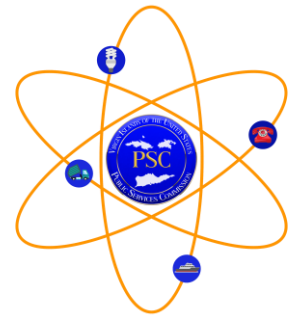




**Government of the United States Virgin Islands
Public Services Commission**

www.psc.vi.gov
psc.info@psc.vi.gov



**VIRGIN ISLANDS PUBLIC SERVICES COMMISSION
CUSTOMER SERVICE COMPLAINT POLICIES AND PROCEDURES**

Adopted by PSC Order No. 37/2023

Adopted: May 9, 2023

INTRODUCTION

I. Purpose.

The Virgin Islands Public Services Commission (PSC or Commission) is responsible for responding to and investigating customer complaints regarding the regulated utilities of the Virgin Islands. This document will describe the responsibilities of the Commission, the affected utilities and the customers. It will set forward the steps that will be taken to address the complaint of any customer. Because the nature of the complaints will differ significantly by the type of utility, separate procedures are set forth for:

- Electric and Water Service
- Telephone and Cable Services
- Ferry Services
- Waste and Wastewater Services
- Cellular Phone Services

Utility ratepayers and customers may contact the PSC about problems with a utility (such as billing or service) by:

- Accessing the agency's website at www.psc.vi.gov. The website contains the PSC Mission Statement and Objectives, and the Informal Complaint form is also available
- Calling the PSC offices at 340-776-1291 (STT); 340-776-1391 (STJ); 340- 7786010 (STX)
- Sending an Informal Complaint by mail to:

VI Public Services Commission
P. O. Box 40
St. Thomas, VI 00804

VI Public Services Commission
P. O. Box 7360
St. Croix, VI 00823

P.O. Box 40 St. Thomas, VI 00804
1003 Estate Ross Suite 4, St.
Thomas, VI, 00802
(340) 776-1291

P.O. Box 7360 Christiansted, VI 00823
Estate Carlton Suite 1 & 2 Frederiksted,
St. Croix, VI, 00840
(340) 778-6010

II. Our Mission.

The mission of the Public Services Commission is to regulate all public utilities operating in the territory to ensure a fair and reasonable rate of return while providing the ratepayers with the highest quality service in a safe, consistent and efficient manner.

III. Our Objectives

The Commission's authority requires that it protect the interests of both utilities and ratepayers. The PSC regulates the utilities providing electric, potable water, telephone, cable TV and ferryboat services. It plays a key role in guaranteeing that the consumer, pay fair rates for these services. 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.
- Establish regulatory standards and apply them in a fair and consistent manner.

IV. Legal Authority

The PSC authority to conduct such investigations arises, in part, from Title 30, section 20 of the Virgin Islands Code, which provides:

20. Investigations of rates and services

(a) Upon its own initiative or upon reasonable complaint made against any public utility including the Virgin Islands Water and Power Authority that any of the rates, tolls, charges, or schedules, or services, or time and conditions of payment, or any joint rate or rates, schedules, or services, are in any respect unreasonable or unjustly discriminatory, or any service in connection therewith, is in any respect unreasonable, insufficient, or unjustly discriminatory, or that any service is inadequate or cannot be obtained, or any billing for service inaccurate or erroneous the Commission may, in its discretion, proceed, with or without notice, to make such investigation as it may deem necessary or convenient. But no order affecting said rates, tolls, charges, schedules, regulations, or act complained of shall be entered by the Commission without a formal hearing.

(b) Commencing July 30, 2001, the Commission shall conduct rate investigations of all regulated utilities every five years and hold formal hearings as required under subsection (a) of this section.

V. Ratepayer's Bill of Rights

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 Virgin Islands electric, water, wastewater, solid waste, telephone and franchised ferry service services are necessary for basic survival, and ratepayers, particularly low-income people and the elderly, are vulnerable to sudden loss of service.

All ratepayers are entitled to cost-effective, reliable and reasonable utility services.

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 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.

VI. General Policies and Procedures

The Commission has adopted the following policies and procedures for the resolution of customer service and billing complaints.

General Policy:

- 1) All complaints will receive an initial written reply from the PSC within three (3) business days.
- 2) Ratepayers shall pay the undisputed portion of any bill. No escrow or deposit shall be required of the Ratepayer for the disputed portion during the resolution period.
- 3) If the undisputed portion of the bill is paid, no Ratepayer shall be disconnected while a complaint is pending.
- 4) The Ratepayer must first attempt to resolve the matter with the utility directly. If after submitting their claim to the utility a satisfactory outcome is not reached within thirty (30) days, then the Ratepayer may seek the assistance of the Commission. Once the Customer has contacted the utility, service must be restored until the matter is resolved.¹
- 5) Ratepayers' concerns submitted to the Commission shall immediately be treated as an informal complaint.
- 6) Ratepayer shall provide all information available to the Commission to support his/her/its complaint concurrently with the filing, or no later than five (5) business days after filing.
- 7) The Commission will request a formal response from the utility within fifteen (15) business days. The utility shall respond with all information that it intends to rely upon within fifteen (15) business days.
- 8) Failure to submit information may result in the presumption that the information would have supported the other side.
- 9) Commission staff will review the information submitted and communicate with the ratepayer and the utility to seek a resolution of the billing or service dispute. This period shall not exceed ten (10) business days.
- 10) If resolution is not achieved within the ten (10) day period following the submission of information, the Commission staff will report the matter with a recommendation to the Commission's Executive Director. The Executive Director shall either seek a swift resolution of the matter, and if unable to do so, shall place the dispute on the next Commission agenda.

VII. Utility Specific Requirements Water and Power Authority

Ratepayer Minimum Submissions:

- 1) A clear and concise statement of the issue(s)
- 2) At least three months billing (or the full period being challenged if longer)

¹ 30 VIC, §1a(b):

(7) Ratepayers have a right to avoid discontinuation of service for failure to pay a disputed bill once the ratepayer is current with prior and subsequent bills that are not in dispute. If the ratepayer is disputing bills for two or more consecutive months, the ratepayer must deposit with the public utility 50 percent of the average of the prior 12 months bills. Upon resolution of the dispute, if the ratepayer owes the public utility more money than the deposited amount, the ratepayer must pay the additional money not later than 10 days after the dispute was resolved.

Virgin Islands Public Services Commission
Customer Service Complaint Policies and Procedures
Adopted by PSC Order No. 37/2023
Page 5 of 5

- 3) Evidence of prior payments (three months or the period being challenged if longer)
- 4) Supporting information for any specific issues (e.g., information on solar panels installed; information on cost-savings measures taken; copies of meter readings, etc.)
- 5) Additional information may be required depending on the particular issues raised by the ratepayer or the utility.

Utility Minimum Submissions:

- 1) A clear and concise response to Ratepayer's complaint and statement of the issue(s)
- 2) At least three months meter-readings (or the full period being challenged if longer)
- 3) Evidence of prior payments (three months or the period being challenged if longer)
- 4) Supporting information for any specific issues (e.g., information on any net-metering or netbilling agreements; evidence of any testing on the meter's accuracy; statement as to any estimated billings and all supporting information, including a statement as to why no actual meter readings; etc.)
- 5) Additional information may be required depending on the particular issues raised by the Ratepayer or the utility.

Date: August 1, 2023



Commissioner & Chairman
Virgin Islands Public Services Commission