

Utilities

This chapter is for people whose utilities supply has been damaged or who are having difficulty paying their bill because of the February 2009 Victorian bushfires. It will tell you your rights and where you can get help.

What do utilities include?

Your utilities include your electricity, gas and water supply and telephone connection and service.

Gas, electricity and water

What if I am having trouble with my connection and supply?

You will need to contact your retailer. Your retailer is the company that looks after connections, billing and customer service.

If you have moved because of the bushfires, you need to contact your retailer to be connected at the new property. The connection should be on a date you agree to or within 10 business days. If you are changing retailers, your new connection must be made within one to two business days.

If you are unsure who your retailer is, visit the 'For Consumers' section of the Essential Services Commission's website at www.esc.vic.gov.au. By clicking on either the 'Energy' or 'Water' links, you will be able to see a list of energy (gas and electricity) and water companies.

What if I am having trouble paying bills?

If you are having trouble paying your bill because of the bushfires, for example, you lost your job, or are finding it hard to get by, tell your retailer. Your retailer should be able to help you set up a payment plan and you might be able to get help under a 'hardship policy'. You cannot be disconnected from services in this situation.

The law says that each retailer must have a hardship policy that can:

- agree to fair and reasonable payment arrangements (for example, instalment plans)
- suspend (stop) disconnection or any debt collection activity

- tell you about concessions, and government assistance (for example, grants), and how to get these.

For more information on how to avoid disconnection when you are having trouble with money, contact the Energy and Water Ombudsman of Victoria on 1800 500 509 and read Consumer Action Law Centre's fact sheets Water debt and Electricity and gas debt, which are available on their website at www.consumeraction.org.au/publications/fact-sheets. If you live in a caravan park or rooming or boarding house, you may have different rights. Contact the Tenants Union of Victoria's Advice Line on 9416 2577 for information.

Many retailers are offering help to people affected by the bushfires. See the Essential Services Commission's website www.esc.vic.gov.au for more information. You can also ask your retailer directly what they are doing for bushfire affected customers.

Can I set up my own generator?

If you are unable to have your electricity supply reconnected it is important that you do not try to connect permanent generators yourself. Connecting generators is a dangerous job and is illegal. Generators must be connected by a licensed electrician. See Energy Safe Victoria's website at <http://www.esv.vic.gov.au/> for information on safe use generators, and choosing a qualified electrician.

I have experienced damages due to a power surge or power failure. Who pays?

If you have experienced damage due to power surge or from power failure (for example, damage to appliances or food), you may be able to make a claim for this. Lodge a claim with your retailer if this has happened to you. If the matter is not sorted out with your retailer, contact the Energy and Water Ombudsman of Victoria on 1800 500 509.

What if my utilities problem has not been sorted out?

If you have tried to sort out a problem with your gas, electricity or water company and it has not been resolved, contact the Energy and Water Ombudsman of Victoria on 1800 500 509. They will contact the provider and ask them to try again. If you have tried to sort out the problem with your provider more than once, your matter can be investigated by the Energy and Water Ombudsman of Victoria. This means a 'Conciliator' will manage your case, look at your situation, consider the law and try to sort out an agreement. The Energy and Water Ombudsman of Victoria is a free service, is independent of the government and the utilities companies, and can legally force the supplier to deal with your complaint. You must contact the Energy and Water Ombudsman of Victoria within 12 months of when the problem first happened.

Telephone and internet

What if I am having trouble with my connection and service?

The bushfires affected many telephone lines and telephone cables. Although Telstra is responsible for telephone lines in Victoria, you need to contact your telephone service provider (if it is not Telstra) about your damaged telephone line. However, if you had more than one phone socket in your home, you will need to contact a registered cabler to fix any other phone sockets. Only the first socket is the responsibility of your telephone service provider to look after.

If your broadband service has been affected, you should contact your service provider to see what they are doing about repairing or restoring the service. If your broadband service was supplied under the federal government's Australian Broadband Guarantee (or one of the previous funding programs such as Broadband Connect or the Higher Bandwidth Incentive Scheme) and you are having trouble contacting your provider, contact the Australian Broadband Guarantee consumer support helpline on 1800 883 488.

If you did not have a broadband service and want to find out if you can get an Australian Broadband Guarantee service, contact the helpline. The service means that if you live out of the city you can still get a reliable broadband service at a similar price you would pay in the city.

What if I am having troubles paying my bills?

Contact your provider and tell them you live in a bushfire affected area and are having problems paying your bill. They may have special arrangements in place to help bushfire affected people.

See if your provider can place a hold on your bill while you both work out a way to pay off your debt. You may also want to see if you can pay your bill after it is due and/or pay your bill bit by bit (in instalments). The provider can ask for evidence of your financial hardship if you want to pay over a longer period.

You should always contact your telephone or internet provider when you are having trouble paying a bill. If you do not do this, your service might be disconnected or your credit record might be affected. However, your provider must not take collection action against you while you are discussing or undertaking a payment arrangement.

If you disagree about a bill amount, ask the provider to investigate your bill and try to sort it out with them.

What if my telephone or internet problem has not been sorted out?

You can contact the Telecommunications Industry Ombudsman on 1800 062 058 after you have first tried to sort out the problem with your provider and an agreement has not been reached. The Telecommunications Industry Ombudsman is a free service to help sort out disagreements between customers and utility providers. It is independent of the government and the telephone and internet companies.

The Telecommunications Industry Ombudsman will contact your provider and ask that the problem try to be sorted out. Your provider has 10 days to do this. It is up to you to contact the Telecommunications Industry Ombudsman if the problem is not sorted out by this time. The Telecommunications Industry Ombudsman might then have an investigations officer look after your case. They will investigate the situation, work out the issues and try to help you reach agreement with your provider. The law says that the telephone and internet companies must obey the decisions made by the Telecommunications Industry Ombudsman.

You must contact the Telecommunications Industry Ombudsman within 12 months of the problem first happening.

To find out more information about the Telecommunications Industry Ombudsman and the laws about this area, visit www.tio.com.au. The Telecommunications Industry Ombudsman also has a Bushfire and Flooding Helpline on 1800 046 686 and email address BFA@tio.com.au for you to contact if you were affected by the bushfires.

I have received bills for services that have been offered for free after the bushfires. Are these genuine offers?

If you start getting bills for services that were offered for free after the bushfires, for example free mobile phones or a diversion service, contact the Telecommunications Industry Ombudsman on 1800 062 058 or Bushfire Legal Help on 1800 113 432.

Financial help

If you have a government concession card, you can get a discount on your utilities bill. To get this, call your utilities provider and give them the details of your concession card.

For information on other concessions and Utility Relief Grants, contact the Department of Human Services' Concessions Unit on 1800 658 521. You may also receive government financial help with paying bills or repairing or replacing an essential water, gas or electrical appliance. Visit the Department of Human Services website at www.dhs.vic.gov.au/em/bushfire-recovery for a list of all grants and help available.

Other useful Handbook chapters

See the 'Debt', 'Property' and 'Renting' chapters.

DISCLAIMER

The information contained in this chapter of the Bushfire Legal Help Handbook is intended to provide general information on legal topics, current at the time of first publication. The contents do not constitute legal advice, are not intended as a substitute for legal advice and should not be relied on as such. You should get legal advice in relation to your individual circumstances and any particular matters you may have.

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