

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

In the matter of:

GERC (Electricity Supply Code and Related Matters) (Third Amendment) Regulations, 2023.

CORAM:

**Anil Mukim, Chairman
Mehul M. Gandhi, Member
S.R. Pandey, Member**

STATEMENT OF REASONS

1. BACKGROUND:

In exercise of powers conferred by sub-section (1) read with clause (z) of sub-section (2) of section 176 of the Electricity Act, 2003, the Ministry of Power, Government of India, has notified the Electricity (Rights of Consumers) Rules, 2020 (referred onwards as the GoI Rules) vide Notification dated 31.12.2020. Subsequent Amendment in these Rules has also been notified vide Notification dated 28.06.2021.

It is mandated upon the State Electricity Regulators, vide Ministry of Power Letter dated 18.01.2021, to either make new Regulations or amend existing Regulations to align the Regulations with the said Rules notified by the Ministry of Power, Government of India.

Accordingly, the Commission decided to make amendments in the Gujarat Electricity Regulatory Commission (Electricity Supply Code and Related Matters) Regulations, 2015 (referred onwards as the Principal Regulations).

Accordingly, Draft GERC (Electricity Supply Code and Related Matters) (Third Amendment) Regulations, 2022 were published inviting comments/ suggestions from Stakeholders. Public Notices in this regard were given on 21.02.2022 in two Gujarati Newspapers i.e. Sandesh and Gujarat Samachar in Gujarati language and one English Newspaper i.e. Mint in English Language. Also Members of State Advisory Committee and Co-ordination Forum were informed in this regard through a letter. With an intention to give time limit of one month to the Stakeholders, last date of submission of comments/ suggestions was kept at 25.03.2022. Further, a few entities requested for time limit extension, and they were asked to submit their

comments/ suggestions at the earliest. Thus, enough opportunities have been given to the Stakeholders to provide their comments/ suggestions on the Draft Regulations.

In response to the above, the Commission received objections/suggestions from 6 stakeholders. The list of the objectors, who submitted their objections/suggestions on this draft Regulations is stated at **Annexure – 1**.

The Commission conducted public hearing for the aforesaid GERC (Electricity Supply Code and Related Matters) (Third Amendment) Regulations, 2022 (Draft Regulations) on 04/05/2022. The list of the Objectors who were present and participated in the hearing is stated at **Annexure – 2**.

2. VIEWS OF THE STAKEHOLDERS, ANALYSIS AND FINDINGS OF THE COMMISSION THEREON:

The Commission has considered the comments/suggestions received from the stakeholders and the submissions made by the stakeholders who had participated in the public hearing conducted on 04/05/2022 on the Regulations have been finalised after detailed analysis and with due consideration of various issues raised by the stakeholders on the Draft Regulations

3. OBJECTIONS TO THE DRAFT REGULATIONS AND FINDINGS OF THE COMMISSION THERETO:

I. Clause 1.5 (a-1) of the Draft Regulations reads as under;

‘Applicant’ refers to an owner or occupier of any land/premises who files an application form with a distribution licensee for supply of electricity, increase or reduction in sanctioned load/contract demand, change in title, mutation of name, change in consumer category, disconnection or restoration of supply, or termination of agreement, shifting of connection or other services as the case may be, in accordance with the provisions of the Act and the Supply Code, rules and regulations made thereunder or other services;

Comments/ Suggestions from the Stakeholders:

Some of the Stakeholders have suggested to replace the words ‘Act and the Supply Code, rules, and regulations made thereunder or other services’ with the words Act, rules, Supply Code and other regulations made thereunder’.

Some Stakeholders suggested to add filing of application form with distribution licensee to obtain supply in place of filing of application form with distribution licensee for supply of electricity and also add installation of solar plant as category for applicant to make an application in the definition.

Commission's decision:

In regard to suggestion to make factual correction, it is decided to specify the definition of 'Applicant' in line with the GoI rules.

In regard to the suggestion to add word 'obtain supply' in place of words 'filling of application', it is viewed that the replacement of words as suggested does not add any additional meaning to the definition of 'Applicant'. Further, it is to clarify that application of rooftop solar installation is governed by the GERC (Net Metering), Regulations.

In view of the above, the definition of 'Applicant' is corrected as under in the final Amendment;

'Applicant' means an owner or occupier of any land/premises who files an application form with a distribution licensee for supply of electricity, increase or reduction in sanctioned load/contract demand, change in title, mutation of name, change in consumer category, disconnection or restoration of supply, or termination of agreement, shifting of connection or other services as the case may be, in accordance with the provisions of the Act, rules and regulations made thereunder.

II. Clause 2.3 (5) of the Draft Regulations reads as under;

'Application Form' refers to an application form complete in all respects in the appropriate format, as specified by the Commission, before any payment of applicable charges;

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to keep the existing Regulation providing powers to Discoms to specify application form rather than the Commission. Justification provided is that Distribution Licensee engages with consumers and more aware of information/data require to process the application. Draft Amendment would make task of specification of application form

cumbersome for the Commission and rigid for the licensee. However, the Commission may specify or provide guidelines about broad aspects of information/ data need to be incorporated in the application form.

Commission's decision:

In regard to suggestion about specifying guidelines for Application Format by the Commission, it is to clarify that the principle Regulation contains Application Form as Annexure I and II. However as per GOI Rule 2 (1) (c), the format of application form should be as specified by the Commission. Thus, in order to align the Regulations with GoI Rules, amendment proposed as per the draft Regulations.

In view of the above, no change is made in the draft Regulation Clause 2.3 (5).

III. Clause 2.3 (24) of the Draft Regulations reads as under;

'Disconnection' refers to the physical separation or remote disconnection of User or Consumer from the system;

Comments/ Suggestions from the Stakeholders:

Some of the Stakeholders suggested to provide more clarity of the definition by adding the words 'but not the simply on paper disconnection' at the end of the definition.

Commission's decision:

In regard to the suggestion, it is to clarify that disconnection always means physical disconnection only. There is no concept of paper disconnection.

In view of the above, no change is made in the draft Regulation Clause 2.3 (24).

Clause 2.3 (49) of the Draft Regulations reads as under;

IV. *'Occupier' refers to the owner or tenant or person in occupation of the premises where energy is used or proposed to be used;*

Comments/ Suggestions from the Stakeholders:

Some of the Stakeholders suggested to replace word ‘occupation’ with the word ‘possession’ stating that the word ‘occupation’ is improper and have many meanings and shall be used by the word having proper legal terminology.

Further, it is also suggested to provide more clarity by adding that ‘Occupier’ should not be unauthorised occupier in the definition.

Commission’s decision:

In regard to the suggestion about replacement the word ‘occupation’ with the word ‘possession’ in order to term the occupier of the premises as a legal occupier, it is viewed that the applicant is required to produce appropriate document to the licensee proving its legal occupancy on the premises for which connection has been sought for.

In view of the above, no change is made in the draft Regulation Clause 2.3 (49).

V. Clause 4.4 of the Draft Regulations reads as under;

The licensee shall prominently display on its website and wherever feasible, conspicuously as far as possible at its offices, the updated status of applications for new connections in that area/circle, the detailed procedure for grant of new connection, temporary connection, shifting of meter or, service line, change of consumer category, enhancement of load, reduction of load or change in name, transfer of ownership and shifting of premises etc. and the complete list of documents required to be furnished along with such applications in Gujarati and English languages. Normally no document, which has not been so listed, will be required for processing application forms for new connection. Security amount and cost of service line to be deposited by applicant in accordance with GERC (Licensee’s Power to Recover Expenditure incurred in providing Supply and other Miscellaneous Charges) Regulations, 2005, as amended from time to time, and GERC (Security Deposit) Regulations, 2005, as amended from time to time, shall also be prominently displayed.

The application tracking mechanism based on the unique registration number shall be provided by the distribution licensee through web-based application or mobile app or through SMS or by any other electronic mode to monitor the status of processing of the application like

receipt of application, site inspection, issuance of demand note, external connection, meter installation and electricity flow.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add ‘distribution licensee’ instead of ‘licensee’. It is suggested to add provision of displaying details specified in the Regulation, on notice board of all administrative offices rather than giving them option to display of as far as possible.

Further it is suggested to add issuance of demand note, status of work, external connection, inspection of consumer premises, meter installation and electricity flow, as details to be displayed by licensee.

Commission’s decision:

In regard to the suggestion to replace the word ‘licensee’ by the word ‘distribution licensee’ it is to state that the Supply Code Regulation is applicable to distribution licensee only. Thus replacing word ‘licensee’ by the word ‘distribution licensee’ across all the paras of the Regulations does not serve any additional purpose.

In regard to suggestion to modify the draft Regulation to require the licensees to display the required information mandatorily at all its offices, it is viewed that such stipulation is already provided in the draft Regulations.

In regard to the suggestion about providing information related to status of work in the application tracking mechanism, it is viewed that the applicant is not required to have such information since, the licensees are bound to release the connection as per SoP time line.

In view of the above, no change is made in the draft Regulation Clause 4.4.

VI. Clause 4.11 of the Draft Regulations reads as under;

The licensee shall also provide new avenues for applying for new connection or modification in existing connection through website, mobile application for submission of online application form. The applicant shall have an option to submit an application form in hard copy form or through an electronic means such as online through web portal or mobile app of distribution

licensee. The licensee shall establish a centralized 24/7 toll free call center for this purpose, which minimize the applicant's interface with the utility during the process, within six months from the date of Notification of this Amendment.

Further, the licensees shall endeavour to provide all services through a common Customer Relation Manager (CRM) System to get a unified view of all the services requested, attended and pending, at the backend for better monitoring and analytics. The CRM shall have facilities for SMS, email alerts, notifications to consumers and officers for events like receipt of application, completion of service, change in status of application, etc.; online status tracking and auto escalation to higher level, if services are not provided within the specified time period.

The distribution licensee shall provide services such as application submission, etc., to senior citizens at their door-steps.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to add provision of providing the specified services to senior citizens free of cost and also to provide the specified services to physically handicapped and blind consumers.

Commission's decision:

In regard to the suggestion, it is to state that providing service to senior citizens at doorstep is proposed in the draft Regulations as per GoI Rule 16 (2). In the said Rule, there is no provision of providing such service to senior citizens free of cost. However, licensees may extend these services free of cost to senior citizens depending upon numbers of such requests being received by the licensee so that such kind of service does not become burdensome for other consumers of the licensees since, ARR of the licensee is protected.

In view of the above, no change is made in the draft Regulation Clause 4.11.

VII. Clause 4.12 of the Draft Regulations reads as under;

Application forms for new connection must be accompanied with a photograph of the applicant, identity proof of the applicant, proof of applicant's ownership or legal occupancy over the premises for which new connection is being sought, proof of applicant's current

address, and in specific cases, certain other documents as detailed in Clauses 4.15 - 4.20 of this Code.

Provided that for new connections up to a load of 10 kW, the application form shall be accompanied with only two mandatory documents- (1) identity proof of the applicant as per Clause 4.15 below; and (2) proof of applicant's ownership or occupancy over the premises as per Clause 4.16 below, for which new connection is being sought or in the absence of any proof of ownership or occupancy, any other address proof not given as part of identity proof under Clause 4.15 below.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to delete provision about verification of legality of documents for proof of occupancy by Licensees and stated that it is not possible for the Licensees to verify such legality.

Some Stakeholders suggested to relax provision of providing address proof not given as part of identity proof, in the absence of any proof of ownership or occupancy by adding that any two identity proof rather than any address proof not given as part of identity proof as every identity proof is already covered under the Clause 4.15 of the Regulations.

Commission's decision:

In regard to the suggestion about deletion of provision related to verification of legality of documents, it is to state that there is no stipulation in the Clause 4.12 of the draft Regulation that licensee shall verify the legality of the documents produced. However, licensees should satisfy itself about the documents which they are receiving as proof of ownership or legal occupancy of the premises for which connection is being sought.

In regard to submission of two mandatory documents for connections up to 10 kW, it is to clarify that there should not be same document for the proof identity as well as or the proof of ownership or occupancy.

In view of the above, no change is made in the draft Regulation Clause 4.12.

VIII. Clause 4.21 of the Draft Regulations reads as under;

For all application forms received in hard copy pertaining to release of supply to new connections, the licensee shall verify the application form along with enclosed documents and if found deficient, shall issue a written note on the spot regarding shortcomings in the application form. If the application form is complete, the licensee shall receive the registration charges as per GERC (Licensees power to recover expenditure and other miscellaneous charges) Regulations, 2005 and amendments thereof and upload on the website. The licensee shall generate an acknowledgement with registration number for the same and intimate to the applicant immediately.

In case of online application form through web portal or mobile application of the licensee, the licensee shall verify the application form and the documents enclosed therewith and if found deficient, shall intimate to the applicant at e- mail id mentioned in the application form within 24 hours, specifying deficiencies in the application form. If the application form is complete or once the deficiencies are removed by the applicant to the satisfaction of the licensee, the licensee shall acknowledge the receipt of the registration charges paid online by the applicant as per the GERC (Licensees power to recover expenditure and other miscellaneous charges) Regulations, 2005 and amendments thereof, and immediately upload the application on website and generate an acknowledgement with registration number for the same and intimate to the applicant immediately.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to increase time limit for intimating deficiency to consumer in case of online application from 24 hours to three working days justifying that in certain instances, connectivity for accessing online application may not be available at distribution licensee due to one or other reason and also requested to consider holiday period.

Commission's decision:

In regard to the suggestion about increasing the time limit for intimating the deficiency to the applicant of online applications from 24 hours to 2 working days, it is viewed that looking to the very much wide and varied geographical area of operation of the State Owned Discoms, the time period for intimating the deficiency to the applicant of online applications should be 2 working days.

In view of the above, Clause 4.21 of the draft Regulations is modified as under;

“4.21

For all application forms received in hard copy pertaining to release of supply to new connections, the licensee shall verify the application form along with enclosed documents and if found deficient, shall issue a written note on the spot regarding shortcomings in the application form. If the application form is complete, the licensee shall receive the registration charges as per GERC (Licensees power to recover expenditure and other miscellaneous charges) Regulations, 2005 and amendments thereof and upload on the website. The licensee shall generate an acknowledgement with registration number for the same and intimate to the applicant immediately.

In case of online application form through web portal or mobile application of the licensee, the licensee shall verify the application form and the documents enclosed therewith and if found deficient, shall intimate to the applicant at e- mail id mentioned in the application form within 2 working days, specifying deficiencies in the application form. If the application form is complete or once the deficiencies are removed by the applicant to the satisfaction of the licensee, the licensee shall acknowledge the receipt of the registration charges paid online by the applicant as per the GERC (Licensees power to recover expenditure and other miscellaneous charges) Regulations, 2005 and amendments thereof, and immediately upload the application on website and generate an acknowledgement with registration number for the same and intimate to the applicant immediately.”

IX. Clause 4.32 of the Draft Regulations reads as under;

In case of application for HT/EHT supply the licensee shall forward the application to the Transmission Licensee within three days of its receipt for its further processing in terms of provisions in the Grid Code. The Transmission Licensee within 7 working days of receipt of the application from distribution licensee, shall intimate the distribution licensee regarding feasibility or otherwise of the application. Comments of the Transmission Licensee shall be communicated to the applicant within three days thereafter.

In case the application is found feasible and subject to compliance as provided in Clause 4.29 above, the Distribution Licensee shall issue a demand note in writing, under acknowledgement, within the timeline specified in GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.

Provided that the time taken by applicant in securing the compliance as provided in Clause 4.29 above shall not be included in the timeline specified in GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add provision of forwarding the application for HT/ EHT supply to the Transmission Licensee, where applicable, instead of forwarding every HT/ EHT supply application to the Transmission Licensee to align the Regulation with the existing process.

Commission's decision:

In regard to the suggestion, it is to state that stipulation about forwarding application for HT/EHT to the transmission licensee has been made in the principle Regulation Clause 4.32 in order to facilitate development transmission network in planned and co-ordinated manner. For the distribution licensee which is also operating the higher voltage network as part and parcel of its distribution network, is not required to forward the application received for HT/EHT supply to the transmission licensee on which it is not dependent to cater demand of such applications.

Further, to facilitate the consumers, the timeline specified for the Transmission Licensee to intimate the distribution licensees regarding feasibility or otherwise of the consumer's application is reduced from proposed 7 working days in the Draft Regulations to 5 working days and for the purpose of this Clause 4.32 these Regulations is made applicable to the Transmission Licensees also.

Accordingly, applicability clause of the Code is amended as mentioned in Para 2 of Amended Regulations and Clause 4.32 of the Draft Regulations is amended as under;

“4.32

In case of application for HT/EHT supply the licensee shall forward the application to the Transmission Licensee within 2 working days of its receipt for its further processing in terms of provisions in the Grid Code. The Transmission Licensee within 5 working days of receipt of the application from distribution licensee, shall intimate the distribution licensee regarding

feasibility or otherwise of the application. Comments of the Transmission Licensee shall be communicated to the applicant on the same day.

In case the application is found feasible and subject to compliance as provided in Clause 4.29 above, the Distribution Licensee shall issue a demand note in writing, under acknowledgement, within the timeline specified in GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.

Provided that the time taken by applicant in securing the compliance as provided in Clause 4.29 above shall not be included in the timeline specified in GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.”

X. Clause 4.35 of the Draft Regulations reads as under;

The excess amount, if any, shall be refunded to the Consumer by issuing account payee cheque or by electronic mode within 30 days of energisation of connection, failing which the Licensee shall be liable to pay interest at a rate equivalent to the Late Payment Surcharge as per the prevailing Tariff Order issued by the Commission. The Consumer shall be given the detailed bill showing the details of item-wise estimation and actual expenditure along with item-wise figures of variance to the extent possible. Further, if Applicant seeks further information, the Distribution Licensee shall furnish the same or state the reasons for not furnishing the same within 10 days of receipt of such request.

Any expenditure incurred in excess of the amount deposited by the Applicant shall be paid by the Applicant within thirty days of demand, failing which such amount shall be debited to the next electricity bill of the consumer.

Provided that where the estimates are issued on the basis of per kW of demanded load, no adjustment shall be required.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to increase time limit to refund excess amount to consumer while some Stakeholders suggested to keep different time limits in case of LT, HT and EHT connections after energization with justification that refund process requires approvals from

different authorities which takes time. It is also suggested that interest payable on delayed refund of the excess amount should be applicable bank rate instead of proposed rate of delay payment charges.

Some Stakeholders suggested to refund excess amount through e-payment mechanism or adjustment in next bill in case excess amount is less than or equal to 50% of the average monthly bill while refunding the excess amount as provided in the Draft Regulation in case excess amount is more than 50% of average monthly bill. Reason provided is mechanism proposed would reduce administrative cost associated with multiple financial transactions. It is also suggested to minimize refund of excess amount through cheque and increase usage of online transactions to save cost and time.

Some Stakeholders suggested to add word 'Delay' with 'Late payment Surcharge'.

Commission's decision:

In regard to the suggestion for increasing the time limit for refund of excess amount since the utilities require to obtain internal approvals from various authorities, it is viewed that Applicant/Consumer should be facilitated with prompt services in the present era of faster growth. Utilities should arrange their internal mechanism of seeking and granting approvals in such a way that the stipulated time line for refund is complied with. In view of the above suggestion for increase the time limit for refund of excess amount is not accepted.

In regard to suggestion for payment of interest at the rate equivalent to the Bank Rate instead of Late Payment Charge/ Delayed Payment Charge as per the Tariff Order, it is viewed that as per the Draft Regulations, utility shall debit the unrecovered amount of excess recovery to the electricity bill of consumer if the same is not paid by the Applicant/Consumer within 30 days. Once the amount is debited to the electricity bill, it is liable for Delayed Payment Charge as per the Tariff Order. Since, the Applicant/Consumer is made liable to pay the Delayed Payment Charge for non-payment of excess amount, the utilities are also made liable to pay the interest at the rate of Delayed Payment Charge for non-refund of excess recovered amount. In view of the above, suggestion about payment of interest at the rate equivalent to the Bank Rate in case of delayed refund by utilities is not accepted. The suggestion of replacing word 'Late Payment Charge' by the word 'Delayed Payment Charge' is accepted in order to align the stipulation of the Regulations with the Tariff Orders.

In regard to suggestion of adjustment of excess amount in the electricity bill, it is viewed that process of refund of excess amount should be simpler. Refund of excess amount only through the electricity bill will not only cause delay in getting such refund but it may also create a situation that benefit of refund will be enjoyed by different person/entity in case of rented out premises for which electricity connection obtained by the of owner of the premises on his/her own name. Refunding the excess amount directly to the payee of the demand note is quite proper and traceable too. Also, there are cases where utilities issue demand notes to the applicant of shifting of line/infrastructure etc. Such applicants need not necessarily be a consumer of that utility and hence, refund to such applicant cannot be made through electricity bill. Also, in the Draft Regulations at Clause 7 (vii), it is stipulated that excess recoverable amount shall be paid by Applicant/Consumer within 30 days of demand. Thus, for additional payment also, the Applicant/Consumer are made responsible to pay the Utilities within stipulated time period alike getting refund for excess payment directly, i.e., without waiting for the next electricity bill. In case such payment is not made within stipulated time, then only it has to be debited in the next bill of the consumer. In view of the above, suggestion to refund of excess amount through electricity bill only is not accepted.

In regard to use e-transactions mode only for refund of excess amount, it is viewed that applicant shall have option to get his/ her refund through either electronic or non-electronic transactions and accordingly, both options are provided.

Considering the above, the Clause 4.35 is modified as under;

“4.35

*The excess amount, if any, shall be refunded to the Consumer by issuing account payee cheque or by electronic mode within 30 days of energisation of connection, failing which the Licensee shall be liable to pay interest at a rate equivalent to the **Delayed Payment Charge** as per the prevailing Tariff Order issued by the Commission. The Consumer shall be given the detailed bill showing the details of item-wise estimation and actual expenditure along with item-wise figures of variance to the extent possible. Further, if Applicant seeks further information, the Distribution Licensee shall furnish the same or state the reasons for not furnishing the same within 10 days of receipt of such request.*

Any expenditure incurred in excess of the amount deposited by the Applicant shall be paid by the Applicant within thirty days of demand, failing which such amount shall be debited to the next electricity bill of the consumer.

Provided that where the estimates are issued on the basis of per kW of demanded load, no adjustment shall be required.”

XI. Clause 4.39 of the Draft Regulations reads as under;

In case the applicant had opted to get the extension work done himself and/or the applicants installation in the premise where the supply has been demanded is completed in all respect and tested by the supervisor, holding a certificate of competency issued or recognized by the Government, the applicant should sign and submit to the Distribution Licensee, work completion and test report of the installation along with necessary test report charges specified in GERC (Licensee's Power to recover Expenditure incurred in providing electricity and other Miscellaneous Charges) Regulations, 2005, as amended from time to time, the licensee shall on receipt of the test report stipulate a date for testing the consumer installation through mutual consultation, under written acknowledgment. The date of testing must be scheduled so as to provide connection within prescribed time limit as specified in the GERC (Standard of Performance of Distribution Licensee) Regulations, 2005 and amendments thereof.

Provided that if the electric installation exceeds 440 Volts, it will require to be inspected by the Electrical Inspector and written approval thereof be obtained before commencement of supply.

The test report form for this purpose shall be supplied by the Distribution Licensee.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to increase voltage limit from 440 V to 650 V for inspection of installation by Electrical Inspector.

Commission's decision:

In regard to the suggestion, it is to state that voltage level above which installations are required to be inspected by Electrical Inspector is revised to 440 volt in accordance with GoG, Energy and Petrochemicals Department notification dated 1st February 2016 notified in exercise of

powers confirmed by relevant Regulation of Central Electricity Authority (Measures relating to Safety and Electrical Supply) Regulations, 2010.

In view of the above, no change is made in the draft Regulation Clause 4.32.

XII. Clause 4.110 of the Draft Regulations reads as under;

All payments shall be made by way of Cash (up to Rs 20,000), Banker's Cheque or Demand Draft. Banker's Cheques and demand drafts shall be payable at any branch of a scheduled commercial bank. The licensee shall also create facility for e-payment of demand note.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to decrease cash payment limit and add provision of payment through e-payment mechanism with consideration of increasing usage of online payments facilities. It is also suggested to add provision of payment of demand drafts or banker's cheque at par at any branches.

Commission's decision:

In regard to suggestion about reducing the cash payment limit, it is decided to revise the cash payment limit of demand note up to Rs. 10,000/-. In regard to suggestion about acceptance of banker's cheque at par, it is to state that the suggested stipulation is already covered in the draft Regulations.

In view of the above, Clause 4.110 of the draft Regulation is modified as under;

"4.110

All payments shall be made by way of Cash (up to Rs 10,000), Banker's Cheque or Demand Draft. Banker's Cheques and demand drafts shall be payable at any branch of a scheduled commercial bank. The licensee shall also create facility for e-payment of demand note."

XIII. Clause 6.1 of the Draft Regulations reads as under;

"No installation shall be serviced without a meter. All new connections shall be serviced with the smart pre-payment meter or pre-payment meter. The Distribution Licensee may seek

exception to the smart meter or pre-payment meter from the Commission along with proper justification. The Commission may allow the deviation from installation of the smart pre-payment meter or pre-payment meter after recording reasons thereto.

All meters shall conform to requirements as laid down in the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 and amendments thereof, issued under Section 55 of the Act. The licensee shall also comply with the abovementioned Regulations for energizing a new connection or for replacement of meter or for other purposes such as energy audit and interface meter.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to mandate installation with smart pre-payment meter or electronic pre-payment meter.

Commission's decision:

In regard to the suggestion, it is to state that addition of word 'electronic' before the word 'pre-payment meter' does not add any more meaning to the stipulations.

In view of the above, no change is made in the draft Regulation Clause 6.1.

XIV. Clause 6.3 of the Draft Regulations reads as under;

At the time of seeking a new connection the consumer shall have the option to either:

- 1. (1) Purchase the meter, MCB/CB and associated equipment himself from a vendor(s) provided the equipment are of a make and specification approved by the licensee from time-to-time; or*
- 2. (2) Require that the meter, MCB/CB and associated equipment be supplied by the licensee on payment of applicable charges.*

The consumer shall indicate this option in the application form. The licensee shall make available on its website an updated list of makes and specifications of meters and other equipment, as approved by the licensee. The licensee shall also ensure that tested and sealed meters of approved meter manufacturers are available to consumers for purchase and

information of the places from where the consumers can purchase them is available on its website.

Once the consumer has procured the meter, the licensee shall test, install and seal the meter.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add ELCB along with MCB and CB.

Some Stakeholders suggested to provide choice to consumers to purchase the specified equipment in the Clause from an open market while some Stakeholders suggested to provide choice to consumers to buy the said equipment as per the BIS or IS Standards rather than from the vendors approved by the Licensee.

Commission's decision:

In regard to the suggestion about including ELCB in the draft Regulations, it is to state that installation of ELCB/ Residual Current Device is to be carried out by a consumer as per CEA safety rules. The equipment like meter, MCB/CB becomes part of distribution network of a licensee. Hence, licensees are required to decide about make and specifications of such equipment.

In regard to suggestion about allowing consumers to purchase such equipment from open market, it is to state that there is no restriction on consumers from doing so. The only requirement as stipulated in the Regulations is that such equipment must be of required make and specifications.

In view of the above, no change is made in the draft Regulation Clause 6.3

XV. Clause 6.5 of the Draft Regulations reads as under;

The meters for new connections shall be of following type(s) subject to exemption, if any, granted by the Commission in accordance with Clause 6.1 above:

(1) For LT consumers –

(a) For 1 Phase LT connections – Smart pre-payment meter or pre- payment meter. If exemption is granted, Electronic Meters.

(b) For 3 Phase LT connections – Smart pre-payment meter or pre- payment meter. If exemption is granted, Electronic Meters with Maximum Demand Indicator (MDI).

(2) For HT/EHT consumers – 3 Phase Tri-vector meters with MDI. The meters shall have a facility for “Time of the Day” metering and storage of at least 45 days. The consumer shall have the option to install meter having facility to record peak hours MDI in addition to above features. Such meter shall be Smart pre-payment meter or pre-payment meter. If exemption is granted, Electronic Meter with Automatic Meter Reading facility.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to mandate Electronic pre-payment meter instead of just pre-payment meter for new connections.

Commission’s decision:

In regard to the suggestion, it is to state that prepayment meters are always electronic meters.

In view of the above, no change is made in the draft Regulation Clause 6.5.

XVI. Clause 6.11 of the Draft Regulations reads as under;

Initial installation or replacement of the meter shall be done by the licensee’s authorized person/ representative in the presence of the consumer or his authorized representative. For initial installation of meter the licensee shall give advance notice keeping in mind the overall time frame for release of connection as specified in the GERC (Standard of Performance) Regulations, 2005 and Amendments thereof. For replacement of meter, such notice period shall be of 7 (Seven) days.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to decrease notice period from 7 days to three days for replacement of meter.

Commission's decision:

In regard to the suggestion, it is to state that 7 days notice period is appropriate and it is in line with existing Regulations.

In view of the above, no change is made in the draft Regulation Clause 6.11.

XVII. Clause 6.21 of the Draft Regulations reads as under;

In case, for any reason, the meter is not read during a billing cycle the licensee shall prepare a provisional bill based on the average consumption of last three billing cycles when readings were taken. Such provisional billing shall not continue for more than two billing cycles at a stretch. In the case where meter is inaccessible the consumer shall have the option to send the picture of the meter indicating the meter reading and date of meter reading through registered mobile number or through registered e-mail ID by +/- 3 days for monthly billing cycle and +/- 5 days for bi-monthly billing cycle from the due date of current bill. In case where the meter is rendered inaccessible even after two billing cycle, except under extraordinary situation due to force majeure, the licensee shall issue bill for minimum charge and/or fixed charge applicable to that consumer.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add provision of providing time in the picture of meter reading to avoid any disputes. It is also suggested to replace provision of sending of the said picture within the time limit specified in the Draft Regulations from due to date of current bill with within three days of scheduled meter reading date.

Some Stakeholders suggested to delete provision of issuance of bill for fixed charge in case where meter is rendered inaccessible even after two billing cycle.

Commission's decision:

In regard to the suggestion about having time stamping on the picture of meter reading, it is to state that the draft Regulations provides for having stamping of date of meter reading in the said picture. This will serve the purpose of avoiding disputes. Further, about the suggestion of sending picture of the meter reading within 3 days of scheduled meter reading date, it is to state

that consumers are not aware about licensee's schedule of meter reading. The consumers are only aware about approximate billing date based on previous bill.

In regard to suggestion about non-levy of fixed charge for the period during which meter is rendered inaccessible, it is to state that a consumer is bound to pay fixed charge/minimum charge for the entire period of connection.

In view of the above, no change is made in the draft Regulation Clause 6.21.

XVIII. Clause 6.25 of the Draft Regulations reads as under;

When a domestic consumer gives prior information in writing about inaccessibility of the meter to the licensee due to continued absence from residence, the licensee shall not send any notice/provisional bill to the consumer provided that the consumer pays the fixed charges for such period in advance. Whenever the meter is made accessible by the consumer for taking the meter reading, the entire consumption shall be taken as if the consumption was for the period excluding the intimated period of inaccessibility. This facility shall be available to the consumer if he has paid up to date dues. Further, such consumers should make the meter available for reading once in six months after giving reasonably adequate prior intimation or shall send the picture of meter indicating the meter reading and date of meter reading through registered mobile number or through registered e-mail ID. In case of failure to do so the supply may be liable to be disconnected.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to replace “advance payment of fixed charge by consumer” with “advance payment of minimum charge” for licensee to not send any notice/provisional bill in case of inaccessibility of meter.

Commission's decision:

In regard to the suggestion, it is to state that minimum charge for residential consumer is the fixed charge only.

In view of the above, no change is made in the draft Regulation Clause 6.25.

XIX. Clause 6.30 of the Draft Regulations reads as under;

The meter may be tested for accuracy at a third party facility approved by the Commission, if so desired by the consumer. The list of third party agencies approved by the Commission for testing of meters shall be available in their various offices as well as on the website of the licensee:

Provided that in case of testing on the consumer's request, the consumer shall have to pay the requisite testing fee.

Provided further that if the meter is found to be defective / burnt due to technical reasons attributable to the licensee viz. voltage fluctuation, transients etc. or it is successfully established that the results of this test are contrary to the results of the test performed by the distribution licensee the licensee shall refund the test fee to the consumer by adjustment in the subsequent bill.

The meter test results of such Third Party Meter Testing Laboratory and the meter data shall be issued to the consumer after such test has been completed and the said results are final and binding on both the consumer and the distribution licensee.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to do away with provision of maintaining physical list of third party agencies considering accessibility of information through online platforms.

Some Stakeholders suggested to provide meter data along with meter test results of third party meter testing laboratory to the consumer.

Some Stakeholders suggested to add provision of refunding entire amount of test fee replacing refunding of test fee to the consumer in case meter is found to be defective/ burnt due to reasons attributable to the licensee.

Some Stakeholders suggested to add provision of providing choice to the consumer to make specific request for meter test for accuracy at third party facility.

Commission's decision:

In regard to the suggestion about maintaining the list of third party laboratories only on website of the licensee, it is to state that availability of such list in office of the licensee is necessary, looking to the rural area being catered by the Discoms.

In regard to the suggestion about providing meter data along with test results, it is to state that the same is already stipulated in the draft Regulations.

In regard to the suggestion about refunding the entire testing fees, it is to state that the stipulations in the draft Regulations covers the meaning as suggested.

In regard to the suggestion about providing choice to the consumer for testing meter in third party laboratory, it is to state that the same has been stipulated in the draft Regulation.

In view of the above, no change is made in the draft Regulation Clause 6.30.

XX. Clause 6.34 of the Draft Regulations reads as under;

If a consumer disputes the results of testing carried out at Licensee's Testing Facility, he may appeal to the Consumer Grievance Redressal Forum (CGRF) which shall adjudicate upon the matter.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add about providing right to consumer to appeal to CGRF in case of dispute of the results of testing carried out at Licensee's Testing Facility.

Commission's decision:

In regard to the suggestion, it is to state that in the draft Regulations it is already provided that a consumer may appeal to the CGRF in case of dispute about meter testing result.

In view of the above, no change is made in the draft Regulation Clause 6.34.

XXI. Clause 6.36 of the Draft Regulations reads as under;

If, as a result of testing, it is established that the meter was rendered defective/burnt due to reasons attributable to the consumer such as defect in consumer installation, connection of

unauthorized load by the consumer etc., the cost of the meter and/or testing fee shall be borne by the consumer as specified below:

(1) If the meter was owned by the consumer, the licensee shall inform the consumer to replace the meter and associated equipment. The licensee shall however replace the meter immediately till the consumer arranges it's own meter and associated equipments. The Licensee shall recover the testing fee from the consumer through subsequent bills.

(2) If the meter was owned by the licensee, the licensee shall install a new meter at its own cost initially and shall recover it from the consumer and shall also charge testing fee from the consumer through subsequent bills.

Provided further that if, as a result of testing, it is established that the meter was rendered defective/burnt due to tampering or any other deliberate act by the consumer to interfere with the meter, the consumer shall be assessed as per clauses 7.7-7.9 of this Code and action as permissible under law shall be taken against the consumer for pilferage and tampering.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add provision of payment of entire cost of burnt meter by licensee in case it is found that nonstandard working method was adopted in installation of meter or non-provision of appropriate fuse by employee of the licensee.

Some stakeholders suggested to recover only depreciated value of burnt meter instead of full cost of new meter.

Commission's decision:

In regard to the suggestion, it is to state that the draft Regulations stipulates about the circumstances under which a consumer is required to pay the burnt meter cost.

In regard to the suggestion about recovery of depreciated value of burnt meter, it is to state that till the meter in service cannot be termed as depreciated meter is in service. Installation of new meter in place of existing meter has its fresh cost to the licensee.

In view of the above, no change is made in the draft Regulation Clause 6.36.

XXII. Clause 6.42 of the Draft Regulations reads as under;

In case a meter is found burnt either on consumer's complaint or upon inspection by the licensee, the licensee shall restore the supply immediately by providing another meter in place of the burnt meter after ensuring that necessary preventive action at site is taken to avoid future damage.

Non-availability of meter with Licensee shall not be a reason for delay in restoration of supply.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to provide more clarity in regard to providing electricity supply strictly with meter justifying that the present Draft Regulation construed to mean that electricity supply may be provided without meter.

Commission's decision:

In regard to the observation, it is to clarify that under no circumstances supply shall be restored without meter. The stipulations of the Regulations makes it mandatory for the licensee to keep appropriate stock of meters.

In view of the above, no change is made in the draft Regulation Clause 6.42.

XXIII. Clause 6.46 of the Draft Regulations reads as under;

Supply in such cases shall be restored after installation of a new meter, payment of electricity charges for the period in which meter was not available and any other prescribed charges that may be approved by the Commission. Electricity charges for the period in which the meter was not available shall be assessed as per clause 6.60 of this Code.

Non-availability of meter with Licensee shall not be a reason for delay in restoration of supply.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to provide more clarity in regard to providing electricity supply strictly with meter justifying that the present Draft Regulation construed to mean that electricity supply may be provided without meter.

Commission's decision:

In regard to the observation, it is to clarify that under no circumstances supply shall be restored without meter. The stipulations of the Regulations makes it mandatory for the licensee to keep appropriate stock of meters.

In view of the above, no change is made in the draft Regulation Clause 6.46.

XXIV. Clause 6.48 of the Draft Regulations reads as under;

Tariffs and charges for supply of electricity shall be as determined by GERC from time to time. Tariff for each category of consumers shall be displayed on distribution licensee's website and consumers shall be notified of change in tariff including Fuel and Power Purchase Price Adjustment (FPPPA) charges and other charges, a full billing cycle ahead of time, through distribution licensee's website as well as through energy bills.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to do away with provision of providing the specified details full billing cycle ahead of time. For justification of such suggestion, it is stated that FPPPA is worked out on quarterly basis by the Commission immediately preceding quarter and information required to determine FPPPA is available only after finalization of State Energy Account and therefore, it is not possible for Discoms to notify FPPPA charge ahead of billing cycle and further, Discoms also have bi-monthly billing cycle where part of the consumers is billed retrospectively for their consumption from the effective date of implementation of Tariff Charges which makes it difficult for Discoms to implement the Draft Regulation.

Some Stakeholders suggested to add provision about bifurcating and separately mentioning FPPPA charges as Fuel Purchase Price Adjustment and Power Purchase Price Adjustment under separate columns in the bill.

Some Stakeholder suggested to add the word Base with Fuel and Power Purchase Price Adjustment.

Commission's decision:

In regard to the suggestion about doing away with the provision of displaying tariff and FPPPA charges a full billing cycle ahead and suggestion of displaying only tariff and base FPPPA charges on website, it is to state that the said stipulation has been made in the draft Regulation in order to align the existing Regulations with stipulations of GoI Rule 6 (1).

In regard to suggestion about splitting FPPPA charges into two elements, it is to state that the suggestion is not relevant to the stipulations of Supply Code.

In view of the above, no change is made in the draft Regulation Clause 6.48.

XXV. Clause 6.49 of the Draft Regulations reads as under;

The distribution licensee shall prepare the bill for every billing cycle based on actual meter reading, except where pre-payment meters are installed. In case of pre-payment metering, the distribution licensee shall issue the bill, to the consumer, on his or her request. Such intimation shall consist of the details of bill amount and the due date for payment. The licensee shall intimate the consumer of bill dispatch through SMS and/or email immediately, if the consumer has furnished requisite details. The distribution licensee shall also upload the bill on its website on the day of bill generation. The billing details of last one year (including the latest bill) for all consumers shall also be made available on the licensee's website along with payment receipt details. The consumer who registers himself with licensee for this facility can access his details.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to delete provision of intimation of due date of payment considering that for pre-payment meter such intimation is not required.

Some Stakeholders suggested to add provision of issuance of bill in local language along with in English and in large readable fonts with permanent ink printer.

Commission’s decision:

In regard to the suggestion about intimation of due date of payment in case of prepayment meters, it is viewed that there is some typographical error in the draft Regulation which requires corrections to avoid any ambiguity as observed by the stakeholder.

In regard to suggestion about issuance of bill in local language with large fonts and bills printed with permanent ink, the suggestion is welcomed and licensee may take initiative to implement this suggestion.

In view of the above, Clause 6.49 of the draft Regulation is corrected as under;

“6.49

The distribution licensee shall prepare the bill for every billing cycle based on actual meter reading, except where pre-payment meters are installed. In case of pre-payment metering, the distribution licensee shall issue the bill to the consumer, on his or her request. The licensee shall intimate the consumer of bill dispatch through SMS and/or email immediately, if the consumer has furnished requisite details. Such intimation shall consist of the details of bill amount and the due date for payment. The distribution licensee shall also upload the bill on its website on the day of bill generation. The billing details of last one year (including the latest bill) for all consumers shall also be made available on the licensee’s website along with payment receipt details. The consumer who registers himself with licensee for this facility can access his details.”

XXVI. Clause 6.53 of the Draft Regulations reads as under;

If a consumer does not receive the bill within 7 days of normal bill issue date, he may obtain a duplicate bill from the concerned billing office of the licensee. The licensee shall issue a duplicate bill immediately if the consumer contacts the licensee’s office in person/ telephonically, or on the date of acknowledgement if received by post. Non-receipt of the bill shall not entitle the consumer to delay payment beyond the due date. If any bill is served with a delay of 60 days the consumers shall be given a rebate of two percent.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to include provision of issuance of duplicate bill to consumer if the consumer contacts the licensee's office in person/ telephonically and also suggested to delete provision of issuance of duplicate bill to consumer if the consumer contacts licensee's office on the date of acknowledgement if received by post. For justification, it is stated that the Licensee can make available bills of last 12 months on portal which can be downloaded 24 x 7 and hence, question of delay does not arise. Further, for suggestion of optional provision of issuance of duplicate bill, it is justified that apart from facility of downloading the e-bill, the consumer can approach the licensee's office in person or telephonically any time and thus, wordings 'or on the date of acknowledgement if received by post' are not relevant.

Some Stakeholders suggested to provide clarity in regard to the party bearing the burden of proof by addition of definition of delivery of bill which may mean delivery of bill through e-mail (which has not bounced back to sender), SMS or courier (which receipt tracking showing delivery of bill), etc. It is further suggested to add in the definition that the Delivery of Bill should be supplemented with SMS/ e-mail with information of amount payable, bill number and due date etc.

Commission's decision:

In regard to the suggestion about deleting the stipulation for issuance of duplicate bill on the request received by post, it is to state that the State owned Discoms cater large Rural areas. In order to facilitate consumers of Rural area, provision related to issuing duplicate bill on the request received by post is necessary.

In regard to the suggestion about including definition of 'delivery of bill', it is to state that as per Clause 6.49 of the draft Regulations the licensee shall intimate the consumer of bill dispatch through SMS and/or email immediately, if the consumer has furnished requisite details. Since, intimation of issuance of bill is to be made by the licensee on the SMS number and/or email details provided by the consumer itself there is no need for the licensee to bear the burden of proof of delivery of bill which is a regular phenomenon for the consumer.

In view of the above, no change is made in the draft Regulation Clause 6.53.

XXVII. Clause 6.55 of the Draft Regulations reads as under;

The following information shall be provided on the reverse of the bill or stamped on the bill or be sent in an annexure accompanying the bill at least twice a year:

(1) Address(es) of collection centre(s) and working hours for collection of bill payments, including the date and time of presence of the mobile van, if any, at different venues for collection of bill payments. Details regarding e-payment facility along with information related to rebate as per Clause 6.74.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to replace provision of providing information specified in the Clause at least twice a year with provision to provide the specified information with the bill in each billing cycle with justification that present system of providing bill in a slip in thermal paper is in English with small fonts which should be discontinued immediately as it has created problems of record keeping, etc.

Commission's decision:

In regard to the suggestion about printing of details narrated in the draft Regulations in every bill, it is viewed that the licensees are required to give certain other details like Tariff Schedule, CGRF and Ombudsman related details etc. in the bills. Moreover, the details narrated in the draft Regulations Clause 6.55 are of static nature and does not generally change frequently. Hence, intimating the consumers about such details twice in a year is sufficient. Further, printing of bill is an administrative matter of licensees.

In view of the above, no change is made in the draft Regulation Clause 6.55.

XXVIII. Clause 6.57 of the Draft Regulations reads as under;

If the licensee is not able to read the meter and the consumer has not sent the picture of the meter indicating the meter reading and date of meter reading through registered mobile number or through registered e-mail ID as mentioned in Clause 6.21 above, a provisional bill may be issued on the basis of the average consumption of the previous 3 billing cycles. However, the licensee shall ensure that such provisional billing does not extend to more than two billing cycles at a stretch, and more than two provisional bills shall not be generated

during one financial year except under extraordinary situation due to force majeure. The provisional bills shall be adjusted on the basis of the subsequent actual meter reading.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add provision of rounding up of provisional bill to nearest 100 for simplicity of consumer.

Commission's decision:

In regard to the suggestion, it is to state that there is specific stipulation of working of provisional bill as narrated in Clause 6.57 of the draft Regulations. Thus, rounding of the bill to 100 is not necessary.

In view of the above, no change is made in the draft Regulation Clause 6.57.

XXIX. Clause 6.66 of the Draft Regulations reads as under;

In case of post payment meters, when a domestic consumer gives prior information in writing about his continued absence from residence, the distribution licensee shall not send any notice or provisional bill to the consumer provided that the consumer pays the fixed charges for such period in advance and his supply line shall not be disconnected.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to replace the word 'fixed charge' with the word 'minimum charge'.

Commission's decision:

In regard to the suggestion, it is to state that for domestic consumers minimum charge is the fixed charge only.

In view of the above, no change is made in the draft Regulation Clause 6.66.

XXX. Clause 6.74 of the Draft Regulations reads as under;

Consumer may pay the bill amount less than or equal to Rs. 1000 by Cash, Cheque, Demand Draft or through e-payment mechanism. Cheques and demand drafts shall be payable at any branch of a scheduled commercial bank. The date of realization of the cheque shall be deemed to be the date on which the payment is received in the licensee's account.

The consumer shall mandatorily pay bill amount more than Rs. 1000 through e-payment mechanism. The Licensee shall give a rebate of 0.01% or Rs. 50, whichever is less, calculated on the annual energy bill amount, to such consumer who has paid all the bills of a financial year within due date of payment of such bills through e-payment mechanism. The Licensee may claim amount of such rebate given to the eligible consumer in their Annual Revenue Requirement.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to increase limit of payment of bill through cash and also mandated limit of payment of bill through e-payment mechanism to get rebate. For the justification, it is stated that major of consumer percentage is of rural sector where consumers are not digital friendly. However, Some Stakeholders justified increase of mandated limit of payment through e-payment mechanism with reason that post demonetisation, online payment avenues have increased and consumers have skill set and infrastructure available for online payment on overall basis.

Some Stakeholders suggested to add provision of payment of cheque and demand draft at par at any branch of scheduled commercial bank.

Some Stakeholders suggested to increase avenues of payment of bills through cheque, demand draft, cheque and demand draft payable at par at any branch of scheduled commercial bank to get rebate rather than limiting avenue of payment to just e-payment mechanism.

Some Stakeholders suggested to increase limit of incentive while some Stakeholders suggested to exclude provision of socialisation of incentive cost amongst other consumers by providing option to Licensees to claim the said amount of incentive in their ARR considering the insignificant incentive provided to consumers for online payment of bills.

Commission's decision:

In regard to the suggestion about modifying the mandatory limit of e-payment, it is to state that the proposed limit for e-payment has been fixed as per GoI Rule 7 (3). Further, since the limit for e-payment is quite low, impact of incentive provided by licensee shall be quite insignificant on the ARR of the licensee.

In regard to the suggestion about allowing payment through cheque and demand draft as well as suggestion about avenues of bill payment, it is to state that the draft Regulations appropriately covers the suggestion of the stakeholder.

In view of the above, no change is made in the draft Regulation Clause 6.74.

XXXI. Clause 6.76 of the Draft Regulations reads as under;

The licensee shall establish sufficient number of collection centres at suitable locations with necessary facilities where consumer can deposit the bill amount with ease and without undue congestion. Priority shall be given to senior citizens, differently abled persons and women for payment of bills. Display board about priority to senior citizens, differently abled persons and women be kept at prominent location at each collection window. The licensee shall create an appropriate infrastructure including ramp to facilitate senior citizens and differently abled persons to reach at collection window.

The distribution licensee shall also provide bill payment service to senior citizens at their door-steps.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to make provision of providing the services specified in the Draft Regulation to senior citizen at their doorstep optional rather than mandatory and also suggested to add mode of payment through cheque/ demand draft in this case, as for the said services, additional manpower and infrastructure is required to be developed leading to financial burden on the Licensee. For suggestion of incorporation of mode of payment through cheque/ demand draft, the suggestion is justified with a reason that the said mode of payment is required to be incorporated so that the funds collected from the senior citizens are not misused.

Some Stakeholders suggested to replace provision of priority to be provided to senior citizens, differently abled persons and women for payment of bills, creation of appropriate infrastructure including ramp and display board to be provided in this regard at collection centre at prominent location with provision of providing separate collection centres for senior citizens, physically challenged persons and women and also creation of ramp facility at collection windows,. It is also suggested to include provision of separate collection centres for cash and non-cash transactions and to limit transaction through coins to Rs. 10 per bill.

Some Stakeholders suggested to provide the said services to senior citizens free of cost while some Stakeholders suggested to provide the said services also to physically handicapped and blind consumers at their door step.

Commission's decision:

In regard to the suggestion about removing mandatory provision for providing service to senior citizens at their doorstep, it is to state that the draft Regulations is prepared to align the principal Regulation with GoI Rule 16 (2). Regarding the suggestion about specifying mode of payment from senior citizen paying bill at their doorstep, it is viewed that deciding mode of payment for such case is the administrative matter of the licensee.

In regard to the suggestion about separate window/bill collection centres for certain class of citizens other than the provision of giving them priority, it is to state that the present provision has been amended by the commission while notification number 6 of 2016 after following due process.

In regard to the suggestion about providing doorstep service to the senior citizens, blind and physically disabled citizens as well as such service free of cost, it is to state that providing service to senior citizens at doorstep is proposed in the draft Regulations as per GoI Rule 16 (2). In the said Rule, there is no provision of providing such service to senior citizens, blind and physically disabled citizens and at free of cost. However, licensees may extend these services free of cost to senior citizens, blind and physically disabled citizens depending upon numbers of such requests been received by the licensee so that such kind of service does not become burdensome for other consumers of the licensees since, ARR of the licensee is protected.

In view of the above, no change is made in the draft Regulation Clause 6.76.

XXXII. Clause 6.80 of the Draft Regulations reads as under;

Receipt shall be issued to the consumer for payment of bills made. In all cases, payments shall be acknowledged in the next bill.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add provision for issuance of receipt on the spot for payment of bills, while some Stakeholders suggested to add provision of issuance of receipt at time of payment of bill at centre and in case of digital payment, to include receipt in next bill.

Some Stakeholders suggested to include provision of e-receipt so as to reduce dependency on paperwork.

Commission's decision:

In regard to the suggestions about issuance of receipt, it is to state that receipt is issued on the spot at the time of physical payment and receipt get generated automatically when payment is made online. Provisions related to issuance of receipt is required looking to the large rural area being catered by the licensees.

In view of the above, no change is made in the draft Regulation Clause 6.80.

XXXIII. Clause 8.3 (7) of the Draft Regulations reads as under;

In case of pre-payment meter, supply shall be automatically cut-off when the amount credited is exhausted. This shall however not be treated as a disconnection and the supply will be resumed whenever the meter is recharged.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to replace provision of non-treatment of disconnection of supply in case of pre-payment meter due to exhaustion of credited amount with provision of treating the said disconnection as temporary disconnection and also suggested to add provision of treating disconnection as permanent disconnection if recharge is not done within 180 days of

temporary disconnection. Suggestion is justified by stating that period of recharge needs to be clearly defined so as to provide certainty and as per existing provision, disconnection beyond 180 days is treated as permanent disconnection.

Some Stakeholders suggested to add provision of resumption of supply in case of recharge of meter with the requisite amount as the Draft Regulation may be interpreted in a way that recharge amount is only linked to energy charges and thus Draft Regulation must include provision of payment of fixed charge as well.

It is also suggested to include provision of providing warning through SMS/ e-mail and additional notifications through mobile application on consumption of certain credit amount or providing warning notification of remaining days of supply based on average historical consumption so as to make consumer aware about demand/ consumption pattern and allow consumer to top-up credit balance before supply is cut-off. It is further suggested to include provision of facility for emergency credit amount based on payment history of consumer and provide consumer with emergency supply of 8-12 hours at the end of credit balance and adjustment of the next credited amount against such supply first provided enough amount remains after such adjustment to continue providing supply.

Some Stakeholders suggested to add provision of not treating disconnection as permanent or temporary disconnection in case of cut off of supply due to exhaustion of credit amount.

Commission's decision:

In regard to the suggestion about specifying the period of 180 days or non-recharge of prepayment meter to be qualified as permanent disconnection, it is to state that consumers are required to pay fixed charge as well as energy charge. If amount paid by prepayment consumer is exhausted then also he is required to pay fixed charge as per the relevant tariff order. If such consumer does not pay fixed charge by way of recharging the prepayment meter, it qualifies for applicability of Clause 8.3 (1) of the principal Regulations. Once the Clause 8.3 (1) is applied, such prepayment consumer shall qualify for the permanent disconnection after following due process as per the Regulations. In view of this, there is no need to include the provision related permanent disconnection after certain period of non-recharge.

In regard to the observation about recharge amount should include fixed charge also, it is to state that every consumer is required to pay the charges as per tariff order issued by the Commission. Likewise, a consumer served through prepayment meter also has to pay the charges as per tariff order. The amount required to recharge the meter shall invariably include the amount of fixed charge also.

Regarding the suggestion about sending alert message, it is viewed that the consumer opting prepayment meter has to be vigilant about usage. With regard to the suggestion about providing credit limit to the prepayment consumers, it is to state that such kind of credit limit cannot be provided mandatorily through Regulations since, such consumers are exempted from payment of security deposit.

In view of the above, no change is made in the draft Regulation Clause 8.3 (7).

XXXIV. Clause 8.9 of the Draft Regulations reads as under;

Thereafter, the disconnection shall be done immediately after payment of the final bill. The balance amount due to any consumption between the final reading and the permanent disconnection, if any, may be adjusted against the security amount with the distribution licensee. The remaining security deposit shall be refunded to the consumer within such period as specified by the Commission in the GERC (Security Deposit) Regulations, 2005, amended from time to time.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to replace provision of immediate disconnection after payment of final bill with disconnection within 7 days after payment of the final bill as final bill is prepared after disconnection, removal of assets and calculation of dues based on reading at the time of meter removal.

It is also suggested to make provision of adjustment of amount due to any consumption between final reading and permanent disconnection, against security deposit amount rather than making it optional as it may happen that security deposit amount available with the licensee may not be enough.

Some Stakeholders suggested to add provision of refunding remaining amount of security deposit to consumer within 7 days.

Commission's decision:

In regard to the suggestion about making disconnection within 7 days after payment of final bill, it is viewed that this suggestion is not in consonance with stipulations at Clause 8.8 of the principal Regulations. As per Clause 8.8, final bill is to be prepared for energy consumed till the date of special reading, arrears if any and charges for removal of assets. Once the consumer pays such bill, disconnection is to be made immediately as per the draft Regulations.

In regard to the matter related to adjustment of security deposit, it is to state that it is the prerogative of the licensee to adjust the security deposit.

In regard to the suggestion about refund of security deposit, it is to state that suggested provision is already made in the draft GERC (Security Deposit) (Third Amendment) Regulations, 2022.

In view of the above, no change is made in the draft Regulation Clause 8.9.

XXXV. Clause 9.1 of the Draft Regulations reads as under;

For creating proper awareness among consumers and licensee staff, the distribution licensee shall ensure to undertake the following steps, namely: -

a) Manual of procedure for providing common services and handling customer grievances shall be made available for reference of consumers at every office of the distribution licensee and downloadable from its website.

b) The distribution licensee shall publish the guaranteed standards of performance along with compensation structure, information on procedure for filing of complaints, in the bills for month of January and July. If it is not possible to publish the same at the back of the bills, the distribution licensee shall publish it on a separate hand out and distribute it along with the bills.

c) The distribution licensee shall arrange to give due publicity through media, TV, newspaper, website and by displaying in boards at consumer service- related offices to bring awareness of consumer rights, standards of performance, compensation provisions, grievance redressal, measures for energy efficiency and any other schemes of the distribution licensee.

d) The distribution licensee shall arrange to display feeder wise outage data, efforts made for minimising outages, prevention of theft or unauthorised use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained during the year, on its website.

e) Whenever the existing meters are to be replaced by any new technology meters, the distribution licensee shall take adequate measures to create consumer awareness regarding the advantages of such replacement. Distribution licensee shall issue a public notice in at least four daily newspapers. Such information shall also be displayed in conspicuous manner on the distribution licensee's website and the distribution licensee shall indicate the area wise schedule of dates for replacement of such meter.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to delete Draft provision 9.1 (d) as the specified details are not relevant for individual consumers and for Licensee as a whole, the specified details are being furnished to the Commission/ Central Electricity Authority, as required. However, some Stakeholders suggested to add provision of monthly updation of the specified details in Draft provision 9.1 (d).

Some Stakeholders suggested to add provision of stapling the details specified in Draft provision 9.1 (b) along with the electricity bill.

Some Stakeholders suggested to add the word 'various' before media in Draft provision 9.1 (c).

Commission's decision:

In regard to the suggestion about deleting para 9.1 (d) of the draft Regulations, it is to state that the draft Regulations are proposed to align the principal Regulations with GoI Rule 16. Further, in regard to the suggestion about regular updation of the data narrated in Clause 9.1 (d), it is to

state that the data proposed to be uploaded on website is of dynamic nature. Stipulation about uploading those data itself indicates that the latest data shall always be available on licensee's website.

In regard to suggestion about stapling the details narrated in Clause 9.1 (b), it is to state that the proposed Regulations provides for sharing these details along with energy bills.

In regard to the suggestion about adding word 'various' before the word 'media', it is to state that such addition does not add any more meaning to the Regulations.

In view of the above, no change is made in the draft Regulation Clause 9.1.

XXXVI. Clause 9.2 of the Draft Regulations reads as under;

The distribution licensee shall supply 24 x 7 power to all consumers. However, the Commission may specify, from time to time, lower hours of supply for some categories of consumers like agriculture.

However, except, subject to a contract to the contrary, the Distribution Licensee shall not be responsible for any loss to Consumer or damage to Consumer's plant and equipment due to interruptions / fluctuations in supply of power. Such interruption/fluctuations in supply may arise from the reasons including but not limited to war, mutiny, riot, earthquake, cyclone, tempest, strike, civil commotion, lock-out, lightning, fire, flood, accident or breakdown of plant and machinery, load shedding as suggested by SLDC or causes beyond control of the Distribution Licensee. The Distribution Licensee shall communicate through SMS or by other electronic mode along with estimated time for restoration. This information shall also be available in the call centre of the Licensee.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add provision of declaration and publication of schedule in regard to day and night time supply hours and total supply hours for agriculture category consumers well in advance. Some Stakeholders suggested to add provision of providing quality power supply 24 x 7 to all consumers.

Some Stakeholders suggested to add provision that interruptions/ fluctuations in supply arising from the reasons beyond control of the licensee shall not absolve the Licensee from payment of compensation for damages occurred due to continuous high voltage beyond the Standard Voltages.

Commission's decision:

In regard to the suggestion about publishing schedule of power to the agriculture consumers, it is viewed that the same is the administrative matter of the licensee.

In regard to the suggestion about providing quality power supply, it is viewed that power quality parameters are fixated in the GERC (SoP) Regulations.

In regard to the suggestion about compensating the consumers for the reasons beyond the control of the licensee, it is viewed that as per Section 44 of the Act licensees are exempted from duty to supply. Accordingly, compensation as suggested cannot be granted.

In view of the above, no change is made in the draft Regulation Clause 9.2.

Sd/- (S. R. PANDEY) MEMBER
Sd/- (MEHUL M. GANDHI) MEMBER
Sd/- (ANIL MUKIM) CHAIRMAN

Place: Gandhinagar

Date: 05/12/2023

Annexure 1

List of the Objectors, who submitted their objections/suggestions on draft Regulations

Sr. No.	Name of Entity
1	Gujarat Krushi Vij Grahak Suraksha Sangh
2	Users Welfare Association
3	Gujarat Chamber of Commerce & Industry
4	Centre for Energy Regulations
5	MGVCL
6	PGVCL
7	UGVCL
8	TPL

Annexure 2

List of the Objectors who were present and participated in the hearing

Sr. No.	Name of Entity
1	Users Welfare Association
2	Gujarat Chamber of Commerce & Industry
3	MGVCL
4	PGVCL
5	UGVCL
6	TPL

