

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION

Notification

The 29 Dec., 2011

No. PSERC/Secy/Regu.63 - In exercise of the powers conferred on it under Section 61 read with Section 181 read with sections 43, 44, 45, 46, 47, 48, 50, 55, 56, 57, 58, 59, 126, 127, 135, 152, 154 & 163 of the Electricity Act, 2003 (Central Act 36 of 2003) read with Electricity (Amendment) Act, 2007 (No.26 of 2007) and all other powers enabling it in this behalf, the Punjab State Electricity Regulatory Commission hereby makes the following Regulations to amend the Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2007 (notified vide Notification No. PSERC/Secy./Regu.31 dated 29th June, 2007 and amended vide Notification No. PSERC/Secy./Regu.48, dated 24th May, 2010), namely:-

- 1) These Regulations may be called the Punjab State Electricity Regulatory Commission (Electricity Supply Code and Related Matters) (2nd Amendment) Regulations, 2011.
- 2) These Regulations shall come into force on the date of their publication in the official gazette of the State.
- 3) In Regulation 5 of the main Regulations, for clause 5.5, the following shall be substituted, namely:-

Reg.5 Duty of Licensee to supply on request

5.5 Where new or additional load/demand exceeds 500 KW/500 KVA, the applicant will first obtain feasibility clearance in the prescribed requisition form after payment of earnest money specified by the Licensee. The Commission will nominate one representative of the industry to the committee for feasibility clearances at the Head Office level. The applicant will also intimate the proposed commissioning schedule along with the requisition form. The requisition form will be available free of cost in the notified offices of the Licensee and on its website. The earnest money will not exceed 10% of initial security as specified in the Schedule of General Charges.

- 4) In Regulation 6 of the main Regulations, for clause 6.2, the following shall be substituted, namely:-

Reg.6 Procedure for release of connection / additional load.

6.2 The Demand Notice under Reg. 6.1 be issued by the Licensee within:

- a) 7 days of receipt of application in case of LT supply.
- b) 15 days of receipt of application in case of HT supply.
- c) 30 days of receipt of application in case of EHT supply.
- d) 10 days of receipt of Commission's approval in a case covered under Reg.6.3(c).

- 5) In Regulation 11 of the main Regulations, for clause 11.4, the following shall be substituted, namely:-

Reg.11 Transfer of ownership and provision of other services

11.4 Where the consumer requests for shifting of a meter and/or service connection to a new premises or for diversion of existing lines and has deposited cost of the same, the following time schedule will be observed for completing these works:-

- i) Shifting of meter/ service connection : 7 days
- ii) Shifting of LT/HT line up to 11KV : 20 days
- iii) Shifting of HT line exceeding 11KV : 30 days
- iv) Shifting of transformer : 30 days

- 6) In Regulation 16 of the main Regulations, for clause 16.1 and 16.2(e), the following shall be substituted, namely:-

Reg.16 Review and payment of additional Security (consumption)

16.1 General Review

The adequacy of the amount of Security (consumption) computed in accordance with Regulation 15 of these Regulations will be reviewed by the Licensee after every three years (preferably after revision of tariff for the

relevant year) based on the average monthly consumption for the twelve months period from April to March of the previous year except for LS consumers in whose case review of Security (Consumption) shall be carried out annually.

For existing consumers, the Licensee will undertake the first such review of Security (consumption) (earlier called Advance Consumption Deposit), within twelve months after revision of tariff subsequent to the date of enforcement of the Supply Code.

16.2 Demand notice for additional Security (consumption)

- (e) In the event of any delay in payment, the consumer will for the actual period of default pay interest thereon at twice the State Bank of India's (SBI's) Base Rate prevalent on first of April of the relevant year plus 2% without prejudice to the Licensee's right to disconnect supply of electricity, under these Regulations.
- 7) In Regulation 17 of the main Regulations, for clause 17.1 and 17.4, the following shall be substituted, namely:-

Reg.17 Interest on Security (consumption)

- 17.1 The Licensee will pay interest on Security (consumption) at the SBI's Base Rate prevalent on first of April of the relevant year plus 2%, provided that the Commission may at any time by notification in official Gazette of the State specify a higher rate of interest.
- 17.4 In the event of delay in effecting adjustments due to the consumer as per Regulation 17.3, the Licensee will for the actual period of delay pay interest at twice the SBI's Base Rate prevalent on first of April of the relevant year plus 2%.
- 8) In Regulation 18 of the main Regulations, for clause 18.1 and 18.4, the following shall be substituted, namely:-

Reg.18 Refund of initial security / Security (consumption)

- 18.1 On withdrawal of application

In case the applicant, after submitting his application, for supply of electricity/extension of load etc. withdraws the same, 10% of the initial security/additional initial security will be deducted by the Licensee and the balance refunded to the applicant without payment of any interest by the Licensee on these deposits. However, if the applicant is not issued a Demand Notice within three months of submission of his application and he withdraws the same, the initial security/additional initial security, as the case may be, will be refunded in full with interest for the period the initial security/additional initial security remained with the Licensee at SBI's Base Rate prevalent on first of April of the relevant year plus 2%.

18.4 If a refund due under Reg. 18.3 is delayed beyond a period of one month of termination of the agreement, the Licensee will, without prejudice to other rights of the consumer, pay interest on such refund for such period of delay at twice the SBI's Base Rate prevalent on first of April of the relevant year plus 2%.

9) In Regulation 19 of the main Regulations, for clause 19.3 (a) & (b), 19.7 and 19.8, the following shall be substituted, namely:-

Reg.19 Security for the electric line or electrical plant or meter

19.3

- (a) The Licensee will pay interest on the Security (meter) at the SBI's Base Rate prevalent on first of April of the relevant year plus 2%.
- (b) In case release of new connection /extension in load/demand is delayed beyond the period as specified in Regulation 6 of these Regulations or such period as may be allowed by the Commission, the Licensee will pay interest on Security (works) for the period of delay beyond the specified period at the SBI's Base Rate prevalent on first of April of the relevant year plus 2%. This will be in addition to a penalty liable to be imposed on the Licensee under Regulation 7 of these Regulations.

19.7 After execution of work of the electric line or electrical plant as the case may be, the Licensee will be entitled to demand from the applicant the total amount actually incurred by the Licensee (recoverable amount) for this

purpose and adjust Security (works) against such recoverable amount. In the event of Security (works) being in excess of the recoverable amount, the excess amount will be determined by the Licensee within sixty days from the date of release of connection and refunded by adjustment against electricity bills of the immediately succeeding months. In case the Licensee fails to refund the excess amount and adjust it against electricity bills of the immediately succeeding months, the Licensee will be liable to pay interest on the excess amount at twice the SBI's Base Rate prevalent on first of April of the relevant year plus 2% for the period of delay beyond sixty days of the date of release of connection till the excess amount is adjusted. The amount of such interest will be adjusted against the electricity bills thereafter.

- 19.8 In case the recoverable amount from the applicant works out to be more than Security (works), then a Demand Notice will be served on the applicant specifying such amount and requiring him to deposit the same. In case the applicant fails to deposit the balance amount within a period of thirty days of the service of the Demand Notice, the applicant will, for the period of delay, be liable to pay interest on the balance amount at twice the SBI's Base Rate prevalent on first of April of the relevant year plus 2%. This will be in addition to the Licensee's right to disconnect supply of electricity if it has already been provided.

Note:- Regulations 19.7 and 19.8 will be applicable in cases where actual cost for release of connection, extension in load/demand is to be recovered from the applicant as per Regulation 9 of these Regulations.

- 10) In Regulation 20 of the main Regulations, for clause 20.4, the following shall be substituted, namely:-

Reg.20 Refund of Security (works) and Security (meter)

- 20.4 The refund of Security (meter) and Security (works) will be affected within sixty days of receipt of request from the applicant. In case a Licensee fails to refund Security (meter) and Security (works) within the stipulated period, he will for the period of default starting from the 61st day of the date of withdrawal of application till the date Security (meter) and Security (works) is refunded, be

liable to pay interest at twice the SBI's Base Rate prevalent on first of April of the relevant year plus 2%.

- 11) In Regulation 21 of the main Regulations, for clause 21.2(c), 21.4(a) & (b)(i), the following shall be substituted, namely:-

Reg. 21 Use, etc. of Meters

Reg. 21.2 Supply and installation of meters

- (c) The Licensee may require a meter to be installed outside the premises of a consumer and in such an event, the entire cost of installing the meter outside the premises and providing a display unit within the premises will be borne by the Licensee. However, the cost of display unit will be treated as part of the meter cost while determining meter rentals. The display unit may not be installed by the Licensee if the consumer so opts. In such an event monthly rentals on this account will not be levied. In a case where the meter/metering equipment is installed by the Licensee outside the premises of a consumer, the consumer will not be responsible for the protection of the meter from theft or damage.

21.4 Defective Meters

- (a) The Licensee will have the right to test any meter and related apparatus installed at a consumer's premises if there is a reasonable doubt about its accuracy and the consumer will provide the Licensee all necessary assistance in conducting the test. The consumer will have the right to be present during such testing. A copy of the test result indicating the accuracy of the meter will be provided to the consumer.
- (b) (i) A consumer may request the Licensee to test the meter/metering equipment installed in his premises, if he doubts its accuracy. The Licensee will undertake such site testing within seven days on payment of fee as specified in the Schedule of General Charges approved by the Commission. A copy of the test result indicating the accuracy of the meter will be provided to the consumer.

- 12) In Regulation 24 of the main Regulations, for clause (c), the following shall be substituted and new clause (d) shall be added, namely:-

Reg. 24 Harmonics

- (c) Consumers and Licensee contributing harmonic distortion in excess of the specified standards will be liable to pay penalty, as may be specified by the Commission.
- (d) In order to suppress harmonics Licensee as well as consumers shall ensure earthing standards of their equipments as per IEEE Guide 80, balance the load on three phases & take other measures necessary to keep harmonics within limits.
- 13). In Regulation 35 of the main Regulations, for clause 35.4, the following shall be substituted, namely:-

Reg. 35 Disputed electricity bills

- 35.4 If on examination of a complaint, the Licensee finds a bill to be erroneous, a revised bill will be issued to the consumer indicating a revised due date of payment, which will not be earlier than seven days from the date of delivery of the revised bill to the consumer. If the amount paid by the consumer under Regulation 35.1 is in excess of the revised bill, such excess amount will be refunded through adjustment first against any outstanding amount due to the Licensee and then against the amount becoming due to the Licensee immediately thereafter. The Licensee will pay to such consumer interest on the excess amount at twice the SBI's Base Rate prevalent on first of April of the relevant year plus 2% from the date of payment till such time the excess amount is adjusted.

- 14) In Regulation 36 of the main Regulations, for clause 36.2(d), 36.3(c) & (e), the following shall be substituted, namely:-

Reg. 36 Unauthorized use of electricity

- 36.2 Final Assessment
- (d) The consumer/person will be required to deposit the assessed amount with the Licensee within seven days of receipt of the final order of assessment.

The Licensee may extend the last date of payment of the assessed amount or allow the payment in instalments subject to payment of interest on the unpaid amount for the extended period beyond seven days at the SBI's Base Rate prevalent on first of April of the relevant year plus 2%.

36.3 Appeal to appellate authority

- (c) In case the Appellate Authority holds that no case of unauthorized use of electricity is established, no further proceedings will be initiated by the Licensee and the amount deposited by the appellant refunded along with interest for the period from the date of deposit till the amount recovered is adjusted, at the SBI's Base Rate prevalent on first of April of the relevant year plus 2%, through adjustment in the electricity bills of the immediately succeeding months.
- (e) In case the amount payable as determined by the Appellate Authority is less than the amount already deposited by the consumer/person, the excess amount will be refunded by adjustment in the bills of the immediately succeeding months together with interest at SBI's Base Rate prevalent on first of April of the relevant year plus 2% for the period from the date of such excess deposit till the date of actual adjustment.

- 15) In Regulation 37 of the main Regulations, for clause 37.2(c) (iv) and 37.3, the following shall be substituted, namely:-

Reg. 37 Theft of Electricity

37.2 Consequences of theft of electricity

- (c) (iv) The Licensee may extend the last date of payment of the assessed amount/amount determined under Regulation 37.2 (c) (i) or allow the consumer to make payment in instalments subject to payment of interest for the unpaid amount for the extended period beyond fifteen days at SBI's Base Rate prevalent on first of April of the relevant year plus 2%.

- 37.3 In case the civil liability finally determined by the Special Court is less than the amount deposited by the consumer/person under Reg. 37.2, the excess amount so deposited will be refunded within fifteen days from the date of communication of the order of the Special Court to the Licensee together with

interest at SBI's Base Rate prevalent on first of April of the relevant year plus 2% for the period from the date of such excess deposit till the date of payment.

- 16) In Regulation 40 of the main Regulations, for clause 40.1, the following shall be substituted, namely:-

Reg. 40 Restoration of supply of electricity

40.1 Where a Licensee has disconnected supply of electricity to any premises in consequence of a default on the part of the consumer, the Licensee shall resume supply of electricity (other than theft cases) within twenty four hours from the time the consumer:

- (a) makes good the default and makes payment of 1st instalment of outstanding amount (if allowed to deposit the charges in instalments). However, if the consumer defaults in making the 2nd instalment, the connection shall be disconnected again and then the supply will only be restored after the recovery of total outstanding amount. In case of consumers found to be resorting to theft of electricity, the supply shall be restored only after recovery of entire amount as specified in Regulation 37.2(c) (v).
- (b) pays the prescribed amount as per Schedule of General Charges, if any for disconnecting and reconnecting the supply of electricity,
- (c) pays the monthly minimum charges/ fixed charges for the period of disconnection and the additional charges for the delayed payment.

Provided, however, that if the electric line or plant supplying electricity to the consumer is/are removed by reason of disconnection, the Licensee will restore supply after undertaking the work for providing the electric line or plant within the time specified in the case of a new connection and the consumer will deposit charges as if a new connection is being released.

- 17) In Annexure-1 of the main Regulations, for clause 1.2, the following shall be substituted, namely:-

Minimum Standard of Performance

1. Restoration of Supply

1.2 Breakdown of overhead lines

In case of failure of supply on account of LT/HT line breakdown (not including breaking/uprooting of poles) or failure of supply from a service main, the Licensee will restore supply within 6 hours of receiving a complaint in urban areas and 12 hours in rural areas. Where disruption of supply is on account of breakage/uprooting of poles, restoration of supply will be undertaken within 12 hours in urban areas and 24 hours in rural areas. The Licensee will, wherever technically feasible, make arrangements for effecting supply from alternative sources within 2 hours in the case of LT and 4 hours in the case of HT supply. However in case of failure of supply on account of 66/132/220 KV line breakdown, the Licensee will restore supply;

- (a) Within twelve hours in case of normal fault such as disc insulator failure etc.
- (b) Within 24 hours in case of major fault viz. conductor breakdown etc.

By Order of the Commission,

Sd/-

(P S JINDAL)

Secretary to the Commission.