



Measuring energy supplier performance

Consultation decision document

July 2010

About Consumer Focus

Consumer Focus is the consumer champion for England, Wales, Scotland and (for postal consumers) Northern Ireland.

We operate across the whole of the economy, persuading businesses and public services to put consumers at the heart of what they do.

Consumer Focus gives a strong voice to consumers on the issues that matter to them and works to secure a fair deal on their behalf.

We work with consumers, and a range of organisations, to tackle the problems customers face and to achieve creative solutions that make a difference to people's lives.

www.consumerfocus.org.uk

The consultation process

In January 2010 Consumer Focus issued a consultation document entitled 'Measuring energy supplier performance'. The consultation set out the available sources of data to make up a new performance measure to reflect the new consumer redress arrangements in the energy sector in order. We wanted to gather views on how to best measure energy supplier performance, and provide information to consumers to allow them to make informed switching decisions. This document provides our responses to the views we received and sets out our next steps in this area.

We received 14 responses to the consultation. All of the 'Big Six' suppliers responded plus one smaller supplier, Ecotricity. We also received responses from the Office for Fair Trading (OFT), Ofgem, the Department for Energy and Climate Change, the Energy Retail Association (ERA), the Consumer Council for Water, the Energy Ombudsman and Worcestershire Trading Standards Service. The twelve non-confidential responses will be published on the Consumer Focus website.

Contents

Executive summary	4
Next steps	5
Section 1: Quantitative measures	6
1.1 Direct complaints	6
1.2 Cases received by Consumer Direct	7
1.3 Company referrals from Consumer Direct	8
1.4 Repeat company referrals from Consumer Direct	9
1.5 Complaints handled by the Consumer Focus EHU	9
1.6 Cases received by the Energy Ombudsman	10
1.7 Other quantitative complaint data	10
Section 2: Weighting of quantitative measures	12
Section 3: Qualitative measures	13
3.1 Customer satisfaction	13
Section 4: Positive indicators	15
Section 5: Coverage	16
5.1 Domestic suppliers	16
5.2 Non domestic suppliers	16
Section 6: Presentation	17
Section 7: Publication	18
Section 8: Benchmarking with other sectors	19
Section 9: Other issues	19

Executive summary

One of the core functions of Consumer Focus under Section 10 of the Consumers, Estate Agents and Redress (CEAR) Act 2007¹ is the dissemination of advice and information to consumers. The introduction of the new arrangements for redress and complaint handling in the energy sector from October 2008 meant that a fresh approach to evaluating company performance was required to enable Consumer Focus to develop meaningful and appropriate performance information to aid comparison and choice for consumers.

It is essential that all elements of the new complaint handling regime are reflected in the new performance information for consumers and Consumer Focus strongly believe that using a basket of measures, including those from independent bodies, will produce the most accurate picture of performance and will guard against any unintended consequences.

As well as evaluating company performance against the complaint handling standards we believe it is important to incorporate an element of customer satisfaction data to support the quantitative measures. This will ensure consumers have a holistic picture of service and are able to make choices based on a range of indicators. The responses indicated that suppliers were most comfortable with the use of Ofgem's annual customer satisfaction data based on consumers' experiences of their suppliers' complaint handling process. We will display this information separately rather than combine with the quantitative complaint data.

Consumer Focus proposes introducing a model that incorporates as many of the existing measures that are currently fit for purpose with a view to including further measures once we are satisfied with their quality and robustness.

We propose implementing the following measures as a pilot from July 2010:

- Consumer Direct advice only cases
- Consumer Direct company referrals
- EHU complaints
- Energy Ombudsman cases accepted at >eight+ weeks
- Energy Ombudsman cases accepted at deadlock
- Consumer Direct repeat company referrals (from September 2010)
- Direct complaints statistics (from December 2010)

¹http://www.opsi.gov.uk/acts/acts2007/ukpga_20070017_en_1

Next steps

- Ofgem will publish the results of its customer satisfaction survey in June 2010
- Consumer Focus will introduce a separate reconciliation process for all cases to Consumer Direct to allow suppliers full visibility of these contacts (excluding consumer details) from 1 July 2010
- Suppliers will feedback any queries or concerns on the pilot to Consumer Focus by 16 July 2010
- The first set of pilot statistics will be shared with suppliers by 23 July 2010
- Consumer Focus will share the results of its research with consumers on how to best present performance information to ensure it is clear and meaningful by August 2010
- The second set of pilot statistics will be shared with suppliers by 20 August 2010
- Consumer Focus will aim to publish the first set of statistics on the Consumer Focus website in September 2010
- Consumer Direct will implement system changes by the beginning of July 2010 to improve the robustness of repeat company referrals data to allow these to be incorporated into the model from September 2010
- The ERA is leading a project to improve the consistency of direct complaints recording across the industry and is planning a workshop for suppliers and relevant stakeholders. We plan to incorporate direct complaints statistics into the model from December 2010 subject to the appropriate level of consistency being achieved

Section 1: Quantitative measures

Consumer Focus sought views on what quantitative measures should be used to provide consumers with an accurate picture of energy supplier performance.

We believe that the model should include data from all stages of the customer redress journey – from direct complaints made to the supplier to cases received by the Energy Ombudsman. This will ensure company performance in all aspects of redress will be included in an overall relative score. The use of a range of measures, particularly those from independent bodies, will provide consumers with the most accurate and unbiased picture of company performance possible and will encourage companies to drive improvements in all aspects of their complaint handling procedures.

We asked respondents to state which types of quantitative measures best reflect industry performance and the reasons for this.

1.1 Direct complaints

Across the industry an average of 400,000 consumers contact their supplier every month to raise a complaint. Of these, around 13 per cent are not resolved by the end of the next working day.

A number of suppliers expressed concerns around the use of direct complaints data because it was felt that there was still not enough consistency across the industry in the recording of complaints.

In their response to the consultation, the Energy Retail Association (ERA) stated that it was leading a project with the 'Big Six' suppliers to address the inconsistencies in recording and tracking complaints.

Consumer Focus's analysis of all the data sources available highlights that while the other measures produce similar rankings, the direct complaints measures are out of kilter with the majority of other indicators. While this may be easily explained, our analysis has raised a number of questions around the definition and recording of direct complaints that we feel we must pursue further with individual suppliers. For example, one company's direct complaint ratios are three times greater than the average of the other five suppliers, while it is generating the second lowest ratio of Consumer Direct cases. The two suppliers generating the highest ratios of Consumer Direct and Extra Help Unit (EHU) cases are recording the lowest numbers of direct contacts and direct complaints.

While Consumer Focus remains committed to using data sources from across the customer journey, we acknowledge that more work is needed before we can include supplier direct complaints.

Decision: We will exclude direct complaints data from the dataset temporarily until the appropriate level of consistency has been achieved and the ERA has completed its work on addressing variation in complaint recording practices across the industry. We will review the situation in six months once the ERA project has had time to take effect.

1.2 Cases received by Consumer Direct

Consumer Direct receives an average of 14,000 contacts per month from energy consumers seeking advice. We believe this is an important indicator to differentiate between suppliers performance as it measures the greatest volume of energy cases received by an independent body. This ensures a consistent approach from a single organisation which helps tackle the impact of inconsistent practices across suppliers in logging direct complaints. Furthermore contact details for Consumer Direct are included on the back of all domestic energy customers' bills, therefore all suppliers' customers have the same awareness of, and access to, the Consumer Direct service.

There are a number of categories it would be necessary to exclude from this dataset, such as requests for information and non-redress queries. The specific codes that would be excluded from any performance metrics are detailed below:

Category	Code	Description
Information	AD1	Priority Services Register
Information	AD2	Energy efficiency advice
Information	AD3	Pricing information
Information	AD4	Supply point number information
Information	AD5	Company contact details (non complaint purposes)
Information	AD6	How to change supplier
Information	AD7	Maximum resale price
Information	AD8	Non domestic contract issues

Cases that are designated 'Out of Scope' and those that are referred to another Consumer Direct office will also be excluded from any published information. As these statistics are based on domestic energy consumers, all cases from micro-business consumers and their agents will also be excluded.

In their responses, most suppliers were against the inclusion of contacts to Consumer Direct in the new performance statistics for a number of reasons. The main argument presented against including these contacts was the belief that volume of consumers contacting Consumer Direct is driven by the prominence of signposting details on the back of the bill and website. Our predecessor organisation energywatch's details were provided on bills and supplier websites in exactly the same way under the previous redress regime. As part of our review of the new redress arrangements, Consumer Focus has carried out an audit of suppliers' bills and websites and concluded that all of the big six suppliers are compliant with the requirements of the complaint handling regulations in this area. In addition, Consumer Focus has analysed the awareness codes from all Consumer Direct cases and found that 40 per cent of consumers located the details for Consumer Direct on the back of their bill or their supplier's website. 60 per cent of cases are from other sources.

Consumer Focus also carried out independent research in February 2010 which found that only 9 per cent of domestic consumers² used the back of the bill or the supplier website to find Consumer Direct details, with the majority of consumers relying on other sources. Consumer Direct's latest independent customer satisfaction survey reiterated this point with only 8 per cent of consumers indicating they had found the telephone number on the back of their energy bill.

Another argument for not using Consumer Direct contacts in the new performance statistics was the concern that even if the non-redress codes are excluded there will still be some cases included that are not driven by customer dissatisfaction. Around 20 per cent of cases to Consumer Direct are not logged against a supplier; a further 23 per cent are logged against a supplier but with a non-redress or information code. The proportion of cases that we propose to use would be 57 per cent of all domestic cases to Consumer Direct. We are confident that the quality assurance processes at Consumer Direct will highlight any issues in this area. We also believe that no one supplier would be penalised by the use of these cases as any issue would be applied consistently across the industry.

Consumer Focus's analysis of the overall contacts to Consumer Direct has shown that the ratio of Consumer Direct cases per 100,000 customers has a direct correlation with the ratio of Consumer Direct referrals which are verified by the companies and which all suppliers have agreed to use in the current interim measure. The rankings for both are broadly the same and have been since October 2008.

Decision: We will include Consumer Direct rankings in the model as they are the strongest indicator of performance available from an independent body. We acknowledge supplier concerns and will introduce a reconciliation process for all cases received by Consumer Direct.

1.3 Company referrals from Consumer Direct

An average of 5 per cent of cases are referred directly to suppliers by Consumer Direct which encompass situations where the advisor has deemed the case would be best handled by the supplier's escalated complaints team.

Company referrals from Consumer Direct form a key part of the current interim performance measure agreed to by suppliers in December 2009. Suppliers were generally comfortable with the use of this measure, although an issue was raised around there being no facility in the Consumer Direct database to retrospectively update records where an error has been made. Consumer Focus supports the inclusion of a facility to update these records in the strategic solution being implemented by Consumer Direct in 2011. However, as with overall contacts to Consumer Direct, we believe any small margin of error would be applied consistently across the industry and would create no material disadvantage to any one supplier.

Decision: Company referrals from Consumer Direct will be included in the model.

² Sample included over sampling of cases that had been referred and signposted to get a significant sample size.

1.4 Repeat company referrals from Consumer Direct

Around 2 per cent of company referrals are referred to the supplier more than once. These cases arise where the company has failed to resolve the consumer's problem at the initial referral and the consumer has contacted Consumer Direct again about the same issue.

All suppliers were content with the use of this measure as a clear indicator of poor customer service although issues were raised around introducing a challenge process, and the retrospective updating of incorrect records, as with company referrals in general was again highlighted.

An analysis of the cases logged by Consumer Direct has indicated that the volume of repeat company referrals is very low (an average of 20 cases across the industry per month), which other evidence suggests is understating the actual volumes. We believe this is because the field used to indicate a repeat company referral is not mandatory and is only being used sporadically by Consumer Direct agents. In order to ensure this dataset is robust, a mandatory field would need to be introduced going forward. Consumer Direct has confirmed that it is able to make this change to its system for the start of July 2010.

Decision: Repeat company referrals from Consumer Direct will be included in the model from September 2010 once three months of data are available. Consumer Direct will ensure repeat referrals are incorporated in the weekly reconciliation process.

1.5 Complaints handled by the Consumer Focus EHU

Around three per cent of cases received by Consumer Direct are referred to the Consumer Focus EHU. These are cases where the consumer:

- is vulnerable and cannot deal with the problem themselves
- has been disconnected or is at risk of disconnection
- needs support due to the complexity of the case

Cases where the consumer has not previously complained to the supplier are categorised as enquiries, and will not be included in the reporting of performance measures.

All suppliers indicated they were happy with the EHU complaints being used as the measure, rather than cases. This means that cases, where the consumer has not contacted the supplier previously, will be logged as enquiries and excluded from the model. The EHU operates a dispute process that allows suppliers to challenge cases that they feel should not be recorded as complaints.

Priority cases are always logged as complaints and are excluded from the dispute process because they are emergency situations. However this is being reviewed following representation from industry and some revenue protection cases may be applicable for dispute. The process has been updated to reflect this change.

Decision: Complaints handled by the EHU will be included in the model. The dispute process which enables suppliers to challenge cases where they feel they should not be recorded as complaints has being reviewed following representation from industry to allow some revenue protection cases to be disputed.

1.6 Cases received by the Energy Ombudsman

Consumer Focus acknowledges the Energy Ombudsman's concerns over the use of its case data as a part of an energy supplier performance model and that there is a potential risk of driving defensive behaviour from companies, which would be detrimental to the service. However, there are strong incentives in place, with fines of up to 10 per cent of turnover, to ensure compliance with complaint handling regulations. We encouraged views on what elements of this data could be used in order to ensure that consumers are able to access performance information that includes this significant element of the complaints process. For example should cases that have reached deadlock and other cases within the terms of reference be weighted differently? Should cases be weighted according to the outcome of the case? We were keen to explore options that would allow some components of the data to be used as part of an overall company performance metric.

This metric received a variety of responses. Some suppliers wanted cases where the consumer had received a deadlock letter excluded from the statistics. It was also suggested that cases upheld in favour of the supplier were excluded but as the Energy Ombudsman does not classify its cases in this way, this is not possible. In its response to the consultation, the Energy Ombudsman advised Consumer Focus to include both types of cases but to have a lesser weighting on deadlocked cases.

Decision: Consumer Focus proposes using both measures as both indicate the failure of a supplier to deal with a consumer's issue although we acknowledge that non deadlocked cases should carry a greater weighting.

We are also considering the inclusion of volumes of cases that were outside the Energy Ombudsman's terms of reference (OTOR) which are an indicator of consumers seeking redress regardless of whether their cases are accepted. Our work on the review of redress arrangements demonstrated that the Energy Ombudsman's information is clearly contained within the suppliers' complaint handling process on the back of bills while Consumer Direct details are not – it largely featured in a separate section under help and advice. The change in OTOR³ ratios from 15:1 to 25:1 may suggest that consumers are contacting the Energy Ombudsman with complaints when they should be accessing Consumer Direct.

Decision: Consumer Focus will continue work with the Energy Ombudsman on this issue with a view to including OTOR cases in the measure in the future.

³ Outside the Energy Ombudsman's terms of reference

1.7 Other quantitative complaint data

We sought views on whether there are further quantitative measures that should be included. For example, telephone contacts where the consumer has had to make a call to their energy company due to a service failure on the part of the company, rather than to provide or seek information from the supplier.

It should be noted that we are conscious that data used in the model should reflect the measures already collected as far as possible to avoid an unnecessary burden on suppliers, given they have already changed systems to meet the requirements of the complaint handling standards in October 2008.

Respondents did not provide any suggestions of additional quantitative measures that could be included in the new performance statistics. One supplier suggested that the use of alternative measures, other than those agreed under the complaint handling standards regulations, would introduce further inconsistencies due to different methods of applying the measures in suppliers' internal processes.

Decision: Consumer Focus will not introduce any further quantitative measures at this stage. This will be reviewed in the future if industry reaches agreement on how to collect additional data in a consistent manner.

Section 2: Weighting of quantitative measures

Consumer Focus believes that the weighting of each quantitative measure should reflect the seriousness of the complaint and the time and effort spent by the consumer to get their problem resolved. Therefore we believe cases received by the Energy Ombudsman and complaints received by the EHU should carry a greater weighting than cases that are resolved at an earlier stage of the customer journey.

We also feel that the weighting of the model should place greater emphasis on situations where the consumer has had to repeatedly contact their supplier or another agency because the company has failed to deal with their problem. These types of cases include:

- Repeat direct complaints to suppliers
- Repeat cases to Consumer Direct
- Repeat referrals from Consumer Direct to suppliers
- Cases that have gone to the Energy Ombudsman at eight+ weeks rather than deadlock

We asked respondents to indicate what measures should have a greater or lesser weighting and the reasons for this. We received a range of responses regarding the weightings for each measure and a number of suggested models.

Decision: Our chosen weighted model is attached at Annex B. The weightings reflect the seriousness of the complaint, the time and effort spent and whether the consumer needed to contact another agency to get their problem resolved. It places a greater emphasis on situations where the consumer has had to repeatedly contact their supplier or another agency because the company has failed to deal with their problem.

Section 3: Qualitative measures

3.1 Customer satisfaction

Consumer Focus believes the new performance information should encompass qualitative indicators including customer satisfaction measures, as is the case in other sectors such as water. Incorporating an element of customer satisfaction data to support the quantitative measures will ensure that consumers have a fuller picture of company customer service and are able to make choices based on a range of indicators rather than simply complaints handling performance.

We have identified a number of options to incorporate a customer satisfaction measure into the model as follows:

- Use existing customer satisfaction survey data from organisations such as Which? or uswitch
- Use Ofgem's annual customer satisfaction research
- Create an independent survey, funded by industry, on a quarterly or annual basis

We sought views on which option would provide the most accurate picture, how it should be funded and how the customer satisfaction measure should be incorporated into the model; for example, as a standalone measure or as a positive metric (see section 4) as part of the overall ranking calculation.

Of the 'Big Six' suppliers, only one supplier indicated they would be willing to fund an independent survey if necessary. The other responses ranged between using the annual Ofgem customer satisfaction research and using Which? and uswitch data. Two suppliers were firmly against the use of Which? or uswitch survey data and would like further industry discussion. One argument was that these surveys cover much more than complaints whereas it is vital that the new performance measures are specifically complaint related.

Decision: Consumer Focus will use Ofgem customer satisfaction data initially for the first six months but is concerned that an annual survey would not capture any variation in performance during the 12 month period. We will present the information separately to ensure that the differentiation between complaint volumes and contacts to independent bodies is visible to consumers.

We also sought views on whether any additional qualitative indicators should be included in order to provide the best possible information on customer service for consumers.

One supplier suggested that we could introduce the customer loyalty metric Net Promoter. Companies obtain their Net Promoter Score by asking customer a single question on a 0 to 10 rating scale: 'How likely is it that you would recommend our company to a friend or colleague?'⁴

⁴ http://en.wikipedia.org/wiki/Net_Promoter

Consumer Focus has considered this method and concluded that it would not necessarily be testing a company's customer service performance. The latest independent research commissioned by Consumer Focus demonstrates that consumers make their choice of supplier based on a range of factors including price, type of tariff, discounts, the selection of payment methods available as well as the customer service and complaint handling record of the company.⁵ We believe consumers should be given a range of information to empower them to make the best choice for them individually.

Another supplier suggested that consumers should be asked what they would find useful to know about a supplier's performance.

Consumer Focus will include a question during the testing of the new performance statistics with consumers to find out what they want to know about a supplier's performance on customer service issues.

As with additional quantitative measures, Consumer Focus would support introducing further qualitative information if there was industry agreement to collect and report on the same measures. As stated previously we believe the data used in the model should reflect the measures already collected, as far as possible, to avoid an unnecessary burden on suppliers.

Decision: Inclusion of further qualitative performance information will only be considered if consistent indicators can be agreed and recorded consistently.

⁵ Consumer Focus Confidence Code Research, April 2010

Section 4: Positive indicators

During the pre consultation stakeholder workshop it was suggested that positive indicators highlighting best practice in customer service, such as resolving complaints quickly and corporate social responsibility offerings, should be reflected in the new relative performance information.

We therefore sought views on what types of positive indicators would best reflect supplier performance and be useful to consumers.

One supplier suggested that resolving complaints quickly could be used as a positive indicator. Further suggestions were energy efficiency provision and social tariffs but the nature of the potential measures was not clarified. Another supplier suggested a supplier led initiative to establish what positive indicators could be used to complement the complaints information and how this data could be collected consistently across the industry.

Consumer Focus welcomes this proposal and is happy to work with suppliers to develop new positive indicators.

Decision: If industry is able to develop robust indicators, Consumer Focus will review its inclusion in performance reporting.

Section 5: Coverage

5.1 Domestic suppliers

The 'Big Six' energy suppliers currently represent more than 99 per cent of the market; therefore the vast majority of consumers will want to access information about these companies. However, Consumer Focus is keen to provide an industry-wide picture for consumers and sought views on what performance information should be provided in terms of the smaller suppliers' performance.

All quantitative performance information will be calculated according to market share so there is a risk of creating confusion for consumers if both groups of suppliers are combined in the same relative performance model.

We asked what performance information respondents thought should be published on the nine smaller suppliers and if the information should be combined with that of the 'Big Six' or shown as a standalone measure separately.

The majority of responses concurred that the 'Big Six' companies should be ranked as one group while information should be provided on the smaller suppliers but displayed separately. Ecotricity raised an issue around the smaller suppliers facing proportionally more complaints about the transfer process than the 'Big Six' who have an incumbent customer base.

Decision: Consumer Focus will address these concerns separately when developing performance information for the smaller suppliers.

5.2 Non domestic suppliers

While this document deals with the production of performance information for domestic consumers, Consumer Focus intends to develop a suite of information for micro-businesses to ensure they have access to the information that is of most relevance to them. We therefore sought views on what performance metrics should be used, and how this could be provided to non-domestic consumers.

The majority of respondents agreed that micro business consumers are entitled to the same information as domestic but thought it should be displayed separately.

Decision: Consumer Focus will consult specifically with business suppliers when developing performance information for micro business consumers.

Section 6: Presentation

Consumers need information that is easy to find and understand to allow them to make informed decisions. Therefore it is essential that any performance metrics developed by Consumer Focus are consumer-friendly.

Consumer Focus sought views on how the information should be presented to consumers to ensure it is both clear and meaningful. For example:

- performance information indicating the companies' rankings against their peers would provide differentiation between suppliers
- a graphical or pictorial representation of performance would provide a visual comparison
- a star rating system may be easier for consumers to interpret due to its wide use across sectors.

We asked what format the performance information should be displayed in to ensure it is easily understood and useful to consumers.

The majority of responses favoured a graphical format for the information and supported Consumer Focus's plans to carry out research into how to present the information in most user friendly way for consumers.

Decision: Consumer Focus will test out a variety of formats and share the results with suppliers and other stakeholders.

Section 7: Publication

Consumer Focus wants to provide accessible performance information to empower consumers to make informed choices about their energy supplier and sought views on the frequency and method of publication. As well as publishing this information on our website, we will provide hard copies when requested by consumers.

We asked how often the performance information should be updated. There were a range of responses regarding frequency of publication including monthly, quarterly, six monthly and annual. Consumer Focus's interim measure, and energywatch's statistics, were published on a monthly basis as a three month rolling average.

Decision: Consumer Focus will continue to publish data on a monthly basis as a three month rolling average. We believe this allows variation in performance to be displayed that would not be evident from information based on a six monthly basis and the use of a rolling average will even out seasonality.

We also asked where links to the information should be displayed to ensure as many consumers as possible can access to the information.

Ideas submitted for where links to the new performance statistics could be placed included Citizens Advice Bureau, Consumer Direct, Ofgem, Energy Ombudsman, DECC, DirectGov, other advice agencies and online switching sites. Other suggestions included raising the profile of the statistics via the suppliers' annual complaint reports and signposting on suppliers' websites. Consumer Focus is keen to promote the new statistics to ensure that as many consumers as possible have access to the information they need to make an informed choice of supplier.

Decision: Consumer Focus welcomes the inclusion of links to this information by suppliers on their websites and will negotiate with other organisations to set up links on their websites.

Section 8: Benchmarking with other sectors

We have researched best practice in other industries, in particular the water and financial services sectors, which both publish company specific data on complaints and consumer experience to give consumers information on customer service performance.

We asked respondents to provide any further examples of best practice that could be adopted from other sectors.

Several suppliers commented on the complexity of the energy industry and agreed that the water and financial services sectors were the best comparisons available to benchmark energy against. There were no further examples provided of best practice in the UK and one supplier suggested international benchmarking may be more useful.

Decision: Consumer Focus is committed to ongoing cross sectoral work in this area and will share findings with industry and other stakeholders as appropriate.

Section 9: Other issues

We asked respondents to let us know if there were any additional comments or issues in relation to performance reporting.

A number of suppliers raised the issue that there are industry processes necessary to resolve complaints that can be both cumbersome and time-consuming and suggested future workshops with industry colleagues and Ofgem to explore how to reduce and improve these processes to enhance the service provided to energy consumers. Consumer Focus welcomes this suggestion and is keen to participate in this process.

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