

SPSO decision report

Case: 201305140, Business Stream
Sector: water
Subject: charging method / calculation
Outcome: not upheld, recommendations

Summary

Mr C complained about the fixed charges Business Stream applied to his client company's account, which were based upon the physical size of the water meter. He said that the company's water meter was larger than was needed for day-to-day use because their water supply also served fire hydrants. He complained that Business Stream were not allowed to charge for water used for fire-fighting and requested that the charges be adjusted. Business Stream exchanged the meter and amended the charges. However, Mr C wanted this backdated to the time of the original meter's installation.

Business Stream confirmed that water used for fire-fighting should not be charged. However, the meter had been installed several years ago – before Business Stream existed - as part of a Scottish Water project to try to ensure meters were the appropriate size for customer needs (which also meant that fixed charges were appropriate). Business Stream said there were almost no records going back that far, although the company would have signed giving their agreement to the original meter when it was installed. In addition, although Business Stream said Scottish Water would have carried out surveys at that time, they also relied upon information provided by customers. Business Stream said that the company would have paid for the original meter installation (it had actually replaced an even larger meter) and neither they nor Scottish Water would know their customers' specific requirements after installation. Business Stream said the issue was not raised until Mr C recently got in touch with them, at which point Business Stream had the meter exchanged and the billing addressed. They acknowledged a slight delay in processing the request and offered a credit on the account, which Mr C rejected.

Given the passage of time, there was very little evidence on which we could base our decision. Although we took Mr C's concerns into account, our role was to consider whether the evidence available indicated maladministration by Business Stream. They could not confirm if any information was given to the company at the time of the original swap or provide the original paperwork relating to their water needs at that time, but Mr C could not provide this either. We took account of the fact that the company would have agreed to the historic swap. In addition, as this was done under a project relating to the size of meters for fixed charges, we felt they could reasonably be expected to have known there was a relationship between fixed charges and meter size. Despite this, they raised no concerns about the situation until some 11 years after the original meter exchange. On balance, and although we took account of the costs involved, we considered there was insufficient evidence to uphold Mr C's complaint. In the circumstances, however, we made one recommendation.

Recommendations

We recommended that Business Stream:

- consider reissuing their account credit offer to Mr C.