



WWRO OFFICE ADMINISTRATION

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# Regulatory Procedures

May 2007

## List of Content

1. REPORTING PROCEDURES - OFCR .....	3
2. CUSTOMER CONSULTATIVE COMMITTEE PROCEDURES.....	7
3. TARIFF SETTING PROCEDURE .....	11
4. LICENSING PROCEDURES .....	16
5. SERVICE STANDARDS EXEMPTIONS PROCEDURE.....	21
6. WATER DISCONNECTION PROCEDURE.....	24
7. COLLECTIVE DISCONNECTION PROCEDURE.....	27

## **1. Reporting Procedures - OFCR**

### **Background**

The Operational, Financial and Customer Reporting (OFCR) system was set up to provide better levels of reporting to the WWRO. This new system changed the system of reporting, as well as setting more definite timescales and allowing integration of reporting between the WWRO and KTA.

The OFCR allows service providers to be measured against Key Performance Indicators with all collected data stored centrally which also eliminates duplication of data.

### **Data**

Data should be received by WWRO from service providers on the 20<sup>th</sup> day of every month in order to be inputted into the OFCR system. The data which must be sent by the Service Providers includes service coverage, financial and operational elements, which are completed on an Excel spreadsheet.

In total there are currently 72 different pieces of data which the service providers must complete.

Once completed the Excel spreadsheet is emailed to the WWRO for the data to be inputted into the OFCR system.

### **People Responsible**

Albana Abazi shall be responsible for the receipt and inputting of data from the water service providers, while Avni Ramadani shall be responsible for receipt and inputting of data from the waste service providers. Ultimately Qamil Musa Head of Performance Section shall be responsible in the WWRO for the reporting process and for the review of reported data.

### **Outcome**

It is intended that the data is collated into a central point with the WWRO and can then be used to monitor performance in a number of key areas. Problems can be seen earlier than would otherwise be the case, and Service Providers can be contacted with regard to any problems with accurate information and conclusions.

### **Meetings with Service Providers**

The data provided by the OFCR system may be used to show a need for meetings with the Service Providers. This can occur in one of two ways:

- Meeting requested by the WWRO: a meeting may be requested by the WWRO with a Service Provider if the data collected shows a continuing problem with poor performance in specific areas, or in general. In these cases the People Responsible will inform the Director of the WWRO in order that he can look into the matter and decide if a meeting would be beneficial; or

- Meeting requested by the Service Provider: the WWRO should always look to be responsive to suggested improvements from Service Providers, especially if these improvements may lead to better data being provided by the Service Providers on a more regular basis.

### **Step-by-Step Procedure**

- Inform Service Providers of date to provide data

The Service Providers must supply requested data on the 20<sup>th</sup> day of every month. The data which they must provide has already been intimated to the Service Providers, together with an email address to which the data must be sent for processing.

On the 15<sup>th</sup> December every year the Service Providers must also provide annual financial data.

- No data provided

If a Service Provider has not sent the requested data to the WWRO on the 20<sup>th</sup> of the month then on the next working day the WWRO shall issue an email to the Service Provider informing them of their duty to provide the data, together with a request for explanation as to why the data has not been provided.

If the data has still not been sent within 4 working days of the 20<sup>th</sup> of the month then the WWRO shall call the Service Provider to request that the data is provided as soon as possible.

- Incomplete data

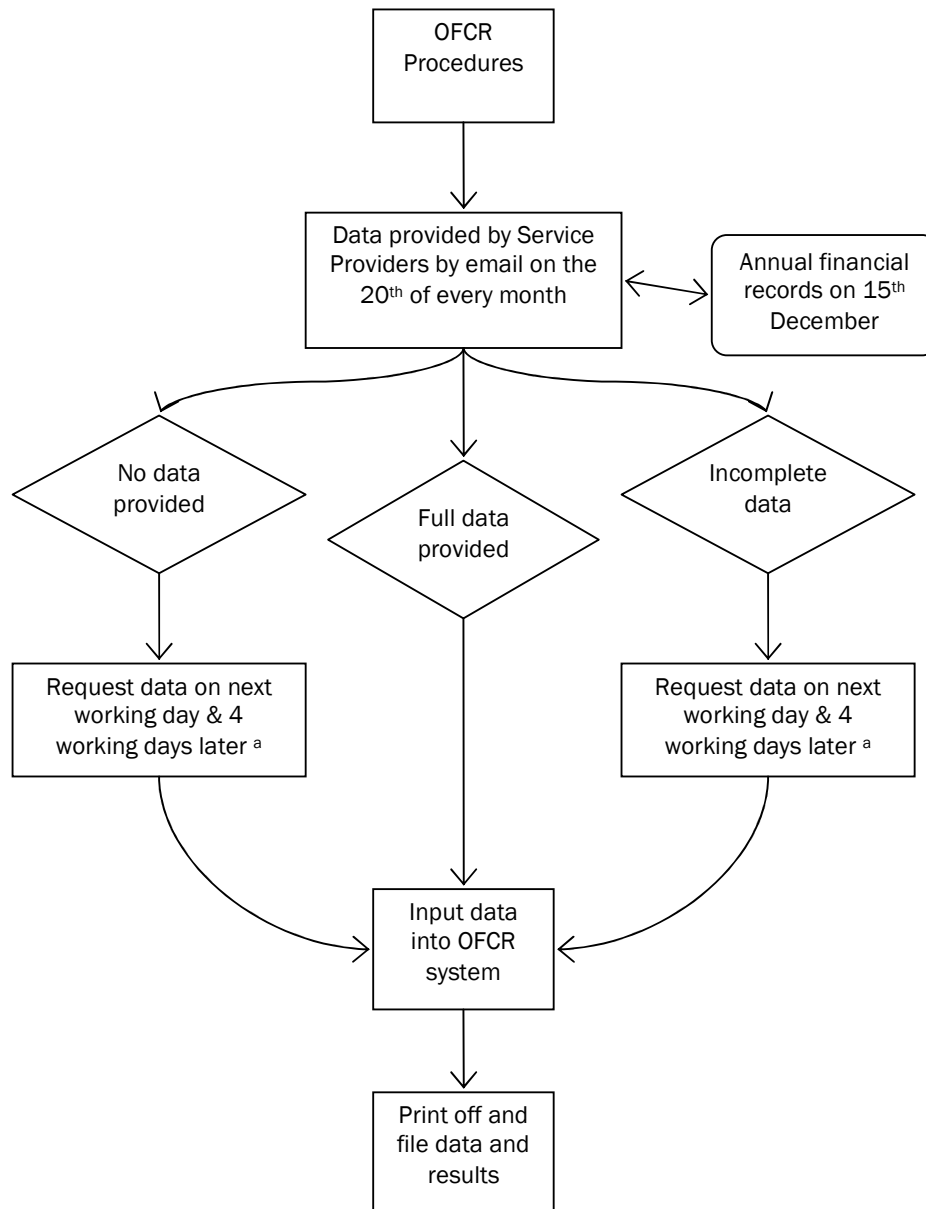
If the data provided is incomplete in any way then the procedure above for the non-supply of data will be followed to request the complete data.

- Input of data

The People Responsible will input the data into the OFCR system within 5 days of receiving the data so that an accurate position can be shown as soon as possible.

- Analyse results

The results will be analysed by the People Responsible and the Director of the WWRO shall be informed of any potential problems, or good results.



Notes to flowchart:

- a. If no data, or incomplete data has been provided by the Service Provider they shall be emailed on the first working day following the 15<sup>th</sup> of the month to request the provision of full data. If no reply has been received by the fourth working day following the 15<sup>th</sup> of the month then the Service Provider will be called to request the provision of full data.

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## **2. Customer Consultative Committee Procedures**

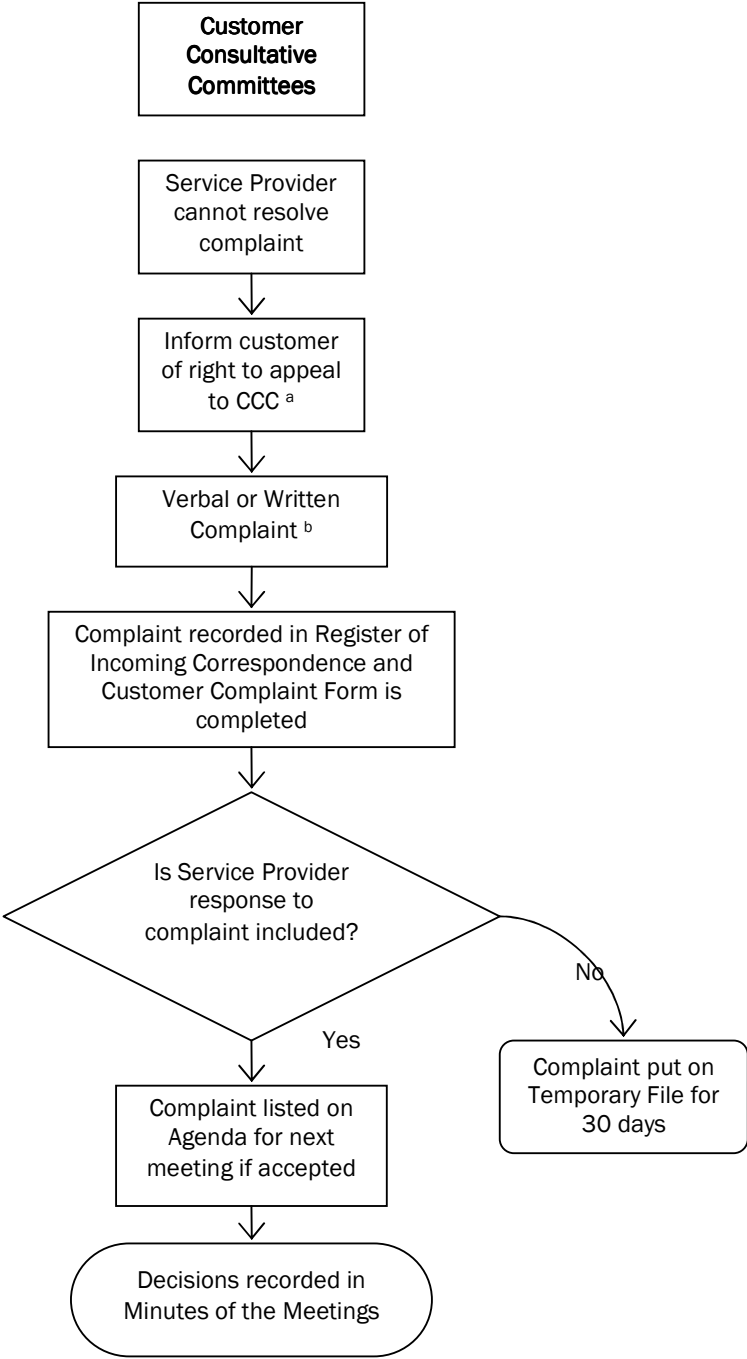
This procedure is a general complaints procedure for customers after a Service Provider has not been able to resolve a dispute directly with the service provider. The CCCs have been formed by the Regulator with the members being taken from people who live and work in the municipality covered by the CCC – with each municipality also having two representatives on each CCC.

CCCs shall meet at least once a month, and disputes which have made it onto the agenda through the above procedure will be discussed at these meetings to attempt to reach a satisfactory outcome. Minutes of Meetings shall be taken and copies of the minutes will be sent by the Regulator to the members of the CCC and the Service Provider within 2 weeks of the meetings.

Service Providers should have written dispute procedures in place in order to make every effort to stop a dispute getting as far as the CCC. These dispute procedures shall be subject to annual review by the CCCs.

Any customer who has referred a complaint to a CCC shall have such referral acknowledged within 5 working days of receipt by the CCC. This acknowledgement shall inform the customer of the date of the meeting during which the complaint shall be discussed, together with confirmation that the decision of the CCC at that meeting shall be intimated to the customer within 2 weeks of the meeting.

If the customer is not happy with the decision of the CCC it is recommended that the matter is then referred to the WWRO as final arbiter. The WWRO shall acknowledge such referral within 5 working days of receipt, and issue a decision to the customer, the CCC and the Service Provider concerned within 30 days.



Notes to flowchart:

- a. **Right to Appeal**  
The right of a customer to appeal in a dispute with a Service Provider shall be notified to the customer by the SP in writing.
- b. **Verbal or Written Complaint**

Complaints must be recorded by the CCCs in the Minutes of Meeting.

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### **3. Tariff Setting Procedure**

The following procedures present WWRO official document and the same shall be fully respected in processing Service Tariff Applications submitted by Service Providers to WWRO. These procedures are based on UNMIK Regulation 2004/49, respective Service Tariffs Rules (Rule R-02/W&WW and Rule R-02/SWC) and the WWRO policy and internal administrative procedures.

#### **3.1 Service Tariffs Application Processing**

Service Tariffs Application processing shall be conducted in accordance with following procedure:

- (a) WWRO informs officially licensed water and waste companies with tariff setting calendar which in a detailed and comprehensive manner describes: specific activities needed to be carried out during the tariff process, timetable, responsible entity for each activity etc.
- (b) Service Tariff Applications submitted to WWRO via post-office or in person by Service Providers shall be submitted in the term as determined by WWRO in Service tariff Calendar.
- (c) Applications are received by Administrative Officer who keeps the records in the WWRO Record Book.
- (d) At the same day of receiving an Application, Administrative Officer hands over the original form of the Application to Finance and Tariff Section whilst the copy shall be filed in WWRO Archive.
- (e) Within 5 days from the receipt of an application, Finance and Tariff Section confirms the receipt of the application in writing to the Service provider.

#### **3.2 Service Tariffs Application Review**

Service Tariffs Application Review shall proceed in two stages:

##### **3.2.1. Application Completeness Review**

- (a) After a Service Tariff Application is received, Finance and Tariff Section conducts the review for checking the completeness of the applications in cooperation with respective WWRO Sections.
- (b) Within 30 working days from the receiving date, Head of Finance and Tariffs Department WWRO Director of the review stage results.

- (c) In a term of 5 working days, after the notice is received from Finance and Tariff Department, rector delivers to companies a written notice on application completion review results. This notice will include the information of that whether the documentation is completed in accordance with WWRO Rules and will clearly indicate which documents or information should be completed if the same are missing or incomplete as well as the term for completion of respective documents or information.
- (d) Within 30 days from receipt date of the Notice from WWRO, the Service Provider who applied for Service Tariff shall complete and submit the documents/information which are missing or incomplete as stated in the Notice or shall give the reasons in writing for the inability to provide requested documents/information.

### **3.2.2. Service Tariff Application Detailed Review**

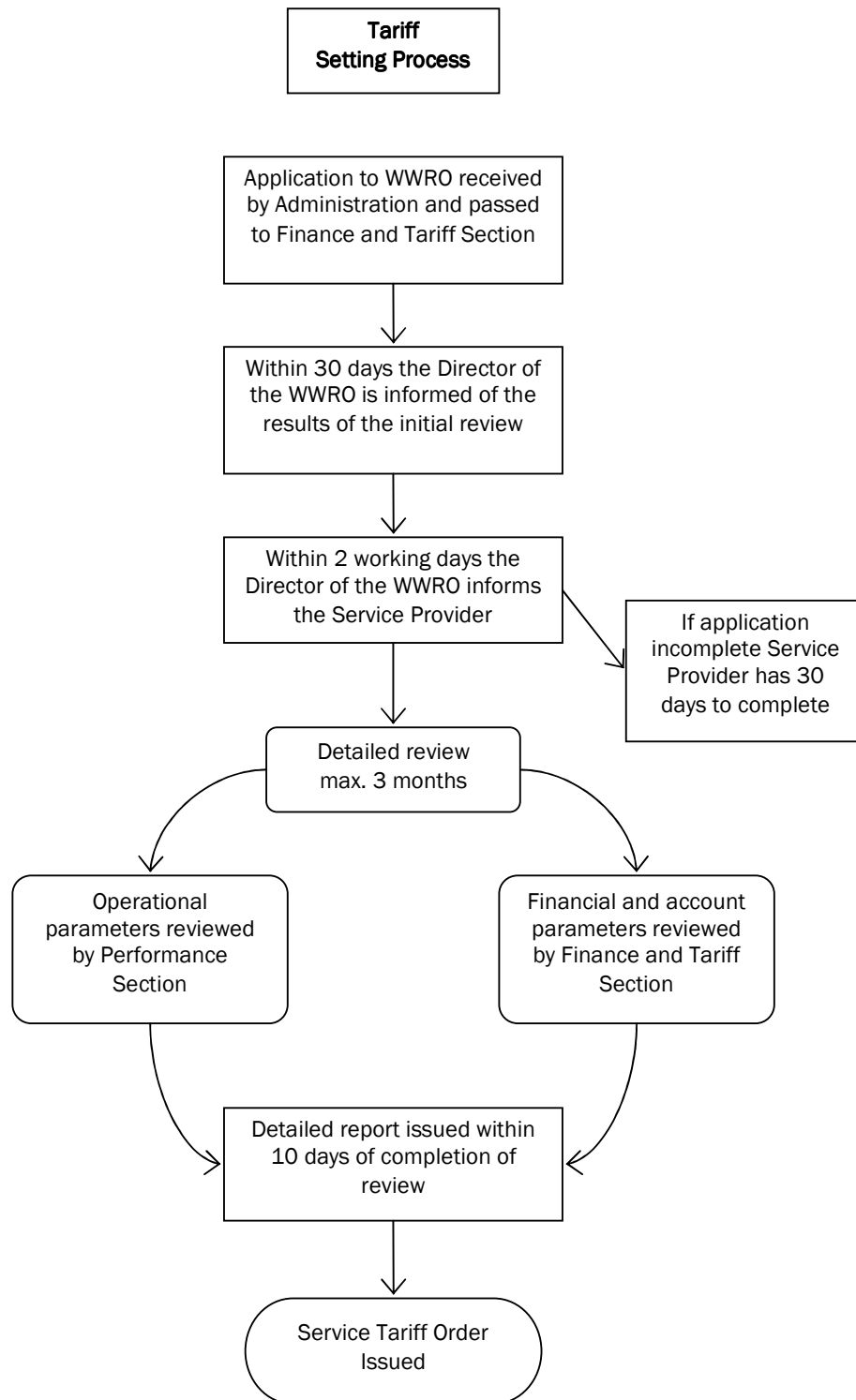
- (a) Detailed review of the respective Service Tariff Application shall be done after the same one is confirmed as complete by WWRO.
- (b) This stage of application review will last depending on the needs for thorough review and specificities of each case but it should not take more than 3 months from the date when the completion of respective application is confirmed.
- (c) A detailed service tariff application review process will be organized and directed by Head of Finance and Tariff Department. The process will be conducted in accordance with general principles and Service Tariff Setting Methodology as set out in the Regulation 2004/49, respective WWRO Rules on Service Tariff Setting set out on 26 January 2005, including the further amendments (R-02/W&WW and R-02/SWC) as well as the procedures in this document.
- (d) The review of the operational and customer service parameters as given in the Service Tariff Application by Service Providers will be carried out by the Performance Monitoring Section. This review will include the verification of the reliability of operational data presented in the application by Service Provider as well as evaluation of investment plans.
- (e) The review of financial and accounting parameters as given in Service Tariff Application submitted by the respective Service Provider will be done by Finance and Tariff Department the financial data reliability in Service Tariff Application, this review will evaluate financial and economic performance of the Service Provider, comparing them with the performance of other Service Providers in Kosovo.
- (f) In addition to the contacts and visits within respective companies for Service Tariff Application data verification, in the detailed review stage of Service Tariff application, the contacts and close cooperation with relevant institutions as KTA, Customer Consulting Committee, MESP, relevant financial institutions, etc. for the purposes of implementation of tariff setting process, will be conducted.

- (g) In a term of 10 days, after the completion of detailed service tariff application review, Head of Finance and Tariff Department shall prepare a detailed report on respective application review process and will propose to WWRO Director the approval of Service Tariffs as proposed in the tariff application submitted by the Service Provider or modified as a result of the findings and conclusions from the review process of the Service Provider's financial and operational parameters analysis.

### **3.3. Service Tariff Approval**

- (a) After the review of the proposal by the Head of Tariff and Finance Department Section and the consultation with Customer Consulting Committee, KTA – Water and Waste Division and according to legal framework in force (Regulation 2004/49, WWRO Rules on Tariffs: R-02/W&WW and R-02/SWC), WWRO Director will issue a Service Tariff Order which sets Service Tariffs for the Service Providers.
- (b) Service Tariffs set out in Service Tariff Order will enter into force and will be complied with during the whole term as determined in Service Tariff Order, unless the same will be adjusted in accordance with WWRO Rules (R-02/W&WW and R-02/SWC).
- (c) Enclosed with a Service Tariff Order issued to a Service Provider, WWRO Director will submit to the Service Provider a Notice in a written form. Service Tariff Orders will be published in WWRO official web-site.

The above described procedures for Service Tariff Review and Setting will be implemented by WWRO staff and will remain in force until the same is amended or replaced by the WWRO Director on the basis of any change in the legislation in the future.



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## **4. Licensing Procedures**

The following procedures present WWRO official document and the same shall be fully respected in processing Service License Applications submitted by Service Providers to WWRO. These procedures are based on UNMIK Regulation 2004/49, respective Service License Rules (Rule R-01/W&WW, Rule R-01/SWC, and Rule R-01/SWD) and the WWRO policy and internal administrative procedures.

### **4.1. Service License Application Processing**

Service License Application processing shall be conducted in accordance with following procedure:

- (a) Service License Applications shall be submitted to WWRO via post-office or in person by Service Providers in the term determined by WWRO.
- (b) Service License Applications shall be received by Administrative Officer who keeps the records in the WWRO Record Book.
- (c) At the same day when the application was received and recorded in the WWRO Protokol Book, Administrative Officer hands over the original form of the Application to the Legal and Licensing Section and at the same time a copy of the application shall be filed in WWRO Archive.
- (d) A written notice on receipt of the Application will be prepared by the Head of Licensing Section and sent to the Service Provider who has applied for either new or renewal of a Service license within 5 working days from the date the Application was received by WWRO.

### **4.2. Review process of Service License Applications**

Service License Application Review shall be proceeded in two stages:

#### **4.2.1. General/Completeness Review**

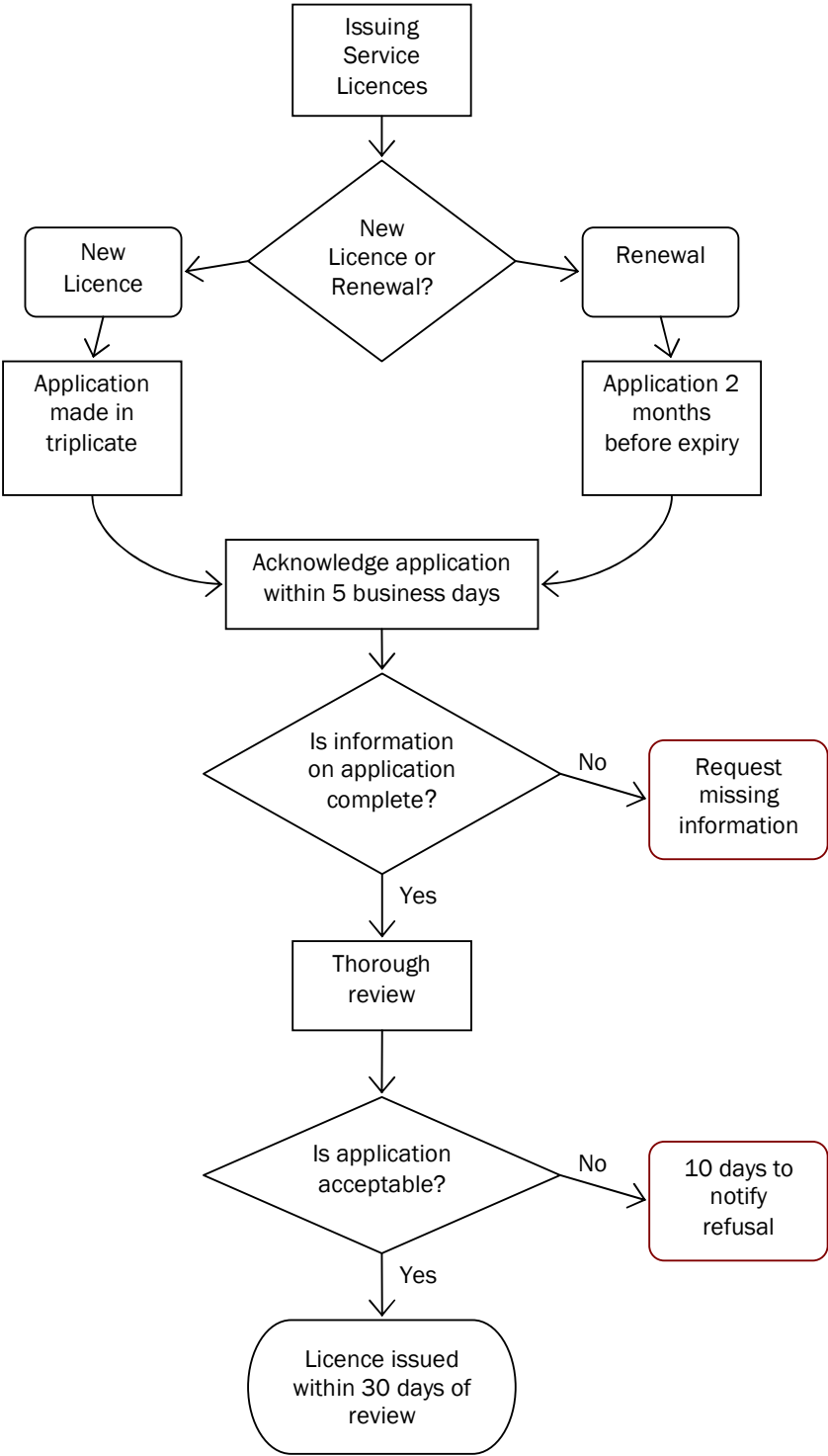
- (a) After Service License Application is received, Legal and Licensing Section reviews completion of these applications in cooperation and assistance of WWRO Sections.
- (b) Within 20 working days from the receiving date, Head of Legal and Licensing Section shall inform WWRO Director on the results of the completeness of the application.
- (c) Within 10 working days upon receipt from the Licensing Section of the information concerning the completeness of the application, WWRO Director shall send a written notice to the Service Provider that has filed its application informing it: (i) that the application is complete, or (ii) that the application is not complete and the

additional documents/information need to be submitted as listed in the notice, as applicable.

- (d) In case when an application is incomplete, Service provider that has applied for a Service License has 30 working days to provide to WWRO missing documents/information in accordance with the instructions provided by WWRO;
- (e) WWRO Director shall inform in writing the Service Provider within 30 working days upon receipt of the requested documents/information which were missing in the original application, that the Service License Application is complete.

**4.2.2. Detailed Technical Review of a Service License Application**

- (a) Detailed review of a Service License Application shall commence after the same one is confirmed as complete by WWRO.
- (b) The detailed review of a service License Application shall be carried out by Head of Licensing Section within 30 working days from the date it is confirmed as complete.
- (c) Within 5 working days after completion of the detailed review of the service license application, Head of Legal and Licensing section shall inform WWRO director on the results of the detailed review and propose him whether to issue or not a Service License to the Service Provider that has applied.
- (d) WWRO Director shall within 10 working days from the date it has received a report from Head of Legal and Licensing Section, issue a written notice to the service provider informing him on its decision with regard to the issuance of the Service License.
- (e) Head of Legal and Licensing Section shall draft a Service License to be issued to a service provider within 10 working days upon decision made by the WWRIO Director.
- (f) In case of a positive decision, WWRO Director shall issue the Service License to the Service Provider within 30 working days from the date when the detailed review of the application is completed.



The time limits for the actions in the above flowchart are as follows:

Action	Responsibility	Timeframe
Application for Service Licence	SP	
Approval of Application to go to WWRO	SB	
Approval of financial statements of SP	KTA	
Acknowledge Receipt of Application	WWRO	5 days
Review Application (and request incomplete information if any)	WWRO	30 days
Fulfil request for incomplete information	SP	30 days
Conduct thorough review	WWRO	30 days
Refuse Licence	WWRO	10 days
Issue Licence	WWRO	30 days

Grey shading indicates action which is different from the direct process which occurs if everything runs smoothly.

Acronyms:

*WWRO: Waste Water Regulatory Office*

*SP: Service Provider*

*SB: Supervisory Board*

*KTA: Kosovo Trust Agency*

In theory this process, when applied to the renewal of a Service Licence, could lead to a 'gap' between the old Service Licence coming to an end and the renewed Service Licence being issued.

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## 5. Service Standards Exemptions Procedure

If a Service Provider finds it is unable to comply with one or more of the Service Standards which have been set for it by the Regulator it may apply for an exemption from those standards.

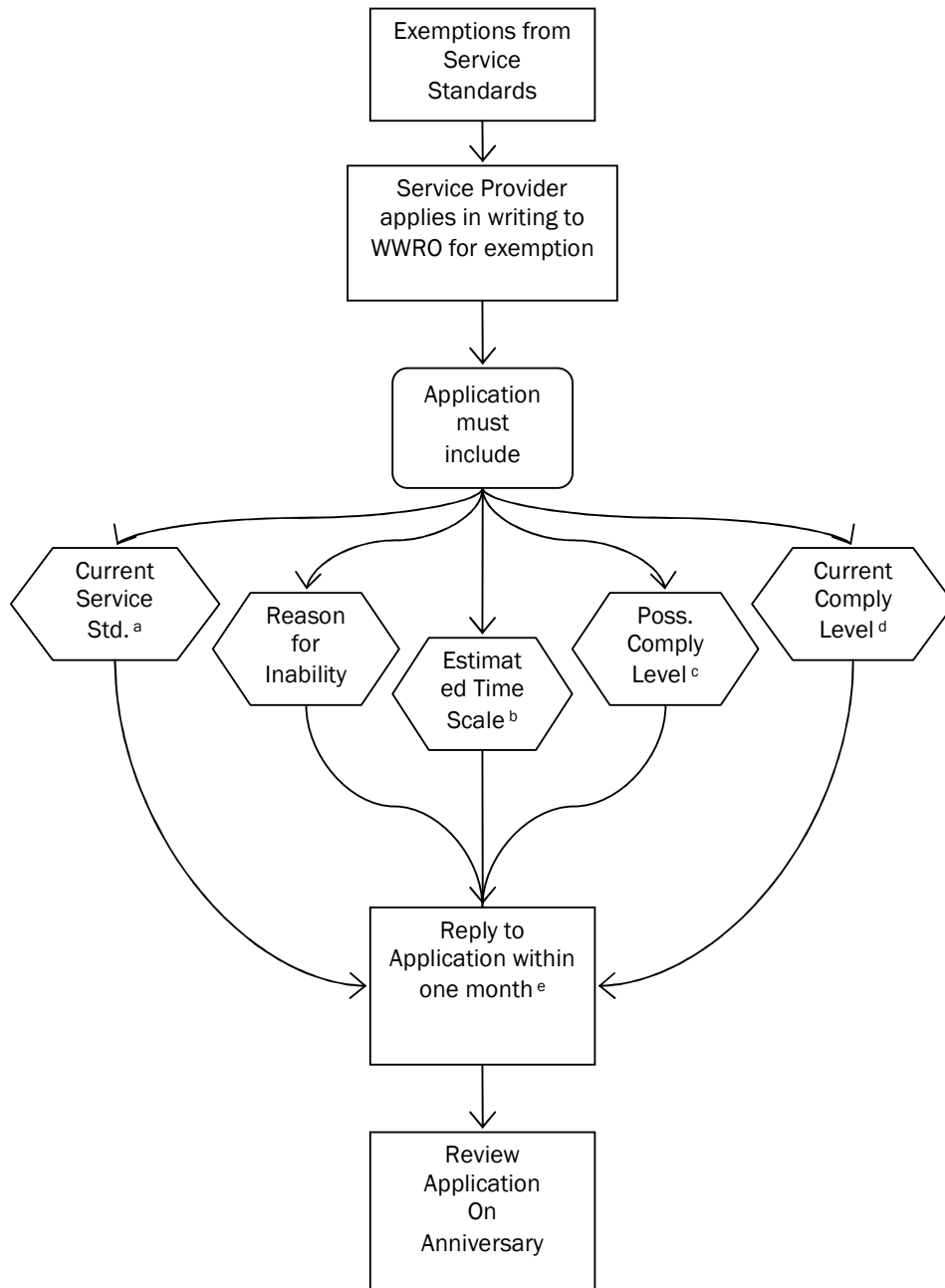
The Service Standards themselves are reviewed annually by the Regulator, and may take into account standards which Service Providers are having difficulty complying with. The review will take into account comments and compliance reports which are requested from Service Providers two months before a review.

WWRO shall also enter into Service Standards Agreements with Service Providers, and these agreements may contain rules for amending, altering or supplementing Service Standards.

The exemption procedure to be followed by a Service Provider and WWRO is illustrated in the flowchart given below.

The meaning of the terms used in the flowchart is as follows:

- a. **Current Service Standard** - This is the Service Standard from which the Service Provider wants exemption.
- b. **Estimated Timescale** - This is the length of time which the Service Provider thinks it may require in order to comply with the Service Standard, i.e. the amount of time for which the exemption should last.
- c. **Possible Compliance Level** - The Service Provider may offer a level to which it believes it may be able to comply with the Service Standard, rather than exemption from the Service Standard in its entirety.
- d. **Current Compliance Level** - The Service Provider must state how much of the current Service Standard it is able to comply with, which will tie in with the 'possible compliance level' above.
- e. **Reply to Application** - The reply by the Regulator to the application can suggest either that the Service Provider will be granted a time-limited exemption from compliance with the Service Standard; or that the Service Standard in question should be amended.



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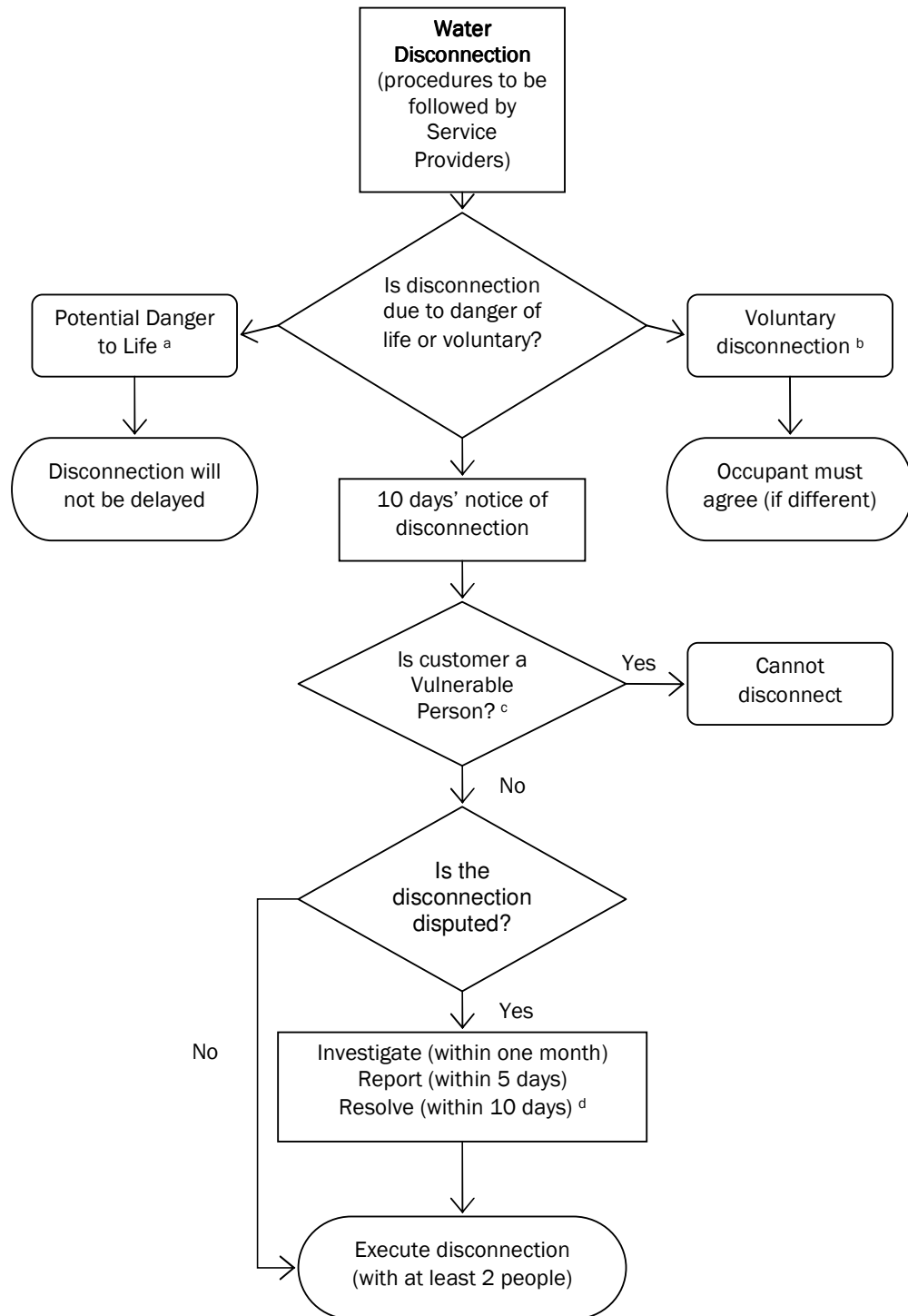
## 6. Water Disconnection Procedure

This procedure is one which must be followed by the Service Providers, but it is necessary for the Regulator to be aware of the process in case of any complaints or investigations into individual disconnections. The flowchart can then be used in the first instance to see if the correct procedure was followed. There are a number of reasons for which a disconnection can be made, and not all are listed above, however the timings apply to all, save for voluntary disconnection and a risk to health, as detailed.

The disconnection procedure to be followed by a Service Provider and WWRO is illustrated in the flowchart given below and the same is based on the Regulation 2004/49 and the WWRO Rule on Disconnection (Rule R-05/W&WW).

The meaning of the terms used in the flowchart is as follows:

- a. **Potential Danger to Life** - Continuing the water service creates dangerous conditions which may threaten life, health or safety.
- b. **Voluntary Termination** - Either the owner voluntarily terminates and he lives in the property, or the owner voluntarily terminates with the occupant of the property agreeing to the termination.
- c. **Vulnerable Person** - Anyone whose life or health would be at risk without water services.
- d. **Dispute** - If there is a dispute to the disconnection the Service Provider must investigate the dispute within one month. Once the investigation is complete the results must be reported to the customer within 5 days. There is then an attempt to resolve the dispute within the next 10 days.



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## **7. Collective Disconnection Procedure**

Collective Disconnection can be applied only if approved in writing by WWRO on a written request by a Service Provider.

The following procedures present WWRO official document and the same shall be fully respected in processing Applications for Collective Disconnections submitted by Service Providers to WWRO. These procedures are based on UNMIK Regulation 2004/49, the WWRO Rule on Disconnection (Rule R-05/W&WW) and the WWRO policy and internal administrative procedures.

### **7.1. Processing of Collective Disconnection Applications**

Processing of Collective Disconnection Applications shall be conducted in accordance with following procedure:

- (a) Collective Disconnection Applications shall be submitted to WWRO via post-office, fax, or in person by Service Providers.
- (b) Collective Disconnection Applications shall be received by Administrative Officer who keeps the records in the WWRO Protokol Book.
- (c) At the same day when the application was received and recorded in the WWRO Protokol Book, Administrative Officer shall hand-over the original form of the Application to the Legal and Licensing Section and at the same time a copy of the application shall be filed in WWRO Archive.

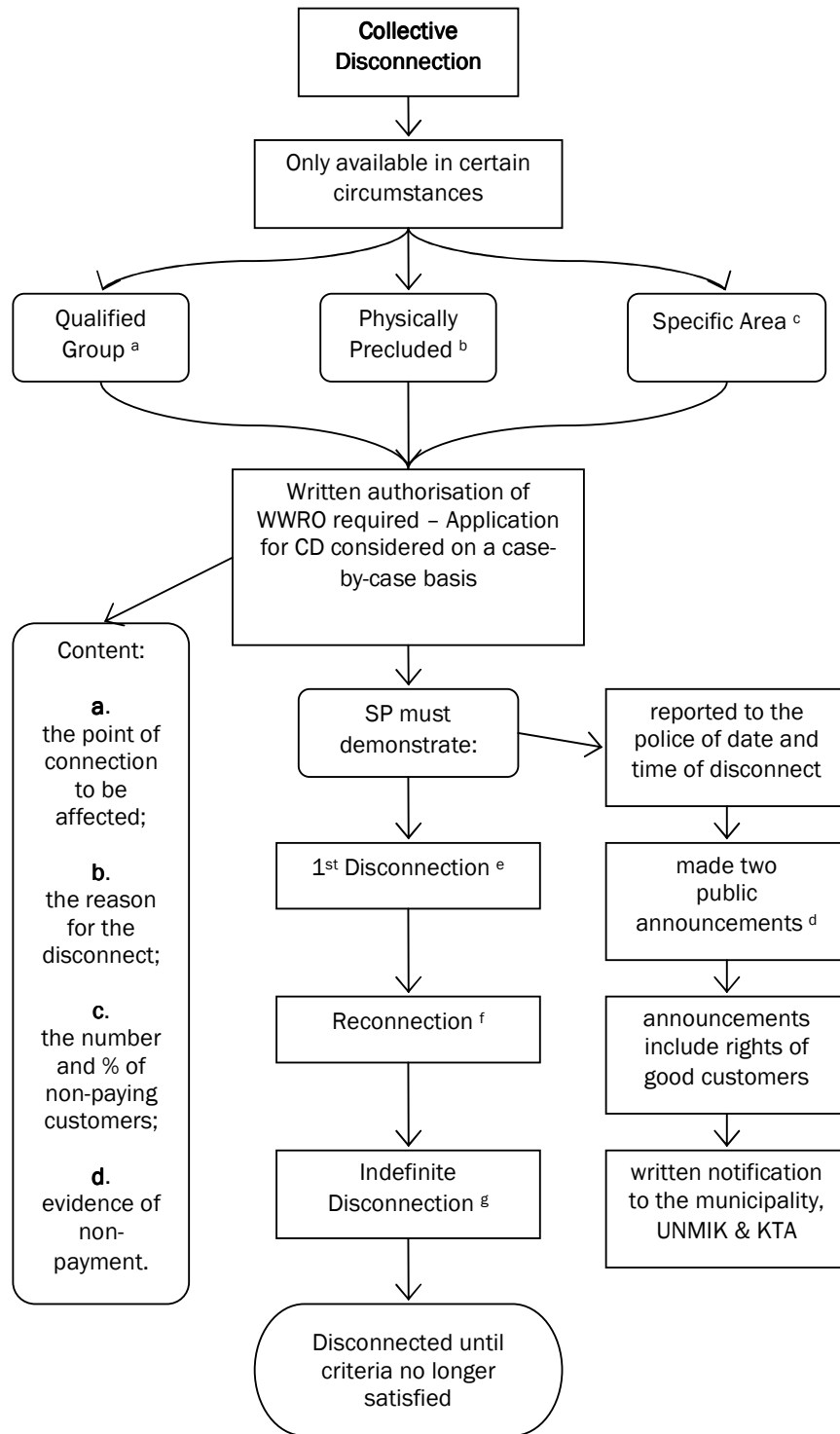
### **7.2. Review Process of Collective Disconnection Applications**

- (a) Head of Legal and Licensing Section together with the Head of Performance Section and Customer Relations Analyst review completion of Collective Disconnection Applications in terms of its completeness and compliance with the Collective Disconnection Procedures as set in the Regulation 2004/49 and the WWRO Rule R-05/W&WW;
- (b) The review process should be carried out as promptly as possible but in any case it should not take more than 5 working days;
- (c) After review of the Collective Disconnection Application, Head of Legal and Licensing Section shall submit to the WWRO Director an internal memorandum with a recommendation on whether to approve or not the Collective Disconnection Application;
- (d) The WWRO Director shall within 2 working days take a decision on whether the Collective Disconnection is approved or not and inform in writing the Service Provider which has submitted the Collective Disconnection Application.

The flowchart below illustrates the procedure which must be complied with by the Service Provider which wishes to effect at Collective Disconnection. It is included here for the Regulator to be able to see if the correct procedure has been followed in order to make a decision when the Service Provider seeks written authorisation for the Collective Disconnection.

Notes to chart:

- a. **Qualified Group** - Customers who share a common collection point and of which at least 51% are not in Good Standing.
- b. **Physically Precluded** - Service Provider has been stopped from taking meter readings or carrying out maintenance.
- c. **Specific Area** - A geographical area where there have been a pattern of Unlawful Connections or Reconnections.
- d. **Public Announcements** - The Public Announcements must be consecutive with a notice period of at least three and five business days and outline how customers can avoid the Collective Disconnection.
- e. **1<sup>st</sup> Disconnection** - Cannot exceed 48 hours.
- f. **Reconnection** - Must be more than 48 hours.
- g. **Indefinite Disconnection** - Follows same procedures regarding content, reasons and announcements etc. as for the initial disconnection. Only done if the reasons for disconnection remain.



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**Appendix 1: Inspection Report Pro-Forma**

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<b>Inspection Report</b>	<b>Reference Number:</b>	
Date:	Arrival Time:	Departure Time:
Inspector	Company/Utility <sup>a</sup>	Address <sup>b</sup>
Reason for Inspection <sup>c</sup>		
Results/Findings <sup>d</sup>		
Actions <sup>e</sup>		
Comments <sup>f</sup>		

Notes to Inspection Report Form:

- a. **Company/Utility** - Name of the company or utility which is responsible for, or owns, the service or item which is being inspected.
  
- b. **Address** - Address of the company or utility at 'a'.
  
- c. **Reason for Inspection** - Is the inspection due to a complaint, or a regular inspection, or for some other reason?
  
- d. **Results/Findings** - The factual findings of the report; what was observed with reference to the reason for the inspection.
  
- e. **Actions** - What actions must be taken and by whom (if any) following the findings of the inspection.
  
- f. **Comments** - Any further comments, e.g. date set for future inspection; suggested changes to procedures; etc.

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