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BIHAR ELECTRICITY REGULATORY COMMISSION STANDARDS OF PERFORMANCE OF DISTRIBUTION LICENSEE

NOTIFICATION NO. 1/2007

Dated the 18th January, 2007

No. BERC/Regl-9/2006 –In exercise of powers conferred under section 181 (1) and 181 (2) (za) read with sections 57,58 and 59 of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, the Bihar Electricity Regulatory Commission hereby makes the following Regulations:-

Chapter 1

Preliminary and General Matters

1. Short Title, Extent, Applicability, and Commencement

- (1) These Regulations shall be called the “**Bihar Electricity Regulatory Commission (Standards of Performance of Distribution Licensee) Regulations, 2006**”.
- (2) These Regulations extend to the whole state of Bihar.
- (3) These Regulations shall be applicable to all distribution licensees in their respective licensed areas in the State of Bihar.

(4) These Regulations shall come into force after three months from the date of their publication in the official gazette.

2. Definitions

- (1) In these Regulations, unless the context otherwise requires:-
 - a) **“Act”** means the Electricity Act, 2003 (36 of 2003).
 - b) **“Area of Supply”** means the area within which a licensee is authorised by his licence to distribute and supply electricity.
 - c) **“Commission”** means the Bihar Electricity Regulatory Commission.
 - d) **“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 the 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.
 - e) **“Danger”** means danger to the health or life or any part of the body from shock, burn or other injury to person or to property originating from the electricity distribution or utilization system and includes danger from electricity originated from fire or explosion in distribution and utilization systems.
 - f) **“Emergency Periods”** means the periods declared such by the Government due to war, mutiny, strikes, natural calamities, severe drought, heavy floods and similar abnormal periods.
 - g) **“Extra High Tension / Extra High Voltage”** means the voltage exceeding 33000 volts under normal conditions.
 - h) **“High Tension or High Voltage”** means the voltage exceeding 440 volts but not exceeding 33000 volts under normal conditions.
 - i) **“Licensee”** means the Distribution Licensee who has been granted licence by the Commission under section 14 of the Act including a deemed Licensee.
 - j) **“Low Tension or Low Voltage”** means the voltage that does not exceed 230/440 volts (phase to neutral and phase to phase respectively) under normal conditions.
 - k) **“Period of Load Shedding”** means a period during which the power has to be switched off to certain feeders to match the demand and supply as per the instructions of the respective load despatch centres.
 - l) **“Period of Scheduled Outage”** means a period wherein certain equipment and lines are under pre-arranged shut-down for

maintenance during which it may or may not be possible to make alternative arrangements for maintaining supply to consumers.

- m) **“Period of Forced Outage”** means a period wherein certain equipment or a line breaks down during which alternative arrangements by using standby equipment for maintaining supply to consumers may or may not be possible.
- n) **“Rural Areas”** means areas covered by Gram Panchayats.
- o) **“Urban Areas”** means cities, towns, cantonments, industrial estates, and areas covered by municipalities, municipal corporations, urban development authorities, and cantonment authorities.

(2) Words and expressions used but not defined herein but defined in the Act shall have the meaning assigned to them in the Act. The terms defined neither here nor in the Act shall have the meaning as used in electricity industry and electrical engineering practice.

3. Interpretation

In the interpretation of these Regulations, unless the context otherwise requires.

- i) words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular terms.
- ii) references herein to these Regulations shall be construed as references to these Regulations as amended or modified by the Commission from time to time in accordance with the applicable Act and rules made thereunder.
- iii) the headings inserted in these Regulations are for convenience only.
- iv) references to the statutes, Regulations or guidelines shall be construed as including all provisions consolidated, amended or replaced by such other statutes, Regulations or guidelines as the case may be from time to time.

4. Other Statutes

These Regulations shall be read with, relevant provisions of the Act and also the Electricity Supply Code notified by the Commission, as may be amended from time to time.

5. Legal Provision

- i) The Commission in pursuance to provisions of section 57 read with section 86 (1) (i) of the Act is specifying these standards for Distribution Licensees in the State of Bihar. The standards of performance specified herein are intended to serve as guidelines for

Distribution Licensees to operate their distribution and supply business for providing quality, continuity and reliability of service.

- ii) The sub-section (1) of section 57 of the Act stipulates that the Commission after consultation with Licensees and persons likely to be affected shall specify standards of performance of a Licensee or a class of Licensees.
- iii) The sub-section (2) of section 57 of the Act provides that if a Licensee fails to meet the standards specified under sub-section (1), without prejudice to any penalty, which may be imposed, or prosecution be initiated, he shall be liable to pay such compensation to a person affected as may be determined by the Appropriate Commission; Provided that before determination of compensation, the concerned Licensee shall be given reasonable opportunity of being heard.
- iv) Under the provisions of section 86 (1) (i) of the Act, the Commission is required to specify and enforce standards with respect to quality, continuity and reliability of service by the Licensees.
- v) In terms of stipulations made in Section 59 of the Act, provision has been made in Regulation 30 (1) for furnishing information with respect to level of performance and quarterly report on performance standards and publication of Annual Report.
- vi) The penal provision for imposition of penalty on the licensee for any shortfall or deviation from overall standards prescribed under Chapter 7 & 8 of the Regulation and non payment of compensation to aggrieved consumer has been made in terms of provisions of Section 142 of the Act.

6. Information to the consumers

The licensee shall always keep in his office adequate number of printed copies of Standards of Performance and shall on demand, sell such copies to any applicant at a price fixed on cost basis. The salient features of Standards of Performance shall also be displayed on notice board in offices of Licensee which are frequently visited by the consumers.

7. Cooperation from Consumers

The licensee shall inform the consumers through media like television and radio about action to be taken by them during abnormal circumstances to prevent total collapse of the system or those deviations there being if standards of supply are minimal (Eg:- reduction of load when generating units trip).

8. Maintenance of Records

- (1) The licensee shall maintain consumer-wise record regarding Guaranteed Standards of Performance in order to give a fair treatment to all consumers and avoid any dispute regarding violation of standard.
- (2) The system of maintaining records, correspondence with consumers and applicants for new service connection, monitoring and recording system conditions especially at inter-connection points, recording weather conditions and recording law and order situations shall be maintained by the licensee to provide accurate data without delay.
- (3) Beside other registers/records as required, the licensee shall also maintain the following registers/records, at the local offices.
 - (a) Separate register of application for new service connection, enhancement of load, temporary supply, reduction of load, change of name, etc.
 - (b) Service connection register
 - (c) Security Deposit register
 - (d) Connection charges collection register
 - (e) Fuse call register
 - (f) Interruption in power supply register
 - (g) Disconnection and Reconnection of service connection register
 - (h) Meter replacement register
 - (i) Distribution transformer register with load details
 - (j) Estimates register
 - (k) Work order register
- (4) Whenever delay occurs in respect of any action to be taken by the licensee the reason for delay must be recorded clearly on the relevant papers and registers. The employees of the licensee must be trained and instructed to fulfil this obligation.
- (5) The parameters at the interface points between the distribution system and the transmission system and between the distribution system and small generating station shall be noted down and recorded continuously. These data shall be preserved for reasonable periods.

9. Stand Alone Systems, Non-conventional Energy Systems and Local Distribution Systems in Rural Areas

- (1) Since persons/ organizations owning such Distribution system such as Stand Alone System and Non-conventional Energy System are governed by section 4 of the Act, these Regulations shall not be applicable to

them. However system owner shall formulate his own standards and obtain approval of the Commission.

- (2) (a) These Regulations do not apply immediately also to local distribution systems in rural areas managed by Panchayat Institutions, user's associations, cooperative societies, non-governmental organisations on establishment.
- (b) The organization owning or managing such rural distribution systems shall prepare their own standards and obtain approval of the Commission.
- (c) Such organizations shall gradually improve their operating standards and move towards the standards of performance prescribed in these Regulations. After a period of five years from the date of coming into being, these standards shall also be applicable to such rural distribution systems.

Chapter 2

Safety

10.(1) Safety Standards to be complied with by the Licensee.

- i) The licensee shall carry out construction, operation and maintenance of the distribution lines strictly in accordance with the Indian Electricity Rules 1956 (IER 1956) except those parts of IER 1956 which have been superseded by the safety Regulations notified by the Central Electricity Authority (CEA) under Section 53 of the Act. On subjects and areas (segments of power system) on which CEA's Regulations do not exist, the licensees shall follow IER 1956. In respect of matters not covered by IER 1956 or CEA's Regulations, the licensee shall develop his own written rules and procedures and communicate them to his officers and staff after getting approved by the Commission. No relaxation or exemption shall be allowed by the licensee to his officers / employees in complying with the safety rules in force. When CEA's Regulations or Rules on safety of any part of power system are notified, the procedures of the licensee to the extent of those notified will stand superseded.
- ii) The grounding provided for the equipment and lines and earthing grid for sub-stations shall be in accordance with latest version of IS:3043- Code of Practice for Earthing.

- iii) The Licensee shall erect and maintain earthing systems by following best standards and connect all those points of the system which are required to be connected to earth.
- iv) The earthing connections shall be maintained in a sound and healthy state at all times. The licensee shall take all necessary steps for testing the same and maintain the record of each test in accordance with the provisions under relevant rules of IER 1956.
- v) The Licensee shall follow provisions of IER 1956 and would ensure that no live parts of any overhead line or distribution transformer are so exposed as to cause danger. The Licensee shall also adhere with the provisions under relevant rules of IER 1956 regarding clearances in the construction of overhead lines, erection of transformers, sub-stations and other equipment and guarding must be provided for the lines where necessary.
- vi) The licensee shall adopt prescribed mechanical factor for safety of components of overhead lines and must provide guys and stays where necessary. The structures and overhead lines must be capable to withstand the storms, wind and rain that occur every year in his area.
- vii) At places of high density population and wherever heavy traffic exists the licensee shall maintain higher degree of safety by insulating live parts and by providing adequate guarding although the clearances may be adequate.
- viii) Leakage current means the difference between phase current and return path. The Licensee shall take necessary steps to measure leakage current at various points in the system.
- ix) The earth wires and earth electrodes provided in the Distribution System shall be maintained in good condition to ensure instantaneous operation of the protective equipment, either a fuse or a circuit breaker as the case may be, in case of accidental snapping of a conductor. In case of failure in the operation of the protective system during any accidental snapping of conductors, the circuit shall be de-energised manually, immediately after it comes to the notice of the concerned employee of the Distribution Licensee. A detailed investigation shall be done to determine cause for non-operation of the protective system and remedial measures should be taken promptly by the Licensee.
- x) The Licensee must instal lightning arresters at appropriate points of the system to protect the system from lightning.

- xi) The Licensee shall fix danger warning boards and display voltage level at appropriate points of the system.
- xii) The safety precautions to be followed in respect of the licensee's installations in the consumer's premises at the point of supply and for the system part downstream and adjacent to the point of supply i.e. in the consumer's system shall be conveyed by the Licensee to the consumer both in writing and verbally at the time of release of supply to a new service connection.
- xiii) The Licensee shall take all necessary action to spread awareness among the consumers for safe usage of the electricity.
- xiv) The licensee shall educate the public through press notifications regarding precautions to be taken and methods to protect themselves when an overhead line conductor snaps or when a pole falls or when a structure collapses and other similar events occur.
- xv) The Licensee may disconnect supply to such consumer, in the event of consumer's non compliance even after due notice, of any specific condition or direction if such non compliance can reasonably be expected to affect system operations and safety. In cases of emergency, disconnection may be effected immediately in the interest of system operation and safety. The connection should be immediately restored as soon as the cause(s) leading to the disconnection are removed or rectified.

(2) Electrocution Accidents

- i) Departmental / Non-Departmental fatal electrocution accidents to human or animal life shall be reported by the Area Distribution Engineer to Chief Electrical Inspector (CEI) and to all concerned officials of the State Government / Licensee within 24 hours and confirmed by a post copy within 48 hours.
- ii) The records of all the fatal electrocution accidents shall be maintained along with the investigation report of the CEI. A copy of the action taken on report of CEI alongwith safety measures taken for avoiding recurrence of such accidents shall be submitted to the Commission every six months i.e. by 31st October and 30th April of each financial year.

Chapter 3

Handling of Complaints

11. Handling of Consumer's Complaints

- (1) The Licensee shall register every complaint made by a consumer, either verbally or in writing, regarding failure/interruption of power supply, quality of power supply, meters/meter boxes/metering system's service line, payment of bills and other services relating to power supply, in a register in a format appended at Appendix A to these Regulations to be maintained for this purpose. A unique number shall be allotted to each complaint. This complaint number shall be conveyed to the consumer except in the case of postal complaints received. However the consumer may, subsequent to the delivery of postal complaint, inquire regarding the complaint number / status telephonically or in person. The number shall be communicated by the Licensee to the complainant in such a case. In case of major failure of supply due to tripping of EHV or failure of upstream power systems, the reason needs to be communicated to the consumer in addition to the likely restoration time. In such case, such complaints shall be recorded separately under single complaint number. The licensee shall ensure redressal of all complaints promptly.
- (2) Complaints in respect of supply of electricity covering metering, billing and payment, shall be made at specified offices of the Licensee. The Licensee shall convey information of the name of office(s), address(s) with the electricity bills and also display it at the sub-division offices or equivalent distribution unit designated by whatever name. If the phone services for recording complaints, if outsourced by the licensee, the phone numbers of such call center shall be displayed in electricity bills and sub-divisional offices. The licensee shall also endeavour to publicise these contact details through local newspapers/TV/Radio.
- (3) The office, where a complaint is registered, shall dispose it of, and if any instruction / sanction is to be obtained from a higher authority, it shall be obtained by the complaint registering office. The complainant is not required to approach such higher authority. Similarly, in case an outsourced phone service is engaged, such center itself shall forward the complaints to the concerned officer. The licensee shall ensure proper compliance by the outsourced service by arranging visits of its officers to such centers to streamline responses.

- (4) Grievances regarding non-registration of complaints and failure to perform within the time limits and / or meet the performance targets, as specified in these Regulations, shall be made to the concerned officer in-charge of the division or to equivalent distribution unit designated by any other name. In case of unsatisfactory disposal of grievance, complaint should be made to the officer in-charge of the circle or equivalent similar functionary by whatever name designated.
- (5) The Licensee shall also compile the complaints classification-wise in a separate register(s) in a format appended at Appendix B to these Regulations.

Chapter 4

Quality of Power and System Reliability

12. Power Quality Standards

(a) Voltage Variation:

The licensee shall maintain voltages at the point of commencement of supply to consumer within the limits stipulated hereunder with reference to declared voltage.

- (i) Low tension / Low Voltage + 6% and - 6%
- (ii) High tension / High Voltage + 6% and - 9%, and
- (iii) Extra High Tension/Extra High Voltage + 10% and - 12.5%

The above voltage standards are applicable subject to voltage availability at transmission-distribution interfaces within specified limit.

Whenever an EHT consumer complain that abnormal voltage prevails in his premises, the distribution licensee shall convey the complaint to the SLDC and the transmission licensee concerned and request them to restore the voltage to normal range.

(b) Frequency variation:

The frequency variation shall be governed by the Indian Electricity Grid Code (IEGC) / State Grid Code. IEGC stipulates operating frequency range between 49.0 Hz and 50.5 Hz. The transmission utility, transmission licensee and the state load despatch centre shall jointly maintain the operating frequency between 49.0 and 50.5 Hz. The distribution licensee shall cooperate with the State load despatch centre and the transmission utility/ transmission licensee by reducing load whenever requisitioned.

(c) Harmonics:

- (1) Harmonics generated by one consumer may affect the normal operation of another consumer. Therefore on receipt of a complaint from a consumer who cannot carry out normal operations due to large harmonics, the licensee shall investigate the cause and eliminate or reduce the harmonics even before the Commission stipulates limits. This may involve identification of harmonic generating consumers and serving notices on them to instal filters. Harmonics may cause temporary over voltages and ferro-resonance. These harmonics may cause large neutral current.
- (2) The Licensee shall monitor the voltage harmonics and submit the field data to the Commission. The Licensee shall measure the current harmonics drawn by various consumers having the following loads and its records maintained:-
 - (a) Salient Pole synchronous generators
 - (b) Power Transformers of more than 15 years old
 - (c) Rolling Mills
 - (d) Induction Furnaces
 - (e) Welding Equipment
 - (f) Static Power Loads
 - (g) Inverters / power rectifiers
 - (h) Railway Traction Load

13. System Reliability

- (1) It shall be the endeavour of the licensee to maintain uninterrupted supply to consumers and minimize breakdowns and interruptions.
- (2) The consumers shall be given advance intimation regarding interruptions in supply due to pre-arranged shut downs through media. The maximum duration of interruption per day shall not exceed ten hours and supply shall be restored invariably before 6.00 p.m.
- (3) Adequate data shall be recorded to calculate the following reliability indices. The licensee shall calculate the values of these indices as per the formula and methodology specified below :

a) System Average Interruption Frequency Index (SAIFI)

$$\text{SAIFI} = \frac{\sum_{i=1}^n (A_i * N_i)}{N_t}$$

Where

A_i = total number of sustained interruptions (each longer than 5 minutes) on i^{th} feeder for the month

N_i = connected load of i^{th} feeder in kW affected due to each interruption

N_t = total connected load at 11 kV in kW in the distribution licensee's supply areas.

n = number of 11 kV feeders in the licensed area of supply (excluding those serving predominantly agricultural loads)

b) System Average Interruption Duration Index (SAIDI)

$$\text{SAIDI} = \frac{\sum_{i=1}^n (B_i * N_i)}{N_t}$$

Where

B_i = total duration of all sustained interruptions on i^{th} feeder for the month

N_i = connected load of i^{th} feeder in kW affected due to each interruption

N_t = total connected load at 11 kV in kW in the distribution licensee's supply areas.

n = number of 11 kV feeders in the licensed area of supply (excluding those serving predominantly agricultural loads)

c) Momentary Average Interruption Frequency Index (MAIFI)

$$\text{MAIFI} = \frac{\sum_{i=1}^n (C_i * N_i)}{N_t}$$

Where

C_i = total number of momentary interruptions, each less than or equal to 5 minutes on i^{th} feeder for the month.

N_i = connected load of i^{th} feeder in kW affected due to each interruption

N_t = total connected load at 11 kV in kW in the distribution licensee's supply areas.

n = number of 11 kV feeders in the licensed area of supply (excluding those serving predominantly agricultural loads)

(4) The indices shall be calculated by the licensee separately for Urban and Rural feeders and submitted to the Commission every quarter. After three years (from the date these Regulations come into force) the Commission will fix the target levels of the reliability indices annually based on the information provided by the licensees.

14. Interruptions and Restoration of Supply to Essential Services

- (1) The licensee shall endeavour to maintain uninterrupted supply for railway traction, water supply and hospitals. Whenever there is an interruption, supply shall be restored on top priority and the rectification work carried out on round the clock basis. During periods of generation shortage, traction loads may be exempted from load relief and power cut.
- (2) The licensee shall maintain uninterrupted power supply to process industries. When interruptions occur to process industries, restoration shall be done on top priority and rectification work shall be carried out on round the clock basis. However at the time of release of supply such consumers shall be advised to avail alternate supply from an independent source and also to install captive generators as a standby.

Chapter 5

New Service Connection / Additional Load and Other Service Connection Related Matters

15. New Service Connection

- (1) It shall be the duty of the licensee to extend the supply of electricity to any applicant in the area of Licence.
- (2) For release of supply to new service connection the relevant provisions of the Electricity Supply Code shall apply.
- (3) Where distribution mains have been laid down, the licensee, shall, on an application by the owner or occupier of any premises, located in the area of supply, give supply of electricity to such premises, within one month after receipt of completed application and requisite charges.
- (4) Where extension works are to be carried out by the licensee, the time frame for different tasks is given below.

(A) L.T. Connection:

- (a) Intimation regarding acceptance of - 5 days application from the date of receipt of application

- (b) Intimation of estimated charges and amount of security deposite from date of acceptance of application involving extension of dist. network and addition / enhancement of distribution transformers - 20 days
- (c) For providing service connection after payment of charges involving extension of dist. network and addition / enhancement of distribution transformers - 30 days

(B) H.T. Connection:

- (a) Issue of feasibility certificate from the date of receipt of application - 10 days
- (b) Intimation of estimated charges and amount of security deposite payable by the applicant for providing new connection
 - Involving erection of new 33 KV sub station (S/S), lines etc. up to Contract Demand of 7500 KVA - 45 days
 - Involving erection of EHT S/S, lines etc. for Contract Demand above 7500 KVA - 60 days
- (c) Completion of works from payment of Service Line / Development Charges, security deposit and execution of agreement
 - Involving erection of new 11 kV line - 45 days
 - Involving erection of new 33 KV line - 75 days
 - Involving erection of new EHT line - 150 days
 - Involving augmentation or addition of transformers (33/11 or 132/33 KV) - 30 days additional
- (d) Release of supply from the date of furnishing of Chief Electrical Inspector's approval
 - 11 KV & 33 KV loads - 15 days
 - 132 KV loads - 30 days
- (e) The Licensee may approach Commission for extension of time specified above in cases where the magnitude of work requires

more time with furnishing details and justification in support of such request for extension. Such request shall be made within 5 days from the preparation of the estimate.

- (f) The Licensee shall however, not be held responsible for delay in providing connection, if the same is on account of special circumstance such as right of way, acquisition of land, delay in permission for road cutting, over which Licensee has no reasonable control provided that the reason for expected delay are communicated to the applicant within the period specified for. Additional period required on account of special circumstances mentioned above, shall be added to the normal period as specified under Regulation 15(4) i.e. the period within which the licensee has to release new service connection.
- (g) The time limit shall be extended by the period which the consumer delays in fulfilling the following tasks beyond the due date intimated by the licensee:-
 - (i) Payment of service connection charges and security deposit
 - (ii) Certificate that the internal wiring/consumer's electrical system including machinery, equipment and appliances are in good condition, comply with the standards including safety standards and the insulation resistance of the system.
 - (iii) Signing of Agreement between the licensee and the consumer.
 - (iv) Filing ownership certificate of the premises.
 - (v) Settlement of dues if the applicant had availed supply of electricity earlier.
 - (vi) Providing of space for installation of transformer or metering equipment, if required.

16. Temporary Supply / Connection

- (a) Consumers shall requisition for temporary supply for construction and other purposes in the prescribed application form.
- (b) The licensee shall collect the cost for effecting temporary service connection and the cost towards expected energy consumption as per tariff order in force.

- (c) The licensee shall release supply on the date required by the consumer in case where distribution lines are laid down.
- (d) Where extension of distribution main is required, the time schedule as mentioned in Regulation 15(4) shall apply.
- (e) The licensee shall refund the balance deposit, if any within one month from the date of dismantling the temporary service connection, after adjustment of the dues payable by the consumer

17. Enhancement of Load of Existing Consumer

- (a) On receipt of an application in the prescribed form for enhancement of the contract demand, the licensee's engineer shall inspect the premises within seven (7) days of receipt of application and shall allow the enhancement of load within twenty (20) days if no extension and alteration of distribution network is required.
- (b) If extension and alteration of distribution network is required, the time schedule under Regulation 15(4) shall apply for allowing load enhancement.

Other Service Connection Related Matters

18. Shifting of Service Wire, Line and Equipment

- (1) On receipt of an application for shifting a service wire, line, pole, underground cable (U.G.) or transformer, the licensee shall ensure that the desired new position does not violate any statute and does not encroach on the land of a third party.
- (2) The time period for preparation of estimate and intimation of charges to be paid by the consumer after receipt of application in each case is specified below :

(i)	Shifting of Meter or service line	7 days
(ii)	Shifting of LT line	15 days
(iii)	Shifting of 11 kV line	30 days
(iv)	Shifting of 33 kV line	45 days
(v)	Shifting of U.G. cable	45 days
(vi)	Shifting of Distribution Transformer	30 days

- (3) On receipt of payment from the consumer the licensee shall complete the work within the following time periods: -

(a)	Shifting of meter/service wire	15 days
(b)	Shifting of pole, LT or HT Line	60 days

(c)	Shifting of underground Cable	45 days
(d)	Shifting of Distribution Transformer alongwith the structure	90 days

(4) The additional expenditure shall be recovered from the consumer or the balance deposit shall be refunded as the case may be, within three (3) months from the time of completion of the work.

19. Reduction of Load of Existing Consumer

On receipt of application in prescribed form for reduction of load by a consumer, the licensee shall inspect the premises within the notice period as specified in the Electricity Supply Code and if the load is actually reduced by the consumer, the licensee shall effect the reduction of load from next calendar month of the notice period.

Provided the consumer has completed the period of compulsory availing of supply as specified in the Electricity Supply Code (ESC) and has executed fresh agreement on reduced load.

20. Change of Tariff

- (1) If the consumer wishes to use electricity for a different purpose which falls in a different category and therefore different tariff, the consumer shall apply for the same in the prescribed form.
- (2) The licensee shall inspect and prepare a revised test report.
- (3) The licensee shall effect the change of tariff within seven (7) days from the date of application, if the change is from lower tariff to higher tariff.
- (4) Tariff change from higher rate to lower rate shall be done only after completion of compulsory period of availing of supply.
- (5) Tariff change from any LT category to Agricultural category shall not be permissible.

21. Change of name of Service Connection

On receipt of application in the prescribed form along with the requisite fee for change of service connection from one person to another person, the licensee shall intimate within seven (7) days from the date of receipt of application, to deposit the security money against the new name and execute the agreement.

Within seven (7) days from the date of deposit of security amount and execution of agreement the name shall be changed in the record of the licensee.

22. Defective Meters

- (1) On intimation by the consumer or meter reader, any staff/officer or the licensee that a meter is defective, the licensee shall arrange for inspection

and site testing for its accuracy within seven (7) days in urban areas and within fifteen (15) days in rural areas.

- (2) If the meter has failed due to causes attributable to the distribution system like high voltage, loose contacts and ageing, the meter shall be replaced by the licensee at his cost within seven (7) days.
- (3) If the meter has failed due to lapse on part of the consumer like over loading, exposure to water or tampering, the licensee shall serve a notice to deposit the cost for new meter or to deposit a meter of appropriate capacity alongwith testing fees within seven (7) days. The Licensee shall replace the meter within fourteen (14) days of receiving payment /meter as the case may be from the consumer.
- (4) If the Meter's seals have been tampered, the licensee shall investigate and take necessary action under sections 126, 135 and 138 of the Act.
- (5) Energy bills shall not be raised on erroneous reading of the meter. The bills in such case may be raised on the basis of the energy consumption for the last six (6) months or if provided otherwise, in the Tariff Order in force, the later shall prevail.

23. Erroneous Bills

- (1) If an error in the bill is brought to the notice of the licensee by the consumer and no additional information is required for revision, the revised bill shall be issued within twenty four (24) working hours of receipt of complaint.
- (2) If additional information or inspection of meter, load etc. is required, the revised bill shall be issued within seven (7) working days of receipt of complain in case of LT consumer and within fifteen (15) days of receipt of complain in case of HT consumers.
- (3) If the original bill is correct the fact shall be explained to the consumer.

24.(a) Reconnection of Service

- (1) Where a service connection has been disconnected for non payment of bills and the consumer pays all dues including reconnection charges, the licensee shall arrange reconnection same day and for unavoidable reasons, the next day. The consumer may also produce proof of payment to the local area Engineer of the licensee for speedy reconnection of electric line.
- (2) If service connection is disconnected for malpractice like pilferage, the service connection shall be restored after the case is settled and consumer

pays the entire assessment amount. In such cases the licensee shall not pay any compensation for delay in reconnection.

(b) Permanent disconnection on request of consumer

If a consumer desires to get his service connection disconnected permanently, he shall give prior notice as specified in the Electricity Supply Code (ESC) or as otherwise provided in the Tariff Order which is in force. The Licensee shall serve final bill along with disconnection charges and after payment of the final bill the service connection shall be disconnected and the agreement shall be terminated.

Chapter 6

Overall Standard of Performance and Level of Performance

25.(1) The overall standard of performance to be achieved by the Distribution Licensee shall be as specified below:

a) Normal Fuse off Calls:

The licensee shall ensure rectification of fuse-off calls within the time limits as specified in schedule in Chapter 7. The licensee shall achieve this standard of performance in atleast 95% of the cases.

b) Line Breakdowns:

In case of line breakdowns, the licensee shall ensure restoration of power supply within the time period as specified in schedule in Chapter 7. The licensee shall achieve such standard of performance in atleast 95% of the cases

c) Distribution Transformer Failure:

The licensee shall maintain the percentage of distribution transformers replacement within the time period as specified in schedule in Chapter 7 in atleast 95% of the cases.

d) Period of Scheduled Outages:

Interruptions in power supply due to scheduled outages have to be notified in advance and shall not exceed such number of hours in a day as specified in schedule in Chapter 7 and the licensee shall ensure that the supply is restored by such time as specified in the schedule. The licensee shall achieve both of these standards of performance in atleast 95% of the cases.

e) Street Lights:

The licensee shall as soon as possible, attend to complaints relating to non working of street lights or not operating properly, to the extent the

matter lies within the purview of the licensee. Atleast 90% of the cases shall be attended and resolved within the time limit as specified in schedule in chapter 7.

f) Billing Mistakes:

Billing mistakes shall not exceed 1% of the total bills prepared. 99% of the cases related to billing mistakes should be resolved within the time period as specified in schedule in Chapter 7.

g) Faulty Meters:

The licensee shall maintain the percentage of faulty Meters not greater than 3% of the total number of meters in service. 99% of the cases in urban areas and 98% of the cases in rural areas shall be resolved within the time period as specified in schedule in Chapter 7.

h) Voltage Unbalance:

The licensee shall ensure that the voltage unbalance does not exceed 3% at the point of commencement of supply.

Atleast 98% of the cases related to voltage unbalance shall be resolved within the time period as specified in schedule in Chapter 7.

j) Release of new connections/Additional Load / Temporary Connection :

All cases (100%) of release of new connection, additional load and temporary connection on application by the applicant / consumer should be resolved within specified time limits.

k) Transfer of Ownership and Conversion of Service :

At least 98% of the cases related to transfer of ownership and conversion of service should be resolved within specified time limits.

(2) The summary of overall performance standards is as follows:

	Service area	Overall standard of performance
a	Normal fuse – off calls	At least 95% calls received should be rectified within prescribed time limits.
b	Line Breakdowns	At least 95% of cases should be resolved within prescribed time limits.
c	Distribution Transformer (DTR) failure	At least 95% of DTRs to be replaced within prescribed time limits.
d	Period of scheduled outage	
	Maximum duration in a single stretch	At least 95% of cases resolved within time limit
	Restoration of supply by 6:00 PM	

	Service Area	Overall Standard of performance
e	Street Light Faults	
	Rectification of line faults	
	Replacement of fused / defective unit	At least 90% of cases resolved within time limits
f	Billing mistakes	Not exceeding 1%
g	Faulty meters	Not exceeding 3%
h	Voltage unbalance	Maximum of 3% at the point of commencement of supply
i	Release of new connection / additional load/Temporary connection	100% cases within specified time limits.
k	Transfer of Ownership and Conversion of Service	At least 98% of cases within specified time limits.

Chapter 7

Guaranteed Standards of Performance and Compensation for under performance

26. Guaranteed Standards of Performance

The standards of performance specified in the Schedule mentioned hereinafter, shall be the Guaranteed Standards of Performance being the minimum standards of service that a Distribution Licensee shall achieve in discharge of his obligations as a Distribution Licensee.

27. Compensation for Under Performance

(1) In cases of failure of the licensee to meet standards of performance specified in these regulations, without prejudice to any penalty, which may be imposed, the licensee shall be liable to pay such compensation to the affected consumer(s) as stipulated in the Schedule for Guaranteed Standards of Performance, pertaining to a particular standard of performance unless exempted in accordance with Regulation (28) mentioned hereinafter.

However, if a consumer defaults in making payment of three consecutive energy bills, he shall not be eligible for payment of compensation, notwithstanding the fact that he shall not lose his right in getting the proper service from the licensee guaranteed under the Standard of Performance Regulations.

¹[2) Wherever there is a deviation from the standard of performance by the Licensee for which compensation is provided in these Regulations, the affected consumer may claim compensation by sending a written claim petition along with all details by Registered Post or hand delivery under

1. Substituted by the BERC (Standards of Performance of Distribution Licensee) [1st Amendment] Regulations, 2012 vide Bihar Gazette No. 666 dated 12th December, 2012 (w.e.f. 12.12.2012)

proper receipt to the Divisional Engineer/Electrical Executive Engineer of the area of supply of the distribution licensee who will decide the amount of compensation within thirty days of receipt of the claim petition.

The licensee may fix the responsibility on their staff/officers for default in the service and may realise the amount of compensation from concerned individual's salary.

The distribution licensee shall issue a format for filing claim for compensation and shall be available free of cost at each of the billing office of the licensee.

The manner of payment of compensation shall be guided by Regulation 29 of the SoP Regulation.]

- (3) Failure of the Licensee to pay compensation in accordance with Regulation 27 (1) above shall constitute a grievance which shall be dealt with in accordance with the procedure set out in the Consumer Grievance Redressal Forum and Electricity Ombudsman Regulation notified by the Commission.
- (4) The amount of penalty and compensation paid by the licensee shall not be passed through in the annual revenue requirement of the licensee while determining the tariff.

28. Exemption

- (1) The standards of performance specified in these Regulations shall remain suspended during Force Majeure conditions such as war, mutiny, civil commotion, riot, flood, cyclone, lightning, earthquake, lockout, fire affecting the Licensee's installations.
- (2) Non-compliance of standard of performance contained in these Regulations shall not be treated as violation, and the Distribution Licensee shall not be required to pay any compensation to affected consumer(s), if such violation is caused due to grid failure, a fault on the Transmission Licensee's network or on account of instructions given by SLDC, over which the Distribution Licensee has no reasonable control.
- (3) The Commission may, by a general or special order after hearing the Licensee and affected consumer(s) / consumer groups, exempt the Licensee from liability to compensate the consumers for any default in the performance of any standard, if the Commission is satisfied that such default is for reasons other than those attributable to the Licensee and further that the Licensee has otherwise made efforts to fulfill his obligation.

29. Manner of Payment of Compensation

- (1) All payments of compensation shall be made by the Licensee to the affected consumer by way of adjustment against his current and / or future bills for supply of electricity, within 90 (ninety) days.
- (2) Where it is not possible to pay compensation to the affected consumer by adjusting electricity bills within 90 (ninety) days considering the likely amount of the bill or where the person to be compensated is not a consumer or ceases to be a consumer, the compensation shall be paid by the licensee to the affected consumer by cash / cheque / demand draft.

[2] SCHEDULE**(1/3)****GUARANTEED STANDARDS OF PERFORMANCE AND COMPENSATION TO AFFECTED CONSUMERS IN CASE OF DEFAULT**

Sl No	Service Area	Time Schedule to complete the work as specified in Regulation	Compensation payable to the consumer in case of violation of Standard	
			Compensation payable to individual Consumer if the event affects a single Consumer	Compensation payable to individual Consumer if the event affects more than one Consumer
1.	Normal Fuse-off			
	Cities and Towns	Within 4 hours	Rs. 50 for each day of default	Rs. 50 to each Consumer affected for each day of default
2.	Overhead Line / Cable breakdowns			
	Cities and Towns	Within 6 Hours	Rs. 50 for each day of default	Rs. 50 to each Consumer affected for each day of default
3.	Underground Cable breakdowns			
	Cities and Towns	Within 24 Hours	Rs. 50 for each day of default	Rs. 50 to each Consumer affected for each day of default
4.	Distribution Transformer failure			
	Cities and Towns	Within 24 Hours	Rs. 100 for each day of default	Rs. 50 to each Consumer affected for each day of default
5.	Period of Scheduled outage			
	maximum duration in a single stretch	Not to exceed 12 hours	Rs. 100 for each day of default	Rs. 50 to each Consumer affected for each day of default
6.	Restoration of Supply	By not later than 6.00 PM		
	Voltage Fluctuations			
7.	No expansion / enhancement of network involved	Within 10 days	Rs. 100 for each day of default	Rs. 50 to each Consumer affected for each day of default
	Up-gradation of distribution system required	Within 120 days	Rs. 100 for each day of default	Rs. 50 to each Consumer affected for each day of default
	Erection of Substation	Within the time period as approved by the Commission	Rs. 500 for each day of default	Rs. 250 to each Consumer affected for each day of default
Meter Complaints				
	Inspection of defective meter such as slow, fast / creeping, stuck-up and burnt Meters	Inspection within 7 days in urban and towns and within 15 days in rural areas	Rs. 100 for each day of default	Not Applicable
	Replacement of defective meters if cause attributable to Licensee	Within 7 days	Rs. 100 for each day of default	Not Applicable
	Replacement of defective meter if cause attributable to Consumer	i) demand notice to deposit the cost for new meter or to deposit a meter along with testing fee – Within 7 days ii) Replacement within 14 days or receiving payment / meter as the case may be from the consumer		Not Applicable

Sl No	Service Area	Time Schedule to complete the work as specified in Regulation	Compensation payable to the consumer in case of violation of Standard	
			Compensation payable to individual Consumer if the event affects a single Consumer	Compensation payable to individual Consumer if the event affects more than one Consumer
8.	Reconnection of supply following disconnection if due to non-payment of bills/Occupation of a government accommodation by a new occupant		Rs. 50 for each day of default	Not Applicable
	Cities and Towns	Same day on which payment was accepted		
9.	New Service connection / enhancement of load / Temporary Connection where the release of supply is feasible from existing network		Rs. 100 for each day of default	Not Applicable
	Release of Supply -	Within 30 days of receipt of application (along with prescribed charges) and for temporary connection as per Regulation 16(c)		
10.	New Service connection / enhancement of load / Temporary Connection where the release of supply requires network expansion and enhancement of capacity of line and transformers		Rs. 100 for each day of default	Not Applicable
	Release of supply where extension of distribution network and addition/enhancement of distribution transformer is required	Within 30 days of receipt of prescribed charges		
	Release of supply where extension of 11 KV line is required	Within 60 days of receipt of prescribed charges		
	Release of supply where extension of 33 KV line is required	Within 90 days of receipt of prescribed charges		
	Release of supply where extension of Extra High Tension line is required	Within 180 days of receipt of prescribed charges		
11.	Release of supply where erection of power Sub-Station is required	Within the time period approved by the Commission for installation of specific power sub-station	Rs. 1000 for each day of default	Not Applicable
	Transfer of ownership / Change of category of service / Reduction of load			
	Title transfer of ownership	Within 7 days along with necessary documents and prescribed fee, if any	Rs. 100 for each day of default	Not Applicable
	Change of Category	Within 7 days along with necessary documents and prescribed fee, if any		
12.	Reduction of load	Within the notice period after availing compulsory period of supply.	Rs. 50 for each day of default	Not Applicable
	Shifting of meter, lines and transformer		Rs. 100 for each day of default	Not Applicable
	a) Meter / service wire	Within 15 days of payment of charges		
	b) Pole, line	Within 60 days of payment of charges		

Sl No	Service Area	Time Schedule to complete the work as specified in Regulation	Compensation payable to the consumer in case of violation of Standard	
			Compensation payable to individual Consumer if the event affects a single Consumer	Compensation payable to individual Consumer if the event affects more than one Consumer
c) UG cable	Within 45 days of payment of charges			
d) Transformer	Within 90 days of payment of charges			
13. Resolution of Complaints on Consumer's bill			Rs. 50 for each day of default	Not Applicable
If no additional information is required	Within 24 working hours of receipt of complaint			
If additional information is required	Within 7 working days of receipt of complaint			

Chapter 8

Miscellaneous

30. Reporting to the Commission

- (1) The Licensee shall furnish to the Commission, a quarterly report, and a consolidated annual report containing following information:
 - (a) The levels of overall performance standards achieved by the Licensee with reference to the standards specified in Regulation (25) of these Regulations in the format given at Appendix C to these Regulations.
 - (b) The number of consumer complaints, redressed and cases in which compensation was paid and the aggregate amount of the compensation payable and amount paid by the Licensee in the format given at Appendix D to these Regulations.
 - (c) The number of claims made by the consumers against the Licensee for failure to meet the guaranteed standards of performance and the action taken by the Licensee including the reasons for delay in payment, and non-payment of compensation for such claims, and
 - (d) The measures taken by the Licensee to improve performance in the areas covered by guaranteed standards and Licensee's assessment of the targets to be fixed for the ensuing year.
- (2) The quarterly report under Regulation 30 (1) shall be furnished by the licensee to the Commission within fifteen days at the end of every quarter and the annual report within thirty days of the close of the financial year.
- (3) The Commission shall at such intervals as it may deem fit, and not inconsistent with the provisions of the Act, arrange for the publication of the information furnished by the Licensee under these Regulations.

31. Repeal

- i) All orders and directions pertaining to the standards of performance of distribution licensee issued so far by the Licensee shall stand repealed from the date of publication of these Regulations.
- ii) Notwithstanding such repeal, the action taken under the earlier Regulations, orders and directions shall remain valid.

32. Savings

Nothing contained in these Regulations shall affect the rights and privileges of the consumers under or any other law including the Consumer Protection Act, 1986.

33. Power to Remove Difficulties

If any difficulty arises in giving effect to any of the provisions of these Regulations, the Commission may, by general or special order do or undertake or direct the Licensee to do things not inconsistent with the provisions of the Act as may appear to be necessary or expedient for the purpose of removing the difficulties.

34. Power to Amend.

The Commission may at any time add, vary, alter, modify or amend any provisions of these Regulations, as it may deem fit.

By Order of the Bihar Electricity Regulatory Commission

Secretary

Appendix – A

**REGISTER OF COMPLAINTS AT COMPLAINT CENTRES AND OFFICES OF
JUNIOR ENGINEER/ ASSISTANT ENGINEER**
[See Regulation 11(1)]

Name of Office _____

Sl No.	Time & Date	Name, Address, & consumer No. of the complainant	Unique no. of complaint	Complaints classification		Time & Date of redressal of grievance	Total time taken (in Hrs/mts)	No. of consumers affected	Total duration of interruption (8x9)=10 (in hrs./mts)	Whether redressed within stipulated time as per standards of performance (Yes/No.)
				nature of complaint	complaint classification & its no.					
1	2	3	4	5	6	7	8	9	10	11

INSTRUCTIONS :

- (i) Separate register shall be maintained for complaints of Type – A & other than Type - A
- (ii) Compilation will be made every month. Unattended complaints may be brought forward after each interval, so that a true picture of the pendency is reflected.

CLASSIFICATION OF COMPLAINTS :

(A) Interruption in power supply

- (i) Loose connections from pole
- (ii) Interruption due to line breakdown
- (iii) Interruption due to failure of transformer

(B) Quality of power supply

- (i) Ordinary case, which requires no augmentation.
- (ii) Where augmentation is required

(C) Meters

- (i) Stopped / Defective Meters
- (ii) Billing on average basis for more than two bills

(D) Overhead lines

- (i) Loose Wires
- (ii) Inadequate ground clearance

(E) Bills

- (i) For current bills where no additional information is required
- (ii) Where additional information is relating to correctness of reading etc. is required

(F) Service connections (Domestic & Non Domestic)

- (i) Where extension of mains is not required
- (ii) Where extension of mains is required
- (iii) Modification in connected load
- (iv) Name of change / reconnection

(G) Refund of amount due in regard to temporary connection

(H) Others

REGISTER FOR COMPILING THE COMPLAINTS CLASSIFICATION-WISE
[See Regulation 11(5)]

MONTH:

NAME OF OFFICE:

Report on Overall Level of Performance Standards
[See Regulation 30(1)(a)]

Name of the Licensee:

Full office address (HQ) of the Licensee

Report for the (1) **quarter ending** for financial year.....
(2) Financial Year

Sl No.	Service area	No. of complaints received	No. of complaints attended in scheduled time	Overall standard of performance		Variance (%)
				Achievement (%)	Target as per Regulation 25 (%)	
1	Normal Fuse-off calls					
2	Line Breakdowns					
3	Distribution Transformer Failure					
4	Period of scheduled outage					
	Maximum duration in a single stretch					
	Restoration of supply by 6.00 P.M.					
5	Street Light Faults					
	Rectification of line faults					
	Replacement of fused / defective unit					
6	Voltage unbalance					
7	Faulty Meters					
8	New connection/additional load/temporary connection					
9	Transfer of ownership and conversion of service					
10	Billing Mistakes					
11	Others* (i) (ii) (iii)					

*** Specify the services**

**Signature of authorized person
With Seal**

Report on Consumer Complaints / Compensation
[See Regulation 30(1) (b)]

Name of the Licensee:

Full office address (HQ) of the Licensee

Report for the (1) **quarter ending** for financial year.....
(2) Financial Year

1. Number and type of the consumer complaints received, redressed and balance to be attended:

S. N.	Type of complaints	Pending complaints of previous quarter	Complaints received during the current quarter	Total complaints cumulative	No. of complaints redressed during the quarter		Balance complaints to be redressed
					Within stipulated time	Beyond stipulated time	
1	Normal Fuse-off calls						
2	Overhead Line/Cable breakdowns						
3	Underground Cable breakdowns						
4	Distribution Transformer failure						
5	Period of scheduled outage						
6	Voltage fluctuations						
7	Meter complaints						
8	Reconnection of supply						
9	Release of new service connection / enhancement of load / temporary connection where distribution mains already exist						
10	Release of new service connection / enhancement of load / temporary connection where network expansion require where : (a) distribution line and distribution transformers is required (b) extension of 11KV line is required (c) extension 33KV line is required (d) extra high tension is required (e) erection of power sub station is required						
11	Transfer of ownership/change of category of service / reduction of load						
12	Shifting of meter, lines and transformers						
13	Resolution of complaints on consumer's bill						
14	Unplanned interruptions						
15	Other (i) (ii) (iii)						

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 –

^[4] **Appendix – D (2/2)****2. Number and type of the consumer complaints received, redressed and compensation claimed and paid:**

S. N.	Type of complaints	Pending No. of complaints of previous quarter	No. of Complaints received during the current	No. of Complaints redressed during the current	No. of cases where compensation payable	No. of cases where compensation claimed	No. of cases where compensation paid during the quarter	Total amount (in Rs.) of compensation paid
1	2	3	4	5	6	7	8	9
1	Normal Fuse-off calls							
2	Overhead Line/Cable breakdowns							
3	Underground Cable breakdowns							
4	Distribution Transformer failure							
5	Period of scheduled outage							
6	Voltage fluctuations							
7	Meter complaints							
8	Reconnection of supply							
9	Release of new service connection / enhancement of load / temporary connection where distribution mains already exist							
10	Release of new service connection / enhancement of load / temporary connection where network expansion require where : (f) distribution line and distribution transformers is required (g) extension of 11KV line is required (h) extension 33KV line is required (i) extra high tension is required (j) erection of power sub station is required							
11	Transfer of ownership/change of category of service / reduction of load							
12	Shifting of meter, lines and transformers							
13	Resolution of complaints on consumer's bill							
14	Unplanned interruptions							
15	Other (i) (ii) (iii)							

**Signature of authorized person
With Seal**