruptions to water supply for each year from 2015–16 to 2019–20.

Table 2.1 Water supply – planned and unplanned interruptions, 2015–16 to 2019–20

Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (number and % change)
Number of planned interruptions to water supply	10,318	7,760	6,698	7,854	8,533	▲ 678 (8.6%)

[9] Icon Water said that the standard life of a meter is 18 years.

Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (number and % change)
Number of premises not given at least 2 business days' notice of a planned interruption to water supply	0	0	0	0	0	0
Number of premises where water supply not restored within 12 hours of a planned interruption	0	0	0	0	0	0
Average planned interruption duration to water supply (minutes per property)	31	31.9	32.30	31.70	33.68	▲ 1.98 (6.2%)
Number of unplanned interruptions to water supply	665	577	650	588	545	▼ 43 (-7.3%)
Number of premises where water supply not restored within 12 hours of an unplanned interruption	Not recorded	Not recorded	Not recorded	0	17	▲ 17
Average unplanned interruption duration to water supply (minutes per property)	115.30	133.80	119.70	98.90	136.40	▲ 37.5(37.9%)

Note: From 2015–16 to 2017–18, Icon Water reported the number of instances (or incidents) of unplanned interruption that lasted for more than 12 hours. Under the minimum standard requirement under the Code, we asked Icon Water to report the number of premises where an unplanned interruption lasted for more than 12 hours from 2018–19. This explains the 'not recorded' data in the table above.

2.1.2 The year saw an increase in unplanned interruptions to sewerage services

Unplanned interruptions to sewerage services increased to 2,843 in 2019–20 from 2,433 in 2018–19 (up 16.9%). Icon Water has reported increases in all categories of unplanned interruptions to sewerage services (see Table 2.2). Most of these unplanned interruptions were caused by breaks and chokes in the sewer network. Icon Water reported that sewer main breaks and chokes were caused by extreme changes to weather conditions (See page 11 for more information on sewer main breaks and chokes). Table 2.2 shows details about unplanned interruptions to sewerage services for each year from 2015–16 to 2019–20.

Icon Water reported that all interruptions to sewerage services during 2019–20 were restored within 12 hours.

Table 2.2 Sewerage services – unplanned interruptions, 2015–16 to 2019–20

Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (number and % change)
Number of unplanned interruptions to sewerage service	1,697	1,639	1,809	2,433	2,843	▲410 (16.9%)
Number of premises where sewerage services not restored within 12 hours of an unplanned interruption	Not recorded	Not recorded	Not recorded	0	0	0
Number of sewer main breaks and chokes	1,778	1,618	1,855	2,424	2,829	▲405 (16.7%)
Number of sewer main breaks and chokes caused by tree roots	1,639	1,648	1,723	2,253	2,381	▲128 (5.7%)
Total number of property connection sewer breaks and chokes	1,694	1,634	1,806	2,430	2,914	▲484 (19.9%)

Note: The number of unplanned interruptions does not equal the total of the five rows below it in the table due to the way Icon Water records unplanned interruptions. For example, 2,829 sewer main breaks and chokes include interruptions classed as breaks and those also classed as chokes. A single interruption may be classed as both. This means that each row should be read as a stand-alone figure.

Sewer main breaks and chokes continued to increase

The number of sewer main breaks and chokes increased to 2,829 in 2019–20 from 2,424 in 2018–19 (up 16.7%). **Figure 2.1** shows a continuing increase in the number of sewer main breaks and chokes over the last five years. Historically, about 90 to 93% of sewer blockages are caused by tree roots entering the sewer mains[10]. Dry weather conditions and reduced rainfall led to lower soil moisture content which causes tree roots to enter sewers seeking water[11]. Other factors such as soil types and the age and condition of the sewer mains can also affect the sewerage network's performance.

The percentage of sewer main breaks and chokes caused by tree roots fell to around 84% (orange line in **Figure 2.1**) in 2019–20. Icon Water has told us that the number of sewer main breaks caused by tree roots was underreported in 2019–20 after a new works and asset management system was introduced. In the new system, jobs are automatically assigned to field crews, who record additional information on the work completed using iPads. Icon Water said not all relevant information such as identifying the cause of a blockage was recorded in the new system.

To improve data quality, Icon Water has made information on the cause of a sewer blockage mandatory in the new system. In addition to training staff on the new system, data are also reviewed every month to ensure accuracy and completeness. Icon Water expects the new system will further improve the analysis and targeting

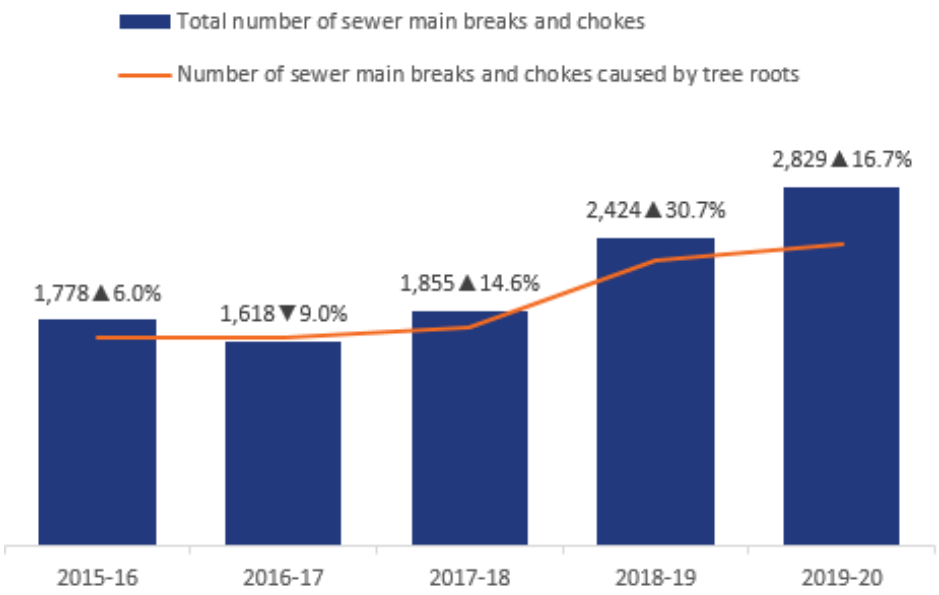
[10] Sewer breaks and chokes caused by tree roots data from previous years were 2015-16 (92%); 2016-17(102%); 2017-18(93%); 2018-19(93%); 2019-20 (84%).
[11] BoM (Bureau of Meteorology), National Performance Report 2019–20: urban water utilities, Part A. p53 [online document], BoM, 2021, accessed 26 February 2021.

of sewer mains for preventive cleaning and replacement. This is expected to reduce the incidence of tree root incursions.

Icon Water has ongoing initiatives to minimise unplanned interruptions to sewerage services. These programs include:

- the ongoing sewer main renewal program which aims to rehabilitate sewer mains that are about to reach the end of service life or are at risk of blockage
- replacing existing sewers that have numerous joints (at least every 5m) with fully welded polyethylene sewer pipes to prevent tree root intrusion
- implementation of actions following a main cause analysis of causes of sewer main failures
- benchmarking against and collaborating with, other utilities that have experienced similar issues with increased sewer blockages.

Figure 2.1 Number of sewer main breaks and chokes, 2015–16 to 2019–20



The Bureau of Meteorology (BoM) National Performance Report shows Icon Water had the highest rate of sewer main breaks and chokes among major water utilities in Australia during 2019–20[12]. Icon Water had 83 sewer main breaks and chokes per 100 km of sewer main during 2019–20. This rate is more than twice above the industry average of 33 sewer main breaks and chokes per 100 km for major utilities for 2019–20. The industry average for the rate of sewer main breaks and chokes for major water utilities decreased from 36.6 per 100 km of sewer main in 2018–19 to 33 per 100 km in 2019–20 due to large declines in the sewer main breaks for some utilities.

Icon Water has noted that one of the most common causes of sewer main breaks in Australia is the movement of reactive soils. Canberra is known to have heavy clay soil that becomes hard and shrinks during dry weather and expands as it absorbs moisture during cooler or wet periods.

Icon Water considers that changing weather conditions over the past five years and lower rainfall in the ACT compared to previous years, have contributed to the increase in sewer main breaks. This is consistent with the BoM's statement in its *2019–20 National performance report: Urban water utilities* that extreme wet and dry

[12] BoM (Bureau of Meteorology), 'National Performance Report 2019–20: urban water utilities, Part A. p89' [online document], BoM, 2021, accessed 26 February 2021.

conditions may result in ground movement causing an increase in water or sewer main breaks[13]. A consequence of sewer main breaks is that tree roots can enter the sewer main, which is the cause of most blockages experienced in Canberra in recent years.

2.2 How Icon Water handles complaints

In 2018–19 Icon Water introduced a three-year customer strategy initiative to enhance customer experience. This includes improving the customer billing experience (including a review of metering processes) and complaint management. Icon Water's initiatives to improve its complaint management included addressing issues to prevent complaints from occurring and better management of existing complaints.

2.2.1 Complaint handling procedures

Section 6 of the Consumer Protection Code sets out the requirements for utilities to maintain a complaint handling procedure that complies with the Australian Standards. Icon Water reported that during 2019–20 it had a complaint handling procedure in place that complied with Australian Standard *10002-2006: Customer satisfaction—Guidelines for complaints handling in organisations* and the Consumer Protection Code. Its complaint handling practices include giving customers and consumers a meaningful response and giving information about its complaint handling procedures when acknowledging complaints. Icon Water's complaint handling policy and information about customers' rights to complain to the ACAT are published on its website[14].

Section 6.4 of the Code requires a licensed utility to keep records of complaints made by customers and consumers for at least twelve months after the complaint is resolved. Icon Water reported that during 2019–20, it recorded all enquiries and complaints along with the actions taken to rectify the problem and keeps records of complaints for at least twelve months after the complaint is resolved.

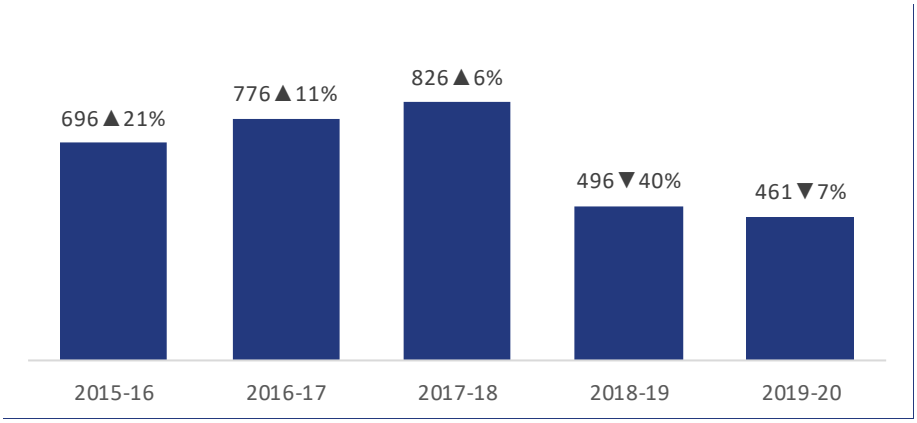
2.2.2 Water supply complaints fell

Figure 2.2 shows Icon Water received 461 water supply complaints (down 7% from 2018-19) in 2019–20. Fourteen of the 461 complaints were not responded to within 20 business days. The 14 complaints were mostly about significant damage to properties due to a water main break.

Property damage and restoration of property complaints, accounts and billing complaints and water quality complaints were the three largest categories of complaint, comprising two-thirds of all complaints in 2019–20 (shown in Table 2.3). For 'other water network complaints', there was a noticeable increase from 6 in 2018–19 to 77 in 2019–20.

[13] BoM (Bureau of Meteorology), National Performance Report 2019–20: urban water utilities, Part A. p13 [online document], BoM, 2021, accessed 26 February 2021.
[14] Icon Water, *Complaints handling policy*, Icon Water website, 2021, accessed 19 April 2021.

Figure 2.2 Number of water supply complaints and percentage change from previous year, 2015–16 to 2019– 20



Other water network complaints increased

In 2019–20, the 'other water network complaints' category more than doubled compared to previous years.

Icon Water reported the reason for the rise was an increase in water hammer complaints related to ageing internal pipework and water pressure complaints caused by unexpected water main breaks. Icon Water responds to water hammer issues by checking Icon Water's infrastructure near the property for any faults and when appropriate, advising the customer to contact a plumber. Other types of complaints in this category include:

- connection timeframes
- damage or fault to Icon Water's assets
- damage to the environment
- service request not met
- water leak.

Notice to customers of planned works

Notifying customers about a planned interruption within two business days is a minimum service standard requirement under the Consumer Protection Code.

Complaints about failure to tell customers or to give enough notice of planned interruptions increased from 10 in 2018–19 to 27 in 2019–20. Icon Water reported all customers affected by planned interruptions in 2019–20 were notified within the required timeframe (details are in section 2.1).

Complaints about meters and meter reading fell

Metering and meter reading complaints continued to decrease during 2019–20 since the peak in 2017–18. There were 42 complaints in 2019–20 compared to 64 in 2018–19 (a reduction of 34.4%). Some or all of this decrease may have been caused by a change in the way Icon Water records complaints. In previous years, Icon Water and ActewAGL (which was contracted to provide billing services for Icon Water) were both recording metering faults that required investigation by Icon Water's Metering Services team. Icon Water and ActewAGL agreed that these metering faults would be recorded only in the ActewAGL system to remove data duplication.

Icon Water also reported that the meter replacement program has resulted in fewer meter reading complaints in 2019–20. The meter replacement program is discussed further in section 2.1 of this report.

Other retail complaints

In 2019–20, this complaint category fell from 79 in 2018–19 to 24 in 2019–20. Complaints in this category are about poor service, notices where customers then complained that they were offended by being contacted, interest charges, failure to reply to an issue and incorrect information on the bill.

Table 2.3 Water supply complaints by category, 2015–16 to 2019–20

Categories	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)	Share of total complaints in 2019-20 (%)
Property damage / restoration of property	62	75	111	104	100	▼ 4	21.7
Accounts / billing	150	144	168	121	97	▼ 24	21.0
Water supply quality	210	169	134	105	84	▼ 21	18.2
Other water network complaints	Not available	27	26	6	77	▲ 71	16.7
Metering / meter reading	93	159	214	64	42	▼ 22	9.1
Failure to provide, or insufficient, notice	37	32	19	10	27	▲ 17	5.9
Other water retail complaints	118	151	145	79	24	▼ 55	5.2
Water supply reliability	2	3	4	2	6	▲ 4	1.3
Unplanned interruptions to water supply	24	16	5	5	4	▼ 1	0.9
Total number of water supply service complaints	**696**	**776**	**826**	**496**	**461**	**▼35 (▼7.05%)**	

Note: Icon Water did not have a category for 'other retail complaints' before 2016–17. This explains why data for 'other water retail complaints' is not provided for 2015–16.

2.2.3 Sewerage service complaints increased over the year

Icon Water reported 243 sewerage service complaints in 2019–20 (up 66.4% from 2018-19). Figure 2.3 shows the sewerage service complaints in 2019–20 was the highest compared to the last five years. Icon Water reported that high sewer main breaks in the sewerage network caused an increase in complaints during 2019–20.

Property damage/restoration of property

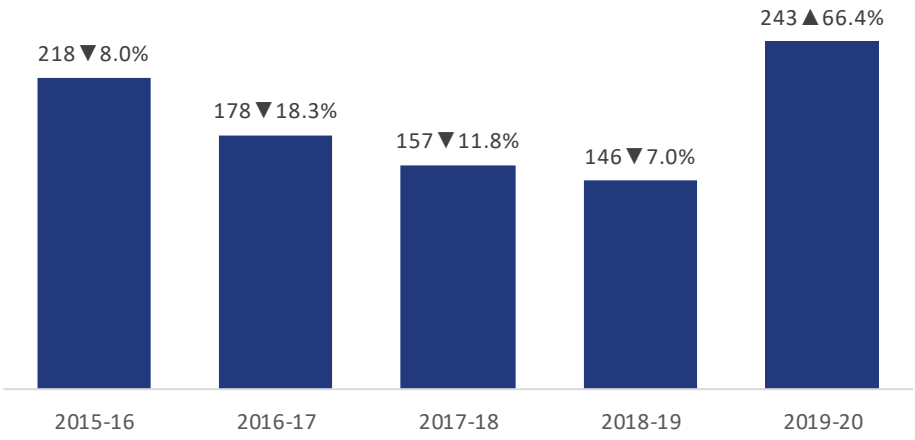
In 2019–20, complaints about property damage or restoration of property made up about 40% of all sewerage complaints (Table 2.4). The small increase in complaints in 2019–20 relates to significant damages to property due to sewer blockages and surcharge. These complaints have been the most common complaints over the past five years.

Sewerage services reliability and quality

Complaints in this category are about sewer blockages and sewer surcharges. The increase in sewerage main breaks and chokes in 2019–20 (discussed in chapter 2.1) led to more sewerage service complaints. Table 2.4 shows sewerage reliability complaints increased from 29 in 2018–19 to 74 in 2019–20. These complaints made up almost 36% of all sewerage service complaints. Icon Water's ongoing sewer maintenance program aims to clear tree roots out of the sewer mains and identify sewer mains that need repair or replacement. Icon Water reported an additional 15% of sewer mains were cleaned during 2019–20 than in 2018–19.

Table 2.4 gives a breakdown of sewerage service complaints from 2015–16 to 2019– 20. The table shows most sewerage service complaints in 2019–20 concerned property damage and restoration of property, sewerage service reliability and other sewerage network.

Figure 2.3 Number of sewerage service complaints and % change from previous year, 2015–16 to 2019–20



Property damage/restoration of property

In 2019–20, complaints about property damage or restoration of property made up about 40% of all sewerage complaints (Table 2.4). The small increase in complaints in 2019–20 relates to significant damages to property due to sewer blockages and surcharge. [15] These complaints have been the most common complaints over the past five years.

Sewerage services reliability and quality

Complaints in this category are about sewer blockages and sewer surcharges. The increase in sewerage main breaks and chokes in 2019–20 (discussed in chapter 2.1) led to more sewerage service complaints. Table 2.4

[15] Sewer surcharge refers to the overloading of the sewer resulting in a sewer overflow or discharge, usually at a manhole or relief point on a customer's property.

shows sewerage reliability complaints increased from 29 in 2018–19 to 74 in 2019–20. These complaints made up almost 36% of all sewerage service complaints. Icon Water's ongoing sewer maintenance program aims to clear tree roots out of the sewer mains and identify sewer mains that need repair or replacement. Icon Water reported an additional 15% of sewer mains were cleaned during 2019–20 than in 2018–19.

Table 2.4 Sewerage services – number of complaints by category, 2015–16 to 2019–20

Categories	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)	Share of total complaints in 2019-20 (%)
Property damage / restoration of property	124	106	85	73	98	▲ 25	40.3
Sewerage services reliability	41	33	28	29	74	▲ 45	30.5
Other sewerage network complaints	0	0	0	0	45	▲ 45	18.5
Sewerage odour complaints	13	7	9	14	22	▲ 8	9.1
Failure to provide, or insufficient, notice	1	8	6	5	4	▼ 1	1.6
Unplanned interruptions to sewerage service	0	0	0	0	0	0	0.0
Other retail complaints to sewerage service	39	24	29	25	0	▼ 25	0.0
Total number of sewerage service complaints	**218**	**178**	**157**	**146**	**243**	▲ **97 (66.4%)**	

2.3 Compliance with the minimum service standards

Clause 11 of the Consumer Protection Code 2012 requires licensed utilities to comply with all applicable minimum service standards. In 2019–20, Icon Water reported that it did not meet the minimum service standards 632 times for water and 17 times for sewerage services, a total of 649 times (down 37.5% from 2018–19). Table 2.5 shows how often Icon Water did not meet each of the minimum service standards from 2015–16 to 2019–20.

The minimum service standards that applied in 2019–20 and Icon Water's performance against each standard, is discussed on the next page.

Table 2.5 Icon Water – number of times minimum service standards were not met, 2015–16 to 2019–20

Minimum service standards (MSS)	Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)
MSS1: Customer connection times	Connection not made on same day if request made before 2pm or by the end of next business day	0	0	0	0	0	0
MSS2: Responding to complaints	Respond within 20 business days	14	37	5	13	17	▲ 4
MSS 3: Response times (faults)	For a problem that is likely to affect public health or has the potential to cause substantial harm – within 6 hours	0	0	0	0	0	0
	In all other cases, within 48 hours	353	407	558	684	477	▼ 207
	Resolve the problem within the time specified in the responses	89	108	206	341	138	▼ 203
MSS4: Planned interruptions	Provide 2-business days' notice	0	0	0	0	0	0
	does not exceed 12 hours	0	0	0	0	0	0
MSS5: Unplanned interruptions	does not exceed 12 hours	0	0	0	0	17	▲ 17
Total number of times Icon Water did not meet minimum service standards during 2019–20		**456**	**552**	**769**	**1,038**	**649**	**▼389 (▼37.5%)**

Customer connection times (minimum service standard 1)

Under the Code, if a property is physically connected to the water or sewerage network and the customer is entitled to receive the utility service, Icon Water must supply the water or sewerage service:

- on the same day as the request is made if the request is made before 2:00 pm or

- by the end of the next business day if a request is made after 2:00 pm, otherwise, on a day agreed between the customer and Icon Water.

A customer may apply for and claim a rebate of $60 for each day Icon Water did not meet the standard (to a maximum of $300). Icon Water reported there were no instances where it did not meet the service standard.

Responding to complaints (minimum service standard 2)

Icon Water must respond to complaints within 20 business days. A customer may apply to Icon Water for a rebate of $20 if it does not respond to a complaint within this timeframe.

In 2019-20, Icon Water did not respond to 14 water supply complaints and 3 sewerage services complaints (17 complaints in total) within 20 business days (up 30.9%). Icon Water reported that the reason for the 14 complaints not being responded to within 20 days was that they related to properties damaged after water main breaks. Restoration of property complaints can take an extended time to resolve if a significant investigation is required. Icon Water reported some of these complaints required negotiation with the customer, the customer's insurer and third-party contractors and took an extended time to agree on a remediation approach.

Response time to notifications of network problems (minimum service standard 3)

Icon Water must respond to notifications about a network problem (fault) or concern within a certain timeframe based on the significance of the problem. Icon Water must respond to notifications that are likely to affect public health, or cause (or have the potential to cause) substantial harm to the community or a property, within six hours. In all other cases Icon Water must respond within 48 hours. In addition, Icon Water must respond within the time set out in its advice to consumers.

A customer or consumer who made the notification may apply for a rebate of $60 for each day that Icon Water failed to respond (to a maximum of $300).

In 2019–20, notifications relating to damage to, or a fault or problem within, Icon Water's water supply network fell to 2,879 in 2019–20 from 3,122 in 2018–19 (down 7.8%). Notifications about sewerage network problems increased from 4,773 from 2018–19 to 5,728 in 2019–20 (up 20%). Icon Water responded to all notifications that could affect public health and safety within the required six hours.

Icon Water commented that dry weather conditions continued to cause an increase in notifications relating to the sewerage service network. Icon Water reported that it is continuing its initiatives to improve sewerage services. These include:

- a review of its cleaning methods, which is considering options such as cleaning extended lengths of pipes to reduce repeat visits and improving quality control of reactive cleaning
- an analysis of how it allocates its resources to find further efficiencies
- a trial of root-cutting heads to improve effectiveness and efficiency in clearing blockages.

Unplanned interruptions (minimum service standard 4) and planned interruptions (minimum service standard 5)

Minimum service standard 4 requires Icon Water to give at least two business days' notice to premises affected by a planned interruption. Minimum service standards 4 and 5 require Icon Water to restore water supply within 12 hours after planned and unplanned interruptions.

Icon Water restored all planned interruptions to water and sewerage services within 12 hours during 2019–20. However, it failed to restore water supply to 17 premises affected by unplanned interruptions within the 12–hour timeframe.

2.3.1 Rebates paid under the Consumer Protection Code

Under the Code, if Icon Water does not meet a minimum service standard, the customer or consumer is entitled to apply for a rebate within three months of the service standard not being met. Under clause 11 of the Code, Icon Water must tell its customers that they have the right to apply for a rebate if the standards are not met. Icon Water tells its customers through its Standard Customer Contract and its website about their rights to apply for a rebate.

In 2019–20, Icon Water reported that it did not receive any rebate claims following its failure to meet the minimum services standards 632 times for water services and 17 times for sewerage services (649 in total). Icon Water did not pay any rebates in 2019–20.

From 1 July 2020, all licensed utilities must pay rebates automatically when a guaranteed service level is not met. Customers will no longer have to apply for the rebates (see section 1.3.2 of this report).

2.4 Licence and reporting obligations

Icon Water's utility licence requires it to comply with any requirement under the Utilities Act, relevant industry and technical codes and directions we may provide. The licence also requires it to report any material breach and non-compliance to us. This section reports on Icon Water's compliance with its licence requirements and other reporting obligations during 2019–20, including obligations under the Water and Sewerage Capital Contribution Code.

2.4.1 No material breaches reported

There were no material breaches of Icon Water's utility licence in 2019–20. This finding is based on information from Icon Water and our monitoring throughout the reporting year.

2.4.2 Non-compliance

Icon Water reported it did not fully comply with its agreement with the ACT Fire and Rescue (ACTFR) during 2019–20.

In December 2018, Icon Water updated and renewed the Deed of Agreement with the ACTFR. In the 2018–19 ULAR, Icon Water reported the water network was compliant with the conditions of the Deed except for one section of the network that was not fully compliant with the flow rate and pressure requirements. Icon Water notified ACTFR of the issue and obtained detailed pressure requirements for fire flow scenario at the affected area. Icon Water confirmed it met the pressure requirements for fire flow scenarios at the affected area after augmenting that section of the network in September 2020. However, it also found unlined mains located in other parts of the network that do not meet the flow rate and pressure requirements. Work is currently being undertaken to these areas and it is scheduled for completion by March 2021.

We will continue to monitor Icon Water's efforts to meet the Deed requirements.

2.4.3 Obligations under the Utilities Act

The Utilities Act requires Icon Water to take all reasonable steps to ensure that its network operations minimise inconvenience, detriment and damage to private land[16]. We require Icon Water to record the number of

[16] Part 7 Div 7.3 cl.108 of the *Utilities Act 2000.*

complaints about its network operations so that we can monitor Icon Water's compliance with its obligations under the Act.

Details of complaints about these obligations are in Tables 2.6 and 2.7.

Giving notice to landholders

Section 109 of the Utilities Act requires Icon Water to give a landholder at least seven days' notice before carrying out a network operation. During 2019–20, Icon Water complied with this obligation.

Water supply and sewerage service network operations

Icon Water reported more complaints in 2019–20 about inconvenience, detriment and damage from network operations, for both water and sewerage services. In 2019-20 Icon Water received 120 complaints water network operations (up 21.2%) and 97 complaints for sewerage network operations (up 36.6%).

Icon Water reported that the increase in complaints about 'damage to be minimised' was mainly about restoration of land after work to fix a network issue (for example where there was work on a burst water main). Land restoration for this type of work is often extensive and delays can result from having to use different contractors for different parts of the work. Icon Water also reported receiving complaints about the quality of the workmanship of contractors. Icon Water reported that it will set up a team to manage scheduling of resources, customer communication and notifications and to analyse the cause of restoration complaints.

Table 2.6 Water supply – performance against obligations under the Utilities Act, 2015–16 to 2019–20

Obligations	Measure of compliance	2015-16	2016-17	2017-18	2018-19	2019-20	Change from previous year (volume)
Section 108 A licensed utility must take all reasonable steps to ensure it causes as little inconvenience, detriment and damage when carrying out network operations.	Number of water supply complaints relating to damage to be minimised under section 108	55	75	78	99	120	▲ 21
Section 109 A utility must give a landholder a written notice of the proposed network operation at least seven days before a network operation began.	Failed to give at least 7 days' notice before a network operation	2	0	0	0	0	0
Section 113 A utility that carries out network operations on land for which it is not the landholder must take all reasonable steps to ensure that the land is restored as soon as practicable to a condition that is similar to its condition before the operations began.	Number of complaints for failing to ensure that the land was restored to the original condition	21	43	17	32	32	0

Table 2.7 Sewerage services — performance against obligations under the Utilities Act, 2015–16 to 2019–20

Obligations	Measure of compliance	2015-16	2016-17	2017-18	2018-19	2019-20	Change from previous year (volume)
Section 108 A licensed utility must take all reasonable steps to ensure it causes as little inconvenience, detriment and damage when carrying out network operations.	Number of sewerage services complaints relating to damage to be minimised under section 108	102	85	84	71	97	▲ 26
Section 109 A utility must give a landholder a written notice of the proposed network operation at least seven days before a network operation began.	Failed to give at least 7 days' notice before a network operation	0	0	0	0	0	-
Section 113 A licensed utility that carries out network operation on land which is not a landholder must take all reasonable steps to ensure that the land is restored to its original condition as soon as practicable.	Number of complaints for failing to ensure that the land was restored to the original condition	34	26	14	12	7	▼ 5

2.4.4 Water supplied and water losses

Under its utility licence, Icon Water must collect information and report annually on the volume of water supplied in the ACT. The licence also requires Icon Water to develop and implement programs to cost effectively minimise unaccounted for water from its water network.

Water supply

Icon Water supplied 50,766 ML of water in the ACT during 2019–20, 5% more than in 2018–19 (Table 2.7). The total volume of water supplied to residential customers increased by 5%. Water supplied to commercial customers increased by 1.9%. Icon Water reported the greater volume of water supplied to residential customers was caused by an increase in water consumed per capita during 2019–20. Icon Water reported a 2%

increase in water consumed per capita in 2019–20 from 2018–19, representing an average per capita consumption of 315 L per day[17].

Table 2.7 Volume of water supplied in the ACT by category of use, 2015–16 to 2019–20

Parameters (ML)	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (%)
Total volume of water supplied in the ACT	46,121	45,425	47,732	48,346	50,766	▲**5.0**
Residential customers	31,272	31,100	32,337	33,882	35,564	▲5.0
Commercial customers	9,697	8,951	9,669	10,255	10,447	▲1.9
Irrigation or urban open spaces	1,317	1,162	1,249	1,259	1,487	▲18.1
Other identifiable categories[2]	26.9	32.7	26.2	26.9	41.6	▲54.5

Note:

1. Icon Water used billing data to get the breakdown of the volume of water supplied to each category. Due to different billing cycles the volume of water supplied to each category do not match the total volume of water supplied in the ACT.

2. 'Other identifiable categories' includes water supplied under the Water Services Agreement (W–WSA) and Raw water (W–RAW). Icon Water has 6 raw water customers under a Raw Water Services Connection and Supply Standard Customer Contract. This contract outlines Icon Water's obligations to raw water customers.

Unaccounted for water

Unaccounted for water is water that is lost before it reaches the customer. It represents the difference between the volume of water delivered by the network and the volume of water that can be accounted for by legitimate consumption. Unaccounted for water does not include authorised unbilled consumption such as water used for firefighting.

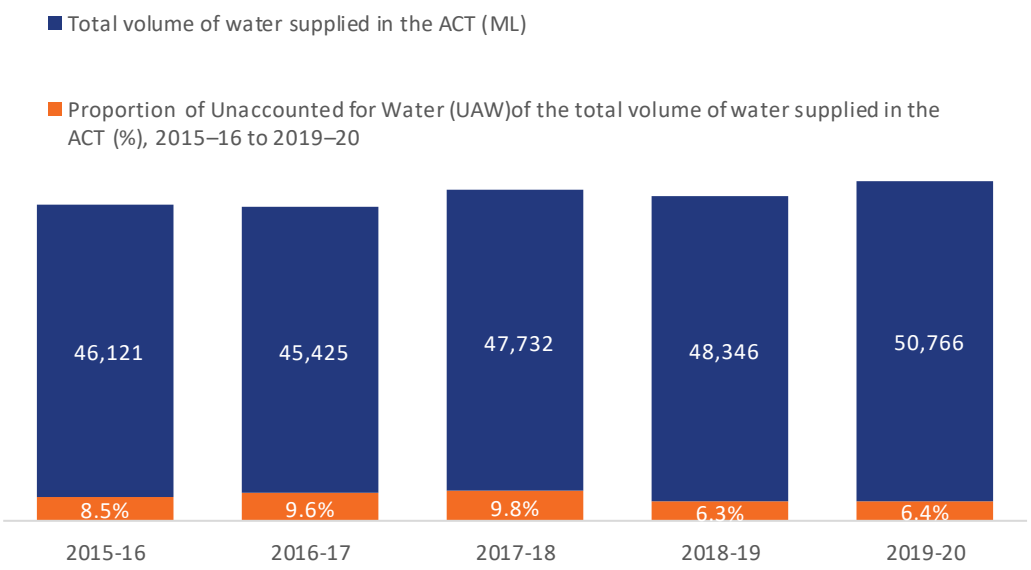
Unaccounted for water is made up of the following components:

- Apparent losses — unauthorised consumption/water theft and customer metering and billing inaccuracies
- Real losses — leakage on transmission and/or distribution mains, reservoir leakage and overflows, leakage in service connections up to the customer meter.

The volume of unaccounted for water from Icon Water's network is below the International Water Association's acceptable level of 10 per cent. In 2019–20, Icon Water reported the volume of unaccounted for water was at 6.4 per cent of total water delivered by the network (up 1% from 2018–19). Figure 2.4 shows the volume of unaccounted for water in the last five years.

[17] Icon Water, Annual Drinking Water Quality Report 2019–20 [online document], Icon Water 2020, accessed 15 January 2021.

Figure 2.4 Water supplied in the ACT (ML) and Proportion of unaccounted for water (%), 2015–16 to 2019–20



Icon Water has on-going programs to minimise water losses, these are:

- the planned meter replacement program to replace around 50,000 water meters across the ACT. This program is set to finished by 2023[18].
- the metered standpipe program and an audit to maintain meter accuracy
- the water mains renewal program which targets problematic network areas and repairs to burst mains to reduce physical losses and
- other projects to resolve a range of metering and billing process issues to reduce apparent losses.

2.4.5 Compliance with other licence conditions

Further to the general licence conditions set out above, Icon Water also reports on specific licence conditions that apply to its operations.

Water and Sewerage Capital Contribution Code

In 2017, we made a Water and Sewerage Capital Contribution Code[19]. The code sets out the framework under which Icon Water may require a customer to contribute towards developing or expanding the water network or sewerage network for a development.

Icon Water reported the total value of capital contribution charges recoverable during 2019–20 is $ 1,472,100.00. Icon Water also undertook 41 works it regarded as necessary, without receiving a request from a developer, during 2019–20. These works relate to relocating existing mains and fire hydrants and upsizing mains to meet demand for domestic and fire services.

Table 2.8 shows Icon Water's reported figures for the Capital Contribution Code in 2019–20.

[18] Icon Water, Water Meter Replacement Program, Icon Water website 2021, accessed 10 February 2021.
[19] *Utilities (Water and Sewerage Capital Contribution Code) Approval 2017* (DI2017-291).

Table 2.8 Icon Water's reported figures for the Capital Contribution Code, 2019–20

	2019–20
Payment of Capital Contribution Charge (Clause 6.1)	
Total value of Capital Contribution Charges recoverable during 2019–20	$1,472,100.00
Removals, relocations and specific requirements (Clause 8.1)	
Number of works undertaken at the request of the customer	0
Number of works not requested by the developer but found necessary by Icon Water	41

Note:

1. The total value of Capital Contribution Charges recoverable in 2019–20 includes amounts charged under the Code but not yet invoiced or paid.

2. Icon Water noted that the 41 works that were not requested by the developer or customer but were found necessary by Icon Water was an estimate.

Emergency telephone service

Icon Water's utility licence requires it to maintain a 24-hour emergency telephone service that is accessible to the public and can receive reports of network emergencies every day of the year. In 2019–20 Icon Water reported no outages to the service.

Icon Water reported that information on its 24–hour emergency telephone number is available to customers and the public through the White Pages telephone directory, customer bills, Icon Water's website, newspaper advertisements, brochures, correspondence with customers and social media.

Customer safety net arrangements

Under the Consumer Protection Code, Icon Water is not permitted to disconnect water supply or withdraw sewerage services from a customer for failure to pay an account. However, Icon Water may restrict the water flow to amounts sufficient for essential use only. Icon Water reported that there were no disconnections of water supply, no restrictions on a customer's water flow and no withdrawal of sewerage services for failure to pay an account in 2019–20.

3. Electricity distribution

Evoenergy is licensed to provide electricity distribution, connection and transmission services in the ACT. Although Evoenergy had 2 occasions where they breached the requirements of the Act and the Consumer Protection Code, they were generally compliant against the licence conditions.

We found that Evoenergy did not meet the requirement under section 108 of the Utilities Act requiring Evoenergy to ensure it does not damage private and registered heritage land when carrying out their works.

Evoenergy also reported it did not give the minimum four days' notice to a customer with a registered life support equipment. Not giving a notice to a registered life support customer within the required timeframe is a breach under the Consumer Protection Code.

Evoenergy reported fewer planned and unplanned interruptions in 2019–20. It also made a significant improvement in giving notices of planned interruptions to its customers and reported that fewer customers were not given notices within the required timeframe.

More customers experienced longer electricity supply interruptions because of the bushfires in early 2020. Bushfires at Beard and Oaks Estate caused interruptions that lasted for more than 24 hours around the Pialligo area. There were also interruptions that lasted for more than 48 hours, affecting some premises (see Table 3.3 for the duration of an unplanned interruption and the number of affected premises).

Evoenergy reported the total number of complaints fell, continuing a downward trend seen over the past four years. Evoenergy also reported it experienced delays meeting service requests for residential connections and alterations because of COVID–19 restrictions. These delays resulted to high number of customer service complaints in 2019–20.

3.1 Interruptions on the electricity distribution network

We monitor and report on interruptions to the supply of electricity from the electricity distribution network to assess the reliability of electricity supply in the ACT and identify the main causes of supply interruptions. We also monitor Evoenergy's compliance with the required minimum service standards for interruptions under the Consumer Protection Code.

3.1.1 The year saw planned interruptions on the electricity distribution network fall

In 2019–20, planned interruptions to supply on the electricity distribution network fell from 1,186 in 2018–19 to 1,093 (down 9.3%).

Notification of a planned interruption with at least four business days' notice

Under the Consumer Protection Code, Evoenergy must give customers at least four business days' notice of a planned interruption. During 2019–20, Evoenergy did not give 54 customers the required notice. This is 82.9% less than in 2018–19 and a significant improvement on previous years. Evoenergy reported the improvement was due to system upgrades and newly implemented procedures. Evoenergy has ongoing system upgrades to address issues with its system and staff training to ensure letters are sent on time.

Evoenergy failed to give the required notice of planned work to one customer with a registered life support equipment. Section 3.4.2 discusses this incident.

Planned interruptions greater than 12 hours

Under the Consumer Protection Code, Evoenergy must restore electricity supply within 12 hours of a planned interruption.

The reasons for and location of planned interruptions differ each year. These factors can result in large differences in the number of customers affected by interruptions. Evoenergy reported eight planned interruptions that took more than 12 hours to restore during 2019–20 (down 42.9%). These related to a complex network operation to install a generator.

Table 3.1 Electricity distribution – planned interruptions, 2015–16 to 2019–20

Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume and %)
Number of planned interruptions to the electricity distribution network	1,105	1,186	1,245	1,186	1,093	▼ 93 (▼ 9.8%)
Number of premises not given at least four business days' notice of a planned interruption to the electricity distribution network	874	564	451	316	54	▼ 262 (▼ 82.9%)
Number of times electricity supply was not restored within 12 hours of a planned interruption	6	16	1	14	8	▼ 6 (▼ 42.9%)
Number of premises affected by a planned interruption to the electricity distribution network that lasted for more than 12 hours	127	118	10	368	13	▼ 355 (▼ 96.5%)

Note: Note: Evoenergy has advised that there were errors in previously reported figures for the number of premises not given at least 4 business days' notice of a planned interruption. The figures from 2014–15 to 2017–18 have been corrected and therefore differ from numbers published in our previous reports.

3.1.2 The year saw a reduction in unplanned interruptions on the electricity distribution network

Unplanned interruptions on Evoenergy's electricity distribution network fell by 50% in 2019–20 from 2018–19. Unplanned interruptions where the service was not restored within 12 hours also decreased in 2019–20 to 37 (down 26%). These 37 unplanned interruptions affected 614 premises. Seven of these interruptions were related to bushfires. The most significant interruption was caused by bushfires at Beard and Oaks Estate which left 487 premises without power for 35.9 hours. Equipment failure or defects (for example, equipment failure resulting from lightning strikes) caused other unplanned interruptions.

Table 3.2 Electricity distribution – unplanned interruptions, 2015–16 to 2019–20

Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume and %)
Number of unplanned interruptions to the electricity distribution network	1,839	1,385	1,469	1,668	834	▼ 834 (▼50%)
Number of times electricity supply was not restored within 12 hours of an unplanned interruption	48	85	43	50	37	▼ (13 ▼26%)
Number of premises affected by an unplanned interruption to the electricity distribution network that lasted for more than 12 hours	136	92	395	128	614	▲ 486 (▲380%)

Table 3.3 shows the number of premises affected by unplanned interruptions lasting more than 12 hours. Four interruptions lasted between 24 to 36 hours, affecting 490 premises. Of the 490 premises, 487 premises were in the Pialligo area where power was interrupted because of damaged caused by the bushfires at Beard and Oaks Estate. Ten interruptions lasted for more than 48 hours, affecting 28 premises. Evoenergy reported these interruptions were mostly due to equipment defect or failure and arcing during bushfires.

Table 3.3 Electricity distribution – number of unplanned interruptions that lasted more than 12 hours in 2019–20

Duration of an unplanned interruption	Number of interruptions	Number of affected premises	Average duration of interruption (hh.mm)
> 12 hours to <24 hours	23	96	17.00
24 to 36 hours	4	490	30.18
> 36 hrs to 48 hours	0	0	-
> 48 hours	10	28	74.41
Total	**37**	**614**	

3.2 Complaints

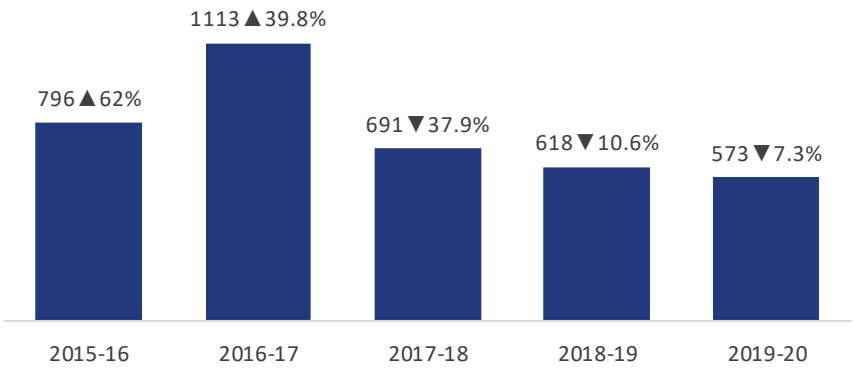
Complaint handling procedures

As required by the licence, Evoenergy has a complaint handling procedure that complies with the *Australian Standard: Guidelines for complaints management in organisations* (AS/NZ 10002:2014). Evoenergy's complaint practices include acknowledging complaints within two business days and giving a meaningful response within 20 business days. Evoenergy keeps records of customer complaints for at least twelve months after the complaint is resolved. Evoenergy publishes information on its website about its complaints and dispute resolution procedure and about customers' rights to take their complaint to the ACAT if they are not satisfied with Evoenergy's response.

3.2.1 Electricity distribution complaints continued to fall over the year

Complaints about Evoenergy's electricity distribution network fell to 573 in 2019–20, down from 618 in 2018–19 (down 7.3%). This is the lowest number of complaints reported by Evoenergy in the last four years (Figure 4). Evoenergy responded to all complaints within 20 business days.

Figure 3.1 Electricity distribution – number of complaints and change from previous years, 2015–16 to 2019–20



Evoenergy records complaints in categories that relate to network operations, network quality and reliability, interruptions, connection and disconnection, providing notice, meter and meter reading, billing and customer service. We monitor complaints by analysing annual changes and any trends in complaint numbers and asks Evoenergy to explain significant changes in complaints.

Table 3.4 shows a breakdown of electricity distribution complaints for 2019–20 in eight broad categories. The highest number of complaints received were about network operations, network and service quality and notice of work and outage. Evonergy also reported an increase in customer service complaints and fewer complaints about connection and disconnection.

Network operations complaints

Complaints about network operations made up 35.3% of all complaints. Most complaints were about the timing or scheduling of an outage. Other complaints were about site restoration, noise, property damage, entry to land and damage to the environment.

Network and service quality

Complaints about network and service quality were the second most common, at 17.1% of all complaints. These complaints were mostly about faults on the electricity distribution network caused by weather damage such as fallen trees and power lines due to strong winds. Evoenergy also reported an increase in electricity quality complaints related to grid overvoltage issues due to increasing uptake of solar PVC systems in the ACT.

Notice of work and outage

These complaints were 14.3% of total complaints. Complaints were mostly about Evoenergy not giving at least four business days' notice of a planned interruption to the electricity supply.

Customer service complaints

Customer service complaints increased from 24 in 2018–19 to 58 in 2019–20. Evoenergy reported most complaints (31) were about Evoenergy not meeting service requests from customers.

Connection/disconnection complaints

Connection and disconnection complaints decreased from 49 in 2018–19 to 18 in 2019–20 (down 63.3%). Complaints were mostly about delays in fulfilling service requests from contractors and customers for network alterations and connection and disconnection of electricity. Evoenergy reported increasing demand for connection services had caused service connection delays. Evoenergy said it keeps customers informed of its connections timeframes to manage customers' expectations.

Table 3.4 Electricity distribution – number of complaints, 2015–16 to 2019–20

Categories	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)	Share of total complaints in 2019-20 (%)
Network operations	202	195	249	246	202	▼ 44	35.3
Network and service quality	84	254	151	154	98	▼ 56	17.1
Notice of work and outage	226	364	144	64	82	▲ 18	14.3
Customer service	45	47	40	24	58	▲ 34	10.1
Other	96	130	58	45	56	▲ 11	9.8
Meter and meter reading	90	80	17	23	39	▲ 16	6.8
Fees and charges	35	19	12	13	20	▲ 7	3.5
Connection/ disconnection	18	24	20	49	18	▼ 31	3.1
Total	**796**	**1,113**	**691**	**618**	**573**	**▼45(▼ 7.28%)**	

3.3 Compliance with minimum service standards

In 2019–20, Evoenergy did not meet the minimum service standards set by the Consumer Protection Code for electricity distribution 696 times. This was 14.3% better than in 2018–19. Table 3.5 shows Evoenergy's performance in meeting the minimum service standards for electricity distribution.

Table 3.5 Electricity distribution – number of times minimum services standards were not met, 2015–16 to 2019–20

Minimum service standards (MSS)	Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)
MSS 1: Customer connection times	Connection not made on same day if request made before 2pm or by the end of next business day	0	0	0	0	2	▲ 2
MSS 2: Responding to complaints	Respond within 20 business days	0	2	1	0	0	0
MSS 3: Response times (faults)	For a problem that is likely to affect public health or has the potential to cause substantial harm – within 6 hours	8	0	0	0	13	▲ 13
	In all other cases, within 48 hours	5	0	0	0	0	0
	Resolve the problem within the time specified in the responses	13	0	0	0	0	0
MSS 4: Planned interruptions	Provide four-business days' notice	874	564	451	316	54	▼ 262
	does not exceed 12 hours	127	118	10	368	13	▼ 355
MSS 5: Unplanned interruptions	does not exceed 12 hours	136	92	395	128	614	▲ 486
Total number of times Evoenergy did not meet minimum service standards during 2019–20		**1,163**	**776**	**857**	**812**	**696**	**▼116 (▼14.3%)**

Customer connection times (minimum service standard 1)

Under the Consumer Protection Code, Evoenergy must provide the connection service within the required timeframe that is set by the minimum service standard:

a. if a meter installation at the customer's premises is physically connected to the electricity distribution network

b. the customer is entitled to the electricity supply.

Evoenergy customers may apply for a rebate of $60 for each day Evoenergy did not meet the standard (up to a maximum of $300).

Evoenergy reported two instances of failure to connect a customer within the timeframe in the minimum service standard. Neither customer applied for a rebate and Evoenergy paid no rebates in relation to minimum service standard 1.

Responding to complaints (minimum service standard 2)

The Code requires Evoenergy to acknowledge a complaint immediately or as soon practicable and respond to the complaint within 20 business days. A customer may apply for a rebate of $60 for each day Evoenergy does not respond to a complaint within 20 business days (up to a maximum of $300). In 2019–20, Evoenergy responded to all customer complaints within 20 business days.

Response time to notifications (minimum service standard 3)

The Code requires Evoenergy to respond to notifications that are likely to affect public health, or cause (or have the potential to cause) substantial harm to the community or a property, within six hours. In all other cases, Evoenergy must respond within 48 hours. Also, Evoenergy must respond in the time stated in its response to the customer who notified Evoenergy of the issue.

A customer who made a notification may apply for a rebate of $60 for each day that Evoenergy failed to respond (up to a maximum of $300).

Table 3.6 shows that notifications to Evoenergy about network problems or concerns increased 1.9% from 4,045 in 2018–19 to 4,121 in 2019–20. 103 notifications were reported as likely to affect public health and safety and 13 of these were not responded to within six-hours.

Evoenergy reported that the delay in resolving the 13 incidents was because works had to be undertaken to their infrastructure before supply could be safely restored.

Table 3.6 Electricity distribution – number of notifications of network problems or concerns, 2015–16 to 2019–20

Categories	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume) (%)
Total number of notifications received	7,840	6,840	5,752	4,045	4,121	▲ 76 ▲ 1.9%
Number of notifications related to a problem that is likely to affect public health or has the potential to cause substantial harm – must be responded to within 6 hours	92	154	183	324	103	▼ 221 ▼ 66.2%
Number of notifications not responded to within 6 hours	8	0	0	0	13	▲ 13 ▲ 100%
Number of notifications related to a problem that is not likely to affect public health or have the potential to cause substantial harm – must be responded to within 48 hours	7,748	6,686	5,569	3,721	3,810	▲ 89 ▲ 2.4%
Number of other notifications (must be responded to within 48 hours)	5	0	0	0	0	0
Number of notifications that were not resolved in the time specified in the response	13	0	0	0	0	0

Planned interruptions (minimum service standard 4)

The Code requires Evoenergy to give at least four business days' notice to customers affected by a planned interruption and restore electricity supply within 12 hours. A customer may apply to Evoenergy for a rebate of $50 if Evoenergy did not give the customer the required notice. A customer may claim a rebate of $20 if supply is not restored within 12 hours.

In 2019–20, Evoenergy did not give at least four business days' notice to 54 premises affected by a planned interruption and did not restore supply within 12 hours to 13 premises. Evoenergy paid 24 rebates under this minimum service standard during 2019–20.

Unplanned interruptions (minimum service standard 5)

Under the Code, Evoenergy must take all steps reasonable and practicable to restore supply to affected premises as soon as possible, or within 12 hours. Customers may apply for a rebate of $20 if supply is not restored within 12 hours.

In 2019–20, Evoenergy did not restore supply within 12 hours to 614 premises affected by unplanned interruptions. Evoenergy reported it received no rebate claims and paid no rebates under this minimum service standard.

3.3.1 Rebates paid under the Consumer Protection Code

Evoenergy did not meet the minimum service standards a total of 696 times during 2019–20. Evoenergy paid only 24 rebates to customers, for a total payment of $1,200. These payments were made to customers for failing to meet minimum service standard 4 (notification requirements for a planned interruption).

From 1 July 2020, all licensed utilities must pay rebates automatically when a guaranteed service level is not met. Customers will no longer have to apply for the rebates (see section 1.3.2 of this report).

3.4 Licence and reporting obligations

Evoenergy's utility licence requires it to comply with any requirement under the Utilities Act, relevant industry and technical codes and directions given by the Commission. Evoenergy must also report any material breach and non-compliance with its licence conditions.

3.4.1 No material breaches reported

There were no material breaches of Evoenergy's electricity distribution utility licence in 2019–20. This is based on information from Evoenergy and our monitoring during the reporting year.

3.4.2 Failure to provide the required notice to a life support customer

Under the Consumer Protection Code, Evoenergy must not disconnect and interrupt electricity supply on premises with a registered life support customer unless it has given at least four business days' notice of a planned interruption of supply to premises.[20]

In 2019–20, Evoenergy disconnected one customer with registered life support equipment without giving the customer the minimum four days' notice. Evoenergy explained that a written notice of the planned interruption was sent to and received by the customer within the required timeframe. Two days before the scheduled interruption to supply, Evoenergy's contact centre called the customer advising that the planned outage had been postponed. But the planned work went ahead as originally planned and electricity to the customer's premises was interrupted. A senior manager from Evoenergy was notified of the incident and gave an urgent order for the customer's electricity to be restored as soon as possible.

Evoenergy reported the premises did not have electricity for 45 minutes and the customer on life support was not severely affected. Evoenergy gave the customer a rebate for failing to meet minimum service standard 4.

After a full investigation of the incident, Evoenergy ran a mandatory communication workshop to Evoenergy' s contact centre team focusing on risk management. Evoenergy also reviewed and updated its procedures on notifying customers with registered life support equipment about planned outages and postponed outages. So that customers on life support are notified within the required timeframe, Evoenergy has implemented an additional process to call customers on life support five days before a planned interruption.

[20] Clause 10.1 of the Consumer Protection Code

In last year's report, we said Evoenergy had not complied with the requirements under the *Electricity Feed-in (Renewable Energy Premium) Act 2008* and the issue was still under investigation. During 2019–20, Evoenergy completed its investigation and reported that it has resolved all 18 non-compliances.

3.4.3 Performance of network operations

Obligations under the Utilities Act

Under the Utilities Act licensed utilities must operate their networks safely and:

- minimise inconvenience, detriment and damage to land
- give notice of network operations to landholders
- notify the Heritage Council of network operations affecting a place or object registered under the *Heritage Act 2004.*

Table 3.7 shows Evoenergy's performance in operating its electricity network against its obligations under the Utilities Act.

Table 3.7 Electricity distribution – compliance with obligations under the Utilities Act, 2015–16 to 2019–20

Obligations	Measure of compliance	2015-16	2016-17	2017-18	2018-19	2019-20	Change from previous year (volume)
Section 108 A licensed utility must take all reasonable steps to ensure it causes as little inconvenience, detriment and damage as possible when carrying out network operations.	Number complaints under section 108	80	58	51	23	10	▼ 13
Section 109 A utility must give a landholder a written notice of the proposed network operation at least seven days before a network operation began.	Failed to give at least 7 days' notice before a network operation	0	0	0	0	7	▲ 7
Section 110 A utility must give the landholder at least 7 days' notice before carrying out network operations that involve clearing, trimming or removal of trees, roots or vegetation on private land.	Number of complaints about carrying out tree related activities in urgent circumstances under section 110(8).	0	0	0	0	4	▲ 4
Section 113 A utility that carries out network operations on land for which it is not the landholder must take all reasonable steps to ensure that the land is restored as soon as practicable to a condition that is similar to its condition before the operations began.	Number of complaints about failing to ensure land was restored to its original condition	19	65	49	42	33	▼ 9

Notice of at least seven business days before a network operation

Under the Utilities Act, a utility must give a landholder a written notice at least seven days before starting a network operation.

Evoenergy did not give seven landholders notice of a network operation in 2019–20. Evoenergy reported that these cases were where urgent work was needed to reduce potential damage to its infrastructure, which could have caused a loss of supply to more customers.

Minimise damage to land and restore land

Evoenergy must take all reasonable steps to ensure that its network operations minimise inconvenience, detriment and damage to private land[21].

Evoenergy reported 10 complaints during 2019–20. Evoenergy reported 33 complaints that it did not restore land to its original condition during 2019–20 (down from 42 in 2018-19).

Evoenergy said it has processes to measure its network operations' risk and safety so it can meet its obligations under the Utilities Act. Also, Evoenergy tells landholders about their rights and Evoenergy's obligations to minimise damage and restore the land after a network operation.

Trimming trees and vegetation on private land

As noted in Table 3.7, Evoenergy did not give seven landholders notice of a network operation involving trimming, clearing and removing trees or vegetation on private land within the required timeframe because it had to do urgent work immediately.

Evoenergy received four complaints about trimming trees and vegetations on private land in urgent circumstances[22]. Most of these complaints related to clearing vegetation on rental properties or at townhouses. We assessed that most of these complaints were not about the requirements under the Utilities Act. Property owners are responsible for the clearing of vegetation on private properties, not the utility[23].

Disruption to a site of heritage significance

Under the Utilities Act, a utility must notify the Heritage Council at least seven days before starting a network operation that is likely to affect a place or an object of heritage significant under the Heritage Act.

In 2019–20, Evoenergy notified the Heritage Council of planned work near a heritage site. The Heritage Council gave development approval for the work.

Evoenergy disturbed a registered heritage land after grading an existing access track, displacing protected objects at the site. Evoenergy notified the Heritage Council after it was made aware of the incident. The Heritage Council issued a direction to Evoenergy which include ceasing the construction works and installing protective fencing around the protected area. The Heritage Council advised us that Evoenergy followed the direction and rectified the issue to its satisfaction. Works were then able to be recommenced and completed as detailed in the approved development application.

3.4.4 Other licence requirements

Evoenergy report annually to us on its efforts to reduce network losses

[21] Part 7 Div.7.3 cl.108 of the *Utilities Act 2000*.
[22] Part 7 Div.7.3 cl.110 of the *Utilities Act 2000*.
[23] Unless the tree is a regulated tree or registered tree under the ACT *Tree Protection Act 2006*.

Electricity distribution network losses

Evoenergy's electricity distribution loss factor remained low during 2019–20. To keep network losses low, Evoenergy monitors its distribution loss factor annually and regularly reviews its network standards to ensure the losses are kept to a minimum. Evoenergy is actively involved in developing demand-side management and embedded generation opportunities. Demand-side management can reduce network losses by encouraging electricity customers to use less electricity supplied by its network, especially during peak hours.

More information about Evoenergy's demand-side management and embedded generation opportunities are on Evoenergy's website.

Emergency telephone service

Evoenergy's utility licence requires it to have a 24–hour emergency telephone service that is accessible to the public every day of the year and can receive reports of network emergencies.

In 2019–20, Evoenergy reported no outages to its emergency telephone service. Evoenergy told its customers and the public about the telephone service through customer bills, the public telephone directory, TV and newspaper advertisements and brochures. Evoenergy's telephone number is also published on its website along with safety information for dealing with electricity emergencies.

Compliance with the Feed-in Tariff Code

Evoenergy reported it did not identify any issues with the Feed-in Tariff scheme during 2019–20.

4. Gas distribution

Evoenergy is licensed to provide gas distribution and connection services in the ACT. Evoenergy's overall performance and compliance with licence conditions remained good in 2019–20 and it did not report any non-compliances during the year.

In 2019–20, Evoenergy replaced 6,562 aged meters which caused planned interruptions to the gas distribution network. It also reported that it did not give notice of a planned interruption to one customer within the required timeframe. Unplanned interruptions also went up during the year but were all restored within 12 hours.

Gas complaints reduced slightly but remain high compared to previous years. Evoenergy's gas complaints in the last two years have indicated that many customers were finding their gas bills to too high. Meter complaints also went up during the year, while connection and supply complaints were down.

Over the year Evoenergy failed to meet the minimum service standards on only one occasion. Evoenergy made improvements in recording notifications within the required timeframes which resulted to the fall in the number of minimum service standards that were not met.

4.1 Interruptions to the gas distribution network increased over the year

Planned interruptions to the gas distribution network increased from 4,691 in 2018–19 to 6,901 in 2019–20 (up 47.1%). Most of these interruptions were caused by the replacement of 6,562 old meters. Evoenergy also reported that one customer was not given the minimum four business days' notice of a planned interruption.

Unplanned interruptions increased from 82 in 2018–19 to 98 in 2019–20 (up 19.5%). Evoenergy defines an unplanned outage as 'a confirmed case of 'No Supply' which affects Evoenergy's assets. Evoenergy does not include supply interruptions that happen in a customer's premises (such as in the pipework or appliances).

Evoenergy reported that the main causes of unplanned interruptions during 2019–20 were:

- issues with the customer inlet service
- issues with the customer piping system
- disconnection of the meter
- meter not passing gas correctly

Evoenergy responded that they restored all interruptions to the gas distribution network within 12 hours. Table 4.1 shows planned and unplanned interruptions to the gas distribution network over the last five years.

Table 4.1 Gas distribution – planned and unplanned interruptions, 2015–16 to 2019–20

Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (number and % change)
Number of planned interruptions to gas distribution network	8,023	5,627	4,980	4,691	6,901	▲2,210 (47.1%)
Number of premises not given at least four business days' notice of a planned interruption to the gas distribution network	0	0	0	0	1	0
Number of premises where gas supply not restored within 12 hours of a planned interruption	0	0	0	0	0	0
Number of unplanned interruptions to the gas distribution network	28	113	67	82	98	▲ 16 (19.5%)
Number of premises where gas supply not restored within 12 hours of an unplanned interruption	0	0	0	0	0	0

4.2 Complaints fell over the year

Complaints to Evoenergy about its gas distribution network decreased from 118 in 2018–19 to 111 in 2019–20 (down 5.9%). Figure 4.1 shows complaints over the last 5 years. In 2019-20, Evoenergy responded to all complaints within 20 business days.

Evoenergy records complaints in categories that relate to fees and charges, network operations, network quality and reliability, interruptions, connection and disconnection, providing notice, meter and meter reading, billing and customer service. We monitor complaints by analysing annual changes and any trends in complaint numbers and asks Evoenergy to explain significant changes in complaints. Table 4.2 shows the number of complaints about Evoenergy's gas distribution network over the last five years.

Figure 4.1 Gas distribution – number of complaints and change from previous year, 2015–16 to 2019–20

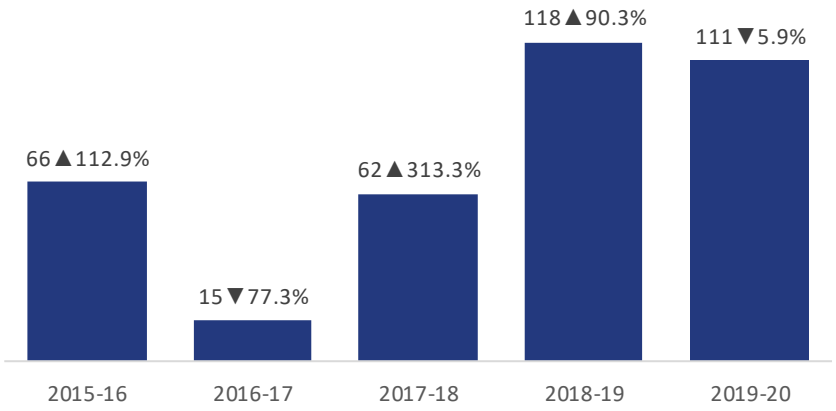


Table 4.2 Gas distribution – complaints by category, 2015–16 to 2019–20

Categories	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)	Share of total complaints in 2019-20 (%)
Fees and charges	12	0	23	47	47	0	42.3
Connection and supply	17	9	13	31	12	▼ 19	10.8
Customer service	5	3	3	8	7	▼ 1	6.3
Meter and meter reading	22	1	14	17	25	▲ 8	22.5
Property damage and restoration	9	2	1	8	9	▲ 1	8.1
Serious incidents	1	0	8	7	11	▲ 4	9.9
Total	**66**	**15**	**62**	**118**	**111**	▼ **7**	

Fees and charges complaints

Complaints about fees and charges were the same as in 2018–19 and remained the most common complaint in 2019–20. In 2018–19 Evoenergy explained it categorises complaints based on the customer's initial complaint. For example, a customer calling about a high bill is categorised under the fees and charges category but resolving the complaint may involve testing a meter which may result in finding a meter or meter reading fault. Evoenergy also reported majority of billing complaints were from energy retailers who called Evoenergy on behalf of their customers complaining about high bills.

Connection and supply complaints

Connection and supply complaints more than halved from 31 in 2018–19 to 12 in 2019–20. Complaints under this category include new connection complaints, supply complaints and reconnection complaints, which all fell during 2019–20.

4.3 Compliance with the minimum service standards

Under the Consumer Protection Code, Evoenergy must comply with all minimum service standards for its gas distribution network and report on its compliance annually through its ULAR.

Evoenergy did not meet the minimum service standards for gas distribution once in 2019–20. This was a significant improvement on its performance in previous years. Table 4.3 shows the number of times Evoenergy did not meet the minimum service standards from 2015–16 to 2019–20.

Response times for notifications (minimum service standard 3)

In 2018–19, Evoenergy found an error in the way it was recording how long it was taking to respond to notifications. Evoenergy had been collecting data on faults resolved within 48 hours, rather than responded to within 48 hours. Because of this error, Evoenergy was reporting more failures to respond within 48 hours than had really occurred. Evoenergy has reported correctly for 2019–20 but cannot correct the errors in previous years. This explains the large number of notifications that were reported as not responded to within 48 hours before 2019–20 and the large reduction in the reported number for 2019–20 shown in Table 4.3.

Table 4.3 Gas distribution – number of times minimum service standards were not met, 2015–16 to 2019–20

Minimum service standards (MSS)	Parameter	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)
MSS 1: Customer connection times	Connection not made on same day if request made before 2pm or by the end of next business day	0	0	2	3	0	▼ 3
MSS 2: Responding to complaints	Respond within 20 business days	0	0	0	0	0	
MSS 3: Response times (faults)	For a problem that is likely to affect public health or has the potential to cause substantial harm – within 6 hours	0	0	0	0	0	
	In all other cases, within 48 hours	306	194	254	407	0	
	Resolve the problem within the time specified in the responses	0	0	0	0	0	
MSS 4: Planned interruptions	Provide -business days' notice	Not recorded	Not recorded	Not recorded	Not recorded	1	
	does not exceed 12 hours	0	0	0	0	0	
MSS 5: Unplanned interruptions	does not exceed 12 hours	0	0	0	0	0	
Total number of times Evoenergy did not meet minimum service standards during 2019–20		**306**	**194**	**256**	**410**	**1**	▼ **409**

4.3.1 Rebates paid under the Consumer Protection Code

Evoenergy did not meet the minimum standards once during 2019–20. Evoenergy did not receive a rebate claim and did not pay a rebate in 2019–20.

4.4 Licence and reporting conditions

Evoenergy's utility licence requires it to comply with any requirement under the Utilities Act, relevant industry and technical codes and directions given by the Commission. Evoenergy must also report any material breach and non-compliance with its licence conditions for its gas distribution network.

4.4.1 No material breaches or non-compliance reported

Evoenergy gas distribution reported that there were no material breaches or non-compliance of the utility licence in 2019–20.

4.4.2 Other licence conditions

Evoenergy must also report on its compliance with some specific conditions.

Unaccounted for gas

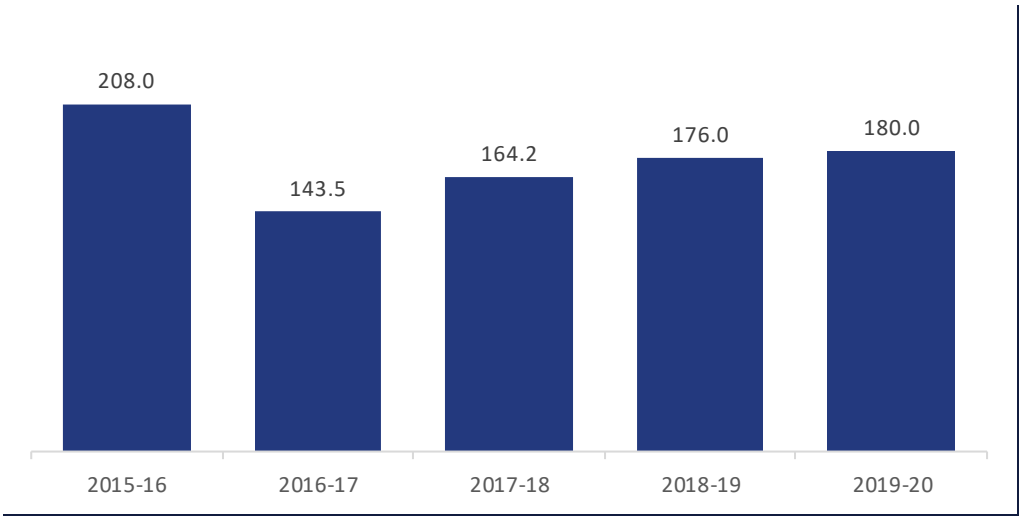
In 2019–20, Evoenergy reported the amount of gas lost from the gas distribution network was 180.0 terajoules (TJ) (up 2.27%)[24]. Figure 4.2 shows that the amount of gas lost (Unaccounted for Gas) has been slowly going up over the last four years after its fall in 2016–17.

Evoenergy reported that its measure of gas loss from the network is for both the ACT and Queanbeyan because it cannot separately measure the gas lost. Evoenergy has estimated that the total amount of gas recorded as lost was mainly caused by:

- customer metering errors (137 TJ)
- system use of gas for preheating at major stations (19 TJ)
- leakage of gas (24 TJ).

Evoenergy has programs to minimise measured gas losses. It checks meters and meter reading quality to fix systematic errors in meters and is replacing aged meters through its meter replacement program. It fixes leaks identified from leakage surveys and leaks reported by the public.

Figure 4.2 Amount of gas lost from the licensee's distribution network in Terajoules (TJ)



[24] The volume unaccounted for gas represents the total volume of gas lost for the ACT and NSW.

Emergency telephone service

In 2019–20, Evoenergy reported no outages to its emergency telephone service. Evoenergy tells customers and the public about the emergency telephone service through the public telephone directory and customer bills issued by the retailer. The telephone number is also published on its website along with safety information about dealing with gas issues or emergencies. Calls to the ActewAGL call centre about gas emergencies are directed to the Jemena Service Centre (emergency response). Jemena Networks Pty Ltd is one of two companies (the other being Icon Distribution Investments Limited) that forms Evoenergy and does much of the onsite maintenance on Evoenergy's network.

Other annual reporting requirements

Evoenergy's gas distribution licence sets out other things that it must report to us annually[25].

As of 30 June 2019, Evoenergy's gas distribution network comprised 3,973 km of medium pressure pipeline and 260 km of high-pressure mains pipeline—a total pipeline length of 4,233 km. This is an 8 km increase in total pipeline length from 2018–19.

In 2019–20, Evoenergy gas distributed 6,953 TJ of gas to 139,478 delivery point identifiers. Table 4.4 shows that 6.8% less gas was billed in 2019–20 even though there was a 3.2% increase in the number of customers connected to the gas distribution network compared to 2018–19. Evoenergy saw two potential reasons for the decrease in the amount of gas billed were:

- a reduction in gas demand from the last two years and businesses impacted by COVID–19.
- the weather and the timing of meter reading causes low gas billed during this reporting year. Evoenergy explained gas consumption from 1 April to 30 June were partially billed to June 2020 due to reading cycles, the rest (peak of the winter season) were billed in September which falls into the next reporting year.

Table 4.4 Gas distribution — aggregate gas billed and the number of customers connected to the gas distribution network, 2015–16 to 2019–20

	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (%)
Aggregate quantity of gas billed	8,345	7,681	8,254	7,457	6,953	▼6.8
Number of customers connected to the licensee's network as of 30 June	127,143	130,277	134,956	135,183	139,478	▲3.2
Total number of tariff customers (i.e., < 10 TJ per annum)	12,7143	13,0277	13,4956	13,5183	13,9478	▲3.2
Total number of non-tariff customers (i.e., ≥ 10 TJ per annum)	42	41	37	36	35	▼2.8

[25] Clause 4 of Evoenergy's utility licence.

Operation and maintenance

Evoenergy's gas distribution licence requires it to report annually on certain operational and maintenance matters, including:

- the number of significant gas leaks detected by survey by pressure classes
- the number of times the gas distribution network goes below normal operating system minimum pressure classes.

Evoenergy reported one significant leak on medium pressure pipelines during the leakage survey in the ACT during 2019–20. The leak was a non-hazardous leak on a main which Evoenergy classified as a Class 2 leak. Evoenergy responded to the leak and repaired it within 7 days.

Evoenergy responds to Class 1 significant leaks within 4 hours, or within 7 business days for Class 2 significant leaks. Evoenergy determines the significance of a leak after it has fully assessed the situation and considered technical factors.

Table 4.5 shows the gas distribution network pressure stayed within the minimal operating system pressure during 2019–20.

Table 4.5 Gas distribution — operation and maintenance reporting requirements, 2015–16 to 2019–20

Operation and maintenance reporting requirements	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)
Number of significant gas leaks (Medium pressure)	27	5	51	3	1	▼2
Number of significant gas leaks (High pressure)	0	0	0	0	0	0
Number of meter replacements by customer class – Domestic customers	123	312	249	258	1,190	▲932
Number of meter replacements by customer class – Industrial/commercial customers	4	11	15	17	3	▼14
Number of times distribution network pressure fell below normal operating system minimum pressure – Medium pressure	0	0	0	0	0	0
Number of times distribution network pressure fell below normal operating system minimum pressure – High pressure	0	0	1	0	0	0

Gas incidents

Evoenergy's gas distribution licence requires it to report annually on:

- gas related incidents such as the number of gas leaks (from mains, distribution network and meters) by pressure classes that were reported by the public
- number of mechanical damage incidents to mains and services by pressure classes
- number of times gas specification reached the maximum or minimum limits.

Table 4.6 shows the number of gas related incidents reported by Evoenergy as part of its reporting obligations under its licence. During 2019–20, gas leaks reported to Evoenergy by the public fell to 1,909 from 2,007 in 2018–19 (down 4.9%). Evoenergy reported that the major cause of the reported leaks were third party accidents where there had been damage to the gas distribution network for example, by a digging machine. Evoenergy reported that its initial response to reported leaks is to attend the site and make it safe. Evoenergy is working to increase third party awareness around the gas network to minimise risks to the community.

Table 4.6 Gas distribution – incidents reported by Evoenergy under the utility licence, 2015–16 to 2019–20

Categories	2015–16	2016–17	2017–18	2018–19	2019–20	Change from previous year (volume)
Number of gas leaks (Medium pressure)	1,528	1,663	1,827	2,007	1,909	▼ 98
Number of gas leaks (High pressure)	0	0	0	0	0	0
Number of mechanical damage incidents to mains and services (Medium pressure)	164	203	178	147	176	▲ 29
Number of mechanical damage incidents to mains and services (High pressure)	0	0	0	0	0	0
Number of times gas specification reached the maximum or minimum limits (High pressure)	0	0	0	0	0	0

Note: The number of gas leaks refers to the number of gas leaks from mains, server and meters that were reported by the public.

5. Electricity transmission

TransGrid is licensed to provide electricity transmission services in the ACT. TransGrid met its licence conditions during 2019–20.

TransGrid is building the new substation at Stockdill Drive that will provide a second supply point for the ACT. TransGrid received a small number of complaints from private landowners about damage to their land that occurred during the construction of the Stockdill substation.

5.1 Licence and reporting conditions

TransGrid reported that it has a corporate compliance framework for managing its compliance obligations across its operations. TransGrid audits the services and operations authorised under its utility licence. TransGrid reported that its compliance audits were mainly of its key management systems for health and safety, environment, asset management and service quality. TransGrid also has a corporate risk and compliance team which conducts independent reviews to improve compliance performance.

5.1.1 No material breaches or non-compliances reported over the year

Based on information from TransGrid and our monitoring during the year, there were no material breaches or non-compliances of TransGrid's utility licence in 2019–20.

5.1.2 Utilities Act obligations

The Utilities Act requires TransGrid to ensure that its network operations minimise inconvenience, detriment and damage to land. TransGrid must restore land to its original condition after a network operation. We assessed TransGrid's performance by looking into the number of complaints TransGrid received about its network operations.

TransGrid has network operation procedures and protocols that were fully implemented during 2019–20 to minimise land damage during and after network operations.

For 2019–20, TransGrid reported four complaints about inconvenience, detriment, or land damage related to the construction of the substation at Stockdill Drive.

TransGrid reported one complaint about restoration of land that was affected by the construction of a new transmission line between the Canberra and Stockdill substations. TransGrid was still in discussions with the landowner to resolve this complaint.

5.1.3 Other utility licence obligations

TransGrid must maintain an asset management system in line with the international standard ISO 55001. TransGrid must also maintain an environmental management system that is consistent with ISO 14001.

For 2019–20, TransGrid reported its asset and environmental management systems maintained their certifications and were fully implemented during the year.

6. Gas transmission

The East Australian Pipeline Limited (EAPL) is licensed to provide gas transmission services to the ACT from the section of the Dalton to Canberra pipeline that is in the ACT.

EAPL's overall performance and compliance with licence conditions remained good in 2019–20 despite reporting a minor non-compliance with a licence condition. It has not published a summary of its performance figures for the last two years even though its utility licence requires it to publish information about its performance. We have asked EAPL to rectify the non-compliance by publishing the information.

6.1 Licence and reporting conditions

EAPL's utility licence requires it to report annually on the amount of gas transferred from the gas transmission network to the gas distribution network at the North Watson Custody Transfer Station. During 2019–20, EAPL transferred 3,875 terajoules (TJ) of gas from the gas transmission network to the gas distribution network, compared to 3,690 TJ in 2018–19 (up 5.1%).

6.1.1 No material breaches reported

Based on information from EAPL and our monitoring during the year, there were no material breaches of EAPL's utility licence in 2019–20.

6.1.2 Non-compliance

A condition of EAPL's licence is that it must publish each year's ULAR or a summary of the ULAR. EAPL has not published its ULAR or a summary of the ULAR for 2017–18, 2018–19 or 2019–20. As a result, EAPL is currently not compliant with this requirement.

6.1.3 Utilities Act obligations

EAPL reported that it met its obligations under the Utilities Act in 2019–20 and did not receive any complaints about inconvenience, detriment or damage to land caused by its network operations.

EAPL conducts its network operations under easement guidelines registered with DP490019, Australian Standards—Pipelines Gas and liquid petroleum (AS2885.3)[26] and the APA Group Operational Environmental Management Plan[27]. These protocols ensure that damage to land is minimised during and after network operations.

6.1.4 Compliance with other licence conditions

EAPL must also report annually on its compliance with some specific conditions. EAPL has met all reporting requirements under its utility licence.

EAPL's performance on the operation, maintenance and supply management of the Dalton to Canberra pipeline is monitored by the Utilities Technical Regulator.

Emergency telephone service

EAPL's licence requires it to maintain an emergency telephone service that is accessible to the public every day of the year and can receive reports of escapes of gas. In 2019–20, EAPL reported no outages to the emergency telephone service. EAPL used pipeline easement signs and landowner annual awareness programs to tell people how they can contact EAPL to report escapes of gas.

Other annual reporting requirements

EAPL must report on restrictions or interruptions to supply to the distribution network, operation and compliance audits, major periodic reviews and emergency simulations.

[26] Australian Standards—Pipelines Gas and liquid petroleum (AS2885.3) sets the minimum requirements for the operation and maintenance of pipelines.

[27] EAPL is a member of the APA Group.

For 2019–20, EAPL reported the following:

- There were no reportable events under reporting requirements in clause 4 of the licence schedule.
- An annual compliance audit of EAPL's Pipeline Management System was conducted in August 2020.
- EAPL conducted an emergency simulation exercise on the gas transmission pipeline using EAPL's Emergency Response procedure.
- EAPL received 8 calls concerning issues at its site of which 3 required a supervisor to attend the site. There were no third-party activities detected within 10 metres of the pipeline.

7. Assessment of the licenced utilities administration of the reporting obligation

Here we provide our assessment of each utility's administration of its ULAR. The assessment framework encourages the licensed utilities to improve their administration of their ULAR processes and the quality of their reports by assessing:

- the completeness of the report
- the accuracy and quality of the data and information in the report
- each utility's responsiveness to our requests
- whether the utility gave us its report by the due date.

This assessment is not about how well each utility performed in delivering services to customers or whether it complied with its licence conditions and obligations under the Utilities Act. Chapters 2 to 6 report on the utilities' performance and compliance.

Each of the utilities were given their proposed assessment results and invited to make comments. Each of the utilities accepted our assessment.

We note that the utilities are improving in their administration of the ULAR and that the utilities are responding to our observations and feedback.

7.1 How we assess the utilities' administration

Assessment criteria

Our assessment framework has four assessment criteria that the licensed utilities must meet to receive a good rating on their ULAR administration and reporting. The four criteria are timeliness, responsiveness, data quality and integrity, and the quality and relevance of supporting statements.

	Criteria	Description
	**1. Timeliness**	The utility meets the reporting deadline.
	**2. Responsiveness**	The utility responds to our questions and requests for further information and explanation by the agreed date.
	**3. Data and information quality and integrity**	The utility uses accurate, relevant, up to date and complete data and information in its ULAR.
	**4. Quality and relevance of supporting statements and responses**	The utility gives clear and relevant explanations for significant changes across years or apparent anomalies in reported data and information.

Assessment rating scale

We uses an assessment rating scale for each assessment criterion. Each rating level has a brief description of indicators or examples of performance that would result in the rating. The rating scale creates consistency in assessing utilities and shows utilities where they can improve their ULAR administration and reporting in future years.

Rating and description	Indicator of performance
 **4 Excellent** The utility has gone above what is needed to achieve a rating of good and provided high quality and timely information or responses.	The utility performed at a very high level.
 **3 Good** The information or response was good and has fully met the expected requirements.	The utility provided the information or response as required or expected.
 **2 Satisfactory** A utility receives satisfactory when further work was needed to ensure the ULAR meets the requirements, particularly in relation to providing clarification and/or further information.	Satisfactory applies when reporting of figures or information needed follow up work to respond to issues or correct errors we found.
 **1 Unsatisfactory** The utility would receive unsatisfactory where it has failed to resolve issues or correct errors we found.	A rating of unsatisfactory would occur when the utility did not give us information we asked for, or correct errors, or did not respond within a reasonable timeframe.

7.2 Assessment summary

All utilities submitted their completed ULARs by the due date. Each utility that was asked for additional information responded to our requests by the agreed date.

In our 2018–19 report, we said we would focus on utilities providing plain English explanations and details in their reports, particularly in relation to complex technical terms and abbreviations. While the reporting improved, we will continue to encourage greater use of plain English in the 2020–21 ULARs for all utilities. We believe this focus is important for consumers and readers of the ULAR to better understand how well the utilities are performing and complying with their licence conditions.

In previous years, we discussed with the utilities data quality issues and ways to improve their processes for collecting, analysing and reporting data. We found significant improvements had been made by all utilities in their 2019–20 ULARs and assessed the timeliness and responsiveness to our requests as excellent.

We will update the ULAR guideline to clarify that each utility should publish its ULAR or a summary of its ULAR for the reporting year within a reasonable time after giving it to us. Timely publication of the ULARs will help customers, members of the ACT community and other interested people get up-to-date information on how the utilities are performing their services in the ACT.

Table 7.1 shows the assessment for each utility for 2019–20. Comments are given for each utility after the table[28].

Table 7.1 Assessment results for each utility against the assessment criteria, 2019–20

Criteria	Icon Water	Evoenergy Electricity	Evoenergy Gas	TransGrid	EAPL
Timeliness	Excellent	Excellent	Excellent	Excellent	Excellent
Responsiveness	Excellent	Excellent	Excellent	Excellent	Good
Data and information quality and integrity	Good	Excellent	Excellent	Excellent	Excellent
Quality and relevance of supporting statements and responses	Good	Good	Good	Good	Good

7.3 Icon Water

Icon Water met the reporting requirements in a timely and efficient manner and showed good knowledge of the reporting requirements and its licence obligations. Icon Water responded to our information requests with detailed responses within the requested timeframe. This year Icon Water responded quickly to our information requests.

In its reporting Icon Water acknowledged that its processes have contributed to an under-reporting of sewerage main breaks and chokes caused by tree roots. We will continue to encourage the reporting of accurate data with plain English explanations of complex technical terms and abbreviations in the 2020–21 reporting.

7.4 Evoenergy (electricity distribution)

Evoenergy met the reporting requirements in a timely and efficient manner. Evoenergy showed good knowledge of the reporting requirements and its licence obligations. Evoenergy was very responsive our information requests and gave detailed responses within the requested timeframe.

Evoenergy's administration of its ULAR continues to improve year on year. For 2019–20, Evoenergy provided quality and accurate data. Evoenergy also improved on providing detailed supplementary information on reported figures and explanations in plain English.

[28] As each utility assessment is provided to the relevant utility for comment prior to publication of the monitoring report, it is written as a stand-alone assessment for comment and as such there may be some repetition in the assessments when presented as a whole.

We will continue to encourage the reporting of accurate data with plain English explanations of complex technical terms and abbreviations in the 2020–21 reporting.

7.5 Evoenergy (gas distribution)

Evoenergy met the reporting requirements in a timely and efficient manner. Compared to its 2018–19 ULAR process, Evoenergy has improved the quality and relevance of its responses and the quality and accuracy of the data reported in its ULAR. Evoenergy responded to most information requests in a timely way and provided accurate and detailed responses within the requested timeframe.

We will continue to encourage the reporting of accurate data with plain English explanations of complex technical terms and abbreviations in the 2020–21 reporting.

7.6 TransGrid

TransGrid met the information requirements for its ULAR report and included relevant supporting information. We did not find any issues that required additional information.

We will continue to encourage the reporting of accurate data with plain English explanations of complex technical terms and abbreviations in the 2020–21 reporting.

7.7 EAPL

EAPL met the information requirements for its ULAR report and included relevant supporting information. We found the reported data and explanations were correct, relevant and clear.

However, EAPL has not responded in a timely way to our request for it to publish its ULAR or a summary of the reporting on its website.

We will continue to encourage the reporting of accurate data with plain English explanations of complex technical terms and abbreviations in the 2020–21 reporting.

Appendix 1 Minimum service standards and rebates

The table on the following page shows the minimum service standards and rebate amounts in the Consumer Protection Code 2012.

Table A1 Current minimum service standards and rebate amount

Parameter	Threshold	Amount ($)
Customer Connection Times	If the installation is physically connected to the network and the customer is entitled to supply, then the connection services must be provided: (a) on the same day as the request is made if the request is made before 2:00pm; or (b) by the end of the next Business Day if a request is made after 2:00pm, otherwise, on a day agreed between the customer and the obliged provider.	$60 per day (max $300)
Responding to complaints	The obliged provider, upon the receipt of complaint from a customer must: (a) acknowledge the complaint immediately or as soon as practicable; and (b) respond to the complaint within 20 Business Days.	$20
Response time to notification of problem or fault	(a) as soon as practicable or within 6 hours, if the notification relates to damage to, or a fault or problem with the Network which is likely to affect public health, or is causing, or has a potential to cause, substantial damage or harm to a Person or property; or (b) within 48 hours on all other cases	$60 per day (max of $300)
Planned interruptions and notice period	A water and sewerage utility must give at least two business days' notice of a planned Interruption to a utility service to each premises that will be affected by the interruption. Gas and electricity distributors must give at least four business days' notice prior to a planned interruption. The notice must contain the following specific requirements: c. specify the reason for the interruption and the expected date, time and reasonably anticipated duration of the interruption; and d. provide either: i. a business hours telephone number for inquiries; or ii. a 24-hour telephone number for inquiries. A utility undertaking a planned interruption to a utility service must take all steps that are reasonable and practicable to ensure that the duration or the interruption: a. does not exceed the expected duration set out in a notice given to the premises; and b. in any event, does not exceed 12 hours.	$50
Unplanned interruptions	a utility must take all steps that are reasonable and practicable to restore the supply of the relevant utility service to affected premises as soon as possible and, in any event, within 12 hours.	$20

Abbreviations and acronyms

ACAT	ACT Civil and Administrative Tribunal
ACT	Australian Capital Territory
APA Group	Comprises two registered investment schemes - Australian Pipeline Trust (APT) and APT Investment Trust (APTIT) - and their controlled entities.
Commission	Independent Competition and Regulatory Commission
EAPL	East Australian Pipeline Limited
EPA	Environment Protection Authority
ICRC	Independent Competition and Regulatory Commission
ICRC Act	*Independent Competition and Regulatory Commission Act 1997*
KL	Kilolitre
KM	Kilometre
ML	Megalitre
MSS	Minimum Service Standard
NSW	New South Wales
TJ	Terajoules
ULAR	Utility Licence Annual Report
Utilities Act	*Utilities Act 2000*
UTR Act	*Utilities (Technical Regulation) Act 2014*

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