

CP1C: Develop consumer chart guidelines that establish clear rights and duties

REGULATORY FUNCTION: CONSUMER PROTECTION REGULATION		CP1C
OBJECTIVE CP1 There are clear rules regarding the interface between consumers and operators	ACTION CARD CP1C <h2 style="margin: 0;">DEVELOP CONSUMER CHART GUIDELINES THAT ESTABLISH CLEAR RIGHTS AND DUTIES</h2>	
COST: Low FREQUENCY: One time TARGET GROUPS: Regulators, consumers, service providers		
DESCRIPTION Another important tool available to consumers and operators are consumer charts. These are usually conceived as notification portals where both parties can quickly exchange on a range of issues predefined by regulators. These issues to a large extent encompass contractual rights and duties. Regulators also have a duty to provide guidelines for operators to promote the development of consumer service charts, and to declare a commitment to provide the best possible service to customers. Established to serve as a notification platform, consumer charts have also proved to be a valuable source of information for regulators.		
EXPECTED OUTCOMES <ul style="list-style-type: none"> • Service operators receive feedback from consumers through an interactive and templated mechanism. • Consumers are aware of their rights and duties. • Regulator can access information from consumers at all times. 		
EXAMPLE 1: SOUTH AFRICA In South Africa , the Johannesburg Water customer care programme operates two 24-hour call centres, one for revenue-related complaints and the other for technical issues, and two walk-in contact centres, while also offering customers contact by post and email. It also maintains an open and transparent relationship with its customers and publishes a customer service charter that declares the utility’s commitment to provide the best possible service to its customers. Johannesburg Water has benefited enormously from maintaining good customer care and relations. By responding quickly and providing feedback, customers are more likely to inform the utility of service failures that can then be rectified quickly. In response, customers are satisfied and more willing to pay for services.		
EXAMPLE 2: PANAMA The National Public Utilities Authority (ASEP) issued a resolution establishing the User Rights and Duties Regulation, which includes 26 rights encompassing aspects such as service quality levels, equal treatment among users, response to requests in adequate time frames, transparency in the information furnished by providers, the definition of easily-accessed customer service channels, the obtention of a correct measurement of consumption, billing and payment periods, service interruptions, compensations for damages caused by service deficiencies, the processing of personal information, claims notifications, and other aspects.		
Likewise, the regulation establishes 10 general duties of users related to issues such as responsibility in managing service facilities inside buildings and metering equipment, the prompt payment of bills, granting access to provider personnel for the purposes of consumption metering and maintenance tasks, the prohibition to resell the service, the prohibition to manipulate the public utility’s external networks, the obligation to inform the provider of anomalies in the facilities, and the respect for procedures established for submitting requests and claims.		
Accordingly, ASEP ordered all service providers to provide users with a free copy of the User Rights and Duties Regulation within a period of 45 days as from its publication. ASEP also has departments that provide in-person training and legal assistance to users (offices throughout the national territory, toll-free customer service lines, e-mail and customer service centers in the provinces).		

EXAMPLE 3: HONDURAS

The Drinking Water and Sanitation Services Regulator (ERSAPS) is responsible for regulating and monitoring the provision of drinking water and sanitation services on all of the national territory. Its powers include preparing the model format for service regulations encompassing providers and users.

Agreement No. 001 of 2006 by ERSAPS establishes the service regulation model for drinking water and basic sanitation, which includes a specific chapter on user rights and duties that defines 14 rights on matters such as access to a service connection, contract subscription, contract modifications, petitions, claims, access to service information, service interruptions with prior notice, service reconnection, advice by the provider on the use and maintenance of household networks, among others.

Likewise, the model establishes 16 user obligations in aspects such as connecting to the service when it is available, adequate use, connection charges, responsibility over household facilities, prompt payment of bills, consumption metering, change in meters due to malfunction, etc.

Additionally, ERSAPS's special regulation on the response to user requests and claims determines that user rights and duties should be broadly divulged through posters, internet portals, media, notices at provider company headquarters and at customer service offices. The regulation also obliges municipalities to issue and have the provider inform its users of the Drinking Water and Sanitation Services Regulation based on the model adopted by the regulator.

LINKS

South Africa: Johannesburg Water web page: <https://www.johannesburgwater.co.za/notify-me/>

Panama: Public Utility Users' Rights and Duties Regulation: <http://www.asep.gob.pa/openpdf.php?idresol=JD-101>

Honduras: Service Regulation Model and Special Regulation on the Response to User Requests and Claims: <https://www.ersaps.hn/normativa-u.html>

INTERNAL CAPACITIES NEEDED AND THE ROLE OF PARTNERS

When drafting consumer chart guidelines, regulators can rely on many good examples currently in use. The main capacities needed, include IT, communication, and legal abilities to appropriately convert contractual rights and duties into an interactive platform. Possible actors to seek capacity support from include consumer associations, operators, and civil society. Development partners could help with regional technical exchanges with other regulators. Regulators' staff must be trained on how consumer charts are applied by other regulators, and how to build on their lessons learned.