

## Tripura Electricity Regulatory Commission (Consumer Prepaid Metering) Regulations, 2021

TERC issued a draft for Consumer Prepaid Metering Regulation, 2021, and will apply to the Distribution and Retail Supply Licensees, including deemed licensees and franchisee. The key highlights of the Regulation are given below:

- ❖ The Regulation will cover new single-phase and three-phase LT Industrial, NDS, mobile towers and temporary connections up to a connected load of 50KW.
- ❖ The existing or new consumers may also opt for prepaid metering supply arrangement.
- ❖ The licensee will approve the vendor for prepaid meters and arrange for the recharge of the credit in the meter through offline and online mode.
- ❖ The electricity supply will be automatically stopped once the credit gets exhausted and restored automatically on recharging, and no reconnection charges will be recovered.
- ❖ If the consumer fails to recharge the prepaid meter and the balance runs out, the meter shall not disconnect the supply for 48 hours or till the emergency credit limit.
- ❖ The prepaid meter and the recharge coupon will have an inbuilt security mechanism to guard against any theft of the codes; if the consumer loses the coupon, it will not be usable to any other prepaid meter.
- ❖ The tariff revision for prepaid meter consumer will be done through a recharge coupon code for offline meters and through data command for online meters.
- ❖ If the consumer exceeds the load by 110% of their sanctioned load, the meter will give an audible warning for one minute and then the meter will automatically disconnect the supply.

The Regulation can be accessed [here](#).

### CER Opinion –

**CER** The words "prescribed" and "specified", without being defined, as used at Regulations 3(2) and 5.1 of the Draft Regulations are defined differently under Section 2 of the Electricity Act, 2003 as follows:

- (52) "prescribed" means prescribed by rules made by the Appropriate Government under this Act;
- (62) "specified" means specified by regulations made by the Appropriate Commission or the Authority, as the case may be, under this Act.

Hence, in view of the provisions of Regulation 4 of the Draft that 'The other words and expressions used herein but not specifically defined in this Regulation but defined in the Act or under any law passed by the Parliament applicable to the electricity industry in the State shall have the meaning assigned to them in the Act or such law', the words "prescribed" and "specified" may be replaced by suitable alternative word 'stipulated' at the aforesaid places at the Draft Regulations.

### **CER** Consumer Category (Regulation 5.5):

The Regulation should refer to the consumer category as 'The licensee may also introduce prepaid metering scheme to such other consumers **apart from those defined under Regulation 5.1**'. Further, it should be clarified that whether Regulation 5.5 allows for going beyond the connected load limit of 50kW specified under Regulation 5.1.

**CER Availability of Consumption Data to Consumers (Regulation 5.7):**

The licensee should provide the consumer with the details of their consumption of the previous months in line with the Rule 5.5 of Electricity (Rights of Consumer) Rules, 2020 which states that “*In case of smart meters, the meters shall be read remotely at least once in every month and in case of other pre-payment meters, the meters shall be read by an authorised representative of the distribution licensee at least once in every three months. The data regarding energy consumption shall be made available to the consumer, through website or mobile App or SMS, etc. Consumers having smart pre-payment meters may also be given the data access for checking their consumption on real time basis*”.

**CER Disconnection of Supply (Regulation 7.8 & 7.13):**

The Regulation 7.8 may be rewritten as ‘In case the consumer fails to recharge his prepaid meter account and his balance runs out, the meter shall not disconnect the supply of the consumer for 48 hours or till the emergency credit limit, if any, defined by the licensee for that consumer gets exhausted, *whichever is later*’ (Regulation 7.8).

The draft Regulation uses the word **disconnection**, which word is also used at Section 56 of the Electricity Act, 2003 to mean **Disconnection of supply in default of payment**. However in view of specific provisions at Regulations 5.6 of the Draft Regulations that “*It is clarified that provisions of Section 56 of the Act which apply to supply of electricity through post-payment mechanism shall not be applicable to supply through prepaid meters*”, the word **disconnection** should not be used here; instead, it should be replaced by cut-off or stop the supply by the meter automatically (Regulation 7.13).

Provided that, the licensee may penalise the consumers for exceeding the contracted demand/sanctioned load in lieu of the discontinuation of supply. Also, the warning time of one minute is insufficient and should be increased to 10-15 minutes.

**CER Concept of Monthly Minimum Charges (Regulation 7.10):**

The concept of monthly minimum charges was introduced to safeguard against potential tampering of the meter and to ensure minimum revenue for the licensee. In case the tariff of the consumer already provides for fixed charges, furthermore, in the context of advance payment available to the licensee, the merit for using monthly minimum charges should not apply. The Commission should do away with monthly minimum charges for the prepaid meter consumers.

**CER Revision of Tariff (Regulation 7.11):**

The consumer shall not be responsible if the designated person from licensee has not updated the revised tariff in offline prepaid meters through the recharge coupon code.

Provided further that, if the revised tariff has been reduced in such a case, the consumer shall have the right to claim the reduced tariff later.

**CER Revalidation of Recharge Coupon (Regulation 7.12):** In case the offline recharge coupon remains unused, the utility is obligated to revalidate the same for the unused amount and such revalidation should be done at no cost to the consumer.

- CER** **Tariff Schedule (Regulation 8):** The phrase “current Tariff Order” may be replaced by ‘prevailing tariff schedule’.
- CER** **Minimum Life of the Technology (Regulation 9):** One of the preconditions for procurement of meter is that there has to be a minimum of 10 years of the technical and operational life of the technology.
- CER** **Promotion of Prepaid Meters:** The licensee should promote the use of prepaid meters by giving appropriate dissemination through bills.