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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

No. 24/WBERC

Dated: 18.10.2005

In exercise of the powers conferred by clause (za) and clause (zb) of sub-section (2) of Section 181 read with sub-section (1) of Section 57 and sub-section (1) of Section 59 of the Electricity Act, 2003 (36 of 2003) and all powers enabling on that behalf, and in supersession of the Regulation issued under notification No.16/WBERC dated 09.06.2004, published on June 15, 2004 in the *Kolkata Gazette, Extraordinary*, the West Bengal Electricity Regulatory Commission (WBERC) hereby makes the following Regulations:—

1. Short Title, Commencement and Interpretation.

These Regulations may be called the West Bengal Electricity Regulatory Commission (Standards of Performance of Distribution Licensees Relating to Consumer Services) Regulations, 2005.

- i) These shall come into force on the date of the publication in the official Gazette unless otherwise stated in these Regulations and shall be concurrent within the area of jurisdiction of West Bengal Electricity Regulatory Commission, excepting those areas which may be notified by the State Government of West Bengal under Proviso 8 of Section 14 of the Electricity Act, 2003, as rural areas.
- ii) The Bengal General Clauses Act, 1899 (Ben. Act I of 1899) shall apply to the interpretation of these regulations unless otherwise indicated in these Regulations or inconsistent with the Provisions of the Electricity Act, 2003.

2. Definitions.

In these Regulations, unless the context otherwise requires:

- a) The Act means the Electricity Act, 2003;
- b) Regulations means the Regulations made under the Act;
- c) Rules means the Rules made under the Act;
- d) Commission means the "West Bengal Electricity Regulatory Commission" constituted under Section 82 of the Electricity Act, 2003 and in short called WBERC;
- e) Urban area means those areas notified as municipal corporations under the Kolkata Municipal Corporation Act, 1980, or the Howrah Municipal Corporation Act, 1980, or the Chandannagar Municipal Corporation Act, 1990, or the Asansol Municipal Corporation Act, 1990, or the Siliguri Municipal Corporation Act, 1990, or the Durgapur Municipal Corporation Act, 1994, or under similar Legislation in the State of West Bengal, or as municipalities under West Bengal Municipal Act, 1993.
Urban areas shall include essential railway establishment like station, yards, workshops and traction sub-station falling within the jurisdiction of WBERC;
- f) Rural areas mean those areas, which are not urban areas as defined above, and falls within the jurisdiction of WBERC;
- g) LV – where the voltage does not exceed 250 volts under normal conditions subject, however, to the percentage

variation allowed by the rules;

MV – where the voltage does not exceed 650 volts under normal conditions subject, however, to the percentage variation allowed by the rules;

HV – where the voltage does not exceed 33,000 volts under normal conditions subject, however, to the percentage variation allowed by the rules;

EHV – where the voltage exceeds 33,000 volts under normal conditions subject, however, to the percentage variation allowed by the rules;

- h) Words and expression used and not defined in the Regulations shall have the meanings as defined in the Act.

3. Release of New Electric Connection.

- 3.1 An intending consumer seeking an inspection by the distribution licensee of his premises to which he intends to obtain supply of electricity, shall, for the purpose of receiving from the distribution licensee an estimate of expenditures to be borne by him in terms of Section 46 of the Act, as also of the deposits to be made by him for the aforesaid purpose, request the distribution licensee for the same in writing in the format specified at Annexure-'A', along with an earnest money as specified below through bankers' cheque, draft or cash for which an employee of the

distribution licensee duly authorised to receive such money on behalf of the distribution licensee, shall give a signed and dated receipt under the distribution licensee's stamp/seal.

Earnest Money:—

A. For LV & MV supply -

- (i) For domestic & commercial loads;
Rural - Rs. 200/-
Urban - Rs. 500/-
- (ii) For industrial loads – Rs. 2,000/-

B. For HV & EHV supply -

- (i) 11 KV - Rs. 5,000/-
- (ii) 33 KV - Rs. 20,000/-
- (iii) 132 KV - Rs. 1,00,000/-

Provided that the said earnest money shall be adjusted with the amount, which the distribution licensee may recover in due course from the intending consumer, in accordance with Section 46 of the Act and the Regulation made thereunder and/or deposits to be made by him:

Provided further that if no amount is to be recovered from the intending consumer in accordance with Section 46 of the Act and the Regulation made thereunder and/or no deposit is payable, or if such recoverable amount is less than the earnest money deposited, the earnest money or the difference between the two, as the case may be, shall either be adjusted with first 3 months of the energy bill(s) of the consumer or be refunded through refund voucher/cheque within 3 months from the date of

giving connection. Any delay on the part of distribution licensee in refund of the adjusted amount shall attract interest at the rate to be specified by the Commission:

Further provided that the said earnest money shall be forfeited if the intending consumer fails to pay and/or deposit the amounts, which the distribution licensee may determine as expenditure to be borne by the intending consumer in terms of Section 46 of the Act and the Regulation made thereunder and as deposits to be tendered by the latter, within a period of 45 days from the date of receipt of the intimation in this behalf from the distribution licensee.

3.1.1 The distribution licensee shall, on receipt of a request letter in the form given in Annexure - A from the intending consumer, cause an inspection to be conducted at the premises to which supply of electricity is required, by his authorised representative, and send to the intending consumer within the time period specified below an estimate of the expenditure to be recovered from the latter in terms of Section 46 of the Act and the Regulation made thereunder, as also an estimate of the deposit(s) to be made by the intending consumer towards receiving supply of electricity within a time period specified below:—

For LV & MV supply in

- (i) Rural area – 4 weeks
- (ii) Urban area – 2 weeks

For HV/EHV supply—

- (i) 11 KV – 1½ months
- (ii) 33 KV – 2 months
- (iii) 132 KV – 3 months

All the above time periods shall be counted from the date of receipt of request letter of the intending consumer submitted in Annexure - A along with earnest money specified in Regulation 3.1 above:

Provided that above time duration shall be in addition to any excess time taken by any other licensee if involved for making the facilities ready for the new connection:

Provided further that wherever new substations are required to be erected/commissioned in order to supply power to intending consumer, the provision under Regulation 3.5 shall apply.

3.1.2 An intending consumer shall, after making the payments/deposits through banker's cheque, bank draft or cash to the distribution licensee, as aforesaid, within a period of 45 (forty-five) days from the date of receipt of the intimation from the distribution licensee determining the payments and deposits in this behalf, submit an application in the form specified in Annexure - B, completed in every respect, seeking supply of electricity to his premises.

3.1.3 An existing consumer seeking extension / addition of load or shifting/alteration of service shall apply in the format specified at Annexure - A in the manner and payment of earnest money as specified in Regulation 3.1 above:

Provided that above earnest money shall be adjusted in the same manner as provided in Regulation 3.1 above:

Provided further that the above earnest

money shall be forfeited under the same conditions and in the same manner as provided in Regulation 3.1 above:

Provided also that distribution licensee shall cause inspection of premises and prepare the estimate for the applied extension of load and or shifting/alteration of service within the time specified in Regulation 3.1.1 above:

3.2 **New connections where distribution mains already exist.**

Where distribution mains already exist, the distribution licensee shall give supply of electricity for new connection(s), within 1 (one) month from the date of receipt of application(s) requiring such supply, in the form specified in Annexure - B.

3.3 **New connections where supply to a fresh applicant will require extension of the distribution mains.**

Where the distribution mains will need to be extended in order to supply power to an applicant for supply, the distribution licensee shall supply electricity to the intending consumer within the time limits specified below from the date of receipt of the application for supply in the form specified in Annexure-B, and completed in every respect:-

i) LV and MV where extension is less than or equal to a distance of 100 metre-45 days.

ii) LV and MV where extension is more than a distance of 100 metres - 90 days.

iii) HV and EHV - 180 days.

3.4 New connections where supply to an applicant will require commissioning of new plant(s) in an existing sub-station.

Where new plant(s) will need to be installed in any existing sub-station in order to supply power to an applicant, the distribution licensee shall supply electricity to the applicant within the period specified below from the date of receipt of the application for supply in the prescribed form given at Annexure - B completed in every respect.

For new plant at Distribution Sub-station –
3 months

For new plant at 33/11 KV Sub-station –
5 months

For new plant at 132/33 KV Sub-station –
9 months

3.5 New connection where supply to an applicant will require erection/commission of new sub-station(s):

Where new sub-station(s) will need to be erected/commissioned in order to supply power to an applicant, the distribution licensee shall, within a period of 30 days from the date of receipt of the request letter from the applicant in the specified form given in Annexure - A intimate the applicant in writing the facts that effecting supply to him will involve erection/commission of new sub-station(s), that the distribution licensee will take a decision on the same only after considering a detailed techno-economic feasibility study and that the distribution licensee will communicate the decision in this behalf to the applicant within a period as specified below:

LV / MV – 45 days

HV - 60 days

EHV - 90 days

3.5.1 The distribution licensee shall, in such a case, offer the applicant the choice between taking refund of the earnest money and keeping the earnest money with the distribution licensee.

3.5.2 In case the applicant opts for taking refund of the earnest money tendered by him, the distribution licensee shall refund the same to the applicant within a period of 30 days from the date of receipt of the communication in this respect from the applicant by money order/cheque/pay order /bank transfer/refund voucher whichever is mutually convenient.

3.5.3 No interest will be payable for the period between deposit of the earnest money and refund of the same. However, the distribution licensee shall bear the cost of payment (i.e. money order commission charges to the bank, etc.).

3.5.4 If the applicant chooses to keep the earnest money with the distribution licensee, the same will bear an interest as applicable to security deposit from the date of submission of option by the intending consumer.

3.6 If after consideration of the detailed techno-economic feasibility report, the distribution licensee decides that it will not be feasible to erect/commission the new substation(s), the distribution licensee shall communicate forthwith such decision in writing to the applicant and refund the earnest money along with interest as stipulated in the foregoing paragraphs.

If the intending consumer is aggrieved by the decision of the distribution licensee in connection with above, if he so wants, may file a petition before the Commission.

3.7 If, on the other hand, after consideration of the detailed techno-economic feasibility report, the distribution licensee decides to erect/commission the new sub-station(s), the distribution licensee shall intimate the fact to the applicant and send him the estimate of expenditure to be recovered u/s 46 of the Act and the Regulation made thereunder along with the deposits to be made within a period of 4 weeks from the date of taking the decision of erecting/commissioning of the new substation. The intending consumer shall then make payment & apply for supply of electricity to his premises in terms of Regulation 3.1.2. The distribution licensee shall supply power to the applicant within a period as specified below from the date of receiving the application form specified at Annexure - B from the intending consumer and after the completion of all formalities by the intending consumer:-

- (i) For erection of 33/11 KV sub-station - 10 months from the date of land acquisition.
- (ii) For erection of 132 / 33 KV substation -15 months from the date of land acquisition.

Provided that if the substation(s) is/are a part of any investment plan which has already received approval of the Commission, the distribution licensee shall complete the work of erection and

commissioning of the sub-station(s) within the time period specified in the aforesaid investment plan.

3.7.1 If in such a case, the applicant has already chosen to keep the earnest money with the distribution licensee, the same will bear an interest as applicable to security deposit, the sum of money representing the principal plus interest as applicable for security deposit shall be adjusted with amount to be recovered from the applicant in accordance with Section 46 of the Act and the Regulations made thereunder and/or deposits to be made.

4. **Extension of Load for Existing Consumers Subject to Recovery of Costs Under Section 46.**

4.1 Extension of load where additional load can be accommodated from existing service.

Where additional load can be accommodated from the existing service, the distribution licensee shall release such additional load to the existing consumer within 1 (one) month from the date of receipt of the application.

4.2 **Extension of load where additional load needs extension/augmentation of feeding system/distribution mains.**

Where additional load cannot be accommodated from the existing service and the feeding system needs extension/augmentation, the distribution licensee shall release the additional load within the following time limits from the date of receipt of the application complete in all respects:

- LV & MV – 90 days
- HV & EHV – 180 days

4.3 Where accommodation of additional load will require commission of new plant(s) in an existing sub-station.

Where new plant(s) will need to be installed in any existing sub-station in order to accommodate a request for additional load, the distribution licensee shall supply the additional load to the applicant after installing new plant(s) as per following schedule:—

Distribution sub-station – 90 days

33/11 KV sub-station - 150 days

132/33 KV sub-station - 270 days

4.4 Where accommodation of additional load will require erection/commissioning of new sub-station(s).

Where new substation(s) will need to be erected/commissioned in order to accommodate any request for an additional load, the distribution licensee shall, within a period of 30 days from the date of receipt of the application, intimate the applicant in writing the facts that accommodating the additional load asked for will involve erection/commissioning of new sub-station(s), that the distribution licensee will take a decision on the same only after considering a detailed techno-economic feasibility study report and that the distribution licensee will communicate the decision in this behalf to the applicant within a period of 180 days from the date of receipt of the application in this behalf from the consumer.

4.4.1 If after considering the detailed techno-economic feasibility study report, the

distribution licensee decides that it will not be feasible to erect/commission the new substation(s), the distribution licensee shall communicate forthwith such decision in writing to the applicant.

4.4.2 If on the other hand, after consideration of the detailed techno-economic feasibility study report, the distribution licensee decides to erect/commission the new substation(s), the distribution licensee shall supply the additional load to the applicant within the period specified below from the date of taking such a decision and shall keep the applicant appropriately informed of the decision as also the target date by which the additional load would be given.

- (i) For erection of 33/11 KV sub-station - 9 months
- (ii) For erection of 132/33 KV sub-station - 1½ years:

Provided that if the substation(s) is/are a part of any investment plan which has already received approval of the Commission, the distribution licensee shall complete the work of erection and commission of the sub-station(s) within the time period specified in the said investment plan.

5. In all cases where the time schedules specified in the foregoing paragraphs cannot be maintained due to unforeseen contingencies which are beyond the control of the distribution licensee, the latter shall seek specific approval from the Commission for extension of time as may be called for, in each case, on furnishing all relevant facts and figures explaining the delay.

All time targets for giving new supply/ extension of load etc. as mentioned above shall be counted from the date on which all charges have been paid and all formalities completed including requisite compliances.

Application for connection under this Regulation shall be considered only if all dues of the applicant in respect of any other service connection held in his name in the distribution licensee's area of operation have been cleared. Where there are arrears of charges outstanding for a premises, before the application is processed the applicant shall be liable for clearing the dues if nexus is established with erstwhile defaulting consumer.

In addition to the 'Application for Supply-cum-Agreement' as provided in Annexure -B of this Regulation the distribution licensee may enter into separate and more detailed agreement for HT consumers in line with provisions of the Act & Rules, Regulations & Codes made by the Commission under the Act and as amended from time to time.

The distribution licensee shall clearly inform the applicant in writing of the compliances which need to be met and the various documents in regard to Test Forms, Way Leave Form, Pollution Clearance and other statutory clearances which are required to be submitted at various stages before the supply can be provided. A printed list of such compliances shall be attached by the distribution licensee with the application form in Annexure - A.

Forms at Annexure - A along with list of

compliances and forms at Annexure - B shall be supplied by the distribution licensee to the intending consumers on receipt of a token price of Rs. 5/- for each form.

6. Complaint Management Mechanism.

Continuous endeavour has to be made by the distribution licensee to improve the quality of services. Management of "Electricity Failure" calls of consumers of all categories need to be modernized keeping in view the consumer expectations, development of technology and economy in implementability. Accordingly, following 3 models of Complaint Management Mechanism shall be adopted.

6.1 For Rural Areas.

The distribution licensee should set up chain of Complaint Registration Centres (CRCs) to be operated by the distribution licensee, self-help groups, franchisees, cooperatives etc. wherever required covering rural parts of its licensed area. The CRCs shall be located strategically keeping in view the consumers convenience and administrative set up of the distribution licensee. The CRCs shall be manned by skilled/semi-skilled and unskilled personnel operating in two shifts (from 6.00 A.M. to 10.00 P.M.).

6.1.1 Consumers calls shall be received at the CRC through deposition of printed call slips (to be provided by the distribution licensee at the CRC) mentioning the date and time of registration of complaint, number and name of the consumer, address and location. A copy of the slip will be handed over to the consumer while the other will

be retained at the CRC for attending fault. After attending the fault, consumer's signature will be taken on the call slip by the personnel of the distribution licensee attending the fault mentioning the time of restoration. This slip will be retained for a reasonable time like three months by the distribution licensee.

The distribution licensee shall provide adequate number of bicycles, ladder, handcart, consumables and tools to attend the fault. In case of serious faults, which need more manpower, material and special tools, Emergency Restoration Centres (ERCs) as mentioned in the following paragraphs are to be informed by the personnel of the CRC over telephone or through special messenger.

6.1.2 In addition to the above CRCs, a few Emergency Restoration Centres (ERCs) shall be established to attend faults of more serious nature like HT/LT lines snapping, uprooting of poles, transformer fault (needing replacement or factory repair etc.), circuit breaker fault etc. The ERCs shall be provided with telephone or other communication equipment, appropriate quantity of consumable materials and tools, vans and shall be manned by adequate number of skilled and unskilled personnel under a Supervisor/Foreman etc. to attend the fault. Apart from attending to calls of serious urgent nature, the ERCs will also provide skeletal coverage in the night shift from 10.00 P.M. to 6.00 A.M. for individual consumers calls. The time of registration of call and the time of restoration shall be maintained by ERCs as mentioned above for CRCs.

6.1.3 In case of group failure affecting a wide area the respective ERCs under whose control the concerned affected area lies shall be informed/alarmed by the operating staff from the manned sub-station after detecting any sudden/large reduction in current / load. The ERCs shall take urgent step to divert the working personnel and van to attend the fault superseding any individual call. After restoration of supply to the affected group of consumers, the individual consumers' call shall be responded if it is confirmed that even after group restoration, some individual consumers supply has not been restored. The time of restoration in individual consumer cases under such a situation shall be counted from the time of group restoration.

6.2 For Urban Areas.

For urban areas "Management of Electricity Failure" calls are to be designed keeping in view (1) the consumer density (2) extent of underground supply (3) traffic congestion etc.

However, the management mechanism to attend the consumers' calls should be continuously improvised and modernized by the distribution licensee taking advantage of technological advancement, human resource development and through better communication and MIS. Accordingly, this regulation covers two (2) models for urban areas. The first one being for immediate adoption for all urban areas in the State of West Bengal whereas the second model is meant for gradual adoption from the financial year 2006-07 for the most urbanized areas of the State of West Bengal like city of Kolkata and Howrah, Salt Lake,

Siliguri, Asansol, Durgapur and Haldia. For Rajarhat (New Town) model-2 will be adopted from the beginning itself.

Within 5 years from the date of notification of this Regulation, besides the above urbanized areas, all districts headquarters shall also be covered under the second model.

6.3 Model – I : Each urban area covered by the distribution licensee shall be divided into several maintenance zones or districts. In each zone/district, a Zonal or District Reporting Centre (ZRC) shall be established which shall be provided with external telephone (preferably more than one connection), internal communication through modern communication arrangements like closed user group mobile phones, VHF wireless sets etc., utility's own micro-wave network. A ZRC shall be manned by adequate number of working personnel to respond to telephone calls and for the Mobile Consumer Service Unit (MCSU) comprising of a van with adequate consumable items and tools with suitable number of skilled & unskilled maintenance personnel. A ZRC will control and coordinate the activities of the Mobile Consumer Service Units and a few call centres equipped with mobile telephone / VHF wireless sets. The call centres shall be manned by senior skilled personnel working in 3 shifts. At least one Mobile Consumer Service Unit shall be provided in the area controlled by two or three call centres. Each call centre shall be provided with skilled and unskilled personnel. The call centre shall have communication facilities with the Mobile Consumer Service

Unit and the ZRC.

Consumer calls shall be received at the call centre over telephone or through deposition of call slips. The consumers will be provided with a docket number and time against each complaint received either through telephone or through call slips. The consumer's name and address with location /pole number shall be noted while receiving complaint. A copy of the call slip shall be handed over to the consumer while the other copy shall be retained for attending the fault. After restoration the consumer's signature along with the time of restoration shall be taken in the call slip.

6.3.1 In the case of group failure affecting wide area the respective ZRC under whose control the concerned affected area lies shall be informed/alarmed by the operating personnel from the manned sub-station after detecting any sudden/large reduction in current/load. The ZRC in turn will inform the Mobile Consumer Service Unit (MCSU) and the call centres under its control about the incident and shall take urgent step to divert the MCSU to attend the fault superseding earlier allotted individual calls. After restoration of supply to the affected group of consumers the time of restoration shall be communicated to the call centre and the ZRC. Further instruction from ZRC about individual consumers call shall be responded by the MCSU if it is confirmed that even after group restoration some individual consumer's supply has not been restored.

6.4 Model – 2: The distribution licensee shall set up a network of registration centres for

lodging complaints against electricity failures. The Complaint Call Management Centre shall be provided with modern communication equipment like interactive voice response, logging in through web interface and by simple telephone call to register a complaint. Against each complaint, the Caller ID will be generated and a docket number with time of registration of complaint will be allotted to the caller. The caller shall be able to know the time duration in which the complaint is likely to be attended. The caller should also be able to know the status of his complaint till the supply is restored. After receipt of the complaint call at the centre, the concerned field staff (Supervisor, Lineman, etc.) will be automatically communicated over suitable communication system regarding the complaint along with the time of complaint. Appropriate communication system shall be utilized for communication with mobile maintenance vehicle.

6.4.1 On rectification/restoration of supply, the time of restoration shall be recorded by the field staff and the call centre should be informed accordingly, who, in turn, will confirm the restoration with time to the relevant caller.

6.4.2 In case of a group failure of supply affecting a large area, the call centre should be informed/alarmed by the operating staff from the manned sub-stations or the failure is to be sensed from the large and sudden reduction in current automatically from the unmanned sub-station and informed to the call centre. The call centre should send immediately emergency message

conveying the major failure with time through suitable communication system to the concerned staff. Attending such a call may supersede the call for individual fuse failure, if required. But the individual consumer shall be informed about the delay explaining the situation. The time of restoration shall be informed to the call centre for record and reference.

6.5 The maintenance management systems will be appropriately integrated with call centres by the communication and management environment so as to extend best possible service to the consumers.

7. Interruptions of Supply.

7.1 Unplanned interruptions excepting those arising out of unforeseen contingencies like natural calamities, grid failure, automatic under frequency tripping and other force majeure clauses beyond the control of the distribution licensee:—

The distribution licensee shall restore electric supply to the consumer as per the following time frame to be reckoned from the time and date of receipt of complaint by the distribution licensee where the interruptions are unplanned and caused by aforesaid unforeseen contingencies beyond the control of the distribution licensee: —

(a) Failure of distribution licensee's fuse:

During the first year of the Regulation's operation.

Urban — 4 hrs.

Rural — 12 hrs. in Monsoon (June - September) and 8 hrs. during other period of the year (October-May).

During the second year of the Regulation's operation.

Urban – 4 hrs.

Rural – 10 hrs. in Monsoon (June - September) and 7 hrs. during other period of the year (October-May).

During the third year of the Regulation's operation and thereafter.

Urban – 3 hrs.

Rural – 8 hrs. in Monsoon (June - September) and 6 hrs. during other period of the year (October-May).

(b) Snapping of wires (LT):

During the first year of the Regulation's operation.

Urban – 6 hrs.

Rural – 24 hrs. in Monsoon (June - September) and 16 hrs. during other period of the year (October-May).

During the second year of the Regulation's operation.

Urban – 4 hrs.

Rural – 20 hrs. in Monsoon (June - September) and 12 hrs. during other period of the year (October-May).

During the third year of the Regulation's operation and thereafter.

Urban – 4 hrs.

Rural – 16 hrs. in Monsoon (June - September) and 10 hrs. during other period of the year (October-May):

Provided that in the case of rural areas the work will be taken up by 6 A.M. next day and will be completed within the aforesaid time periods in case the complaint is

received after 8 P.M.

(c) Falling of trees on overhead lines without breaking/uprooting of poles (LT & HT):

During the first year of the Regulation's operation.

Urban - Restoration within 12 hrs.

Rural - Restoration within 48 hrs.

During the second year of the Regulation's operation

Urban - Restoration within 10 hrs.

Rural - Restoration within 36 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - Restoration within 8 hrs.

Rural - Restoration within 24 hrs.

Provided that in the case of rural areas the work will be taken up by 6 A.M. next day and will be completed within the aforesaid time periods in case the complaint is received after 8 P.M:

Further provided that in case coordination with other government departments like P.W.D., Forest Department etc. is essential, the aforesaid time periods shall be extended by another 12 hours in each case.

(d) Breakdown due to short circuit of LT lines:

During the first year of the Regulation's operation.

For underground cable:

Urban – 8 hrs.

For overhead line:

Urban – 4 hours

Rural – 6 hrs.

During the second year of the Regulation's operation.

For underground cable:

Urban – 6 hrs.

For overhead line:

Urban – 3 hours

Rural – 4 hrs.

During the third year of the Regulation's operation and thereafter.

For underground cable:

Urban – 4 hrs.

For overhead line:

Urban – 2 hours

Rural – 3 hrs:

Provided that if the breakdown has occurred during inclement weather or heavy showers at night time the aforesaid time periods for the restoration will be counted from the time the weather has improved reasonably to commence the outdoor work.

(e) Breakdown of 11 KV line (overhead):

During the first year of the Regulation's operation.

Urban – 8 hrs.

Rural – 36 hrs.

During the second year of the Regulation's operation.

Urban - 6 hrs.

Rural - 24 hrs.

During the third year of the

Regulation's operation and thereafter.

Urban - 4 hrs.

Rural - 18 hrs:

Provided that if the breakdown of 11 KV overhead line in the rural areas has occurred due to snapping of line after 8 P.M. the work will be started by 6 A.M. next day and will be completed within the aforesaid time periods.

(f) HT underground cable faults:

Urban } Restoration of

Rural } power supply by

temporary arrangements within 24 hrs.

Rectification of faults within 10 days, if any consumer is affected.

The aforesaid time durations for restoration shall be adhered to provided the breakdown location does not fall under Railway/State National Highways/P & T lines etc. crossing for which permission is required from the respective departments. The zero date will be counted from the date of approval of the respective departments.

(g) Failure of distribution transformer:
During the first year of the Regulation's operation.

Urban - 72 hrs.

Rural - 216 hrs.

During the second year of the Regulation's operation.

Urban - 48 hrs.

Rural - 144 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 24 hrs.

Rural - 72 hrs:

Provided that in case of repeated failure of transformers the reasons of failure and consumer behaviour of that area shall be studied for which additional time shall be allowed. The result of the study shall be communicated to the Commission within two weeks from the date of completion of the study.

(h) Breakdown of LT line for any other reason not covered above:

During the first year of the Regulation's operation.

Urban - 10 hrs.

Rural - 48 hrs.

During the second year of the Regulation's operation.

Urban - 8 hrs.

Rural - 36 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 6 hrs.

Rural - 24 hrs.

(i) Failure of Service Main (both overhead and underground):

During the first year of the Regulation's operation.

Urban (overhead) - 24 hrs.

During the second year of the Regulation's operation.

Urban (overhead) - 16 hrs.

During the third year of the Regulation's operation and thereafter.

Urban (overhead) - 12 hrs.

Urban (underground) - Restoration of power supply by temporary arrangements within 24 hrs.

Rectification of faults within 7 days.

During the first year of the Regulation's operation.

Rural (Overhead) - 48 hrs.

During the second year of the Regulation's operation.

Rural (Overhead) - 36 hrs.

During the third year of the Regulation's operation and thereafter.

Rural (Overhead) - 24 hrs.

Rural (Underground) - Rectification of faults within 10 days.

During restoration process under Regulation 7.1 all efforts are to be made to temporarily restore the supply of maximum numbers of affected consumers by making electricity available through alternative routes/from alternative transformers, etc.

Provided that if the breakdown under Regulation 7.1 has occurred due to theft, the work of aforesaid time periods will be counted subsequent to lodging of FIR and inspection by police.

7.2 Planned interruptions.

When there is a planned interruption of supply lasting more than 6 hours at a stretch for

planned maintenance but not including emergency repair, the distribution licensee shall notify the consumers at least 3 days before the supply is cut off through announcements in radio/T.V., advertisements in leading dailies, beating of drums etc. and restore the supply within the time to be announced. Special care is to be taken regarding notifying the planned interruption if water supply, hospitals or railway traction is likely to be affected by the interruption. If the planned interruption is for more than 12 hours at a stretch, temporary arrangement may be made to provide power after 12 hrs.

In case of planned interruption due to load management, a suitable general notice is to be issued through media announcements unless the requirement is of short duration and of emergency nature arising out of contingency of sudden loss of generation or source of purchase. In such cases of interruptions adequate weightage of high AT & C loss shall be applied in selecting the feeder. Such interruptions shall not be taken into consideration for evaluating the reliability of supply.

8. (a) Voltage Complaints.

During the first, second and third year of the Regulation's operation and thereafter.

Urban	} Within 15 days if the problem is local. Within 6 months if correction requires augmentation of the distribution system and/or re-routing of the distribution line etc:
Rural	

Provided that where the voltage complaint is caused by grid voltage, the distribution licensee shall take up the matter with the appropriate authority within one month from the date of complaint.

(b) Voltage Fluctuations.

Complaints about voltage fluctuations beyond the specified limits shall be attended by the distribution licensee within the time periods specified below.

During the first year of the Regulation's operation.

Urban - 8 days

Rural - 15 days

During the second year of the Regulation's operation.

Urban - 6 days

Rural - 15 days

During the third year of the Regulation's operation and thereafter.

Urban - 4 days

Rural - 8 days

The above time limits are subject to the proviso that in such cases where these limits cannot be maintained in extra-ordinary circumstances beyond the control of the distribution licensee, the latter shall obtain prior approval from the Commission for extension of time by furnishing detailed grounds for the same:

Provided that where the fluctuations originate from the grid, the distribution licensee shall take up the matter with the appropriate authority within a month from the date of complaint.

9. Meter and Metering Equipment Complaints.

- (a) Replacement of burnt out and other faulty meters where supply is not affected shall be completed within the time periods specified below.

During the first year of the Regulation's operation.

Urban - 13 days

Rural - 16 days

During the second year of the Regulation's operation.

Urban - 10 days

Rural - 13 days

During the third year of the Regulation's operation and thereafter.

Urban - 7 days

Rural - 10 days

- (b) Replacement of burnt out and other faulty meters where supply is affected.

During the first year of the Regulation's operation.

Urban - 46 hrs.

Rural - 96 hrs.

During the second year of the Regulation's operation.

Urban - 36 hrs.

Rural - 72 hrs.

During the third year of the Regulation's operation and thereafter.

Urban - 24 hrs.

Rural - 48 hrs.

- (c) Accidental breakage of seals on report by the consumer where no tampering is suspected.

During the first year of the Regulation's operation.

Urban - 48 hrs.

Rural - 48 hrs

During the second year of the Regulation's operation.

Urban - 36 hrs.

Rural - 36 hrs

During the third year of the Regulation's operation and thereafter.

Urban - 24 hrs.

Rural - 24 hrs.

If replacement of meter is required:-

During the first year of the Regulation's operation.

Urban - 15 days

Rural - 15 days

During the second year of the Regulation's operation.

Urban - 10 days

Rural - 10 days

During the third year of the Regulation's operation and thereafter.

Urban - 7 days

Rural - 7 days

Provided that the calibration of meters of the consumers shall be done periodically as directed by the Commission:

Provided further that the distribution licensee shall instal suitable cut out for each meter to ensure that the meters are not grossly overloaded. The cut out shall be adequately enclosed in a suitable receptacle and sealed:

Provided also that all aforesaid replacement periods for the meters will be effective except in the cases where meters have been found to be tampered with or the cause of burning/defect of the meter is attributable to the consumer.

10. Modifications to the Existing Connection:

(a) Transfer of installation where shifting is not involved:

During the first year of the Regulation's operation .

Urban - 20 days

Rural - 20 days

During the second year of the Regulation's operation.

Urban - 15 days

Rural - 15 days

During the third year of the Regulation's operation and thereafter.

Urban - 10 days

Rural - 10 days

The aforesaid time periods will be effective provided that all the dues of the distribution licensee and the charges for transfer of installation have been paid and all formalities have been completed by the consumer.

(b) Shifting of meter/meter board:

During the first year of the Regulation's operation.

Urban - 20 days

Rural - 20 days

During the second year of the Regulation's operation.

Urban - 15 days

Rural - 15 days

During the third year of the Regulation's operation and thereafter.

Urban - 10 days

Rural - 10 days

All the aforesaid time periods shall be effective provided that all the dues and cost

towards shifting has been paid and the formalities as required have been completed by the consumer.

(c) Conversion from one tariff to another:

During the first year of the Regulation's operation.

Urban - 20 days

Rural - 20 days

During the second year of the Regulation's operation.

Urban - 15 days

Rural - 15 days

During the third year of the Regulation's operation and thereafter.

Urban - 10 days

Rural - 10 days

(d) Removal of meter on request from the consumer.

During the first year of the Regulation's operation.

Urban - 15 days

Rural - 15 days

During the second year of the Regulation's operation.

Urban - 10 days

Rural - 10 days

During the third year of the Regulation's operation and thereafter.

Urban - 7 days

Rural - 7 days

The aforesaid time periods shall be effective without prejudice to the distribution licensee's claim for tampering/bypassing the metering system.

(e) Reduction of load:

During the first year of the Regulation's operation.

Urban	-	20 days
Rural	-	20 days

During the second year of the Regulation's operation.

Urban	-	15 days
Rural	-	15 days

During the third year of the Regulation's operation.

Urban	-	10 days
Rural	-	10 days:

Provided that reduction of load or downward revision of contract demand shall be effected on the basis of application not before one year from the date of commencement of supply:

Provided further that subsequent request for reduction of load/downward revision of contract demand shall be made effective not before one year from the date of previous reduction/revision.

11. Other Complaints:

- (a) The total number of outages allowed to the distribution licensee shall be within the limits as directed by the Commission from time to time.
- (b) For any other complaints not covered above, the consumer may invoke grievance redressal procedures.

12. Enforcement Mechanism:

If a distribution licensee fails to meet the

specified guaranteed standards against various service areas laid down in these Regulations, the distribution licensee shall be liable to pay compensation commensurate with the loss suffered by the consumer but not less than the amount for default against each item as specified below: -

During the first year of the Regulation's operation.

- (a) Failure to release new electric connection within due time – Rs. 50/- each additional day.
- (b) All other specific complaints specified under paragraphs 3, 4, 7, 8, 9 and 10 – Rs.50/- for each additional slab of time or part thereof, irrespective of whether the place is urban or rural.

During the second year of the Regulation's operation.

- (a) Failure to release new electric connection within due time - Rs. 250/- each additional day.
- (b) All other specific complaints specified under paragraphs 3, 4, 7, 8, 9 and 10 – Rs.250/- for each additional slab of time or part thereof, irrespective of whether the place is urban or rural.

During the third year of the Regulation's operation and thereafter.

- (a) Failure to release new electric connection within due time-Rs. 500/- each additional day.
- (b) All other specific complaints specified under paragraphs 3, 4, 7, 8, 9 and 10 – Rs. 500/- for each additional slab of time or part thereof, irrespective of whether the place is urban or rural.

13. Methods of Payment of Compensation:

The distribution licensee shall register every complaint regarding failure to maintain the standards of performance specified in this Regulation and preferred by consumers within a reasonable time. The distribution licensee shall also communicate a complaint number with date, to the consumer who prefers a complaint as soon as possible, but not later than 10 days from the date of receipt of the complaint. For this purpose the distribution licensees shall maintain all necessary records consisting of all essential information regarding the consumer concerned, the nature of his complaint and the necessary details of the latter.

For this purpose, calculation as also payment of compensations for failure to release new electric connections within specified time, shall be done by the distribution licensees automatically, i.e., the consumers are not required to claim compensations specifically, though they may make such claims if they so wish.

Calculation of compensation and claims for payment of the same, for failures to maintain the standards of performance in all other cases specified in this regulation will not be automatic, i.e., it is the consumers who will be required to calculate the amounts of compensation and submit claims for payment of the same to the distribution licensee.

If there is any default or dispute, it shall be referred to the consumers' grievance redressal mechanism and follow the procedures laid down in the Regulations made by the Commission in pursuance of

clause (r) and clause (s) of sub-section (2) of section 181 read with sub-section (5) and sub-section (7) of section 42 of the Electricity Act, 2003 (36 of 2003) for its settlement.

All cases of payment of compensation by the distribution licensees shall be effected by way of adjustment against existing, current and/or future bills for supply of electricity.

14. Periodic Report:

The distribution licensee shall submit to the Commission an annual report, in the format specified at Annexure - C for every financial year commencing on 1st April and ending on 31st March next, positively within three months from the date of closing of the financial year.

15. Power of the Commission to Modify the Regulation:

15.1 The Commission may, at any time, at its sole discretion vary, alter, modify, add or amend any provision of this Regulation.

15.2 If any difficulty arises in giving effect to any of the provisions of this Regulation, the Commission may, with reasons to be recorded in writing, direct the distribution licensee or consumer, by general or special order, for taking suitable action not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

15.3 Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary for meeting the ends of

justice or to prevent abuse of the process of the Commission.

16. **Repeal:**

The West Bengal Electricity Regulatory Commission (Standards of Performance of Licensees Relating to Consumer Services) Regulation, 2003 issued under Notification No. 16/WBERC dated 9th June 2004, published in the *Kolkata Gazette, Extraordinary* on 15th June 2004 is hereby repealed. Notwithstanding such repeal, anything done or any action already taken

under the repealed Regulation, shall in so far as it is not inconsistent with the West Bengal Electricity Regulatory Commission (Standards of Performance of Distribution Licensees Relating to Consumer Services) Regulations, 2005, be deemed to have been done or taken under the corresponding provisions of the West Bengal Electricity Regulatory Commission (Standards of Performance of Distribution Licensees Relating to Consumer Services) Regulations, 2005.

ANNEXURE - A

Application form to be used by a consumer/intending consumer requesting the distribution licensee for an inspection and preparation of estimate of expenditure to be borne by the consumer/intending consumer for connection for new service/new load under existing service/additional load/shifting or alteration or strengthening of service/streetlights/pump house/others *.

*Please delete the inapplicable portions.

[See Regulation 3.1.]

To:

(Name of Distribution Licensee)

(Address of Distribution Licensee)

Dear Sir(s),

I/We hereby request for an inspection of my/our premises by your authorised representative, and preparation as also supply of an estimate by you to me/us, giving in requisite details of the expenditures to be borne by me/us in terms of Section 46 of the Electricity Act, 2003 and Regulations made thereunder, together with the deposits to be made by me/us in terms of the applicable Regulation for the purpose of obtaining domestic/commercial/industrial/other purpose supply of electricity/for the purpose of extension or addition of load/shifting or alteration of service at my/our premises at EHV/ HV/MV/LV having an expected connected load of KW/extending present load of KW to KW as estimated by my/our licensed electrical contractor/shifting or alteration of service as indicated in attached hand drawn sketch. A copy of the estimate of the possible connected load is enclosed.

I/we am/are depositing herewith an earnest money of Rs. Please adjust this sum with the amount that will be determined to be recoverable from me/us as reasonable expenditure for providing new connection(s) under Section 46 of the Electricity Act, 2003,/expenditure for additional load/for shifting or alteration of service and requisite deposit to be made by me/us under the applicable Regulation. After making such adjustments, if any amount still remains outstanding, the same may be adjusted with my/our electricity consumption bill(s) or through refund vouchers.

I/we hereby inform you that I/we am/are the owner(s)/occupier(s) of the premises and I/we enclose copy of documents establishing sufficient proof of my/our bonafide occupation of the premises, viz., Passport/ Voter I-Card/PAN Card/Rent Bill/Rent Control Challan/Telephone Bill/Municipal or any other Tax Bill etc.

I/We hereby enclose copy of the current Trade Licence towards establishment of my / our concern.

The full address of my/our premises, which may be so inspected for the aforesaid purpose/Telephone No. & nearest pole no. are given below.

Address:

Important Landmark:

Telephone No.....

Nearest Pole No. (if available).....

Yours faithfully,

Note: 1) Please strike out inapplicable items.

- 2) Please mention and describe important landmarks in the vicinity, if any, to facilitate easy identification of the premises.
- 3) Please attach, if possible, a small sketch (not on scale) indicating the location of the premises.
- 4) Earnest money to be deposited along with the application for new connection:—

A. LV & MV supply

- | | | | |
|------|------------------------------------|---------|-------------|
| (i) | Domestic and commercial load | Rural - | Rs. 200/- |
| | | Urban - | Rs. 500/- |
| (ii) | Industrial load | | Rs. 2,000/- |

B. EHV & HV supply

- | | | |
|-------|--------|-----------------|
| (i) | 11 KV | - Rs. 5,000/- |
| (ii) | 33 KV | - Rs. 20,000/- |
| (iii) | 132 KV | - Rs.1,00,000/- |

ANNEXURE – B

Application form to be used by a consumer/intending consumer requesting the distribution licensee for connection for new service/new load under existing service/additional load/shifting or alteration or strengthening of service/streetlight/pump house/others*.

*Please strike out inapplicable items.

(TO BE SUBMITTED IN DUPLICATE)

[See Regulation 3.1.2.]

To:

(Name of Distribution Licensee)

(Address of Distribution Licensee)

Dear Sir(s),

1. I/we hereby apply for supply of electricity in my/our favour at the premises having the following address:

2. This is an application for new service/new load under existing service/additional load/shifting or alteration or strengthening of service/streetlight/pump house/others and the expected connected load (in KW) will be as follows for domestic/commercial/industrial/others (.....) purposes.

(A) FOR NEW CONNECTION :

- (i) For LV & MV : Connected Load.....KW/HP
- (ii) For HV & EHV

Voltage of Supply	Connected Load (KW/HP)	Contract Demand (KVA)
_____	_____	_____

(B) FOR ADDITIONAL LOAD UNDER EXISTING SERVICE:

(i) Consumer No.

(ii) Present sanctioned Load –

(a) Connected Load KW/HP _____

(b) Contract Demand (For HT & EHT) KVA _____

(iii) Extended Load required (including present load) -

(a) Connected Load KW/HP _____

(b) Contract Demand (For HT & EHT) KVA _____

(C) FOR SHIFTING/ALTERATION OF SERVICES:

(i) Consumer No.

(ii) Present category of load (viz. Domestic/Commercial/Industrial etc.)

(iii) Present voltage of supply

(iv) Shifting – Rough sketch to be attached

(v) Alteration – Nature of alteration (viz. Voltage, Category, Phase, Others)

3. I/We hereby declare that I/we shall abide by all provisions of the Electricity Act, 2003 and the Rules /Regulations/Codes / Orders made under the Act, as amended from time to time.

4. I/We have already paid/ I/We hereby tender an amount of Rs. _____ (Rupees _____) only as the amount recoverable from me/us under Section 46 of the Electricity Act, 2003 and the Regulations made thereunder and as per the cost estimate prepared by you and sent to me/us from your end vide your letter No. _____ dated _____.

5. I/We agree that if there is any difference between the amount, I / we have paid as per provisions of Section 46 of the Act and the Regulations made thereunder, and the amount that is finally determined to be recoverable from me / us, the difference will be adjusted with my / our electricity bills in not more than 4 (four) consecutive instalments.

6. I/We have also tendered/ I/We hereby tender an amount of Rs. _____ (Rupees _____) only as my/our security deposit determined by you in terms of Section 47 of the Act and the Regulations made thereunder and as per estimate prepared by you and sent to me /us from your end vide your letter no. _____ dated _____.

7. I/We undertake to replenish any shortfall in security deposit if and when required and for the value of meter(s) and other apparatus installed/to be installed at my/our premises.

8. I/We enclose a Test Form for internal wiring signed by my/our licensed electrical contractor.

9. I/We also enclose a Way Leave form including permission for necessary civil works and modification on private property, indicating 'no objection' from the owner(s) /occupier(s) of the premises/relevant part of the premises/ I/We am/are the owner(s)/occupier(s) of the premises/relevant part of the premises.

10. I/We also enclose copies of documents showing clearance from the West Bengal Pollution Control Board (applicable to premises used by industrial consumers and residential/residential-cum-commercial premises of more than 100 flats and/or 60,000 sft. floor area).

11. I/We also enclose copy/copies of building plan(s) sanctioned by the concerned Municipal Authorities (applicable to new buildings/premises).

12. I/We also enclose copy/copies of

- (i)) Any other documents of which
- (ii)) compliances are called for
- (iii))

13. Please provide me/us with the supply as requested.

Yours faithfully,

Enclosed: As stated.

(Signature of the applicant with date)

Full Name _____
(In Block letters)

Full Address: _____
(In Block letters) _____

Telephone No(s), _____
if any.

By Order of the Commission

W. L. SIKDAS
Secretary of the Commission

Printed at
Date: 19.10.2005

Witness (1)

Signature with date _____

Full Name _____

Address _____

Witness (2)

Signature with date _____

Full Name _____

Address _____

For use of the distribution licensee/supplier

(To be filled up by the distribution licensee/supplier on receipt of the application-cum-agreement form submitted by the intending consumer and the duplicate is to be handed over to the latter.)

Accepted for and on
Behalf of the distribution licensee/supplier

(Signature with date of the accepting official
under the stamp/office seal of the distribution
licensee/supplier)

Address: _____

ANNEXURE - C

Annual Report

(See Regulation 14.)

Name of the Distribution Licensee –

Full office address (HQ) of the Distribution Licensee.

Report for the financial year

I. Number and type of the consumer complaints received, attended and compensation paid (if any): –

Types of complain.	Number of complains received.	Whether attended.	Number of cases where compensation was payable.	Number of cases where compensation was paid.	Total amount (in Rs.) of the compensation paid.
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1. New connections where distribution mains already exist.

2. New connections where extension of distribution mains was required.

3. New connections where commissioning of a new sub-station was required.

4. Extension of load.

5. Unplanned interruptions.

6. Voltage related complaints.

7. Meter related complaints.

8. Modifications to the existing connections.

9. Others.

II. Planned interruptions in power supply:–

1. No. of instances of planned interruptions in power supply in

LT network -

HT network -

2. Total duration in hours of planned interruptions in power supply in

LT network -

HT network -

Signature of the authorised person with seal

By Order of the Commission

(K. L. BISWAS)

Secretary of the Commission

Place: Kolkata

Dated: 18.10.2005