

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

February
2022

This document presents the rationale for the position taken by the RIC after considering the comments received from its public consultation on the Codes of Practice for T&TEC.

**FINAL
POSITION**

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SECTION I

BACKGROUND

The Regulated Industries Commission (RIC) is the economic regulator of the electricity, water and wastewater sectors in Trinidad and Tobago and is responsible for regulating prices, and standards for services. The Codes of Practice were implemented in 2010 and reviewed/revised in 2018. On 11th August 2021, the RIC published for public consultation, the “*Review of the Codes of Practice for the Trinidad and Tobago Electricity Commission (T&TEC)*,” which fully reviewed/revised the 2018 Codes. The RIC invited comments on the document from the public and other key stakeholders over a period of four (4) weeks. The document was posted on the RIC’s website and e-mailed to the RIC’s stakeholder listing. Advertisements, inviting the public to comment on the document, were placed in two (2) daily newspapers, and social media platforms, including Twitter, Facebook, Instagram, and LinkedIn.

Purpose of this Document

This document presents the responses the RIC received from its public consultation, specifically those responses from T&TEC. It also presents the RIC’s final position, and the rationale for the position taken regarding the specific Codes.

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, which will only apply to Residential (Rate A) customers.

Structure of the Document

The rest of this document consists of two (2) sections:

Section II presents the Codes, the comments received from stakeholders and the rationale for the RIC’s decision.

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

SECTION II

THE CODES AND COMPLIANCE

The Codes were rearranged and codified for ease of reference. 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 acceptable levels of service.

1.0 PROVISION OF PRIORITY SERVICES FOR PEOPLE WITH SPECIAL NEEDS

Original Position:

The elderly, disabled and chronically ill face challenges in accessing public services. 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.

Comments Received:

- (i) T&TEC - No comment was provided for this section.
- (ii) Public - It was recommended that the word “disabled” be changed to avoid being offensive to some people.

Final Position:

The RIC accepted the recommendation that the word “disabled” may be deemed offensive to some persons and will replace it with “persons with disabilities”, and as such, the first sentence in section 1.0 was amended to read as follows:

The elderly, persons with disabilities, and the chronically ill face challenges in their daily activities to access public services.

Original Position:

➤ **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 entrances. In addition, tactile signs for the visually impaired should be installed in keeping with best practices where possible.

Comments Received:

- (i) T&TEC - No comment was provided for this section.
- (ii) Public - Recommended that T&TEC install proper and adequate signage.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

➤ **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.

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

Where practicable, these customers must be informed in advance of the date and possible timeframe of the visit.

Comments Received:

- (i) T&TEC - No comment was provided for this section.
- (ii) Public - It was agreed that T&TEC employees should have T&TEC uniforms and logos on the vehicles. The use of security passwords upon request from the customer was also agreed upon. However, it was recommended that, where possible, the T&TEC's employee name be provided to the customer prior to the site visit.

Final Position:

The RIC accepts the recommendation that, where possible, the name of the T&TEC employee shall be provided to the customer prior to the site visit as this may give customers a better sense of security. As such, the last sentence in COP 1.2 was amended to read as follows:

Where possible, these customers must be informed in advance of the date and possible timeframe of the visit and the name of the T&TEC employee who will be visiting.

Original Position:

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

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

Comments Received:

- (i) T&TEC - It was recommended that the procedure for the redirection of bills be referred to in this section.
- (ii) Public - It was agreed that the redirection of bills to a third party is a practicable idea.

Final Position:

T&TEC did not provide the RIC with the procedure for the redirection of bills nor any rationale for including the procedure for the redirection of bills in their response to the RIC's consultative

document. The RIC is of the view that the procedures should also be supplied to customers upon request. As such, COP 1.3 was amended to read as follows:

The option of redirecting bills to a nominated third party must be provided, including information on the procedures to be followed.

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - No comment was provided for this section.
- (ii) Public - It was recommended that T&TEC’s representatives visit areas once a month to confirm how many customers are visually impaired, and those customers can put forward their request for large print needs.

Final Position:

The RIC is of the view that the recommendation received from the public requires significant resources and may prove too onerous for T&TEC to undertake. We believe that requests for “large print needs” initiated by the customer to T&TEC are sufficient to meet the needs of consumers. **Therefore, the original position is maintained.**

Original Position:

➤ **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 customers² on:

² A special needs customer is a person who may have disabilities such as visual and hearing impairment, or have reading and learning challenges or who may need additional help with communication and decision making.

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

Comments Received:

- (i) T&TEC - It was advised that the Energy Management Module of the Customer Web Access (CWA) is available to the customer.
- (ii) Public - It was recommended that T&TEC should once a month via radio or television conduct a brief program on how to reduce the cost of electricity. Additionally, leaflets can be inserted in the newspaper.

Final Position:

The provision of information on energy efficiency and conservation by utility companies demonstrates a level of social responsibility as this type of information is expected by utility customers. This code addresses what information should be provided rather than what medium should be used. In this regard, T&TEC will be better positioned to determine the most cost-effective communication options to be utilised to disseminate the information. **Therefore, the original position is maintained.**

2.0 PROCEDURES FOR DEALING WITH CUSTOMERS IN DEFAULT

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

Original Position:

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).

Comments Received:

- (i) T&TEC - Agreed with this position
- (ii) Public - It was noted that customers who are indebted to T&TEC could cause issues when receivables are not paid on time. It was recommended that customers notify T&TEC of their difficulty to pay and make an amicable agreement to pay off the debt.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

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

T&TEC must have policies 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.

Comments Received:

- (i) T&TEC - Indicated that it should not be their responsibility to have policies and procedures in place for distinguishing customers in hardship from those who are delinquent, as it will require additional resources to achieve. In addition, T&TEC agreed with the provision of the code and indicated that 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.
- (ii) Public - The internal assessment process of identifying if a customer is genuinely experiencing hardship was agreed with. However, the respondent was not in agreement with the statement, "*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,*" as the respondent felt that customer may be apprehensive that informing T&TEC of this may lead to disconnection.

Final Position:

The requirement for electricity distribution utilities to have policies and procedures for distinguishing customers in hardship from delinquent customers is well established in regulations in many jurisdictions as observed in UK, Australia and USA. Further, the RIC is aware that T&TEC has policies and procedures, which guide its deferred payment plans. The RIC is of the view that it is the responsibility of customers who may be experiencing payment difficulties to be proactive, and contact T&TEC to discuss the matter and explore alternative payment arrangements to avoid disconnection. **Therefore, the original position is maintained.**

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - With specific reference to part (a), advised that customers are reluctant to share their contact numbers. When customers change their cell numbers they do not inform T&TEC. Also advised that the Commission does not engage in any offensive behaviour. Further, T&TEC agreed with part (b) and with respect to part (c) suggested rewording of the sentence to “... *any other appropriate medium, where possible, requesting that...*”
- (ii) Public - No comment was received for this section.

Final Position:

The RIC's view is that T&TEC must make efforts to contact indebted customers via an appropriate medium. If a customer is unreachable via telephone, then other attempts should be pursued using available mediums. We maintain that interactions with customers be courteous and respectful. We agree with the editorial change suggested by T&TEC for part (c). As such part (c) of Code 2.2 was amended to read as follows:

- c. **contact customers either by letter, telephone or any other appropriate medium, where possible, requesting that they visit T&TEC within twelve (12) calendar days after the bill due date to negotiate payment arrangements to avoid disconnection.**

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - Advised that when T&TEC is culpable and the customer enters into a payment arrangement, the late payment charges should be waived.
- (ii) Public - No comment was received for this section.

Final Position:

T&TEC's justification for applying "late payment charges" is based on their determination of culpability. However, the issue of culpability is inappropriate and does not arise, as the Code is intended to address instances where customers are "experiencing payment difficulties" and are unable to pay their bill. The RIC is of the view that the inclusion of interest may further contribute to the customer's financial difficulty. **Therefore, the original position is maintained.**

Original Position:

➤ **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 Received:

- (i) T&TEC – With respect to part (a), recommended that the proposed instalment plan should only be interest free, if T&TEC is culpable. If the customer is culpable interest should apply at the discretion of T&TEC. Further, T&TEC is of the view that having one (1) plan cancelled within 12 months for non-payment is adequate justification for not offering another instalment plan. With respect to item (iii), T&TEC recommended that the down payment of the instalment plan should be a **minimum** of 30%. The reason for this suggestion is that in most cases, customers can afford to pay a down payment of greater than 30%.
- (ii) Public - (a) recommended that interest be charged to delinquent customers. However, no interest should be applied to customers who are genuinely experiencing financial difficulties. With respect to item (iii), recommended that customers can pay a higher percentage of at least 40%. However, customers who are in genuine difficulty can be allowed a customised payment plan, which is appropriate to the situation.

Final Position:

T&TEC's justification for applying "late payment charges" is based on their determination of culpability. However, the issue of culpability is inappropriate and does not arise, as the Code is intended to reduce the financial burden in instances where customers are "experiencing payment difficulties" and are unable to pay their bill, via the use of a deferred payment plan. The RIC is of the view that customers who are experiencing payment difficulties and require a payment plan to settle arrears may not be in a financial position to pay interest charges. However, if a customer has been identified as being delinquent, after careful review of the payment history and ability to pay, T&TEC, at their discretion, may apply interest charges. As such, part (a) of COP 2.4 was amended to read as follows:

- 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 one (1) plan cancelled for non-payment);**

In addition, a new subsection, part (c) was included as follow:

- c. If after T&TEC's internal assessment, a residential customer is identified as being delinquent, T&TEC may apply interest charges to the instalment plan

The RIC recognises that the recovery of monies owed is important to the efficient operations of T&TEC and accepts the recommendation proposed by T&TEC, that the down payment should be a minimum of 30%. If the customer can afford to pay more, the down payment can be higher if requested by the customer. As such, item (iii) under the instalment plan in COP 2.4 was amended to read as follows:

- iii. specify the minimum down payment (down payment being no less than 30%);**

The original position for the rest of COP 2.4 is maintained

3.0 DISCONNECTION PROCEDURES AND POLICIES

Original Position:

Disconnection is an inherent component of any utility's operations, and may become necessary for various reasons³. Usually, the main reason for disconnection is the non-payment of recent bills that are due, and 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.

Comments Received:

- (i) T&TEC - No comment was provided for this section.
- (ii) Public - Agreed that disconnection should be the last resort of rectifying indebtedness.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

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

1. Disconnection for Non-payment

Customers 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:

³ The various reasons for disconnection are provided in Code 3.1 – Disconnection of Customer's Service

- 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;
- 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.

Comments Received:

- (i) T&TEC - No comment was provided for this section.
- (ii) Public - This Code was agreed upon as it was noted that there were measures in place to accommodate customers who request a payment plan, and it is also the customer's responsibility to honour the plan. It was also agreed that the reasons for disconnection are justifiable and reasonable.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

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

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

Comments Received:

- (i) T&TEC - Advised that customers are very reluctant to share their cell numbers and e-mail address. This adversely affects T&TEC’s ability to communicate with customers.
- (ii) Public - It was recommended that when a customer cannot be reached via letter, text message or electronic mail a representative can visit the home and inform the customer of the Commission’s intention to disconnect.

Final Position:

The RIC’s view is that the customer is responsible for providing T&TEC with updated contact information. We think that it essential that T&TEC makes its best efforts to contact customers to inform them of the reason for the disconnection, and the requirements for reconnection. This may be beneficial to both T&TEC and the customer as payment may be made as outlined in COP 5.5, or a payment plan arranged as outlined in COP 2.4 to avoid disconnection. The RIC recognises that it may not be practical for T&TEC to visit customers to inform them of the Commission’s intention to disconnect the supply. **Therefore, the original position is maintained.**

Original Position:

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

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.
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.

Comments Received:

- (i) T&TEC - With respect to part (1), recommended rewording to read “*Disconnection for non-payment should not take place in the following instances. However, T&TEC reserves the right to disconnect at any time in special circumstances*”
- (ii) Public - Agreed with the measures outlined in this section and found them to be more than reasonable. It was noted that there was a window to allow the customer to make a payment, which shows compassion and empathy.

Final Position:

The RIC recognises T&TEC’s right to disconnect a supply in special circumstances other than for non-payment. However, the intent of the code is to establish some measure of structure and clarity for customers regarding disconnection for non-payment in particular. The right to disconnect at any time in special circumstances is not appropriate under COP 3.3, but may be applicable under COP 3.1 (2) Disconnection for other reasons. **Therefore, the original position is maintained.**

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - Agreed with the proposals outlined in this section.
- (ii) Public - Agreed that all the reasons for immediate reconnection to a customer are reasonable and substantiated.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

➤ **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 Received:

- (i) T&TEC - Required clarification on part (b) whether it was three (3) working days or calendar days of the disconnection or reconnection. T&TEC suggested that the period be five (5) working days, *"if for example the reconnection occurs on a Thursday or Friday this would allow sufficient time to prepare and submit a response to the customer."*
- (ii) Public - Agreed that reconnection within a 24 hour period is reasonable and adequate. It was noted that disconnection in error should not occur, but the timeframe for reconnection of 8 hours is within reason and acceptable should the case arise.

Final Position:

The RIC accepts T&TEC's recommendation to allow for the written apology to customers disconnected in error, to be issued within five (5) working days. We agree that this would give T&TEC sufficient time to prepare the correspondence. As such only part (b) of Code 3.5 was amended to read as follows:

- b. Customers disconnected in error must be reconnected within eight (8) hours and should be issued a written apology within five (5) working days by T&TEC.**

4.0 RETROACTIVE BILLING POLICY

Original Position:

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, as defined in COP 4.1 and COP 4.2. 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.

Comments Received:

- (i) T&TEC - T&TEC enquired if this code and any of the sections within apply to a specific rate class of customers.
- (ii) Public - No comment was received for this section.

Final Position:

The scope of the document advised that the Codes will apply to all customer classes except for the Procedures for Dealing with Customers in Default (COP 2.1-2.4 which will only apply to Residential (Rate A) customers). As such, the second paragraph was amended to read as follows:
The Retroactive Billing Policy applies to all classes of customers. These Codes provide information regarding instances where billing errors occur and the procedure for correcting the error is via retroactive adjustments.

Original Position:

➤ **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 constant⁴ 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.

Comments Received:

- (i) T&TEC - Indicated that further discussion is required, but no information was provided for the RIC's consideration.
- (ii) Public - No comments were received in this section.

Final Position:

Given the fact that no comments were received from the public and T&TEC did not provide information for the RIC's consideration on this section, **the original position is maintained.**

Original Position:

➤ **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. If T&TEC fails to provide proper notice, the customer can only be billed for a maximum of one (1) year.

Comments Received:

- (i) T&TEC - No comment was received in this section.
- (ii) Public - It was noted that it is the responsibility of the customer to ensure the meter is deemed accessible to T&TEC's personnel when they need to conduct meter reading, repair,

⁴ The meter constant is identified on the T&TEC bill as "Meter Multiplier"

and inspection. No customer should interfere with property of T&TEC, this is illegal. Meters are the property of T&TEC.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

➤ **CODE: 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 due⁵ 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.

Comments Received:

(i) T&TEC - When the customer is culpable, T&TEC proposes that the amount to be credited to the customer's account be limited to four (4) years. T&TEC should not be requested to credit the full amount. This is grossly unfair to the Commission.

(ii) Other - It was agreed upon that the proposals outlined in this section are competently outlined and reasonable.

Final Position:

⁵ For example, where the customer rate classification may be incorrect (Residential Rate A, Commercial Rate B or Industrial Rate D)

T&TEC did not provide any rationale why the reimbursement to the customer should be changed from crediting the full amount from the date of the overcharge to a limited period of four (4) years. The RIC's view is that the overcharged amount must be credited to the customer's account in full, as the customer has overpaid T&TEC. The RIC hopes that by stipulating that the full amount to be credited to the customer, this may prove to be an incentive for T&TEC to improve the efficiency of the billing process. **Therefore, the original position is maintained.**

Original Position:

➤ **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
 - 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.

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

Comments Received:

- (i) T&TEC - With respect to part (1), proposes that when T&TEC is culpable the amount to be recovered from the customer be limited to 24 months. With respect to part (2), recommends that where a customer is undercharged but culpable, the recovery of the undercharges should be limited to six (6) years because they are culpable and not four (4) years as a deterrent. T&TEC also recommended that the recovery of undercharges be limited to a period of two (2) years and not one (1) year as a strong deterrent, in instances where T&TEC has failed to provide proper notice under COP 4.2.
- (ii) Public - It was agreed that the proposals in this section were both reasonable and flexible.

Final Position:

With respect to part (1), T&TEC did not provide any rationale for the RIC's consideration to change the period from one (1) year to two (2) years, where a customer is undercharged but not culpable. The RIC is of the view that implementing a two (2) year retroactive billing policy is a regressive step as the one (1) year billing policy introduced in 2010 was designed to improve the efficiency of T&TEC's billing policy and in keeping with best practice in many jurisdictions.

With respect to part (2), T&TEC did not provide any rationale for the RIC's consideration to change the period from four (4) years to six (6) years, where a customer is undercharged and culpable. In determining a timeframe, the RIC is guided by the Limitation of Certain Actions Act, which prescribes the period of four (4) years for recovery. Further, T&TEC did not provide any justification why they should retroactively bill a customer for two (2) years and not one (1) year when they have failed to provide proper notice to the customer. The RIC is of the view that it is essential that T&TEC informs the customer of the billing error as soon as it is discovered. The RIC hopes that by limiting the amounts accrued to a maximum of one (1) year, this will provide an incentive to T&TEC to improve the efficiency of the billing system. **Therefore, the original position is maintained.**

Original Position:

➤ **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 visits or contacts 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.

Comments Received:

- (i) T&TEC - T&TEC recommended that for retroactive adjustments the billing period should be five (5) periods instead of three (3) periods, as the cost of communicating with customers is very costly, specifically since T&TEC has not had any increase in the rates for over ten years.
- (ii) Public - No comments were received in this section.

Final Position:

The RIC is of the view that five (5) periods, which cover ten (10) months, is too lengthy a period for a customer not to be informed of the existence, reasons, period and the quantum of the retroactive billing. We believe a shorter time, of three (3) periods, which cover six (6) months, is sufficient time for T&TEC to notify customers of retroactive adjustments. A shorter time period will also allow for the quicker repayment of the money owed. This can provide an incentive to T&TEC to improve the efficiency of the billing system. **Therefore, the original position is maintained.**

Original Position:

➤ **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 Received:

- (i) T&TEC - T&TEC recommended that the retroactive billing should be applied if the customer has not responded to T&TEC's invitation to discuss the matter within two (2) weeks instead of three (3) weeks. They indicated that two (2) weeks is sufficient time for the customer to visit their office or respond to T&TEC's invitation.
- (ii) Public - It was agreed that three (3) weeks is sufficient and a reasonable timeframe for a customer to respond to T&TEC.

Final Position:

The RIC's view is that a customer should make every effort to respond or visit T&TEC to discuss the retroactive billing as soon as possible. The retroactive billing will be automatically applied to the customer's account, if the customer does not respond to T&TEC's invitation to discuss the matter. In the circumstances, the time to respond should be reasonable to afford customers ample opportunity to receive T&TEC's correspondence and visit T&TEC's office. **Therefore, the original position is maintained.**

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, outlined below, to help customers make informed decisions. These Codes provide customers with essential information regarding their bills and the range and payment options available.

Original Position:

➤ 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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - It was noted that the bill contains all the relevant details and are quite legible and easily understandable to the customer.

Final Position:

There were no objections received. **The original position is maintained.**

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - It was recommended that a longer period of time be allowed for a customer to pay a bill, as twelve days can be too short.

Final Position:

The recommendation submitted by the public did not suggest an appropriate period that would be deemed sufficient to pay a bill. However, customers must also be cognizant that the electricity bill represents a request for payment for electricity already consumed for which cost has already been incurred by T&TEC. The RIC is of the view that a period of twelve (12) calendar days is sufficient time for a customer to make a payment, as a longer period may have an adverse financial impact on T&TEC’s operations. **Therefore, the original position is maintained.**

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - No comments were received in this section.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - No comment was received in this section.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

➤ **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 Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - The option of payment "by mail" was not agreed upon. It was noted that a dispute may arise if T&TEC does not receive the payment. Mail containing cash may encourage theft and not be delivered to T&TEC.

Final Position:

The RIC's view is that T&TEC must offer customers a range of payment methods to enable easy access for bill payments. Customers can choose the most convenient method. The Postal Service strongly discourages customers from mailing cash due to safety reasons, and customers should seek alternative methods if they wish to submit payments in cash to T&TEC. Payments submitted by mail are usually via cheque, and the RIC believes that this option should be available for customers who choose to submit payment via this method. **Therefore, the original position is maintained.**

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 complaints⁶, 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.

Original Position:

➤ **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, and 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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.

⁶ Compensation claims arising from breaches under the Guaranteed Standards are to be dealt with according to established procedure.

- (ii) Public - Agreed that the proposals outlined are reasonable and acceptable.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - Agreed that the proposals outlined are reasonable and acceptable.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

➤ **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 complaint⁷;

⁷ Exceptions may be complaints pertaining to legal/ownership issues, which require additional time for investigation.

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

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - Agreed that the proposals outlined are reasonable and acceptable. However, the timeframe in COP 6.3 1(a) is inconsistent with the Quality of Service Standards.

Final Position:

To ensure consistency with the Quality of Service Standards part (a) of Code 6.3 was amended to read as follows:

- a. **provide for a customer to receive a substantive response within fifteen (15) working days of receipt of the formal complaint**

The original position for the rest of COP 6.3 is maintained.

Original Position:

➤ **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 Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - Agreed that the proposals outlined are reasonable and acceptable.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

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 is provided.

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.

- (ii) Public - It was recommended that T&TEC hold public meetings to educate the public, distribute leaflets and also receive feedback regarding their services. Additionally, T&TEC can post videos on YouTube to further educate the public. It was also noted that once a year to educate and remind the public of the Codes of Practice is insufficient and it should be done every six (6) months.

Final Position:

The RIC has noted the points submitted and is of the view that the publication and easy accessibility of the Customer Education Code on T&TEC's website and offices at all times are sufficient to meet the needs of customers. If T&TEC elects to, they can embark on other various methods of public education to remind the public of the Customer Education Code more often than the required once per year. To minimise advertising costs, T&TEC may consider increasing education to the public via social media platforms. **Therefore, the original positions are maintained.**

Original Position:

➤ **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 the 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 Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - It was agreed that the contents are adequate easily understandable and appropriately outlined.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

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 provides information to customers regarding the procedures for T&TEC to enter premises.

Original Position:

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

T&TEC may find it necessary to enter a customer's premises to carry out its statutory obligations; however, this should be done at reasonable times or at a time mutual 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 unto a private property is necessary, suitable notice⁸ should be issued to the property owner/occupier;

⁸ 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 its behalf are held to an acceptable level of professional conduct at all times. Such persons 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 Received:

- (i) T&TEC – In agreement with the provisions of this Code. However, T&TEC advised that contractors are not given T&TEC uniforms.
- (ii) Public - It was noted that Contractors do not have proper and legible signage on their vehicles. It was agreed that the Procedures for Entering premises are reasonable and adequate.

Final Position:

The Code 8.1 requires **employees** of T&TEC, where possible to wear clothing indicating that they are from T&TEC, and where possible vehicles to carry T&TEC's logo. The RIC recognises that "Contractors" are not employees of T&TEC and are not expected to wear T&TEC's uniforms or have vehicles that display T&TEC's logo. While it is not a requirement of the Code, T&TEC should issue an authorisation letter to their contractors and insist that their contractors wear clothing indicating the name of the contracting company to ensure consistency with the policy. **Therefore, the original position is maintained.**

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 losses⁹ 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, bypassing 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 litigative action by T&TEC to recover outstanding monies are outside the scope of this document.

⁹ 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

Original Position:

➤ **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 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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - No comments were received in this section.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

➤ **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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code...
- (ii) Public - No comments were received in this section.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

Original Position:

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

Reconnection would occur only when the following conditions are satisfied:

- a. when T&TEC receives full payment of the consumption charges for which the service was disconnected, as well as 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.

Comments Received:

- (i) T&TEC - In agreement with the provisions of this Code. However, T&TEC recommended that the following “*The submission of a valid Inspection Certificate from the Government Electrical Inspectorate, when deemed necessary*” be amended to include “*The Inspection Certification must be issued after the date of the discovery of the incident*”

- (ii) Public - It was agreed that the Codes for the administrative procedures and charges related to the electricity theft are reasonable and adequate. It was suggested that a database be maintained of perpetrators who have had an illegal connection or tampered with the electricity supply in any way.

Final Position:

The RIC accepts T&TEC's recommendation, as such only part (c) of Code 9.3 was amended to read as follows:

- c. The submission of a valid Inspection Certificate from the Government Electrical Inspectorate, when deemed necessary by T&TEC. The Inspection Certification must be issued after the date of the discovery of the incident.**

Original Position:

➤ **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 Received:

- (i) T&TEC - In agreement with the provisions of this Code.
- (ii) Public - No comments were received in this section.

Final Position:

No objection was received for this section. **Therefore, the original position is maintained.**

SECTION III

MONITORING AND EVALUATION OF THE CODES

Original Position:

Monitoring and evaluation of the Codes of Practice for T&TEC are crucial in tracking its implementation and measuring its effectiveness, and are useful tools for determining 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.

Comments Received:

- (i) T&TEC – No comments were received in this section.
- (ii) Other – It was suggested that to determine if the Codes of Practice are effectively implemented customers should be urged to continuously provide feedback for the improvement of service.

Final Position:

There were no objections received in this section and the comments received supported the RIC's position of monitoring and evaluation of the Codes of Practice. The RIC accepts the recommendation, that customers should be given the opportunity to provide feedback on the

effectiveness of the Codes. Therefore, the 2nd paragraph of the original position was amended to include this last sentence as follows:

“The RIC will periodically conduct a survey to determine customer’s perception on the effectiveness of the Codes of Practice.”

APPENDIX I

Flowchart of Disconnection Process

