Consumer Protection Plan Guidelines for Authorised Public Electricity Suppliers

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UTILITIES REGULATION & COMPETITION AUTHORITY
Frederick House, Frederick Street, Nassau, Bahamas | **T**.242.393.0234
www.urcabahamas.bs

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1 Introduction

1.1 General Objectives of the Guidelines

1. Consumer protection is a fundamental component of an effective and sustainable electricity sector. Consumers should have access to electricity services that are safe, reliable, transparent and fairly provided, together with practical ways to obtain information, raise concerns and secure appropriate remedies.
2. These Consumer Protection Plan Guidelines explain the form and content that the Utilities Regulation and Competition Authority (URCA) expects from a Consumer Protection Plan (CPP) submitted by an Authorised Public Electricity Supplier (APES). They are intended to make the statutory requirements easier to apply across the varied electricity-supply arrangements found in The Bahamas.
3. The nature and scale of APES operations differ. Some Licensees supply an entire island or community, while others supply electricity within a private development, a co-operative arrangement or a predominantly self-supply private island or cay. These differences may affect how a Licensee gives effect to a requirement, but they do not transfer the obligation from the Licensee or reduce the minimum protections required by law.
4. The objective of this document is to guide an APES in producing a coherent, self-contained and usable document that allows consumers, the Licensee's staff and URCA to understand the services covered, the standards that apply, the procedures that will be followed, the persons responsible and the remedies available when a standard is not met.

1.2 Legal Background

5. The Electricity Act, 2024 (EA) continues URCA as the independent regulator of the electricity sector. Sections 13 and 14 of the EA require URCA, among other things, to ensure consumer protection and to publish, monitor and enforce standards for the protection of electricity consumers.
6. Section 16(1) of the EA requires every public electricity supplier and every authorised public electricity supplier, within three months after the issue of its licence by URCA, to submit to URCA for approval a plan proposing standard for the protection of its electricity consumers. These Guidelines address the preparation of that plan by an APES Licensee.

7. Section 16(2) requires the CPP to include, at a minimum:

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

    b) procedures for receiving and responding to consumer complaints;

    c) procedures for resolving disputes with consumers;

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

    e) 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;

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

    g) procedures for amending the consumer protection standards when technological improvements or other changes in circumstances require;

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

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

8. Sections 16(3) to 16(5) require URCA to publish a proposed CPP for public consultation before approval, permit URCA to require revisions following consultation and require the approved plan to be implemented and enforced.

9. The Consumer Protection Regulations for the Electricity Sector in The Bahamas, ES 13/2020 (CPR)[1], apply to Licensees holding a Public Electricity Supplier Licence or an Authorised Public Electricity Supplier Licence. A CPP must therefore be read with, and must be no less protective than, the EA, the CPR, the applicable licence and any other regulatory or other measure issued by URCA. Where there is an inconsistency, the governing legislation, regulations and licence prevail. The CPP shall also address the applicable APES Licence conditions, including Condition 27 (Consumer Protection Obligations) and Condition 28 (Service Standards), where those conditions apply to the Licensee.

[1] https://urcabahamas.bs/decisions/es-13-2020-consumer-protection-regulations-for-the-electricity-sector-in-the-bahamas/

1.3 Purpose and Scope of the Guidelines

10. These Guidelines apply to APES Licensees operating in The Bahamas. They explain the common preparation process, the matters that every CPP should address, the additional matters that arise in recurring APES arrangements and the process for submission, approval, implementation and review.

11. The operating arrangements described in section 4 are practical drafting groupings based on circumstances URCA has encountered. They do not create licence classes or subcategories, alter the scope of an APES Licence or determine whether a person requires a licence. A Licensee may fall within more than one grouping, and an arrangement not expressly described must still be addressed by applying the principles in these Guidelines.

12. These Guidelines do not replace the EA, the CPR, a licence or another URCA measure, and they do not limit URCA's discretion. URCA will assess each CPP on its facts, including the nature of the service, the consumers affected, the risks presented and the effectiveness of the proposed protections.

13. Proportionality may affect the length of a CPP, the complexity of a procedure and the communication channels used. It does not permit a statutory or regulatory subject to be omitted without explanation to URCA. Section 3.6 distinguishes the explanation required in the supporting submission for how a Licensee should address a matter that is not currently applicable to its actual arrangements.

14. URCA may revise these Guidelines to reflect legislative or regulatory developments, experience gained from CPP reviews, changes in electricity-sector practices and emerging consumer-protection issues.

1.4 How to Use these Guidelines

15. Step 1, confirm the obligation and map the arrangement. The Licensee should identify every consumer category, electricity service, charging arrangement and person performing a consumer-facing function on its behalf.

16. Step 2, draft the CPP. The Licensee should address the universal content in section 3 and then add the matters relevant to its practical arrangement under section 4. A matter that is not currently

applicable should be addressed in the manner set out in section 3.6.

17. Step 3, verify and submit. Before submission, the Licensee should test that the CPP is complete, internally approved, consistent with actual practice and supported by the forms, notices, contracts, bills, registers and procedures to which it refers. Section 5 explains the submission and review process.

18. Step 4, implement and maintain the approved CPP. After approval, the Licensee should publish the CPP, train relevant persons, operate the stated procedures, monitor outcomes, correct failures and keep the CPP current.

2 Definitions

"Authorised Public Electricity Supplier" or "APES" has the meaning assigned to it in the Electricity Act, 2024.

"Bundled electricity charge" means an amount or cost-recovery mechanism for electricity that is included in rent, a homeowners' association or maintenance fee, an accommodation or service charge, membership dues or another composite charge.

"Consumer" has the meaning assigned to it in the Electricity Act, 2024.

"Consumer-facing document" means a notice, form, contract, bill, statement, policy, publication or communication made available to consumers in connection with the provision of electricity services.

"Consumer Protection Plan" or "CPP" means the plan prepared by a Licensee under section 16 of the EA, setting out the standards, policies, procedures and measures by which the Licensee will protect its electricity consumers.

"CPR" means the Consumer Protection Regulations for the Electricity Sector in The Bahamas, ES 13/2020, as amended or replaced from time to time.

"Customer" has the meaning assigned to it in the Electricity Act, 2024.

"EA" means the Electricity Act, 2024, as amended or replaced from time to time.

"Licensee" has the meaning assigned to it in the Electricity Act, 2024. In these Guidelines it takes on the more specific meaning of the holder of an Authorised Public Electricity Supplier Licence to which these Guidelines apply. The obligation to prepare, implement and maintain the CPP rests on the Licensee.

"Material change" means a change to the Licensee's operations, services, consumer categories, charging arrangements, policies, procedures or organisational arrangements that may reasonably affect service quality, reliability or continuity, consumer rights or the implementation of the approved CPP.

"Not currently applicable" means that the activity, charging arrangement or consumer relationship to which a provision relates does not presently exist. It does not mean that the requirement has been permanently excluded or waived.

"Plan Owner" means the person or position designated by the Licensee to coordinate implementation, monitoring and review of the CPP. Designation does not transfer the Licensee's responsibility.

“Service interruption” includes a planned or unplanned interruption to the supply of electricity.

“Vulnerable consumer” has the meaning assigned to it in the Electricity Act, 2024.

3 Preparing a Consumer Protection Plan

3.1 The Statutory Obligation and Licensee Accountability

19. The obligation under section 16 of the EA rests on the Licensee. The CPP shall identify the Licensee by its full legal name and licence number and shall state that the Licensee accepts responsibility for every commitment in the CPP.

20. A Licensee may engage another person to carry out its customer service activities such as receive applications, read meters, issue bills, collect payments, maintain equipment, communicate with consumers or receive complaints. That arrangement does not transfer or reduce the Licensee's responsibility. In such cases the CPP shall explain how the Licensee supervises the person, obtains compliance records, corrects failures and provides escalation to a person authorised to act for the Licensee.

21. The CPP shall name or identify the position of a Plan Owner with sufficient authority to coordinate implementation, monitor performance, maintain records, arrange training, report material issues and initiate revisions of the CPP. The CPP shall also identify the person or governing body that approved it on behalf of the Licensee.

3.2 Consumers, Services and Arrangements

22. The CPP shall identify the service areas, services and consumer categories to which it applies. Its scope should cover every person who may apply for, receive or use electricity, receive a bill or cost statement, make a complaint or claim, be affected by an outage or face termination of service.

23. Consumer protection may be required even where electricity is supplied without a separate contract or where its costs include rent, maintenance fees, membership dues, accommodation charges or another bundled payment. The CPP should focus on the substance of the electricity relationship, not only on the name given to a payment or agreement.

24. The CPP should clearly explain:

    a) whether the consumers are individually metered, billed separately, charged through a bundled

arrangement or supplied without charge; and

b) the communication channels available during ordinary operations, outages and emergencies.

25. The Licensee should submit a separate supporting document with the CPP identifying:

a) the licensed area of supply and a concise description of the generation, transmission, distribution and supply system;

b) each category of consumer and the approximate number in each category;

c) the internal arrangements for managing service applications, initial supply, billing, complaints, termination and reconnection, where applicable;

d) the persons or teams responsible for dealing with consumers and their respective functions and

e) critical facilities and arrangements for identifying and supporting medically dependent consumers and managing other foreseeable vulnerability or continuity risks. Personal information about individual consumers should not be included in the published CPP.

26. The Supporting document should supplement the CPP. Procedures, contact details and protections relevant to consumers should remain readily available in the CPP.

27. Where different terms or procedures apply to different consumer categories or service areas, the CPP should identify each difference clearly. A general statement should not be used where it would conceal a material difference in protection.

3.3 Governing Requirements and Proportionality

28. Every CPP must address the matters in section 16(2) of the EA and every applicable requirement of the CPR, the licence and other URCA measures. A Licensee should prepare a cross-reference schedule showing where each requirement is addressed in the CPP.

29. 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, effective and capable of producing the protection required by law.

30. An approved CPP may lawfully provide protection that is more favourable to consumers than the minimum requirements of section 16(2) of the EA. The Licensee should not reduce an approved protection without completing any approval or process required by the EA, the CPR, its licence or

URCA.

31. In these Guidelines, “shall” describes a mandatory requirement or an action URCA requires for compliance. “Should” describes the approach URCA ordinarily expects a Licensee to follow unless the Licensee can demonstrate that another approach gives effect to the governing requirement at least as effectively.

3.4 Contents of the CPP

32. Every CPP shall address each of the items listed in section 16(2)(a) to (i) of the EA, summarised in section 1.2 of these Guidelines. Each subject below identified the statutory matters it supports. These references do not limit other applicable CPR or licence obligation.

33. A CPP should do more than list policy topics or reproduce legislation. For each subject, it should state the applicable standard, the steps that will be taken, the person responsible, the relevant timeframes, the records retained, the way the consumer will be informed and the remedy or escalation route if the standard is not met.

34. The order below follows the usual consumer journey and may be adopted as the main structure of the CPP. A Licensee may use another logical structure if the resulting CPP remains complete and easy to follow.

3.4.1 Licensee Profile and Consumer Protection Commitment

Section 16(2)(a) to (i): This introductory information identifies the Licensee responsible for delivering all statutory protections.

35. The opening section shall state the Licensee's full legal name, licence number, area of supply, principal contacts, a concise description of the electricity system, the consumer categories served, the charging arrangements, any material reliance on another person and the name or position of the Plan Owner. It shall state the effective date and version of the CPP.

36. The Licensee shall commit to safe and reliable service, fair and non-discriminatory treatment, clear information, effective complaint and remedy procedures, appropriate protection for vulnerable consumers and compliance with the EA, the CPR, its licence and the approved CPP. Consumer rights and responsibilities shall be summarised in plain language.

3.4.2 Before Service Begins: Information, Applications and Connections

Section 16(2)(a), (b), (c), (d), and (i): address service and equipment standards, complaint and dispute routes, billing information and damage claim information relevant before service begins.

37. Before a person accepts service, the Licensee shall provide clear written information about eligibility, the application process, applicable prices and fees, deposits, connection requirements, payment methods, service standards, compensation, complaints, termination and changes to the terms of service.

38. The CPP shall explain how the Licensee receives and decides an application, requests additional information, communicates approval, refusal or delay and allows a decision to be questioned or reviewed. The process shall not discriminate unlawfully between similarly situated applicants.

39. Connection provisions shall address simple and complex connections, service extensions, meter installation, access requirements, estimated completion times and delay notifications. If civil works, approvals, access or information from the applicant affect timing, the Licensee shall provide a reasoned estimate, explain the dependencies and give progress updates.

40. If the Licensee does not presently accept applications from the public or undertake new connections, the CPP shall retain this subject and explain the current arrangement and the event that would activate the relevant procedures.

3.4.3 Metering, Deposits, Prices, Billing and Payment

41. Section 16(2)(d), supported by (b) and (c): address billing and accelerated resolution of billing disputes, with complain and dispute escalation. Metering standards also support section 16(2)(a).

42. Where metering applies, the CPP shall address meter installation, ownership, maintenance and testing, including consideration of who is responsible for the cost of meter testing and the conditions under which that cost may be borne by the Licensee or the consumer. The CPP shall also specify the frequency of actual readings, the circumstances in which an estimate reading may be used, provided that estimated bills shall not be used for more than two consecutive monthly billing periods. It shall further address the reconciliation of estimated charges and the investigation, correction and replacement of a faulty or disputed meter.

43. Where a security deposit is required, the CPP shall state the basis of assessment, any applicable cap, the written terms, the circumstances in which the deposit may be applied or forfeited and the circumstances and timeframe for refund. A deposit shall not be used as a substitute for fair credit

management.

44. Every tariff, adjustment, fee and charge shall be lawful, approved where required and clearly disclosed. If electricity is included in rent, maintenance, membership, accommodation or another bundled charge, the CPP shall explain the allocation or cost-recovery method, the information made available to the consumer, the records supporting the calculation and how the electricity component may be questioned.

45. A bill or bundled-charge statement shall allow the consumer to understand the amount claimed. As applicable, it shall show the billing period, usage or allocation, rates and adjustments, taxes, fees, credits, arrears, payment due date and enquiry and complaint contacts.

46. The CPP shall address billing periods, payment windows, accepted payment methods, receipts, estimated bills, back-billing, corrections, refunds and credit balances. The procedure shall preserve the consumer's access to relevant billing and payment records.

47. A billing dispute shall have an accelerated route because delay may place an essential service at risk. While the dispute is investigated, the disputed amount shall not attract late fees, debt collection or termination, provided that the consumer pays any undisputed amount and complies with a lawful interim arrangement.

48. The Licensee's written billing decision shall identify the meter readings, tariff, allocation, account history and other material records considered, explain the calculation and any correction, state any refund, credit or payment arrangement and identify the route for internal review and referral to URCA.

3.4.4 Service Quality, Safety, Outages and Emergency Response

Section 16(2)(a): address the service, quality and safety of electricity service and equipment.

49. The CPP shall state the standards of service, quality and safety required by section 16(2)(a) of the EA and the CPR. It shall address any inspection and maintenance requirements, outage reporting procedures, voltage or service faults, trouble calls, fault repair, electrical hazards and the safe operation of equipment and facilities. The minimum standards the APES shall comply with are contained in the Standard for Power Quality and Reliability in Electric Power Systems, ES 09/2023[2].

[2] https://urcabahamas.bs/consultations/es-09-2023-standard-for-power-quality-and-reliability-in-electric-power-systems/

50. The outage procedure shall cover advance notices of planned outages, post hoc detection and acknowledgement of unplanned outages, consumer reports, restoration estimates, progress updates and notice of restoration. It shall also explain how the Licensee responds when a hurricane or other event beyond its reasonable control affects service.

51. Restoration priorities shall be based on safety, system conditions, the number and type of consumers affected, medical dependence on electricity, vulnerability and the needs of critical facilities. The CPP shall not promise uninterrupted service or a restoration priority that the Licensee cannot reasonably deliver.

52. The emergency framework shall address hurricanes, flooding and storm surge, fire, fuel shortage, generation failure, network failure and other material risks. It shall identify emergency contacts, backup arrangements, business-continuity measures, communication channels and coordination with public authorities or other relevant entities.

53. Service standards and guaranteed remedies shall be stated in one place in the CPP. Where the Licensee's records show that a guaranteed standard was missed, the applicable credit, refund or other remedy shall be provided without requiring the consumer to make a separate claim, unless the governing requirement provides otherwise.

54. The CPP shall identify any critical facilities within the area of supply and shall explain how the Licensee communicates electrical-safety information, protects the public during an incident and restricts unauthorised access to electricity infrastructure.

3.4.5 Vulnerable Consumers and Essential Supplies

Section 16(2)(f) and (h): address special termination and restart procedures for eligible vulnerable consumers unable to pay and the specific plan for vulnerable consumers.

55. The CPP shall include the specific plan for vulnerable consumers required by section 16(2)(h) of the EA. The plan shall provide an accessible and confidential process for voluntary registration, periodic review, authorised representation, assistance and urgent contact.

56. Relevant circumstances may include low income, pensionable age, disability, chronic illness, medical dependence on electricity or another condition that creates a material risk if service is interrupted. Evidence requirements shall be proportionate and no broader than necessary for the assistance requested.

57. Measures may include accessible bills and notices, additional contact attempts, budgeting or

payment-plan assistance, referral to available support, advance outage information, reasonable restoration priority and special termination or restart procedures. The CPP shall explain the limits of any priority or assistance so that the consumer is not given a false assurance of uninterrupted supply.

3.4.6 Arrears, Termination and Restarting Service

Section 16(2)(e) and (f): address termination and restarting services, affordability of essential supplies and special procedures for vulnerable consumers.

58. Termination shall be a last resort. The CPP shall identify each lawful ground, the minimum notice, the required content and method of notice, contact attempts, payment assistance, internal review and the circumstances in which termination is prohibited or deferred.

59. A termination notice shall distinguish the undisputed electricity amount from other sums and explain how termination may be avoided, how vulnerability will be considered, how the decision may be reviewed and how service will be restarted. Electricity shall not be terminated merely to enforce an unrelated land, rent, membership, employment, hospitality or other dispute.

60. The CPP shall distinguish restart after non-payment from restoration after a wrongful termination, state the applicable timeframes and identify the required compensation or other remedy. A restart fee shall not be charged where the termination resulted from the Licensee's error or failure.

61. Where electricity is not separately charged and the Licensee does not permit arrears or termination for non-payment, those provisions may be identified as not currently applicable. The CPP shall still address interruption for safety, emergency or other lawful reasons and the procedures for restoration.

3.4.7 Complaints, Disputes, Damage Claims and Remedies

Section 16(2)(b), (c), (d) and (i): address complaints, dispute resolution, accelerated billing-dispute procedures and the filing and determination of damage-compensation claims.

62. Complaint handling procedures shall be free, easy to find, available through more than one reasonable channel and accessible to consumers who need assistance. A complaint shall be logged and acknowledged within the period required by the CPR, with a written acknowledgement of a verbal or written complaint ordinarily provided within five business days.

63. The CPP shall describe first-contact resolution, investigation, progress updates, a reasoned written

decision, the remedy offered, an impartial internal review, closure, record retention and referral of an unresolved complaint to URCA. Where a complaint remains unresolved after the period specified in the CPR, the consumer shall be informed of the delay, the expected next step and the available escalation route.

64. The person conducting an internal review shall not simply repeat the original decision and shall be able to consider relevant evidence, correct an error and authorise an appropriate remedy. The CPP shall explain how an actual or perceived conflict of interest will be managed.

65. The damage-claim procedure shall explain how a consumer may claim compensation for property damage or loss alleged to result from the electricity service, equipment, work, termination or another act or omission. Evidence requirements shall be proportionate, and the written decision shall state the evidence considered, findings, reasons, compensation or credit and review route.

66. The CPP shall identify the credits, refunds, compensation, repairs, apologies, corrective action and other remedies available. A consumer shall not be required to waive a statutory or regulatory right as a condition of receiving a remedy that is already due.

67. A consumer shall not be required to pay a disputed amount, withdraw a complaint or sign a payment agreement for that amount as a condition of maintaining or restoring supply where the CPR requires protection against disconnection. Where supply has been disconnected contrary to those protections, the Licensee shall promptly restore supply and reverse any associated disconnection or reconnection charges.

68. The CPP shall require investigation of the substance of a complaint, review of the relevant account and service records, a reasoned written response and clear escalation to URCA, before any termination while a complaint or dispute is pending.

3.4.8 Information, Privacy, Records and Continuing Compliance

Section 16(2)(g): address amendment of consumer protection standards as technology or circumstances change. Accessible information and compliance records also support delivery of section 16(2)(a) to (i).

69. Information provided to consumers shall be accurate, in plain language and available through reasonable alternative channels or formats. The CPP shall explain how consumers will be informed of material changes to prices, terms, service arrangements, contacts and complaint procedures.

70. The CPP shall address the lawful collection, use, security, disclosure and retention of personal information, with particular care for vulnerability and medical information. Access shall be limited

to persons who require the information for a legitimate purpose.

71. The Licensee shall retain the application, connection, metering, billing, payment, quality, outage, termination, vulnerable-consumer, complaint and damage-claim records needed to demonstrate compliance. Retention periods shall meet the CPR and other applicable legal requirements.

72. The Licensee shall monitor service standards, billing errors, complaints, terminations, restarts, vulnerable-consumer outcomes, damage claims and the performance of every person acting on its behalf. Recurring or systemic failures shall result in documented investigation, corrective action and reporting to URCA where required.

73. The CPP shall state how it will be published and supplied free of charge, how staff will be trained, how compliance will be reviewed and how amendments will be prepared and submitted for approval where required.

3.5 Supporting Documents and Internal Verification

74. The CPP may incorporate detailed forms or procedures by reference, but it should remain understandable without requiring a consumer to assemble several internal documents. A supporting document must not contradict or reduce a protection stated in the CPP.

75. Supporting material may include service terms, application and connection forms, tariff or charging information, sample bills or bundled-charge statements, deposit terms, outage and termination notices, complaint and damage-claim forms, vulnerability procedures, communication scripts, registers, service standards and training material.

76. The Licensee should include a cross-reference schedule identifying where the CPP addresses each paragraph of section 16(2) of the EA, the relevant parts of the CPR, applicable licence conditions and the principal requirements of these Guidelines. The schedule assists review but does not replace the narrative CPP.

77. Before submission, the Plan Owner should confirm that the stated contacts work, the timeframes can be met, the required records can be produced, the procedures agree with actual practice and the persons assigned responsibility have authority and training to perform the stated functions.

3.6 When a Matter is Not Currently Applicable

78. Not every procedure described in these Guidelines will be operationally relevant to every Licensee at all times. A Licensee may identify a matter as not currently applicable where the activity, charging arrangement or consumer relationship to which it relates does not exist.

    a) The matter should not be silently omitted or deleted. The Licencee should provide, in the cover letter accompanying its CPP submission or a separate attachment: Identification of the matter or provision;

    b) explanation of the facts that make it not currently applicable;

    c) Description of the arrangements that presently exist;

    d) the protection available to affected consumers in the meantime;

    e) the event that would cause the matter to apply; and

    f) a commitment to implementing the necessary procedure and obtaining any required URCA approval before the relevant activity begins.

79. Under the relevant heading, the CPP shall briefly identify the matter as not currently applicable, explain the reason and describe the arrangements and protections presently available to consumers.

80. A matter shall not be treated as inapplicable merely because the Licensee is small, supplies few consumers, supplies persons associated with the Licensee, uses another person to perform consumer-facing functions or does not issue a separate electricity bill.

81. Where a matter applies to one consumer category but not another, the CPP shall distinguish the categories, explain the reason for the difference and identify the protection afforded to each.

82. URCA will determine whether an explanation of non-applicability is sufficient. URCA may require a matter to be retained, clarified or implemented where that is necessary to comply with the EA, the CPR, the licence or another applicable measure.

83. 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 before or when the new activity begins, as directed by URCA.

4 Applying the CPP Requirements to Common APES Arrangements

4.1 Purpose and Approach

84. This section identifies recurring factual arrangements and the matters that commonly require additional explanation. The descriptions are not licence classes and do not determine licensing status. A Licensee should apply the description or combination of descriptions that best reflects its actual activities.

85. The universal content in section 3 remains applicable. The paragraphs below identify additional emphasis and examples of provisions that may not be currently applicable. Any such provision should be addressed using the process in section 3.6.

4.2 Island or Community Electricity Systems

86. This arrangement generally arises where the Licensee operates a microgrid or other electricity system supplying all or a substantial part of an island, settlement or community. Consumers may include households, businesses, government facilities, schools, clinics and other public or institutional users.

87. The CPP should give particular attention to applications and connections, metering and billing, fair access to service, local contact channels, fuel and spare-parts logistics, hurricane preparedness, outage detection, public notices, critical facilities, vulnerable consumers, restoration priorities and continuity where transport or contractor support may be delayed.

88. If another person performs billing, collection, maintenance or customer service, the CPP should explain how the Licensee remains accountable and how a consumer can escalate directly to the Licensee. Street-lighting obligations, public connection procedures or network-extension contributions should be addressed where they form part of the licensed service.

89. A Licensee may identify a discrete matter, such as security deposits, new network extensions or a consumer category that it does not serve, as not currently applicable. The general nature of a small or remote community system is not by itself a basis for omitting billing, complaints, vulnerability, termination, outage, safety or damage-claim protections that are relevant to consumers.

4.3 Private Developments, Resorts, Marinas and Residential Communities

90. This arrangement generally arises where the Licensee supplies electricity within a privately developed or managed area. Consumers may include property owners, tenants, residents, businesses, commercial occupants, concessionaires, marina users, employees and guests.

91. The CPP should explain whether electricity is separately metered and billed, included in rent, maintenance or homeowners' association fees, included in accommodation or service charges or supplied without a separate charge. It should explain how an electricity component is calculated, disclosed and challenged and how persons who do not deal directly with the property owner or manager can use the consumer-protection procedures.

92. The CPP should keep electricity-service decisions separate from property, lease, homeowners' association, employment, marina, membership or hospitality disputes. Electricity should not be terminated merely to enforce an unrelated obligation. The CPP should also explain how the Licensee supervises a property manager, billing agent or facilities contractor acting on its behalf.

93. Where electricity is not separately billed, provisions concerning individual bills, deposits, electricity arrears, payment arrangements and termination for non-payment may not be currently active. The CPP should state whether electricity is supplied without charge or included in another payment, explain how the electricity cost may be identified and challenged and identify the procedures that will apply before separate billing is introduced.

94. Community-wide public connection procedures or restoration priorities for public institutions may not be relevant where the development is not open to the general public and contains no such facilities. Safety, outage communications, emergency response, vulnerable consumers, complaints, damage claims and accessible information should nevertheless remain addressed.

4.4 Community-Owned or Co-operative Electricity Suppliers

95. This arrangement generally arises where some or all consumers are also members, shareholders or owners of the Licensee. The dual relationship should not reduce the protection available to a person in that person's capacity as an electricity consumer.

96. The CPP should explain how electricity-consumer rights are distinguished from membership and governance rights, how electricity charges are separated from membership dues or capital contributions, how conflicts of interest are managed and how complaints receive an impartial

internal review. Electricity should not be terminated because of a governance disagreement, voting decision or unrelated membership obligation.

97. A co-operative grievance procedure does not remove the consumer's right to refer an unresolved electricity matter to URCA. The CPP should also explain how any non-member consumer receives the required protection.

98. Provisions concerning non-member consumers may be identified as not currently applicable where every consumer is a member. The CPP should state that fact and provide that the relevant protection will be implemented before electricity is supplied to a non-member. The same approach applies to separate billing or bundled-charge provisions that do not reflect the present charging arrangement.

4.5 Predominantly Self-Supply Private Islands and Cays

99. This arrangement generally arises where the electricity system principally supports the Licensee's own activities but also supplies, or may supply, residences, employees, contractors, concessionaires, commercial occupants, guests or other persons. The description does not determine whether the person requires or holds an APES Licence.

100. The CPP should state whether any third party presently receives electricity, the categories of persons presently or potentially supplied, whether electricity is separately charged, bundled into another payment or supplied without charge, whether individual meters or accounts exist, which consumer-facing procedures are active and what events would materially change the arrangement.

101. Even where third-party supply is limited, the CPP should address the Licensee's responsibility, service safety and quality, outage communications, emergency reporting and restoration, vulnerable persons, complaints, damage claims, accessible information, records, monitoring and review.

102. The following matters may be not currently applicable where the relevant activity does not exist:

a) public applications and new connections;

b) security deposits;

c) individual consumer metering;

d) separate electricity bills, billing corrections and back-billing;

e) electricity arrears and payment arrangements;

f) termination for non-payment and restart following termination;

g) account credits, billing refunds and other account-based remedies; and

h) public connection timeframes.

103. The CPP should not delete those subjects. It should explain, for example, that no third-party applications are accepted, no deposit is required, no separate electricity bill is issued or service is not terminated for non-payment, and should describe the current protection that applies.

104. The CPP should specify that the relevant protections will be implemented before the Licensee supplies a new category of third party, accepts applications, introduces a separate or bundled electricity charge, installs individual consumer meters, requires a deposit, permits electricity arrears, introduces termination for non-payment or materially expands the licensed service.

105. Where a payment provision is not currently applicable, other protections may remain relevant. For example, payment assistance may be inactive where no residential consumer is charged, but accessible communication, advance outage information, medical-risk procedures and appropriate restoration priority should still be addressed.

4.6 Mixed or Other Arrangements

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

107. Where a provision is not currently applicable to one category but applies to another, the CPP should use clear subheadings or other drafting to distinguish the categories, the applicable procedure and the protection provided to each.

108. If the arrangement changes after approval, the Licensee should review the CPP promptly, implement any immediately applicable legal protection and obtain URCA's approval to an amendment where required.

5 Submission, Approval and Implementation

5.1 Preparing and Making the Submission

109. Section 16(1) of the EA requires the CPP to be submitted within three months after URCA issues the APES Licence. A licence condition or written direction from URCA may require an earlier submission or additional steps. An existing Licensee that does not have a current approved CPP shall submit by the date specified in a written notice or direction from URCA. The submission shall be addressed to URCA and sent through the channel identified in that notice or direction or URCA's published submission instructions.

110. A Licensee shall begin preparation promptly upon the issuance of its licence. The proposed CPP may require clarification, supporting information, public consultation and revision before approval. The Licensee should also take account of any licence condition governing commencement of service.

111. The submission to URCA for approval should include the proposed CPP and the following accompanying documents

a) a covering letter signed by a person authorised to act for the Licensee;

b) the proposed CPP, identified by version and date and approved internally by the Licensee;

c) the cross-reference schedule described in section 3.5;

d) the policies, procedures, forms, notices, consumer-facing documents and other material referenced in the CPP;

e) each explanation of a matter identified as not currently applicable; and

f) any additional information reasonably required by URCA.

112. The Licensee should ensure that the CPP and supporting material are accurate, complete, internally consistent and reflective of current operations. A future procedure should be clearly identified as such and should include an implementation date or activation event.

5.2 URCA Review and Public Consultation

113. URCA will acknowledge receipt and first consider whether the submission is complete and whether it adequately identifies the Licensee, consumers, services, charging arrangements,

responsible persons and proposed consumer protections. URCA may request clarification, evidence or revised drafting within a specified period.

114. In assessing the CPP, URCA may consider whether it addresses the EA, the CPR, the licence and these Guidelines; whether its procedures are clear and effective; whether any claim of non-applicability is justified; whether the arrangements are proportionate to the risks; and whether the Licensee can implement and evidence the stated commitments.

115. Before granting approval, URCA is required by section 16(3) of the EA to publish the proposed CPP for public consultation. The Licensee should therefore draft the CPP as a public document and should identify any supporting information for which confidential treatment is sought, with reasons.

116. Following consultation, URCA may require the Licensee to revise the proposed CPP. The time required for review will depend on the completeness of the submission, the issues raised and the revisions required. A Licensee should respond within the period specified by URCA or seek an extension before that period expires.

5.3 Approval

117. After review and consultation, URCA may approve the CPP, approve it subject to lawful conditions, require further revision or decline approval where the CPP does not satisfy the governing requirements. URCA will notify the Licensee of the outcome in writing.

118. Where URCA requires revision, the Licensee should submit a complete, internally approved revised CPP and an explanation of the changes within the period specified by URCA. The submission should not be limited to isolated replacement pages unless URCA permits that form.

119. A Licensee should not state or imply that a CPP has been approved until it has received written approval from URCA. The Licensee shall implement the approved CPP and remain in compliance with the EA, CPR, applicable licence conditions and other applicable regulatory measures issued by URCA.

5.4 Implementation, Publication, Training and Monitoring

120. Section 16(5) of the EA requires an approved CPP to be implemented and enforced. Approval is therefore the beginning of the Licensee's implementation obligation, not the end of the process.

121. Before the effective date, the Licensee should configure its billing and record systems, issue or update forms and notices, test contacts and escalation routes, brief relevant persons and confirm that the stated remedies can be authorised and delivered.

122. The approved CPP should be available free of charge at any customer-service location, through the service application process, on the Licensee's website or another suitable digital channel and on request. A short consumer guide while encouraged cannot replace or reduce the approved CPP.

123. Every person performing a consumer related function should be trained before assuming that function, periodically thereafter and after a material change. Training should cover the CPP, the CPR, billing, records, accessibility, vulnerability, safety, complaints, escalation and remedies relevant to the person's role.

124. The Plan Owner should monitor compliance, investigate recurring or systemic failures, record corrective action and report as required. The Licensee should also be able to demonstrate its oversight of every person performing a function on its behalf.

5.5 Ongoing Review and Amendments

125. The Licensee should maintain its approved CPP so that it remains accurate, current and effective and reflects its operations and consumer-protection arrangements at all times.

126. The CPP should be reviewed at least annually and after a material incident, recurring complaint, regulatory change, technological improvement or significant change to the service, consumers, charges or consumer-facing functions.

127. A material change may include a change to:

a) the consumers served, the area of supply, the services provided or the way consumers obtain service;

b) metering, charging, billing, payment, credit-management or termination arrangements;

c) complaint, dispute, damage-claim or consumer-communication procedures;

d) outage, emergency-response or vulnerable-consumer arrangements;

e) ownership, management, the use of another person to perform a consumer-facing function or another matter that may materially affect consumers or implementation of the approved CPP.

128. Before implementing a material change affecting consumer protection, the Licensee should assess the effect on consumers, notify URCA and submit a revised CPP where required. A prevailing

requirement in the EA, the CPR, the licence or another URCA measure must be followed even if the CPP has not yet been amended.

129. URCA may direct a Licensee to review, revise or resubmit a CPP and may monitor its implementation. Failure to comply with an approved CPP or another applicable requirement may result in corrective or enforcement action.