

KARNATAKA ELECTRICITY REGULATORY COMMISSION BANGALORE

**Notification No KERC/ Regulations/ F / D/07/4 dated 28.9.2004
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K.E.R.C. (Duty of the Licensee to supply Electricity on request) Regulations, 2004

Preamble:

In exercise of the powers conferred by clause (t) of sub-section (2) of section 181 read with sub-section (1) of section 43 of the Electricity Act 2003 (Central Act 36 of 2003) and all powers enabling it in that behalf, the Karnataka Electricity Regulatory Commission hereby makes the following Regulations, namely:

1. Short title, commencement and interpretation

- a) These Regulations shall be termed as K.E.R.C. (Duty of the Licensee to supply Electricity on request) Regulations, 2004.
- b) They shall come into force with effect from the date as may be notified by the Commission in the official gazette of the State of Karnataka.
- c) They shall extend to the whole State of Karnataka.

2 Definitions

In these Regulations, unless the context otherwise requires: -

- (a) "Act" means the Electricity Act, 2003 (36 of 2003);
- (b) "Commission" means the Karnataka Electricity Regulatory Commission;
- (c) "Applicant" means the owner or occupier of any premises who makes an application to the distribution licensee for supply of electricity.
- (d) "Distribution licensee" means a licensee authorized to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;
- (e) "Distributing main" means the portion of any main with which a service line is, or is intended to be, immediately connected;
- (f) "Electric line" means any line/cable which is used for carrying electricity for any purpose and includes-
 1. any support for any such line/cable, that is to say, any structure, tower, pole or other thing in, on, by or from which any such line/cable is, or may be, supported, carried or suspended; and
 2. any apparatus connected to any such line/cable for the purpose of carrying electricity;
- (g) "Electrical plant" means any plant, equipment, apparatus or appliance or any part thereof used for, or connected with, the generation, transmission, distribution or supply of electricity but does not include-
 1. an electric line/cable; or

2. a meter used for ascertaining the quantity of electricity supplied to any premises; or
 3. an electrical equipment, apparatus or appliance under the control of a consumer;
- (h) "High tension (HT) consumer" means a consumer who is supplied electricity at a nominal voltage higher than 415 volts and up to 33,000 Volts.
- (i) "Low tension (LT) consumer" means a consumer who is supplied electricity at 415 V, 3 Phase or 240 V, Single Phase.
- (j) "Extra high tension (EHT) consumer" means a consumer who is supplied electricity at a nominal voltage higher than 33,000 volts.
- (k) "KER Act" means the Karnataka Electricity Reform Act, 1999;
- (l) "Month" means the calendar month. The period of about 30 days between the two consecutive meter readings shall also be regarded as a month for purpose of billing;
- (m) "Premises" includes any land, building or structure;
- (n) "Service line" means any electric supply-line through which electricity is, or is intended to be, supplied –
- (i) to a single consumer either from a distributing main or immediately from the distribution licensee's premises; or
 - (ii) from a distributing main to a group of consumers on the same premises or on contiguous premises supplied from the same point of the distributing main;
- (o) "Transmission Licensee" means a licensee authorised to establish or operate transmission lines;
- (p) "Voltage" means, the difference of Electric potential measured in volts between any two conductors or between any part of either conductor and the earth as measured by a suitable Voltmeter.

The words and expressions used and not defined in these regulations but defined in the Act / KER Act shall have the meanings as assigned to them in the Acts. In case of inconsistency in the words and expressions used between the Act and KER Act, 1999, the provisions in the Act shall always prevail.

3. Duty of licensee to supply on request

Application for supply of electricity shall be filed with the Distribution Licensee by the owner or occupier of the premises. The application shall be filed in duplicate accompanied by the prescribed fee and charges as notified by the Licensee. The Licensee shall return the duplicate copy of the Application duly acknowledged with seal & signature and the Applicant shall be made known the provisions of these Regulations. These provisions shall also be applicable for cases requiring enhancement of existing load & change over of voltage level.

3.1 Where supply of electricity does not require any extension of distribution mains, or commissioning of new substations, every distribution licensee shall,

on receipt of an application give supply of electricity within one month of receipt of the application.

- 3.2 In the cases of applications where such supply requires extension of distribution mains, the distribution licensee shall arrange extension of distribution mains and give supply of electricity to such premises within the time frame specified hereunder:

Type of service connection Requested.	Period within which supply of electricity should be provided from date of receipt of the application.
Low Tension (LT) supply	45 days
11KV supply (HT)	60 days
33KV supply (HT)	90 days
Extra High Tension (EHT) supply	180 days

- 3.3 In the case of application for new connection, where extension of supply requires erection and commissioning of new substation, and where such work is already included in the investment plan approved by the Commission, the licensee shall complete the work and commence power supply to the applicant within the period so approved by the Commission. In case the substation is not included in the investment plan already approved by the Commission, the Distribution Licensee shall within 15 days of receipt of application, submit to the Commission a proposal for erection of substation together with the time required for commissioning of the substation for the approval by the Commission. The licensee shall complete the work and commence power supply to such Applicant within the period approved by the Commission.
- 3.4 Where the extension of distribution main is executed by the applicant on self-execution basis, the Distribution Licensee shall provide supply of electricity within 15 days from date of receipt of the intimation from the consumer regarding his readiness to avail power supply and on production of all statutory approvals.
- 3.5 It shall be the responsibility of the Distribution Licensee to have necessary commercial arrangements with the respective Transmission Licensee(s) to ensure that the required supply at Extra High Tension (EHT), i.e. above 33,000 volts, is made available within the time frame specified under sub-clause 3.2 above.
- 3.6 In cases of Rural Electrification, the Licensee shall follow the National Policy on Rural Electrification envisaged under Section 5 of the Electricity Act, 2003.

4. Consequences of default

- 4.1 The Distribution Licensee who fails to comply with the time frame for supply of electricity stipulated in clause 3 above shall be liable to pay to the Applicant the amount specified in KERC (Licensee's Standards of Performance) Regulations, 2004. Where power sanction letter is issued by the Distribution Licensee on receipt of Applicant for supply of electricity, and the Applicant

fails to avail power supply within the time specified under clause 3 above, the responsibility of the Licensee to pay the amount ceases and the application will be treated as cancelled.

- 4.2 Where power sanction letter is issued by the Distribution Licensee on receipt of Application for supply of electricity and after execution of the required agreement by the Applicant, if the Applicant fails to avail power supply within the time specified under clause 3 above, the installation shall be deemed to have been serviced on the date of completion of the period specified in clause 3 and the consumer shall be liable to pay Demand charges/ Fixed charges as per the Electric power Tariff in force during the initial agreement period.
- 5. Force Majeure:** The time frame specified in clause 3 above shall not be operative where the Distribution Licensee is prevented from giving supply during Force-Majeure conditions such as war, mutiny, Civil commotion, riot, flood, cyclone, lightning, earth quake or other force or cause beyond the control of the Licensee and strike, lock-out, fire affecting the Licensee's installations and activities.
- 6. Savings:** Nothing contained in these regulations shall affect the rights and privileges of the consumer under any other law for the time being in force, including the Consumer Protection Act, 1986 (68 of 1986).
- 7. Power to amend:** The Commission may, at any time add, vary, alter, modify or amend any provisions of these regulations.

By order of the Commission

**Secretary
Karnataka Electricity Regulatory Commission**

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