

CEER Status Review on the involvement of consumer organisations in the regulatory process as of 1st January 2013

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INFORMATION PAGE

Abstract

This document (C13-CEM-65-03) is a CEER document titled CEER Status Review on the involvement of customer organisations in the regulatory process. It provides thorough insight into working relations between NRAs and consumer organisations. The overall aim of this review is to depict if, how and on which particular issues NRAs and consumer organisations collaborate. The analysis is based on responses gathered from both NRAs and consumer organisations.

Target Audience

Energy suppliers, traders, gas/electricity customers, gas/electricity industry, consumer representative groups, network operators, Member States, academics and other interested parties.

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Related Documents

CEER documents

- “A 2020 Vision for Europe’s energy customers - Joint Statement”, CEER and BEUC [November 2012, updated May 2013]
- “Final CEER 2013 Work Programme”, CEER [September 2012], Ref. C12-WPDC-22-06
- “Benchmarking Report on the roles and responsibilities of NRAs in customer empowerment and protection as of 1 January 2011”, CEER [October 2011], Ref. C11-CEM-46-03

CEER appreciates the strong collaboration with BEUC in relation to the Status Review on the involvement of consumer organisations in the regulatory process and thanks all BEUC members who participated for the valuable information they provided.

A warm thank you to BEUC and its Brussels team for contributing to this Status Review and for its openness and willingness to collaborate with CEER.

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EXECUTIVE SUMMARY

The CEER Status Review on the involvement of consumer organisations in the regulatory process is the result of a thorough investigation of working relations between NRAs and consumer organisations. The overall aim of this review is to depict if, how and on which particular issues NRAs and consumer organisations collaborate.

The analysis is based on information received from both NRAs and members of the European Consumers' Organisation BEUC. Consequently, the analysis is the result of strong collaboration between CEER and BEUC and highlights the effectiveness of such a partnership. CEER greatly appreciates this collaboration, particularly due to BEUC's valuable input reflecting the voice of the final consumer. The research offered valuable insight into working relations between NRAs and consumer organisations, particularly due to the information available from both sides.

It has to be noted, however, that the term "consumer organisation" is used in a rather broad sense by CEER in this Status Review. This is to ensure that the scope of collaboration between consumer organisations and NRAs is captured to the maximum extent possible. As a consequence, any organisation or other body (e.g. interest group, trade union, charity, independent ombudsman, etc.) representing energy consumers or advocating energy consumers' rights is covered. Thus, when the paper presents views from consumer organisations, these do not solely represent BEUC's views. Furthermore, the term "consumer organisation" does not necessarily have to refer to an organisation representing solely energy consumers but may as well refer to organisations covering energy consumers as part of a wider portfolio.

Overall, the investigation showed that the relationship between NRAs and consumer organisations is rather close in many cases. Direct contact between NRAs and consumer organisations occurs in nearly all examined countries. Ties between the parties are not only bidirectional but also largely based on voluntary initiative. The relations between NRAs and consumer organisations are founded on mutual collaborative efforts in order to fulfil individual customer related activities while regularly exchanging each other's findings on how the national energy markets are performing for consumers and where improvements are needed.

The most frequently observed working arrangements between NRAs and consumer organisations range from regular working group meetings to participation in public consultations and exchanging research and data.

Despite close cooperation between the two parties in many cases, consumer organisations are rarely part of the NRA's organisational structure and, thus, generally do not directly take part in the NRA's decision making process (with the exception of very few cases).

Moreover, the investigation revealed that NRAs and consumer organisations collaborate on a wide range of specific issues. The most common subject areas of collaboration are information campaigns, complaint handling and dispute resolution. These areas rank almost equal in terms of weight.

While there are plenty of common areas of interest between NRAs and consumer organisations, results showed that information exchange is still predominantly performed with a view to enhance each other's individual activities rather than for the purpose of creating visible joint outcomes.

According to the individual views of NRAs and consumer organisations, both sides are relatively satisfied with the results of their collaboration. However, a number of respondents flagged concrete ways in which the current state of affairs could be enhanced in order to improve market conditions for consumers. In this context, both NRAs and consumer organisations clearly expressed the wish for increased collaboration. Proposals in this respect cover suggestions for more systematic data sharing, especially in areas where collaboration is not mandated by law and calls for more resources in order to allow for more effective collaboration. A dialogue on strategic and policy oriented issues was also mentioned as a possible new area for collaboration between NRAs and consumer organisations.

1. Introduction

1.1 Background and aim of the Status Review

The CEER Status Review on the involvement of consumer organisations in the regulatory process is the first analysis undertaken by CEER looking at the working relations between NRAs and consumer organisations. The principle aim of this Status Review is to show how NRAs and consumer organisations collaborate on the one hand and to provide details on the main contents and drivers for their cooperation on the other.

CEER has stepped up its work on customer and retail market related issues in the past years, significantly boosting its activities in this field. A new and stronger focus on customer related issues was clearly articulated in CEER's 2012 and 2013 work programmes. The year 2012 marked an important milestone as CEER declared 2012 its first "year of customers" among its members and produced a vision paper for customers up to 2020 for discussion with a wider audience [Ref.: C12-SC-02-04]. To this end, in 2012, CEER organised its first annual customer conference with an intentional focus on strong participation from consumer organisations and other stakeholders from across Europe. As a result, a joint statement by CEER and the European Consumers' Organisation BEUC was produced titled "A 2020 vision for Europe's energy customers". The joint vision identifies and elaborates on four key principles governing the relationship between the energy sector and its variety of customers: reliability, affordability, simplicity, protection and empowerment. The joint statement is publically available on both CEER's and BEUC's webpage for more information.

A second CEER customer conference took place in 2013 focusing on a variety of issues, among which a whole session was dedicated to the involvement of consumer organisations in the regulatory process.

1.2 Methodology and content of the Status Review

The CEER Status Review on the involvement of consumer organisations in the regulatory process was undertaken in close collaboration between CEER and the European Consumers' Organisation BEUC. BEUC has a membership of 41 well respected, independent national consumer organisations from 31 European countries (EU, EEA and applicant countries) and acts as the umbrella association for these organisations in Brussels. BEUC's main task is to represent its members and defend the interests of European consumers (not only energy consumers).

Hence, the underlying principle of this piece of work is to bring the views of both NRAs and consumer organisations together in order to gain a more balanced picture of the current status of working relations between these two sides.

To this end, CEER addressed all of its member organisations as well as all of BEUC's members via two separate questionnaires. This allowed for a clear distinction of answers and remarks received from NRAs as compared to consumer organisations and to tailor some of the content to the respective target audience. While answers received from BEUC reflect the views of its member organisations, the answers received from NRAs cover the relationship between regulators and various kinds of consumer bodies including but not limited to BEUC member organisations. The underlying Status Review combines the results received from

both sides and does not distinguish between BEUC member organisations and other consumer bodies. The questionnaires incorporated questions on all subject areas analysed in this paper. Thus, the CEER Status Review on the involvement of consumer organisations in the regulatory process is an attempt to present a comprehensive and aggregate picture of working relations between NRAs and consumer organisations on the basis of replies received from both sides, highlighting the successful partnership and collaboration between CEER and BEUC. It has to be noted, however, that BEUC members do not represent all consumer organisations in Europe and, thus, do not necessarily represent all consumer organisations, stakeholders and other relevant bodies that collaborate with NRAs. Input gathered from BEUC was therefore only taken into account where appropriate.

In total, NRAs from 26 countries provided responses to the questionnaire. This represents a very high turnout considering CEER's total membership of 30 NRAs¹. The list of CEER respondents is displayed in the table below.

On BEUC's side, 20 consumer organisations² provided responses from 16 countries. As a result of this turnout, CEER had to rely on the information received from NRAs-only in a number of countries. Yet, it needs to be emphasized that the consumer organisations which participated in the survey are all large and well respected, independent national consumer organisations with a wide portfolio covering sectors beyond energy as well. As the responses obtained from the individual consumer organisations are treated anonymously, names of consumer organisations do not appear in the Status Review.

The Status Review is divided into three core chapters examining the following subject areas in more detail:

- Type of contact and working arrangements between NRAs and consumer organisations
- Issues of Collaboration between NRAs and consumer organisations
- Individual views on the functioning/improvement of working relations between NRAs and consumer organisations

The above topics are analysed with a view to depict a situation analysis of the current forms of cooperation between NRAs and consumer organisations. It does not intend to provide recommendations to either of the parties.

¹ Croatia joined CEER on 1 July 2013 and was not yet a member of CEER when the questionnaires were launched and, thus is not represented in this paper

² One consumer organisation participated from outside the EU and is not included in this calculation

Respondents to CEER's Questionnaires		
Country	NRA	Consumer Organisations
Austria	E-Control Austria	x
Belgium	CREG	x
Bulgaria	SEWRC	
Cyprus	CERA	
Czech Republic	ERU	
Denmark	<i>no reply</i>	x
Estonia	ECA	
Finland	EMV	
France	CRE	x
Germany	BNetzA	x
Greece	RAE	x
Hungary	HEO	
Ireland	CER	
Italy	AEEG	x
Latvia	PUC	x
Lithuania	NCC	
Luxembourg	ILR	
Malta	MRA	x
Norway	NVE	
Poland	URE	x
Portugal	ERSE	x
Romania	ANRE	
Slovenia	AGEN	x
Spain	CNE	x
Sweden	EI	x
The Netherlands	NMa	x
United Kingdom ³	Ofgem	x

Table 1: Respondents to CEER's Questionnaire

³ In the context of NRAs, the term United Kingdom refers to Great Britain (i.e. does not include Northern Ireland).

In the context of CEER's Status Review on the involvement of consumer organisations in the regulatory process, it is worth noting that the International Confederation of Energy Regulators (ICER) is also currently working on a study of the approaches taken across the world with respect to electricity and gas consumers including residential consumers, small enterprises and large consumers. ICER's final objective is the production of a "Good Practice Guide" featuring practical applications of effective consumer protection frameworks and consumer engagement and empowerment initiatives. The "Good Practice Guide" will be made available to the regulatory community and to the public at large upon finalisation.

1.3 Definitions

Customer/Consumer

The Status Review uses the term "customer" and "consumer" interchangeably. Customer/consumers refer to household customers or small enterprises. Large energy end-users are not considered as customers/consumers in this paper.

Consumer Organisation

The term "consumer organisation" is used in a rather broad sense by CEER in this Status Review. This is to ensure that the scope of collaboration between consumer organisations and NRAs is captured to the maximum extent possible. As a consequence, any organisation or other body (e.g. interest group, trade union, charity, independent ombudsman, etc.) representing energy consumers or advocating energy consumers' rights is covered. Thus, when the paper presents views from consumer organisations, these do not solely represent BEUC's views. Furthermore, the term "consumer organisation" does not necessarily have to refer to an organisation representing solely energy consumers but may as well refer to organisations covering energy consumers as part of a wider portfolio.

2 Type of Contact and Working Arrangements between NRAs and Consumer Organisations

This chapter aims to identify the ways in which NRAs and consumer organisations interact with each other.

Main Findings

- Both parties are in direct and close contact with each other to fulfil their customer activities and exchange relevant information;
- Collaboration mostly takes place on a voluntary basis;
- Working arrangements comprise collaboration through public consultations, regular working meetings as well as research and data exchange; and
- Only in a few countries do representatives of consumer bodies take part in the NRA structure.

2.1 Parties involved

The result of CEER's investigation showed that nearly all NRAs are in direct contact with their respective national consumer organisations. The only exception is Luxembourg where no direct link between the NRA and consumer organisation exists. Consumer organisations largely confirmed⁴ these results by independently stating their direct relations to NRAs.

Most NRAs additionally stated that they maintain parallel contact with several types of organisations representing or advocating consumer needs. These predominantly are the following types of organisations:

- general consumer organisations covering more than energy (24 out of 26 NRAs)
- other public interest groups (11 out of 26 NRAs)
- energy consumer organisations (10 out of 26 NRAs)

NRAs also mentioned other than the above listed organisations as partners to which they have working relations (11 out of 26 NRAs). These organisations are diverse and comprise different backgrounds. Some examples include, inter alia, government departments for energy and/or consumers, academics, grass root initiatives, charities, environmental associations, ombudsmen, SME organisations and trade unions.

A similar picture is true for consumer organisations which have equally reported that their contact is not limited to the NRA but extends to various other forms of organisations. In this context, consumer organisations stated that they are, inter alia, liaising with institutions such as federal ministries, chamber of labour/economic affairs, NGOs, energy suppliers, ministries, academic institutions and competition authorities.

⁴ 18 out of 20.

2.2 Nature of contact

In order to thoroughly understand the relationship between NRAs and consumer organisations, it is essential to examine the nature of their contact. Thus, in a first step, it was assessed whether contact between the two parties is voluntarily driven or based on legal provisions and therefore mandated by law. According to the responses received, the result is clear: the relation between NRAs and consumer organisations is largely based on voluntary initiative. Thus, mutual interest in collaborating with each other appears to be the main driving force in building and maintaining relations between NRAs and consumer organisations.



Figure 1: Ratio of voluntary versus legally required contact

As to the intervals/frequency of contact between NRAs and consumer organisations, results showed that contact between the two sides can often be characterised as rather regular interaction. However, several consumer organisations pointed out that although they are in direct contact with their NRA, they communicate only on specific occasions (e.g. public consultations). Strictly speaking, contact is slightly more regular in cases where collaboration is legally required as compared to the voluntary cases. Yet, it needs to be noted that the difference is rather small. As a consequence, we can observe that voluntary cooperation between NRAs and consumer organisations is almost as regular as legally required contact, indicating once more that the driving force for cooperation between the two sides is based on their own initiative. To exemplify some of the differences in legally required versus voluntary cooperation, the following paragraphs intend to provide a brief insight.

Where contact is based on legal grounds, consumer organisations are consulted by NRAs in various ways and on various issues, such as when new legislation is proposed or information material/consultation is needed for specific legally determined purposes. Another illustrative example for how binding contact is organised can be found in Italy where a protocol between the NRA and the main consumer associations sets the framework for collaboration on several activities either through regular working group meetings or via phone.

Where contact is based on voluntary initiative, we see a stronger element of ad-hoc cooperation as compared to legally determined cases of collaboration. Ad-hoc collaboration mostly happens through involvement of the parties in public consultations, working group meetings, collective or individual hearings and through participation in each other's conferences. These represent activities which are carried out at specific occasions and, thus, are labelled as ad-hoc cooperation.

2.3 Working arrangements

As working arrangements set the scene for collaboration in practice, it is worth analysing who provides information and support to whom and through which means the parties organise their collaboration.

Results showed that interactions between NRAs and consumer organisations are bidirectional. Both parties confirmed that they mutually provide useful information to each other, thus, the relationship was described to be reciprocal by an overwhelming majority.

As to the more specific working arrangements between NRAs and consumer organisations, these have turned out to represent rather straightforward ways of collaboration. Results showed that the same working arrangements prevail regardless of whether contact is mandated by law or voluntary. The investigation revealed that NRAs and consumer organisations most commonly cooperate through the following means:



Figure 2: Most common working arrangements

All three arrangements rank almost equal in terms of weight and were confirmed to be the dominant ways of cooperation by both NRAs and consumer organisations. Thus, the contact between the two parties allows them to get involved in public consultations, discuss face to face in regular or ad-hoc working group meetings and share data in a reciprocal manner as stated earlier.

While NRAs and consumer organisations have an effective two-way communication, results revealed that some information used by the parties is also accessed individually through (each other's) public channels. This is true for both parties even if to a varying extent. Results suggest that consumer organisations use public information from NRAs more extensively than vice versa. Access to non-public information for both parties is very limited due to the fact that some internal information is deemed confidential.

In order to understand the working arrangements between NRAs and consumer organisations in all its facets, an important additional aspect was examined, namely whether consumer organisations actively participate in NRA decision making or are kept out of this process.

Results showed that consumer organisations predominantly influence NRA decisions indirectly. Indirect influence is mostly exerted through continuous dialogue and/or other joint activities. Only in Austria one consumer organisation is directly involved in the NRA decision making process as a formally established party of the process through membership in the NRA's regulatory commission which is in charge of several defined tasks.

Thus, even in cases where consumer organisations are formally part of the NRA structure (which is the case in four countries⁵) only one case demonstrates direct influence to shape NRA decisions.

Direct participation in the NRA structure can take various forms. In this context, two countries⁶ (out of the four countries mentioned above) stated that representatives of consumer organisations are members of the advisory body. For instance in Portugal (one of the two countries concerned) consumer organisations, as part of the advisory body, have to give their prior opinion on some issues though it is non-binding to the final NRA decision.

Arrangements in Cyprus are another example of how participation in NRA decision making can be arranged. In the Cypriot case, legal provisions foresee that customer representatives, although not permanently part of the advisory board, join advisory committees which are responsible for the configuration of technical rules (transmission and distribution rules) as well as market rules (trading and settlement rules).

To sum up, there are different levels at which consumer organisations exert influence on NRA decisions:

- **Most frequently:** indirectly through dialogue and/or participation in public consultations
- **Occasionally:** through advice/opinions provided to NRA decision making bodies upon request (ultimate decisions are still taken by the NRA alone)
- **Rarely:** direct influence as integral part of the NRA decision making body

⁵ Austria, Portugal, Romania and Sweden.

⁶ Portugal and Romania.

3 Issues of Collaboration between NRAs and Consumer Organisations

The aim of this chapter is to analyse the issues on which NRAs and consumer organisations collaborate and how different tasks and consumer services are divided up between these institutions.

Main Findings

- NRAs and consumer organisations cooperate on a wide range of issues, particularly on information campaigns, complaint handling and alternative dispute resolution;
- Thus, NRAs and consumer organisations provide each other with crucial information, especially on frequently asked questions by consumers, frequently filed complaints and dispute settlement cases; and
- Cooperation and information exchange is mostly performed with the aim of enhancing the respective institutions' individual performance and less for the purpose of creating joint outcomes.

3.1 Main subject areas of collaboration

Results showed that NRAs and consumer organisations collaborate on a large number of issues, these are:

- Information campaigns;
- Complaint handling;
- Alternative dispute resolution;
- Price comparison tools;
- Market monitoring;
- Customer hotline;
- Advice on efficient use of energy;
- Price monitoring and
- Other issues.

Given that some areas of collaboration are more prominent than others, the intensity of collaboration varies depending on the subject matter. As a result a clear trend is visible as shown in the graph below:

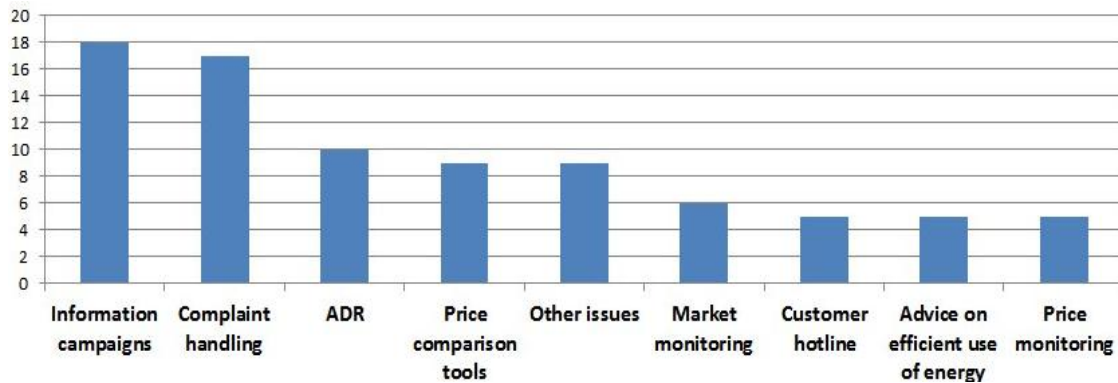


Figure 3: Issues on which NRAs and consumer organisations collaborate

According to the data gathered, NRAs and consumer organisations mostly collaborate in carrying out information campaigns and in the area of complaint handling. These two subject areas rank considerably high and clearly outnumber all remaining issues. Thus, while still forming part of the top three, there is a significant gap between the two highest ranked issues and the third issue, namely ADR.



Figure 4: Top three issues of collaboration

The ranking used in this analysis is based on the answers received from NRAs. Given that consumer organisations' participation in the survey was less comprehensive, the results obtained from NRAs provide a fuller picture on the range of issues on which NRAs and consumer organisations typically cooperate. At the same time it needs to be noted that the answers received from consumer organisations are largely in line with those of the NRAs and depict a similar picture on the top three issues of collaboration. Some differences in priority occur with respect to the remaining issues (most probably due to incomplete data), however, no major contradiction in results could be assessed.

The following paragraphs describe in more detail how NRAs and consumer organisations work together on the individual issues outlined above.

Collaboration on information campaigns

Results showed that NRAs and consumer bodies regularly participate in each other's information campaigns. Participation mostly means offering advice to customers both through information material and personal counselling as well as showing presence at fairs or other outreach activities.

Collaboration on complaint handling

According to the results gathered, complaint handling appears to be a task often shared between NRAs and consumer organisations. The division of responsibilities might be determined on the basis of MoUs or - as in some cases - through national laws. The individual arrangements specify further if complaint handling is split according to specific subject areas or according to hierarchical instances (e.g. first instance is the consumer organisation and second instance is the NRA). In cases where only one body is responsible for handling complaints, collaboration between NRAs and consumer organisations mostly takes place through information exchange and/or regular reporting (forwarding) of complaints to the competent authority.

Collaboration on ADR

Collaboration between NRAs and consumer organisations in the field of ADR is comparable to collaboration in the field of complaint handling.

Collaboration on price comparison tools

Despite the fact that NRAs and consumer organisations run their own individual price comparison tools in a large number of countries, collaboration on these tools is widespread and takes a number of forms. NRAs and consumer organisations do not only share data needed to establish and maintain price comparison tools⁷ but also (even if less frequently) collaborate in joint working groups on price comparison tools (especially in Sweden and Denmark). Moreover, results showed that it is rather common for consumer organisations to provide a direct link to the NRA price comparison tool webpage, especially if the consumer organisation does not run a price comparison tool itself.

Collaboration on retail market and price monitoring

Retail market monitoring is a shared activity in a number of countries. Where this is so, NRAs and consumer organisations contribute specific parts to monitoring reports or other documentation. According to the respondents, the lion's share of monitoring is, however, performed by NRAs. Where market monitoring remains the sole responsibility of the NRA, reports and other documents on the subject matter may be shared after finalisation with consumer organisations, yet the task of monitoring as such is performed only by the NRA.

⁷ In the majority of cases consumer organisations use NRA data.

Price monitoring ranks lower than market monitoring in terms of collaborative efforts and is mostly performed by NRAs. Consumer organisations do, however, engage in price monitoring as well (at least to a certain extent) particularly if they run their own price comparison tools. As described above, collaboration on price comparison tools mostly contains sharing relevant data. More detailed information on collaboration with respect to price monitoring is not available.

Collaboration on customer hotlines

Results showed that customer hotlines are less of a shared activity but rather individually run activities by NRAs and/or consumer organisations. Thus, direct collaboration on customer hotlines is rather limited. However, in some cases knowledge and experience on typical complaints and other customer related problems gained through the operation of hotlines are shared with each other.

Collaboration on customer advice regarding energy efficiency

Responders to the survey have not singled out the area of energy efficiency as a particular task of collaboration but described the subject to be part of other collaborative activities such as advice given through information campaigns or other channels. Generally speaking, NRAs do not play a leading role promotion of end user energy efficiency as to the findings of a CEER benchmarking report on the roles and responsibilities in customer empowerment and protection carried out in 2011⁸. Advice on energy efficiency is therefore either carried out by other institutions or part of other NRA activities such as the protection of vulnerable customers who can reduce their bills through energy-savings.

Collaboration on other issues

Results showed that the issues described above provide a rather comprehensive overview on the subject areas of collaboration. With regard to 'other issues', NRAs and consumer organisations repeatedly stressed the importance of public consultations as a tool of collaboration as outlined in earlier chapters of this report.

3.2 Main issues of regular information exchange

In addition to the specific subject areas of collaboration, information was gathered on the flow of information between NRAs and consumer organisations. Thus, the following paragraphs intend to outline more specifically which information NRAs and consumer organisations request from each other and form part of the regular information exchange between the two institutions.

⁸ Ref: C11-CEM-46-03, Benchmarking Report on the roles and responsibilities of NRAs in customer empowerment and protection as of 1 January 2011

A number of issues were named by the respondents to be requested from each other's institutions in order to carry out their work more effectively, these are:

- Most frequently asked questions by customers
- Most frequently filed complaints
- Information on current dispute settlement cases and their outcome
- Average length of alternative dispute settlement
- Information campaigns
- Statistics
- Regular requests but not on specific issues
- Other services

Some issues are requested more regularly than others. The average distribution is visible on the graph below:

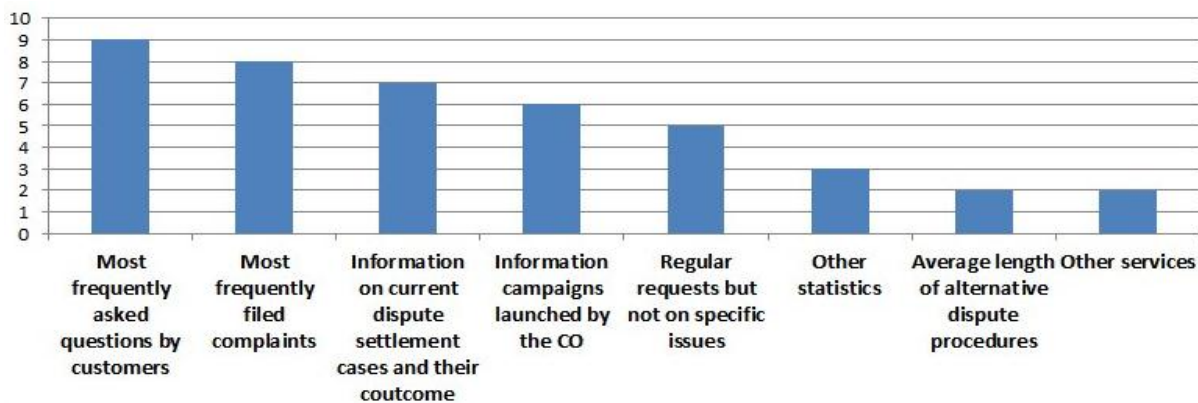


Figure 5: Issues regularly requested by NRAs and consumer organisations

The results clearly show that NRAs and consumer organisations provide each other with information in a multitude of fields. However, both parties are first and foremost interested in learning from each other about the most frequently asked questions to their institutions. Thus, most of the respondents contact each other in order to find out which needs and requests were expressed to them by customers. This underlines once more the importance NRAs and consumer organisations attribute to their collaboration which is largely characterized by voluntary initiative. It shows that voluntary cooperation is perceived as mutually beneficial especially when it comes to finding out about customers' basic needs.

As shown in the graph, information requests on FAQs are closely followed by exchanges on most frequently filed complaints and dispute settlement cases. While this result fully reflects the trends observed earlier with respect to the (top three) subject areas of collaboration, it also (but not only) depicts an element of mandatory collaboration. As stated earlier, collaboration on ADR and complaint handling are often shared responsibilities between NRAs and consumer organisations and, thus, information exchange in these areas naturally ranks high.

Even if not listed among the top three issues, it is interesting to observe that a considerable number of NRAs and consumer organisations noted that they had regular exchanges, however, not only on predetermined subjects such as those listed but on varying subjects of current interest. Moreover, a large number of respondents expressed openness to provide information on all sorts of requests (not only the ones listed) as a pure matter of principle.



Figure 6: Top three issues of regular information exchange

The ranking used in this analysis is based on the answers received from NRAs. Given that consumer organisations' participation in the survey was less comprehensive, the results obtained from NRAs in this context provide a fuller picture on the issues of regular information exchange. At the same time, it needs to be noted that the answers received from consumer organisations are largely in line with those of the NRAs and depict a similar picture on the top three information requests. Some differences in priority occur with respect to the remaining issues (most probably due to incomplete data), however, no major contradiction in results could be assessed.

In light of the variety of requests filed to each other, the question remains how much NRAs and consumer bodies actually depend on the information they ask from each other. Examining the results, it appears that some form of dependence exists, however only very few NRAs and consumer organisations fully dependent on each other in all areas of their work. In many cases, collaboration and information exchange is appreciated and welcomed as it enhances the effectiveness of the work performed, yet strictly speaking is not essential to fulfil the organisation's tasks. Results suggest that consumer organisations may be slightly more dependent on input from NRAs to carry out their work effectively than vice versa. The following graph shows the precise percentages in this respect:

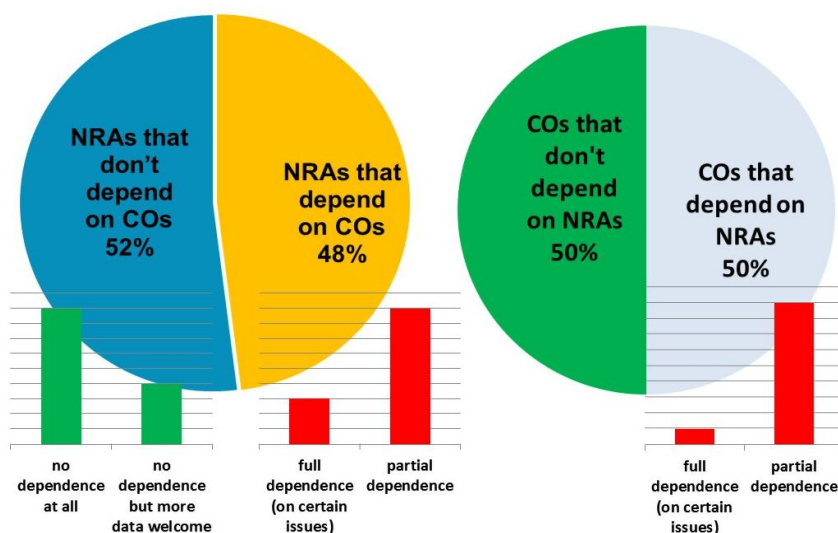


Figure 7: Degree of dependence on specific information

3.3 Joint outcomes

Results showed that information exchange among NRAs and customer organisations is usually performed with the aim of advancing the respective organisations' own agendas rather than creating joint outcomes. Thus, NRAs and consumer organisations enhance each other's performance by involving each other in their activities but do not emphasise the development of joint products. As a result, joint reports and joint databases exist only in isolated cases. The only joint outcome mentioned several times was the organisation of joint conferences. However, no concrete examples or further details were made available.

4 What works well/what should be improved: Assessment of individual views

This chapter provides a snapshot of subjective views from NRAs and consumer organisations on the perceptions of their working relations.

Main Findings

- Overall, NRAs and consumer organisations believe their cooperation works well but could be even more useful if it was considerably increased; and
- Proposals for enhanced cooperation cover suggestions for more systematic data sharing and a call for more resources and dialogue on strategic issues.

4.1 Positive aspects in current working relations

Both NRAs and consumer organisations were asked about their individual views on the usefulness and functioning of their relations to each other. In terms of the positive aspects mentioned, NRAs and consumer organisations seem to agree on what works well in their cooperation. Both types of organisations named rather similar aspects in order to express their content with current working relations.

One of the positive areas stressed by both NRAs and consumer organisations was the way in which information is shared. The parties pointed out that information exchange was not only a crucial and defining element in their cooperation but also worked relatively well. It was described to be a well-established and useful pillar of cooperation with information channels that functioned satisfactorily.

NRAs and consumer organisations also appreciate that their cooperation allows them to draw on each other's respective experience. Thus, exchanges between the partners appear to allow for enough room and time to consider each other's experience and learn from it. This may indicate that current working relations, which are voluntary to a large extent, are partially based on curiosity about the other party's knowledge and experience which, in turn, is considered an asset to advance the performance of own activities.

A particular aspect repeatedly mentioned and positively emphasised by the parties was the value of participating in each other's public consultations. Both NRAs and consumer organisations perceived this possibility as an effective way of getting involved and possibly shaping/influencing the other party's work on future issues of general interest to the sector and appreciated this practice according to the comments made.

Last but not least, some respondents mentioned they perceived a strong and positive commitment on both sides to strengthen the final customer.

4.2 Ideas for the improvement of working relations

NRAs and consumer organisations provided some reflections and hints as to what in their view could be improved in their working relations in order to make collaboration more effective. Responses showed that there are a number of different ideas on both sides, yet both parties overall agree that closer and increased cooperation should be aimed at in order to enhance mutually beneficial exchanges. The following paragraphs describe in more detail what consumer organisations and NRAs believe should be done in order improve current working relations. According to the results of the survey, consumer organisations have been the driving force in proposing specific improvements.

An important aspect flagged by consumer organisations pointed to the general availability of resources. In this context, consumer organisations expressed a need for more resources in order to effectively keep up and enhance collaborative activities. It was mentioned that increased support to consumer organisations would be welcome in order to strengthen their active involvement in the energy market and their engagement with NRAs.

Consumer organisations also expressed their wish for more systematic sharing of data. Given the current working arrangements, data sharing appears to be more systematic only where it is mandated by law or other agreements, however, in most areas of voluntary cooperation frameworks still remain less structured (but well-functioning as stated earlier). More systematic collaboration in this context means better defining and structuring information exchange. It does not necessarily mean sharing more data but rather sharing the available data in a more structured and systematic manner. NRAs voiced a similar desire for better information sharing but did not specify in more detail what this should look like or if this suggestion concerned specific areas.

Furthermore, some NRAs remarked that in their view, consumer organisations occasionally lack knowledge in relation to specific aspects of energy markets. This observation may be based on the fact that most consumer organisations deal with a large portfolio and are not only responsible for energy customers. Some consumer organisations pointed out that due to a lack of resources, there is often a need for knowledge transfer allowing them to focus more on technical aspects of energy markets. In order to achieve better results and enhanced cooperation, NRAs believe consumer organisations should strive to obtain deeper technical knowledge of energy markets to the maximum extent possible.

Finally, some consumer organisations called for an increased dialogue with NRAs on strategic and policy related issues. Some of them also pointed out that in their view the collaboration between NRAs and consumer organisations should be further formalised. As analysed previously, the current scope of cooperation does not include joint activities on fully fledged strategic and policy related issues, thus, consumer organisations would like to see a broader range of issues as part of the cooperation portfolio which covers both issues of day-to-day business and more fundamental strategic issues.

5 Conclusions

The CEER Status Review on the involvement of consumer organisations in the regulatory process analysed how and on which issues NRAs and consumer organisations typically collaborate. The following paragraphs list the main findings and conclusions derived from current working relations between NRAs and consumer organisations.

The results of the present analysis showed that the framework for close collaboration between regulators and consumer bodies is generally well established, considering the parties' regular exchanges in the context of different working arrangements. An important conclusion drawn in this context is that ties between NRAs and consumer organisations are reciprocal as the flow of information is largely bidirectional between the parties. In addition, the parties' contact is largely based on voluntary, rather than on legally required cooperation. Hence, it can be concluded that both sides have a strong desire to fulfil their customer related tasks by cooperating with each other and, thus, strive to achieve the most desirable results for customers through collaboration.

Furthermore, the analysis showed that NRAs and consumer organisations generally collaborate on a wide range of specific issues. While intensity and form of collaboration varies depending on the particular subject area, the overall aim of exchanging relevant information remains the enhancement of each other's individual actions rather than the creation of visible joint outcomes.

Even though individual perceptions suggest that NRAs and consumer organisations are overall relatively satisfied with the results of their collaboration, a number of proposals revealed a desire (from both sides) to further develop and increase cooperation. That is to say there is effectively room for improved cooperation. Concrete proposals in several areas support this conclusion such as the call for more resources and widening the scope of collaboration to more strategic issues.

Annex 1 - CEER

The Council of European Energy Regulators (CEER) is the voice of Europe's national regulators of electricity and gas at EU and international level. Through CEER, a not-for-profit association, the national regulators cooperate and exchange best practice. A key objective of CEER is to facilitate the creation of a single, competitive, efficient and sustainable EU internal energy market that works in the public interest.

CEER works closely with (and supports) the Agency for the Cooperation of Energy Regulators (ACER).

ACER, which has its seat in Ljubljana, is an EU Agency with its own staff and resources. CEER, based in Brussels, deals with many complementary (and not overlapping) issues to ACER's work such as international issues, smart grids, sustainability and customer issues.

The work of CEER is structured according to a number of working groups and task forces, composed of staff members of the national energy regulatory authorities, and supported by the CEER Secretariat.

This report was prepared by the CEM Task Force of CEER's Customers and Retail Markets Working Group.

Commission Decision establishing ERGEG

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:296:0034:0034:EN:PDF>

Commission Decision dissolving ERGEG

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:129:FULL:EN:PDF>

Annex 2 – List of BEUC Member Organisations

Country	Name(s) of Consumer Organisation(s)	Full member	Affiliate Member
Austria	Verein für Konsumenteninformation – VKI	x	
	Arbeiterkammer - AK		x
Belgium	Test-Achats / Test-Aankoop	x	
Bulgaria	Bulgarian National Association Active Consumers	x	
Cyprus	Cyprus' Consumer Association	x	
Czech Republic	Czech association of consumers TEST		x
Denmark	Forbrugerrådet - FR	x	
Estonia	Estonian Consumers Union - ETL - Eesti Tarbijakaitse Liit	x	
Finland	Kuluttajaliitto – Konsumentförbundet ry	x	
	Kilpailu- ja kuluttajavirasto (KKV)		x
France	UFC – Que choisir	x	
	Consommation, Logement et Cadre de Vie – CLCV	x	
Former Yugoslav Republic of Macedonia	Consumers' Organisation of Macedonia - OPM		x
Germany	Verbraucherzentrale Bundesverband – vzbv	x	
	Stiftung Warentest		x
Greece	Association for the Quality of Life - E.K.PI.ZO	x	
	Consumers' Protection Center - KEPKA	x	
Hungary	National Association for Consumer Protection in Hungary - NACPH - OFE - Országos Fogyasztóvédelmi Egyesület	x	
	National Federation of Associations for Consumer Protection in Hungary- NFACPH - FEOSZ - Fogyasztóvédelmi Egyesületek Országos Szövetsége		x
Iceland	Neytendasamtökin – NS	x	
Ireland	Consumers' Association of Ireland - CAI	x	
Italy	Altroconsumo	x	
	Consumatori Italiani per l'Europa (CIE)		x
Latvia	Latvian National Association for Consumer Protection - LPIAA	x	
Lithuania	Alliance of Lithuanian Consumer Organisations		x
Luxemburg	Union Luxembourgeoise des Consommateurs - ULC	x	
Malta	Ghaqda tal-Konsumaturi - CA Malta	x	
Norway	Forbrukerrådet - FR - NO	x	

Country	Name(s) of Consumer Organisation(s)	Full member	Affiliate Member
Portugal	Associação Portuguesa para a Defesa do Consumidor - DECO	x	
Poland	Polish Consumer Federation National Council - Federacja Konsumentów	x	
	Association of Polish Consumers - Stowarzyszenie Konsumentów Polskich - SKP	x	
Romania	Association for Consumers' Protection - APC	x	
Slovakia	ZSS - Association of Slovak Consumers	x	
Slovenia	Zveza Potrošnikov Slovenije - ZPS	x	
Spain	Confederación de Consumidores y Usuarios - CECU	x	
	Organización de Consumidores y Usuarios - OCU	x	
Sweden	The Swedish Consumers' Association - Sveriges Konsumenter	x	
Switzerland	Fédération Romande des Consommateurs - FRC		x
The Netherlands	Consumentenbond - CB	x	
United Kingdom	Which?	x	
	Consumer Futures	x	

Annex 3 – List of abbreviations

Term	Definition
ADR	Alternative Dispute Resolution
BEUC	Bureau Européen des Unions de Consommateurs, The European Consumers' Organisation
CEER	Council of European Energy Regulators
CO	Consumer Organisation
FAQs	Frequently Asked Questions
ICER	International Confederation of Energy Regulators
MoU	Memorandum of Understanding