

BEFORE THE PUBLIC UTILITIES COMMISSION

**In the matter of the Public Utilities
Commission Act 1990 (No. 26 of 1990)**

- and -

**In the matter of the complaint by Keith
Scott against the Guyana Electricity
Corporation.**

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| PAMADATH J. MENON, A.A. | - | Chairman |
| HUGH GEORGE | - | Member |
| JOHN WILLEMS, A.A. | - | Member |
| CHANDRABALLI BISHESWAR | - | Member |
| BADRIE PERSAUD | - | Member |

DECISION

The above complaint related to damage to the complainants' equipment on account of a power surge on 8th February, 1994. The supplier of electricity to the premises, where the appliances were, was the Guyana Electricity Corporation (GEC). The cost of the repair or replacement of the

damaged equipment was, according to the complainant, \$30,430.00.

2. As the complainant did not get redress from GEC, he applied to this Commission. This matter was first heard on 30th April and 9th July, 1996. At the end of the hearing on 9th July, 1996, the Chairman of this Commission pointed out that these were such small matters for which it was not necessary to hire a hall and have long hearings over a few days and that the case could have been settled.

3. Before the matter could be finally decided, this Commission was re-constituted. In January this year this Commission requested GEC to furnish a formal report on the status of the matter. As we did not get a reply from GEC, a hearing was scheduled for 1st July, 1998. At that hearing it was represented to us that the parties had agreed that GEC would pay to the complainant 75% of his claim as the cost of repair or replacement of the damaged equipment and that they could not agree on the claim by the complainant for punitive damages.

4. Under section 27 (1) of the Public Utilities Commission Act 1990 (No. 26 of 1990) (the Act) this Commission has power to award "compensation for loss or damage suffered by the consumer on account of the failure of the public utility to comply with section 26 "of the Act. But under the Act it has no power to award punitive damages.

5. However, since this Commission had to intervene and this matter was settled only after two public hearings and a third one was scheduled, this Commission is inclined to award to the complainant costs under section 64 of the Act, which we fix at \$3000.00.


6. In the light of the above discussions, we make the following.

O R D E R

- (i) GEC shall pay to the complainant 75% of his claim of 30,430.00, that is \$22,823.00. If this amount has not already been paid it will be paid by GEC to the complainant within one month from the date of this Order; and

- (ii) GEC shall pay to the complainant, within one month from the date of this Order, \$3,000.00 as costs of these proceedings under section 64 of the Act.

Dated this 22nd day of September, 1998.



PAMADATH J. MENON, A.A.

- CHAIRMAN



HUGH GEORGE

- MEMBER



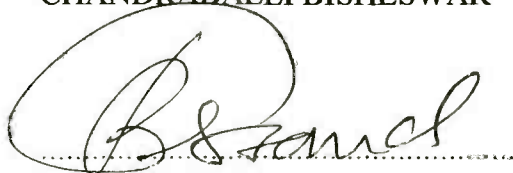
JOHN WILLEMS, A.A.

- MEMBER



CHANDRABALLI BISHESWAR

- MEMBER



BADRIE PERSAUD

- MEMBER