

**BEFORE THE GUJARAT ELECTRICITY REGULATORY COMMISSION
GANDHINAGAR**

In the matter of:

GERC (Standard of Performance of Distribution Licensee) 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.

Further, the Standards of Performance of Distribution Licensees were last fixated in the year 2005. Looking to the technological advancements, it is of need to revise the Standards of Performance of Distribution Licensees.

Accordingly, the Commission decided to make new GERC (Standard of Performance of Distribution Licensee) Regulations, 2022

Accordingly, Draft GERC (Standard of Performance of Distribution Licensee) 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 (Standard of Performance of Distribution Licensee) 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 Draft Regulations, 2022. 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 1.2 of the Draft Regulations reads as under;

These Regulations shall be applicable to all Licensees engaged in distribution of electricity and all consumers in the State of Gujarat.

Comments/ Suggestions from the Stakeholders:

Some of the Stakeholders have suggested to delete provision of applicability of SoP Regulations to consumers in the State. For justification, it is stated that as per provision of Supply Code, Licensee is not held responsible for any delay due to issues of right of way, including delayed approvals from local authority etc., acquisition of land, delay in required approval/ consents from Discoms/ GETCO/ SLDC etc. Moreover, Licensee is provided with facility of seeking time limit extension for any delay due to the said reasons. Such options are not available to consumers/ applicants and accordingly, consumers should be provided with

such options by deleting applicability of provisions of SoP Regulations to consumers in the State.

Commission's decision:

In regards to the suggestion, it is to state that the Regulations are made applicable to consumers also, in order to empower them to seek automatic compensation from licensees and seeking redressal in case of default in paying automatic compensation by the licenses. To make this more clear the Draft Regulation is modified as under.

Regarding the issue about powers to seek for time limit extension for commissioning of the network from the Commission, it is to state that the said matter is pending before the commission for adjudication.

In view of the above, Clause 1.2 of the Draft Regulations is modified as under;

These Regulations shall be applicable to all Licensees engaged in distribution of electricity for the performance of SoP and compensation mechanism set in these Regulations and to all consumers for seeking compensation as per the mechanism set in these Regulations.

II. Clause 2.1 (f) of the Draft Regulations reads as under;

“Momentary Average Interruption Frequency Index (MAIFI)” means the average duration of momentary interruptions per consumer occurring during the reporting period, determined by dividing the sum of all momentary consumer interruptions durations, in minutes, by the total number of consumers.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders have suggested to delete the words ‘duration’ and ‘sum of all momentary consumer interruptions durations’ from the definition of MAIFI to align the said definition with the formula specified by the Commission.

Commission's decision:

The suggestion is considered. Accordingly, the definition of MAIFI at draft Regulations Clause 2.1 (f) is revised and necessary corrections are also made at draft Regulations Clause 5.2 (IV) as under;

“2.1 (f)

“*Momentary Average Interruption Frequency Index (MAIFI)*” means the average number of momentary interruptions per consumer occurring during the reporting period, determined by dividing the sum of all momentary consumer interruptions, in minutes, by the total number of consumers.”

5.2

IV Momentary Average Interruption Frequency Index (MAIFI):

MAIFI indicates total number of momentary interruptions for the average customer during a period of one month, which shall be calculated as per the formula specified below;

$$\begin{aligned} \text{MAIFI} &= \frac{\text{Cumulative Momentary Customer Interruptions}}{\text{Total Number of Customers served for the Areas}} \\ &= \frac{\sum (Imi \times Nmi)}{Nt} \end{aligned}$$

Where,

mi = a momentary interruption event;

Imi = Total Number of Momentary Interruption Events;

Nmi = Total Number of Consumers affected due to Momentary Interruption Events during the Reporting Period; and

Nt = Total Number of Customers Served for the Areas

III. Clause 2.1 (g) of the Draft Regulations reads as under;

“Rural area” means the areas covered by Gram Panchayats.

Comments/ Suggestions from the Stakeholders:

Some of the Stakeholders suggested to add ‘except Agriculture Land’ at the end of the definition with consideration that Simtal has scattered farm houses where more time is required to provide services than the consumers of Gamtal area.

Commission’s decision:

The suggestion is not accepted since, the licensees are required to provide equal level of services to Simtal and Gamtal of Rural Areas.

In view of the above, no change is made in the draft Regulation clause 2.1 (g).

IV. Clause 3.4 of the Draft Regulations reads as under;

The licensee shall register every complaint either verbally or in writing, regarding (i) release of electricity connection, (ii) failure/interruption of power supply, (iii) load shedding, (iv) scheduled outages, (v) quality of power supply, (vi) meters/meter boxes/metering system's service line, (vii) billing, (viii) payment of bills, (ix) any other services relating to power supply in electronic format to be maintained for this purpose.

Comments/ Suggestions from the Stakeholders:

Some of the Stakeholders suggested to add provision in regard to registration of complaint regarding electrical safety.

Commission's decision:

Safety being an important aspect affecting to the consumers, the suggestion is accepted.

In view of the above Clause 3.4 (ix) of the Draft Regulations is modified as under;

The licensee shall register every complaint either verbally or in writing, regarding (i) release of electricity connection, (ii) failure/interruption of power supply, (iii) load shedding, (iv) scheduled outages, (v) quality of power supply, (vi) meters/meter boxes/metering system's service line, (vii) billing, (viii) payment of bills, (ix) electrical safety and any other services relating to power supply in electronic format to be maintained for this purpose.

V. Clause 3.10 of the Draft Regulations reads as under;

The licensee shall hold regular grievance redressal meetings with consumers. These meetings shall be open to all consumers. The consumers can also register their complaints in these meetings. These meetings shall be held in the office of head of the sub-division or equivalent distribution unit designated by whatever name on 10th of every month and similarly in the office of the head of the circle or equivalent similar functionary by whatever name designated on 20th of the same month. If 10th or 20th of a month falls on a Sunday or a public holiday or a holiday in the State due to any other reason, the meeting shall be held on the next working day. The schedule of the redressal committee meetings should be displayed at sub-

division/circle/section/zonal offices. Minutes of the sub-division/section level outing and action taken port should be available to the head of the circle/zone at the time of meeting to be held on 20th of the same month. The redressal committee shall as far as practicable dispose of the matter within not more than three meetings.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to modify provision in regard to meeting at office of head of sub-division on 10th of every month with meeting at office of head of division as consumers approach sub-division office in normal course on any working day. However, consumers approach to higher offices i.e. division or circle office in case of non-redressal of his complaint.

Commission's decision:

In regard to the suggestion, it is to state that the stipulation at Clause 3.2 of the Draft Regulations is to handle the grievances of the consumers in the meeting to be held on 10th of every month at Sub-division Office. This meeting is specifically meant for redressal of grievances at Sub-division Office level itself without requiring consumer to approach higher offices.

In view of the above, no change is made in the draft Regulation Clause 3.2.

VI. Clause 4.1 of the Draft Regulations reads as under;

The Licensee shall raise the demand note to the applicant for New Connection, Load Enhancement, Shifting of connection at other premises, Conversion of Service, Temporary Supply, Shifting of Service Connection in exiting premises, Deviation of line and Shifting of equipment, within 7 (Seven) days of following relevant process as provided in the GERC (Electricity Supply Code and Related Matters) Regulations, 2015 as amended from time to time.

Comments/ Suggestions from the Stakeholders:

Stakeholders have suggested to increase time limit of raising demand note justifying that issuance of demand note requires several approval from hierarchal authorities which requires certain amount of time. Further, it is also justified with reason that extensive site survey

followed by network design with options will take more time particularly for HV/ EHV applications.

Commission's decision:

In regard to the suggestion to increase the time limit for issuance of Demand Note, it is to clarify that it is specified in the Draft regulation Clause 4.1 that the licensee shall issue Demand Note to the applicant within 7 (Seven) days of following relevant process as provided in the GERC (Electricity Supply Code and Related Matters) Regulations, 2015. The Supply Code, at Clause 4.21 to 4.32, stipulates various processes like verification of application, site visit, fixation of point of supply, seeking feasibility from Transmission licensee, etc. Only after completing all these processes, the licensee is required to issue the Demand Note within seven days to the applicant. The reason put forward to enhance the stipulated time limit of seven days for issuance of Demand Note that there is a mechanism existing in the licensees to get various approvals from higher authorities, is not justified. The licensees should set up their internal mechanism of seeking and granting approvals in such a way that the stipulations in the Regulations are complied with true spirit.

In view of the above, no change is made in the draft Regulation Clause 4.1.

VII. Clause 4.2 of the Draft Regulations reads as under;

After receipt of full payment of the demand note, Standard time for energizing New Connection, Load Enhancement, Connection shifted at new location, and Connection after conversion of service is as under, provided that the necessary test report is received from the applicant;

(i) to be provided from existing distribution network is 7 (Seven) days in Urban areas and 10 (Ten) days in Rural areas.

(ii) to be provided after modification in network, in Urban as well as Rural area, is as under;

<i>Sr. No.</i>	<i>Network modification required</i>	<i>Time limit</i>
<i>1</i>	<i>Extension of LT line up to 150 Meter</i>	<i>Within 12 (Twelve) days</i>
<i>2</i>	<i>Extension of LT lines more than 150 Meter and/or augmentation of distribution transformer</i>	<i>Within 21 (Twenty one) days</i>

3	Erection of new distribution of transformer	Within 30 (Thirty) days
4	Erection of new HT line and distribution transformer and/or augmentation of existing HT line network	Within 90 (Ninety) days
5	Erection/augmentation of EHT level line and/or Sub-Station	Within 180 (One Hundred Eighty) days

The licensee shall inform the applicant about the likely time of energisations of connection as per standard time mentioned above.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to modify the time limit considering that for urban area, certain approval from third party are required which would delay the process. Also, in Rural areas obstacles and objections are generally observed. Further, it is also suggested to specify different time line for Underground Network and Over Head Network as challenges in laying/ modifying underground network are more complex in nature compared to overhead network which would require time.

Some Stakeholders also suggested to add provision that the specified time limit would be considered after presentation of completed application and compliance with formalities (including granting of space for installation of transformers, if required, and meters) is completed and the specified time limit is subject to the condition that connection is technically feasible and will meet with safety requirements and would exclude the time attributable to the consumer/ local authority.

Some Stakeholders suggested to decrease time limit for energisation of connection in case where erection of new HT line and distribution transformer and/or augmentation of existing HT line network is required since in the existing Regulation such time limit was 60 days and in the draft Regulation it is 90 days.

Commission's decision:

In regard to the suggestion about enhancing time lines proposed in the draft Regulations, it is to state that stringent time lines are proposed by the Commission to facilitate the applicants. However, the Commission finds it appropriate to increase the time line for the work of extension of LT line upto 150 Meter from 12 days to 15 days in order to facilitate licensees to organise the various activities related to the works. Further, it is to state that all the time lines

are to be observed only after receipt of full payment of Demand Note and receipt of necessary test report from the applicant. Further, prior to issuance of Demand Note, formalities such as verification of technical feasibility etc. are to be completed as stipulated in Clause 4.21 to 4.32 of the Supply Code. Further, it is specifically stated at first proviso of Note below the Table of Clause 6.2 of the draft Regulations that;

“.....for determination of compensation, the time taken for providing services as narrated in the table above shall not be considered on account of the following: -

- (i) If at any stage, additional time period is sought by the applicant for reasons to be recorded in writing; or*
- (ii) If the same is on account of reasons such as right of way, acquisition of land, availing access to land or space for installation of transformer/circuit breaker, meter and/or time attributable to the consumer/local authority, etc., or occurrence of any force majeure event, over which Licensee has no control and the reasons for the delay are communicated to the applicant within the period specified for energisation; or*
- (iii) If additional time is allowed by the Commission for completion of work. “*

In view of the above, apprehension of the licensees is uncalled for.

In regard to a suggestion about specifying deferent time line for carrying out works for Under Ground (UG) network and Over Head (OH) network, it is viewed that a licensee which is operating and maintaining UG network should have to enhance their capabilities so as to provide faster services to the applicants in view of technological advancements, availability of better tools and experienced skill set compared to those available in 2005 when existing SoPs were fixated.

In regard to suggestion to reduce the proposed time limit for energisation of connection in case where erection of new HT line and distribution transformer and/or augmentation of existing HT line network is required, it is to state that in the existing Regulation, time line for energisation of connection is specified based on the quantum of load to be released. Whereas, in the draft Regulation, time line for energisation of connection is proposed based on quantum of works to be carried out for energisation of connection which will provide licensees a specific

road map to arrange their internal affairs such as seeking and granting approvals, inventory management etc. for carrying out various kind of works. Thus, the timelines specified in the existing Regulation and those in the draft Regulations are not comparable.

In view of the above Clause 4.2 (ii) of the Draft Regulations is modified as under;

4.2 (ii) to be provided after modification in network, in Urban as well as Rural area, is as under;

<i>Sr. No.</i>	<i>Network modification required</i>	<i>Time limit</i>
<i>1</i>	<i>Extension of LT line up to 150 Meter</i>	<i>Within 15 (Fifteen) days</i>
<i>2</i>	<i>Extension of LT lines more than 150 Meter and/or augmentation of distribution transformer</i>	<i>Within 21 (Twenty one) days</i>
<i>3</i>	<i>Erection of new distribution transformer</i>	<i>Within 30 (Thirty) days</i>
<i>4</i>	<i>Erection of new HT line and distribution transformer and/or augmentation of existing HT line network</i>	<i>Within 90 (Ninety) days</i>
<i>5</i>	<i>Erection/augmentation of EHT level line and/or Sub-Station</i>	<i>Within 180 (One Hundred Eighty) days</i>

VIII. Clause 4.3 of the Draft Regulations reads as under;

After receipt of full payment of the demand note, Standard time for energizing the Temporary Connection is as under, provided that the necessary test report is received from the applicant;

<i>Sr. No.</i>	<i>Load of Temporary Connection</i>	<i>Time limit</i>
<i>1</i>	<i>Upto 10 kVA</i>	<i>3 (Three) days</i>
<i>2</i>	<i>Upto 25 kVA</i>	<i>7 (Seven) days</i>
<i>3</i>	<i>Upto 50 kVA</i>	<i>15 (Fifteen) days</i>
<i>4</i>	<i>Over and above 50 kVA</i>	<i>21 (Twenty one) days</i>

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to modify the time limit for energising temporary connection justifying that certain hierarchical approvals are required which would delay the process.

Some Stakeholders suggested to specify different time line for Underground Network and Over head Network as challenges in laying/ modifying underground network are more complex in nature compared to overhead network which would require time.

Some Stakeholders suggested to specify time limit based on quantum of work involved rather than based on load of temporary connection.

Commission's decision:

In regard to suggestions to increase the time limit proposed for energisation of temporary connection on account of time taken for granting internal approvals, it is state that the licensees should set up their internal mechanism of seeking and granting approvals in such a way that the stipulations in the Regulations are complied with true spirit.

In regard to a suggestion about specifying deferent time line for carrying out works for Under Ground (UG) network and Over Head (OH) network, it is viewed that a licensee which is operating and maintaining UG network should have to enhance their capabilities so as to provide faster services to the applicants in view of technological advancements, availability of better tools and experienced skill set compared to those available in 2005 when existing SoPs were fixated.

In regard to suggestion to specify time limit based on quantum of works to be carried out rather than based on the quantum of load to be catered, it is viewed that the suggestion is appropriate and necessary corrections are made in the final regulation Clause 4.3 as narrated below;

“4.3

After receipt of full payment of the demand note, Standard time for energizing the Temporary Connection is as under, provided that the necessary test report is received from the applicant;

(i) to be provided from existing distribution network is 2 (Two) days i.e. 48 Hours in Urban and Rural areas.

(ii) to be provided within 7 (Seven) days, in Urban as well as Rural area, in the cases where modification in network is required.

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

After receipt of full payment of the demand note, Standard time for Shifting of Service Connection in Existing Premises/Deviation of Lines and Shifting of Equipments is as under, provided that the necessary test report, if any required, is received from the applicant ;

<i>Sr. No.</i>	<i>Application for Shifting of;</i>	<i>Time limit</i>
<i>1</i>	<i>Meter/service in existing premises</i>	<i>2 (Two) Days</i>
<i>2</i>	<i>LT/HT lines</i>	<i>7 (Seven) Days</i>
<i>3</i>	<i>Transformer structures</i>	<i>15 (Fifteen) Days</i>

The accounts should be settled within 30 days from the date of completion of shifting work by recovery of excess expenditure or by refund of the balance deposit.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to modify time limit for Shifting of Service Connection in Existing Premises/Deviation of Lines and Shifting of Equipment considering that Discoms have obligation to perform other standard of performances specified in the Regulations which would require mobilisation of resources. Another justification provided is work requiring dismantling of existing network which would require time.

Some Stakeholders suggested to specify different time line for Underground Network and Over head Network as challenges in laying/ modifying underground network are more complex in nature compared to overhead network which would require time.

Commission's decision:

In regard to the suggestion about enhancing time lines proposed in the draft Regulations, it is to state that stringent time lines are proposed by the Commission to facilitate the applicants. However, the Commission finds it appropriate to increase the time line for the work of shifting of meter/ service in existing premises from 2 days to 3 days in order to facilitate licensees to organise the various activities related to the works.

In regard to a suggestion about specifying deferent time line for carrying out works for Under Ground (UG) network and Over Head (OH) network, it is viewed that a licensee which is operating and maintaining UG network should have to enhance their capabilities so as to provide faster services to the applicants in view of technological advancements, availability of better tools and experienced skill set compared to those available in 2005 when existing SoPs were fixated.

In view of the above, Clause 4.4 of the Draft Regulations is modified as under;

After receipt of full payment of the demand note, Standard time for Shifting of Service Connection in Existing Premises/Deviation of Lines and Shifting of Equipments is as under, provided that the necessary test report, if any required, is received from the applicant ;

<i>Sr. No.</i>	<i>Application for Shifting of;</i>	<i>Time limit</i>
<i>1</i>	<i>Meter/service in existing premises</i>	<i>3 (Three) Days</i>
<i>2</i>	<i>LT/HT lines</i>	<i>7 (Seven) Days</i>
<i>3</i>	<i>Transformer structures</i>	<i>15 (Fifteen) Days</i>

The accounts should be settled within 30 days from the date of completion of shifting work by recovery of excess expenditure or by refund of the balance deposit.

X. Clause 4.5 of the Draft Regulations reads as under;

After receipt of complete application along with necessary documents and payment of necessary fees, the transfer of service connection with respect to name change or ownership change shall be effected and intimated to the consumer within 7 (Seven) days.

Comments/ Suggestions from the Stakeholder :

Some Stakeholders suggested to divide time line for transfer of service connection with respect to name change or ownership in two category i.e. single phase & three phase considering powers provided to different levels of offices. It is opined by some stakeholder that intimation to consumer about transfer of service connection can be through any mode like letter/electronic/SMS.

Commission's decision:

In regard to suggestions to increase the time limit on account of time taken for granting internal approvals, it is state that the licensees should set up their internal mechanism of seeking and granting approvals in such a way that the stipulations in the Regulations are complied with true spirit.

In regard to opinion related to mode of intimation, it is to clarify that any mode of intimation to the applicant is permitted for which the applicant have accepted to receive intimation in such mode and the licensee can retain the record about delivery of such intimation.

In view of the above, no change is made in the draft Regulation Clause 4.5.

XI. Clause 4.7 of the Draft Regulations reads as under;

Standard time, from receipt of complaint, for redressal of a complaint about electricity bills regarding arithmetical errors or non-receipt or inadequate time for payment and addressing the request of disconnected consumer for details about due amount, reconnection and other charges, is as under;

<i>Sr. No.</i>	<i>Nature of complaint</i>	<i>Time limit</i>
<i>1</i>	<i>Resolution of Billing mistake if no additional information is required</i>	<i>On the Same day</i>
<i>2</i>	<i>Resolution of Billing mistake if additional information is required</i>	<i>Within 10 (Ten) days</i>
<i>3</i>	<i>Resolution of Billing mistake if site is required</i>	<i>Within 15 (Fifteen) days</i>

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to reduce the time limit for resolution of billing related complaints as billing related complaints specified in Sr. No. 1 and 2 in the table are processed in the office itself and therefore it requires less time. Further is proposed to specify the time line for this activity in terms of Working Days instead of Days. Some stakeholder proposed to reduce the time limit for resolution of billing related complaint at Sr No 3 above also.

Commission's decision:

In regard to the suggestion to reduce the time period for resolution of billing related complaint, it is viewed that time period proposed for the said activities is in terms of 'Days'. Since resolution of billing related complaint requires involvement of accounts and revenue staff of the licensees, time line is proposed in terms of 'Days' in order to provide faster resolution of such kind of complaint to the consumer in spite there may be few of the non-working days for such category staff.

In view of the above, no change is made in the draft Regulation Clause 4.7.

XII. Clause 4.9 of the Draft Regulations reads as under;

The licensee shall regularly inspect, check and test the meters. However, the periodicity of such inspection shall not be less than that provided in the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time.

a) Licensee shall inspect, check or test the meter within 7 (Seven) working days of receiving a complaint in urban area and within 15 (Fifteen) working days of receiving a complaint in rural area

b) If during inspection, checking and testing, or on a complaint made by the consumer any meter or metering system, is found to be defective (e.g. burnt, stolen, stuck up, running slow, fast, creeping or improperly recording or not functioning according to the specifications etc.), the licensee shall inform the consumer and replace the meter within 24 hours in urban area and 72 hours in rural area from the time of inspection, checking/testing and restore the supply.

Further, non-availability of meter shall not be reason for delay in restoration of supply in case of meter found burnt.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to increase time limit for replacement of meters justifying that sub-division offices have other works to carry out and also to align the Regulation with the provisions of GERC (Electricity Supply Code and Related Matters) Regulations, 2015 related to Stolen meter Clause 6.45 & 6.46 and about giving prior notice of seven days as per Clause

6.11. Further, it is suggested to add provision of payment of testing fees by consumer to align the regulation with provisions provided in the GERC (Licensee's Power to recover expenditure Regulations), 2005.

Commission's decision:

In regard to suggestion about modification in time line proposed for replacement of meters, it is to state that the time lines of 24 Hrs and 72 Hrs for replacement of defective meter is proposed in accordance with GoI rule 13 (6).

In regard to align the provision related to replacement of Stolen meter with Clause 6.45 and 6.46 of the Supply Code, it is to state that the said clauses of the Supply Code stipulates procedure and billing related aspect in case of replacement of Stolen meter. Whereas, the proposed Clause 4.9 of the draft Regulations stipulates about time line for replacement of Stolen meter after receipt of complaint by the licensee. This proposed clause does not relax the stipulation of lodging FIR by the concerned consumer in case the meter is stolen. Further, Clause 6.11 of the Supply Code stipulates about giving seven days' notice to the consumer in case of initial installation and replacement. Whereas, Clause 4.9 of the draft Regulations stipulates about time line for replacement of defective meter within the specified time frame from the time of inspection, checking/testing. Thus Clause 6.11 of the Supply Code and Clause 4.9 of the draft Regulations are not in contradiction with each other.

In regard to suggestion about recovery of testing fees as per GERC (Licensee's Power to recover expenditure) Regulations, 2005 it is to state that as per GoI rule 5 (8), no testing fees to be charged at the time of reporting the meter to be defective. The Testing fees shall be recovered from consumer through next bill only if it is found defective due to reason attributable to consumer. Whereas, the GERC (Licensee's Power to recover expenditure) Regulations, 2005 at Clause 8 (ii) specifies to recover meter testing fees specified at Clause 8.2 (E) (f) in advance. In order to align the Regulations with the GoI rule 5 (8) it is decided to make necessary correction in GERC (Licensee's Power to recover expenditure) Regulations, 2005.

In view of the above, no change is made in this draft Regulation Clause 4.9.

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

After receipt of due amount including reconnection charges and security deposit, Reconnection of supply shall be effected within the time period as specified below;

(i) for the cases where disconnection period does not exceed six months;

<i>Sr. No.</i>	<i>Requirement of work for reconnection</i>	<i>Standard time period for reconnection</i>
<i>1</i>	<i>Reconnection does not require laying of service line/ installation of meter and/ or metering equipments</i>	<i>6 (Six) working hours</i>
<i>2</i>	<i>Reconnection requires laying of service line/ installation of meter and/ or metering equipments</i>	<i>1 (One) working day</i>

(ii) for the cases where disconnection period exceeds six months;

<i>Sr. No.</i>	<i>Requirement of work for reconnection</i>	<i>Standard time period for reconnection</i>
<i>1</i>	<i>No work is required to be carried out by the Licensee and it is technically feasible to reconnect the consumer</i>	<i>48 (Forty eight) working hours</i>
<i>2</i>	<i>If the licensee is required to carry out any kind of work to reconnect the consumer</i>	<i>7 (Seven) working days</i>

Provided that for the cases where disconnection period exceeds six month, the consumer shall submit test report of the electrical system issued by Licensed Electrical Contractor to the Licensee along with payment of due amount.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to increase time limit of reconnection as process requires certain hierarchical approvals.

Some Stakeholders suggested to delete time lines specified in the said Regulation for reconnection of supply to align the Regulation with the provision of GERC (Electricity Supply Code and Related Matters) Regulations, 2015 which provides that if connection remains

disconnected continuously for 180 days, the agreement shall be terminated and consumer shall apply afresh to get electricity supply.

Commission's decision:

In regard to the suggestion about increasing the time limit for reconnection, it is to state that the time line proposed in the Draft Regulations is in accordance with GoI Rule 9 (2). Further, the licensees should set up their internal mechanism of seeking and granting approvals in such a way that the stipulations in the Regulations are complied with true spirit.

In regard to suggestion to align the draft Regulations with stipulations of the Supply Code, it is to clarify that if service connection of a consumer remains disconnected for more than 180 days then it becomes permanently disconnected as per Clause 8.4 of the Supply Code. Hence, in such case, stipulations as per the Supply Code is to be followed. If service connection remained disconnected and did not converted into permanently disconnected category by the licensee, than stipulations as per the draft Regulation Clause 4.11 to be followed.

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

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

Stipulations of Clause 4.11 above shall be applicable to the cases where agreement is not terminated. In cases where the agreement is terminated, the consumer shall apply afresh for connection as per procedure laid down in GERC (Electricity Supply Code and Related Matters) Regulations, 2015, as amended from time to time.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to align the Clause with provision of Clause 8.6 of the GERC (Electricity Supply Code and Related Matters) Regulations, 2015 stating that as per this Clause of the Supply Code, upon completion of 180 days, service is to be treated as permanent Disconnection and Agreement shall stand terminated.

Commission's decision:

In regard to the suggestion, it is to state that Clause 4.12 of the Draft Regulations states that stipulations of Clause 4.11 of the draft Regulations shall be applicable to the cases where

agreement is not terminated. For the cases, where the agreement is terminated, the consumer shall apply afresh for connection as per procedure laid down in the Supply Code. It is further to clarify that the Cause 8.6 of the Supply Code, 2015 states that a connection to be termed as Permanent Disconnection only after issuance of notice to that effect by the licensee. There is no deeming provision exist in the Supply Code, 2015 for categorizing a connection as Permanent Disconnection.

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

XV. Clause 4.13 of the Draft Regulations reads as under;

The licensee shall maintain and operate the distribution system in such a way that there shall not be more than 2 interruptions in a day to the consumer.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to modify provision with consideration to average two interruptions in a day, considering the overhead network prone to interruptions due to sudden incidents.

Some Stakeholders suggested to modify provision with addition that normally there shall not be more than two interruptions in a day considering that interruptions can happen due to external factors like infrastructure works by local authority/any agency working on behalf of local authority/government agency or third parties and consumer side faults. It is also suggested to exclude interruptions due to switching operations or for identifying UG cable fault, as these interruptions are momentary and unavoidable.

Commission's decision:

In regard to suggestion to mention that there should not be more than average two interruption in a day, it is to state that addition of word 'Average' in the draft Regulations does not make any difference when interruptions are to be kept limited to 2 per day.

In regard to suggestion about adding word 'Normally' before the words 'there should not be more than 2 interruptions in a day to the consumer', it is to state that the word 'normally' is

highly subjective and will hamper the purpose of providing uninterrupted and reliable power supply to the consumers.

In regard to the apprehension by the licensee about increase in numbers of interruptions due to works carried out by third party, it is to state that a licensee can curb such activities by taking actions as per Section 138,139 and 140 of the Act. Further, 2 interruptions are allowed to accommodate switching operations. Regarding interruption due to activities of UG cable fault finding it is to state that such interruption are part of sustained fault duration.

In view of the above, no change is made in this draft Regulation Clause 4.13.

XVI. Clause 4.14 of the Draft Regulations reads as under;

From the time of receipt of complaint, standard time period for restoration of power supply, for various nature of faults, by the Licensee is as under;

Sr. No.	Nature of fault	Standard time period to restore the supply in	
		Urban area	Rural area
1	<i>Blowing of fuse of LT side distribution transformer, at consumer premises, trouble of MCB of distribution transformer, loose connection at pole, MCB or meter, etc.</i>	<i>1 (One) hour</i>	<i>6 (Six) hours</i>
2	<i>Blowing of HT side fuse of distribution transformer</i>	<i>2 (Two) hours</i>	<i>6 (Six) hours</i>
3	<i>HT and LT line fault</i>	<i>4 (Four) hours</i>	<i>12 (Twelve) hours</i>
4	<i>Distribution transformer failure</i>	<i>6 (Six) hours</i>	<i>24 (Twenty four) hours</i>

5	<i>Failure of underground service or underground HT/LT cable</i>	<p>(i) Through temporary arrangement : 6 (Six) hours</p> <p>(ii) By rectifying the underground fault: 12 (Twelve) hours</p>	<p>(i) Through temporary arrangement : 12 (Twelve) hours</p> <p>(ii) By rectifying the underground fault: 24 (Twenty four) hours</p>
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Provided that for all essential services such as water supply, public and large hospitals, and other Government Services, the Licensee shall attend the complaint immediately.

Comments/ Suggestions from the Stakeholders:

Stakeholders suggested to modify time limit for restoration of power supply, for various nature of faults with justification of reasons such as (i) multiple activities to be carried out by sub-division offices, (ii) proneness of overhead network to unexpected tripping, fault in line due to bird fault, mischief by outsider, striking of vehicles to the poles etc. (iii) challenges being faced during O&M activity in Urban area.

Some Stakeholders also suggested to add provision in regard to attending complaints next day which are registered during night time.

Commission’s decision:

In regard to the suggestion about amending the time line given in the Draft Regulations citing various reasons, it is to state that stringent time line is proposed to facilitate the consumers. However, the Commission finds it appropriate to increase the time period to restore the supply in case of (i) Blowing of fuse of LT side distribution transformer, at consumer premises, trouble of MCB of distribution transformer, loose connection at pole, MCB or meter, etc from 1 hours in Urban area to 2 hours and (ii) Blowing of HT side fuse of distribution transformer from 2 hours in Urban area to 3 hours in order to facilitate licensees to organise the various activities related to the works. Licensees should manage their internal affairs, men power and infrastructure in such a way that SoP is complied with.

In regard to the suggestion about attending complaints registered during night hours on next day, it is to state that this kind of provision is there in the existing SoP regulations. These SoPs were fixated way back in 2005. Thereafter, the electricity sector has witnessed significant changes. Also, network of the licensees have improved significantly. Moreover, dependency of human life on the electricity have also increased manifold. Looking to all these aspects, it is necessary for the licensees to attend the complaint during night hours also.

In view of the above, Clause 4.14 of the Draft Regulations is modified as under;

From the time of receipt of complaint, standard time period for restoration of power supply, for various nature of faults, by the Licensee is as under;

Sr. No.	Nature of fault	Standard time period to restore the supply in	
		Urban area	Rural area
1	Blowing of fuse of LT side distribution transformer, at consumer premises, trouble of MCB of distribution transformer, loose connection at pole, MCB or meter, etc.	2 (Two) hours	6 (Six) hours
2	Blowing of HT side fuse of distribution transformer	3 (Three) hours	6 (Six) hours
3	HT and LT line fault	4 (Four) hours	12 (Twelve) hours
4	Distribution transformer failure	6 (Six) hours	24 (Twenty four) hours
5	Failure of underground service or underground HT/LT cable	(i) Through temporary arrangement : 6 (Six) hours (ii) By rectifying the underground fault: 12	(i) Through temporary arrangement : 12 (Twelve) hours (ii) By rectifying the underground fault: 24

		<i>(Twelve) hours</i>	<i>(Twenty four) hours</i>
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Provided that for all essential services such as water supply, public and large hospitals, and other Government Services, the Licensee shall attend the complaint immediately.

XVII. Clause 4.16 of the Draft Regulations reads as under;

The anticipated period of interruption due to scheduled outage shall be notified well in advance (a minimum of 48 (Forty eight) hours in advance) by public notice through local newspapers or local radio/TV stations, etc. and placing the same on its website. Such outages shall not exceed 10 (Ten) hours in a day. The licensee shall ensure that supply is normally restored by 6 pm. The supply to essential services shall be maintained through prior consultation with providers of such services. The Licensee shall arrange to display feeder wise outage data and efforts made for minimising outages on its website.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to delete provision in regard to display feeder wise outage data by licensee on its website, justifying that feeder wise outage data is not relevant information to individual consumers and further, for licensee as a whole, the said details are furnished to the Commission/Central Electricity Authority, as per the requirements.

Commission's decision:

In regard to the suggestion, it is to state that the provision related to displaying feeder wise outage data on website has been proposed as per GoI Rule 16 (4) (d).

In view of the above, no change is made in the draft regulation Clause 4.16.

XVIII. Clause 4.19 of the Draft Regulations reads as under;

The licensee shall maintain the voltages at the point of commencement of supply to a consumer within the limits stipulated hereunder, with reference to declared voltage:

- a) In the case of Low Voltage, +6% and -6%*
- b) In the case of High Voltage, +6% and -9%; and*
- c) In the case of Extra High Voltage, +10% and -12.5%*

The complaint regarding low voltage arising due to inadequacy in the distribution system requiring upgradation of LT distribution lines, transformers or installation of capacitors shall be resolved within 60 (Sixty) days and where upgradation of HT/ EHT system is required, the complaint shall be resolved within 180 (One hundred Eighty) days. The complainants shall be informed in writing.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to increase the time limit for resolution of complaints of low voltage, while some Stakeholders suggested to decrease the time limit for the said resolution.

Some Stakeholders suggested to reduce the voltage variation limit bands within which licensee is to maintain voltages at the point of commencement of supply.

Commission's decision:

In regard to the suggestion to modify the time line proposed for attending low voltage complaints, it is to state that the proposed time line is made stringent compared to the existing time line for attending low voltage complaints in order to facilitate the consumers.

In regard to the suggestion about voltage variation band, it is to state that the bands for voltage variations for low, high and extra high voltages are given as per IS 12360 - 1988 .

In view of the above, no change is made in the draft regulation Clause 4.19.

XIX. Clause 5.3 of the Draft Regulations reads as under;

The Distribution Licensee shall capture data directly from the feeder monitoring system and there should not be any manual intervention:

Provided that such automation system shall be put in place within 1 (One) year of notification of these Regulations.

The Distribution Licensee shall validate the feeder interruption data considered for computation of Reliability Indices with meters installed at each Distribution Transformer (DT) and Consumers:

Provided that Distribution Licensee shall submit the plan for installation of meters for each DT including provision of AMR for all the DT meters and Consumer meters for approval of the Commission within 3 (Three) months from the date of notification of these Regulations.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to exclude ring main system from calculation of reliability indices considering that power can be restored immediately through change over on healthy feeder in case of tripping/ fault on particular feeder and thus, add provision in regard to addition of suitable system to capture data for a ring main system in the proposed provision.

Commission's decision:

The suggestion is accepted and necessary modification is done in the Clause 5.3 in the final Regulation as under;

“5.3

The Distribution Licensee shall capture data directly from the feeder monitoring system or a suitable system to capture data for a ring main system and there should not be any manual intervention:

Provided that such automation system shall be put in place within 1 (One) year of notification of these Regulations.

The Distribution Licensee shall validate the feeder interruption data considered for computation of Reliability Indices with meters installed at each Distribution Transformer (DT) and Consumers:

Provided that Distribution Licensee shall submit the plan for installation of meters for each DT including provision of AMR for all the DT meters and Consumer meters for approval of the Commission within 3 (Three) months from the date of notification of these Regulations.”

XX. Clause 6.1.1 of the Draft Regulations reads as under;

The Distribution Licensee shall be liable to pay to the affected person, such compensation as provided in Clause 6.2 to these Regulations:

Provided that in the event of failure of Distribution Licensee to meet the standards of performance, the compensation shall be payable automatically by the Distribution Licensee for the parameters as per Clause 6.2 to all the affected person/Consumers, without requiring a claim to be filed by the affected person/Consumer:

Provided that the Distribution Licensee, within 3 (Three) months from the date of notification of these Regulations, shall create an online facility on which consumer may register claim for compensation:

Provided further that the automatic compensation mechanism shall be implemented within 4 (Four) months of the date of notification of these Regulations:

Provided further that any person who is affected by the failure of the Distribution Licensee to meet the standards of performance specified under these Regulations for the parameters not entitled for automatic compensation as per Clause 6.2 and who seeks to claim compensation shall file his claim in the format prescribed at Appendix C of these Regulations, with such a Distribution Licensee within a maximum period of 60 (Sixty) days from the time such a person is affected by such failure of the Distribution Licensee to meet the standards of performance :

Provided further that the compensation shall be payable as per Clause 6.2 to only those affected persons/Consumers who have paid all their bills to the Distribution Licensee within the due dates of each bill without any delay in last 1 (One) year or in cases where supply has been provided for a shorter period, such shorter period shall be considered and there is no

outstanding amount to be paid to the licensee except for current bill which is not due and have not been, during last 2 (Two) years, either convicted for theft of electricity or finally assessed for Unauthorised Use of Electricity:

Provided further that the affected person/Consumer who have paid the bills, though not within due date but with delayed payment charges, in last 1 (One) year or in cases where supply has been provided for a shorter period, such shorter period shall be considered and there is no outstanding amount to be paid to the licensee except for current bill which is not due and have not been, during last two years, either convicted for theft of electricity or finally assessed for Unauthorised Use of Electricity, such affected person/Consumer who seeks to claim compensation shall file his claim with such a Distribution Licensee within a maximum period of 60 (Sixty) days from the time such a person is affected by such failure of the Distribution Licensee to meet the standards of performance and such affected person/Consumer shall only be entitled for Compensation of half the amount specified in Clause 6.2.

Provided further that the Distribution Licensee shall compensate the affected person(s) within a maximum period of 90 (Ninety) days from the date of filing his claim from the previous months billing cycle and the payment of such compensation shall be paid or adjusted in the Consumer's future bills:

Provided that in case the compensation is to be paid to the affected person who is not consumer, the Distribution licensee shall compensate by any mode of payment other than cash, preferably through electronic mode.

Provided further that a confirmation message shall also be sent to the Consumer/affected person informing about the Compensation paid by the Distribution Licensee.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to modify provision in regard to implementation of automatic compensation payment mechanism within four months of the date of notification of the Regulations and give due consideration to the fact that in some cases SoP depends on third party over which the license has no control, which requires time.

Some Stakeholders suggested to add provision of providing opportunity of hearing to the licensee before compensating affected person with justification that the Act provides that

before determination of compensation, licensee shall be given reasonable opportunity of being heard. It is also suggested to increase time limit of implementation of automatic compensation payment mechanism from four months to twelve months if the said suggestion is not accepted.

Some Stakeholders suggested to do away with all the conditions imposed on the consumers to get compensated justifying with provision of Section 126 and 135 in regard to penalizing consumers for unauthorised use or theft of electricity without any conditions and further, the Commission is not provided with any powers to impose any conditions in regard to compensating the affected persons.

Commission's decision:

In regard to the suggestion about modifying the time line for implementation of automatic compensation mechanism, it is to state that in the proposed Regulations four months time limit is given for implementation of such mechanism. Looking to the advancement in information technology and availability of skill support, the time limit of four months is quite justified.

In regard to the suggestion of providing opportunity to the licensee in view of Section 57 (2) of the Act, it is to state that mechanism for automatic compensation is proposed in the draft Regulation as per GoI rule 13. The Section 57 (2) of the Act provides that before determination of compensation licensees are required to be heard. With these draft Regulations licensees are given opportunity to express their views. Moreover, automatic compensation is proposed for the parameters which can be remotely monitored. Also, licensees are required to arrange their internal affairs such as processes for approvals, inventory management, work SoPs only once so that the timeline for various services can always be adhered to. Also, some exclusions are given in the first proviso of Clause 6.2 of the draft Regulations where licensee is not liable to pay compensation.

In regard to the suggestion about deleting various conditions for availing compensation since licensees are recovering DPC and penalty under Section 126 / 135 of the Act, it is to mention that such recoveries are meant for different aspect. A consumer expecting certain services from licensees as per the SoPs should also follow the various Rules and Regulations.

In view of the above, no change is made in the draft regulation Clause 6.1.1

XXI. Clause 6.2 of the Draft Regulations reads as under;

If a Licensee fails to meet the standards specified, the affected consumer is entitled to compensation from the Licensee as provided below:

Sl. No.	Service Area	Standard	Computation of period of default	Compensation payable to consumer for the period of default in case of violation of standard	Mode of Compensation
1	Registration of complaint and intimation of Unique complaint Number to the Complainant	As per Regulation 3.4 and 3.5	If the Unique complaint Number is not conveyed	Rs. 50/- for each default	Automatic
2	Issuance of Demand Note for New Connection, Load Enhancement, Shifting of connection at other premises, Conversion of Service, Temporary Supply, Shifting of Service Connection in exiting premises, Deviation of line and Shifting of equipments	As per Regulation 4.1	From 8 th day after completion of relevant process by the Licensee	Rs. 50/- for each day of default	Automatic
3	Energisation of connection				
i.	New Connection, Load Enhancement, Shifting of connection at other premises and Conversion of Service where no Network	As per Regulation 4.2 (i)	From 8 th day in urban area and from 11 th day in rural area from the payment of demand note and receipt of the necessary test report.	Rs. 50 for each day of default.	Automatic

SI. No.	Service Area	Standard	Computation of period of default	Compensation payable to consumer for the period of default in case of violation of standard	Mode of Compensation
	erection and/or augmentation is required.				
ii.	New Connection, Load Enhancement, Shifting of connection at other premises and Conversion of Service where Network erection and/or augmentation is required.	As per Regulation 4.2 (ii)	From the next day of the standard days specified in Regulation 4.2 (ii) of the Regulations.	Rs. 50 for each day of default.	
4	Temporary Supply				
(i)	Release of temporary supply	As per Regulation 4.3	From the next day of the standard days specified in Regulation 4.3 of the Regulations, as the case may be.	Rs. 50 for each day of default.	Automatic
5	Shifting of Service Connection in the existing premises /deviation of lines and shifting of equipments.				
(i)	Shifting of meter/services in the existing premises	As per Regulation 4.4	From the 3 rd day of receipt of payment.	Rs. 50 for each day of default.	Automatic
(ii)	Shifting of LT/HT lines		From the 8 th day of receipt of payment.		
(iii)	Shifting of Transformer structures		From the 16 th day of receipt of payment.		
(iv)	Settlement of amount for refunding of excess amount after completion of work.		After 31 st day of completion of work.		
6	Transfer of Service Connection				

Sl. No.	Service Area	Standard	Computation of period of default	Compensation payable to consumer for the period of default in case of violation of standard	Mode of Compensation
(i)	Transfer of Service Connection with respect to change of name or change of ownership	As per Regulation 4.5	From the 8 th day of receipt of application.	Rs. 50 for each day of default.	Automatic
7	Change in Tariff Category.				
(i)	Application from consumer requesting Change in Tariff Class/Category.	As per Regulation 4.6	From the 8 th day of receipt of application.	Rs. 50 for each day of default.	Automatic
8	Complaints related to Billing				
(i)	Complaint Related to Billing	As per Regulation 4.7 of the Regulations	From the next day of the standard days specified in Regulation 4.7 of the Regulations, as the case may be.	Rs. 50 for each day of default.	Automatic
9	Complaints related to Meter/ Metering System				
(i)	Replacement of Meter	As per Regulation 4.9	From the 9 th working day in Urban area and 19 th working day in Rural area of the receipt of complaint.	Rs. 25/- for each day of default subject to maximum of Rs. 1500/- for LT connections and Rs. 250/- for each day of default subject to maximum of Rs. 2500/- for HT connections.	Automatic
10	Reconnection of Power Supply.				
(i)	Reconnection of Supply	As per Regulation 4.11 of this Regulations.	From the 1 st hour of expiry of standard period specified in Regulations.	Rs. 25/- for each 6 (Six) hours (or part thereof) of delay in restoration of	Automatic

Sl. No.	Service Area	Standard	Computation of period of default	Compensation payable to consumer for the period of default in case of violation of standard	Mode of Compensation
				supply subject to maximum Rs. 500/- for LT connection and Rs. 50/- for each 6 (Six) hours (or part thereof) of delay in restoration of supply subject to maximum Rs. 1000/- for HT connection.	
11	Restoration of Power Supply				
(i)	More than 2 interruptions in a day to the consumer for the reasons not attributable to the nature of fault as mentioned in Clause 8.4 of these Regulations.	As per Regulation 4.13 of these Regulations	From 3 rd interruption onward in a day	Rs. 25/- for each interruption subject to maximum Rs. 500/- for LT connection and Rs. 50/- for each interruption subject to maximum Rs. 1000/- for HT connection.	Manual
(ii)	Failure to restore power supply in case of blowing of fuse of LT side distribution transformer, at consumer premises, trouble of MCB of distribution transformer, loose connection	As per Regulation 4.14 of the Regulations.	From the next hour of the standard time specified in the relevant Regulation, of receipt of complaint	Rs. 50/- per hour per Consumer for the first 2 (Two) hours of default. Thereafter Rs. 100/- per hour per Consumer subject to maximum of Rs. 500/- per day for LT	

Sl. No.	Service Area	Standard	Computation of period of default	Compensation payable to consumer for the period of default in case of violation of standard	Mode of Compensation
	at pole, MCB or meter, etc.			consumer and maximum of Rs. 2000/- per day for HT consumer.	
(iii)	Failure to restore power supply in case of blowing of HT side fuse of distribution transformer				
(iv)	Failure to restore power supply in case of HT and LT line fault				
(v)	Failure to restore power supply in case of Distribution transformer failure				
(vi)	Failure to restore power supply in case of failure of underground service or underground HT/LT cable				
(vii)	Scheduled Power Outage	As per Regulation 4.16 of these Regulations	From the lapse of 10 (Ten) hours from the scheduled start of power outage or after 6 pm of the day whichever is earlier	Rs. 50/- per hour per Consumer for the first 2 (Two) hours of default. Thereafter Rs. 100/- per hour per Consumer	
12	Voltage Fluctuation				
(i)	Site Visit and Intimation to the Consumer about likely time to resolve the	As per Regulation 4.17 of the Regulations	For each instance of delay for each complaint.	Rs. 200/- for each instance for each complaint.	Automatic

Sl. No.	Service Area	Standard	Computation of period of default	Compensation payable to consumer for the period of default in case of violation of standard	Mode of Compensation
	<i>complaint related to voltage fluctuation.</i>				
(ii)	<i>Complaint of Neutral Voltage</i>	<i>As per Regulation 4.18 of the Regulations.</i>	<i>For each instance of delay for each complaint.</i>	<i>Rs. 250/- for each complaint</i>	
(iii)	<i>Complaint regarding Voltage variations at the point of commencement of supply.</i>	<i>As per Regulation 4.19 of the Regulations.</i>	<i>From the 61st day of receipt of complaint where upgradation of LT distribution line, transformers or installation of capacitor is required and from 181st day where upgradation of HT/EHT system required.</i>	<i>Rs. 25/- for each day of default subject to maximum of Rs. 500/-</i>	

NOTE:

- (i) *For the purpose of determination of compensation to the consumer in case of violation of standard, the days beyond the standard for period of default shall be taken as calendar days.*
- (ii) *Where the compensation payable has been specified based on default in days and the default is for a part of the day, the compensation shall be payable for the whole day.*
- (iii) *Where the compensation payable has been specified based on default in hours and the default is for a part of the hour, the compensation shall be payable on pro-rata basis.*

Provided further that for determination of compensation, the time taken for providing services as narrated in the table above shall not be considered on account of the following: -

- (i) *If at any stage, additional time period is sought by the applicant for reasons to be recorded in writing; or*
- (ii) *If the same is on account of reasons such as right of way, acquisition of land, availing access to land or space for installation of transformer/circuit breaker, meter and/or time attributable to the consumer/local authority, etc., or occurrence of any force majeure event, over which Licensee has no control and the reasons for the delay are communicated to the applicant within the period specified for energisation; or*
- (iii) *If additional time is allowed by the Commission for completion of work.*

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to add ‘mischief by any person’ over which licensee has no control as one of the conditions for exclusion of time for providing services by Licensee. It is also suggested to cap the maximum limit for all compensation payable to the consumers.

Some Stakeholders suggested to increase amount of compensation taking reference of the Rules providing compensation amount to be not less than Rs. 500. It is also opined that a consumer has to incur huge expenditure to lodge a complaint for getting meagre compensation.

Commission’s decision:

In regard to suggestion to add words ‘mischief by person’ as an exclusion for payment of compensation, it is to state that the licensees are empowered to take actions against any such mischievous person under Section 138, 139 and 140 of the Act.

In regard to the suggestion to cap the maximum limit for all kind of compensations, it is to state that compensation for all the service area items are not capped to facilitate the consumers with better services and make licensees more responsible for providing services to the consumers.

In regard to the suggestion about minimum compensation, it is to state that minimum compensation of rupees 500 is stipulated under GoI Rule 11 (12) which is for different service. In regard to the opinion about small amount of compensation and requirement for lodging a complaint it is to state that, in case, licensee does not compensate automatically or to get

compensation for the services which are categorized for manual compensation, a simple format as per Appendix -C of the draft Regulations is required to be submitted. Thus, there will not be any expense to the consumer for availing compensations. Moreover, amount of compensation has been proposed by the Commission after due deliberation.

However, in case of Shifting of Service connection, time limit has been increased from 2 (Two) days to 3 (Three) days in case of shifting of meter/ service in existing premises and accordingly, computation of period of default shall be considered from the 4th day of receipt of payment for providing compensation payable.

In view of the above, Clause 6.2 Sl. No. (5) (i) in table shall be read as under;

Sl. No.	Service Area	Standard	Computation of period of default	Compensation payable to consumer for the period of default in case of violation of standard	Mode of Compensation
5	<i>Shifting of Service Connection in the existing premises /deviation of lines and shifting of equipments.</i>				
(i)	<i>Shifting of meter/services in the existing premises</i>	<i>As per Regulation 4.4</i>	<i>From the 4th day of receipt of payment.</i>	<i>Rs. 50 for each day of default.</i>	<i>Automatic</i>

XXII. Clause 8.4 of the Draft Regulations reads as under;

Adherence to specific standards of performance may be relaxed during Force Majeure conditions such as war, mutiny, civil commotion, riot, flood, cyclone, storm, lightening, earthquake, grid failure, and strike/curfew, lockout, fire affecting the licensee's installations and activities and also under wind or rainy conditions where safety of electrical equipment and personnel is not possible.

The Commission may, under specific circumstances relax provisions of Regulations in general or any specific Regulations for the period specified in its order.

The Licensees shall strictly abide by the standards, benchmarks and timelines as specified in these Regulations. This shall however be subject to technical feasibility of the same. In cases where the licensee seeks extension of the timelines due to technical constraints or on any other grounds, due approval has to be taken from the Commission.

Comments/ Suggestions from the Stakeholders:

Some Stakeholders suggested to broaden the force majeure conditions by adding ‘due to reasons not limited to’ and also add ‘due to causes beyond control of the distribution licensee’ for relaxation of standards of performance.

Commission’s decision:

In regard to the suggestion, it is to mention that the list of force majeure events given in the draft Regulations is not exhaustive. Further as per Clause 8.4 of the draft Regulation the commission is empowered to relax the provisions of SoPs under special circumstances.

In view of the above, no change is made in the draft regulation Clause 8.4.

Miscellaneous Suggestions:

It is opined by a stakeholder that the draft Regulation is silent about penalty to the licensee in view of stipulations of Section 57 (2) of the EA 03, RTI Act, 2005, Gujarat (Right of Citizen to Public Services) Act, 2013 and the consumer protection Act 2019. Further it is suggested that reporting system should be classified as monthly, quarterly, half yearly and yearly all with cumulative figure for such period.

Commission’s decision:

In regard to the suggestion about stipulations related to penalty as per Section 57 (2) of the Act, it is to state that as per the said Section of the Act, the Commission is required to determine the compensation through notification of Regulations. Whereas as per the said Act, the penalty or prosecution shall be on case to case basis and not to be determined through Regulations. Penalising licensees under other Acts is not within the preview of the Commission. Regarding reporting system, Chapter VII of the draft Regulations adequately elaborates the reporting mechanism.

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	MGVCL
5	PGVCL
6	UGVCL
7	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