

PRESS RELEASE

Energy: from 1 January 2019 reduced prescription from 5 to 2 years also for gas bills

more transparency on the time-barred amounts and easier not to pay them

Milan, 14 November 2018 - From 1 January 2019, in cases of significant delays in billing by the seller or distributor, also for gas bills the customer may object to the provision and pay only the amounts billed concerning consumption more recent than 2 years. The reduction of the prescription period from 5 to 2 years was already envisaged for electricity supplies from last March 1, in implementation of the 2018 Budget Law.

In addition, for greater transparency on the amounts subject to prescription and to make it easier for the customer to exercise their rights, the sellers will be required to issue a separate invoice containing exclusively the amounts for consumption dating back more than 2 years. Alternatively, these amounts must be highlighted in a clear and understandable way on the invoice that also contains the consumption amounts more recent than 2 years. In any case, the sellers are obliged to inform the customer of the possibility of objecting to amounts subject to prescription and to provide a format that facilitates the communication of their willingness not to pay. This is what was established by resolution 569/2018/R/com, which is part of the procedure for implementing the measures introduced by the Budget Law 2018 (Law 205/2017), within which the resolutions 97/2018/R/com and 264/2018/R/com in force since last spring, have already been adopted.

From the new year, the electricity and gas seller will therefore have to issue an invoice containing exclusively the amounts subject to prescription or give separate and clear evidence on an invoice for a period or closing invoice. In both cases, it must inform the customer of the possibility of not paying the total of these amounts through an additional initial page containing a format (also available on its website and at possible information desks) ready to be used to object to the prescription and indicate a postal or fax address and an e-mail to which such communication should be sent. Furthermore, the amounts subject to prescription must be automatically excluded from payments in the event that a bank/postal or credit card standing order was chosen as a payment method. In case of presumed responsibility for the billing delay of consumption dating back more than two years attributable to the customer, on the other hand, the seller must indicate in the invoice the total of the amounts related to such consumption - which must be paid - as well as the reasons for the alleged customer responsibility and how to send a complaint to the seller. If the seller foregoes the due payments subject to prescription independently, it will only have to provide adequate information to the customer.

Finally, a consultation is started with all the interested parties in order to make interactions between the operators in the supply chain more efficient and to optimize the collection of data useful for final invoicing. Pending its results, in cases where the seller, not directly responsible for the delay in invoicing the consumption amounts dating back more than two years and who does not have the elements to identify the responsibility for such delay, the seller must fulfil specific information obligations to allow the final customer in any case, to communicate their wish to object to the prescription.

The resolutions are available on the website www.arera.it