

12 June 2008

**Support the amendments on Energy poverty, Consumer rights and Participation!
Plenary Vote on 18th June on the Rules for the Internal Market in Electricity**

Dear

The [European Anti Poverty Network](#) is an independent coalition of NGOs working with and for people experiencing poverty in the fight against poverty and social exclusion. We are actively engaged in supporting the Commission's Strategy on social inclusion (the OMC on social protection and social inclusion) and in the debate on Services of General Interest. Last year we responded to the Commission's [Consultation on the EU Charter for Energy Consumer's Rights](#).

We understand that the European Parliament is due to vote on the regulation of the Electricity market on the 18th June. EAPN would like to draw your attention to **our main concerns** relating to a number of key provisions and would ask you **to support the amendments listed (p2), in the debate on the 17th and the vote on the 18th.**

*These amendments are also supported by the **European Federation of Public Service Unions of the ETUC**, representing 8 million workers and their families and **CECODHAS, the European Social Housing Liaison Committee.**(www.epsu.org and www.cecodhas.org)*

EAPN Main Concerns

Increasing Fuel Poverty

Our starting point is a strong concern about the impact of rising energy prices and increasing energy poverty in the EU. In the 7th Meeting of People Experiencing Poverty, recently organized by the Slovenian Presidency, with support from the Commission and EAPN, a strong message was sent that Energy was currently one of the main Services of General Interest seen as responsible for increasing poverty and hardship across the EU. "*We are now forced to choose between heating or eating*" (Bulgarian speaker at the meeting).

EU must guarantee access to affordable, quality SGI

We highlight the need to embed the Energy debate in an open, transparent discussion on the Internal market and Services of General Interest. Our members highlight fears about the impact of the expansion of the internal market, increasing liberalization and privatization of basic utility services, without sufficient safeguards to guarantee access to affordable, good quality Services of General Interest. Such developments seem to go against the intentions of the EU Treaty, and the spirit of the new Lisbon Treaty, particularly in reference to the new protocol 9 and Article 14 (16).

Binding Charter for Consumer's Rights

We welcome the initiative of the Commission's Consultation on the EU charter for Rights for Energy Consumers, and the action proposed by the rapporteur in this debate. However, the Charter needs to be made legally binding, easily understandable, widely publicized and disseminated if it is to play a significant role in ensuring people's right to this vital Service of General Interest.

Need for Integrated Strategies on Energy Poverty

EAPN believes that the EU must take urgent action on fuel prices and energy poverty and promote integrated strategies dealing with the 3 main causes – inadequate income, high pricing and high consumption due to energy inefficiency.

Participation of People Experiencing Poverty and NGO's

Few people in poverty belong to Consumer's Organisations. We underline the need for the EU to promote good governance and participation of people in poverty directly affected and the NGO's that support them. This means backing a broader debate involving all key stakeholders and particularly ensuring their participation in the EU and National Regulating bodies on the Energy Sector.

In the context of the current debate we would urge you to support the following amendments:

- **Energy Poverty:** Support the broad definition of energy poverty (*Amendment 34. CA2*) and call for Member States to provide a definition of energy poverty at national level and provide national energy action plans, provide indicators and communicate measures to the Commission. (*Amendment 41*)

Recommendation:

We would suggest that the national energy plans should be linked to the development of the National Action Plans on Inclusion and the National Strategic Reports on social protection and social inclusion as part of the Open Method of Coordination.

- **Energy Consumer's Rights:** Support the demand for clear, comprehensible information on consumer's rights and follow up to the Commission's consultation to produce and publicize a user friendly charter listing rights of energy consumers, in consultation with relevant stakeholders including consumer organizations and social partners... (*Recital 21 (a) new* and *Article 3 §. 9 (a) new*)

Recommendation.

EAPN would urge that the Charter should be finally be made legally binding and the process of consultation extended to involve people experiencing poverty and the NGO's that support them, as well as all other relevant stakeholders.

- **Vulnerable customers.** Support appropriate measures to help vulnerable customers avoid disconnection and prohibiting the disconnection of pensioners and disabled people in winter (*Article 3 and new amendment Article 3 § 5*)

Recommendation

EAPN would hope this could be extended to prohibit disconnection of any person/household who cannot pay bill because of energy poverty, particularly during winter months.

- **Billing:** Support compensation and refund arrangements for inaccurate and delayed bills and for a final bill to be provided to consumers within 30 days of change of supplier as well as the right to be informed at least quarterly of *actual* consumption. (*Annex A*)

Recommendation

EAPN highlight the importance of redress and compensation, where errors have occurred, which should take account of the hardship and stress produced to particularly low-income users.

- **Regulatory Authorities - Complaints and Redress:** Support the setting up of an independent complaints services and alternative redress scheme by the Regulatory Authorities, such as an independent energy ombudsman, with the Regulatory Authorities responsible for setting standards and guidelines on how complaints will be handled by suppliers and network operators. (Article 22b.§ (9a) new) and new amendment (Recital 21 (a) new and Article 3 § 9 (a) new).

Recommendation

EAPN would wish to see the role of the regulatory authorities expanded to ensure the delivery of all universal and public service obligations and to ensure the involvement of all stakeholders, including people experiencing poverty and the NGOs that support them.

We urge you to actively support these amendments in this important debate which start to put Energy Poverty and the rights and participation of people experiencing poverty at the heart of the debate..

As the final voting list will not be available until Monday, we will forward the final amendment numbering on this date.

Please do not hesitate to contact us if you would like more information.

Yours Sincerely,

Fintan Farrell,
Director of EAPN

Relevant EAPN Documents

- EAPN response to the Consultation on the EU Charter of Rights for Energy Consumers.
http://www.eapn.org/code/en/publ_detail.asp?pk_id_content=2930
- Report of 6th Meeting of People Experiencing Poverty May 2007, under the German Presidency.
http://www.eapn.org/code/en/publ_detail.asp?pk_id_content=3132
- For more information on EAPN see www.eapn.org