

Benchmarking General Terms and Conditions

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Purpose of GT&C

- Ensure a certain standardized service level to the customer
- Ensure equal treatment of customers by the service provider in a mass market
- Ensure equal rights of all customers in a monopoly market
- Ensure the balance between individual rights and common interest of the society
- Ensure certain rights of the service provider to achieve equal treatment of the customers
- Ensure rights of the service provider to safeguard personal integrity by security checks of technical installations
- Etc.

For a term to be implied, the following conditions (which may overlap) must be satisfied

- it must be reasonable and equitable;
- it must be necessary to give business efficacy to the contract, so that no term will be implied if the contract is effective without it;
- it must be so obvious that "it goes without saying";
- it must be capable of clear expression;
- it must not contradict any express term of the contract

Example: conditions for grid connection (equal treatment of similar situations, fees, etc.)

- Kosovo: no clear and standardized rules
- BiH: conditions and fees fixed
- Serbia: terms yes, fees unclear
- Macedonia: unclear (separately fixed in grid code)
- Montenegro: -- (?)

Example: Ownership border of installations fixed (importance for maintenance and liability)

- Kosovo: no
- BiH: individually contracted
- Serbia: no provision
- Macedonia: no provision (check in original necessary)
- Montenegro: no provision

Other examples for comparisons important for a clear and good relationship to customers

- Security checks
- Avoidance of retroactive grid perturbations (definition, consequences, ...)
- Frequency of meter reading
- Conditions for exchange of meters due to calibration
- Location of metering department
- Payment
- Reasons for disconnection (costs?)
- Etc.