



LIBERIA ELECTRICITY REGULATORY COMMISSION

GUIDELINES FOR CUSTOMER COMPLAINTS AND DISPUTES RESOLUTION

May 2021

PART I – PREAMBLE

1. Objective of Guidelines

The objective of these Guidelines is to establish procedures for investigating and hearing of complaints submitted to the LERC by customers:

- (a) in respect of their electricity supply; or
- (b) who are dissatisfied with the handling of the complaint by the licensee.

PART II

INFORMAL HEARING OF COMPLAINT

2. Form and Contents of a Complaint

1) A person may file a complaint relating to a service provided by a licensee to LERC after first exhausting the complaint procedures of their electricity services provider or where they are dissatisfied with the handling of the complaint by the licensee.

- 2) A complaint submitted to LERC shall contain:
 - a) the full name and address of the complainant;
 - b) the respondent;
 - c) particulars of the complaint including the nature of the unfairness or harm that the complainant has suffered as a result of the act, inaction or omission of the respondent and any other matter that shall be relevant to the complaint; and
 - e) the relief or remedy being sought by the complainant.

2) The complaint shall be submitted in the form provided in **Appendix 1** to these Guidelines.

3. Customer Complaints Procedure of Licensee

1) The Licensee shall establish a Customer Complaints Procedure for the approval of LERC and adhered to for the speedy and effective resolution of customer complaints.

2) The Licensee shall keep a quarterly and annual report of complaints handled in a format that LERC shall determine.

3) LERC shall use the Customer Complaints reports as a benchmark in assessing the performance of the Licensee.

4. Initial Settlement

- 1) The complaint may be submitted in person at the LERC offices or submitted online at info@lerc.gov.lr
- 2) The person who receives the complaint shall lodge it with the Head of Licensing Legal and Public Affairs who shall designate an appropriate case officer to investigate the complaint.
- 3) Upon receiving a complaint, the case officer shall immediately conduct a preliminary assessment to determine whether the complaint warrants an inquiry.

4) If the Legal, Licensing and Public Affairs Unit deems it necessary to consider the complaint, it shall open a case file in respect of the complaint and designate an officer of the Directorate, the case officer, to handle it.

5) The case officer shall send a copy of the complaint and supporting documents to the respondent which shall submit a written answer to the forwarded complaint within 5 days.

6) Where upon receiving the respondent's answer, the case officer considers that the complaint may be mediated on or settled, the case officer shall invite the parties concerned and initiate a settlement of the complaint within 5 days of the response.

7) If the complaint cannot be settled, LERC shall set the complaint down for formal hearing as provided in this Guidelines.

5. Withdrawal of Complaint

1) A person who lodges a complaint with LERC may at any time withdraw the complaint, subject to such orders as the LERC may issue in respect of the withdrawal.

2) Withdrawal of the complaint shall not limit the right of the complainant to file the complaint subsequently.

PART III

FORMAL HEARING OF COMPLAINT

6. Formal Hearing

1) For the purposes of making a full inquiry by formal hearing into a complaint, LERC shall in writing invite the parties and any other person considered relevant to the complaint to appear before it at a date, time and place specified in the notice as provided in **Appendix 2**.

2) The date for attendance at the formal hearing shall not be less than 10 days from the day of the notice.

3) LERC may by notice designate centers for hearing of complaints in the Counties.

4) Subject to sub-Article 5, the hearing shall be conducted by a legal officer of LERC.

5) Where the subject matter of a complaint exceeds Five Hundred United States Dollars (\$500.00), the complaint shall be heard by a three-member panel chaired by the legal officer of LERC and two other members appointed by the LERC from within or outside the Commission or a combination of both.

7. Attendance by Counsel or Expert

1) A party attending a formal hearing of LERC shall appear themselves or may be represented by an attorney or another expert.

2) LERC may where it deems it necessary for the resolution of a complaint use the services of any expert.

8. Conduct of the Formal Hearing of Complaint

1) The formal hearing shall be conducted with fairness and impartiality.

- 2) Subject to the provisions of this Article, each person appearing at the Formal Hearing shall
- a) take an oath;
 - b) be informed again of the particulars of the complaint and the relief sought; and
 - c) be afforded the opportunity to present their case through oral or documentary evidence and may be questioned by the hearing officer, a member of the panel, the party's own counsel, expert or witness and the other party's counsel, expert or witness.
- 3) Each party shall be given the opportunity to present the party's evidence in chief at the hearing and tender the relevant documents by themselves or their witness or expert.
- 4) After the evidence in chief the other party may personally or through the counsel or expert question the witness.
- 5) Evidence may be given by staff of LERC who was involved in investigating aspects of the complaint, except that no confidential information or concession made during any mediation or the settlement process shall be admitted in evidence unless the party not disclosing such information waives the right of confidentiality or the information has become public knowledge.
- 6) At any time during the proceeding, the hearing officer or panel may ask questions or seek clarification from a witness or a party.
- 7) The hearing officer or panel may request such other information and the format in which it must be submitted from parties as may be deemed relevant during the proceedings.
- 8) At any stage during the proceedings, the hearing officer or panel may request an expert to conduct such test or inspection or investigation which may be deemed necessary and tender the report of such test, inspection or investigation in evidence, provided that the parties shall be provided with copies of the report and allowed to ask the expert questions in respect of the report.
- 9) The hearing officer or panel may grant not more than two adjournments per party during a hearing, where a party or witness is not available to testify provided that further adjournments may be granted only at the discretion of the hearing officer or panel with stated cause.
- 10) A party submitting documents at a hearing shall make available sufficient copies for the members of the panel and the other party in such form as the hearing officer or panel shall direct, whether electronic or hard copy.
- 11) Subject to the provisions herein, the hearing officer or panel shall regulate the course of its own proceedings and the conduct of parties and witnesses, provided that they shall be guided though not rigidly by the

9. Record of Proceedings

- 1) LERC shall designate a secretary who shall work under the supervision of the hearing officer to provide secretarial and administrative support to the hearing officer or panel.

- 2) The proceedings of a formal hearing shall be recorded by the secretary who shall keep separate files for each complaint.

PART IV DECISION AND ENFORCEMENT

10. Recommendation of the Panel

- 1) Within 5 days after the close of proceedings at a hearing, the hearing officer or panel shall render its decision on the complaint in the form of recommendations and submit it together with a record of the proceedings to the Managing Director of the LERC.
- 2) The Managing Director shall make a final decision based on the recommendations of the hearing officer or panel in the form of an order to the parties.
- 3) The parties shall comply with the order of the Managing Director.

11. Review of Decision

- 1) A party that is not satisfied with the decision of the Managing Director shall apply to the Board of the Commissioners for a review within 30 days of the decision.
- 2) The Board of Commissioners shall review the decision of the Managing Director and render a final decision on the matter within 14 days of submission of the application for review.

12. Enforcement of the Decision of LERC

LERC may apply to a court to enforce its orders where a party fails to comply with the decision of the Commission within 60 days of rendering the decision subject to any appeal that may be pending on the complaint before the Courts.

PART V MISCELLANEOUS PROVISIONS

13. Expenses of Hearing

Unless otherwise decided by LERC, each party shall bear its own expenses, except that the party that is culpable shall bear the expenses of any expert employed to assist a party or LERC in determining the complaint.

14. Monitoring Complaints

- 1) LERC shall monitor the complaints annually, analyze and identify trends and advise licensees on how to minimize the incidence or recurrence of complaints.
- 2) The annual report on the monitoring of complaints may be used by LERC in evaluating the performance of the licensees.

APPENDIX 1

LIBERIA ELECTRICITY REGULATORY COMMISSION (LERC) COMPLAINT FORM FOR ELECTRICITY SERVICE

COMPLAINT NUMBER

Contact Information

First Name:	Last Name:
City/Town:	District
County:	
Telephone No	Email:

Company/Licensee Information

Licensee Name:
Account No:

Describe your complaint. Explain the problem you are having with the Licensee

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What was the Licensee's response when you contacted them?

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What action do you want LERC to take or what reliefs are you seeking?

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Any other relevant information

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Please list and attach any supporting documents

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APPENDIX 2
LIBERIA ELECTRICITY REGULATORY COMMISSION (LERC)
INVITATION TO ATTEND HEARING

Behind Lone Star MTN HQs
Congo Town
1000 Monrovia 10 Liberia
Tel: +231 776 004 350/
+231 881 135 610

Complaint Reference No.....

Addressed to:

.....
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IN THE MATTER OF A COMPLAINT BY:

The above matter has been scheduled for Formal Hearing under the Commission's Complaints Procedure.

YOU ARE HEREBY INVITED to attend the hearing as the Respondent herein on the (..... Date.....).

You may attend with counsel or another expert if you so wish.

The documentation relating to the Complaint is attached.

Take notice that if you fail to attend the Hearing at the time and place stated below without just cause, the Hearing may proceed without you.

Time:

Venue:

The specific issues to be addressed or determined at the Hearing are:

1.
2.

Yours faithfully