

Order 96/2015 approving the Regulation on information activity for final customers of electricity and natural gas

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It shall enter into force:

6 July 2015

**Order 96/2015 approving the Regulation on customer information activity
finals of electricity and natural gas**

Date of act: 25-June-2015

Issuer: National Energy Regulatory Authority

Having regard to the provisions of Art. 57 par. (1), Art. 58, art. 62 par. (1), Art. 143 par. (1) and Art. 145 par. (4) of the Law on Electricity and Gas No. 123/2012, as amended and supplemented, and Article 11 paragraph (5) let. d) and f) of the Energy Efficiency Law no. 121/2014 ,

Under the provisions of Art. 5 par. (1) letter c) of the Government Emergency Ordinance no. 33/2007 on the organisation and functioning of the National Energy Regulatory Authority, approved with amendments and additions by Law no. 160/2012,

the President of the National Energy Regulatory Authority shall issue this order.

Art. 1

The Regulation on information activity for final customers in electricity and natural gas set out in the Annex which forms an integral part of this Order is approved.

Art. 2

The specialised compartments of the National Energy Regulatory Authority and the holders of licenses for supply activity in the electricity and natural gas sectors respectively shall comply with the provisions of this Order.

Art. 3

At the date of entry into force of this Order, the Order of the President of the National Energy Regulatory Authority no. 86/2009 approving the Regulation on information activity for electricity and natural gas consumers, published in the Official Gazette of Romania, Part I, no. 793 of 20 November 2009.

Art. 4

This order shall be published in the Official Journal of Romania, Part I.

President of the National Energy Regulatory Authority,
Niculae Havrilet

Annex no. 1: REGULATION on information activity for energy final customers electricity and natural gas

Chapter I: Purpose and scope

Art. 1

(1) This Regulation aims to ensure that final customers of electricity and natural gas are informed, while establishing a unitary reporting system by license holders for supply activity in the electricity and natural gas sectors respectively to the National Energy Regulatory Authority, hereinafter referred to as ANRE, of data and information related to the activity carried out.

(2) The application of this Regulation shall ensure that final customers are correctly, complete and accurately informed by the licence holder for the electricity supply and natural gas supply activity respectively, the creation of the database and the provision of data and information on the activity carried out.

Art. 2

(1) This Regulation shall apply to the activity of electricity supply in the relationship between the licence holder for the supply activity and the final customers of electricity.

(2) This Regulation shall apply to the activity of the supply of natural gas in the relationship between the licence holder for the supply activity and the final customers of natural gas.

Art. 3

This Regulation lays down the content of the Report on the activity of informing final customers and how data and documents relating to the information activity carried out by the licence holder for supply activity, hereinafter referred to as supplier, are transmitted to ANRE.

Chapter II: Realisation of the information activity of final customers

Art. 4

(1) The supplier has an obligation to carry out information activities to its own final customers.

(2) In order to carry out the information activity of the final customers, the supplier has the obligation to secure the necessary financial resources.

Art. 5

The information activity of final customers is mainly carried out through the following ways:

- a) publication on its own website;
- b) display at single contact points, including regional/local information points;
- c) publication in national and/or local written media;
- d) transmission of information materials to final customers;
- e) answers in writing, in paper format or e-mail, or by phone to final customers' questions.

Art. 6

The information activity of final customers shall cover the following main areas:

- a) the rights and obligations of final customers;
- b) the prices and types of tariffs charged;
- c) the methods of measuring, invoicing, the content of the invoice and the means of payment;
- d) the main terms of the supply contract;
- e) the main general conditions for contracting, including the duration of the contract, the conditions

for renewal and termination of services, unilateral termination of the contract;

- f) the procedure, stages and documents necessary for the handling of final customers' complaints;
- g) the procedure, stages and documents necessary for the process of switching the supplier;
- h) the procedure, stages and documents necessary for the process of resolving/mediating pre-contractual misunderstandings;
- i) the procedure, stages and documents necessary for the settlement of contractual disputes;
- j) the main regulatory acts governing electricity and natural gas, relevant to final customers;
- k) Other information of interest to final customers, including energy efficiency referred to in Article 11(5)(d)(ii) and (iii) and (f) of the Energy Efficiency Act No 121/2014.

Art. 7

- (1) The supplier, twice in a calendar year, through written, national and/or local media, shall be obliged to inform final customers of one or more areas referred to in Article 6.
- (2) Annexed to the Report on the information activity of final customers, provided by art. 3, the supplier shall transmit to ANRE the copy of the contract(s) concluded/concluded with the publication/publications through which the final customers were informed, as well as the copy of the published/information material/informative material.
- (3) The provisions of paragraph 1 shall not apply to the supplier for whom the number of final customers is less than 1,000 for any month of the calendar year.
- (4) The obligation laid down in paragraph 1 shall not relate to publication in the electronic media.

Art. 8

- (1) Suppliers shall be required to develop and distribute to their final customers information material relating to one or more of the fields referred to in Article 6, twice in a calendar year.
- (2) Annexed to the Report on the information activity of final customers, provided for in Art. 3, the suppliers shall send to ANRE a copy of the information materials referred to in paragraph (1).

Art. 9

At the request of ANRE, the suppliers have the obligation to distribute the information materials developed by ANRE to their final customers. Their distribution shall be made within 30 days from the date on which ANRE delivered the information materials to the supplier.

Art. 10

- 1. In order to carry out the information activity, suppliers shall be required to establish, maintain and regularly update their own website, in which at least the data and information referred to in Article 6 shall be included.
- (2) The website should be developed in such a way as to enable the number of visits to be recorded.

Art. 11

- (1) The activity of informing final customers of the main normative acts governing the field of electricity and natural gas, relevant to final customers, shall be carried out cumulatively by publication on their own website, as well as by one or more of the modalities provided for in Article 5 (b), d) and e), whenever new regulations or amendments to the existing regulations arise.
- (2) The information referred to in paragraph (1) shall include the indication of the issuer, the type of normative act, the number, year and title thereof, the part, number and date of the Official Gazette of Romania in which it was published, as well as the brief presentation of the object of the new regulation, respectively of the main changes made.

Art. 12

Informing final customers of the procedure, stages and documents necessary for the process of switching the supplier will necessarily include the express indication that the process of switching the supplier does not involve paying any fees.

Art. 13

Natural gas suppliers have the obligation to inform their final customers, at 2 years, by means of Article 5 lett. a), b), d) and e) about their obligation to ensure and carry out at their own expense, at appropriate intervals of time, the verification and revision of natural gas installations, with any company authorised by ANRE.

Art. 14

The information intended for final customers shall be up-to-date and shall be drafted and presented in a clear, precise, accessible and comprehensible manner, which excludes any equivocal nature and enables it to be easily covered, irrespective of the means by which it is made available.

Art. 15

The right of the household final customer to be informed shall be disclosed to him by suppliers at least by means of a poster with the content and structure set out in Annex No 1, which forms an integral part of this Regulation, which will be exposed at all single contact points, including regional/local information points, in easily accessible and visible places, within a maximum of 60 days after the entry into force of this Regulation.

Art. 16

The dimensions of the poster referred to in Article 15 shall be 50 x 70 centimetres (width x length). The font used to print the poster will have a minimum size of 25. A font of a smaller size depending on the space available can be used to print the contact details of ANRE. If a colorful background (photo, graphics, full color) is used, the text will be printed with a contrasting color, allowing easy reading.

Chapter III: Reporting of data and information**Art. 17**

Suppliers are obliged to prepare and submit to ANRE reports on the information activity of final customers.

Art. 18

- (1) ANRE shall have the right to request the suppliers to complete, clarify, detail and/or exemplify, as appropriate, the data and information contained in the submitted report.
- (2) The deadline for submitting the clarification response by the provider is set by ANRE and is no more than 30 days from the date of the request.

Art. 19

- (1) The report on the information activity of final customers shall be drawn up in accordance with the model set out in Annex No 2, which forms an integral part of this Regulation, and, together with its annexes, shall be submitted to ANRE annually no later than 31 March of the year following the year for which the reporting is made.
- (2) The report referred to in paragraph 1 shall be drawn up for each field of activity and shall be transmitted both in paper and in electronic format edited in Microsoft Word or Microsoft Excel, by e-

mail at anre@anre.ro and.

Art. 20

ANRE shall record in its own database the data and information obtained from the reports received from the suppliers, shall draw up a report on the activity of informing the final customers for the field of electricity, namely for natural gas and publish on their own website.

Art. 21

ANRE may request suppliers access to the reported data and information for their verification.

Chapter IV: Costs

Art. 22

(1) The justified costs related to the information activity provided for in this Regulation shall be recognised at the basis of regulated electricity prices and tariffs, up to a maximum of 1 % of its annual costs related to the regulated supply activity, in accordance with the provisions of the relevant ANRE regulations.

(2) The justified costs related to the information activity provided for in this Regulation shall be recognised at the basis of regulated gas prices, up to a maximum of 0,5 % of the value of the annual operational costs substantiated and recognised for the supply activity under the regulated regime, from which the amount of costs related to the information activity covered by this Regulation shall be excluded, in accordance with the provisions of the relevant ANRE regulations.

Annex no. 1*: The INFORMATION right of the final customer of electricity/gases natural

(- Annex 1 to the Regulation)

Dear final customer,

By law, you have the right to be informed, in your relationship with the name to the supplier)

You have the right to request and receive, free of charge, before signing the supply contract, a copy of it and the standard conditions for providing the service, as appropriate.

Before signing the supply contract(name of supplier), has the obligation to provide you with the following information in writing:

- the steps and documents necessary for the conclusion of a supply contract;
- the type-offers you can choose, as appropriate;
- the contract corresponding to the tender chosen, where appropriate;
- prices and tariffs charged.

Check before signing that at least the following information is included in the contract received:

- the identity and address of the supplier;
- the service provided, the quality levels of the service provided and continuity in the supply as

well as the time limit for the commencement of the contract;

- the applicable price/tariff;
- the duration of the contract, the conditions for the renewal/extension of the contract and the temporary interruption of the supply of electricity/natural gas, the right to unilaterally terminate the contract;
- compensation/compensation and method of reimbursement applicable in case of non-compliance with the quality of service levels provided for by the contract, as appropriate;
- arrangements for initiating dispute resolution procedures and information on the procedure for dealing with final customers' complaints;
- the penalties you have to pay if you do not comply with the contractual provisions.

Your supplier (the name of the supplier) has an obligation to provide you, on request, through
through the single contact points, a printed copy of the procedure for the obligation of suppliers of electricity and gas to deal with complaints from final customers.

Your supplier (name of supplier) is obliged to inform you about
with any changes in prices, invoicing, receipt or other conditions of the contract, directly and in a timely manner, in a transparent and understandable manner.

If you do not agree to the announced changes, you have the right to waive the contract, complying with the contractual and legal provisions in force.

If your right to be informed is violated, you may address the National Energy Regulatory Authority.

National Regulatory Authority in ENERGIUM Domeniun Str. Constantin Nacu no. 3, sector 2,

Bucharest, Romania Free number: 0800800410; fax: 021.312.43.65 E-mail:Info@anre.ro; website:

www.anre.ro <http://www.anre.ro/>

Annex no. 12: RAPORT on information activity for final customers

(- Annex 2 to the Regulation)

I. Field and modalities chosen for carrying out information actions

No. crt.	Field (in accordance with Article 6 of the	Way	Number of actions
1.			
2.			

II. Number of requests for information

No. crt.	Method of information	Number of requests
1.	Information compartment	
2.	Own website (name of the website)	
3.	Telephone	

III. The first 5 topics most commonly encountered in phone calls and synthesis of how to solve

No. crt.	Subject	Synthesis of how to solve
1.		
2.		
3.		
4.		
5.		

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