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**REGIONAL ASPECTS OF SELF-REGULATION
IN PUBLIC UTILITIES SECTOR
(BASED ON THE SURVEY OF EXPERT OPINION)**

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‘Regional Aspects of Self-Regulation in Public Utilities Sector (Based on the Survey of Expert Opinion)’ deals with management of present-day housing and utilities sector. It is the first study to look at the introduction of a system of regional management in the public utilities sector of the Astrakhan Region which is taken as an example. The article is based on a survey of expert opinion the aim of which was to record the views of professionals on the concept of self-regulation in the regional housing and utilities sector. The article is important as it provides practical recommendations on the introduction of self-regulation in housing and utilities sector derived from the data acquired in the survey. It could be of use to both regional authorities and representatives of management companies and condominiums. The following conclusions were derived from the survey: creating regional self-regulation organizations could help to improve the quality of public utility services due to the development of competitive environment; increasing the financial responsibility of managing companies would improve their relationship with energy resources suppliers (heating, water supply, electricity). The creation of a mechanism that would allow public and professional debates on normative legal acts regarding housing and public utilities sector would improve communications within the sector.

Keywords: institution of self-regulation, self-regulation organization, housing and public utilities sector, modernization, expert survey.

РЕГИОНАЛЬНЫЕ ОСОБЕННОСТИ САМОРЕГУЛИРОВАНИЯ В СФЕРЕ ЖКХ (ПО МАТЕРИАЛАМ ЭКСПЕРТНОГО ОПРОСА)

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Статья «Региональные особенности саморегулирования в сфере ЖКХ (по материалам экспертного опроса)» посвящена изучению процесса управления сферой ЖКХ в современных условиях. В исследовании впервые определены особенности внедрения системы регионального управления ЖКХ на основе саморегулирования на примере Астраханской области. В данной статье приводятся результаты экспертного опроса, цель которого выступало комплексное изучение общественного мнения о проблеме создания института саморегулирования в сфере ЖКХ на региональном уровне. Практическая значимость данной статьи определена выработкой предложений по внедрению института саморегулирования в сфере ЖКХ на основании данных, полученных в ходе экспертного опроса, которые будут полезны как региональным органам власти, так и представителям управляющих компаний и товариществ собственников жилья. В результате исследования были сделаны следующие выводы: создание региональной саморегулируемой организации должно привести к повышению качества услуг в ЖКХ, за счет развития конкурентной среды; к повышению финансовой дисциплины управляющих компаний в отношении поставщиков энергоресурсов (тепла, воды, электричества); к установлению механизмов общественного и профессионального обсуждения нормативно-правовых актов в сфере управления жилищно-коммунального хозяйства.

Ключевые слова: институт саморегулирования, саморегулируемая организация, жилищно-коммунальное хозяйство, модернизация, экспертный опрос.

Introduction

At the moment public utilities sector requires a new approach to its development as it is closely connected with the population's well-being and life quality. The primary tasks are achieving balance between state interests and consumer interests, decreasing social tension, and satisfying the population's life-supporting needs. The main priority is to integrate the participants of public utilities sector to overcome the current serious crisis and reform the sector and develop it progressively. Modernization should become a high priority task of socio-economic reform both at national and regional levels.

Literature Review

Institution of self-regulation in general and autonomous organizations in particular have not been properly studied either in Russian or in foreign scientific literature. Presently, there are few research papers on self-regulation. In Russia the matter was first researched in 1995, when 'self-regulation' and 'autonomous organization' were first mentioned in securities laws. P.Khinkina [23] and D.Kirdyashkina [13] were among the first researchers of self-regulation who discussed the problem of compulsory membership in an autonomous organization. At the same period of time the problem was researched by A. Abramov [1], M. Kolomina-Truman [15], D. Batashov [16], F. Gudkov [6], I. Khromushkin [24], T. Chaplygina [25], Y. Mirkin [19], I. Lazarko [18]. One of the first Russian publications that viewed self-regulation as a complex was the paper by P.V. Kryuchkova 'Self-Regulation of Business Activities as an Alternative to Excessive Government Control' [16]. In many papers self-regulation is viewed as an auxiliary or an autonomous process alongside with state control performed mainly through licensing. [20; 26].

International practice of studying self-regulation does not have any fundamental papers on the issue, which could be explained by a well-developed system of branch self-regulation in Western countries, especially in Anglo-Saxon

legal system [22, p. 37]. Therefore, most researchers of self-regulation study branch specifics, like K. Baretini (autonomous organizations in marketing and direct sales) [3], Brown [4], K.Cane P. [30], Carver, Ch and Scheier[31], M., Bardach, E. and Kagan, R. [28], Cheit, R. [32], Ogus, A. [35], Black, J. [29], Joskow, P., Noll, R. [33], Mitnick, B. [34].

Various aspects of managing the utilities sector, including those based on self-regulation, were discussed in papers by the Russian authors V.V. Bondarenko and V.A Yudina [14], Y.V. Kabirova [15], O.V. Kuznetsov, S.S. Strelnikov, T.E. Zulfugarzade [16], P.A. Zhadko [17,18], O.G. Golovleva [19], R. Entov, A. Radygin, I. Mezheraups, P. Shvetsov [20], S.A. Kirsanov [21], V.A. Kepov, L.A. Tkachev [23], etc.

Goal

Reforms of the utility sector have made few improvements in the last twenty years other than a growth of prices. Despite a number of purpose-oriented programmes existing in the industry there are many problems including a failure of trust. There have been put forth numerous proposals for creating a system of public and non-profit organizations at both national and regional levels to assist the authorities and ensure public utilities organizations meet their obligations, and which would control the management companies and utility tariff rates in the regions.

The appearance of self-regulatory organizations in the utility sector has long been anticipated, as the problems of management in the field are often connected with the absence of self-regulation. The problems are numerous. For example, there are no rules and regulations to control professional activity in the field and in the absence of general rules the players in the market of utility services do not take responsibility for their actions, resulting in aggravation of the situation. A self-regulatory organization in the utility sector needs to devise its own rules and regulations and enforce them for all its members.

In order to thoroughly study public opinion on self-regulation in the utility sector of the Astrakhan Region we conducted a survey of experts in the field in 2013 in cooperation with our colleagues from Astrakhan branch of Russian Presidential Academy of National Economy and Public Administration.

50 professionals in the field were surveyed, 20 of the respondents were representatives of management companies, 20 respondents were condominiums representatives and 10 – representatives of government authorities. Survey results showed that most of them (80%) possess a high educational potential and are capable of fulfilling work in public utilities sector of the Astrakhan Region.

Survey Description

The experts were asked to fill out a questionnaire, which consisted of 15 questions subdivided into 3 thematic sections: personal opinions of the respondents on self-regulation in public utilities sector; the respondents' awareness of self-regulation in public utilities sector; the respondents' vision of a future model of a self-regulatory organization in public utilities sector of the Astrakhan Region.

The first subdivision of the questionnaire assessed general awareness of self-regulation. Most respondents (48%) think that a self-regulatory organization is not only a new and more advanced form of management and control, but it presupposes more responsibility to consumers of services. However, 16% expressed the idea that a self-regulatory organization is a mere displacement of supervision and control functions from the state to players in the market. The opinion that it is another attempt to level up prices on utility services is also important – 24%.

The question of how the membership in a self-regulatory organization can be useful, had more than a half (56%) of positive answers. The respondents could see the positive side of membership, 32% of them think that membership would impose obligations in making lump-sum and regular payments and would create favourable conditions for development of business activity, including introduction of uniform

rules and regulations, 24% think that membership in a self-regulatory organization can become an opportunity to improve the quality of utility services. Among the negative aspects of membership in a self-regulatory organization the experts noted high membership fees (56%), excessive control (32%), too much paper work (16%).

The next question was ‘What protection can a self-regulatory organization offer to its members?’ Most experts (56%) appreciated institutional approval mechanisms that would clear the so-called ‘niche’ of noncompetitive ‘cowboy’ organizations, which exist in the form of short-lived companies in the public utilities market. 32% of the respondents appreciated the requirement to inform about the changes in regulatory and legal framework, 24% - equal rights of all the members of the self-regulatory organization and 16% - constructive dialogue with the consumers.

In the next subdivision of the questionnaire the experts were to choose the statement, which corresponded to their attitude to joining a self-regulatory organization. Most experts are going to ‘wait until the membership in a self-regulatory organization becomes compulsory and are not going to join it voluntarily’ – 56%. 40% think it is better to ‘join the self-regulatory organization and be ahead of the competitors’. Only 4% of the experts side with the statement ‘A self-regulatory organization is a tribute to fashion!’

The second subdivision was to detect the experts’ awareness of self-regulation in the public utility sector. They were suggested to grade the level of their awareness of various aspects of self-regulation in the public utilities sector. The survey showed that most respondents are partially informed about the procedure of joining a self-regulatory organization (50%); about the legal status of a self-regulatory organization (65%) and about the membership in a self-regulatory organization (50%).

The question about what sources the experts use to keep updated on self-regulation in public utilities sector got the answer ‘the Internet (articles, forums, social networks, etc.)’ with the majority of respondents (56%). 24% of experts get the information from other managing companies and condominiums; 16% of respondents – at seminars, conferences, round table discussions and workshops on the topic. And

only 4% of respondents keep themselves updated on the topic with the help of the mass media (television, radio, the press, etc.), which shows that the most available means are not properly used. The respondents have noted in the questionnaire that they need more information on self-regulation in public utilities sector - there are replies like 'do not have any information on the issue, but need it'. They would also like to learn more about principles, goals and scope of operations of self-regulatory organizations – 40%.

Experts consider most of the information provided by national, regional and municipal mass media subjective and incomplete. According to them the degree of its subjectivity ranges as follows: in the municipal mass media – 10%, in regional mass media – 65%, in national mass media – 25%. Nowadays, the most important requirement to the work of self-regulatory organizations is their openness for the mass media. However, in practice many new self-regulatory organizations in public utilities sector do not even have their own websites and some of the sites are superficial and incomplete.

The third subdivision of the questionnaire examined the self-regulatory organization model, its characteristics and features, and what the experts would welcome in the Astrakhan Region. The question whether it is necessary to create a self-regulatory organization in public utilities sector of the Astrakhan Region got a positive answer with most of the professionals (40%), a negative answer with 32% and 'undecided' with 24%, which suggests the idea that the right information policy concerning self-regulation in public utility sector needed.

According to the respondents, a self-regulation organization should possess the following characteristics: 'properly elaborated standards and rules' (56%), 'transparent decision making clear to every member of the self-regulation organization' (48%); 'timely legal support' (32%). The question about the goal, which a self-regulation organization in public utilities sector should pursue, obtained positive answers. Most experts (56% and 40%) ticked 'friendly relations between the population and management companies' and 'displacement of unfair players from the

market', which means that in their opinion a self-regulation organization is to solve the most acute problems in public utilities sector like the discontent of the population and improvement of services by displacement of 'cowboy' operators from the market.

Principles, on which the organization's activity is based, are the corner stone of its successful development and efficiency. Among the prevailing opinions the experts expressed about the principles of a self-regulatory organization are 'voluntary joining and quitting it' (64%), 'members of the self-regulatory organization can perform their professional activity according to the organization's standards and regulations' (40%) and 'equality of all the members of a self-regulatory organization' (32%). The question about the protection that a self-regulatory organization should provide to its members got the following answers with most respondents: 'raising competence level of the members of a self-regulatory organization' – 48%; 'financial support' – 32% and 'protecting its interests in government authorities' – 30%.

In the last question the experts were to choose among the listed problems existing in public utilities sector the ones, which could be solved by creating self-regulatory organizations in the field. The experts' opinions have divided as follows: 'the population's discontent with the public utilities sector' – 72%, 'inefficient work of management companies' – 55% and 'low quality of utility services' – 28%.

Conclusion

Therefore, the expert opinion survey showed that it is necessary to create a self-regulatory organization at the regional level (in the Astrakhan Region in particular), which would regulate relations between the managing companies and premises owners, condominiums on the one hand, and regional and municipal government authorities on the other hand on the basis of rules and regulations of self-regulating activity. It is also necessary to create favourable conditions for self-regulatory organization members, protect their interests, devise rules and regulations to govern their activity; organize professional training, conduct public utilities sector employees rating; ensure informational openness of the member activity and publish

the information on the conducted activity in accordance with the procedures established by the Federal Law and in-house regulations of the self-regulatory organization.

When creating a regional self-regulatory organization in the public utilities sector it is necessary to consider the following recommendations. It is necessary to: calculate membership fees individually to avoid price explosion for consumers; plan the optimum amount of accountancy for the self-regulatory organization members; create integrated information centre with data on various aspects of self-regulation in regional public utilities sector and provide explicit and unbiased information on self-regulation in the sector.

Creating a self-regulatory organization should improve the quality of utility services, because it would foster the development of competitive environment. It would also increase financial responsibility of management companies to the suppliers of energy resources (heating, water, electricity) and devise mechanisms of public and professional discussion of normative legal acts in public utility sector management.

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