

ASSAM ELECTRICITY REGULATORY COMMISSION

Dated-09th October, 2018.

First Amendment

No.AERC.280/2017/. —In exercise of powers conferred by Section 181(2) (x) read with Section 50 of the Electricity Act, 2003 and all other powers enabling in this behalf and after previous publication, the Assam Electricity Regulatory Commission, hereby makes the following regulations, to amend the AERC (Electricity Supply Code) Regulations, 2018 (hereinafter referred to as the “Principal Regulations”) namely:-

1. Short Title and Comments

- 1.1 These regulations shall be called “The Assam Electricity Regulatory Commission (Electricity Supply Code) (First Amendment), Regulations, 2018.
- 1.2 These regulations shall come into force on the date of their publication in the Assam Gazette.

2. Amendment to Regulation 5.9 of the Principal Regulations (Annual review of Contract Demand)

2.1. The clause (a) of Regulation 5.9 of Principal Regulations shall be substituted as under

- (a) The Distribution Licensee shall issue a 30 days notice to the consumer for submitting an application for the enhancement of Contract demand /connected load, if it is detected that,
 - (i) In case of HT and EHT connections, if the maximum demand is recorded to be in excess of Contract Demand in a month
 - (ii) In case of LT connections equipped with an MDI meter, if the maximum demand is recorded to be in excess of Connected Load in a month
 - (iii) In case of LT connection without MDI meter, if the connected load is found to be in excess of authorized connected load on physical inspection of the premises.

2. 2 Following sub-clause shall be added after sub-clause (b) of Regulation 5.9 of the Principal Regulation :

- (c) If there is no response from the consumer by the end of the notice period , the Contract demand/ Connected load of the Consumer, as the case may be shall be considered as enhanced from the successive billing cycle and the Distribution Licensee shall start billing accordingly.
- (d) Assessment on account of unauthorized extension of load in addition to action under sub-clause (a) ,(b) & (c) above of Regulation 5.9 will be governed by Regulation 7.4.2 of this Regulations.

3. Amendment to Regulation 7.4.2 of the Principal Regulations (Provisional Assessment).

3.1 The sub-clause (1) & (3) of clause (iii) of Regulation 7.4.2 of Principal Regulations shall be substituted as under

(iii) **Methodology for assessment of demand charge and energy charge:**

Assessment of demand charge and energy charge for unauthorized use of electricity shall be as below –

1) Demand charge in case of excess/unauthorized load

(a) In case of connections without MDI meter

$$\text{Assessed Demand charge} = 2 [(C \times B \times N) - D]$$

Where,

'B'- denotes the total connected load detected at the time of inspection.

'C' – denotes demand charge applicable on the detected load as per tariff in force.

'N' - Number of months, duly taking account of fraction of a month.

D' - Demand charge claimed for the disputed period.

(b) In case of connections with MDI meter

In case of connections equipped with MDI meter, no assessment shall be made for having connected load in excess of sanctioned load. Penalty for drawal in excess of contract demand shall be levied at three times the normal tariff for the portion of demand exceeding the contracted demand.

(c) Action to be taken against unauthorized extension of load:-

(i) The connected load in excess of sanctioned load will be removed from supplier's mains, if the consumer does not apply for the regularization of the Load within 30 days from date of inspection.

(ii) In case any damage of transformer or any other appliances of the licensee due to this unauthorized extension of load, the cost will be realized from the consumer.

3. Theft of Electricity (Hooking, Tempering of meter, Meter bypass, unauthorized use of electricity in disconnected premises)

The assessment shall be made as follows:-

$$\text{Assessed Energy charge} = 2 (C \times e \times N)$$

Where,

$$C = B - A$$

'B'- Assessed consumption per month using the table at **Appendix I**

'A'- Average monthly energy bill during the disputed period

'e'- Tariff rate applicable

'N'– Number of months, duly taking account of fraction of a month.

Note : In case it is found that the assessed consumption per month (using the Table at **Appendix I**) is less than the monthly average consumption of the disputed period, the assessing officer may consider average of highest three months consumption in the previous year when the meter was in order.

4. Amendments to Regulation 7.5.2 (g) : The following sentence shall be added to the existing provision :-

“A Copy of the inspection report prepared by the authorized officer shall be served to the assessing officer”

5. Regulation 7.5.4 (a) shall be substituted as under:-

“The assessing officer shall assess the amount payable by the person on the basis of the inspection report and a bill shall be raised immediately. The method of assessment of the electricity charges payable in case of theft of electricity pending adjudication by the appropriate court shall be same as in the case of assessment for unauthorized use of energy specified under 7.4.2.”

Secretary

Guwahati

Date : 09/10/2018

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