



REPUBLIKA E SHQIPËRIË

ENERGY REGULATORY AUTHORITY

BOARD

DECISION

No. 60, dated 25.02.2021

“ON APPROVING THE STANDARDS OF HANDLING THE ELECTRICITY AND NATURAL GAS CUSTOMERS COMPLAINTS FROM THE LICENSEES IN THE SUPPLY ACTIVITY”

Based on articles 20, letter “ë”; 81, point 3, letter “ç”; 94, point 2, letter “b” and “ë” of Law no.43/2015 “On Power Sector” as amended, articles 16, point 16 and 20; 17, point 1, letter “ë”; 96, point 11; 98, point 1 and 2, of Law no. 102/2015 “On Natural Gas Sector”, as amended, articles 52/2 and 56, of Law no. 9902 dated 17.04.2008, “On Consumer Protection”, as amended, article 28 of Law no. 9887, dated 10.03.2008 “On Protection of Personal Data”, as amended, the “*Regulation on the General Conditions of the Electricity Supply Service for the End Use Customers*”, approved with ERE Board Decision no.203, dated 18.12.2017, the “*Regulation on the General Conditions of the Natural Gas Supply Service for the End Use Customers*”, approved with ERE Board Decision no. 161, dated 09.07.2018, the “*General Conditions of the Universal Service Contract for the Supply with Electricity of the End Use Customers*”, approved with ERE Board Decision no.15, dated 10.01.2018, “*Regulation on the Standard Criteria of the Supply Quality Service and the Security Performance of the Electricity Distribution Grid*”, approved with ERE Board Decision no.181, dated 10.11.2017, as well as article 15 and 26 of the “*Rules on ERE Organization, Operation and Procedures*”, approved with ERE Board Decision no.96, dated 03.09.2016, the Energy Regulatory Authority (ERE) Board, on their meeting dated 25.02.2021, after reviewing the report Protocol no. 30/4, dated 16.02.2021, prepared by the Technical Directorates,

Observed that:

- ERE Board with Decision no. 218, dated 15.12.2020, opened the procedure to approve the standards of handling the electricity and natural gas customers complaints from the licensees in the supply activity.
- With official letter Protocol no. 1315 dated 30.12.2020, ERE requested from the interested parties, the Ministry of Infrastructure and Energy, the Universal Service Supplier, the Distribution System Operator, the Albania Energy Association, the Competition Authority, the Ministry of Social Welfare, the Ministry for Protection of Entrepreneurship, the People's Advocate, the Albanian Manufacturers Union, the Consumer Association, the Energy Community Secretariat, to express their opinions

and comments on the draft Regulation within 30 days of becoming aware. At the end of this term, respectively 30.01.2021, it resulted that there were no comments, remarks or suggestions from the interested parties regarding the content of the draft Regulation. The regulation for which ERE board opened the procedure has been published on ERE official website www.ere.gov.al, in the consulting item.

- Recently with official letter protocolled at ERE with Protocol no. 280 dated 03.02.2021, the Universal Service Supplier (FSHU) submitted their opinion on the draft "The Standards of Handling the Electricity and Natural Gas Customers Complaints from the Licensees in the Supply Activity." FSHU company proposed amendments regarding article 7, point 3, article 8, point 3 and article 9, of the Draft "Standards of Handling the Electricity and Natural Gas Customers Complaints from the Licensees in the Supply Activity."

- ERE deems it necessary for the customer to be informed about the number that his/her complaint receives in one of the most acknowledged forms of traceable and documented communication (e-mail, sms, tel). Also FSHU company in the request for the amendment of Article 7, point 3, of the draft Regulation did not provide explanations regarding the importance of the complaints addressed via the Albanian Post, compared to those registered in the customer complaints office or other courses of action provided by the applicable law. What was found to be difficult for the work of FSHU company it is related to the provision set out above which provides the obligation that together with the complaint notification no. FSHU company shall submit in order to inform the customer, also the information regarding the proposed action for resolving the complaint, that is the reason why ERE proposes the removal of this provision from article 7, point 3, of the draft Regulation.

- In the resolution approved by the Albanian Parliament on 25.06.2020, "On evaluating the activity of the Energy Regulatory Authority for 2019", it is defined that ERE shall continue the work to monitor and update the plan of measures towards consumer protection according to the field of activity of the already divided companies, as well as to follow the rigorous implementation of the findings and remarks made during the monitoring, focusing on resolving customer complaints responsibly and in the shortest possible time. Also, ERE shall pay attention to the procedure how the customer becomes aware of the handling of the complaint, in order to enable the documentation on the information of each complaining customer about the result of the handling of the complaint by the Electricity Distribution Operator (OSHEE company), as a very important aspect of transparency and consumer protection.

- FSHU company informs that as provided in article 9: "The decision or any action taken to resolve the complaint, must be communicated to the complainant within [5] working days from the date of the decision." FSHU company proposes that as in these Standards, but also in the "General Conditions of the Universal Service Contract for the Supply with Electricity of the End Use Customers", approved with ERE board decision no. 15, dated 10.01.2018, are provided the ways through which a complaint can be submitted by the customer, to explicitly define the alternative ways of communication of the decision taken to resolve the complaint, depending on the

customer data available to the supplier and with the purpose to inform the complainant in the fastest and most accurate way.

• Regarding the above, ERE considers to accept the request for partial amendment of article 7, point 3 and article 8, point 3 and full acceptance of the proposal for additions to article 9. Respectively change and become:

- **Article 7 "Handling of complaints", point 3:** If the complaint is received by mail, within 5 working days after receiving the complaint, the Licensee shall inform in writing, electronically or via SMS, the Customer about the registration code, the date provided for the resolution of the complaint and the manner of communication that shall be continuously followed with the complainant ”

- **Article 8, point 3,** provides that: "After the investigation, the Licensee must inform the complainant **in writing, electronically or via SMS**, on the actions taken to resolve the complaint and avoid the problem."

- **Article 9** becomes : "**Communication of the decision can be done in any form that documents the information of the complainant, at any representative of the supplier**".

For all of the above mentioned, ERE Board,

Decided:

1. To approve the Regulation on the Standards of Handling the Electricity and Natural Gas Customers Complaints from the Licensees in the Supply Activity.
2. Customer Protection, Performance and Standard Directory shall inform the interested parties about ERE Board Decision.

This decision enters immediately into force.

This decision may be reviewed within 7 calendar days and may be complained on Tirana Administrative Court, within 30 calendar days from the publication in the Official Gazette.

This decision is published at the Official Gazette.

ERE CHAIRMAN

Petrit AHMETI