



TELANGANA STATE ELECTRICITY REGULATORY COMMISSION

No. TSERC/ 2/18

Dated: 25.04.2018

Draft Regulation No. of 2018 (First Amendment to Regulation No. 4 of 2013)

INTRODUCTION

The then Andhra Pradesh Electricity Regulatory Commission had issued Regulation No. 4 of 2013 to make provisions for authorizing the release of power supply and other conditions by the distribution licensee to the consumers that require electricity supply or towards the cost of providing any electric line/plant or electric meter for supply of electricity pursuant to Section 43 of the Electricity Act, 2003 (36 of 2003) (Act, 2003).

The original regulation has been adopted by this Commission vide Regulation No. 1 of 2014 notified on 10.12.2014.

Section 43 of the Act, 2003, casts a duty on the distribution licensees to supply electricity on the request to any premises within one month after receipt of application from the owner or occupier of the premises. However, such supply requires extension of distribution mains or commissioning of new substations wherein the distribution licensee shall supply the electricity immediately after extension or commissioning or within the period as may be specified by the Commission.

It has come to the light of the Commission while hearing the cases on extension of exemption to certain consumers as granted by the then Commission that such consumers have been provided a single point supply and they in turn are distributing electricity within the area controlled by them. To facilitate provision of supply to such consumers, it was submitted by the said consumers that necessary guidelines may be issued by the Commission. Hence, the Commission directed the distribution licensee to submit proposals for enabling the Commission to take a view

in the matter. Accordingly, the distribution licensee has submitted proposals for the said purpose for approval by the Commission.

Further, a number of group housing societies and residential cum commercial complexes are being developed in the various parts of Telangana. These complexes are developing their own distribution infrastructure within their premises. Handing over this distribution infrastructure to distribution licensee for operation and maintenance is a complex issue. Further, the issue of sub-distribution of electricity by the owner of such premises to the consumers within the premises under the provisions of the Act, 2003 also needs to be addressed.

Therefore, it is perceived that the Commission should take appropriate steps to address these issues under the provisions of the Act, 2003; safeguarding the interests of the consumers being the prime duty of the Commission, especially when it is vested with powers under Section 61 (d) of the Act, 2003 to take requisite measures and specify such terms and conditions as may be necessary to safeguard consumers' interest.

Accordingly, in exercise of the powers conferred by Clause (t) of Sub-Section (2) of Section 181 read with Sub-Section (1) of Section 43, Section 61 (d) of the Act, 2003 and all powers enabling it in that behalf. The Telangana State Electricity Regulatory Commission (TSERC) hereby makes the following Regulation by amending the Regulation No. 4 of 2013, dealing with the provision of supply for single point connection in addition to other provisions in the parent Regulation and matters incidental and ancillary thereto:

1. Short title, Commencement and Interpretation

- i. This Regulation may be called The Telangana State Electricity Regulatory Commission (Licensee's duty for supply of electricity on request) (First Amendment Regulation No. 4 of 2013) Regulation, 2018.
- ii. This Regulation shall come into force with effect from the date of its publication in the Telangana State Gazette.
- iii. This Regulation shall extend to the whole of the State of Telangana.

- iv. The Andhra Pradesh General Clause Act, 1897 shall apply to the interpretation of these Regulations.

2. Definitions

1. In this regulation, unless the context otherwise requires:

- a) 'Act' or 'Act, 2003' means Electricity Act, 2003 (Act, 36 of 2003);
- b) 'Applicant' means an association of Persons/ Society/Body Corporate who is the owner or occupier of any premises who makes an application to the distribution licensee for supply of electricity and includes a person intending to supply electricity by drawing at the single point;
- c) 'Area of Single Point Supply' means the area for which an applicant makes an application to distribution licensee for receiving supply at a single point;
- d) 'Association of Persons/Society' means a group of persons registered under any law for the time being in force and is not limited to users' association;
- e) 'Commission' means the Telangana State Electricity Regulatory Commission;
- f) 'Consumer' means any person who is supplied with electricity for his own use by a licensee or the Government or by any other person engaged in the business of supplying electricity to the public under this Act or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving electricity with the works of a licensee, the Government or such other person, as the case may be.

Such consumer also includes, a person having supply agreement with the licensee and also with a person other than the licensee for availing open access and also includes a consumer availing or intending to avail wheeling facility for carrying electricity from the captive generating plant to the destination of use.

- g) 'Lease Holder' means a person who is in possession of a building/premise/ asset under a registered lease agreement.

- h) 'Owner' means a person/corporate body that has enforceable title to an asset or property, and is recognized as such by law;

Explanation: The word 'person' is defined in the Act, 2003 and as such the same is applicable in this context as well;

- i) 'Premises' includes any land, building or structure;
- j) 'Single Point Supply' means it is a supply given at HT level to an Owner/Lease Holder/Association of Persons/Society and eligible for self-utilization and/or to provide the power among individual consumers situated in a single building/premises.

Explanation: 'Single Point Supply' also includes supply given to the 'Applicant' at HT level for use by its members located on a single contiguous piece of land;

- k) 'Single Point Supply Consumer' means an 'Applicant' whose application has been granted by the distribution licensee and is being supplied electricity by the distribution licensee at HT level for use by the members of the 'Applicant';
 - l) 'User' means a member of the association of Persons/Society/Body Corporate who receives electricity from a single point supply consumer for its own use;
2. Words and expressions used and not defined in the Regulations but defined in the Act, 2003 and Andhra Pradesh Electricity Reform Act, 1998 shall have the meanings assigned to them in the Act or Reform Act. Expressions used herein but not specifically defined in the Regulations or in the Act but defined under any law passed by a competent legislature and applicable to the electricity industry in the state shall have the meaning assigned to them in such law. In the interpretation of these Regulations, unless the context otherwise requires:
- a) Words in the singular or plural term, as the case may be, shall be deemed to include the plural or the singular term, respectively.

- b) References herein to the 'Regulation' shall be construed as a reference to these Regulations as amended or modified by the Commission from time to time in accordance with the applicable laws in force.
 - c) The headings are inserted for convenience and may not be taken into account for the purpose of interpretation of these Regulations.
 - d) Reference to the statutes, regulations or guidelines shall be construed by including all provisions consolidating, amending or replacing such statutes, regulations or guidelines, as the case may be referred to.
3. The provisions in this Regulations are to be read as continuation from Clause 12 in the original Regulation No. 4 of 2013 called the Andhra Pradesh Electricity Regulatory Commission (Licensee's duty for supply of electricity on request) Regulation, 2013 as adopted by this Commission.

3. Eligibility

Eligibility conditions for availing the single point supply are enumerated below.

- (i) Buildings including multi-storeyed, domestic, commercial or industrial complex and residential complex constructed by any employer for his employees or by a panchayat or a co-operative society or a registered association of users having a minimum contracted load of 1 MVA on HT supply are eligible to apply for a single point of supply to distribution licensee.
- (ii) The Applicant for single point supply shall submit the Detailed Project Report with the application to the distribution licensee for the scheme of distribution network to be developed or already developed within the area of single point supply to supply all users with necessary particulars.
- (iii) Each member of applicant is eligible to be the consumer of the distribution licensee in the area.
- (iv) All members of the applicant shall be located in the area of single point supply and shall be considered as users of the single point supply.
- (v) The combined demand of all users of the applicant shall be sufficient to avail supply at HT level.

Explanation: The Premises may be having homogeneous load or mixed (non-homogeneous – belonging to different categories and tariff) load. For computing minimum contracted load, all loads in the area of single point supply shall be aggregated with reasonable margin for expected load growth within the area of single point supply.

- (vi) The Single Point Supply Consumer shall avail supply at HT level.
- (vii) The Single Point Supply Consumer shall be responsible to manage the load at the point of supply.
- (viii) In case of Single Point Supply having mixed load, the tariff category wise load information and metering data shall be maintained by the Single Point Supply Consumer.
- (ix) The consumer within the area of single point supply who is not a member of Single Point Supply Consumer may apply to distribution licensee for an individual service connection. Such consumer shall be billed at the respective tariff category as per the tariff order of the Commission.

4. Nature of Power Supply

The power supply shall be extended only at High Voltage/Extra High Voltage level corresponding to their contracted demand as a single point connection as per the General Terms and Conditions of Supply (GTCS) read with relevant tariff order of the Commission.

5. Network

- i. The Single Point Supply Consumer availing Single Point Supply shall develop and maintain an efficient electricity supply system at its own cost to supply electricity within the area of single point supply. He shall have all expertise and infrastructure including electricity supply network and competent personnel to develop and maintain the internal electricity supply network.
- ii. The Single Point Supply Consumer availing Single Point Supply shall abide by all the relevant regulations, orders of the Commission in creation and maintenance of such infrastructure within premises. All safety related

regulations and provisions shall be applicable to such Single Point Supply Consumer who shall take necessary approval of CEIG for all internal wiring and distribution system.

6. Standards

The internal supply system shall be as per the provisions of Act, 2003, Indian Electricity Rules, 1956 as amended from time to time, regulations issued by competent authorities and orders of the Commission as amended from time to time. The standards of the supply system shall be as prescribed by the Commission. The Single Point Supply Consumer shall be responsible for safety and security of internal supply system.

7. Metering

- i. The Single Point Consumer shall abide by the Central Electricity Authority (CEA) (Installation and Operation of Meters) Regulation, 2006 as amended from time to time to the extent it is applicable for the purpose of this connection.
- ii. The Single Point Supply Consumer shall fix sub-meters for each individual user and record the readings on a monthly basis in a log book for determining energy consumption of individual user every month.
- iii. In case of mixed load, category wise metering data shall be maintained separately.
- iv. Meter reading shall be taken by the Single Point Supply Consumer in the presence of the user or his representative and obtain signature in the log book.
- v. The readings taken from individual consumers should be reconciled with the bill issued by the licensee for the single point supply connection.

8. Tariff

- i. The single point supply consumer shall be categorized and billed for energy recorded in the meter at Single Point Supply based on the activity of the

consumer at the tariff applicable for that category as notified by the distribution licensee in terms of determination made by the Commission.

- ii. The single point supply consumer shall collect the charges from the individual user considering the tariff determined by the Commission for respective consumer categories, expense incurred by SPSC on creation and maintenance of infrastructure, operations and maintenance costs.

Provided that, the such Charges shall be approved in the General Body Meeting of the Users under Single point supply.

"Explanation: - For the purpose of Charges to be levied and collected by the single point power supply consumer, it is clarified that, such consumer shall not collect any charges, which are in excess of charges that may be collected in case of release of power supply by the distribution licensee and these include development charges, service line charges and security deposits etc."

- iii. Under no circumstances, the single point supply consumer shall charge the individual user more than the tariff stipulated for the applicable categories in the respective tariff order passed by the Commission from time to time.

9. Jurisdiction

- i. The users within the area of single point supply shall be treated as consumers of the distribution licensee. The distribution licensee shall have the power to supervise the actions regarding deeds and steps to be taken to provide power supply to individual users.
- ii. The single point supply consumer shall be wholly responsible for any disputes arising in the billing and collection of electricity charges from individual users within its fold.
- iii. The authority of the distribution licensee to supply electricity to such consumer/user will not change even if it is located in the area of single point supply.
- iv. The distribution licensee shall have the authority to access and inspect the premises of the single point supply consumer as and when required to satisfy

itself about the compliance of the Act, 2003, Regulations made thereunder and any other law for the time being in force including but not limited to the rules issued by the government, if any.

- v. The single point supply consumer shall produce the log book of meter readings of each individual sub-meters as and when required by the distribution licensee or its authorized officers.

10. Dispute Resolution

- i. Any dispute between the single point supply consumer and the individual user availing power supply from the single point supply consumer shall be first referred to the distribution licensee for resolution, if not resolved, the distribution licensee may refer the matter to the CGRF.
- ii. Any disputes arising between the single point supply consumer and the distribution licensee shall be adjudicated by the Consumers' Grievance Redressal Forum (CGRF) established by the distribution licensee under Regulation No. 3 of 2015 issued by the Commission.
- iii. In cases of theft and malpractice by the single point consumer or the individual user, which are reported by the single point supply consumer, the distribution licensee will have right to invoke the provisions of Act, 2003 to take suitable action thereof.

11. Open Access

- i. The single point supply consumer shall be entitled to open access under Section 42 (2) of the Act, 2003 and provisions of the TSERC Open Access Regulations and its amendments.

Provided that, the single point supply consumer shall be responsible to pay the charges specified under the Open Access Regulations and the Tariff Orders and all other Orders of the Commission.

- ii. The individual consumer, who is not availing supply from single point supply consumer and wishing to avail open access within the area of single point supply, shall have to comply with the rules and regulations issued by the competent authorities.

12. Right to Refuse

- i. The distribution licensee can refuse to provide single point supply connection to the Applicant, who intends to supply power to several users within its building/premise, provided the detailed reasons both technical and commercial are communicated to the Applicant.
- ii. Further, such refusal shall be within the framework of the Act, 2003, rules and regulations.
- iii. An applicant, whose application for single point supply has been refused by the distribution licensee shall be at liberty to approach the CGRF established by the distribution licensee or such other forum at his choice for contesting such refusal.

13. Right to Disconnect

The distribution licensee has the right to disconnect the power supply after issuing a notice of fifteen (15) days' time for violations, if any, in exercise of powers conferred under the Act, 2003, rules, regulations, general terms and conditions of supply and the tariff order issued by the Commission from time to time including but not limited to the provisions contained in this regulation.

14. Applicability of Other Provisions

The single point supply consumer shall be bound by Act, 2003, rules, regulations, general terms and conditions of supply and the tariff order issued by the Commission from time to time including but not limited to the provisions contained in this regulation.

15. General Conditions

- i. The single point supply consumer has to give an undertaking to supply the power drawn by it from the distribution licensee at the input point only to the individual users located in the building/premises of such single point supply.
- ii. There shall not be any kind of arrears or pending outstanding dues payable to the distribution licensee in respect of any of the consumer/person in the building/premises, who is likely to be or is a part of a prospective single point power supply applicant.

- iii. The single point supply consumer shall also submit necessary proofs of individual users drawing supply from the single point alongwith their respective proposed tariff categories with the application and as and when modification takes place in respect of such users to the distribution licensee.
- iv. Distribution Licensee while approving the single point supply to such consumer, shall also confirm the tariff categories of individual users proposed by single point supply consumer or redefine if required.
- v. In case of single point supply, the applicant is a lease holder, general power of attorney to maintain the area of single point supply, such applicant shall have to file a copy of the relevant agreement with the distribution licensee as well as consent letter from each owner of the building/premises where the single point supply is sought for.
- vi. The single point supply consumer shall provide information to the distribution licensee, details of the users availing power supply in respective tariff categories and copies of log book to record each individual user's power consumption on an annual basis and that as and when requested by distribution licensee. Single point supply consumer shall provide all such information to distribution licensee which shall be required for preparation of Aggregate Revenue Requirement of distribution licensee.

(BY ORDER OF THE COMMISSION)


Umakanta Panda
Commission Secretary (A/C)
Telangana State Electricity
Regulatory Commission

Hyderabad,

Dated: 25.04.2018.