

INDEPENDENT REGULATORY COMMISSION
ADMINISTRATIVE ORDER
1/2009
Document Ref: 2009/002/O

This Administrative Order is made by the Independent Regulatory Commission (hereafter referred to as the Commission) in exercise of the powers conferred on the Commission by Section 41 of the Electricity Supply Act 10 of 2006 (the Act) of the Commonwealth of Dominica.

1. This Order may be cited as the:
Dominica Electricity Services Ltd Quality of Service Standards Order
2. **Whereas** the Commission issued Consultative Document 2009/002/CD entitled “Quality of Service Standards for Electricity Supply”, dated April 23 2009 and invited public responses and comments; and
3. **Whereas** such comments as were received were duly considered by the Commission and the Commission issued a further Consultative Document 2009/002/CD-001 entitled “Quality of Service Standards for Electricity Supply – Draft Decision” dated September 23, 2009 which reflected the Commission’s thinking after having reflected on the comments received following the first issue of the document and invited further public responses and comments; and
4. **Whereas** following the closing date for receipt of comments, the Commission finally decided on the Quality of Service Standards for Electricity Supply at its meeting on September 18, 2009; and
5. **Whereas** the Commission published its Decision 2009/002/D on October 10, 2009; and
6. **Whereas** S.41 of the Act provides “*The Commission shall, by notice, published in the Gazette, issue such other administrative orders and rules as are necessary for exercising its powers and performing its duties in the implementation of policies under this Act*”
7. The Commission now **ORDERS** that Dominica Electricity services shall adopt and implement the Guaranteed Standards and Overall Standards as set out in Decision 2009/002/D which is appended hereto as Annexure 1.
8. For the avoidance of doubt the effective dates for the various standards are reproduced below:

Time table for implementing Guaranteed Standards

Standard	Short Description	Guarantee
GS01	New connection of supply (Simple)	April 1, 2010
GS02	Change of Meter to "Pay – as – you –go" service	April 1, 2010
GS03	New Connection to Supply – Complex	April 1, 2010
GS04	Billing punctuality. Time for first bill to be mailed after service connection	January1, 2010
GS05	Estimated Bills	January 1, 2010
GS06	Responding to billing and payment queries	April 1, 2010
GS07	Reconnection of service after settling of overdue amounts or agreement on payment schedule	January 1, 2010
GS08	Investigation of voltage complaints	January 1, 2010
GS09	Response to emergency calls (blown fuse, burnt service connections and similar single customer/limited area events)	January 1, 2010
GS10	Payments due under guaranteed standards	April 1 & Sept 1, 2010

9. Those Guaranteed Standards that become effective in January 2010, the regime for compensatory payments will be effective on April 1, 2010. Those standards that come into effect in April 2010, the regime for compensatory payments will be effective on September 1, 2010.

The Overall Standards shall be phased in over a twelve (12) to eighteen (18) month period, where formal reporting on the standards will commence in January 2011.

10. Levels of Compensatory payment

For residential customers - \$12.00 per breach

For commercial and industrial customers - \$33.00 per breach

11. Compensatory payments shall be credited to customers' accounts on the next bill after the payment is due pursuant to GS11, and shall be shown as a specific line item on statements when such amounts are credited stating "**Compensatory payment for breach of GS**" or other appropriate text agreed with the Commission

12. For the avoidance of doubt, the Commission will not allow these payments as an expense item on the company's accounts.

13. Commencing March 2010, DOMLEC shall provide quarterly reports to the Commission providing detailed information on its performance against each standard and in the case of the Guaranteed Standards estimates of the exposure for compensatory payments, as well as the amounts actually paid out.

14. The Commission will review the standards scheme at each tariff review and will make appropriate adjustments after consultation on these occasions.

BY ORDER OF THE INDEPENDENT REGULATORY COMMISSION

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Lancelot McCaskey
Executive Director
December 15, 2009

ANNEXURE 1

2.0 DECISION

The Quality of Service Standards for electricity supply shall comprise Guaranteed Standards and Overall Standards.

Guaranteed standards are service criteria which the utility will guarantee as a basic level of service to individual customers. In providing this guarantee the utility will undertake to make a compensatory payment to the affected customer, should the standard be breached.

Overall standards are service criteria which affect the public supply system generally and therefore large groups of customers. Breaches of these standards have an overall impact on delivery of service either to customers generally or impact on the technical performance of the power system. Although there are no direct compensatory payments under this group of standards, the Commission will take the performance of the Utility in these regards into account at tariff reviews.

2.1 Guaranteed Standards

GS01 New Connection to Supply - Simple (no pole required)

Definition:

The service provider must complete a new connection of supply within five (5) working days after submission of all payments and documentation. This requirement will not apply where the service provider and customer agree to a specific date for the connection to be made; in which case the date agreed will become the standard for the particular transaction.

Purpose: Consumers should receive service within a reasonable time, once all the requirements have been met.

GS02 Change of meter to “Pay – as –you - go” or vice versa

Definition:

The service provider must complete a meter change to a prepaid meter (pay –as u-go service) or vice versa within seven (7) working days after the customer has met all the conditions for “Pay – as – u – go” service. This requirement will not apply where the service provider and customer

agree to a specific date for the meter change to be made; in which case the date agreed will become the standard for the particular transaction.

Purpose: Consumers should receive the new service mode within a reasonable time, once all the requirements have been met.

GS03 New Connection to Supply – Complex (poles, transformers or system reinforcement required)

Definition: Where system reinforcement or expansion is required to effect a supply to a single customer or group of customers, the service provider must, no later than 30 days after receipt of all information to support the application, make a commitment in writing to the applicant, and keep that commitment, offering a date on which the system will be available for individual service connections - after all conditions required of the customer have been met. [The date offered should be reasonable after having taken into consideration the scope and scale of the work involved]. Once the works are completed, GS06 will apply for the individual connections.

Purpose: To encourage the service providers to be responsive to customers who may have invested in development projects and whose success depend on timely connection of electricity service.

GS04 Billing Punctuality - Time for first bill to be mailed after service connection

Definition:

Provider must mail the first bill within 45 days after providing a new connection or establishing a new account.

Purpose: This is to ensure that consumers are not burdened with too long a period to be billed for new services. A heavy financial strain can be put on the consumer if the first statement is not rendered promptly.

GS05 Estimated Bills

Definition: A customer should not receive two consecutive estimated bills.

Purpose: To ensure that customers are billed on the basis of actual meter readings and are not subject to the uncertainties occasioned by a lack of confidence in estimated bills rendered by the service provider.

GS06 Responding to Billing and Payment Queries

Definition:

The service provider must respond in a substantive manner to a customer's billing and payment queries within 15 working days.

Purpose: To encourage the service provider to pay close attention and be responsive to consumers' queries and complaints.

GS07 Reconnection of Service after settling of overdue amounts or agreement on payment schedule

Definition:

The service provider must restore service to a customer within 24 hours after the outstanding bill, including the reconnection fee, has been settled by the customer or an agreement on a payment schedule has been reached. Reconnection shall be effected on the next business day if the expiration of the 24 hour period falls on a Sunday or Public Holiday.

Purpose: This is to ensure that consumers who were disconnected for failure to settle outstanding bills are reconnected promptly after settling the amounts for which the account was disconnected.

GS08 Investigation of Voltage Complaints

Definition:

Where the customer either has reported that he believes that the supply is or has been outside the permitted voltage range, or reports an event which might reasonably lead DOMLEC to believe that a supply is outside the permitted voltage range, DOMLEC must visit the affected premises to ascertain if a problem does in fact exist, and shall notify the customer, within 15 working days of receipt of the report, of its findings. If DOMLEC finds that a problem does in fact exist, the notification shall include a commitment, which must be kept, as to when the corrective action will be completed.

Purpose: This is to ensure that the problems that arise from voltage fluctuations are dealt with promptly to, among other things, reduce the risk of equipment damage.

GS09 Response to emergency calls

Definition:

In the case of an emergency call from individual consumers, the service provider must respond and take corrective action within 4 hours of the time that the call is logged. This standard does not apply to wide area outages but localized situations generally served by single transformers such as blown fuses, burnt service connections and similar single customer/limited area events.

Purpose: To encourage the service provider to respond to and correct routine trouble calls promptly.

GS10 Payments due under Guaranteed Standards

Definition:

Once a breach has been brought to the company whether by claim by a customer or automatically by the company, DOMLEC will have 45 days in which to make a substantive response and to make the compensatory payment. Failure to meet this standard will result in a further compensatory payment being due within 30 days and will repeat itself until the payment is made.

Purpose: The consumer should be compensated within a reasonable period.

Compensatory Payments for breaches of Guaranteed StandardsClaims

There will be two possible procedures for triggering a claim for breach of a Guaranteed Standard.

- 1) For certain standards, the customer, having recognized that there is a breach, must make a claim on the company within 60 days in a format and manner designed by the company. This will be treated similarly to a billing complaint to which the company is required to provide a substantive response within the guaranteed period (15 days). Based on the outcome of its investigation, the company then makes the payment within the guaranteed period.
- 2) For other standards, the company recognizes that there is a breach and automatically makes the payment to customer within 45 days of the breach. If the customer recognized that the breach took place and does not receive the compensatory payment within the 45 days (reflected on his bill rendered immediately after the expiry of 45 days) a claim may be made, within 30 days, directly on the company. In these circumstances, failure to make the payment in the first instance shall also be treated as a breach of GS10.

Schedule 1, which forms part of this Decision, summarizes the Guaranteed Standards and also sets out the modality (C - claim) or (A - automatic) for triggering and resolving claims.

If the customer is dissatisfied with the responses of the company, the IRC may be requested to resolve the matter. In these circumstances the parties will agree that the Decision of the Commission will be final.

Levels of Compensatory payment

- 1) **For residential customers** - \$12.00 per breach
- 2) **For commercial and industrial customers** - \$33.00 per breach

Compensatory payments shall be credited to customers' accounts on the next bill after the payment is due pursuant to GS11, and shall be shown as a specific line item on statements when such amounts are credited stating ***"Compensatory payment for breach of GS"*** or other appropriate text agreed with the Commission

For the avoidance of doubt, the Commission will not allow these payments as an expense item on the company's accounts.

2.2 Overall Standards

OS01 Line faults repaired within specified period of fault being reported

Definition

The service provider is required to repair 95% of line faults within 16 hours of reported fault.

Purpose: To measure the service provider's performance against GS08 and to encourage diligence in attending to distribution system outages generally.

OS02 Billing Punctuality - mailing of bills after meter reading

Definition

The service provider is required to mail 100% of all bills within 5 working days after meter reading.

Purpose: To ensure prompt delivery of bills after meter reading so as to provide the opportunity for customers to receive bills in good time before the due date.

OS03 Frequency of meter testing

Definition:

The service provider should randomly test annually 10% revenue meters (three phase and single phase) that are over 5 years in service.

Purpose: To promote customer confidence in the accuracy of meters.

OS04 Prior notice of Planned Interruptions

Definition:

In the case of a planned interruption, the service provider is required to give three (3) days advance notice of the interruption 100% of the time. The notice must specify the expected date, time and duration of the outage and areas affected.

Purpose: To ensure that customers are given adequate notice of planned outages.

OS05 Street Lights Maintenance

Definition

The service provider is required to repair 100% of failed street lights under its control within 10 working days after receiving notification.

Purpose: To secure prompt repairs of faulty street lights not only for public lighting and safety reasons but also to maintain equity in the billing and payment for street lighting services.

OS06 Response to Meter Complaints

Definition:

The service provider is required to provide a substantive response to a customer's reported meter concerns or request for a meter test within 15 working days 95% of the times.

Purpose: To measure the service provider's responsiveness to meter complaints and to promote customer confidence in the accuracy of meters.

Schedule 2, which forms part of this Decision, summarizes the Overall Standards.

2.3 Force Majeure

During conditions of Force Majeure the service provider may apply to the Commission for suspension of any or all of the standards. Such application, which must be made within 5 days of the event, must specify the nature of the force majeure condition, the areas affected and the period and the standard(s) for which the suspension is requested. In its response the Commission will provide clear details as to the terms of its acceptance or modification or reasons for its denial of the request.

Force Majeure means an event or circumstance, which prevents the service provider from performing its obligations, which is not within the reasonable control or the result of negligence of the service provider and which by the exercise of due diligence the service provider is unable to overcome or avoid or cause to be avoided. Events of Force Majeure may include but are not limited to Acts of God, fire, flood, earthquakes, war; acts of terrorism, strikes, walkouts, lockouts and other action of labour arising from labour disputes.

2.4 Implementation of Standards Scheme

Table 2.4.1 sets out the timetable for the implementation of the Guaranteed Standards.

Table 2.4
Proposed time table for implementing Guaranteed Standards

Standard	Short Description	Guarantee
GS01	New connection of supply (Simple)	April1, 2010
GS02	Change of Meter to "Pay – as – you –go" service	April1, 2010
GS03	New Connection to Supply – Complex	April1, 2010
GS04	Billing punctuality. Time for first bill to be mailed after service connection	January1, 2010
GS05	Estimated Bills	January1, 2010
GS06	Responding to billing and payment queries	April1, 2010

GS07	Reconnection of service after settling of overdue amounts or agreement on payment schedule	January1, 2010
GS08	Investigation of voltage complaints	January1, 2010
GS09	Response to emergency calls (blown fuse, burnt service connections and similar single customer/limited area events)	January1, 2010
GS10	Payments due under guaranteed standards	April1 & Sept1, 2010

It should be noted that although the some standards become Guaranteed Standards in January 2010, the regime for compensatory payments will not come into effect until April 1, 2010. The intention is to allow the company time to test its systems for recognizing breaches and to adjust its billing system to enable the introduction of a new field for the compensatory payments to be identified on customers' bills. For those standards that come into effect in April 2010, the regime for compensatory payments will be effective on September 1, 2010.

The Overall Standards shall be phased in over a twelve (12) to eighteen (18) month period, where formal reporting on the standards will commence in January 2011. During the prior twelve (12) months, the Commission expects that DOMLEC will progressively collect and provide base line data for the various standards so there will be appropriate reference points for comparison when the formal reporting commences one year later.

2.6 Reports to the Commission

Commencing March 2010, DOMLEC shall provide quarterly reports to the Commission providing detailed information on its performance against each standard and in the case of the Guaranteed Standards estimates of the exposure for compensatory payments, as well as the amounts actually paid out.

2.7 Review of Standards

The Commission will review the standards scheme at each tariff review and will make appropriate adjustments after consultation on these occasions.

SCHEDULE 1**Guaranteed Standards**

Standard	Short Description	Guarantee	Claim Mode
GS01	New connection of supply (Simple)	Must complete within five (5) working days	Automatic
GS02	Change of meter to “Pay - as - you - go” service	Must complete within seven (7) working days	Automatic
GS03	New Connection to Supply – Complex	Must make a commitment in writing, (and keep the commitment), as to completion of the works.	Claim
GS04	Billing punctuality. Time for first bill to be mailed after service connection	45 days	Claim
GS05	Estimated Bills	Customer must not receive 2 consecutive estimated bills.	Claim
GS06	Responding to billing and payment queries	Substantive reply within 15 working days	Automatic
GS07	Reconnection of service after settling of overdue amounts or agreement on payment schedule	Within 24 hours	Automatic
GS08	Investigation of voltage complaints	Respond and commit to solution within 15 working days of receipt	Automatic
GS09	Response to emergency calls (blown fuse, burnt service connections and similar single customer/limited area events)	Must respond and correct problem within 4 hours	Claim
GS10	Payments due under guaranteed standards	Within 45 days of receipt of claim OR 45 days after breach for automatic payments	Automatic

SCHEDULE 2 Overall Standards

Standards	Short Description	Standard
OS01	Line faults to be repaired within 16 hours of fault being reported (not including blown fuses or single customer events)	95%
OS 2	Billing and punctuality. Bills to be mailed within 5 working days after meter reading	100%
OS 3	Frequency of meter testing - Annual testing of a specified random sample of meters that have been in service over 5 years	10%
OS 4	3 days prior notice of planned interruptions	100%
OS 5	Street light maintenance - faulty street lights to be repaired within 10 days of report	100%
OS 6	Substantive response to customer meter complaint or request for meter test within 15 days	95%