

Consideration of Complaints as Consumer Protection

Case study: Romania

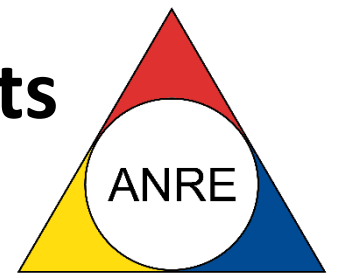


ERRA Customer Protection Working Group Meeting
November 9-10, 2023 | Vienna, Austria

Hosted by:

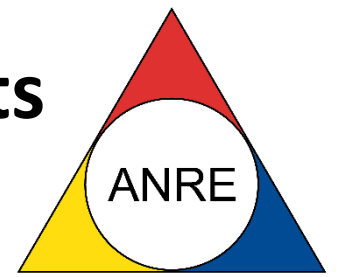


The legal framework for considering consumer complaints at ANRE level (I)



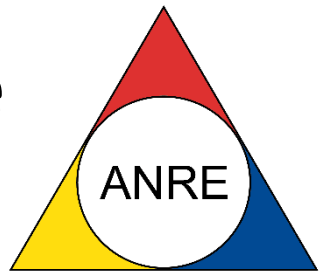
- ✓ The **legal framework** for considering consumer complaints at ANRE level is approved by:
 1. The Order of ANRE's President no. 194/2020 for the approval of the *Procedure regarding the settlement of complaints of interested parties in the energy sector (Procedure)*;
 2. The Order of the ANRE's President no. 193/2020 for the approval of the *Regulation on the settlement of complaints in the energy sector (Regulation)*.
- ✓ The **Procedure** establishes the way of resolving petitions/reports/complaints addressed to ANRE, by natural and legal persons from the energy sector.
- ✓ The resolution of petitions/reports/complaints addressed to a service/activities provider falls under the provisions of ANRE's **Procedure**.
- ✓ According to the **Procedure**, before addressing a petition/report/complaint to ANRE for resolution, the applicant **has the obligation** to first contact the provider of services/activities provider whose performance he is dissatisfied with.
- ✓ Thus, the petition/complaint/report submitted to ANRE must be accompanied by the response received from the provider of services/activities provider in question, or at least by a proof of the request transmission.

The legal framework for considering consumer complaints at ANRE level (II)



- ✓ The **Regulation** constitutes the legal framework for a wider spectrum of situations than those provided for in the **Procedure**.
- ✓ Is subject to the provisions of the **Regulation**, the settlement of complaints formulated in compliance with the provisions of the **Electricity and Natural Gas Law no. 123/2012**, with subsequent amendments and completions, namely:
 - *complaints/reports addressed to participants in the electricity and natural gas market, license holders according to the provisions associated with GEO no. 33/2007, approved with amendments and completions;*
 - *misunderstandings arising from the conclusion of contracts in the energy sector;*
 - *complaints/litigations/contractual disputes on the wholesale and retail market arising between participants in the energy market;*
 - *complaints/disputes/divergences regarding access to energy networks/systems;*
 - *complaints/litigation against the network/system operator in the field of energy;*
 - *complaints regarding the initiation of investigations.*

How the complaints are submitted by consumers to the ANRE?

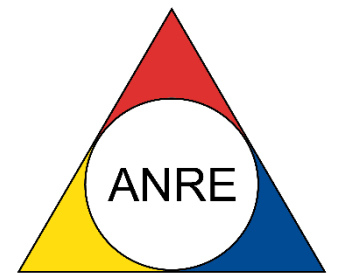


- ✓ Petitions/Reports/Complaints addressed to ANRE can be submitted to the Authority using the following communication channels:
 - in writing;
 - by post office;
 - by submitting them directly to the ANRE's registry point office;
 - by filling out the dedicated form available on ANRE's own website (www.anre.ro);
 - by sending it electronically to ANRE's e-mail addresses;
 - by sending it to ANRE's fax number.



****Each petition/report/complaint is assigned a registration number by the ANRE's registry point office.***

The easiest way to submit to ANRE a petition? (I)

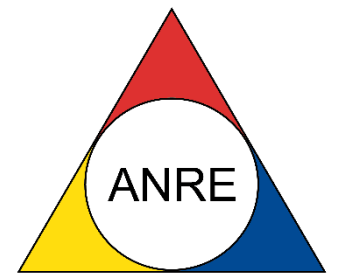


- ✓ By accessing the ANRE's website (www.anre.ro) after which selecting the section "**File a petition**", anyone can instantly send a petition to the Authority, in order to solve the reported problem.



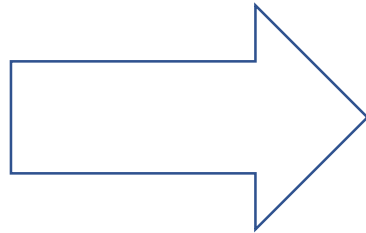
The screenshot shows a web browser window with the URL www.anre.ro. The main heading reads "You have the right to testify **petition**". Below this, a paragraph states: "If you have already filed a complaint with the electricity/natural gas supplier or network operator and you are not satisfied with the response, contact ANRE:". A blue button labeled "FILE A PETITION" is circled in blue, with a white arrow pointing to it from the left. Below the text is a video player showing a hand interacting with a digital interface displaying various data points and charts. The video title is "POWER INSTALLED IN ELECTRICITY PRODUCTION CAPACITIES IN REAL TIME". At the bottom of the page, there is a blue navigation bar with an "Accessibility" link, a search bar with the text "Are you looking for an ANRE order/decision?", and a "SEARCH FOR AN ORDER" button.

The easiest way to submit to ANRE a petition? (II)



✓ After accessing the section **“File a petition”** on ANRE’s website, **three subcategories** will be listed in order to submit a petition exactly in the domain that concerns the problem that is wanted to be reported, as follows:

- **Electricity petition**
- **Natural gas petition**
- **Thermal energy petition**



Home > Depune Petitie

Catalog Servicii Petițiilor

Selectați din categoriile de mai jos tipul de petiție pe care doriți să o transmiteți:

- Petiție Energie Electrică
- Petiție Gaze Naturale
- Petiție Termie

LEGĂTURI UTILE

Președinția României
Guvernul României
Secretariatul General al Guvernului
Ministerul Energiei
Parlamentul României – Senat
Parlamentul României – Camera deputaților

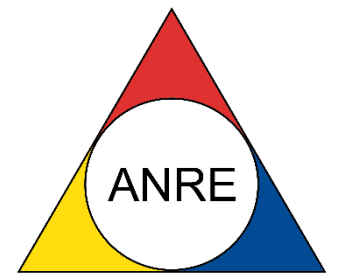
CONTACT

Str. Constantin Nacu nr. 3, Bucuresti, Sector 2,
Cod postal 020995, ROMANIA
Fax: 021-312.43.65
Linie telefonica dedicata informarii consumatorilor de energie – telefon: 021.9782
Program: Luni – Vineri: 9:00 – 17:00
Registratura: anre@anre.ro
Tel: 021-327.81.74; 021-327.81.00
Fax: 021-312.43.65
Program: Luni – Joi 8:00-16:30, Vineri: 8:00 – 14:00

Folosim cookie-uri pentru a ne asigura că vă oferim cea mai bună experiență pe site-ul nostru. Dacă continuați să utilizați acest site vom presupune că sunteți de acord.

****By the end of this process of filling the online form, the petitioner will receive a registration number in order to monitor the status of the complaint.***

How is the discussion of complaints organized and implemented?

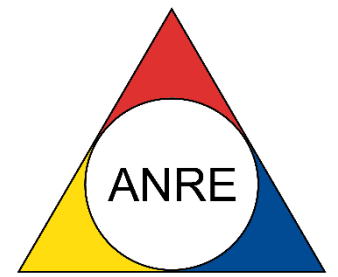


- ✓ According to ANRE's **Regulation**, the complaints are analyzed at ANRE level by experts/commissions designated in this regard, based on ANRE's procedures.
- ✓ After registering the complaint at ANRE, the following main steps are completed:
 1. **The preliminary analysis of the submitted documentation and the request for its completion, as the case may be;**
 2. **Preparing the hearing and summoning the parties, as the case may be;**
 3. **Hearing the parties, as the case may be;**
 4. **Issuing/drafting the answer/decision/order and communicating it to the involved parties.**
- ✓ The commissions operate independently at ANRE level and are made up of employees who possess the skills, experience and competence necessary for the energy sector, including legally, so as **to guarantee the impartiality of its actions.**
- ✓ During the whole duration of the complaint resolution process, **the parties can settle the dispute amicably.**

**Before addressing a complaint to ANRE, if it concerns the activity of a service/activities provider, the claimant has the obligation prior to this step, to contact the provider of services/activities whose provision is dissatisfied.*

***According to the Regulation, from the moment of registration of the complaint, the settlement process is mandatory, excepting those cases where the applicant addressed for the settlement of his complaint to another legal entity extrajudicially, including the courts, in which case his complaint addressed to ANRE is classified.*

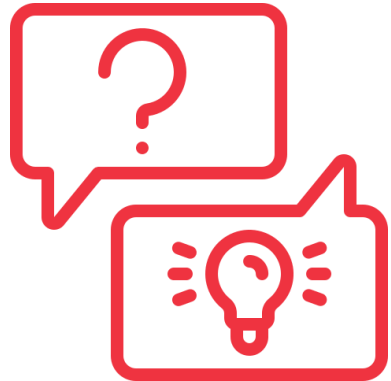
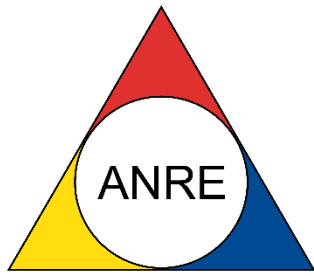
What is the deadline for responding to complaints?



- ✓ According to ANRE's *Procedure regarding the resolution of complaints of interested parties in the energy sector*, the standard term for resolving the petition/report/complaint and for sending the response to the applicant is **30 days** from the date of registration of the petition/report/complaint.

**RESPONSE
TIME**

- ✓ In the event that the issues raised in the petition/report/complaint require more detailed information and research, the previously mentioned 30-day term can be extended by **another 30 days**, under the condition of **prior notification to the applicant**.



THANK YOU FOR YOUR ATTENTION!

Alexandra Diala
Expert

Retail Energy Market Directorate /
Electricity Retail Market Service
**Romanian Energy Regulatory
Authority (ANRE)**

E-mail: alexandra.diala@anre.ro