

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

August
2021

This document presents the Regulated Industries Commission's (RIC's) proposal on the revised Codes of Practice for the Trinidad and Tobago Electricity Commission (T&TEC). The Codes of Practice are a set of customer-related standards, policies, procedures and practices that T&TEC is required to adhere to when dealing with specific consumer issues. The RIC is seeking public comments on this proposal.

**Consultative
Document**

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SECTION I

ABOUT THIS DOCUMENT

Purpose

This document, which is for public consultation, presents the Regulated Industries Commission's (RIC) proposed revision to the Codes of Practice (Codes) for the Trinidad and Tobago Electricity Commission (T&TEC). The Codes are a set of customer-related standards, policies, procedures and practices that T&TEC is required to adhere to when dealing with specific consumer issues. The document presents some new elements and encapsulates features retained from the earlier versions of the Codes, which are still relevant but required some modification. The RIC expects that with the implementation of these revised Codes, there will be further improvement in T&TEC's quality of service in the specific areas, and customers will be more informed of the respective policies and procedures.

Scope

The revised Codes will generally apply to all customer classes except for the Procedures for Dealing with Customers in Default, COP 2.1-2.4. These Codes will only apply to Residential (Rate A) customers.

Structure of the Document

This document is divided into six (6) sections:

Section II provides details on responding to this consultative document.

Section III gives the background and context for the Codes.

Section IV presents the revised Codes and introduces a new code for electricity theft.

Section V discusses how the RIC intends to monitor and evaluate the Codes.

Section VI lists all the main issues for Public Consultation.

SECTION II

RESPONDING TO THIS DOCUMENT

In keeping with the RIC's statutory obligation to consult, stakeholders are invited to comment on this document. All persons wishing to comment are invited to submit their responses in writing to:

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Website: www.ric.org.tt

All responses will normally be published on the RIC's website unless there are good reasons why they must remain confidential. Any requests for confidentiality must be indicated. A copy of this document is available from the RIC's website at www.ric.org.tt

The deadline for submission of comments is 20th September 2021.

SECTION III

BACKGROUND

The RIC is the economic regulator of the electricity, water and wastewater sectors in Trinidad and Tobago and is responsible for regulating prices, quality and standard of service. The RIC Act No. 26 of 1998, sets out the broad principles that the RIC must consider when undertaking this role and, in particular, is required to have regard to the public interest described under Section 6 (3), which states:

“In the performance of its functions, the Commission shall have regard to the public interest and in particular-

- (a) to maximum efficiency in the use and allocation of resources to ensure as far as is reasonably practicable, that services are reliable and provided at the lowest possible cost;*
- (b) to equal access by consumers to service;*
- (c) to fair treatment of consumers and of service providers similarly placed;*
- (d) in respect of consumers similarly placed, to non-discrimination in relation to access, pricing and quality service.*
- (e) current national environmental policy.”*

The Codes were initially implemented in 2010, and since their introduction, the RIC has noted an improvement in T&TEC’s quality of service in these specific areas. The 2010 Codes were reviewed in January 2018, and after consultation, the amended Codes were implemented in April 2018.

Since April 2018, T&TEC has made several recommendations to amend the Codes based on operational issues encountered. In light of the justifications provided by T&TEC, a partial review was conducted on the Disconnection Procedures and Policies. Consequently, amendments were made in August 2020, only to the sections on Disconnection of Customer’s Service, Obligations Prior to Disconnection, and Limitations on Disconnection. Notwithstanding these recent amendments, the RIC decided to undertake a full review of the Codes to ensure they remain relevant and up to date. This review is in keeping with the best practice of a three (3) year review period.

The revised Codes that are being presented were developed having regard to T&TEC's operating environment. These Codes aim to:

- protect the interests of customers and vulnerable groups by establishing appropriate procedures for services and 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.

SECTION IV

THE CODES

In this proposal, the revised Codes were rearranged and codified for ease of reference. The Codes that were retained from earlier versions were also edited to improve clarity and purpose. To ensure compliance and consistency in the delivery of service, T&TEC must provide the appropriate training to all employees and contractors, who should be held to an acceptable level of professional conduct at all times. In addition, internal responsibilities must be assigned for the implementation, management, communication and monitoring of the Codes of Practice to ensure customers receive an acceptable level of service.

1.0 PROVISION OF PRIORITY SERVICES FOR PEOPLE WITH SPECIAL NEEDS

The elderly, disabled and chronically ill face challenges in their daily activities. T&TEC, where possible, must attempt to facilitate the special needs of these customers.

The RIC believes that these Codes have encouraged T&TEC to be more inclusive in its approach, and therefore, the RIC proposes that the following Codes, which were all retained from the earlier version, be maintained.

➤ **CODE: COP 1.1 - Building Accessibility**

T&TEC must modify its buildings, especially its Customer Service Centres, to facilitate easy access for the physically challenged and elderly persons by building ramps at the entrances as necessary. In addition, tactile signs for the visually impaired should be installed in keeping with governing legislation where possible.

➤ **CODE: COP 1.2 - Identification of Service Provider's Personnel**

Suitable arrangements should be made to ensure that customers have confidence that all visits are made by bonafide representatives of T&TEC for legitimate purposes. Where practicable, several identification methods must be utilised when T&TEC's personnel (or

persons acting on behalf of T&TEC) conduct site visits. These should include identification cards and uniforms issued by T&TEC and vehicles carrying the name and logo of the company. Where possible, large print as a substitute for identification cards should be used in the case of customers who are visually impaired. T&TEC must make available upon a customer's request the option of security passwords as an additional security measure for entering the customer's property. For non-emergency matters T&TEC must seek access at times reasonable¹ and convenient to customers. Where practicable, these customers must be informed in advance of the date and possible timeframe of the visit.

➤ **CODE: COP 1.3 - Redirection of Bills**

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

➤ **CODE: COP 1.4 - Large Print Needs**

When requested by a special needs customer, T&TEC must provide a large-print version of the Customer Education Code, free of charge. See COP 7.1 -7.2 below for more details on the Customer Education Code.

➤ **CODE: COP 1.5 - Advice on the Use and Consumption of Electricity**

TTEC must offer and provide information and advice to all customers, particularly to special needs customers on:

- a. how to reduce electricity costs; and
- b. the typical running costs of major domestic appliances.

Comments are invited on COP 1.1 to 1.5:

Whether the proposed Codes to facilitate the special needs of the elderly, disabled and chronically ill are reasonable and adequate.

¹ Reasonable time may be considered during 7.00 am to 6.00 pm for non-emergency matters.

2.0 PROCEDURES FOR DEALING WITH CUSTOMERS IN DEFAULT

This Code is not intended to promote or facilitate customers who may be trying to avoid their payment and obligations to T&TEC, as non-payment can seriously impact T&TEC's financial viability. There is, however, a balance to be struck between recovering the outstanding balances and dealing compassionately with those customers who genuinely find themselves in financial difficulty. The overall objective is to encourage empathy and to explore ways of managing the debt problems more effectively. T&TEC must, where possible and appropriate, inform its customers of any assistance payment programmes available from the Government of Trinidad and Tobago (e.g. the Utilities Assistance Programme).

These Codes, which were all retained from the earlier version, have encouraged T&TEC to be more sensitive to their customer's financial situations. Therefore, the RIC proposes that the Codes 2.1 to 2.4 for dealing with customers in default be maintained.

NOTE: As stated in Section I, the Procedures for Dealing with Customers in Default will apply to Residential customers only.

➤ CODE: COP 2.1 - Procedure for Determining Customers in Payment Difficulties

T&TEC must have policy and procedures in place for distinguishing customers in hardship from those who are delinquent. Its internal assessment processes must be designed to make early identification of a customer experiencing hardship and eligibility using objective criteria such as the customer's previous payment history, usage and suitability for the Utilities Assistance Programme.

It is the customers' responsibility to contact T&TEC if they anticipate that payment of a bill by the "due" date may not be possible.

CODE: COP 2.2 - 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:

- a. be proactive in attempting to contact indebted customers directly by either bill message (the section of the bill marked “IMPORTANT TO NOTE”), letter, telephone, electronic mail, multi-platform messaging App (e.g. WhatsApp), text messaging, or personal visit. T&TEC may supplement other mediums to contact indebted customers. The manner of the interaction should not be oppressive or threatening;
- b. utilise trained and experienced staff to deal professionally with customers to negotiate payment arrangements which take into consideration the customer’s circumstances; and
- c. contact customers either by letter, telephone or any other appropriate medium, requesting that they visit T&TEC within twelve (12) calendar days after the bill due date to negotiate payment arrangements to avoid disconnection.

➤ **CODE: COP 2.3 - Payment Difficulties**

Where the customer has been identified as experiencing payment difficulties, T&TEC must offer, on a case-by-case basis, alternative payment arrangements consistent with the customer’s capacity to pay, which may include:

- a. offering payment options to enable the customer to maintain supply while managing their debts;
- b. advising on concessions or low-income assistance programmes that may be available to the customer to assist with financial hardship;
- c. offering to extend the “due” date for the payment of bills for some or all of an amount owed;
- d. offering to waive or suspend interest payments on outstanding amounts; and
- e. providing general energy efficiency and conservation information as a strategy to reduce high bills.

➤ **CODE: COP 2.4 - Deferred Payment Plans**

T&TEC must offer residential customers who have been identified as experiencing payment difficulties or upon a request from the customer, at least the following instalment payment options:

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

T&TEC must monitor the residential customer's compliance with the plan.

An instalment plan must:

- i. specify the period of the plan;
- ii. specify the payment terms and amount to be paid per instalment, duly taking into account the customer's consumption needs and ability to pay;
- iii. specify the maximum down payment (down payment being no greater than 30%);
and
- iv. show how the instalment payment is calculated.

Comments are invited on COP 2.1 to 2.4:

1. Whether the proposed procedures for determining and contacting customers in default are sufficient.
2. Whether the proposed instalment plan should be interest free or should the Code allow T&TEC to determine if interest should be charged, taking into consideration the payment history and financial position/ability of the customer to pay.
3. Whether the maximum down payment should be no greater than 30% or be based on the capacity of the customer to pay more.

3.0 DISCONNECTION PROCEDURES AND POLICIES

Disconnection is an inherent component of any utility's operations, and may become necessary for various reasons². Usually, the main reason for disconnection is the non-payment of recent bills that are due, resulting in arrears. Arrears are considered to be money outstanding on a customer's account owed after the due date. Unfortunately, disconnections have 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.

These Codes, which were all retained from the earlier version. The RIC believes that they have contributed to the improvement of service, and therefore, the RIC proposes that Codes 3.1 to 3.5 be maintained.

➤ **CODE: COP 3.1 - Disconnection of Customer's Service**

1. Disconnection for Non-payment³

A customer may be disconnected if they have not paid their bill or have not adhered to an agreed payment plan with T&TEC.

To avoid disconnection, a customer:

- a. may request an instalment plan or other payment option; and
- b. must agree to an instalment plan or other payment option as indicated by T&TEC.

2. Disconnection for other reasons

A customer may be disconnected when:

- a. the customer requests a disconnection;
- b. the customer uses or supplies electricity illegally (e.g. supplying electricity through an extension cord either to or from another property);
- c. the customer tampers with, or permits tampering with, any meter or associated equipment;

² The various reasons for disconnection are provided in Code 3.1 – Disconnection of Customer's Service

³ The content of Code 3.1 was amended on August 28, 2020

- d. T&TEC reasonably believes that failure to disconnect will, or is likely to cause serious damage to property or safe operation of the network; or
- e. there is an emergency.

➤ **CODE: COP 3.2 - T&TEC's Obligations Before Disconnection⁴**

Before disconnecting the customer's supply, T&TEC must provide the customer with the reason for the disconnection and the necessary action required by the customer to reconnect the supply. This information must be provided via a letter, text messaging, electronic mail, or multi-platform messaging app (e.g. WhatsApp).

Before disconnecting the customer's supply for non-payment under COP 3.1(1) above, T&TEC must:

- a. make its best efforts to contact the customer directly by at least two (2) mediums advising of the arrears, with not less than twelve (12) calendar 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);
- b. verify the "disconnection list" to determine whether the outstanding amount is still due before dispatching the disconnection crew; and

➤ **CODE: COP 3.3 - Limitations on Disconnection⁵**

- 1. Disconnection for non-payment must not take place:
 - a. on a Friday
 - b. after 3:00 pm. of any other day;
 - c. on the weekend, on a public holiday or on the day before a public holiday;
 - d. where the amount in dispute is subject to an unresolved complaint in accordance with the RIC Act or T&TEC's complaint policy; or
 - e. the amount owed by the customer is less than the service deposit.

⁴ The content of COP 3.2 was amended on August 28, 2020

⁵ The content of COP 3.3 was amended on August 28, 2020 to allow T&TEC to disconnect up to noon on a Friday. However, its Service Centre must be opened in a Saturday to facilitate customer payments to have their supply reconnected within 24 hours (see COP 3.2 (c) above).

2. In instances where a customer is absent or where the meter on the property is not accessible, T&TEC may disconnect at the pole.

➤ **CODE: COP 3.4 - Reconnection**

A disconnected supply must be promptly reconnected:

- a. where T&TEC has wrongfully disconnected the customer;
- b. where T&TEC has failed to comply with the disconnection procedures;
- c. when an agreement has been reached between the customer and T&TEC on a deferred payment plan and the payment of any down payment required under the plan;
- d. when T&TEC has received payment of arrears for which the service was disconnected, and the approved disconnection and reconnection fees; and
- e. after confirmation that the reasons for disconnection no longer exists.

➤ **CODE: COP 3.5 - Timeframe for Reconnection**

- a. Where a customer's supply has been disconnected, and the reason for disconnection no longer exists, the customer must be reconnected within 24 hours; and
- b. Customers disconnected in error must be reconnected within eight (8) hours and should be issued a written apology within three (3) days by T&TEC.

Comments are invited on COP 3.1 to 3.5:

Whether the proposed Codes for the Disconnection Procedures and Policies are reasonable and adequate.

4.0 RETROACTIVE BILLING POLICY

Billing errors are not common, and there are instances when a retroactive adjustment becomes necessary to correct the error resulting from either over-billing or under-billing the customer's account. This error correction may affect all classes of customers in the billing system. The extent of the retroactive billing will be dependent on situations where either T&TEC or a customer is culpable. However, there must be fairness and equity to both parties in terms of the retroactive period applied.

These Codes provide information regarding instances where billing errors occur and the procedure for correcting the error is via retroactive adjustments. The Codes from the earlier version have contributed to the improvement of service and therefore were retained in principle. However, we proposed to modify Codes 4.3 and 4.4 as stated below, for greater clarity.

➤ **CODE: COP 4.1 - Culpability of Service Provider**

T&TEC is deemed culpable when:

- a. billing classification is incorrect;
- b. previous meter readings or meter constant⁶ is incorrect;
- c. the meter has stopped or malfunctioned for reasons other than tampering, and estimated readings are used for billing; and
- d. meter readings are not taken on time.

➤ **CODE: COP 4.2 - Culpability of Customer**

The customer is deemed culpable when:

- a. the meter is inaccessible for reading, repair, inspection, replacement or disconnection;
- b. the installation has been tampered with; and
- c. there has been a change in usage without informing T&TEC (e.g. domestic to commercial).

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

⁶ The meter constant is identified on the T&TEC bill as "Meter Multiplier"

➤ **ODE: COP 4.3 - Recovery of Overcharges – Payments due to the customer**

An overcharge may occur when T&TEC bills a customer for electrical energy, more than what was due⁷ or more than what was actually consumed.

Where a customer is overcharged, the following conditions will apply:

- a. T&TEC must inform the customer in writing, within ten (10) working days of becoming aware of the error through its internal process; and
- b. In instances of a billing error where the customer has been overcharged, and T&TEC is aware of the error, the overcharged amount must be credited to the customer's account in full from the date of the overcharge and reflected in the customer's next bill.

➤ **CODE: COP 4.4 - Recovery of Undercharges – Payments due to T&TEC**

An undercharge may occur when T&TEC bills a customer for less electrical energy than what was due or less than what was actually consumed. The undercharging can occur when T&TEC or the customer is culpable.

1. Where a customer is undercharged but not culpable, T&TEC may recover the undercharges under the following conditions:
 - a. where the period of undercharging is less than one (1) year, the customer must be billed only for that period, and where the period of undercharging is greater than one (1) year, the customer must be billed only for a maximum of one (1) year; and
 - b. where the customer is allowed to pay the amount to be recovered through a flexible payment plan equal to the period in which undercharging occurred or up to a maximum of one (1) year, excluding interest charges.
2. Where a customer is undercharged but culpable, T&TEC may recover the undercharged amount under the following conditions:
 - a. the recovery of the undercharges shall be limited to amounts accrued to a maximum of four (4) years;
 - b. the customer may be billed for any reasonable additional costs incurred to recover the amount, including late payment fees; and

⁷ For example, where the customer rate classification may be incorrect (Residential Rate A, Commercial Rate B or Industrial Rate D)

- c. the recovery of the undercharges shall be limited to amounts accrued to a maximum of one (1) year in instances where T&TEC has failed to provide proper notice under COP 4.2 (a).

Matters related to electricity theft are addressed separately under COP 9.1 below.

➤ **CODE: COP 4.5 - Procedure for Notifying Customers**

- a. For retroactive adjustments involving more than three (3) billing periods, T&TEC must notify the customer in writing, clearly stating the reasons, the period and the quantum of the retroactive billing, and request that the customer visit or contact their office within three (3) weeks of the date of the letter to discuss the matter, failing which the retroactive billing would be applied; and
- b. Upon being contacted by the customer, T&TEC must provide the required clarification on the proposed retroactive billing and advise the customer that a payment plan may be entered into when the adjustment is applied.

➤ **CODE: COP 4.6 - Application of Retroactive Billing**

Retroactive Billing will be applied when:

- a. the adjustment has been discussed with the customer, or
- b. the customer has not responded to T&TEC's invitation to discuss the matter within the three (3) weeks provided.

T&TEC or the customer has the right to refer the matter to a competent body (e.g. RIC or Court) for resolution in the event of a dispute over the charges.

Comments are invited on COP 4.1 to 4.6:

Whether the proposed codes for retroactive billing for T&TEC are fair, reasonable and adequate.

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

A utility bill must provide important information to customers, including the cost, period of the service, tariffs and consumption. Additionally, T&TEC must provide a range of payment methods to help customers make informed decisions as outlined below.

These Codes provide customers with essential information regarding their bills and the range and payment options available. Therefore, the RIC proposes that Codes 5.1 to 5.5 from the earlier version be retained.

➤ **CODE: COP 5.1 - Billing Components**

Customers are entitled to prompt and regular bills and should receive adequate information on their accounts from T&TEC.

1. T&TEC must ensure that bills include the following:
 - a. account number;
 - b. name of the account holder;
 - c. mailing and service address;
 - d. bill date;
 - e. rate (customer classification);
 - f. state whether the bill is based on an estimated or actual reading;
 - g. meter number and the date meter readings were taken;
 - h. units of electricity consumed;
 - i. the tariff structure;
 - j. components of billing charges (VAT, interest, credit, customer fee or any other components affecting the billing;);
 - k. payment due date;
 - l. the various payment methods available; and
 - m. T&TEC's contact information (address, telephone, e-mail, and internet address).

2. Any changes in tariffs must be explained and communicated clearly in an accompanying insert in the first bill issued after implementation. This may be an electronic notice where the customer has chosen this method of billing.

➤ **CODE: COP 5.2 - 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) calendar days after the date T&TEC issued the bill.

➤ **CODE: COP 5.3 - Frequency of Payments**

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

➤ **CODE: COP 5.4 - Payments in Advance**

T&TEC must, at the request of a customer, accept payment in advance. This payment must be no greater than the total value of two (2) previous bills.

➤ **CODE: COP 5.5 - Payment Methods**

T&TEC must offer at least the following payment methods to customers:

- a. in person at any of the offices or designated payment outlets;
- b. by mail;
- c. by electronic payment portals, e.g. T&TEC’s Customer Web Access (CWA) System; and
- d. by direct debit under a payment arrangement agreed between the customer and T&TEC.

Comments are invited on COP 5.1 to 5.5:

Whether the Codes proposed regarding the provision of accurate billing, the range and accessibility of payment methods are reasonable and adequate.

6.0 HANDLING OF COMPLAINTS

T&TEC provides an essential service, and dealing with customer complaints is an important part of that service. A robust complaint handling system is necessary to resolve complaints and satisfy customers and is also useful to improve services where necessary. A crucial element of improving and maintaining customer satisfaction is building strong and positive customer relationships. As part of its focus on building positive customer relationships, T&TEC must comply with its policies and procedures for handling complaints⁸, which should reflect best practices for accessibility, fairness, accountability, efficiency, and effectiveness. The system must be reviewed periodically to identify areas for improvement and address any systemic issues that create poor customer service.

These Codes ensure that a complaint handling process is available for customers to seek redress, if necessary. The RIC, therefore, proposes that Codes 6.1 to 6.4, from the earlier version, be maintained.

➤ **CODE: COP 6.1 - Methods for Lodging Complaints/Enquiries**

The process for submitting complaints must be simple, clear, concise and adequate systems must be established for customers to make a complaint. T&TEC must provide several avenues by which a customer can lodge a complaint which should include:

- a. Telephone – Customers must be provided with relevant telephone contacts and hours of service. In cases where the service is unattended, a recorded message must be made available.
- b. Letter – The postal address for written complaints, including appropriate contact names, must be provided.
- c. E-mail address – The e-mail address must be listed.
- d. In-person visit to offices - The location of all of T&TEC’s Customer Service Centres must be provided.
- e. Any other medium deemed appropriate by T&TEC.

⁸ Compensation claims arising from breaches under the Guaranteed Standards are to be dealt with according to established procedure.

➤ **CODE: COP 6.2 - Stages of the Complaints Handling Process**

The complaints handling process should include the following steps:

- a. Initial contact by the customer;
- b. Acknowledgement of the complaint;
- c. Investigation of the complaint;
- d. Notification of resolution of the complaint;
- e. Internal escalation if the customer is dissatisfied; and
- f. Other.

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

➤ **CODE: COP 6.3 - Complaints and Disputes Resolution Policy**

1. T&TEC’s complaints and dispute resolution policy must:
 - a. provide for a customer to receive a substantive response within ten (10) working days of receipt of the formal complaint⁹;
 - b. describe the steps that T&TEC will take to investigate and resolve a complaint and the timeframe within which each step is expected to be completed;
 - c. indicate the remedy/remedies that are available to the customer on the resolution of the complaint, which may include but are not limited to an apology, an explanation, and remedial action; and
 - d. have a complaint escalation process with a clear timeframe that gives a customer the right to escalate the complaint to a higher level within the T&TEC’s management structure.

2. T&TEC may consider a dispute resolved if:
 - a. the complainant has been informed of its decision;
 - b. the complainant has not sought further review, and ten (10) working days have elapsed; and

⁹ Exceptions may be complaints pertaining to legal/ownership issues which require additional time for investigation.

- c. the complainant has not lodged the complaint with the RIC or another external body.

➤ **CODE: COP 6.4 - Review of Complaints Handling Policy and Procedures**

T&TEC must review its complaints handling process every three (3) years, make amendments as appropriate, and seek the RIC's approval before implementing any material change to its operations.

Comments are invited on COP 6.1 to 6.4:

Whether the Codes proposed for the methods of lodging complaints, the complaints handling process and the complaints and dispute resolution policy are adequate and appropriate.

7.0 CONTINUOUS CUSTOMER EDUCATION

Customer education is important as it informs the public about their rights, responsibilities, and the available redress mechanism. In addition, it also provides information on services that are available and the policies and procedures used by T&TEC, which guide its decision-making in providing its services. T&TEC may introduce new (or amend) existing policies and procedures which impact the public. Therefore, it is necessary to maintain a continuous customer education programme to keep its customers and the public informed of its services and relevant policies and procedures. T&TEC must develop and issue a “Customer Education Code” to inform, educate and sensitise all customers about its services, policies and procedures and the rights and responsibilities of T&TEC and its customers. T&TEC must ensure that the Customer Education Codes are in plain and clear language.

These Codes will ensure that customers have easy access to information on the services offered by T&TEC and the policies and procedures that guide the delivery of those services. It will also ensure that information on customers’ rights and responsibilities are provided. The RIC believes that the Codes, which were all retained from the earlier version and contributed to more informed customers. However, Code 7.2 is to be modified as stated below, for greater clarity.

➤ **CODE: COP 7.1 - Obligation to provide information on the Codes of Practice**

T&TEC must:

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

➤ **CODE: COP 7.2 - Contents of a Customer Education Code**

The Customer Education Code must contain at least:

1. the rights and responsibilities of T&TEC in the provision of services to customers:

- a. the right to fair and equitable treatment by T&TEC;
 - b. the right to non-discrimination concerning access, pricing and quality of service;
 - c. the right to complete and accurate information on its services, electrical safety, quality of service standards and any other information reasonably required by customers;
 - d. the right to obtain redress from T&TEC via a fair and expeditious complaint handling process; and
 - e. the right to privacy and to have confidential information respected and protected.
2. Customers must be made aware of their responsibilities to:
- a. provide adequate and accurate information when requesting T&TEC's services and inform T&TEC of any changes in their contact information;
 - b. inform T&TEC of any change in their use of electricity which may alter or hamper the agreed terms and conditions of their present service;
 - c. pay their bill on time;
 - d. allow identified and authorised employees of T&TEC to enter their premises for purposes related to the supply of electricity;
 - e. not use electricity unlawfully via illegal connections or tampering with the meters or any other device;
 - f. not use electrical equipment in such a manner as to cause unusual voltage fluctuation or other disturbances that may cause harm to the T&TEC's system or other customers;
 - g. inform T&TEC of defective equipment or the existence of any unsafe situation or where necessary, maintain or improve infrastructure as required to avoid disruption in service or damage to property; and
 - h. inform T&TEC of any priority services or special needs or requirements for its services.

Comments are invited on COP 7.1 and 7.2:

Whether the proposed Codes for continuous customer education are appropriate and sufficient.

8.0 PROCEDURES FOR ENTERING PREMISES

T&TEC must be cognisant of customers' concerns, especially about crime and illegal activity, and exercise due regard when it is necessary to enter their premises. Section 37 of the T&TEC Act gives T&TEC the power to enter properties, cut trees, erect lines and other apparatus. However, T&TEC must have regard to the rights of property owners and occupiers and must exercise due diligence when discharging its statutory obligations. T&TEC must ensure that its employees and contractors are aware of the contents of this Code and will comply with it at all times.

This Code was retained from the last version. It provides information to customers regarding the procedures for T&TEC to enter premises. The RIC, therefore, proposes that the Code be maintained.

➤ **CODE: COP 8.1 - Procedures for Entering Premises**

T&TEC may find it necessary to enter a customer's premises to carry out their statutory obligations; however, this should be done at reasonable times or at a time mutually agreed with the customer except in emergency cases to protect life and property.

1. Where practicable, T&TEC should utilise several methods of official identification for its employees and agents who are required to enter into someone's property to conduct their work, which may include the following:
 - a. An identification card showing the company name, the employee/contractor name, a reference number and a colour photograph of the individual;
 - b. Where possible, all vehicles used by T&TEC for visits to customer's premises must carry its logo;
 - c. Where possible, all employees will wear clothing indicating that they are from T&TEC;
 - d. As far as practicable, where entry onto a private property is necessary, suitable notice¹⁰ should be issued to the property owner/occupier;

¹⁰ Suitable notice may be considered 48-72 hours in non-emergency matters. This notice may be given via the most appropriate medium (in person, telephone, writing, text) for the situation.

- e. Employees or persons acting on behalf of T&TEC should enter the customer's premises when allowed by the customer/occupier/owner or where suitable notice provided to the customer/owner has elapsed,; and
- f. T&TEC will ensure that its employees or persons acting on their behalf are held to an acceptable level of professional conduct at all times. They should have full regard for the concerns of customers and use appropriate and courteous language. In addition, due care and respect for the customers' property must be observed.

Comments are invited on COP 8.1:

Whether the proposed Code on the procedures for entering premises are reasonable and adequate.

9.0 ADMINISTRATIVE PROCEDURES AND CHARGES RELATED TO ELECTRICITY THEFT

Electricity theft or “current stealing” occurs when a person deliberately consumes electricity without lawfully paying for it. Electricity theft is a matter of serious concern as it is a significant contributor to T&TEC’s non-technical losses¹¹ or commercial losses. It deprives T&TEC of revenue, affects the quality of supply, increases the load on generating stations, affects the tariff imposed on genuine customers, and compromises the safety of the customer/perpetrator and their premises. Section 72 of the T&TEC Act provides guidance to T&TEC as follows “*every person who maliciously or fraudulently abstracts, causes to be wasted or diverted, consumes, or uses any electricity, is guilty of simple larceny and shall be punishable accordingly.*”

Electricity theft can occur either through authorised connections such as meter tampering, by-passing a meter, or unauthorised connections such as tapping T&TEC’s overhead lines or a neighbour’s service leads, and self-reconnection of a supply without consent. These illegal connections are dangerous and can result in an unsafe supply which can cause burns, shocks, fires, serious injury or even death.

The RIC therefore proposes the introduction of a new Code to deter individuals from this illegal activity. The Code also provides information that should guide T&TEC in addressing this matter from an administrative perspective to recover rates and charges.

NOTE: All policies and procedures related to litigation action by T&TEC to recover outstanding monies are outside the scope of this document.

➤ **CODE: COP 9.1 - Investigation and Action**

The following would apply:

- a. When T&TEC suspects or has been informed that a customer/perpetrator may be engaged in electricity theft, an immediate investigation should be initiated.
- b. Once T&TEC confirms that a customer/perpetrator is engaged in electricity theft, the electricity supply must be disconnected as soon as possible, either from the

¹¹ Non-technical losses, at times called commercial losses, arise when energy is delivered to customers but no revenue is collected by the utility for the delivered energy. These losses are usually as a result of measurement errors, recording errors, and theft

pole or meter/splitter, whichever is deemed necessary at the time to prevent further electricity theft.

- c. If present, the customer/perpetrator must be informed of the prospect of legal and administrative action to be taken by T&TEC regarding the incident.
- d. Following the disconnection, T&TEC must advise the customer in writing, stating clearly the reason for the disconnection and the charges associated with the incident of electricity theft. The notice should include the daily average, period and the quantum of the undercharged billing and any additional cost. The notice should include a request for the customer to visit or contact its offices within three (3) weeks of the date of the letter to discuss the matter.

➤ **CODE: COP 9.2 – Billing Charges for Electricity Theft**

The following would apply when determining billing charges:

- a. In the instance where T&TEC can determine with a reasonable degree of certainty through its meter reading analysis the date the electricity theft commenced, T&TEC would be entitled to recover the full amount of the undercharges.
- b. In the instance where T&TEC cannot determine with a reasonable degree of certainty through its meter reading analysis the date the electricity theft started, the recovery of the undercharges shall be limited to a maximum of four (4) years.
- c. T&TEC is allowed to bill the customer for any reasonable additional costs incurred to recover the amount, including interest charges.
- d. The customer would not be entitled to any payment plan administered by T&TEC.

➤ **CODE: COP 9.3 – Reconnection of Supply**

Reconnection would only occur when the following conditions are satisfied:

- a. when T&TEC receives full payment of the consumption charges for which the service was disconnected, any current stealing investigative and administrative charges and the approved disconnection and reconnection fees;
- b. after confirmation by T&TEC that the reasons for disconnection no longer exists;
and
- c. The submission of a valid Inspection Certificate from the Government Electrical Inspectorate, when deemed necessary.

➤ **CODE: COP 9.4 – Additional Measures**

- a. If the customer fails to make full payment, T&TEC is entitled to recover all money owed related to electricity theft through legal action under Section 95 of the T&TEC Act, which states, “*any fee, expenses, or other moneys recoverable under this Act or under the Regulations or Bye-laws, recovery of which is not otherwise specially provided for, shall be a civil debt recoverable summarily without limit of amount.*”
- b. Where the perpetrator is not a customer, all money owed related to electricity theft will be recovered through legal action as (a) above.
- c. Where practicable, T&TEC should monitor the customer to ensure there are no repeat offences of electricity theft.

Comments are invited on COP 9.1 to 9.4:

Whether the proposed Code for the administrative procedures and charges related to electricity theft are reasonable and adequate.

SECTION V

MONITORING AND EVALUATION OF THE CODES

Monitoring and evaluation of the Codes of Practice for T&TEC are crucial in tracking its implementation and measuring its effectiveness. 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 therefore critical for developing objective conclusions regarding the extent to which a programme can be deemed a success.

The RIC did not have a formalised monitoring framework for the Codes when they were initially developed and implemented in 2010. There was instead a reliance on customer complaints to gauge how well the Codes were performing. The RIC has since developed a formalised framework and will monitor T&TEC's implementation of the Codes of Practice in this fashion to ensure compliance. Customer complaints will continue to be a critical element of this framework. The RIC is committed to providing reports to the public on this aspect of T&TEC's performance.

SECTION VI

COMMENTS ON THE MAIN ISSUES FOR CONSULTATION

The public is invited to comment on the following:

1. Whether the proposed Codes **1.1 to 1.5** to facilitate the special needs of the elderly, disabled and chronically ill are reasonable and adequate.
2. Whether the procedures proposed in **Codes 2.1 to 2.2** for determining and contacting customers in default are sufficient.
3. Whether the proposal outlined in Code **2.4** that instalment plan should be interest free or if T&TEC should be allowed to determine if interest should be charged, taking into consideration the payment history and financial position/ability of the customer to pay.
4. Whether the proposal outlined in Code **2.4** that the maximum down payment for an instalment plan should be no greater than 30% or be based on the capacity of the customer to pay more.
5. Whether the proposed Codes **3.1 to 3.5** for the Disconnection Procedures and Policies are reasonable and adequate.
6. Whether the proposed codes **4.1 to 4.6** for retroactive billing for T&TEC are fair, reasonable and adequate.
7. Whether the Codes **5.1 to 5.5** proposed regarding the provision of accurate billing, the range and accessibility of payment methods are reasonable and adequate.
8. Whether the Codes **6.1 to 6.4** proposed for the methods of lodging complaints, the complaints handling process and the complaints and dispute resolution policy are adequate and appropriate.
9. Whether the proposed Codes **7.1 and 7.2** for continuous customer education are appropriate and sufficient.
10. Whether the proposed Code **8.1** on the procedures for entering premises are reasonable and adequate.
11. Whether the proposed Codes **9.1 to 9.4** for administrative procedures related to energy theft are reasonable and adequate.
12. Whether there are any other areas of customer service not discussed in this document that should be included.

APPENDIX I

Flowchart of Disconnection Process

