



# Advice from Alan

## Utilities disputes

**by Alan Knowsley, consultant, Rainey Collins Lawyers**

If a consumer has a dispute with an internet, power, gas, or water provider (or about a broadband installer involving a shared property), they can get help to resolve their complaint from Utilities Disputes (UDL). UDL provides an independent, free service to consumers to help resolve any disputes and aims to be fair and efficient.

Once a consumer has raised a complaint with UDL, they will try to facilitate a resolution between the consumer and the utility provider. If necessary, they will carry out an investigation into the complaint. This may include considering the law and good industry practice, looking at the relevant paperwork (contract and communications), visiting the site, and writing a report on the outcome of the investigation.

A UDL facilitator will work with the parties to try to reach an agreed outcome. Part of that process can involve a conciliation conference with a meeting in person or electronically. A support person can attend the conference to present the consumer's position. The meeting can be informal

or formal depending on the preferences of the parties. In a formal meeting, the facilitator acts as a mediator to help the parties prepare for the conference, understand each other's positions, and explore potential resolution options. They have no power to make a decision on the dispute.

UDL also offers a tikanga-based Māori dispute resolution process for those who wish their dispute to be determined on the basis of traditional Māori practices, values, and beliefs.

A claim might include compensation for property damage, overpayments, poor service, and, in some cases, for disruption.

If agreement cannot be reached between the consumer and provider, an application can be made by either party to the Utilities Disputes commissioner to recommend a settlement. If the settlement is not accepted by the provider, the commissioner can make a determination. The determination is binding on the provider, but the consumer can take their complaint to the Disputes Tribunal or courts if they do not agree with the determination.