

“Proposed Amendments in JERC for the State of Goa & UTs (Electricity Supply Code) Regulations, 2018”

JERC (Goa & UTs) proposed amendments in ‘JERC (Electricity Supply Code) Regulations, 2018’ on 12th May 2021. These are called JERC (Electricity Supply Code) (Second Amendment) Regulations, 2021.

The amended clauses are given below:

- **Amendments in Chapter 2: Definitions and Interpretations**
 - a) In section 2.3, **remote disconnection** added in definition of disconnection
 - b) In section 2.3, **Tenant** added in the definition of “occupier”
 - c) In section 2.3, definition of standby meter expanded by including **all new connections of 11kV** and more (up from 33kV in 2018 Supply Code).
 - d) In Section 2.3, **definition of a new term “Initial Period of agreement:** is introduced.
This period is as follows in the proposed regulation:
 - i. LT connection: 6months
 - ii. HT connection: 1 year
 - iii. EHT connection:2 years
- **Amendments in Chapter 4: System of Supply and Classification of Consumers**
 - a) In section 4.7, domestic consumers having **contracted demand up to 25kW (up from 20kW) exempted from installing PF correction device.**
 - b) Section 4.16 amended to **specify the equipment to be used in particular type of connection (3phase/1phase)** to ensure that current of generator/inverter at consumer’s premises is not injected in the Licensee’s distribution system.
- **Amendments in Chapter 5: Procedure for release of new connection and modification in existing connection**
 - a) Section 5.16 states that if consumer draws service line from distributor to his premises
 - i. **Supervision charges applicable only on the labour component,** and not on service connection charge
 - ii. Service connection charge is not to be paid if consumer has provided the service cable/distribution mains
 - b) In section 5.26, Licensee asked to **add option of mobile app** for availing new connection in addition to existing avenues in 2018 Supply Code.
 - c) In section 5.49, Applicant provided another chance of applying for new connection. After expiry of 2 months (which was the deadline 2018 Code), a **one-time option for revival of lapsed bills has been given for 2 more months** after payment of twice the demand notice extension fee.

- d) In section 5.74, the provision added that in case of application for temporary supply, application charges would be forfeited if applicant withdraws application/refuses to take connection.
- e) In section 5.87, **requirement for NOC from previous occupant in case of transfer of connection is removed**. Now, security deposit of previous owner is transferred to the new owner without any NOC or additional security. In case of multiples owners, transferred in the name of first owner, or a joint connection if so required.
- f) Section 5.88, amended to deal with change in ownership due to transfer to legal heir. Earlier the security deposit lying with the licensee was transferred to the legal heir and shortfall in the same was payable by the applicant. The proposed draft states that **no additional security deposit shall be charged**. In case of multiples owners, deposit transferred in the name of first owner, or a joint connection if so required.
- g) In Section 5.89, a clause is added that if the conversion of connection from LT to HT involves replacement of equipment, the work charges for the same have to be paid by the consumer. Difference in deposited security amount to be adjusted within 3 months.
- h) In section 5.107, **timeline for load reduction applications amended**. Instead of acceptance of application as per voltage of consumer, applications to be considered based on the type of connection: -
 - i. LT connection: accepted after 6 months
 - ii. HT connection: accepted after 1 year
 - iii. EHT connection: accepted after 2 year
- i) Section 5.122 **amends the timeline for termination of contract**, during which the fixed charges have to be paid by consumer for the number of months remaining period. Application for termination to be considered after
 - i. LT connection: accepted after 6 months
 - ii. HT connection: accepted after 1 year
 - iii. EHT connection: accepted after 2 year

- **Amendments in Chapter 6: Metering**

- a) Section 6.7 recommends **installation of pre-paid meters** in the meters with MDI facility that 2018 Code recommends
- b) Section 6.20 amended to **allow use of calibrated check meters** as in addition to the standby meters allowed in 2018 Code if the main meter was faulty/burnt.
- c) Section 6.39 amended to clarify the definition of faulty meter. It adds that if the **meter is found to be slow beyond permissible limits** as per Indian Electricity Rules, 1956 and **the consumer doesn't dispute the accuracy of the test**, the meter has to be replaced/rectified within period stipulated by the Commission. The consumer has to pay the difference in bill due to defect in meter compared to the normal rates.

- **Amendments in Chapter 7: Billing**

- a) Section 7.2 amended to mandate **the licensee to provided billing details for the past 12 bills** on its website (up from 6).
- b) Section 7.4 mandates **licensee to issue the bill within 7 working days** (down from 14) if consumer doesn't receive the first bill within 2 billing cycles.

- c) A clause added in Section 7.6 to provide the consumer an option to pay the bill in monthly instalments if licensee delays serving a duplicate bill by more than 60 days.
- d) 2 additions in section 7.11 that provides for provisional bills:
 - i. **If provisional billing continues for more than 2 billing cycles** except for extraordinary situation due to force majeure, **consumer may refuse to pay dues** until bill is raised by the licensee as per actual meter reading.
 - ii. If meter is inaccessible to reader on 2 consecutive reading dates, consumer can send the picture of the meter indicating the meter reading and date of meter reading through registered mobile or through e-mail. In this case, licensee may not send any notice/provisional bill to the consumer.
- e) For defective meter, higher of
 - i. consumption during same period last year and
 - ii. average of last 3 months

is taken. Section 7.12 amended to add that if neither is available, average of consumption for period when meter was working correctly during the last 6 months is taken. This method can be used up to maximum of 3 months by which licensee must replace the meter and no bills can be raised beyond this 3-month period.

- **Amendments in Chapter 8: Theft and Unauthorized use of electricity**

- a) New point added in Section 8.49 that, **assessing officer has to pass his order** after due consideration **after 10 working days** (up from 5) during hearings.
- b) In section 8.49, a 4th point added that consumers found supplying electricity to other premises in an unauthorized manner, they will be liable to pay tariff at twice the normal rate for the unauthorized proportion.

- **Amendments in Chapter 9: Disconnection and Reconnection**

- a) Provision added in section 9.3 to **install pre-payment meters that automatically cut off supply when the amount credited in the meter is exhausted**, but this will not be treated as a disconnection.
- b) Section 9.9 amended to ensure that **disconnection is done as soon as the consumer pays the final bill**. Amount for consumption between the final reading and the permanent disconnection will be adjusted against security amount with licensee. Remaining deposit to be refunded to consumer within seven days.
- c) Section 9.12 amended to provide that licensee has to reconnect the consumer's installation within next working day of receipt of past dues and other charges if disconnections are because of non-payment of past dues.

- **Amendments in Chapter 10: General Provisions**

- a) In section 10.12, **lockdowns added in the list of Force majeure events**.

- **Annexure VIII: Procedure for Determination of Connected Load**

Calculation of connected load is given in the table, but for domestic connections, higher of

- a) Cooling Load (Air conditioners, coolers etc) or
- b) Heating load; excluding equipment used for cooking (Geysers, Heating rod etc.)

is to be taken for determination of Total load.

- **Annexure XVIII: Delimitation of security deposit amount**

Formula is altered from the 2018 Supply Code

Earlier formula:

Security deposit = [Load x Load Factor x 30 days] + [30 days x 24 hours x Current tariff]

Revised formula:

Security deposit = [**Load** x Load Factor x 30 days] + [30 days x **H hours** x **Average Billing Rate**]

Changes:

- a) Calculation for **Load to be calculated using updated Annexure VIII**
- b) **24 hours replaced by H hours** (that varies for different categories, and hence will reduce security amount burden)
- c) **Current tariff replaced by Average Billing Rate (ABR)**

The Proposed amendment can be accessed [here](#).

CER Opinion:

1. **Load Factor:** The definition of Load factor may be modified as:
“Load Factor” is the ratio of the total number of units consumed during a given period to the total number of units that would have been consumed had the load been maintained at the **sanctioned load or contracted maximum demand level** throughout the same period. (Clause 2.3 (47))
2. **Occupier Vs User of Electricity:** The legal repercussions of use of the term “occupier” should be vetted. This may be of concern in case a property is under dispute. The notion of ‘occupier’ should not have a reflection on property right. The term may be replaced with “user of electricity”. (Clause 2.3 (52))
3. **Standby Meter:** The amended definition of the “standby meter” may be modified as: “Standby Meter” means a meter connected to CT and VT, other than those used for the main meter and check the meter and shall be used for accounting and billing of electricity in case of failure of **the main meter for the existing consumers having a standby meter**, and all new connections at the voltage level of 11 kV and above to be issued after notification of these Regulations.” (Clause 2.3 (63))
4. **Initial Period of Agreement:** In the light of the new definition of “Initial Period of Agreement”, the supply code should clarify if a new consumer would need to periodically extend the agreement after the expiry of an initial period of agreement. In such a case, the modalities for the extension of the agreement (beyond the initial period of six months/one/two years, as applicable) should be clarified. Provision for automatic extension of the agreement with no cost implications would assuage concerns of the consumers. (Clause 2.3 (41a))
5. **Adequacy of Power Factor (PF) & Installation of Shunt Capacitors:** Small consumers, particularly in the case of domestic and commercial categories generally have a sanctioned load, whereas large consumers (such as industrial consumers) have a contracted demand. Appropriate term representing ‘load’ should be used in case of this clause as well as elsewhere in the code. (Clause 4.7)

The allowed duration for installation of PF correction device (Clause 4.7 (a) & (b)) seems relatively relaxed and may be reduced to four (04) months and six (06) months respectively, for the specified set of consumers.

6. The licensee should also include the provision for filing application for modification of connection and following status thereof in addition to the procedure for new application (through web/app etc.). This would minimize the need for physical interface, especially given the current circumstances. (Clause 5.26)
7. Clause 5.49 refers to ‘revival fee being twice the extension fee’ whereas the code does not define and specify the extension fee. If defined elsewhere, the appropriate document may be referred to.
8. **Transfer of Connection (Clause 5.87):**
 - a) The phrase “*The application form shall be accepted on showing proof of ownership/occupancy of property*” may be reworded as ‘The application form shall be accepted on showing proof of ownership/occupancy/**tenancy** of property’.
 - b) In case the property is under a legal dispute, transfer of security deposit to the ‘occupier’ may not be justified and may need to be vetted legally.
9. **Prepaid Meter - Exemption from Security Deposit:** In case of consumers with pre-paid meter, the requirement for security deposit should be waived while ensuring sufficient advance payment thereof. Furthermore, provision of refund of such security deposit should also be included for such consumers.
10. **Determination of ‘Load’:** Procedure of determination of connected/sanctioned load for domestic connection as laid out in Annexure-VIII should be further revamped while considering some of the following points.

The domestic electrical equipment’s list and equipment rating should be restructured as per changing pattern of device ownership and the current standard. (Annexure-VIII) For example – LED bulbs, electric chimney, water purifiers, dishwasher, etc. merit inclusion in the list. Smaller load on account of Wi-Fi routers, mobile chargers, etc. may be counted as miscellaneous load. Furthermore, the specified load, particularly for AC has come down over the past few years due to adoption of efficient technology assisted by Star rating scheme. It is expected that efficient ACs (as compared to that listed in the Annexure – VIII) would be installed by consumers due to their wider availability and sale. It is likely that in a few years an insignificant inventory of old AC would remain in operation. Load extension/revision in future should also consider such changes.

 - Counting of load for both heaters as well as cooler/AC, which are not usually going to be used concurrently, should be reconsidered.
 - An alternate approach would be to count load of electrical switches, and plug points that may allow use of different type of devices while also considering coincidental utilisation of the same.
11. In Annexure-XVIII, for the calculation of Security deposit amount for a consumer, the formula should use ‘**Sanctioned Load/Contracted Demand**’ in place of “load”.