

**Codes of Practice for
Trinidad and Tobago
Electricity Commission
(T&TEC)**

April
2018

This document presents the RIC's Final Decision on the Codes of Practice for the Trinidad and Tobago Electricity Commission. The Codes of Practice are essentially a set of customer-related standards, policies, procedures and practices that T&TEC is required to adhere to when dealing with specific consumer issues.

**FINAL
DECISION**

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1.0 INTRODUCTION

Background

The Codes of Practice (Codes) for the Trinidad and Tobago Electricity Commission (T&TEC) are essentially a set of customer-related standards, policies, procedures and practices that T&TEC is required to adhere to when dealing with specific consumer issues. They were initially implemented in 2010 and since its introduction, the Regulated Industries Commission (RIC) has noted a marked improvement in T&TEC's quality of service. However, as part of the RIC's on-going process to ensure that the Codes remain relevant and up to date with best practice, the RIC took the decision to review the Codes.

The Codes were structured and developed having regard T&TEC's operating environment. These Codes aim to:

- protect the interests of customers and vulnerable groups by providing avenues of redress for poor service or for meeting special needs;
- provide customers with greater clarity and understanding about the arrangements for the supply of services; and
- provide T&TEC with certainty about the services that it needs to deliver.

The RIC published for public comment the "Review of the Codes of Practice for Trinidad and Tobago Electricity Commission (T&TEC)" in January 2018. The document was posted on the RIC's website and hard copies were forwarded to all stakeholders, including T&TEC. Advertisements were placed in the daily newspaper informing the public that the RIC was requesting comments from stakeholders over a period of four (4) weeks on the document. Notwithstanding, the RIC only received comments from T&TEC.

This document, presents the RIC's Final Decision approved by the Board of Commissioners on April 27, 2018

Structure of the Document

This document is divided into ten sections.

Section 2 establishes the provision of priority services for the elderly, disabled and chronically ill.

Section 3 outlines the procedures for dealing with customers in default.

Section 4 highlights the disconnection procedures and policies.

Section 5 provides the components of the procedures for the retroactive billing policy.

Section 6 states the provision of accurate billing, range and accessibility of payment methods.

Section 7 outlines the provisions for the handling of customer complaints.

Section 8 establishes the service provider's obligation to maintain a continuous customer education.

Section 9 introduces a new code regarding the procedures for entering customers' premises.

Section 10 outlines the need for the monitoring and evaluation of the codes.

2.0 PROVISION OF PRIORITY SERVICES FOR THE ELDERLY, DISABLED AND CHRONICALLY ILL

The elderly, disabled and chronically ill face challenges in the conduct of their daily activities and it is important that the Service Provider, where possible, attempt to facilitate the special needs of these customers.

In an effort to ensure the facilitation of the special needs of these customers, by the Service Provider the following were proposed

CODE:

2.1 Modification of Buildings

T&TEC must undertake the modification of all its buildings to facilitate easy access for the physically challenged and elderly persons by building ramps at the entrances as necessary. The provision of tactile signs for the visually impaired, bathroom facilities, etc. must also be provided.

2.2 Identification of Service Provider's Personnel

Several methods of identification must be utilized when service provider personnel (or persons acting on behalf of the Service Provider) are on site visits, including identity cards, uniforms and use of vehicles carrying the name and logo of the company. Where possible, large prints substitutes for identity cards should be used in the case of customers who are visually impaired. The use of "passwords" for security purposes must also be included. Access must be sought at times convenient to customers. Where possible these customers must be informed in advance of the date and possible timeframe of the visit.

2.3 Redirection of Bills

The option of redirecting bills to a nominated third party must be provided.

2.4 Large Print Needs

T&TEC must provide, on request by a customer, a large print version of the Customer Education Code (see Section 8), free of charge.

2.5 Advice on the use of Electricity

T&TEC must consider on a case-by-case basis, giving special regard to the circumstances concerning disconnection procedures for these customers and offer advice on the options available.

T&TEC must provide these to customers on request and free of charge:

- advice on how these customers may reduce their electricity costs; and
- advice on the typical running costs of major domestic appliances.

3.0 PROCEDURES FOR DEALING WITH CUSTOMERS IN DEFAULT

The RIC fully recognizes T&TEC's right to collect rates and charges from those who have received services. There is, however, a balance to be struck between recovering debt, and dealing sensitively with those customers who genuinely find themselves in financial difficulty. The overall objective is to increase understanding of customers who are in debt and to explore ways of managing debt problems more effectively. The financial hardship policies, however, are not intended to promote or facilitate customers simply avoiding payment and responsibilities, as non-payment can have a serious impact on the efficiency and financial viability of the service provider. T&TEC must where possible and appropriate, inform customers of all electricity assistance payment programmes available from the State (e.g. Utilities Assistance Programme). T&TEC must have a proactive procedure for dealing with customers in default.

The Procedures for Dealing with Customers in Default will only apply to Residential customers.

CODE:

3.1 Procedure for Determining Customers in Payment Difficulties

T&TEC must have procedures in place for distinguishing customers in hardship from those who are delinquent. It is a customer's responsibility to contact T&TEC if the customer anticipates that payment of a bill by the "due" date may not be possible.

The policy and procedures of T&TEC must:

- provide internal assessment processes designed to make an early identification of a customer's hardship and eligibility using objective criteria such as customer's previous payment history, eligibility for the Low Income Assistance Programme, etc.; and
- provide for staff training and internal responsibilities for the development, management, communication and monitoring of the policy.

3.2 Procedure for Contacting Customers in Default

T&TEC must implement a customer friendly procedure for contacting customers in default. In this regard, T&TEC must:

- be proactive in attempting to contact indebted customers either by letter, telephone, electronic mail, text message, bill message or personal visit. However, bill message must be supplemented with other mediums to contact indebted customers. The manner of such contacts should not be oppressive or threatening;
- have trained and experienced staff to deal professionally with customers to negotiate payment arrangements that reflect the customer's circumstances; and
- contact the customer either by letter or telephone requesting that he/she visit T&TEC within seven (7) days after the due date to negotiate payment arrangements to avoid disconnection

3.3 Payment Difficulties

Where the customer has been identified to be experiencing payment difficulties, T&TEC must offer customers on a case-by-case basis, alternative payment arrangements consistent with a customer's capacity to pay, including:

- offering a range of payment options to enable them to maintain supply while managing their debts;
- providing information on independent financial and other relevant counselling services;
- giving advice on any concessions, or low-income assistance programmes that may be available to the customer to assist with financial hardship;
- offering to extend the "due" date for the payment of bills for some or all of an amount owed;
- offering to waive or suspend interest payments on outstanding amounts; and
- providing energy efficiency information, as a strategy to reduce high bills.

3.4 Deferred Payment Plans

T&TEC must offer residential customers at least the following instalment payment options:

- an interest free instalment plan under which the residential customer is given more time to pay a bill or to pay arrears (T&TEC need not offer an instalment plan if the customer has, in the last 12 months, had 2 plans cancelled for non-payment);
- an arrangement under which the customer may make payments in advance towards future bills; and
- monitor the residential customer's compliance with the plan.

An instalment plan must:

- specify the period of the plan;
- specify the number of instalments and amount to be paid per instalment, duly taking into account customer's consumption needs and capacity to pay;
- specify the maximum down payment (down payment being no greater than 30%); and
- state how the amount of the instalments is calculated.

4.0 DISCONNECTION PROCEDURES AND POLICIES

Disconnection is an inherent component of any utility operations, and may become necessary for a variety of reasons. Unfortunately, it has the potential of becoming contentious if not addressed appropriately. Therefore, T&TEC's disconnection policy must be sensitive and be initiated as a measure of last resort. Usually the main reason for disconnection is the non-payment of recent bills that are due and arrears. Arrears are considered to be any amount outstanding on a customer's account where the customer has not made a full payment or has only made a partial payment against monies owed after the due date.

CODE:

4.1 Disconnection of Customer's Service

(a) Non-payment Disconnection

Customer may be disconnected if the customer has not paid a bill and has not:

- agreed to an instalment plan or other payment option; or
- adhered to make payment in accordance with an agreed instalment plan or other payment option.

(b) Other reasons for Disconnection

Customer may be disconnected when:

- the customer illegally uses electricity;
- the customer tampers with, or permits tampering with, any meter or associated equipment;
- the customer requests a disconnection;
- the service provider reasonably believes that failure to disconnect will, or is likely to cause serious damage to property or safe operation of the network; or
- there is an emergency.

4.2 Obligations Prior to Disconnection

The Service Provider must prior to disconnection provide the customer in writing with the reason for the disconnection and the necessary action required for reconnection of the supply. Additionally, the service provider may disconnect under Section 4.1(a) but before any such disconnection is undertaken, the service provider must:

- contact the customer by two (2) mediums comprising of either letter, telephone, electronic mail, text message or personal visit, advising of the arrears, with not less than twelve (12) days' notice of its intention to disconnect (Final Notice, see Appendix 1) and cautioning that if disconnected, the customer will incur additional costs (disconnection and reconnection fees); and
- verify the “disconnection list” before dispatching the disconnection crew to determine whether the outstanding amount is still due.

4.3 Limitations on Disconnection

Disconnection for non-payment must not take place:

- after 3:00 p.m. of any day;
- on a Friday, on a weekend, on a public holiday or on the day before a public holiday;
- where the amount in dispute is subject to an unresolved complaint procedure in accordance with the RIC Act or the service provider's complaints policy;
- the amount owed by the customer is less than the service deposit of \$95; or
- in the absence of the customer. However, if the customer is absent, a notice must be left on the premises and disconnection may take place if no payment is received within 24 hours.

4.4 Reconnection after Disconnection

A disconnected supply must be promptly reconnected:

- where the customer was wrongfully disconnected by the service provider;
- where the Service Provider has failed to comply with the disconnection procedures;
- when agreement has been reached between the customer and service provider on a deferred payment plan and the payment of any down payment required under the plan;

- when the service provider receives payment of arrears for which the service was disconnected and the authorized disconnection and reconnection fees; and
- after confirmation that the reasons for disconnection no longer exists.

4.5 Timeframe for Reconnection

- A customer's property which has been disconnected and the reason for disconnection no longer exists, must be reconnected within 24 hours; and
- Customers who are disconnected in error must be reconnected within eight (8) hours and should be issued a written apology within three (3) days by the service provider.

5.0 RETROACTIVE BILLING POLICY

There are instances when retroactive billing becomes necessary, which may be applied to any/all classes of customers in the billing system. However, there must be fairness and equity in terms of the retroactive period applied to both parties. The extent of retroactive billing will be dependent on situations where T&TEC or the customer is culpable.

CODE:

5.1 Culpability of Service Provider

T&TEC is deemed culpable when:

- billing classification is incorrect;
- previous billings whether through the use of meter readings, meter constant is incorrect; and
- a meter has stopped or malfunctioned for reasons other than tampering.

5.2 Payment of Overcharges

- where the customer has been overcharged as a result of Service Provider's culpability, the overcharged amount must be credited to the customer's next bill from the date of error; and
- where the customer has been overcharged otherwise than as a result of Service Provider's culpability, the customer must be informed within ten (10) working days of becoming aware of the error and the customer must be credited the full amount.

5.3 Recovery of Undercharged Amounts

Where a customer is undercharged as a result of Service Provider's culpability, the service provider may recover the amount if:

- the amount to be recovered is limited to the amount undercharged up to a maximum of twelve (12) months;
- it allows the customer to pay the amount to be recovered over a time period equal to the period in which undercharging occurred or up to a maximum of twelve (12) months, excluding interest charge;

- it allows the customer to pay the amount to be recovered through a flexible payment plan; and
- where the period of undercharge is less than one (1) year, the customer be billed only for the amount undercharged.

5.4 Culpability of Customer

The customer is deemed culpable when:

- the meter is inaccessible for reading, repair, inspection, replacement or disconnection;
- the installation has been tampered with; and
- there has been a change in usage (e.g. domestic to commercial).

T&TEC has an obligation to notify the customer of their culpability as soon as it has been discovered.

5.5 Retroactive Adjustment where Customer is Culpable

Retroactive adjustment must be limited to the date of offence or a maximum of four (4) years but the Service Provider may also bill the customer for any reasonable additional costs incurred to recover the amount. If T&TEC fails to provide proper notice, the customer can only be billed a maximum of one (1) year.

5.6 Procedure for Notifying Customers

- For retroactive adjustments applying to more than three (3) billing periods, T&TEC must advise the customer in writing, stating clearly the reasons, the period and the quantum of the retroactive billing, and requesting that the customer visit or contact its offices within three (3) weeks of the date of letter to discuss the matter, failing which the retroactive billing would be applied; and
- Upon being contacted by the customer, T&TEC will provide any required clarification of the proposed retroactive billing and advising the customer that a payment plan may be entered into when the adjustment is applied. The adjustment will then be applied to the customer's electricity account. However, if the customer fails to make contact within the three (3) weeks, the retroactive adjustment will then be applied.

5.7 Application of Retroactive Billing

Retroactive Billing will be applied when:

- the adjustment has been discussed with the customer or
- the customer has not responded to T&TEC's invitation to discuss the matter;

T&TEC or the customer has the right to refer the matter to a competent body (eg. RIC or Court) for resolution.

6.0 PROVISION OF ACCURATE BILLING, RANGE AND ACCESSIBILITY OF PAYMENT METHODS

A utility bill should provide important information to customers including the cost, period of the service, and consumption which will help customers inform their decision making process.

CODE:

6.1 Billing Components

All customers are entitled to prompt and regular bills and should be able to receive information on their account from the Service Provider.

The Service Provider must ensure that bills include the following:

- accurate calculations
- state whether they are based on an estimated or actual read
- clearly state the payment due date
- clearly indicate the period being charged for
- the tariff structure
- any V.A.T, interest, credit, customer fee or any other components affecting the billing and;
- the various payment methods available

6.2 Minimum Time for Payment of a Bill

Unless otherwise agreed with the customer, the “due” date specified in the bill must not be less than twelve (12) working days after the date the service provider sends the bill.

6.3 Frequency of Payments

Customers must be allowed to pay weekly, fortnightly, monthly or as so outlined by T&TEC’s standard methods of predetermined payments.

6.4 Payments in Advance

The Service Provider must, at the request of a customer, accept payment in advance.

6.5 Payment Methods

The Service Provider must offer at least the following payment methods to customers:

- in person at any of the offices or designated payment outlets;
- by mail;
- by electronic means; and
- by direct debit under a payment arrangement agreed in accordance with an agreement between the customer and Service Provider.

7.0 HANDLING OF COMPLAINTS

T&TEC provides an essential service and dealing with complaints is an important part of that service. A robust complaint handling system is necessary not only to resolve complaints and satisfy customers but also useful in understanding why customers complain, so the Service Provider can prevent the reoccurrence of complaints and improve the service where necessary. T&TEC must have and comply with policies, practices and procedures for the handling of complaints¹ and the system must meet internationally accepted benchmarks in terms of accessibility, fairness, accountability, efficiency and effectiveness.

CODE:

7.1 Methods for Lodging Complaints/Enquiries

T&TEC must make available all methods by which a customer can lodge a complaint. The process for submission of complaints must be simple, clear and concise and proper contact points must be clearly established:

- **Telephone** – Customers must be provided with relevant telephone contacts including the various times the service would be provided. In cases where the service is unattended, a recorded message must be made available.
- **Letter** – The postal address for written complaints including appropriate contact names must be provided.
- **E-mail address** – The e-mail address must be listed.
- **Opening hours** – The opening hours of all public offices must be clearly specified.
- **Facsimile** – The fax numbers for the various offices must be provided.

7.2 Stages of the Complaints Handling Process

The complaints handling process must have the following steps:

- Initial contact by the customer;
- Acknowledgement of the complaint;

¹ Compensation claims arising from breaches under Guaranteed Standards are to be dealt with according to established procedures.

- Investigation of complaint;
- Notification of resolution of complaint;
- Internal escalation; and
- Other.

Some steps of the complaints process may be excluded depending on the nature of the complaint. The “other” classification allows T&TEC some flexibility to include other stages of the process.

7.3 Complaints and Disputes Resolution Policy

Service Provider’s complaints and dispute resolution policy must provide and:

- respond to a customer’s enquiry/complaint with a substantive response within ten (10) working days of receipt of formal complaint;
- a description of the steps that T&TEC will take with a view of investigating and resolving a complaint and the timescales within which each step is expected to be completed
- a description of remedy/remedies available to the customer on resolution of the complaint which may include but are not required to be limited to: an apology, an explanation, and remedial action;
- have a complaint escalation process with a clear timeframe that gives a customer the right to raise the complaint up to a higher level within the Service Provider’s management structure.

The Service Provider may consider a dispute about non-payment resolved if:

- the complainant has been informed of its decision;
- the complainant has not sought further review and 10 working days have passed; and
- the complainant has not lodged the complaint with the RIC or another external body.

T&TEC must ensure that their employees are aware of the contents of this code and will comply with it at all times. They must be fully trained and courteous at all times.

7.4 Review of Complaints Handling Policy and Procedures

The Service Provider must review its complaints handling process every three (3) years and make amendments as appropriate on the basis of the review. The Service Provider must seek the RIC's approval before implementing any amendments.

8.0 CONTINUOUS CUSTOMER EDUCATION

Customer education is important as it informs the public about rights, responsibilities, redress mechanism, services, policies and procedures of the Service Provider which facilitates better decision making. The Service Provider may introduce new or amend existing policies and procedures which impact on the public. It is therefore necessary to maintain a continuous customer education programme to keep the public informed. The Service Provider must develop and issue a “Customer Education Code” to inform, educate and sensitize all customers about its services, policies and procedures and the rights and responsibilities of the Service Provider and of customers. T&TEC must ensure that the Customer Education Codes are in plain and clear language.

CODE:

8.1 Obligation to provide Customer Education Code

The Service Provider must:

- make the Customer Education Code readily available on its website;
- display and make available upon request copies of the Customer Education Code in brochure format at all its offices; and
- Educate and remind customers about the existence of these Codes of Practice at least once a year.

8.2 Contents of a Customer Education Code

The Customer Education Code must contain at least:

- highlight the rights and responsibilities of the Service Provider and its customers in relation to services performed;
- provide information on electrical safety, quality of service standards, etc.;
- highlight the policies and procedures, especially with respect to the Codes of Practice, request for service and the terms and conditions of supply to customers; and
- provide any other information reasonably required by customers.

9.0 PROCEDURES FOR ENTERING PREMISES

Crime and illegal activities are an increasing problem in Trinidad and Tobago and citizens are becoming increasingly concerned. Notwithstanding the provision contained in Section 37 of the T&TEC Act, which gives T&TEC the power to enter land, cut trees, erect lines and other apparatus, the Service Provider must have regard to the rights of property owners and occupiers and therefore must exercise due diligence when discharging their obligations. Consequently, the RIC has introduced a new Code of Practice – Procedures for Entering Premises.

CODE:

9.1 Procedures for Entering Premises

The Service Provider may find it necessary to enter a customer's premises; however, this should be done at reasonable times. The Service Provider should utilize several methods of official identification for its employees and agents during the discharge of their obligations, which requires them to enter onto someone's property. This may include the following:

- An identity card showing the company name, their own name, a reference number and a colour photograph of the individual;
- The Service Provider will take all necessary steps to ensure that all ID cards are returned when an employee is no longer employed with T&TEC
- Where possible, all vehicles used by the Service Provider for visits to customer's premises will carry its logo;
- Where possible, all employees will wear clothing indicating that they are from the Service Provider for visits to customers' premises;
- As far as practicable, where entry onto a private property is necessary, suitable notice should be issued to the property owner/occupier; and
- Employees or persons acting on behalf of the Service Provider will only be allowed to enter the premises of a customer when allowed by the customer/occupier/owner or where suitable notice provided to the customer/owner has elapsed, except in cases of emergency to protect life and property.

The Service Provider will ensure that their employees and contractors are aware of the contents of this Code and will comply with it at all times.

10.0 MONITORING AND EVALUATION OF THE CODES OF PRACTICE

The monitoring and evaluation of the Codes of Practice for the Trinidad and Tobago Electricity Commission (T&TEC) is crucial to track the implementation and measure the effectiveness of the Codes. It helps to determine whether the Codes are meeting the objectives and when revision may be necessary. Monitoring and evaluation can be used to demonstrate that the Codes have had a measurable impact on expected outcomes and have been implemented effectively. It is critical for developing objective conclusions regarding the extent to which a programme can be deemed a success. Therefore, monitoring and evaluation forms an important basis for the amendments and assessments of the Codes of Practice. The RIC will monitor and report on the Codes of Practice for the Trinidad and Tobago Electricity Commission (T&TEC).

APPENDIX I

Flowchart of Disconnection Process (Final Position 2018)

