



SIMPLIFIED LEGAL *And* **REGULATORY GUIDE:**

**Nigerian Electricity Regulatory Commission
(NERC) Customer Complaints Handling Standards
and Procedures, 2006**





CONTENTS

[Overview](#)

[Enabling Law](#)

[Objective\(s\)](#)

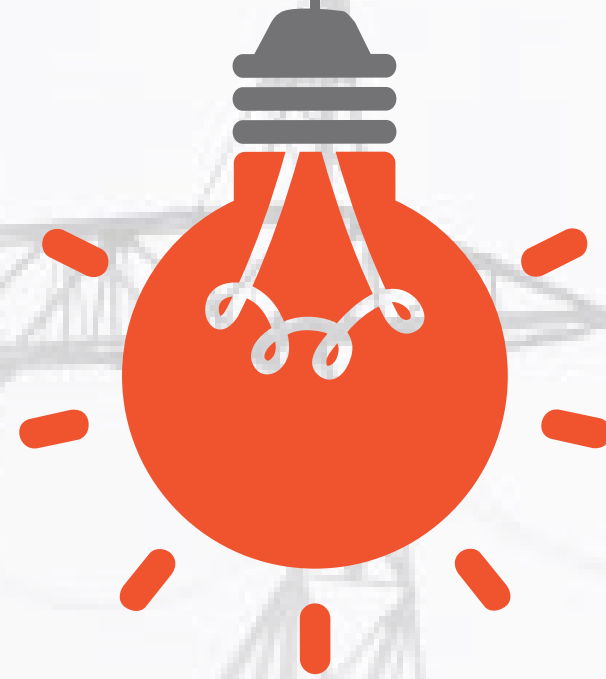
[Key Provisions](#)

[Key Stakeholders](#)

[Pricing and Tariffs](#)

[Incentives and Investment Opportunities](#)

[Sanctions and Penalties](#)



OVERVIEW

**Nigerian Electricity Regulatory
Commission (NERC) Customer
Complaints Handling Standards and
Procedures, 2006**



The Customer Complaints Handling: Standards and Procedures, 2006 (referred to as 'the Regulations') is a body of principles and guidelines applicable to all Distribution Licensees in Nigeria¹; which focuses on the resolution of customer complaints within the area of operation of any Distribution Licensee.

The Glossary of Terms referenced in this guide can be found in the main Regulation² and in our [Glossary of Industry Terms](#).



The enabling law for the Regulation is the Electric Power Sector Reform Act, 2005³ which vests the power to make regulations⁴ on the Nigerian Electricity Regulatory Commission (NERC). [Please refer to EL's guide on the Electricity Act.](#)



OBJECTIVE

**Nigerian Electricity Regulatory
Commission (NERC) Customer
Complaints Handling Standards and
Procedures, 2006**

OBJECTIVE



The rationale behind the promulgation of the Regulation is as follows:

- The promulgation of directives for the handling of customer complaints by Distribution Licensees.



KEY PROVISIONS

**Nigerian Electricity Regulatory
Commission (NERC) Customer
Complaints Handling Standards and
Procedures, 2006**

KEY PROVISIONS



The following are key provisions in the Regulations:

Customer Complaint Units

Every DisCo is required to establish a Customer Complaints Unit (CCU) within its premises which will be responsible for receiving and resolving customer complaints.⁵

The CCUs must be headed by a senior officer of the DisCo known as the Customer Complaints Officer and must also be staffed by employees of the DisCo.⁶

All complaints must be handled in accordance with the written complaint procedures of the Distribution Licensee, which must have been lodged with the Commission.⁷

All complaints by customers must be lodged firstly in writing to the CCU of the Distribution Licensee and must be resolved within 15 working days of the written complaint being received by the CCU.

If more time is needed, however, the customer will be notified within 15 working days following receipt of the complaint and every 15 days thereafter until the complaint is resolved.

If the customer is dissatisfied with the decision of the CCU of the Distribution Licensee or encounters undue delay in the handling of the complaint, the matter can then be referred to the Forum for Customer Complaints established by the Commission.

It must be noted that where both the Distribution Licensee and the customer cannot agree on a resolution to a complaint, either party may refer the complaint to the Forum for Customer Complaints.⁸

Forum for Customer Complaints

Forums established by the Commission have the jurisdiction to handle customer complaints within the entire operational area of the Distribution Licensee;⁹ however, the Forum cannot hear complaints on certain offences specified in the Electric Power Sector Reform Act.¹⁰ Forums are expected to resolve complaints within a period of two (2) months from the date of receipt of the complaint.¹¹



Any complaint to be made to the Forum must be filed in writing by the complainant and addressed to the Chairperson of the Forum. The complaint may also be lodged through email to the Forum's email address.

Upon receiving a complaint, the Secretary will endorse it and date it; the complaint will also be registered and given a serial number and an acknowledgement of receipt will be sent to the complainant within three (3) working days from the date of receipt of the complaint.

Following receipt of a complaint, the Forum may choose to hear or reject the complaint. The admissibility of a complaint for hearing is to occur within 10 working days from the date of receipt of the complaint. If the complaint turns out to be admissible, the Forum will proceed to hear the complaint; however if the complaint is rejected for reasons which could include it being frivolous, vexatious or lacking merit, the complainant will be informed of the rejection and reasons for the rejection within five (5) working days and will be advised on his or her right to appeal the decision of the Forum to the Commission.

If following the hearing of the complaint, the Forum is satisfied that the allegations contained in the complaint are proven, it will direct the Distribution Licensee to do one or more of the following acts, including but not limited to:¹²

- Returning to the complainant undue charges paid.
- Removing the deficiencies or defects in the services forming the subject of the complaint.
- Banning/Putting an end to unfair trade practices or restrictive business practices.
- Withdrawing hazardous electrical services being offered; and
- Providing for adequate costs to the claimant.

Duties of Distribution Licensees

Distribution Licensees are required to notify and bring to the attention of customers through public notice, the existence and details of the CCU and the Forum for Customer Complaints.¹³ Also, the procedure to be followed in lodging complaints should be made available to customers for free whenever required.¹⁴ The contact details of the Forum and details of the process in lodging complaints must be published by the Distribution Licensee periodically in the



media,¹⁵ and bills issued by the Distribution Licensee to its customers for electricity supplied must contain the address, post office box number, telephone numbers and email address of the Forum.¹⁶

The bills must also have on them the following statement – ‘Customers whose complaints are not satisfactorily addressed by the Customer Complaints Unit of the Distribution Licensee may approach the Forum established for Customer Complaints’.¹⁷

Distribution Licensees are required to obtain a Post Office Box Number for both the CCUs and Forums to aid easy registration of complaints by customers;¹⁸ and are also required to put this Regulation on their websites, making copies of it available to its business units and available for widespread distribution.¹⁹

Appeal to the Commission

If a complainant is further dissatisfied with or aggrieved by the decision of the Forum for Customer Complaints, an appeal may be sought against the decision to the Commission within 10 working days from the date of receipt of the decision by the complainant, in a form and manner as directed by the Commission.²⁰ The timeframe of 10 working days is not absolute as the Commission may still entertain an appeal after the expiry of the ten (10)day mark, if it is satisfied that there was sufficient cause for not filing the appeal within that period.²¹

It is noteworthy that the Commission will not entertain an appeal where the complainant has been directed by the Forum to pay an amount to the Distribution Licensee, unless that amount has been paid.²²



KEY STAKEHOLDERS

Nigerian Electricity Regulatory
Commission (NERC) Customer
Complaints Handling Standards and
Procedures, 2006

KEY STAKEHOLDERS



Nigerian Electricity Regulatory Commission (NERC)

NERC established the Regulations through powers vested on it in the Electric Power Sector Reform Act. The Commission is responsible for giving effect to the provisions contained in the Regulation.

The timetable and reporting structure for DisCos are established by the Commission.²³ NERC notably establishes Forums for Customer Complaints for the purpose of hearing and resolving customer complaints in the operational area of every Distribution Licensee,²⁴ the Commission also provides administrative support and monitoring to the Forums established,²⁵ issues orders or directions with regard to the implementation of the Regulation,²⁶ and has the power to vary and amend any provision of the Regulations.²⁷

The background of the slide features a faint, dark silhouette of a high-voltage power transmission tower, also known as a pylon, which is a lattice structure. It is positioned centrally but slightly to the right, extending from the bottom towards the top of the frame. The tower's structure is composed of numerous interconnected steel beams forming a triangular and quadrilateral lattice. The overall background is a solid, dark grey-blue color.

PRICING **AND TARIFFS**

**Nigerian Electricity Regulatory
Commission (NERC) Customer
Complaints Handling Standards and
Procedures, 2006**

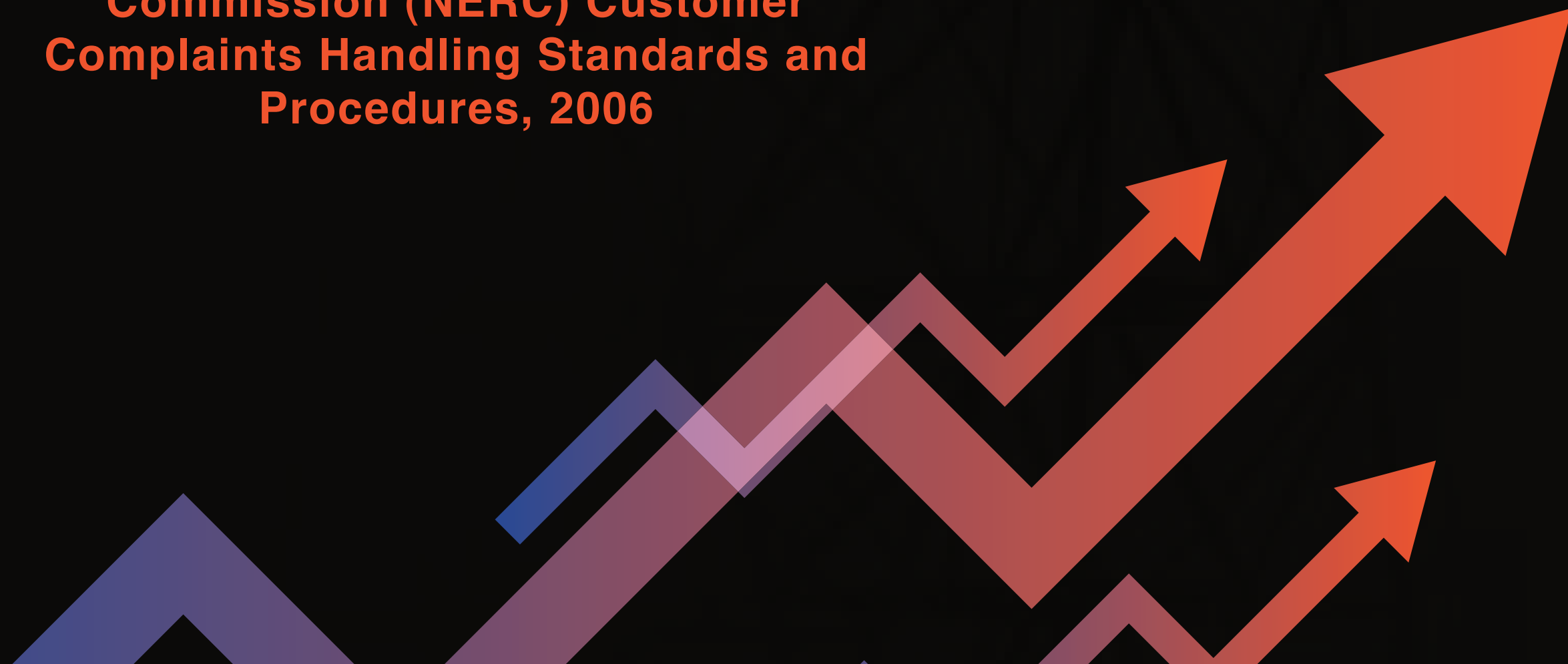
PRICING AND TARIFFS



The Regulation does not contain provisions relating to pricing and tariffs.

INCENTIVES AND INVESTMENT OPPORTUNITIES

Nigerian Electricity Regulatory
Commission (NERC) Customer
Complaints Handling Standards and
Procedures, 2006



INCENTIVES AND INVESTMENT OPPORTUNITIES



The Regulation does not contain provisions relating to investment opportunities.



SANCTIONS AND PENALTIES

**Nigerian Electricity Regulatory
Commission (NERC) Customer
Complaints Handling Standards and
Procedures, 2006**

SANCTIONS AND PENALTIES



The Regulation does not contain provisions on sanctions and penalties.

Referenced Statutory Instruments

- Electric Power Sector Reform Act, 2005

Endnotes

1 Section 1(2)
2 NERC, Customer Complaints Handling Standards and Procedures. Available at <https://nerc.gov.ng/index.php/library/documents/Regulations/Customer-Complaints-Handling-Standards-and-Procedures/>
3 NERC, Electric Power Sector Reform Act (EPSR), 2005. Available at [https://nerc.gov.ng/index.php/component/remository/Regulations/Electric-Power-Sector-Reform-Act-\(EPSR\)-2005/?Itemid=591](https://nerc.gov.ng/index.php/component/remository/Regulations/Electric-Power-Sector-Reform-Act-(EPSR)-2005/?Itemid=591)
4 Sections 96(2)(c) & (d), EPSRA
5 Section 3(1)
6 Section 3(3)
7 Section 3(4)
8 Section 3(10)
9 Section 6(1)
10 These offences are contained in Sections 93 & 94 of the EPSRA
11 Section 6(2)
12 Section 11(1)
13 Section 7(1)
14 Section 7(2)
15 Section 7(3)
16 Section 7(4)
17 Ibid
18 Section 7(5)
19 Section 7(6)
20 Section 12(1)
21 Section 12(2)
22 Section 12(3)
23 Section 3(4)
24 Section 4(1)
25 Section 4(2)
26 Section 15
27 Section 16

DISCLAIMER

This document titled the “Simplified Legal and Regulatory Guide” of the referenced country is not expected to form the basis of, or be construed as standard legal advice; nor should any of its contents and representations be strictly relied upon for any activities. Electricity Lawyer (EL) will not be liable for decisions whatsoever that are made based on the contents of the document.

For Enquiries and/or Advisory Services, kindly reach out to us at our e-mail address: ask@electricitylawyer.com

For Research and Insights, kindly reach out to us at our email address: insights@electricitylawyer.com

For Training and Capacity Building, kindly reach out to us at our email address: trainings@electricitylawyer.com



ELECTRICITY
LAWYER