

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

April
2018

This document presents the RIC's final position on the amended 2010 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
POSITION**

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1.0 INTRODUCTION

Background

The Regulated Industries Commission (RIC) published for public comment its document “Review of the Codes of Practice for Trinidad and Tobago Electricity Commission (T&TEC)” in January 2018. The Codes of Practice 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 RIC has noted a marked improvement in T&TEC’s quality of service. 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.

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 of Practice. The RIC invited comments from stakeholders over a period of four (4) weeks. 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 on the document. Notwithstanding, **the RIC only received comments from T&TEC.**

1.1 Purpose of this Document

In this document, the RIC reports on the responses received from T&TEC and included are the RIC’s original and final position on the Codes of Practice for T&TEC. Further, the document also provides the rationale for the RIC’s decisions where the Codes have been amended resulting in the final position.

1.2 Structure of the Document

This document is divided into ten sections.

Section 2 examines 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 discusses the disconnection procedures and policies code.

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

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

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

Section 8 discusses the obligation for the service provider to maintain a continuous customer education code.

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

Section 10 discusses the need for the monitoring and evaluation of the codes to determine if objectives are being met and to guide future revisions.

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:

Original Positions

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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this entire section.

Final Position

The original positions are maintained.

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

Original Position

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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this section.

Final Position

The original position is maintained.

3.2 Procedure for Contacting Customers in Default

Original Position

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 or personal visit. The manner of such contacts should not be oppressive or threatening;
- have trained and experienced staff to deal sympathetically 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 to negotiate payment arrangements to avoid disconnection

Comments Received

T&TEC recommended that electronic mail, text message, bill message be included as additional forms of contact and suggested the following edit to the first bullet point.

- be proactive in attempting to contact indebted customers either by letter, telephone, *electronic mail, text message, bill message* or personal visit. The manner of such contacts should not be oppressive or threatening.

In addition, and the word “sympathetically” in the second bullet point be changes to “professionally” and to provide clarity insert “after the due date” after ...days.

Final Position

The RIC accepted T&TEC's recommendations, however bill message must be supplemented with other contact mediums. This is to safeguard against T&TEC using only the bill as a form of contact, as such, the bullet points were amended as indicated below:

- **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

Original Position

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.

Comments Received

T&TEC suggested that customers experiencing “payment difficulties” be replaced with those experiencing “genuine financial” difficulties and has suggested the following edit;

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

Final Position

T&TEC has not provided any rationale for its proposed changes or identified any criteria for distinguishing those customers who have genuine financial difficulties. The RIC is of the view that it may be difficult for T&TEC to determine those customers that have *genuine financial* difficulties as opposed to those who are experiencing payment difficulties. As such payment plans should be offered to those customers who have missed bill payments and request a payment plan to liquidate the arrears. **Therefore, the original position is maintained.**

3.4 Deferred Payment Plans

Original Position

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.

Comments Received

T&TEC suggested that a payment plan be offered to those residential customers who have genuine financial difficulties and has requested that the maximum 30% down payment be removed and the customer's ability to pay be taken into account in determining the amount of the down payment. T&TEC has suggested the following edits to the opening statement and to the 3rd bullet point of the installment plan:

Once it has been determined that a Residential customer is genuinely experiencing financial difficulties, T&TEC must offer on a case by case basis, at least the following payment options:

- *specify a down payment. The amount of the down payment will be determined on a case by case basis, taking into account the customer's ability to pay.*

Final Position

T&TEC has not provided any rationale for its proposed changes or identified any criteria for distinguishing those customers who have genuine financial difficulties. The RIC is of the view that it may be difficult for T&TEC to determine those customers that have genuine financial difficulties as opposed to those who are experiencing payment difficulties. As such payment plans should be offered to those customers who have missed bill payments and request a payment plan to liquidate the arrears. Further, the maximum 30% down payment proposed by the RIC is to ensure transparency and equity amongst all residential customers. The down payment amount should not be at the discretion of T&TEC. **Therefore, the original position is maintained.**

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

Original Position

(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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this section.

Final Position

The original position is maintained.

4.2 Obligations Prior to Disconnection

Original Position

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 either letter or telephone advising of the arrears, with not less than 7 working days' notice of its intention to disconnect (Final Notice) and cautioning that if disconnected the customer may incur additional costs (reconnection fee); and
- verify the "disconnection list" before dispatching the disconnection crew to determine whether the outstanding amount is still due.

Comments Received

T&TEC suggested that the RIC remove the requirement for the customer to be informed in writing of the reason for the disconnection of a property and the required action to be taken to have the supply reconnected. Further, T&TEC recommended that electronic mail, text message, bill message or personal visit be included as additional forms of contact. Also, "arrears" was replaced with "total outstanding balance" and disconnection fee was included as part of the additional costs.

The following edit was suggested to the 1st bullet point above:

- contact the customer by either letter, telephone, *electronic mail, text message, bill message or personal visit*, advising of the *total outstanding balance*, with not less than seven (7) working days' notice of its intention to disconnect (Final Notice) and cautioning that if

disconnected, the customer will incur additional costs (*disconnection and* reconnection fees);

Final Position

The RIC's proposal indicated in the original position above was to address among other things, T&TEC's claim that the extended period of non-collection of rates in the 2010 Code has negatively impacted its operational efficiency and financial viability. Notwithstanding, the RIC has received several complaints from customers whose supply have been disconnected without explanation from T&TEC or its agents. Additionally, in many instances customers are unaware of the steps required to have the supply reinstated. Consequently, this requirement will ensure that customers are aware and are properly notified of the reason for disconnection. Notwithstanding, the RIC is of the view that there is merit in T&TEC's suggestion regarding the forms of contact with the exclusion of "bill message" and the statement is modified to indicate that two (2) different forms of contact may be utilised by T&TEC to contact indebted customers. The RIC has retained the word "arrears" and accepts the inclusion of "disconnection fee". Arrears is a legal term for the part of a debt that is overdue after missing one or more required payments. Consequently, the RIC is of the view that 'arrears' is most appropriate in this context as it takes into account overdue amounts including missed payments for electricity consumed and other charges owing. We also agree with the inclusion of disconnection fee, as this fee and the reconnection fee must be paid by the customer in order for the supply to be reconnected.

Consequently, the timeframe for disconnection has been modified and extended to 12 days after the due date. This will ensure for proper and adequate notification (Final Notice) to be provided to the customer prior to disconnection and will allow the customer adequate time to clear the arrears on the account or enter into a payment plan agreement. In the circumstances, customers will now be allowed a period of 38 days from the date the meter is read, before disconnection for non-payment can be effected (appendix I). Therefore, this section is amended as follows:

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 I) 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

Original Position

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 \$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.

Comments Received

T&TEC suggested that the day and time limitations on disconnections be different for residential and non-residential customers and that the word “service deposit” be included in the 4th bullet point and the complete removal of the last bullet point above. T&TEC did not agree that a notice should be left on the premises giving 24 hours before disconnection could be effected. T&TEC indicated that customers are frequently home and chose not exhibit their presence or have denied entry to the premises. The following edits were suggested:

- on a weekend or on a Public Holiday;
- on a Friday, on the day before a Public Holiday or after 3:00 p.m. of any other day for *Residential customers*;
- *after 12:00 p.m. on a Friday, after 12:00 p.m. on the day before a Public Holiday or after 3:00 p.m. on any other day for non-Residential customers*;
- the amount owed by the customer is less than the *service deposit* \$95.

Final Position

T&TEC did not provide any justification for its proposal for treating with Residential and non-Residential customers differently. The RIC is of the view that the day and timeframe limitations to disconnection should be similar for all categories of customers, as it may be prejudicial to assume that non-residential customers are in a position to meet their commitments to T&TEC more readily than residential customers. The RIC recognizes that the current service deposit for each meter is \$95.00. Consequently, customers will not be disconnected for an amount owed less than the service deposit. The RIC has received complaints from customers regarding T&TEC's personnel or its contractors entering their premises without permission to disconnect the electricity supply. At times entry is gained via the jumping of the wall and fence. Consequently, the RIC stands by its position. However, the RIC would consider the introduction of an administrative charge of less or equal to the disconnection fee when reviewing the miscellaneous charges as T&TEC should be able to recover the cost for visiting the property even though the disconnection was not carried out. Therefore, only the 4th bullet has been amended as follows for the avoidance of doubt:

- **the amount owed by the customer is less than the service deposit \$95.**

4.4 Reconnection after Disconnection

Original Position

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 reconnection fee; and
- after confirmation that the reasons for disconnection no longer exists.

Comments Received

T&TEC recommended that the word “arrears” be replaced with “total outstanding balance” and “disconnection fee” was included as part of the additional cost to have the supply reconnected and have suggested the following edit to the 4th bullet point only.

- when the Service Provider receives payment of *the total outstanding balance* for which the service was disconnected, *inclusive of the disconnection and* reconnection fees; and

Final Position

The RIC has retained the word “arrears” and accepted the inclusion of “disconnection fee”. Arrears is a legal term for the part of a debt that is overdue after missing one or more required payments. Consequently, the RIC is of the view that ‘arrears’ is most appropriate in this context as it takes into account overdue amounts including missed payments for electricity consumed and other charges owing. We agree with the inclusion of disconnection fee as this fee and the reconnection fee must be paid by the customer in order for the supply to be reconnected. Therefore, only the 4th bullet point has been amended as follows:

- **when the service provider receives payment of arrears for which the service was disconnected and the authorized disconnection and reconnection fees; and**

4.5 Timeframe for Reconnection

Original Position

- 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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this section.

Final Position

The original position is maintained

5.0 RETROACTIVE BILLING POLICY

Retroactive billing is an inherent component of the billing system but 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.

Comments Received

T&TEC proposed that the code for Retroactive Billing should only apply to Residential customers.

Final Position

T&TEC did not provide any rationale for its proposal to restrict the Retroactive Billing Policy to only residential customers. The RIC is of the view that the Retroactive Billing Policy applies to all classes customers and not be open to the discretion of T&TEC.

Therefore, the opening paragraph has been amended as follows:

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

Original Position

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.

Comments Received

No comments or objections were received from T&TEC to any of the proposals outlined by the RIC in this section.

Final Position

The original position is maintained

5.2 Payment of Overcharges

Original Position

- 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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this section.

Final Position

The original position is maintained

5.3 Recovery of Undercharged Amounts

Original Position

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.

Comments Received

T&TEC suggested that in instances where the Service Provider is culpable and the customer is undercharged that the billing period be limited to a maximum of two (2) years. Consequently, T&TEC proposed the following changes to this section:

- the amount to be recovered is limited to the amount undercharged up to a maximum of *two (2) years*;
- 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 *two (2) years*, 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 *two (2) years*, the customer be billed only for the amount undercharged.

Final Position

T&TEC did not provide any rationale for the RIC's consideration to change the retroactive period from one (1) year to two (2) years. The RIC is of the firm view that implementing a two (2) year billing policy will be a regressive step as the one (1) year billing policy introduced by the RIC in 2010 was designed to improve the efficiency of T&TEC's billing process and in keeping with best practice in many jurisdictions. Hence **the original position is maintained**

5.4 Culpability of Customer

Original Position

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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this section.

Final Position

The original position is maintained

5.5 Retroactive Adjustment where Customer is Culpable

Original Position

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.

Comments Received

T&TEC recommended that in instances where T&TEC does not provide proper notice that the customer can only be billed a maximum billing period of two (2) years and suggested the following edit:

If T&TEC fails to provide proper notice, the customer can only be billed a maximum of **two (2) years**.

Final Position

T&TEC did not provide any rationale for the RIC's consideration to change the retroactive period from one (1) year to two (2) years. The RIC is of the firm view that implementing a two (2) year billing policy will be a regressive step as the one (1) year billing policy introduced by the RIC in 2010 was designed to improve the efficiency of T&TEC's billing process and in keeping with best practice in many jurisdictions. Hence, **the original position is maintained.**

5.6 Procedure for Notifying Customers

Original Position

- T&TEC must advise the customer in writing, stating clearly the reasons for the retroactive billing and requesting the customer to visit or contact its offices within two (2) weeks of the date of letter to discuss the matter;
- Upon being contacted by the customer, T&TEC must provide details of the reasons, period and quantum of the proposed retroactive billing; and
- If the customer fails to make contact, T&TEC must notify the customer in writing of the reasons, period and quantum of the retroactive billing indicating that failure to object to the conditions within three (3) weeks would result in the retroactive billing being applied.

Comments Received

T&TEC requested that notification be provided only to those customers whose accounts were retroactively billed to more than three (3) billing periods. Also, the notification must be in writing and include the period and quantum of the retroactive billing and giving the customer three (3) weeks to visit or contact T&TEC to discuss the matter. In addition, T&TEC has suggested that the 2nd and 3rd bullets points be merged to include that the customer will be informed that a payment plan can be entered into to clear the arrears on the account and if the customer fails to make contact within the three (3) weeks the retroactive adjustment will be applied to the account: As such, T&TEC has suggested the following edit:

- ***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;

- *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.*

Final Position

The RIC recognizes that there is merit in T&TEC comments and has accepted its suggestion for this section.

- **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

Original Position

Retroactive Billing will be applied when:

- the customer has agreed to the billing;
- the customer has not responded to T&TEC's invitation to discuss the matter; or
- the matter has been referred to mediation/arbitration and the mediator/arbitrator has ruled.

T&TEC or the customer has the right to refer the matter to an independent body for either mediation or arbitration.

Comments Received

T&TEC has suggested an amendment to the 1st bullet point and the removal of the last bullet point.

The proposed amendment is as follows:

- *the adjustment has been discussed with the customer or;*

Final Position

The RIC accepts T&TEC's recommendations. However, it is important to inform the parties that they have the right to refer the matter to a competent independent body (eg. RIC or Court) for resolution as provided for in legislation.

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:

Original Positions

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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this entire section.

Final Position

The original positions are maintained.

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:

Original Positions

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.

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

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;
- 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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this entire section.

Final Position

The original positions are maintained.

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:

Original Positions

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.

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this entire section.

Final Position

The original positions are maintained.

9.0 PROCEDURES FOR ENTERING PREMISES – New Policy

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 will introduce a new Code of Practice – Procedures for Entering Premises.

CODE:

Original Position

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 unto 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 must not enter the premises without permission or an occupier being present 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.

Comments Received

T&TEC requested that the RIC remove the statement in the last bullet point “Employees or persons acting on behalf of the Service Provider must not enter the premises without permission or an occupier being present except in cases of emergency to protect life and property.”

Justification: T&TEC indicated “This will adversely affect the efficiency of its disconnection drive.”

Final Position

The RIC has amended the last bullet point only to take into account Sections 37(1), 56 and 63 of the T&TEC Act.

- **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.**

10.0 MONITORING AND EVALUATION OF THE CODES OF PRACTICE

Original Position

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).

Comments Received

No comments or objections were received regarding any of the proposals outlined by the RIC in this section.

Final Position

The original positions are maintained

APPENDIX I

Flowchart of Disconnection Process (Final Position 2018)

