

COMPLAINTS AND DISPUTES RESOLUTION REGULATIONS
for
SERVICE PROVIDERS
in the
ELECTRICITY SUPPLY INDUSTRY

January 2023

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**REPUBLIC OF LIBERIA
STATUTORY RULES AND ORDERS**

Published on 10th January 2023
Liberia Electricity Regulatory Commission

IN EXERCISE of the powers conferred by chapters 3.3, 4.1, 7 and 13.7(1)(h) of the 2015 Electricity Law of Liberia, the Liberia Electricity Regulatory Commission (the Commission) makes the following Regulations this 10th day of January 2023.

COMPLAINTS AND DISPUTES RESOLUTION REGULATIONS

LERC - REG. – 005

2023

PART I - PRELIMINARY AND GENERAL PROVISIONS

1. CITATION

- (1) These Regulations may be cited as the Complaints and Disputes Resolution Regulations, 2022.
- (2) These Regulations come into force on the 10th day of January 2023.

2. PURPOSE, APPLICABILITY AND SEVERABILITY

- (1) These Regulations establish the framework for:
 - (a) the resolution by the LERC of disputes:
 - (i) between a customer and a service provider; or
 - (ii) among two or more licensees or permit holders.
 - (b) reporting to LERC disputes handled by a service provider.
 - (c) the formal reconsideration by LERC of its own previous decision.
- (2) These Regulations apply to:
 - (a) a license or permit holder operating in the Electricity Supply Industry;
 - (b) a customer, an affiliate of a customer or prospective customer; and
 - (c) an eligible party affected by the decision of the LERC.
- (3) If any provision in these Regulations shall for any reason be held invalid or unenforceable, the other provisions not affected thereby shall remain in full force and effect.

3. DEFINITIONS

In these Regulations unless the context otherwise requires:

Board	Means the Board of Commissioners of LERC;
Complaint	Means a statement, allegation or report made by a consumer of a distribution licensee or permit holder that requires action or remediation and relates to - (a) dissatisfaction with an aspect of the level and quality of electricity service; (b) the breach of condition of license or permit, terms of contract for service or consumer charter; and (c) restitution for injury or damage suffered;
Complainant	Means a person who makes a complaint;
Consumer	Means a person who uses a service provider's electricity services whether under a contractual arrangement with the service provider or is entitled to have a reasonable expectation of service or who is affected by the service or the manner in which the service is delivered;
Customer	Means a person or his successor in interest who purchases or receives electric power for consumption and not for delivery or resale to others, including a person who owns or occupies premises where electric power is supplied under an express or implied contract;
Panel	Means the adjudicating tribunal established to hear a formal complaint whose subject matter is estimated at USD 10,000 – or above;
Party	Means a party to a complaint or mediation conducted under these Regulations;
LERC	Means the Liberia Electricity Regulatory Commission established under the 2015 Electricity Law of Liberia;
Licensee	Means person granted a license by LERC under the Electricity Licensing Regulations or the Micro Utility Licensing Regulations to operate in the electricity supply industry of Liberia;
Permit holder	Means a person granted a permit by LERC under the Electricity Licensing Regulations or the Micro Utility Licensing Regulations to operate in the electricity supply industry of Liberia;
Regulations	Means these LERC Complaints and Disputes Resolution Regulations;
Regulatory decision	Means a decision of the Commission on a matter relating to licensing, the conditions of a license, tariffs and quality of service;
Representative	Means a party's counsel, witness or expert; and
Service provider	Means a person granted a license or a permit to provide electricity distribution services under the Electricity Licensing Regulations, 2020.

PART II – CONSUMER COMPLAINTS

4. FORM OF COMPLAINT

- (1) A consumer that is not satisfied with the level or quality of electricity service provided by a service provider may lodge a complaint with the LERC.
- (2) The complaint may be made in person or through a representative in writing or orally at the LERC offices or submitted online at <https://lerc.gov.lr/contact.php>.
- (3) A written complaint shall be signed by the complainant or the representative.
- (4) An oral complaint shall be reduced into writing by an officer of LERC and read over and explained to the complainant, in a language the complainant understands after which, the complainant must sign or thumb print it.
- (5) A person who lodges a complaint on behalf of another shall indicate the capacity in which the complaint is being made.
- (6) In order to expedite the resolution of a complaint, the complainant must first report their grievance to the service provider to be handled under the dispute resolution procedures of the service provider and lodge the complaint with LERC:
 - (a) after exhausting the service provider's dispute procedures; or
 - (b) when dissatisfied with the handling of the complaint by the service provider.

5. CONTENTS OF A COMPLAINT

- (1) A complaint submitted to LERC shall contain:
 - a) the full name and address of the complainant;
 - b) the respondent;
 - c) particulars of the complaint including the nature of the unfairness or harm that the complainant has suffered as a result of the act, inaction or omission of the respondent and any other matter that shall be relevant to resolving the complaint; and
 - e) the relief or remedy being sought by the complainant.
- (2) The complaint shall be submitted in the form provided in Schedule 1 to these Regulations.

6. COMPLAINTS PROCEDURES OF A SERVICE PROVIDER

- (1) A service provider shall establish and implement a complaints and dispute resolution procedures for resolving consumer complaints.
- (2) The service provider shall inform its customers of their right to lodge a complaint about the level and quality of their electricity service and may do so:
 - (a) on a customer's bill or receipt;

- (b) within the customer charter and brochures;
- (c) by prominent notice each customer service center; and
- (d) on the website.

(3) The customer complaints procedures and amendments to the procedures shall be subject to approval by LERC.

(4) The service provider shall keep quarterly and annual report of complaints handled in a format that LERC shall determine.

(5) LERC shall use the consumer complaints reports as a benchmark in assessing the customer service and quality of supply performance of the service provider.

7. LIMITATION OF TIME FOR MAKING A COMPLAINT

A consumer shall lodge a complaint for resolution with LERC within 12 months of the occurrence of the matter in respect of which the complaint arose except where the complainant:

- (a) can show that action was initiated towards resolving the complaint before the effluxion of the 12-month limitation period;
- (b) shows reasonable cause why LERC should extend the time.

8. RECEIPT OF COMPLAINTS

(1) An officer of LERC that receives a complaint shall submit it to the Head of Legal and Public Affairs Unit who, shall designate a case officer to conduct an immediate initial assessment to determine if the matter warrants a further inquiry.

(2) If the case officer finds the complaint meritorious, the case officer shall formally receive and assign a docket number to the complaint and the Head of Legal and Public Affairs Unit shall assign the complaint to a case officer within 5 days.

(3) If the case officer adjudges the complaint to be frivolous, no further action shall be taken on it and the complainant shall be informed of the decision accordingly.

9. INITIAL INVESTIGATION AND SETTLEMENT

(1) The case officer shall immediately conduct an initial assessment to determine if the complaint warrants a further inquiry and if so, immediately forward a copy of the complaint and supporting document to the respondent to submit a written answer to the forwarded complaint within five days.

(2) The respondent shall answer the forwarded complaint within 5 working days of receiving it.

(3) Where upon receiving the respondent's answer, the case officer considers that the complaint may be mediated on or settled, the case officer shall invite the parties concerned and initiate a settlement of the complaint within 5 days of the response.

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(4) If the complaint cannot be settled, the case officer shall so report to the Head of Legal and Public Affairs Unit and the LERC shall set the complaint down for formal hearing as provided in these Regulations within five days.

10. FORMAL HEARING OF COMPLAINT

(1) For the purposes of making a full inquiry by formal hearing into a complaint, LERC shall in writing invite the parties and any other person considered relevant to the complaint to appear before it at a date, time and place specified in the notice as provided in Schedule 3.

(2) The date for attendance at the formal hearing shall not be less than 10 days from the day of receipt of the notice.

(3) LERC may by notice designate centers for hearing of complaints in each county outside Monrovia and its environs.

(4) Subject to sub-regulation 5, the hearing shall be conducted by a legal officer of LERC, the hearing officer.

(5) Where the subject matter of a complaint exceeds US\$10,000, the complaint shall be heard by a three-member panel chaired by the legal officer of LERC and two other members appointed by the LERC from:

- (a) within or outside the Commission;
- (b) a member of the Electricity Technical Committee appointed under regulation 57 of the Customer Service and Quality of Supply Regulations, August, 2021; and
- (c) or combinations of the above.

(6) For purposes of this regulation, writing may include a text, or a message transmitted by other electronic SMS method.

11. CONDUCT OF FORMAL HEARING OF COMPLAINT

(1) The hearing officer or panel shall conduct the formal hearing with fairness and impartiality.

(2) Subject to the provisions of this regulation, each person appearing at the Formal Hearing shall:

- (a) take an oath;
- (b) be informed again of the particulars of the complaint and the relief sought; and
- (c) be afforded the opportunity to present their case through oral or documentary evidence and may be questioned by the hearing officer, a

member of the panel, the party's own counsel, expert or witness and the other party's counsel, expert or witness.

(3) Each party shall be given the opportunity to present the party's evidence in chief at the hearing and tender the relevant documents by themselves or their witness or expert.

(4) After the evidence in chief the other party may personally or through the counsel or expert question the witness.

(5) Evidence may be given by a staff of LERC who was involved in investigating aspects of the complaint, except that no confidential information or concession made during any mediation or the settlement process shall be admitted in evidence unless the party not disclosing such information waives the right of confidentiality or the information has become public knowledge.

(6) At any time during the proceeding, the hearing officer or panel may ask questions or seek clarification from counsel, witness or a party.

(7) The hearing officer or panel may request such other information and indicate the format in which it must be submitted from parties as may be deemed relevant during the proceedings.

(8) At any stage during the proceedings, the hearing officer or panel may request an expert to conduct such test or inspection or investigation which may be deemed necessary and tender the report of such test, inspection or investigation in evidence, provided that the parties shall be given copies of the report and allowed to ask the expert questions in respect of the report.

(9) To expedite the hearing, the hearing officer or panel may grant not more than two adjournments per party during a hearing, where a party or witness is not available to testify provided that further adjournments may be granted only at the discretion of the hearing officer or panel with stated cause.

(10) A party submitting documents at a hearing shall make available sufficient copies for the members of the panel and the other party in such form as the hearing officer or panel shall direct, whether electronic or hard copy.

(11) Subject to the provisions herein, the hearing officer or panel shall regulate the course of its own proceedings and the conduct of counsel, witnesses and the parties, provided that they shall be guided though not rigidly by the Procedure Rules of Evidence and Civil Procedure of Liberia.

(12) The hearing of a formal complaint shall be conducted in public if so requested by the complainant.

12. RECORD OF PROCEEDINGS

(1) LERC shall designate a secretary who shall work under the supervision of the hearing officer to provide secretarial and administrative support to the hearing officer or the panel.

(2) The proceedings of a formal hearing shall be recorded by the secretary who shall keep separate files for each complaint.

(3) A party or member of the public may upon payment of the requisite fee obtain a copy or extract of the proceedings of a hearing.

13. TRACKING OF COMPLAINT

LERC shall establish a mechanism posting and updating information for the purposes of monitoring or tracking of the status of a complaint by a party from the filing of the complaint to the conclusion of the hearing of the complaint.

14. DECISION OF HEARING OFFICER OR PANEL

(1) Within 15 days after the close of proceedings at a hearing, the hearing officer or panel shall render its decision on the complaint in the form of recommendations and submit it together with a record of the proceedings to the Managing Director of the LERC.

(2) The Managing Director shall make a final decision based on the recommendations of the hearing officer or panel in the form of an order to the parties.

(3) The parties shall comply with the order of the Managing Director which, may include an order to pay compensation, reimbursement or to desist.

15. REVIEW OF DECISION

(1) A party that is not satisfied with the decision of the Managing Director shall apply to the Board of Commissioners for a review within 30 days of the decision.

(2) The Board of Commissioners shall review the decision of the Managing Director and render a final decision on the matter within 15 days of submission of the application for review.

(3) If the party is not satisfied with the review of the decision, the party may apply for a reconsideration of the decision under Part VI of the Regulations.

16. EXPENSES OF THE HEARING

Unless otherwise decided by LERC, each party shall bear its own expenses, except that the party that is culpable shall bear the expenses of any expert employed to assist a party or LERC in determining the complaint.

17. MONITORING COMPLAINTS

(1) LERC shall monitor the complaints annually, analyze and identify trends and advise licensees on how to minimize the incidence or recurrence of complaints.

(2) The annual report on the monitoring of complaints may be used by LERC in evaluating the performance of the licensees.

PART III – MEDIATION OF DISPUTES AMONG SERVICE PROVIDERS

18. INITIATION OF MEDIATION

(1) A dispute among licensees or permit holders which cannot be amicably settled may be referred to LERC for mediation under these Regulations if –

(a) there is an existing agreement between the relevant licensee or permit holder indicating that disputes shall be resolved by mediation under these Regulations; or

(b) an affected licensee or permit holder initiates the mediation under the Regulations and the other party to the dispute is amenable to the resolution of the dispute by LERC sponsored mediation.

(2) The party initiating the mediation shall apply using the mediation form in Schedule 4A and concurrently inform the other party or parties of the request for mediation.

(3) The initiating party shall provide the following information to the Managing Director of LERC and the other party or parties:

(a) a copy of the provision on mediation of the parties' agreement or the parties' stipulation to mediate;

(b) the names, mailing address and physical address of all parties to the dispute and their representatives;

(c) a summary of the nature of the dispute, the reliefs sought and any supporting documentation;

(d) an indication of the specific qualifications a mediator should possess if any;

(e) state whether there has been a previous attempt to mediate the dispute and if so provide a summary of the circumstances in which the attempt concluded.

(4) The mediation agreement may be in the form provided in Schedule 4B if there is no prior specific agreement to mediate between the parties.

19. APPOINTMENT OF MEDIATOR

(1) The parties may agree on a choice of mediator at the time of initiating the mediation.

(2) If the parties have not agreed on a mediator they shall use an LERC appointed mediator, by choosing one from the list of mediators attached hereto as Appendix 4.

(3) A mediator proposed by LERC shall have professional and academic backgrounds in areas relevant to the dispute or the Electricity Supply Industry, such as accounting,

administration, business management, economics, energy, engineering, environmental studies, finance, law, science, sustainable development.

(4) LERC shall update the list of its mediators every 3 years.

(5) Upon receipt of a request for mediation, LERC shall provide the parties with a shortlist of a minimum of six and maximum of 10 potential mediators from its list of mediators and parties shall agree on a mediator from the shortlist and inform LERC accordingly.

(6) If the parties are unable to agree on a mediator, each party shall strike out the unacceptable names from the shortlist and number the remaining names in order of preference and return the list to LERC.

(7) If a party does not return the list within the time specified, all the mediators on the list shall be deemed acceptable.

(8) LERC shall invite a mediator from among the list of mutually accepted mediators, designated according to the order of preference to serve as mediator.

(9) If the parties cannot agree on a mediator from the list provided or a mutually preferred mediator cannot serve, LERC shall have the power to appoint the mediator from its longlist without the submission of a further list.

20. REPLACEMENT OF MEDIATOR

If a mediator is unwilling or unable to serve, LERC shall appoint another mediator, unless the parties agree otherwise, in accordance with regulation 17.

21. CODE OF CONDUCT OF MEDIATOR

(1) A mediator shall abide by the American Arbitration Association's Model Standards of Conduct for mediators, adopted by the Association on September 8, 2005 and subsequent amendments which, are incorporated by reference to these Regulations.

(2) In case of conflict between the Model Standards of Conduct and a provision of these Regulations, these Regulations shall prevail.

22. CONDUCT OF MEDIATION

(1) The role of the mediator is to help the parties reach a satisfactory resolution of their dispute and shall not impose a settlement on the parties notwithstanding, the mediator may make oral or written recommendations for settlement to a party privately, or if the parties agree, to all the parties jointly.

(2) The mediator shall not act or be deemed an adviser or legal representative of either party.

(3) The mediator shall conduct the mediation based on the principle of party self-determination or the principle of reaching a voluntary decision in respect of which each party makes a free choice as to the process and result.

(4) The mediator may conduct separate meetings and hold other communications with parties and their representatives, during the pre-mediation phase and after scheduled mediation conferences during the mediation phase.

(5) The communication may be via telephone or in writing, including email and other electronic means.

(6) The mediator may request parties exchange various documents and memoranda on issues, including history of negotiations and parties are encouraged to exchange documents pertinent to the relief requested.

23. SETTLEMENT AGREEMENT

(1) If the parties to mediation resolve the dispute, they shall sign a related settlement agreement which is a contract specifying the agreement reached which shall be enforceable.

(2) Where the parties are not able to resolve the dispute they may sign a memorandum of understanding providing guidance on a plan of action for further engagement and provided the terms of the memorandum are unenforceable, they shall so indicate in the memorandum.

(3) The parties shall lodge a copy of the settlement agreement or memorandum of understanding with the LERC, which shall unless otherwise stated treat the instruments as confidential.

(4) The parties may use the form of the settlement agreement provided as Schedule 4C.

24. TERMINATION OF MEDIATION

The mediation shall terminate when:

- (a) the parties execute a settlement agreement;
- (b) by a written or verbal declaration;
 - (i) of the mediator to the effect that further efforts at mediation would not contribute to a resolution of the dispute;
 - (ii) of the parties to the effect that the mediation proceedings are terminated; or
- (c) there has been no communication between the mediator and any party or party's representative for 15 days following the conclusion of the mediation conference.

25. EXPENSES OF MEDIATION

(1) Unless otherwise agreed by the parties, all the cost of mediation, including out of pocket expenses and the mediator's charges shall be borne equally by the parties.

(2) Despite sub-regulation (1) costs of participants for either party shall be borne by the party requesting the attendance of such participants.

(3) The fees and charges for mediation are provided in Schedule 4 to these Regulations.

26. CONFIDENTIALITY

(1) Mediation sessions and mediation related communications are private proceeding and are open to the parties and their representatives and other persons may attend only at the invitation of the parties and with the consent of the mediator.

(2) Subject to the laws in force or the agreement among the parties, confidential information disclosed to a mediator by the parties or other participants such as witnesses in the course of the mediation shall not be disclosed by the mediator who shall maintain confidentiality of all information obtained in the mediation.

(3) All records, reports and such other documents received by the mediator while serving in the capacity shall be confidential, considered privileged information and the mediator cannot be compelled to disclose such data or testify in relation to the mediation in any proceeding or judicial tribunal.

(4) The parties shall observe the confidentiality of the mediation and shall not rely on or introduce it in any forum or tribunal or other proceeding except agreed to by the parties or required by applicable law.

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PART IV – REDRESS AGAINST A DECISION BY LERC

27. APPLICATION FOR RECONSIDERATION OF DECISION OF LERC

- (1) An eligible party that is dissatisfied with a decision of LERC shall file a written application for a formal reconsideration of the matter within 30 days of the day the decision was made or the day the decision was formally notified if the two events did not occur simultaneously.
- (2) The application shall be addressed to the Managing Director and shall:
 - (a) state the specific issues for which the reconsideration is sought and the grounds for doing so; and
 - (b) be accompanied by the application fee and such other deposit as LERC may require.
- (3) On receiving the application for reconsideration of a decision, the Managing Director shall conduct an initial assessment of the application and make a related recommendation to the Board within 15 days of receiving the application for reconsideration.
- (4) Within 30 days of receiving the recommendation of the Managing Director on the application, the Board shall issue a formal decision granting or refusing the reconsideration.
- (5) If the Board refuses the application, it shall in the notice of refusal to the applicant state the reasons for the refusal.

28. RECONSIDERATION OF DECISION

- (1) In granting the application to reconsider its decision, LERC shall make such orders regarding the format as it deems necessary for the reconsideration which, shall include –
 - (a) direction on the timetable, place and nature of the reconsideration;
 - (b) whether or not the personal attendance of the applicant or a representative or witness is required;
 - (c) such information or additional information that may be required to for the exercise'
 - (d) such deposit as may cover the expenses of the reconsideration.
- (2) Before or during the reconsideration, LERC may request further information and data from the applicant or other parties and may use such experts and call such witnesses as may be necessary for conducting the reconsideration.

29. USE OF COMMITTEE

- (1) The Board may establish a Committee of persons from within or outside LERC or both to assist it in the reconsideration exercise.
- (2) The Board shall in appointing the committee under this regulation, include a terms of reference to the letter of appointment.

(3) The Committee which, shall be guided by a related terms of reference shall present its findings as recommendations to the Board in the manner and timeframe specified in the terms of reference.

30. DECISION ON APPLICATION TO RECONSIDER

The Board shall render a decision on the application within 45 days of the formal notification of the reconsideration of the decision to the applicant.

31. APPEAL TO THE COURTS

(5) A person who is aggrieved by a decision of the LERC may appeal that decision in the Civil Law Courts or other subsequent court of competent jurisdiction in Liberia.

PART V – MISCELLANEOUS PROVISIONS

32. ATTENDANCE BY A REPRESENTATIVE

- (1) Subject to any applicable law in force, a party to a hearing or mediation under these Regulations may be represented by counsel and may require the attendance of a witness or an expert of the party's choice.
- (2) The party represented shall communicate the names, addresses and capacity of such representatives to all parties and the Managing Director of LERC in writing;
- (3) In the case of a witness or an expert, the party represented shall provide a summary of the evidence or testimony to be adduced.
- (4) LERC may when it deems it necessary use the services of an expert to help resolve a dispute.

33. PRINCIPLES FOR DISPUTE RESOLUTION

- (1) Subject to any laws in force, in resolving a dispute or considering a matter under these Regulations, LERC shall enforce the provisions of the Law and its Regulations.
- (2) The hearing standards for complaints shall at a minimum be characterized by impartiality, fairness, equity, expedition, avoidance of conflict of interest. LERC and its officials shall at all times protect the personal data and information of parties that come to the knowledge or possession of the Commission as a result of a dispute resolution process.

34. NO LIABILITY

- (1) Any action or decision taken by a mediator shall be considered an action or decision of LERC.
- (2) Neither a member of the Board, an official of LERC nor a mediator are parties to the dispute and subject to the laws in force, they shall not be liable for errors, omissions or actions relating to a hearing or mediation conducted under these Regulations.

35. WITHDRAWAL OF PROCESS

- (1) A person who lodges a complaint, an application for mediation or application for reconsideration of a decision with LERC may at any time withdraw the process, subject to such orders as the LERC may issue in respect of the withdrawal.
- (2) Subject to regulation 7, the withdrawal of the process shall not limit the right of the affected party to refile the cause subsequently.

36. POWER TO EXTEND TIME

Subject to any law in force, LERC may extend the time for undertaking an action or a process under these Regulations for stated cause.



37. ENFORCEMENT OF DECISIONS OF LERC

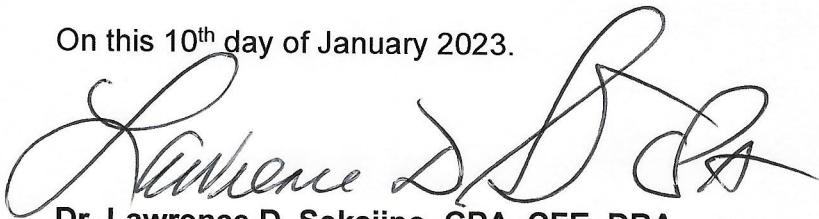
LERC may apply to a court to enforce its orders where a party fails to comply with the decision of the Commission within 60 days of rendering the decision subject to any appeal that may be pending on the complaint before the Courts.

THE COMMON SEAL OF

LIBERIA ELECTRICITY REGULATORY COMMISSION

Was affixed pursuant to the ORDER OF THE COMMISSION

On this 10th day of January 2023.

A handwritten signature in black ink, appearing to read 'Lawrence D. Sekajipo', written in a cursive style.

**Dr. Lawrence D. Sekajipo, CPA, CFE, DBA
CHAIRMAN
BOARD OF COMMISSIONERS**

**SCHEDULE 1
LIBERIA ELECTRICITY REGULATORY COMMISSION (LERC)
COMPLAINT FORM FOR ELECTRICITY SERVICE**

COMPLAINT NUMBER

Contact Information

First Name:	Last Name:
City/Town:	District
County:	
Telephone No	Email:

Company/Licensee Information

Licensee Name:
Account No:

Describe your complaint. Explain the problem you are having with the Licensee

What was the Licensee's response when you contacted them?

What action do you want LERC to take or what reliefs are you seeking?

Any other relevant information

Please list and attach any supporting documents

WAS

SCHEDULE 2
SERVICE PROVIDERS COMPLAINTS REPORTING FORMAT

Type of Complaint		Total no of cases	Cases resolved	% resolved	Average duration	Reason for non-resolution of complaints	Compensation payment	
Category	Sub-category						Incidence	Amount
Connection	Delays							
	Charges							
	Hindrances							
	Disconnections							
	Activation							
	Deactivation							
Contracts	Unfair terms							
	Sudden changes							
	Wrong information							
Metering	Reading							
	Malfunctioning							
	Repositioning							
Billing	Incorrect							
	Unclear							
	Non issuance							
Tariff	Sudden change							
	Complex and unclear							
	Discrimination							
Voltage	Isolation of fault							
	Rectification of fault							
Interruptions	Duration							
	Frequency							
Commercial	Information							
	Payment security							

SCHEDULE 3

**LIBERIA ELECTRICITY REGULATORY COMMISSION (LERC)
INVITATION TO ATTEND HEARING**

Behind Lone Star MTN HQs
Congo Town
1000 Monrovia 10 Liberia
Tel: +231 776 004 350/
+231 881 135 610

Complaint Reference No.....

Addressed to:

.....
.....

IN THE MATTER OF A COMPLAINT BY ---

The above matter has been scheduled for Formal Hearing under the Commission's Complaints Procedure.

YOU ARE HEREBY INVITED to attend the hearing as the Respondent herein on the (..... Date.....).

You may attend with counsel or other expert if you so wish.

The documentation relating to the Complaint is attached.

Take notice that if you fail to attend the Hearing at the time and place stated below without just cause, the Hearing may proceed without you.

Time:

Venue:

The specific issues to be addressed or determined at the Hearing are:

1.
2.

Yours faithfully

22 CDRR



SCHEDULE 4

**LIBERIA ELECTRICITY REGULATORY COMMISSION (LERC) 4A - MEDIATION
INITIATION FORM**

Claimant understand that mediation is a nonbinding process where the mediator assists the parties in arriving at a solution that is acceptable to them. Claimant has agreed with the respondent to the mediation process in writing or would like the LERC to contact the Respondent to determine willingness to proceed with mediation.	
1.Date:	
2.Name of Respondent:	Name of Claimant
Address:	
City/Town	
District	
County	
3. Nature of Claim:	
4. Reliefs sought:	
5. Mediation Agreement attached	6. Claimant wishes LERC to contact Respondent and attempt mediation
7. Previous attempt at settlement:	
8. Signature	

LIBERIA ELECTRICITY REGULATORY COMMISSION (LERC)

4B - MEDIATION AGREEMENT

BETWEEN: _____, referred to as the Claimant, and _____, referred to as the Respondent and together as parties.

WITNESSETH as follows:

1. The parties herein agree that a dispute has arisen and further agree to submit the dispute to mediation by the LERC.
2. The parties therefore hereby select _____ to act as the Mediator and agree to work together to reach a settlement.
3. In the event that an agreement is reached at the mediation as to any or all of the issues between the parties, the same may be entered as a settlement between the parties.
4. In the event that the parties do not reach a settlement, the parties shall exercise any and all legal and equitable rights including the right to arbitration by the referral of the issue for final settlement at a forum of competent jurisdiction.
5. This is the entire agreement between the parties, and this agreement may only be varied by mutual agreement in writing by the parties hereto.

WHEREFOR THE PARTIES herein, have the day and year stated below signed this agreement.

Dated at _____ this _____ 20 -- .

CLAIMANT

RESPONDENT



**LIBERIA ELECTRICITY REGULATORY COMMISSION (LERC) 4C - MEDIATION
SETTLEMENT AGREEMENT**

Case No: M	Date:
Claimant:	Respondent:

THIS CASE was mediated by _____ on _____ 20__.

The parties agree as follows:

1. The Respondent shall [*pay/ restore etc., ... (indicate relief)*]
]
 in full and final settlement of all claims arising from the incident/event that is the subject of the
 above named case, which occurred on [.....];
2. The Claimant shall upon the execution of this Settlement Agreement be deemed to have completely released the Respondent from all liability;
3. The parties shall bear their own costs and expenses;
4. The Claimant shall satisfy all outstanding administrative requirements relating to the mediation and shall hold the Respondent harmless from the same;
5. The Respondent agrees to pay the settlement monies [*or other remedy*] within 15 days of the Settlement Agreement;
6. The parties agree to keep confidential all the terms and conditions of the settlement.
7. [*The parties agree to abide by the other terms of the settlement, if any*]

CLAIMANT

RESPONDENT



SCHEDULE 5

LIBERIA ELECTRICITY REGULATORY COMMISSION (LERC) FEES AND CHARGES

5.A FEES AND CHARGES FOR MEDIATION

Description	Charge/US\$	Comment
Initial filing fee	50.00	
Mediation fee	150.00	Non-refundable administrative and cost of appointing mediator
Mediator's fee	100.00 per day	Minimum of 3 days x 4 hours sitting
Mediator's costs		Out of pocket expenses such as travel

Notes

If the matter is settled before the first sitting, the fee is the administrative fee and the costs of the mediator.

5.B FEES AND CHARGES FOR APPLICATION FOR RECONSIDERATION

Type of Application	Initial Filing Fee/US\$	Expenses/US\$
Reconsideration of Consumer Service Complaint	50	Actual costs as invoiced
Reconsideration of Regulatory Decision	150	Actual costs as invoiced
Mediation		