

SPSO decision report

Case: 201406577, Business Stream
Sector: water
Subject: incorrect billing
Outcome: not upheld, no recommendations

Summary

Mr C complained that when his client (Mr A) had applied for a return to sewer allowance (a reduction in water charges that can be allowed when it is demonstrated that less than 95 percent of the water supplied returns to the sewer), Business Stream had only backdated the allowance for three months. Mr C considered that it should have been backdated for five years under the Prescription and Limitation (Scotland) Act 1973.

We considered Scottish Water's Wholesale Charges Scheme for 2014/15, which had been approved by the Water Industry Commission for Scotland. This stated that return to sewer allowances apply from the date on which the water provider demonstrates to Scottish Water's satisfaction that such an allowance is justified, ie the point at which a full application, including all relevant information, is received. We also considered Business Stream's return to sewer allowance policy. This stated that the award of a return to sewer allowance does not mean that the customer has previously been incorrectly billed, but is a deviation from the standard billing, and that this will only ever be applied going forward and not backdated.

The complexity of the matter had meant that it had taken Mr C some time to provide the information required for the return to sewer allowance and, in recognition of this, Business Stream had backdated the allowance for three months. There was no requirement to backdate under the policy and we considered that the decision to backdate for three months had been reasonable. We did not, therefore, uphold the complaint.