

# **Virgin Islands Public Services Commission**

## **Customer Service Complaint**

### **Procedures and Timeline**

This information was prepared by the Virgin Islands Public Services Commission (PSC of Commission) to summarize the Utility Complaint Process and the utilities ratepayers' rights and responsibilities. There are many important rights and responsibilities authorized by the PSC to ensure fair dealings between the utility ratepayer and the utility company.

Public utilities are those utilities in the Virgin Islands like electricity, water, wastewater, solid waste, local telecommunication service and franchised cable tv and ferryboats that serve the general public. Public utilities have a "duty to serve." This means that utilities must provide service to any member of the public living within the utility's service area who has applied for service and is willing to pay for the service and comply with the utility's rules and regulations. The utility's duty to serve is not absolute, however. A utility may deny service for good cause (e.g., nonpayment, fraud). The rights of Virgin Islands electric, water, wastewater, solid waste, telecommunication utility and franchised ferry service consumers are necessary for basic survival, and ratepayers, particularly low-income people and the elderly, are particularly vulnerable to sudden loss of service. These provisions are commonly referred to as the Ratepayer's Bill of Rights (RBR). The RBR is designed to ensure access, safety and security of utility services. The RBR recognizes that public (and private) utilities provide vital services that must be made available to all utility ratepayers on just and reasonable terms. Ratepayers rights to reliable, safe utility services that address issues like affordability (reasonable rates) and termination of services are essential.

These rights and responsibilities include the:

- Right to prompt, timely and efficient ratepayer service
- Right to a clear and concise bill
- Right to know how utility bills are calculated
- Right to check his/her utility bill for accuracy
- Right to fair credit and deposit policies
- Ratepayer's responsibility to pay her/his bill
- Right to question or disagree with the utility company
- Right to receive reliable, safe and continuous service when the ratepayer meets his responsibilities

A utility company has the responsibility to honor all ratepayer's rights. A ratepayer has the responsibility to know their rights and to know that the utility should provide reasonable, safe and fair service.

The information in this document addresses questions that utility ratepayers may have about their rights as consumers and, the dispute or complaint process and disconnection procedures.

### **What is the Public Services Commission?**

The PSC is a quasi-judicial, regulatory agency established under Title 3, VIC Sec. 137(a). Currently operating under the provisions of Title 30 VIC Chapter 1, the PSC has broad mandate to maintain an important balance between the public utilities in the U. S. Virgin Islands and the Territory's ratepayers.

### **What does the PSC do?**

The Commission's authority requires that it *protect* the interests of its ratepayers and the regulated utilities. The PSC regulates those public utilities providing electric, potable water, telephone, cable TV, solid waste and wastewater, and ferryboat services.

The Commission plays a key role in *guaranteeing* that the consumer pays fair rates for these services. The Commission, therefore, sets rates that provide regulated utilities an opportunity to earn a reasonable return on their investment in order for them to provide adequate and reliable service and. The PSC also seeks to help consumers better understand its functions and how *they* can participate in the rate-making process.

The PSC's main objectives are to:

- Protect consumers from unreasonable rates and terms of service;
- Encourage maximum efficiency in utility company operations and management;
- Ensure public safety and help the public deal with regulated companies; and
- Establish regulatory standards and apply them in a fair and consistent manner.

### **Questions, Problems and Dispute? Get in Touch Immediately.**

Before contacting the Complaints Staff at the PSC, ratepayers must give the utility provider an opportunity to resolve their complaint by contacting the customer service center.

Contact your utility provider directly for any service-related concerns including the following:

- What services you are being billed for
- What the rates are for services you are provided
- Bill explanations

- General questions on account status
- Account payments, extensions, payment arrangements
- Billing period; Start and end of billing cycle
- Starting service/Cancelling service
- Payment locations

**Utility** ratepayers may question any charge applied to their bill, ask about the utility's billing policies or services, request new service, complain about present service or make a payment arrangement for her bills. Ratepayers concerns or questions can often be answered if they immediately bring them to the attention of the utility company. The utility company may ask for the ratepayer to allow them to review its records about the matter and respond with finding. If the ratepayer agrees to let the company do this, the utility will call them back within three business days. If the utility cannot reach them, it will send them a letter that will tell them what it found from its review.

### **Complaint Procedures:**

The following procedures are utilized to implement the requirements of the Ratepayers' Bill of Rights (Act No. 8375) and Chapter 1 of the Virgin Islands Code.

The Complainant will provide the PSC the:

- Ratepayer's name
- Telephone number
- Service address
- Mailing address
- Account number
- Name of utility in dispute
- Description of the problem
- What action the utility took, and
- What action the ratepayer is seeking.

## **Customer files complaint with the PSC**

- Day 1 PSC immediately logs, assigns complaint number, notifies the utility of the customer's complaint.
- Day 3 PSC has three (3) business days to:  
(a) forward written complaint to Utility;  
(b) forward initial written acknowledgement/reply to complainant.
- Day 10 If the customer failed to file complaint/dispute with the Utility before contacting the PSC, then the PSC has **10 business days** to pursue informal resolution with the Utility on behalf of the complainant.
- Day 11 The utility has **10 business days** from issuance of the PSC's notice, to investigate and answer the customer's complaint to the PSC. At the end of this 10-day period the utility must respond to the PSC, and the customer through the PSC, of the Customer's status and the Utility's response. The utility must respond within this time period and if unable to complete its response, must request a specific time extension. A meeting or site inspection may be arranged by PSC staff, with both the customer and the utility.
- Day 1 Once the response is received from the utility, the PSC notifies the customer of the utility's response. The customer may agree or disagree with the utility's response. If the customer agrees, the complaint is closed.
- Day 10 If the customer is dissatisfied with the outcome of the Informal Complaint the ratepayer has **10 business days** from the PSC staff contact/decision to file an appeal through the Formal Complaint process.

## **Formal Complaints**

After formal complaints are filed with the PSC, a hearing will be scheduled at which time a PSC hearing examiner will listen to both sides of the dispute and issue a decision.

Through the formal complaint procedure, the PSC can/may/shall order the utility to take corrective action on a variety of formal complaints, including an adjustment to a ratepayer's bill. The PSC can also order compensations if a service which has been paid for has not been provided. It is important to note, however, that the PSC is not allowed to award damages for such things as personal injury, property damage, emotional distress, or loss of wages or profits. To request compensation for damages, the customer must file a claim in a civil court.

Step 1: the regulated utility customer makes formal written complaint to the Commission.

Step 2: The customer must be specific enough to identify the billing, rate, practice, or service complained of, as well as why it is unlawful.

Step 3: The Executive Director shall immediately transmit a copy of complaint to the public utility involved, with the direction that the company has 10 days to respond or resolve the complaint.

Step 4: The Commission may also by its own motion institute an investigation of matters subject to its jurisdiction.

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### ***Privacy Notice***

*Whether or not your formal complaint is filed in paper form or electronically, formal complaints filed with the PSC become a public record and may be posted on the PSC's website. Therefore, any information you provide in the formal complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, e-mail address, and the facts of your case may be available on-line for later public viewing. [information will be redacted prior to posting in a publicly available forum; important to protect customers against identity theft and other potential damages]*