Consumer Protection Plan Guidelines for Authorised Public Electricity Suppliers

Consultation Document

ES 31/2026

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UTILITIES REGULATION & COMPETITION AUTHORITY
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1 Introduction

The Utilities Regulation and Competition Authority ("URCA") is issuing this Consultation Document on its proposed Consumer Protection Plan Guidelines for Authorised Public Electricity Suppliers (APES) to explain the proposals at a high level, identify the principal matters on which URCA seeks views, and to provide the procedure for responding to the consultation. URCA is also publishing the Draft Guidelines which should be read in conjunction with the consultation document.

The proposed Guidelines are intended to assist an APES Licensee to prepare a coherent, self-contained and usable Consumer Protection Plan (CPP). They reflect the varied factual arrangements through which APES Licensees supply or make electricity available, while maintaining the statutory obligation and accountability of the Licensee.

URCA is the independent regulator and competition authority for the Electricity Sector (ES) in The Bahamas. URCA regulates the generation, transmission, distribution and supply of electricity in accordance with the Electricity Act, 2024 (EA) and other applicable regulatory measures.

Consumer protection is a central component of the regulatory framework established under the EA. The EA recognises that electricity is an essential service and that consumers are entitled to receive fair, transparent, reliable and accessible services from ES licensees. Effective consumer protection measures are therefore necessary to ensure that consumers are adequately informed of their rights and obligations, have access to appropriate avenues for resolving complaints and disputes, and are treated fairly by licensees in their day-to-day interactions.

To support these objectives, section 16 of the EA requires electricity sector licensees to prepare and implement Consumer Protection Plans ("CPPs"). These CPPs are intended to establish the policies, procedures and operational measures that licensees will adopt to safeguard consumer interests and ensure compliance with applicable legislative and regulatory requirements. Section 16(2) of the EA further empowers URCA to issue guidelines concerning the preparation, content, submission, review and approval of CPPs.

The effectiveness of the consumer protection framework depends not only on the existence of CPP, but also on the consistency, quality and comprehensiveness of those plans across the ES. Given the diversity of electricity sector licensees operating within The Bahamas, ranging from large public electricity

suppliers and smaller community-based utilities to private island destination electricity suppliers, it is necessary to establish a clear and proportionate framework that provides certainty regarding URCA's expectations while recognising the differing operational characteristics and risk profiles of various categories of licensees.

1.1 How to Respond

URCA invites and welcomes written submissions and comments from licensees, members of the public and parties with sufficient interest in the subject matter of this Consultation Document.

The written submissions and comments must be received by URCA within thirty (30) calendar days from the publication of this Consultation Document.

The deadline for receiving submissions and comments is 5:00 p.m. on 04 December 2026.

The written submissions and comments should be submitted to URCA either:

(i) by hand to: the Director of Utilities and Energy, Utilities Regulation and Competition Authority, Frederick House, Frederick Street, Nassau, Bahamas; or

(ii) by email to: info@urcabahamas.bs.

As soon as reasonably practicable after the close of the response date for this consultation, URCA intends to publish all responses on the URCA website at www.urcabahamas.bs.

1.2 Confidentiality

A respondent who considers that all or part of a submission is confidential should mark the relevant information clearly and explain why confidential treatment is justified. URCA will determine whether and to what extent the information should be withheld from publication. A respondent should, where practicable, provide a non-confidential version that may be published. URCA has the sole discretion to determine whether to publish any submission marked as confidential.

1.3 Structure of the Remainder of this Document

The remainder of this document is set out as follows:

Section 2: Objectives and Backgrounds – sets out the objectives and background of the Consultation;

Section 3: Legal Framework – sets out the regulatory framework under which URCA has exercised its powers to issue this Consultation Document and Consumer Protection Plan Guidelines;

Section 4: Summary Overview of Draft Guidelines – sets out an overview of the proposed Guidelines developed in accordance with the EA; and

Section 5: Conclusion and Next Steps – sets out the next steps in the consultation process by URCA to the end of issuance of the Consumer Protection Plan Guidelines.

2 Objectives and Background of the Consultation

The purpose of this consultation is to obtain stakeholder views before URCA finalises the Consumer Protection Plan Guidelines for APES Licensees. URCA seeks comments on whether the proposed Guidelines are clear, complete, proportionate and capable of being applied in practice by Licensees with differing systems, consumer relationships and resources.

The Consumer Protection Plan Guidelines for Authorised Public Electricity Suppliers seeks to establish the following:

i) The minimum content and standards to be included in Consumer Protection Plans;

ii) The process for submission, review, amendment and approval of Consumer Protection Plans;

iii) The extent to which Consumer Protection Plans requirements should vary among different categories of licensees;

iv) The proposed templated and standardised approaches that may be adopted by licensees; and

v) Additional measures that may enhance consumer protection outcomes within the Electricity Sector.

This consultation will assist URCA in establishing a transparent and consistent framework for Consumer Protection Plans across the ES, ensuring that consumer protection obligations are clearly understood and effectively implemented by licensees, promoting fair treatment, transparency and accountability in the provision of electricity services, ensuring that regulatory requirements remain proportionate to the nature and scale of licensees' operations and strengthening consumer confidence in the Electricity Sector. The consultation is not intended to create new APES licence classes or to reduce any requirement imposed by the EA, the Consumer Protection Regulations for the Electricity Sector in The Bahamas, ES 13/2020 (CPR), a licence or another URCA measure.

2.1 Background

URCA has observed a general level of uncertainty among APES as to how they should comply with section 16 of the EA, particularly in relation to the preparation of a Consumer Protection Plan (CPP) and the matters that should be addressed within it. This uncertainty is compounded by the different categories and operational arrangements of APES and questions as to how the mandatory statutory requirements apply in each case.

Consumer protection is a fundamental component of utility regulation. Electricity is an essential service that affects the daily lives and economic wellbeing of consumers throughout The Bahamas. Consumers must therefore have confidence that electricity providers will communicate clearly, bill accurately, respond to complaints effectively and treat them fairly. A robust consumer protection framework promotes accountability, transparency and trust between licensees and consumers.

The EA strengthened the legislative basis for consumer protection and expressly requires URCA to protect consumers' interests. In furtherance of these objectives, section 16 requires licensees to prepare and implement CPPs setting out the policies, procedures and measures they will adopt to safeguard consumer interests and comply with applicable legal and regulatory obligations.

The Electricity Sector comprises diverse operators, including large public electricity suppliers, community-based utilities, renewable energy operators and private island electricity systems. While all licensees are expected to maintain appropriate consumer protection measures, their scope and complexity may vary according to the size, customer base, operational structure and risk profile of the licensee.

In response, URCA has developed these Guidelines to clarify the preparation, submission, review, approval and implementation of CPPs. The Guidelines establish a practical and proportionate framework that supports compliance with section 16 of the EA and URCA's oversight, promotes consistent standards of consumer care while accommodating differing operational circumstances, and enhances consumer protection outcomes throughout the ES.

3. Legal Framework

This section outlines the legal and regulatory basis upon which URCA proposes to issue the Consumer Protection Plan Guidelines.

The EA establishes URCA as the independent regulator of the electricity sector in The Bahamas. Pursuant to section 13 of the EA, URCA is responsible for regulating the electricity sector in accordance with the goals, objectives and principles of the National Energy Policy ("NEP"), protecting the interests of consumers, promoting the provision of safe, reliable and efficient electricity services, and monitoring compliance by licensees with applicable legislative and regulatory requirements.

Section 16(1) requires every PES and every APES, within three months after the issue of its licence by URCA, to submit for URCA approval a plan proposing standards for the protection of its electricity consumers. The proposed Guidelines are directed to the preparation of that plan by an APES Licensee.

Section 16(2) requires each CPP to include, at a minimum:

i) standards for the service, quality and safety of the electricity service and equipment provided;

ii) procedures for receiving and responding to consumer complaints;

iii) procedures for resolving disputes with consumers;

iv) procedures for billing and accelerated procedures for resolving billing disputes;

v) standards and procedures for terminating and restarting service which recognise that electricity is a basic necessity and that residents should be able to afford essential electricity supplies;

vi) special termination and restarting procedures for vulnerable consumers who are unable to pay their electricity bills and satisfy the applicable eligibility criteria for assistance;

vii) procedures for amending consumer protection standards when technological improvements or changed circumstances require;

viii) specific plans for dealing with vulnerable consumers as a universal service obligation in accordance with international industry best standards; and

ix) a procedure for filing and determining a claim for compensation for damage.

Sections 16(3) to 16(5) require URCA to publish a proposed CPP for public consultation before approval, allow URCA to require revision following consultation, and require the approved CPP to be implemented and enforced. The present consultation concerns the proposed Guidelines. It does not replace the separate consultation that the EA requires before URCA approves an individual Licensee's

proposed CPP.

3.1 URCA's statutory consideration

Consumer protection is a central component of the regulatory framework established under the EA. Section 13(2)(k) expressly requires URCA to protect the interests of consumers with respect to the price, quality and reliability of electricity services. In furtherance of this mandate, the EA establishes specific obligations designed to ensure that consumers receive fair treatment and have access to appropriate protections and dispute resolution mechanisms.

Of particular relevance to these Guidelines is section 16(2) further provides that such plans shall contain information and address such matters as may be specified by URCA. URCA considers that section 16(2) expressly contemplates the issuance of guidance regarding the form, content and scope of Consumer Protection Plans.

These Guidelines are therefore intended to provide clarity regarding URCA's expectations for Consumer Protection Plans, establish minimum requirements applicable to licensees, and promote consistency in the preparation, submission, review and implementation of CPPs across the electricity sector.

Accordingly, URCA considers that the cumulative effect of the above-cited regulatory provisions provides URCA with the legal basis upon which to issue the proposed Consumer Protection Plan Guidelines under this consultation process.

4. Overview of the Proposed Guidelines

To assist stakeholders in reviewing the draft Consumer Protection Plan Guidelines contained in this Consultation Document, URCA provides below a summary of the principal features of the proposed framework.

The proposed Guidelines are structured as a practical drafting and implementation guide. They explain the obligation, define key terms, describe the preparation process, identify the content that every CPP should address, apply that content to common APES arrangements and explain the submission, approval and implementation process.

The proposed Guidelines are therefore intended to establish a comprehensive framework governing the preparation, submission, review, approval, implementation, and ongoing maintenance of CPPs across the electricity sector. The Guidelines are also intended to promote consistency in regulatory expectations while ensuring that consumer protection obligations remain proportionate to the nature, scale, and complexity of the licensed activity being undertaken.

The central proposal is that every APES Licensee should prepare one coherent CPP addressing all of its electricity consumers, services and arrangements. The common arrangements described in the Guidelines are practical drafting groupings based on circumstances URCA has encountered.

The CPP should identify the Licensee by its full legal name and licence number and should state that the Licensee accepts responsibility for every commitment in the CPP. It should identify a Plan Owner with sufficient authority to coordinate implementation, records, training, monitoring and revision. The CPP should explain the supervision, records, escalation route and corrective action through which the Licensee will ensure compliance.

The proposed Guidelines organise CPP preparation into four connected stages:

1. confirm the obligation and map every consumer category, electricity service, charging arrangement and person performing a consumer-facing function;
2. draft the CPP by addressing the common content and then the additional matters relevant to the Licensee's actual arrangement;
3. verify and submit a complete, internally approved CPP supported by the forms, notices,

contracts, bills, registers and procedures to which it refers; and

4. after approval, publish the CPP, train relevant persons, operate and monitor the procedures, correct failures and keep the CPP current.

Before drafting, the Licensee should map the complete consumer journey. That exercise should identify how service begins, how electricity is metered or allocated, how prices and charges are communicated, how payment and billing issues are managed, how outages and emergencies are handled, how complaints and claims are resolved, and how service may be terminated and restarted where applicable. It should also identify consumers who may require additional assistance or continuity protection.

The proposed Guidelines then describe the content that the CPP should address. The suggested order follows the consumer journey and covers:

1. the Licensee profile, system, consumer categories, contacts and consumer protection commitment;
2. information before service, applications and connections;
3. metering, deposits, prices, bundled charges, billing and payment;
4. service quality, safety, planned and unplanned outages and emergency response;
5. vulnerable consumers and essential electricity supplies;
6. arrears, termination and restarting service;
7. complaints, disputes, damage claims, compensation and other remedies; and
8. consumer information, privacy, records, training, monitoring and continuing compliance.

For each subject, the CPP should state the standard, the steps to be taken, the person responsible, the applicable timeframes, the records retained, the way the consumer will be informed, and the remedy or escalation route if the standard is not met. A CPP should not merely list topics or reproduce legislation.

The proposed Guidelines do not prescribe a mandatory form or template. A Licensee may use the suggested consumer-journey structure or another logical structure, provided the CPP is complete, self-contained, consistent with actual practice and easy for consumers, the Licensee's staff and URCA to follow. The submission should include a cross-reference schedule showing where the governing requirements are addressed.

A key feature of the proposed Guidelines is the adoption of a proportionate and risk-based approach to consumer protection. Through its administration of the electricity licensing framework, URCA has observed that entities operating under the same licence class, APES licence, often have significantly different operational characteristics and consumer relationships. For example, Bahamas Power and Light Company Ltd. ("BPL") and Grand Bahama Power Company Ltd. ("GBPC") operate as large public utilities serving substantial customer bases and undertaking traditional utility functions such as metering, billing, collections, disconnections, and customer service operations. By contrast, smaller APES licensees may operate community utilities serving a limited number of customers, while private island destinations and resort operators often provide electricity as an ancillary component of accommodation or hospitality services rather than through direct electricity sales.

URCA recognises that the length and complexity of a procedure should be proportionate to the nature, scale and risks of the Licensee's operations. A small Licensee may use shorter procedures, local contact methods and a simpler organisational structure than a large electricity supplier. Those procedures must nevertheless be clear, accessible and effective.
Proportionality does not permit a statutory or regulatory subject to be omitted without explanation. Not every activity or consumer relationship will exist in every arrangement. For example, a predominantly self-supply system may not accept public applications, require deposits, issue separate electricity bills, maintain electricity arrears or terminate service for non-payment.

Where a subject is not currently applicable, the proposed Guidelines require the Licensee to retain the subject under an appropriate heading and:

1. identify the matter or provision;
2. explain the facts that make it not currently applicable;
3. describe the arrangement that presently exists;
4. state the protection available to affected consumers in the meantime;
5. identify the event that would cause the matter to apply; and
6. commit to implementing the necessary procedure and obtaining any required URCA approval before the relevant activity begins.

URCA will determine whether the explanation is sufficient. A statement that a matter is not currently applicable is not a waiver. If the facts change, the Licensee should implement the required protection and submit any necessary amendment. Where a matter applies to one consumer category but not another, the CPP should distinguish the categories and the protection provided to each.

The proposed Guidelines describe five recurring factual arrangements. A Licensee should use the description or combination of descriptions that most closely reflects its actual activities. The universal content remains relevant, subject to a properly supported explanation where a particular matter is not currently applicable.

The first category applies to Community Utilities licensees. These systems may supply all or a substantial part of an island, settlement or community. The CPP should give particular attention to applications and connections, fair access, metering and billing, local contact channels, hurricane preparedness, fuel and spare-parts logistics, outage communications, critical facilities, vulnerable consumers and restoration priorities.

The second category applies to Private Island Destinations and Resort operators. URCA recognizes that many such licensees provide electricity as part of broader hospitality, accommodation, marina, or resort services and often do not maintain conventional utility/customer relationships. CPP should explain whether electricity is separately metered and billed, included in rent, maintenance, homeowners' association, accommodation or service charges, or supplied without a separate charge. It should explain the allocation method and records for any bundled charge and should keep electricity-service decisions separate from unrelated property, lease, membership, employment or hospitality disputes.

The third category relates to Community-owned or co-operative electricity suppliers. The CPP should distinguish a person's electricity-consumer rights from membership, ownership and governance rights, separate electricity charges from membership dues or capital contributions, manage conflicts of interest and preserve the consumer's right to refer an unresolved electricity matter to URCA

The fourth category applies to Self-Supply and Private Residential Operators licensees. URCA recognizes that these entities typically do not supply electricity to members of the public and therefore present limited consumer protection concerns. The CPP should state whether any third party receives electricity, who may be supplied, how electricity is charged and who controls consumer-facing decisions. Public applications, deposits, individual metering, separate bills, electricity arrears and termination for non-payment may not be currently applicable where the relevant activity does not exist. The CPP should nevertheless address safety and quality, outages, emergency reporting and restoration, vulnerable persons, complaints, damage claims, accessible information, responsibility, records and review.

A Licensee whose activities fall within more than one description should address all relevant matters and explain how the arrangements fit together. No consumer category should receive less protection because it does not fit wholly within one description.

These examples are intended to help a Licensee apply the common requirements, not to predetermine whether a matter applies. URCA will consider the actual consumer relationship and risk. In particular, consumer protection may be required where electricity is supplied without a separate contract or where its cost is included in another payment.

The proposed Guidelines also establish a formal process for the submission and approval of Consumer Protection Plans. The proposed Guidelines explain the complete CPP lifecycle. Section 16(1) of the EA requires submission within three months after URCA issues the APES Licence, unless an earlier step is required by the licence or a written direction. A Licensee should begin preparation early enough to allow for internal approval, supporting material and any clarification or revision.

The submission should include an authorised covering letter, the proposed CPP identified by version and date, the cross-reference schedule, the supporting consumer-facing documents and procedures, each explanation of a matter that is not currently applicable, and any additional information reasonably required by URCA.

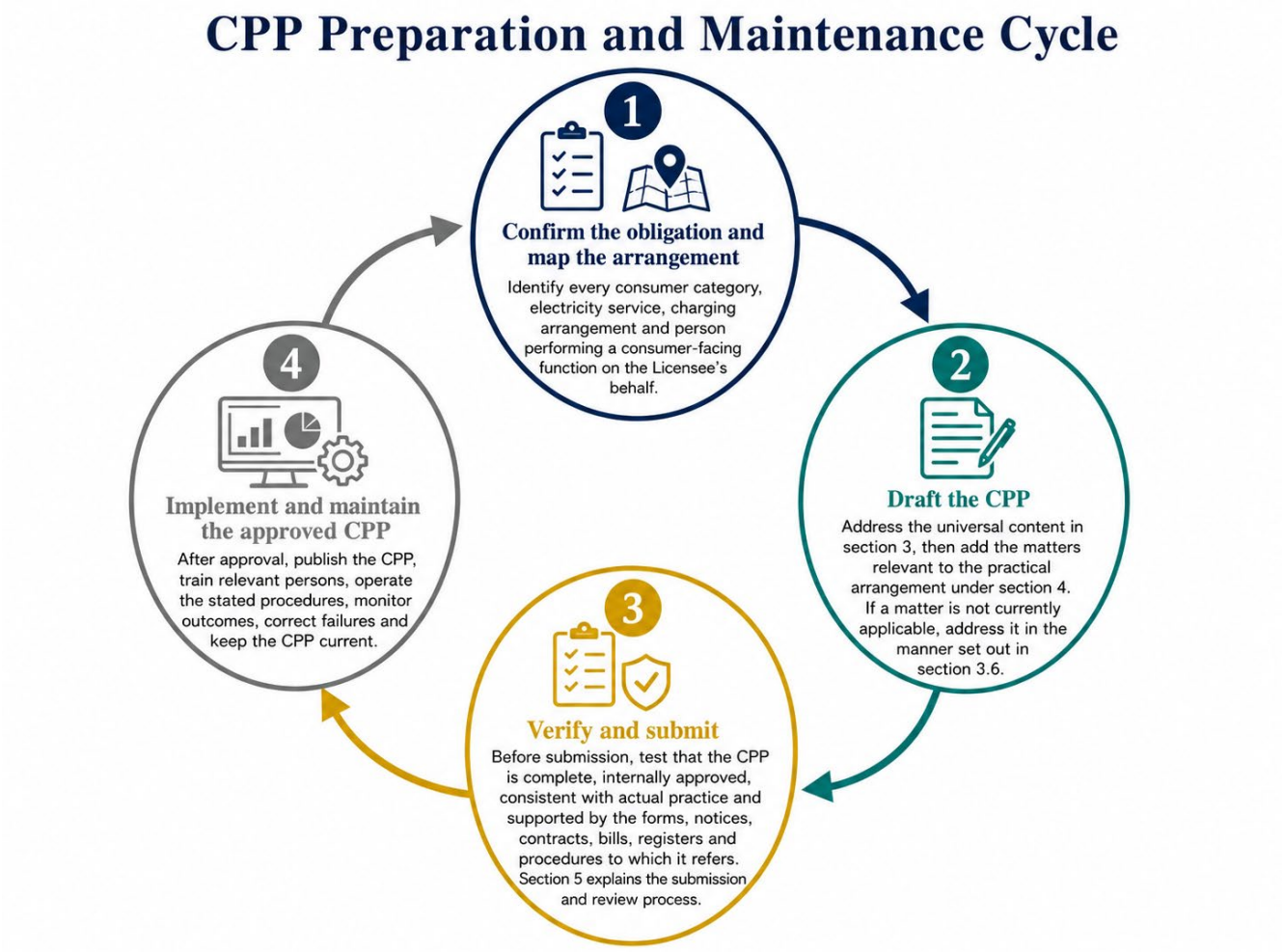
URCA will consider completeness, compliance with the EA, the CPR, the licence and other applicable measures, the effectiveness and accessibility of the proposed protections, the justification for any matter said not to be currently applicable and whether the CPP reflects actual practice. URCA may request clarification, supporting records or revision.

Before approval, URCA will publish the proposed CPP for the public consultation required by section 16(3) of the EA. After considering the responses, URCA may require revision. URCA may then approve the CPP, approve it subject to lawful conditions, require further revision or decline approval where the requirements are not satisfied.

Once approved, the Licensee should implement and enforce the CPP, make it readily available without charge, train relevant staff and contractors, maintain the stated records, monitor performance and correct recurring failures. The Licensee should review the CPP periodically and whenever there is a material change, a legislative or regulatory development, a significant incident or evidence that a

procedure is not effective. Amendments should be submitted for approval where required.

The following image outlines at a high level the CPP preparation and maintenance cycle proposed within the guidelines:



5. Conclusion and Next Steps

The consultation questions are set out below for ease of reference. Respondents are encouraged to identify the question number addressed and to provide reasons and supporting information for their views:

Consultation Question 1: *Do stakeholders agree that the proposed Guidelines provide a clear, practical and proportionate framework for preparing, approving, implementing and maintaining CPPs for APES Licensees? Are there any additional objectives or consumer-protection issues that the Guidelines should address?*

Consultation Question 2: *Is the proposed preparation framework sufficiently clear and complete, including the mapping of consumers and services, the content that every CPP should address, supporting documents, internal verification and the cross-reference schedule? Is further guidance needed while allowing each Licensee to organise its CPP in a coherent format suited to its operations?*

Consultation Question 3: *Does the proposed approach to proportionality and matters that are not currently applicable strike an appropriate balance between practical implementation and the protection required by law? Are any additional explanations, safeguards or activation triggers needed?*

Consultation Question 4: *Do the four practical descriptions in the proposed Guidelines reflect the common APES arrangements encountered in The Bahamas? Are there other recurring arrangements that should be addressed?*

Consultation Question 5: *Is the arrangement-specific guidance, particularly for bundled electricity charges, private developments and predominantly self-supply private islands and cays, sufficient to help a Licensee identify the provisions that are active and those that may not be currently applicable? What additional examples would assist?*

Consultation Question 6: *Are the proposed submission, public consultation, approval, implementation, publication, monitoring and amendment processes clear and workable? If not, what changes should URCA consider?*

URCA invites interested parties to comment on the proposed Consumer Protection Plan Guidelines and on any other matter that may assist URCA in establishing a clear, proportionate and effective framework for APES CPPs. Responses should be submitted in accordance with section 1.1 of this Consultation Document by the stated deadline.

After the consultation closes, URCA will consider the written responses and may amend the proposed

Guidelines. URCA intends to publish a Statement of Results and Final Decision together with the final Consumer Protection Plan Guidelines on its website at www.urcabahamas.bs.

URCA looks forward to constructive engagement throughout this consultation.