

Recommendation No.-182-Enact measures to ensure that the utility compensates customers for outages that go over a certain cap, or that a fine is imposed by the regulator if the outage cap is exceeded

(Ref: <http://berc.co.in>)



Bihar Electricity Regulatory Commission

Patna

Sunday, March 6, 2016

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Regulation

Sl. No.	Regulation	Notification No.	Date
51.	1st Amendment to Delegation of Financial Powers Regulations,2015	BERC-Regl-06/2013-08	09.12.2015
50.	1st Amendment to Appointment of Consultants Regulations,2015	BERC/Suo Motu Proceedings No. 32/2015-07	06.10.2015
49.	BERC (Multi Year Distribution Tariff) Regulations 2015	BERC-SMP No. 30/2014-06	11.09.2015
48.	BERC (Rooftop Solar Grid Interactive Systems Based on Net-Metering) Regulations 2015	BERC-SMP No. 5/2015-05	06.07.2015
47.	1st Amendment to Recruitment and Terms and Conditions of Service of Officers and Employees Regulations, 2014	BERC-Estb-17/2013-04	28.05.2015
46.	4th Amendment to Fees, Fines and Charges Regulations, 2015	BERC-SMP No. 6/2015-03	20.05.2015
45.	4th Amendment to Bihar Electricity Supply Code	BERC/Case no.18/2013-02	18.05.2015
44.	1st Amendment to Conduct of Business Regulations,2014	BERC/Suo Motu Proceedings No. 43/2014-08	31.12.2014

	Regulations 2012 2nd Amendment to Terms and Conditions for Tariff Determination from Solar Energy Sources Regulations 2014 3rd Amendment to Terms and Conditions for Tariff Determination from Solar Energy Sources Regulations, 2014		
17.	Procedure for preferring appeal before the Appellate Authority Amendment Regulation 2009	BERC/Regl-2/06-01/31	08.01.2010
16.	CGRF & Electricity Ombudsman Amendment Regulations, 2009	BERC/Regl-3/2006-02/567	11.11.2009
15.	Electricity Supply Code 1st Amendment to Electricity Supply Code 2nd Amendment to Electricity Supply Code 3rd Amendment to Electricity Supply Code 4th Amendment to Electricity Supply Code	BERC/Regl-6/2006/529-10/2007	31.12.2007
14.	Grant of Licence for Intra-state Trading in Electricity Regulations, 2007	BERC/Regl.-1/2007	04.12.2007
13.	Grant of Licence for Distribution of Electricity Regulations, 2007	BERC/Regl./11/06-414/2007	20.09.2007
12.	Grant of Licence for Transmission of Electricity Regulations, 2007	BERC/Regl./7/06-2/2007	10.04.2007
11.	Terms and condition for determination of Tariff Regulation, 2007 First Amendment to Tariff Regulation 2012 Correction in Notification no. BERC/Suo- Motu Proceeding No. 29/2012-03-875 dated 31st August 2012 Second Amendment to Tariff Regulations 2014	BERC/Regl.-10/06-2/2007 No. 02	27.04.2007 13.03.2013
10.	Standards of Performance of Distribution Licensee Regulations, 2007 1st amendment to SOP Regulation	BERC/Regl-9/2006	22.01.2007
9.	Levy and collection of fees and charges by SLDC Regulation, 2007	BERC/Regl./6/2006	09.02.2007
8.	Procedure for preferring appeal before the Appellate Authority Regulation, 2006	BERC/Regl.-2/2006	03.11.2006
7.	Consumer Grievances Redressal Forum and Electricity Ombudsman Regulations, 2006 1st Amendment to CGRF Regulations 2007 2nd Amendment to CGRF Regulations 2007 3rd Amendment to CGRF Regulations 2009 4th Amendment to CGRF Regulations 2014	BERC-Regulations-3/2006	22.05.2006
6.	Open Access Regulations, 2006 1st Amendment to Terms and Conditions for Open Access Regulations, 2012	BERC-Regulations-1/2006	22.05.2006
5.	Fees, Fines and Charges Regulations, 2006 1st Amendment to Fees, Fines and Charges Regulations	BERC/04/2005	10.02.2006



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The Bihar Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

2ND MAGHA 1928(S)

(No. PATNA 83)

PATNA, MONDAY, 22ND JANUARY 2007

**BIHAR ELECTRICITY REGULATORY COMMISSION
STANDARDS OF PERFORMANCE OF DISTRIBUTION LICENSEE**

NOTIFICATION NO. 1/2007

Dated the 18th January, 2007

No. BERC/Regl-9/2006 –In exercise of powers conferred under section 181 (1) and 181 (2) (za) read with sections 57,58 and 59 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, the Bihar Electricity Regulatory Commission hereby makes the following Regulations:-

Chapter 1

Preliminary and General Matters

1. Short Title, Extent, Applicability, and Commencement

- (1) These Regulations shall be called the “**Bihar Electricity Regulatory Commission (Standards of Performance of Distribution Licensee) Regulations, 2006**”.
- (2) These Regulations extend to the whole state of Bihar.
- (3) These Regulations shall be applicable to all distribution licensees in their respective licensed areas in the State of Bihar.
- (4) These Regulations shall come into force after three months from the date of their publication in the official gazette.

2. Definitions

- (1) In these Regulations, unless the context otherwise requires:-
 - a) “**Act**” means the Electricity Act, 2003 (36 of 2003).

Chapter 7**Guaranteed Standards of Performance
and Compensation for under performance****26. Guaranteed Standards of Performance**

The standards of performance specified in the Schedule mentioned hereinafter, shall be the Guaranteed Standards of Performance being the minimum standards of service that a Distribution Licensee shall achieve in discharge of his obligations as a Distribution Licensee.

27. Compensation for Under Performance

- (1) In cases of failure of the licensee to meet standards of performance specified in these regulations, without prejudice to any penalty, which may be imposed, the licensee shall be liable to pay such compensation to the affected consumer(s) as stipulated in the Schedule for Guaranteed Standards of Performance, pertaining to a particular standard of performance unless exempted in accordance with Regulation (28) mentioned hereinafter.

However, if a consumer defaults in making payment of three consecutive energy bills, he shall not be eligible for payment of compensation, not with standing the fact that he shall not loose his right In getting the proper service from the licensee guaranteed under the Standard of Performance Regulations.

- (2) Whenever there is a deviation from the standards of performance by the licensee for which compensation is provided in these Regulations, the affected consumer shall demand for compensation by sending a written communication to the Licensee.
- (3) Failure of the Licensee to pay compensation in accordance with Regulation 27 (1) above shall constitute a grievance which shall be dealt with in accordance with the procedure set out in the Consumer Grievance Redressal Forum and Electricity Ombudsman Regulation notified by the Commission.
- (4) The amount of penalty and compensation paid by the licensee shall not be passed through in the annual revenue requirement of the licensee while determining the tariff.

28. Exemption

- (1) The standards of performance specified in these Regulations shall remain suspended during Force Majeure conditions such as war, mutiny, civil commotion, riot, flood, cyclone, lightning, earthquake, lockout, fire affecting the Licensee's installations.
- (2) Non-compliance of standard of performance contained in these Regulations shall not be treated as violation, and the Distribution Licensee shall not be required to pay any compensation to affected consumer(s), if such violation is caused due to grid failure, a fault on the Transmission Licensee's network or on account of instructions given by SLDC, over which the Distribution Licensee has no reasonable control.
- (3) The Commission may, by a general or special order after hearing the Licensee and affected consumer(s) / consumer groups, exempt the Licensee from liability to compensate the

consumers for any default in the performance of any standard, if the Commission is satisfied that such default is for reasons other than those attributable to the Licensee and further that the Licensee has otherwise made efforts to fulfill his obligation.

29. Manner of Payment of Compensation

- (1) All payments of compensation shall be made by the Licensee to the affected consumer by way of adjustment against his current and / or future bills for supply of electricity, within 90 (ninety) days.
- (2) Where it is not possible to pay compensation to the affected consumer by adjusting electricity bills within 90 (ninety) days considering the likely amount of the bill or where the person to be compensated is not a consumer or ceases to be a consumer, the compensation shall be paid by the licensee to the affected consumer by cash / cheque / demand draft.

SCHEDULE

(1/2)

GUARANTEED STANDARDS OF PERFORMANCE AND COMPENSATION TO AFFECTED CONSUMERS IN CASE OF DEFAULT

Sl No	Service Area	Standard	Compensation payable in case of violation of Standard	
			Compensation payable to individual Consumer if the event affects a single Consumer	Compensation payable to individual Consumer if the event affects more than one Consumer
1.	Normal Fuse-off		Rs. 25 for each day of default	Rs. 25 to each Consumer affected for each day of default
	Cities and Towns	Within 4 hours		
	Rural Areas	Within 24 hours		
2.	Overhead Line / Cable breakdowns		Rs. 25 for each day of default	Rs. 25 to each Consumer affected for each day of default
	Cities and Towns	Within 6 Hours		
	Rural Areas	Within 36 Hours		
3.	Underground Cable breakdowns		Rs. 25 for each day of default	Rs. 25 to each Consumer affected for each day of default
	Cities and Towns	Within 24 Hours		
	Rural Areas	Within 48 Hours		
4.	Distribution Transformer failure		Rs. 50 for each day of default	Rs. 25 to each Consumer affected for each day of default
	Cities and Towns	Within 24 Hours		
	Rural Areas	Within 72 Hours		
5.	Period of Scheduled outage		Rs. 50 for each day of default	Rs. 25 to each Consumer affected for each day of default
	maximum duration in a single stretch	Not to exceed 12 hours		
	Restoration of Supply	By not later than 6.00 PM		
6.	Voltage Fluctuations		Rs. 50 for each day of default	Rs. 25 to each Consumer affected for each day of default
	No expansion / enhancement of network involved	Within 10 days		
	Up-gradation of distribution system required	Within 120 days		
	Erection of Substation	Within the time period as approved by the Commission		
7.	Meter Complaints		Rs. 50 for each day of default	Not Applicable
	Inspection and replacement of slow, fast / creeping, stuck-up Meters	Inspection within 7 days in towns and cities and within 15 days in rural areas and replacement within 15 days thereafter		
	Replacement of burnt meters if cause attributable to Licensee	Within 7 days		
	Replacement of burnt meter if cause attributable to Consumer	Within 14 days of receiving payment /meter from Consumer		
8.	Reconnection of supply following disconnection due to non-payment of bills		Rs. 25 for each day of default	Not Applicable
	Cities and Towns	Same day on which payment was accepted		
	Rural areas	Upto next day of payment		

SCHEDULE

(2/2)

Sl No	Service Area	Standard	Compensation payable in case of violation of Standard	
			Compensation payable to individual Consumer if the event affects a single Consumer	Compensation payable to individual Consumer if the event affects more than one Consumer
9.	New Service connection / enhancement of load / Temporary Connection			
	Connection feasible from existing network			
	Release of Supply -	Within 30 days of receipt of application (along with prescribed charges) and for temporary connection as per Regulation 16(c)	Rs. 50 for each day of default	Not Applicable
10.	Network expansion / enhancement required to release supply			
	Release of supply – Low Tension	Within 30 days of receipt of prescribed charges	Rs. 50 for each day of default	Not Applicable
	Release of supply – High Tension 11 KV	Within 60 days of receipt of prescribed charges	Rs. 250 for each day of default	
	Release of supply – High Tension 33 KV	Within 90 days of receipt of prescribed charges		
	Release of supply – Extra High Tension	Within 180 days of receipt of prescribed charges		
Erection of substation required for release of supply	Within the time period approved by the Commission	Rs. 500 for each day of default		
11.	Transfer of Ownership and Conversion of Service			
	Title transfer of ownership	Within 7 days along with necessary documents and prescribed fee, if any	Rs. 50 for each day of default	Not Applicable
	Change of Category	Within 7 days along with necessary documents and prescribed fee, if any		
Reduction of load	Within the notice period after availing compulsory period of supply.	Rs. 25 for each day of default	Not Applicable	
12.	Shifting of meter, lines and transformer			
	a) Meter / service wire	Within 15 days of payment of charges	Rs. 50 for each day of default	Not Applicable
	b) Pole, line	Within 60 days of payment of charges		
	c) UG cable	Within 45 days of payment of charges		
d) Transformer	Within 90 days of payment of charges			
13.	Resolution of Complaints on Consumer's bill			
	If no additional information is required	Within 24 working hours of receipt of complaint	Rs. 25 for each day of default	Not Applicable
If additional information is required	Within 7 working days of receipt of Complaint			