

# **West Bengal Electricity Regulatory Commission**

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## **West Bengal Electricity Regulatory Commission (Standards of Performance of Licensees Relating to Consumer Services) (Fourth Amendment), Regulations, 2020**

### **STATEMENT OF REASONS**

Dated: \_\_/\_\_/2020

#### **1. Introduction**

The West Bengal Electricity Regulatory Commission (hereinafter referred as ‘WBERC’ or ‘the Commission’), in exercise of its power under section 181 and in compliance with the requirement of previous publication under sub-section (3) of section 181 of the Electricity Act, 2003, published the draft West Bengal Electricity Regulatory Commission (Standards of Performance of Licensees Relating to Consumer Services) (Fourth Amendment), Regulations, 2020 (hereinafter referred as the “draft SOP Fourth Amendment 2020”) on its website and invited suggestions/objections/comments vide public notice No WBERC/Regulations-61/19-20/5341 dated 24.01.2020 published in 5 nos of leading newspapers on 25.01.2020. The last date of submission of comments was 10.02.2020.

#### **2. Objective and background of the draft SOP Fourth Amendment 2020**

The Commission in exercise of the powers conferred by sub-section (1) and clauses (za) and (zb) of sub-section (2) of section 181 read with sub-section (1) and (3) of section 43, sub-section (1) and (2) of section 57, sub-section (1) of section 59, clause (i) of sub-section (1) of section 86 and section 97 of the Electricity Act, 2003 (36 of 2003) and all powers enabling it on that behalf had notified the West Bengal Electricity Regulatory Commission (Standards of Performance of Licensees Relating to Consumer Services) Regulations, 2010 vide notification no 46/WBERC on 31<sup>st</sup> May, 2010. Subsequently three amendments have been made vide notification no 57/WBERC on 26.08.2013, notification no 61/WBERC on 07.01.2014 and notification no 63/WBERC on 14.11.2019. The West Bengal Electricity Regulatory Commission (Standards of Performance of Licensees Relating to Consumer Services), Regulations, 2010 as amended hereinafter referred to as the ‘Principal Regulations’



The Commission considering the Government of West Bengal's initiative to promote Ease of Doing Business and proposals from the Distribution Licensees finds it suitable to amend the Principal Regulations to remove the requirement of Earnest Money for giving new electric connection, extension of load and alteration of service in LV and MV consumer category.

### **3. Analysis of the Suggestions / objections / comments received on the draft SOP Fourth Amendment 2020:**

The Commission received suggestions/objections/comments from CESC Limited within the specified time limit. CESC Limited welcomes the proposed changes from the perspective of ease of doing business and alignment with the extant Regulations. The Commission, after detailed analysis and due consideration of the issues raised by the stakeholder on the draft SOP Fourth Amendment 2020, finalised the West Bengal Electricity Regulatory Commission (Standards of Performance of Licensees Relating to Consumer Services) (Fourth Amendment), Regulations, 2020 (herein after referred as "SOP Fourth Amendment 2020") for notification in the Kolkata Gazette Extraordinary. The proposed regulations, suggestions/objections/comments received from the various stakeholders and the rationale /decisions of the Commission thereon have been discussed in the succeeding paragraphs.

## **4. Regulation 1:**

### **4.1 Proposed in Draft SOP Fourth Amendment 2020:**

"1. *Short Title, extent and commencement:*

- (i) *These Regulations may be called the West Bengal Electricity Regulatory Commission (Standards of Performance of Licensees Relating to Consumer Services) (Fourth Amendment) Regulations, 2020.*
- (ii) *These extend to the whole of West Bengal.*
- (iii) *These shall come into force on the date of their publication in the Official Gazette."*

**4.2 Comments Received:** No specific comments / suggestions received from the stakeholders.

**4.3 Provision in SOP Fourth Amendment 2020:** In absence of any comments/suggestions/objections from the stakeholders the draft regulation is retained.

## **5. Clause (A) under 'Earnest Money' in regulation 3.1:**

### **5.1 Proposed in Draft SOP Fourth Amendment 2020:**

*"A. For LV and MV supply:*

- (i) For industrial purpose – Nil*
- (ii) For commercial purpose – Nil*
- (iii) For purpose other than (i) and (ii) above – Nil"*

**5.2 Comments Received:** No specific comments / suggestions received from the stakeholders.

**5.3 Provision in SOP Fourth Amendment 2020:** In absence of any comments/suggestions/objections from the stakeholders the draft regulation is retained.

## **6. Proviso to the Regulation 3.1.4 of the Principal Regulation:**

### **6.1 Proposed in Draft SOP Fourth Amendment 2020:**

*"Provided also that, notwithstanding anything to the contrary contained elsewhere in these Regulations no earnest money shall be required in case of application through such online system."*

**6.2 Comments Received:** No specific comments / suggestions received from the stakeholders.

**6.3 Provision in SOP Fourth Amendment 2020:** In absence of any comments/suggestions/objections from the stakeholders the draft regulation is retained.

## **7. Clause (A) of Paragraph 5 of Annexure A to the Principal Regulation:**

### **7.1 Proposed in Draft SOP Fourth Amendment 2020:**

*The clause (A) of paragraph 5 of Annexure – A to the Principal Regulations has been proposed to be deleted.*

**7.2 Comments Received:** No specific comments / suggestions received from the stakeholders.

**7.3 Provision in SOP Fourth Amendment 2020:** In absence of any comments/suggestions/objections from the stakeholders the draft regulation is retained.



## 8. Paragraph 5 of Annexure B to the Principal Regulation:

### 8.1 Proposed in Draft SOP Fourth Amendment 2020:

“5. I / We agree that if there is any difference between the amount, which I / we have paid as per provisions of the regulations made under section 46 of the Electricity Act, 2003, and the amount that is finally determined to be recoverable from me / us, the difference will be adjusted with my / our electricity bills in 6 (six) monthly instalments.”

8.2 **Comments Received:** No specific comments / suggestions received from the stakeholders.

8.3 **Provision in SOP Fourth Amendment 2020:** In absence of any comments/suggestions/objections from the stakeholders the draft regulation is retained.

Sd/-

(PULAK KUMAR TEWARI)  
MEMBER

Sd/-

(DURGADAS GOSWAMI)  
MEMBER

Sd/-

(SUTIRTHA BHATTACHARYA)  
CHAIRPERSON

Dated: 27/02/2020