

REGULATION
ON SPECIFIC CONDITIONS FOR THE INTERRUPTION OF THE ELECTRICITY
SUPPLY FOR VULNERABLE CUSTOMERS

Article 1

Authority

This regulation is drafted according to:

- Article, 84, 95, 96, of Law no. 43/2015 “*On Power Sector*”, as amended.
- “*General Conditions of the Universal Service Contract of Electricity Supply for the End Use Customers*”, approved with ERE Board Decision No. 15, dated 10.01.2018.
- Council of Minister Decision No. 244, of date 30.03.2016 “*On approving the Conditions for Imposing Public Service Obligation that shall be implemented to the licensees on Power Sector which perform the Electricity Production, Transmission, Distribution and Electricity Supply Activity*” as amended.

Article 2

Object

This Regulation aims to define and ensure, clear rules for the electricity supply interruption, from the Supplier for the *Vulnerable Customers* in conformity with the conditions and procedures defined on Power Sector Law and on this regulation, as well as ensure equal and non discriminatory handling to all the vulnerable customers, respecting the rights and obligations deriving from their status.

Article 3

Definitions

The terms used on this regulation shall have these meanings:

1. “*Energy Regulatory Authority*” or “*ERE*” means the regulatory institution of Power and Natural Gas sectors, which operates in conformity with Power Sector Law and Natural Gas Sector Law.
2. “*Vulnerable customer*” means a household customer which due to social reasons, is issued a special status according to the criteria and procedures defined with Council of Ministers Decision of the Republic of Albania.

3. “*Universal service of supply*” shall mean a service provided as a public service obligation for the end use customers connected on low voltage which enables their electricity supply of a specific quality, within the entire territory of the Albanian Republic, on prices regulated by ERE.
4. “*Public service obligation*” is the obligation imposed to the licensee performing a public service, related with the security and quality of supply, the regulated prices in the Power Sector, energy efficiency, energy from renewable resources, environment protection, the comply of which does not violates competiton, despite when this is necessary to ensure the public service in question.
5. “*Supplier*” means a licensed company to perform the supply activity.
6. “*Distribution System Operator*” means a legal person, responsible for secure, reliable and efficient operating of the distribution grid, ensuring the maintenance and the development of the distribution system, dispersed at a given area, and if applicable, its connection to other systems in order to provide long-term capabilities to meet the reasonable demands on the distribution of electricity, respecting the environment and energy efficiency.
7. “*Force majeure*” is an natural or social act or event such as earthquakes, lightning, cyclones, floods, volcanic eruptions, fires or wars, armed conflict, insurrection, terroristic or military action, which prevent the licensee from performing his obligations under the licensee or other acts or events that are beyond the reasonable control and not arision out of the fault of the licensee and where the licensee has been unabpe to overcome such act or event by the exercise of due diligence and reasonable efforts, skill and care.

Article 4

Registration of the vulnerable customers

1. The Distribution System Operator and the electricity Supplier, based on the information send from the respective structure within the ministry responsible for the social welfare, shall set and maintain a database for the electricity *vulnerable customers*. This database may be available to the *vulnerable customer*, at any time required by this last questioned.
2. If due to the change of the circumstances, the customer looses the *vulnerable customer* status, the respective structure within the ministry responsible for the social welfare removes him from the *vulnerable customers* database and informs the Distribution System Operator and the supplier.
3. The supply contract for the *vulnerable customers* terminates by the end of the second month, from the de-registration moment of the customer as *vulnerable customer* from the Distribution System Operator. The Distribution System Operator informs the

- supplier for the de-registered customers, according to the notification for the exit from the vulnerable customer category, by the end of each month.
4. The data of the customer removed from the *vulnerable customers* database, shall be kept for a 5 years period after the de-registration.

Article 5

Obligations of the Universal Service Supplier

To ensure the universal service of supply to the *vulnerable customers*, in conformity with article 84, 95 and 96 of Law No. 43/2015 “*On Power Sector*”, as amended, are set the following obligations of the public service supplier, as protection measures for the *vulnerable customers*:

1. The supplier shall set systems/processes ensuring that the interruption of the supply for the customers, which have the “*vulnerable customers*” status and are registered as such, shall be based on the specific conditions for the interruption of the electricity supply for this category of customers.
2. The vulnerable customers registered, according to the specific criteria, as critically dependent from electricity for their life, may not be interrupted the electricity supply because of failure to pay the electricity invoices.
3. The electricity supplier may not interrupt the supply for failure to pay when the customer benefits from the “*vulnerable customer*” status, except when in the previous 12 months, the service provider (supplier), provided twice a payment plan that is suitable with the customer incomes or payment assistance, within the “*vulnerable customer*” status and he is refused from the *vulnerable customer*.
4. The electricity supply may not be interrupted when the *customer*, has submitted and is in the process of handling his request, to be classified as “*vulnerable customer*”.
5. When the customer or any member of his family use devices for the life support that operate with electricity and has prior notified by writing for this situation the Universal Supplier.
6. May not be interrupted the electricity supply on the days when the Supplier does not realize the service for the customers on Customer Care Centers , or :
 - a) When the Customer is respecting a formal payment plan.
 - b) When the Customer has submitted a complaint, at the Customer Care Center or ERE offices, regarding the universal supply service.
7. Despite of the above, the electricity supply for the *vulnerable customers*, may not be interrupted on the following cases:

- a) When an electricity *vulnerable customer* does not fully or partially pay for the electricity supply, as required on the electricity contract, but his general obligation to the supplier charged with public service obligation does not or does not exceed the minimum level of the revenues, or
 - b) During the weekend or the holidays, as well as on the event of atmospheric conditions with daily temperature – 15 Celsius degrees.
8. On the request of the *vulnerable customer*, the Supplier is obliged to take the measures for the electricity supply reactivation, within 48 hours from the execution of the payment for the electricity obligation.

Article 6

Electricity supply interruption for the vulnerable customers

The electricity supply for the *vulnerable customers*, may be interrupted when:

1. The customer loses “*vulnerable customer*” status according to the definitions made by the Respective Ministry, referring to article 95 of Law No. 43/2015 “*On Power Sector*”, as amended.
2. The *vulnerable customer* does not contact the Supplier to sign an agreement to pay the used electricity, according to a payment plan agreed between the parties.
3. *The vulnerable customer* does not agree with one or more of the payment plan bids, in conformity with his revenues, provided from the supplier during the last 12 months.
4. The *vulnerable customer* fails to meet the payment plan, agreed before with the supplier or fails to pay a defined amount for more than 4 months.
5. The *vulnerable customer* benefiting financial support from the State Budget, does not use the benefiting funds to pay the electricity obligations.
6. The internal electricity installations owned by the *vulnerable customer*, which is supplied with electricity, are not in conformity with the rules and the technical conditions in force for the internal electricity installations.
7. For the events of the force majeure, according to the provisions of Law 43/2015 “*On Power Sector*“, as amended.

Article 7

Electricity interruption procedures from the Supplier

1. The supplier before requiring from the Network Operator the interruption of the electricity supply for the *vulnerable customer*, shall make at least two written notifications to the *vulnerable customer*:

- a) The first notification, which has a warning informing the customer, about the measure to be undertaken for the electricity supply interruption, issuing a 7 calendar days term to take the measures for avoiding the electricity supply interruption.
 - b) The second notification that notifies the electricity supply interruption.
2. The notification for the interruption may be issued only after the term provided on the warning notification.
 3. The warning notification for the electricity supply interruption shall contain:
 - a) the reason/reasons for electricity supply interruption
 - b) the date of the warning term termination and the payment that shall be executed during the warning period.
 - c) the procedure of returning the electricity supply
 - ç) inform the *vulnerable customer*, its right to contact ERE, regarding the complaint for the electricity supply interruption and include the details of ERE contact points.
 - d) information regarding the contact point for the Supplier and the Distribution System Operator.
 4. After sending the warning notification for the interruption, the Supplier shall make reasonable attempts to contact with the *vulnerable customer*, to give him the opportunity to execute the payment or agree for a payment agreement. This communication may be through phone contact, fax, email, or verbally.
 5. On any case, before performing the supply interruption, the Supplier shall provide to the *vulnerable customer*, the opportunity to make partial payments (through a written agreement) within the opportunities and the conditions accepted by the customer.

Article 8

Monitoring and surveillance

1. ERE, implementing its powers, in conformity with the legal and by-legal acts in force ensures the monitoring and surveillance to implement this Regulation.
2. The supplier, which violates the conditions defined on this Regulation, shall be responsible according to article 107 of Law No.43/2015 “On Power Sector”, as amended.

Article 9

Complaining

Any *vulnerable customer* that has submitted before a complaint to the supplier, regarding the failure to respect the conditions defined on this regulation, has the right to submit a complaint at ERE, within 90 calendar days from the observation date for the failure to implement the regulation.

Article 10
Amendment

This Regulation is object of amendment with ERE Board Decision.

Article 11
Entry into force

This Regulation enters into force after its publication in the Official Gazette.