



UTILITIES REGULATION AND COMPETITION AUTHORITY APPROVED

Issue Date: 29 October 2019

Contents

1	Introduction.....	3
2	URCA’s Assessment of BPL’s Revised CPP	4
2.1	URCA’s Assessment of the Revised CPP	6
2.2	Paperless Billing Initiative.....	10
3	URCA’S Final Approval of BPL’s CPP and Service Standards.....	11
	Overall Standards	13
	Guaranteed Standards of Service.....	16
	Index of Other Charges.....	16
4	Next Steps.....	18
	APPENDIX II: BPL’s Revised CPP.....	19

1 Introduction

The Utilities Regulation and Competition Authority (“URCA”) issues this approval on the Bahamas Power and Light’s Company Limited (“BPL”) Consumer Protection Plan (“CPP”). This approval is based on URCA’s analysis of the revised CPP, in exercise of its power under section 40 (4) and (5) of the Electricity Act, 2015 (“EA”), and follows URCA’s Statements of Results and Final Determination ES 06/2018 issued on 22 August 2018.

The process for approval of BPL’s CPP commenced with the submission by BPL of its proposed CPP on 25 February 2017, in accordance with the provisions of section 40 of the EA. In accordance with the requirements of s 40, URCA conducted a consultation on the BPL CPP commencing with the issuance on 29 May 2017 of its “Consultation Document on: The Bahamas Power and Light’s Consumer Protection Plan” (ES 04/2017). During the consultation process, URCA received comments from the general public during town meetings held in New Providence, Abaco and Eleuthera, but no written comments were submitted.

The Statement of Results and Final Decision (ES 06/2018) set out URCA’s assessment of the CPP and URCA’s response to the comments received during the consultation process. It also set out the changes that BPL needed to make to the CPP for it to be approved by URCA. BPL was required to submit the final revised version of the CPP to URCA within thirty (30) calendar days from the publication of the Statement of Results and Final Decision. BPL failed to submit the BPL revised and amended CPP within the allotted time period, or in accordance with several verbal reminders issued thereafter. Consequently, in a letter dated 22 August 2019 URCA gave notice to BPL that failure and /or refusal of BPL to submit the BPL revised and amended CPP by close of business on 29 August 2019 would result in URCA taking the appropriate regulatory measure(s) against BPL.

Under cover of a letter dated 29 August 2019, BPL submitted its revised CPP incorporating, among other things, the revisions as set out by URCA in its Statement of Results and Final Decision.

This document now sets out URCA’s assessment of BPL’s revised and amended CPP. It also presents URCA approval of the CPP to be implemented and enforced.

The remainder of this document is set out as follows:

Section 2: URCA’s Assessment of the revised CPP

Section 3: URCA’s Approval of BPL’s CPP and service Standards

Section 4: Next Steps.

Appendix: BPL Consumer Protection Plan

2 URCA's Assessment of BPL's Revised CPP

In the Statement of Results and Final Decision (ES 06/2018) URCA concluded that the proposed CPP submitted by BPL to URCA for consideration failed to:

- (i) include reliability indicators as overall standards in accordance with industry best standards;
- (ii) provide a detailed process to resolve consumer disputes;
- (iii) include timeframes for accelerated dispute resolution related to billing;
- (iv) provide for the two types of vulnerable customers (i.e., economic and physical);
- (v) establish adequate timeframes to reconnect electricity service after wrongful disconnection in accordance with industry best standards;
- (vi) specify the equipment and devices the public can use to verify their electricity consumption;
- (vii) describe the process for contacting consumers to notify that their meters will be tested by BPL and to disclose the results of the test at the consumers' request;
- (viii) provide for the revision of charges for meter testing in accordance with industry best standards; and
- (ix) specify the manner in which customer complaints will be logged with BPL to ensure that the customer will be able to follow-up on the status of a complaint made by such customer.

Consequently, having made the decision, in exercise of its powers under section 40(4) of the EA, URCA mandated BPL to:

- A. Revise and amend its proposed Consumer Protection Plan to the extent that it shall:
 - (i) include reliability indicators as overall standards in accordance with industry best standards;
 - (ii) provide a detailed process to resolve consumer disputes;
 - (iii) include timeframes for accelerated dispute resolution related to billing;
 - (iv) provide for the two types of vulnerable customers (i.e., economic and physical);
 - (v) establish adequate timeframes to reconnect electricity service after wrongful disconnection in accordance with industry best standards;
 - (vi) specify the equipment and devices the public can use to verify their electricity consumption;
 - (vii) describe the process for contacting consumers to notify that their meters will be tested by BPL and to disclose the results of the test at the consumers' request;
 - (viii) provide for the revision of charges for meter testing in accordance with industry best standards; and
 - (ix) specify the manner in which customer complaints will be logged with BPL to ensure that the customer will be able to follow-up on the status of a complaint made by such customer.

- B. Submit to URCA its revised and amended proposed Consumer Protection Plan in accordance with the items set out in section (A) above no later than thirty (30) calendar days after the publication of the Statement of Results and Final Decision.

Against the foregoing URCA reviewed the revised CPP and found that for all intent and purposes URCA's requests and recommendations had been taken into consideration and incorporated into the revised CPP document by BPL. In Table 3.1, URCA presents its analysis of the revised CPP. The table shows URCA's Final decision to revise the CPP, URCA's assessment of the revisions made to the CPP, and URCA's comments regarding the changes made to the revised version of the CPP.

2.1 URCA’s Assessment of the Revised CPP

URCA’s requested revisions	Revisions made to the CPP	URCA’s assessment
include reliability indicators as overall standards in accordance with industry best standards;	No revision made to the CPP as BPL did not include reliability indicators as overall standards in accordance with industry best standards;	URCA believes that reliability indices such as average duration of interruptions per customer (SAIDI) ¹ and average frequency of interruptions per customer (SAIFI) ² are indicators that are used in accordance with industry best practice. However, given that BPL realistically does not have the technological capacity to collect, store, process and report on such reliability data currently, URCA believes it prudent to mandate BPL to include in the next revision of the CPP. This timeline is consistent with BPL’s proposed roll out of reliability improvement initiatives and technology enhancements over the next 3 – 5 years.
provide a detailed process to resolve consumer disputes;	If a consumer objects or disagrees with any decision or action proposed or performed by BPL, the revised CPP outlines how BPL will manage the resolution process.	URCA’s requested revision was fulfilled.
include timeframes for accelerated dispute resolution related to billing;	In the revised CPP BPL posited that once a departmental review of the case has concluded, the information will be forwarded to the Director - Customer Services for approval.	URCA finds that BPL complied with its request to include timeframes for accelerated dispute resolution related to billing.

¹ SAIDI, System Average Interruption Duration Index calculated by dividing the sum of all customer interruption durations, in minutes, by the total number of customers served.

² SAIFI, System Average Interruption Frequency Index calculated by dividing the total number of sustained customer interruptions by the total number of customers served.

URCA's requested revisions	Revisions made to the CPP	URCA's assessment
	A response will then be provided to the customer within 20 days. Following this review, if the consumer remains dissatisfied, the consumer may contact URCA for intervention.	
provide for the two types of vulnerable customers (i.e., economic and physical);	BPL recognized two categories of vulnerable customers: economically vulnerable customers and physically vulnerable customers. An economically vulnerable person satisfies the criteria for levelized billing and has met the criteria approved by the Director of Social Services as prescribed by the annual poverty line index published in the Bahamas Household Expenditure Survey. BPL described a physically vulnerable customer is a customer who is unable to take care of themselves by reason of age, illness, disability or any other similar reason and may be harmed through the loss of electricity services to the building in which they are domiciled.	URCA finds that BPL complied with its request to provide for the two types of vulnerable customers (i.e., economic and physical)
establish adequate timeframes to reconnect electricity service after wrongful disconnection in accordance with industry best standards;	BPL revised CPP has submitted that BPL will reconnect electricity service after wrongful disconnection within 6 working hours of notification by the consumer and verification by BPL.	URCA finds that BPL complied with its request to establish adequate timeframes to reconnect electricity service after wrongful disconnection in accordance with comparable ³ industry best standards.
specify the equipment and devices the public can use to verify their electricity consumption;	BPL did not specify the equipment and devices the public can use to verify their electricity consumption.	In light of changing technology URCA believes it is reasonable for BPL not to specify the equipment and devices the public can use to verify their electricity consumption.

³ URCA recognizes the uniqueness of The Bahamas with its several Islands and the degree to which the system is established or developing.

URCA's requested revisions	Revisions made to the CPP	URCA's assessment
<p>describe the process for contacting consumers to notify that their meters will be tested by BPL and to disclose the results of the test at the consumers' request;</p>	<p>BPL revised CPP has described the process for contacting consumers to notify that their meters will be tested by BPL and to disclose the results of the tests to the customers.</p> <p>BPL will provide acknowledgement within 5 days and response within 15 days to advise resolution or whether additional testing/investigation is required.</p>	<p>URCA finds that BPL complied with its request.</p>
<p>provide for the revision of charges for meter testing in accordance with industry best standards;</p>	<p>BPL revision of the CPP provides for the revision of charges as follows:</p> <ul style="list-style-type: none"> • Testing of Meter due to High/Low Consumption Complaint where no defect is found in the meter - \$15.00 • Testing of Meter due to High/Low Consumption Complaint where the meter is deemed defective or the % error of the meter or metering installation exceeds 2.5% - \$25.00 	<p>URCA finds that BPL provide for the revision of charges for meter testing. The charges are within best practice and are for meter inspection and testing if the correctness of a meter belonging to BPL is challenged by the consumer.</p> <p>Note: If the challenged meter is found to be incorrect, credit of these charges will be given to the consumer, otherwise these will be forfeited</p>
<p>specify the manner in which customer complaints will be logged with BPL to ensure that the customer will be able to follow-up on the status of a complaint made by such customer.</p>	<p>BPL has specified the manner in which customer complaints will be logged for the following:</p> <ul style="list-style-type: none"> • Billing • Power Quality and Service Interruption • Tree Trimming • Street Lighting 	<p>URCA finds that BPL complied with its request.</p>

URCA's requested revisions	Revisions made to the CPP	URCA's assessment
	<ul style="list-style-type: none"><li data-bbox="632 207 1289 277">• Damage of Electrical/Electronic Apparatus and Spoilage	

2.2 Paperless Billing Initiative

BPL has also added details on its planned Paperless Billing initiative in the revised CPP. Paperless Billing means consumers receiving their bills via email and text message. BPL offers immediate implementation of paperless bill for consumers whose choice is not receiving paper bills, while providing those consumers who still desire to have a paper bill the choice to opt out of the paperless option.

URCA has given approval for BPL's Paperless Billing Initiative whilst ensuring that BPL safeguards the rights (e.g., accessibility, affordability, transparency, etc.) of specific classes of consumers in relations to the billing and delivery process as enshrined in the EA.

The following are cited as some of the benefits of paperless billing for customers:

- Customers will receive an email each month with the amount due, due date and a link to the customer bill;
- Customers will have access to their bill statement immediately rather than having to wait for it in the mail; and
- Customer can sign up to receive an alert by text, email, phone call – or all three.

3 URCA'S Final Approval of BPL's CPP and Service Standards

The Utilities Regulation and Competition Authority ("URCA") issues this Approval pursuant to section 38(3)(g) of the Electricity Act, 2015 ("the EA"). This Approval requires the Bahamas Power and Light Company Limited ("BPL") to implement its Consumer Protection Plan ("CPP"), in the form set out in Annex 1.

WHEREAS:

- I. Section 22 of the EA designates URCA as the independent regulator of the electricity sector for The Bahamas and empowers it to exercise and perform its functions and powers in accordance with the provisions of the EA and the Utilities Regulation and Competition Authority Act ("URCA Act");
- II. Section 37 of the EA provides that *"the primary role of URCA is the regulation of the electricity sector in accordance with the goals, objectives and principles underpinning the national energy and electricity sector policies"*;
- III. Section 37(2)(k) of the EA provides that URCA, in the regulation of the sector shall *"ensure consumer protection and support appropriate billing, credit and collection practices"*;
- IV. Section 40(1) of the EA imposes an obligation on BPL to submit to the URCA for approval a plan proposing standards for the protection of its electricity consumers;
- V. Section 40(2) of the EA establishes those matters that must be included in the consumer protection plan;
- VI. Section 40(3) of the EA requires URCA to, before granting its approval, publish the proposed consumer protection plan for public consultation;
- VII. Section 40(4) of the EA provides that URCA may, on completion of the public consultation, require a public electricity supplier to revise the proposed protection plan";
- VIII. Section 40(5) of the EA provides for *"The plan or revised plan, as the case may be, shall upon approval by URCA be implemented and enforced"*
- IX. Section 41(2) of the EA requires URCA to allow persons with sufficient interest a reasonable opportunity to comment on proposed regulatory and other measures which, in the opinion of URCA, are of public significance and give due consideration to the comments received prior to introducing the regulatory measures and other measures;
- X. Section 42 of the EA provides that a regulatory measure is likely to be of public significance where it relates to electricity supply systems or services and can lead to one or more of the following:
 - a) *major change in the activities carried out by URCA;*
 - b) *a significant impact on persons carrying out activities in areas regulated by URCA; and*

c) a significant impact on the general public in The Bahamas;

- XI. On 5 May 2017 BPL resubmitted its Consumer Protection Plan (CPP) to URCA proposing standards for the protection of its electricity consumers;
- XII. In discharge of its statutory duty under section 40(3) of the EA to publish the proposed CPP for public consultation, on 29 May 2017 URCA published the BPL CPP -ES 04/2017 and invited interested parties with sufficient interest in the matters set out in the Consultation Document to submit written comments to URCA by 31 August 2017; and
- XIII. Between August and November 2017 URCA held town meetings with residents on the Family Islands of Abaco, Eleuthera, Long Island and New Providence as part of its consultation process in relation to the CPP.
- XIV. URCA conducted a review of the CPP and considered that the CPP plan was not in full compliance with the statutory requirements under section 40(2) of the EA and not in line with best industry practices. Based on its review, on 17 November 2017 URCA advised BPL that changes were required to the CPP, taking into account URCA's concerns and recommendations;
- XV. On 17 January 2018, BPL resubmitted its revised CPP to URCA. Consequential to URCA's review of the revised CPP, URCA considers that there are key concerns and recommendations made by URCA essential to the protection of its electricity consumers that have not been incorporated in the revised CPP;
- XVI. On 22 August 2018 URCA issued its Statement of Results and Final Determination on BPL's CPP - ES 06/2018. This Decision required BPL to:
 - A. Revise and amend its proposed Consumer Protection Plan to the extent that it shall:
 - include reliability indicators as overall standards in accordance with industry best standards;
 - provide a detailed process to solve consumer disputes;
 - include timeframes for accelerated dispute resolution related to billing;
 - provide for the two types of vulnerable customers (i.e., economic and physical);
 - establish adequate timeframes to reconnect electricity service after wrongful disconnection in accordance with industry best standards;
 - specify the equipment and devices the public can use to verify their electricity consumption;
 - describe the process for contacting consumers to notify that their meters will be tested by BPL and to disclose the results of the test at the consumers' request;
 - provide for the revision of charges for meter testing in accordance with industry best standards; and

- Specify the manner in which customer complaints will be logged with BPL to ensure that the customer will be able to follow-up on the status of a complaint made by such customer.

B. Submit to URCA its revised and amended proposed Consumer Protection Plan in accordance with the items set out in section (A) above no later than thirty (30) calendar days after the publication of this Statement of Results and Final Decision.

XVIII. On 29 August 2019 BPL resubmitted its revised CPP to URCA.

XIX. Consequential to URCA’s review of the revised CPP, URCA considers that URCA’s requests and recommendations have been duly taken into consideration and incorporated into BPL’s revised CPP. URCA considers that the revised plan is now suitable for implementation by BPL. URCA notes that it will monitor and enforce BPL’s implementation of the plan.

NOW, in exercise of its powers under section 40(5) of the EA, URCA hereby APPROVES the revised CPP in the form set out in Annex 1 to this decision, and **REQUIRES** the Bahamas Power and Light Company to implement the BPL’s revised CPP with the following Overall Standards, Guaranteed Standards and Index of other charges within thirty (30) days of the date of this decision:

Overall Standards

SERVICE CATEGORY	TARGET
Service Activation or Transfer of Service (Removal of Disconnect Lock/Seal or Setting of Socket Meter in Existing Energized Service Location following completion of application by the consumer and payment of the security deposit)	Within 5 working days
Simple Service Connection (Final Connection to Existing Overhead Infrastructure within 60 feet/under 60 amps)	No charge for service connection Within 5 working days
Simple Service Connection (Final Connection to Existing Underground Infrastructure where service pillars or pad mounted transformers exist)	Customer Cost Estimate within 10 working days Connection within 21 working days following full payment
Complex Service Connection (Connections beyond 60 feet requiring service extensions)	Customer Cost Estimate within 21 working days following receipt of all required information needed for design

SERVICE CATEGORY	TARGET
	Connection within 45 working days following full payment
Complex Service Connection (Connections requiring system reinforcements)	Customer Cost Estimate within 45 working days following receipt of all required information needed for design Connection dependent on works required to accommodate new loading.
Complex Service Connection – Developments, Subdivisions or projects requiring site visits	Customer Cost Estimate within 60 working days following receipt of all required information needed for design Connection dependent on works required to accommodate new loading.
Meter Reading (Frequency of Meter Reading)	100% of Residential Consumer Meters read every 3 months 100% of Commercial Consumer meters read every 2 months
Billing Period (Period between two meter readings whether actual or estimated)	95% of Consumers in the Billing Period shall be invoiced for no more than 33 days
Reconnection after disconnection for non-payment – Once payment is received in full for arrears on the account and consumer requests reconnection from the Credit and Collections Department CSR	Within 2 business days after required payment received by BPL
Wrongful Disconnection – Reconnection of a consumer account that was disconnected in error (i.e. customer not eligible for disconnection)	Reconnection within 6 working hours of notification by the consumer and verification by BPL
Outage Notices	All Planned Outages announced via the local media 48 hours in advance of scheduled works

SERVICE CATEGORY	TARGET
Trouble Call Dispatched to 24 Hour Service Crews	Within 24 hours of receipt of verified trouble call unless specific arrangements are made with the consumer to address otherwise.
Voltage Complaints – Resolution of High/Low Voltage complaint	<p>Visit within 24 hours, resolved where possible during this visit.</p> <p>For issues requiring system changes – assessment within 5 working days</p> <p>Resolution within 30 Days</p>
Billing Complaints	<p>Acknowledgement within 5 days</p> <p>Response within 15 days to advise resolution or whether additional testing/investigation is required.</p>
Fault Repair – On a single consumer service (after review by Emergency Services and call passed for further action)	Within 12 hours
Fault Repair System – Time to restore supply to multiple consumers affected by a Distribution System Fault	Within 24 hours
Response to Consumer Claims for Damage (Acknowledgement)	Acknowledgement returned to consumer on completed submission within 5 working days
Response to Consumer Claims for Damage (Resolution)	Review completed and initial response provided within 2 months of receipt of the completed consumer claim

Guaranteed Standards of Service

All payments would require a customer application and amounts would be credited to customer accounts and not paid in cash.

Additional Guaranteed Standards may be added following the roll out of reliability improvement initiatives and technology enhancements over the next 3-5 years.

Standard (as defined above)	Target	Compensation
Service Activation/Transfer of Service	5 Working Days	B\$10.00
Reconnection after disconnection for non-payment	2 Working Days	Refund of the Reconnection Fee
Reconnection after wrongful disconnection	1 Working Day	B\$20.00 applied to the customer's account during the next billing cycle

Index of Other Charges

SERVICE	CHARGE OR FEE (B\$)
Replacement of Consumer Fuses	5.00
Special Meter Reads	5.00
Check Read	5.00
Temporary Disconnection of the Supply (at the consumer's request)	15.00
Follow Up Inspection of Installation Completed by Contractor after failing initial (free) site visit	25.00
Testing of Meter due to High/Low Consumption Complaint where no defect is found in the meter	15.00

SERVICE	CHARGE OR FEE (B\$)
Testing of Meter due to High/Low Consumption Complaint where the meter is deemed defective or the % error of the meter or metering installation exceeds 2.5%	If the challenged meter is found to be incorrect, credit of these charges will be given to the consumer, otherwise the charge of 25.00 will be forfeited
Late Payment Fee	2% of the outstanding amount subject to a 5.00 Minimum Charge
Disconnection Fee – Residential	10.00
Disconnection Fee – Commercial	15.00
Reconnection Fee	20.00
Returned Cheque Fee	15.00
Trimming of trees within a consumer’s property which the consumer fails to keep clear of overhead lines or services.	<p>\$75.00/hr. – With Consumer responsible for removal of debris</p> <p>\$115.00/hr. – With BPL responsible for removal of debris</p>

4 Next Steps

BPL shall implement the CPP approved by URCA in accordance with Condition 28.1 of its licence (PESL – 18-0001). Additionally, in accordance with Condition 28.3 of its licence (PESL- 18- 0001), BPL shall update its CPP before each tariff review and according to the timeline set by URCA.

In accordance with section 40(9) of the EA, BPL shall monitor its performance against such key performance indicators as set out in its licence (PESL – 18-0001) or in any regulatory measures issued by URCA..

Additionally, BPL shall publish the CPP on its website and notify its consumers within thirty (30) calendar days of this approval. Also, to ensure easy access by customers URCA reserves the right to publish BPL’s Guaranteed and Overall Service Standards in a separate document.

APPENDIX II: BPL's Revised CPP