Consumer protection - Protection of consumers in utilities services

2013/2153(INI) - 15/04/2014 - Text adopted by Parliament, single reading

The European Parliament adopted by 588 votes to 21, with 68 abstentions, a resolution on consumer protection – protection of consumers in utilities services.

The resolution stressed the need for consumers to have access to **affordable and high-quality utility services throughout the EU**, given that such services are essential for **ensuring social and territorial cohesion** while contributing to European economic competitiveness. Access to utility services should be facilitated for all consumers, irrespective of their financial circumstances.

Enhanced consumer information regarding utility services is needed and the Member States should have the necessary flexibility to take **vulnerable consumers** into account.

Members noted that some aspects of basic consumer rights are covered by Directive 2011/83/EU on consumer rights and that the common characteristics of utility services are outlined in the relevant **sectoral legislation**.

Pointing out that consumer protection is effective only if consumers' rights can be enforced, Parliament called on the Member States to implement fully the provisions of the Unfair Commercial Practices Directive (2005/29/EC), the Directive on Misleading and Comparative Advertising (2006/114/EC) and the Consumer Rights Directive (2011/83/EU), the alternative dispute resolution (ADR) (2013/11/EU) and Regulation (EU) No 524/2013 on online dispute resolution (ODR).

The Commission and the Member States are called upon to pay more attention to, and invest more in, **consumer information** and education campaigns in the context of utility services that target the right messages at the right consumer segment.

Stressing the fundamental role of **customer service** on behalf of utility service providers, Members encouraged utility service providers to train their employees accordingly and ensure that all customers have easy access to personalised assistance at all times.

The resolution focused on the **four major sectors** which in recent years have been liberalised integrated to a large extent into the internal market:

(1) Energy: Parliament believed that an open, transparent and integrated internal energy market is needed by 2014 and called on the Member States properly to transpose, apply and better monitor the third internal energy market package. It pointed out the need for enhanced consumer information, in particular with a view to improving the services offered, and allowing for the **comparability and transparency of tariffs**, hence achieving non-discriminatory pricing, whilst taking into account the various factors and situations linked to energy and vulnerable consumers.

The resolution regretted that current energy prices **do not necessarily factor in external costs**, namely the environmental damage associated with a given energy source or production method, which may nevertheless be passed on to society as a whole in the long run. Members called for measures to encourage greater price transparency for consumers in this regard.

Recalling that smart grids allow consumers to observe and adapt their energy consumption, the resolution pointed out that some of the cost-benefit analyses that have been conducted by Member States give no indication of substantial cost savings for consumers. The use of smart meters must remain the **choice of the consumer**.

(2) Telecommunications: the resolution stressed that the consumer aspect of the digital single market and the electronic communications sector is of utmost importance, and called for all consumers to have **high-quality electronic communications services**. It also stressed the importance of deploying **new infrastructures** in order to narrow the digital divide. Parliament:

- reiterated their proposals to make it easier for **customers to switch electronic communication service providers** without additional fees other than the actual switching cost, without loss of data and with a minimum of formalities;
- supported proposals to promote **independent information** on pricing, billing and service quality, including data speeds.

(3) Postal services: Parliament stressed that more delivery options and better transparency, information and prices are preconditions for increasing consumers' confidence in the delivery market.

The Commission noted that Directive 97/67/EC, as amended by Directives 2002/39/EC and 2008/6/EC, ensures that postal services provide a universal service. The Commission should ensure that this guarantee is fulfilled by the Member States. Postal services operators should be encouraged to **improve interoperability** and to accelerate the roll-out of streamlined processes aimed at reducing costs, increasing the availability and quality of delivery services.

Members reiterated the suggestions made in Parliament's recent report on parcel delivery on the need to assist service improvements and reduce costs, in particular to meet the needs of online consumers and retailers in a better way. They welcomed the introduction of flexible delivery and return options and called for further incentives to improve interoperability and the quality of services.

(4) Public transport: Parliament emphasised that consumers with access to efficient local public transport should be targeted, regardless of whether they reside in areas where such service could be less profitable. Members States are invited to take the appropriate action in this respect.

Parliament pointed out that, as a result of an ageing population, efficient public transport services will gain in importance in the future, and that they are also essential if the Europa 2020 climate objectives are to be achieved. It called for: (i) the development of common tools to ensure optimised **multimodality** in efficient, high-quality public transport services; (ii) a **holistic approach** with regard to elderly people and people with limited mobility.