



PUBLIC UTILITIES REGULATORY COMMISSION

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Our Ref: PURC/ES/LS/ECG/2022.10/0567

4th October 2022

The Managing Director
Electricity Company of Ghana
Electro Volta House, Accra

Dear Sir,

REGULATORY ORDER

Re: Vending Failure in ECG Prepayment System

The Commission writes in respect of the vending failure which occurred in ECG's Prepayment System across the country from September 2022 to early October 2022.

In light of the breach of ECG's statutory obligations specifically sections 11 and 12(1) and (2) of the Public Utilities Act, 1997, (Act 538) and Regulations 41 and 45 of the Public Utilities Regulatory Commission (Consumer Service) Regulations, 2022 (LI 2413), the Commission hereby orders ECG to pay compensation to the affected customers in accordance with the attached Order. This is in compliance with the law and a demonstration of good customer service.

You may contact the undersigned for any clarification you may require.

Yours faithfully

.....
Ishmael Ackah (PhD)
Executive Secretary

CC:

Chairman, Public Utilities Regulatory Commission

Director Legal, Electricity Company of Ghana

Date: October 04, 2022

Order No: PURCECG012022

PUBLIC UTILITIES REGULATORY COMMISSION



Order In Respect of:

Failure in ECG Prepayment Vending System at
Volta, Greater Accra, Central, Western, Ashanti, Eastern and other Locations

October 2022

PRELIMINARY ORDER

Directed to: Electricity Company of Ghana Limited
Date: October 04, 2022

Order No: PURCECG012022

Date: October 04, 2022

Order No: PURCECG012022

THIS ORDER IS DIRECTED TO

Electricity Company of Ghana Limited (ECG)

In Respect of Failure in ECG Prepayment vending System at Volta, Takoradi, Tema, Cape Coast, Kasoa, Winneba, Swedru, Koforidua, Nkawkaw and Tafo locations, September 2022.

THE ORDER IS ISSUED UNDER:

- i. Sections 11 and 12 (1) and (2) of the Public Utilities Regulatory Commission Act, 1997 (Act 538); and
- ii. Regulations 41 and 45 of the Public Utilities Regulatory Commission (Consumer Service) Regulations, 2020 (LI2413).

Details of Order

1. The Public Utilities Regulatory Commission (PURC/Commission) has noted a widespread system failure in the prepayment meter vending systems of the Electricity Company of Ghana (ECG) in various locations around the country, which was confirmed in a Press Release issued by ECG.
2. Among others, the law imposes a duty on public utilities to provide safe, adequate, efficient, reasonable and non-discriminatory service.
3. The law also mandates the Commission to impose compensation orders among other penalties on public utilities for failure to comply with their legal obligations.
4. In view of the extent of inconvenience occasioned by the failures with the ECG prepayment meter system, the Commission has determined that ECG shall pay compensation to all its affected customers.

ECG IS HEREBY ORDERED to compensate each affected customer for loss suffered as a show of responsive customer service as follows:

Customer Category	PENALTY UNITS	GHS Equivalent
Residential (Lifeline)	N/A	15
Residential	10	120
Non-residential	20	240
Commercial	40	480
Industrial	100	1,200

5. ECG shall additionally adopt immediate measures to increase staff output and responsiveness to customers, including:
 - Extension of working hours at all affected locations to 8PM;
 - Engagement of temporary staff to ensure that affected customers are speedily attended to and are credited with the approved compensation by October 7, 2022;

Date: October 04, 2022

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- Final resolution of the vending failure as soon as possible with minimum further inconvenience to consumers.

6. Timeframe for Compliance

- ECG shall pay the above compensation to affected customers in the form of one-time electricity credit commencing 1 October 2022 and ending October 7, 2022.
- The compensation shall be clearly displayed on customer receipts.
- ECG shall issue widespread notifications to inform customers of the compensation due to them.
- ECG shall maintain accurate records of measures taken to comply with this order including the number of temporary staff engaged (if any), for purposes of regulatory monitoring.

This Order is without prejudice to any additional directives the Commission may issue with respect to the incident.

The relevant provisions of the law are attached to this order.

Signed.....



Executive Secretary, Public Utilities Regulatory Commission

RELEVANT LEGAL PROVISIONS

Act 538

11. Provision of adequate Service

A public utility licensed or authorised under any law to provide utility service shall -

- a. maintain its equipment and property used in the provision of the service in a condition that enables it to effectively provide the service;
- b. make the reasonable effort that is necessary to provide to the public a service that is safe, adequate, efficient, reasonable and non-discriminatory; and
- c. make the repairs, changes, extensions and improvements in or to the service that are necessary or proper for the efficient delivery of the service to the consumer.

12. Compliance with duty under Section 11

1. Where the Board discovers on its own or on a complaint that the service provided by a public utility is not in accordance with section 11, the Commission shall in writing direct the provision of the adequate or reasonable service that should be provided by the public utility and may include any other directions that will secure compliance with section 11.
2. A direction under subsection (1) may include payment of compensation by the public utility to a consumer for damage or loss suffered on account of the failure of the public utility to comply with section 11.

LI 2413

11. Wrongful disconnection of service

A disconnection of a service is wrongful, if

- (a) a consumer is unable to load a prepayment card which is not due to the fault of that consumer;
- (b) a public utility blocks a prepayment card of a consumer without just cause as determined by the Commission; or
- (c) the disconnection of the service is carried out in a manner contrary to regulation 37, 38 or 40.

45. Sanctions against public utility

(1) Where a public utility contravenes a provision of these Regulations or a directive or order of the Commission, the Commission may impose a regulatory charge on that public utility as specified in the Schedule.

(2) Without limiting subregulation (1) the Commission may order a public utility to pay a reasonable compensation to a consumer for the contravention.

(3) The compensation under subregulation (2) shall be commensurate with the inconvenience, loss or damage suffered by the consumer.

(4) The Commission may in addition, issue further orders to secure compliance.

