

The Authority's Conciliation Service | Frequently asked questions

The Authority's Conciliation Service

- **What is the Conciliation Service?**

- The Authority's Conciliation Service is a free tool for the protection of end users, which facilitates the resolution of disputes with the Integrated Water Services (SII) operator, by allowing the parties to meet online or in a conference call in the presence of a conciliator acting as a facilitator of the agreement.

In the water sector, end users are not obliged to try to solve the dispute by means the conciliation before going to the courts.

- **What can the conciliator do?**

- The conciliator, provided by the Conciliation Service, is an expert on mediation and is specifically trained on the water sector. The conciliator, who does not decide on the outcome of the dispute, helps the parties to come to an agreement to resolve the dispute. If the parties so request, the conciliator can also formulate a proposed solution that the parties are free to accept or refuse. Furthermore, if the parties identify the existence of serious and irreparable damages, upon joint request of the same parties, the conciliator may suggest the best measures to guarantee the immediate protection of the end user.

- **Who can request to activate the procedure?**

- End users who signed or want to sign a contract for the Integrated Water Service (household, SMEs, condominium) are entitled to apply to the Conciliation Service.

- **When can the conciliation procedure be activated?**

- It is possible to submit a request for conciliation to the Conciliation Service after having submitted a written complaint to the operator and having received a written response considered to be unsatisfactory or after 50 days from sending the complaint. It is also possible to submit a request for conciliation because of an order by the Court. It is not possible to submit a conciliation request when, for the same dispute:
 - a conciliation attempt or a trial has already been started or completed; or
 - end user withdraws from the procedure or does not participate in the meeting before Conciliation Service (in case of death of end user, the heir can continue the procedure or activate a new one); or
 - end user has already sent a complaint to the Sportello (only for end users who are not served by operators listed [here](#))

- **How is the procedure activated?**

- The end user activates the Conciliation Service procedure by registering for the online platform, filling in the form and attaching the required documents. If not all documents are attached, the Secretariat of the Conciliation Service communicates to the final end user that it is necessary to complete the application within 7 days. If the end user does not complete the application within the indicated period, the possibility of activating the Conciliation Service becomes void. If the domestic end user, acting on behalf of themselves, does not use the electronic method, even by means of the aid of an Association or another delegate, can present the application in offline mode, via fax or by mail, without prejudice to the online management of the procedure.

[Guide to submitting the application and to managing the procedure \(in Italian\)](#)

- **Can the Conciliation Service be used for all disputes?**

- Yes, except for disputes:
 - Only relevant to tax and fiscal matters;
 - That the end user could not present to the courts because it is time-barred;
 - For which injunctions, class actions and other actions to protect the collective interests of the consumers and users promoted by Consumer Associations pursuant to articles 37,139,140 and 140 bis of the Consumer Code have been promoted;
 - regarding social tariff or water quality.

- **How much does it cost to activate the procedure?**

- The procedure is free of charge. If a delegate acts on behalf of the end user, it is the end user who, by choosing the delegate, agrees any economic conditions for services.
- **Does the end user have to personally participate in the procedure or is it possible to delegate someone?**
- The end user can participate directly in the conciliation or can be represented by a delegate, including one belonging to a [Consumer Association](#) or a trade association, who can sign the agreement defining the dispute on behalf of the end user, through a delegation to handle and close the dispute itself (delegation to conciliate and settle).
- **Does the operator always participate?**
- Operators listed [here](#) are required to participate in the conciliation attempt. Other operators can decide if take part in the procedure or not, communicating it to the Conciliation Service within 5 days before the meeting.
- **When is the first meeting held?**
- The first meeting before the Conciliation Service must be held within 30 days from the submission of the complete application, but not before 10 days from the communication to the parties of procedure activation. Each party can only request one postponement of the meeting, by presenting a justified and documented request to the Conciliation within 2 days before the date of the first meeting, with a simultaneous communication of a subsequent available date no later than 7 days from the previous date.
- **Is it possible to withdraw from the procedure?**
- The end user can decide to withdraw from the procedure at any stage, by promptly sending a communication to the Conciliation Service.
- **What happens if the supply is disconnected?**
- If the end user demonstrates a disconnected supply, due to a bill promptly contested with the complaint, in the application for conciliation, the meeting for attempting conciliation must be held within 15 days from the submission of the completed application, but not before 5 days from the communication to the parties of procedure activation (halved time). In these cases, it is not possible to request postponement of the first meeting.
- **How long can the procedure last?**
- The procedure ends within a maximum period of 90 calendar days from submission of the completed application for conciliation. The Conciliation Service may be extended by a maximum of 30 days, including upon request of the conciliator in cases of complex disputes or upon joint and justified request by both parties.
- **What is the average length of the procedure through the Conciliation Service?**
- On average procedures last a month and a half (from the submission of the application).
- **What are the outcomes of the procedure?**
- If the parties find a solution for the dispute, they sign a statement of agreement that is deemed to be enforceable as any contract.
If no agreement is reached, or if the operator, although obliged, does not participate in the meeting, the conciliator prepares a report in which it's indicated that the attempt has failed.
If the end user does not appear at the meeting, the procedure ends.
- **How are the meetings held?**
- The meetings between the parties and conciliator are held in "virtual rooms" (chat rooms or video-conference). If the parties and the conciliator consider worthwhile, the meetings can be held via conference call, or using a telephone (landline or mobile). The agreement is signed by using an electronic signature, also provided by the Conciliation Service.
- **Which tools are required to activate the Conciliation Service procedure?**
- To submit the application: PC (desktop or notebook) or a tablet or other mobile device (Windows, Macintosh, IOS and Android). The device in use has been equipped with a writing program, as well as a program to convert files to PDF or image reader.

To use the virtual meeting: PC (desktop or notebook) with at least Intel I5 CPU or equivalent, with Windows or Macintosh operating system, equipped with microphone, audio devices (e.g. video camera and connection ADSL stable, browser recommended Google Chrome).