

**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
MUMBAI**

**Maharashtra Electricity Regulatory Commission (Standards of Performance of
Distribution Licensees, Period for Giving Supply and Determination of
Compensation) (Amendment) Regulations, 2008**

ELECTRICITY ACT, 2003

No. MERC/Legal/129/2008/____ - In exercise of powers conferred by the provisos to sub-section (1) of section 43 read with clause (t) of sub-section (2) of section 181 and sub-section (1) and sub-section (2) of section 57 read with clause (za) of sub-section (2) of section 181, section 59, and clause (zp) of sub-section (2) of section 181 of the Electricity Act, 2003 (36 of 2003), the Maharashtra Electricity Regulatory Commission (MERC) hereby makes the following amendments to MERC (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005:-

1. Short Title and Commencement

- (1) These Regulations may be called the “Maharashtra Electricity Regulatory Commission
Commission
 - (2) (Standards of Performance of Distribution Licensees, Period for Giving Supply and
Determination of Compensation) (Amendment) Regulations, 2008”.
- (2) These Regulations shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Regulation 2 – “Definitions”. - In regulation 2.1 of the Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005 (hereinafter referred to as the “Standard of Performance”),-

- (i) in clause (e) that is definition of “Contract Demand”, for the words “kilowatt (kW) / kilovolt ampere (kVA)”, the words “kilowatt (kW) / kilovolt ampere (kVA) / Horsepower (HP)”, shall be substituted.
- (ii) In clause (h) that is definition of “Forum”, for the words “the regulations specified there under”, the words “the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 and any amendment thereto (as in force from time to time)” shall be substituted.
- (iii) in clause (j) that is definition of “Grievance”, for the words “the Consumer Grievance Redressal Forum and Ombudsman Regulations and/or other specified by the Commission under the provisions of clauses (r) and (s) of sub-section (2) of Section 181 of the Act;” the words “the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 and any amendment thereto (as in force from time to time)” shall be substituted.

- (iv) in clause (k) that is definition of “Grievance Redressal Regulations”, for the words “the Consumer Grievance Redressal Forum and Ombudsman Regulations and / or other, as may be specified by the Commission, under clauses (r) and (s) of sub-section (2) of Section 181 of the Act;” the words “the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 and any amendment thereto (as in force from time to time)” shall be substituted.

3. Amendment of Regulation 4 – “Period for Giving Supply”. -

- (i) In regulation 4.4 of the Standards of Performance, for the words “fifteen days” and “twenty days” the words “ten days” and “fifteen days” shall be substituted respectively.
- (ii) For regulation 4.7 of the Standards of Performance, the following regulation shall be substituted, namely:-

“4.7 Where an applicant seeks dedicated distribution facilities to his premises, the Distribution Licensee shall complete the inspection of premises within seven days and intimate the charges to be borne by such applicant within thirty days from the date of submission of such application regardless of the stipulation under regulation 4.2.”.

4. Amendment of Regulation 5 – “Quality of Supply and System of Supply”. - In regulation 5.3 of the Standards of Performance,-

- (i) In clause (i) (b), following proviso shall be inserted, namely:-

“Provided that in case of multiple consumers with contract demand more than 150 kW /187 kVA (201 HP), in the same building / premises in the municipal corporation area such limit would be 480 kW/ 600 kVA (643 HP).”

- (ii) for clause (i) (c), the following clause shall be substituted, namely:-

“(c) Three phase, 50 cycles, 11 kV/ 22 kV – all installations with contract demand above the limits specified in the clause (b) and up to 3000 kVA.”

- (iii) In clause (i) (d), for the words “1,500 kVA and up to 3,000 kVA” the words “3,000 kVA and up to 10,000 kVA”, shall be substituted.

- (iv) In clause (i) (e), for the words “1,500 kVA and up to 5,000 kVA” the words “10,000 kVA and up to 20,000 kVA”, shall be substituted.

- (v) In clause (i) (f), for the word “5,000 kVA” the word “20,000 kVA”, shall be substituted.

5. Amendment of Regulation 6 –

“Restoration of Power Supply”. - In regulation 6.2 of the Standards of Performance, for the words “22kV/ 11kV/ 415v”, the words “33kV/ 22kV/ 11kV/ 415V”, shall be substituted.

6. Amendment of Regulation 7 – “Metering, Reconnections”. – In regulation 7.2 of the Standards of Performance, in clause (ii), for the words “two days”, the words “forty eight hours”, shall be substituted.

7. Amendment of Regulation 8 – “Consumer Charter /Service”. -

- (i) in regulation 8.3 of the Standards of Performance, for the words “Distribution Licence Conditions Regulations specified by the Commission under the provisions of clause (d) of subsection (2) of Section 181 of the Act”, the words “the Maharashtra Electricity Regulatory Commission (General Conditions of Distribution Licence) Regulations, 2006 and any amendment thereto (as in force from time to time)” shall be substituted.
- (ii) in regulation 8.4 of the Standards of Performance, for the words “service center / division office / circle office / section office / ward office”, the words “service center / Sub-division office / division office / circle office / section office / ward office”, shall be substituted.

8. Amendment of Regulation 10 – “Reliability Indices”. –

- (i) in regulation 10.2 of the Standards of Performance, for the words “circle/ area of supply”, the words “zone/circle/division/sub-division/ward”, shall be substituted.
- (ii) For regulation 10.4 of the Standards of Performance, the following regulation shall be substituted, namely:-

“The Distribution Licensee shall make concerted efforts to achieve the standards of reliability fixed by the Commission from time to time, based on the data collected from the distribution licensees.”.

9. Amendment of Regulation 12 – “Determination of Compensation”. -

- (A) in the proviso to regulation 12.1 of the Standards of Performance, for the words “two billing cycles”, the words “ninety days” shall be substituted.
- (B) in regulation 12.2 of the Standards of Performance,-
 - (i) for the words “the Grievance Redressal Regulations:”, the words “the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 and any amendment thereto (as in force from time to time).”, shall be substituted.
 - (ii) the fourth proviso shall be omitted.

10. Amendment of Regulation 13 – “Information regarding Level of Performance”.

- In regulation 13.1 of the Standards of Performance, in the fifth proviso, for the words “without dispute”, the words “based on its own knowledge or upon written claim filed by the person affected” shall be substituted.

11. Amendment to Appendix A - “Level of compensation payable to consumer for Failure to meet standards of performance” - In Appendix A of the standards of performance,-

- (A) under the head ‘Provision of supply’,-

(i) for the clause (i), following shall be substituted.

(ii)

(i)	Time period for completion of inspection of applicant's premise from date of submission of application	Seven (7) days (town & cities)	Rs. 100 per week or part thereof of delay
		Ten (10) days (rural areas)	
(i)A	In case applicant seeks dedicated distribution facility, time period for completion of inspection of applicant's premise from date of submission of application	Seven (7) days	Rs. 100 per week or part thereof of delay

(iii) for the clause (ii), following shall be substituted.

(ii)	Time period for intimation of charges to be borne by applicant from date of submission of application	Ten (10) days (town & cities)	Rs. 100 per week or part thereof of delay
		Fifteen (15) days (rural areas)	
(ii)A	In case applicant seeks dedicated distribution facility, time period for intimation of charges to be borne by applicant from date of submission of application	Thirty (30) days	Rs. 100 per week or part thereof of delay

(B) under the head 'Restoration of supply',-

(i) for the clause (ii), following shall be substituted.

(ii)	33 kV/ 22 kV / 11 kV / 415 V overhead line breakdown	Six (6) hours (town & cities)	Rs. 50 per hour or part thereof of delay
		Twenty-four (24) hours (rural areas)	

(C) under the head 'Quality of supply',-

(i) for the clause (i), following shall be substituted.

(i)	Maintenance of voltage within the specified range of the declared voltage	In case of low or medium voltage, within 6 per cent of the declared voltage	In Mumbai city and Suburbs, Mumbai Metropolitan Region and Pune Metropolitan Region: Rs 100 per week or part thereof for which voltage varies
		In case of high voltage, within 6 per cent on the higher side and within 9 per cent on the lower side of the declared voltage	

		<p>In case of extra high voltage, within 10 per cent on the higher side and within 12.5 per cent on the lower side of the declared voltage</p>	<p>beyond the specified range:</p> <p>Provided that the compensation specified above shall be payable in all other Municipal Corporation areas at the end of six months from the notification of these amended regulations.</p> <p>Provided further that in all other areas not covered above, the compensation specified above shall be payable at the end of one year from the date of notification these amended regulations.</p>
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By the order of the Commission

(Prafulla S. Varhade)

Secretary
Maharashtra Electricity Regulatory Commission
Mumbai,

November 14, 2008,