

**BEFORE THE KERALA STATE ELECTRICITY
REGULATORY COMMISSION**

Petition No.

**In the Matter of: Petition in respect of Amendment of various Regulations with respect
to The Electricity (Right of Consumers) Rules, 2020 and The
Electricity (Rights of Consumers) Amendment Rules, 2021**

Petitioner: Kerala State Electricity Board Ltd.

Respondent:

VERIFICATION

I, Sunny John the above named deponent, solemnly affirm at Thiruvananthapuram on this the 7th October 2021 that the contents of the affidavit are true to my best knowledge and belief, that no part of it is false and that no material has been concealed therefrom.

Solemnly affirmed and signed by me as

[Handwritten Signature]
Advocate and Solicitor



Chief Engineer (Commercial & Tariff)
Kerala State Electricity Board Limited,
Vedayathi, Thiruvananthapuram,
Thiruvananthapuram - 695 002

T. S. MANI
Advocate & Solicitor
Thiruvananthapuram


AFFIDAVIT VERIFYING THE APPLICATION

I, **Sunny John**, son of **EA John (Late)** aged **55** years, residing at **Kuricheth Eramalladil, Near SCS Junction, Thiruvalla – 1** do solemnly affirm and state as follows:

I am the **Chief Engineer (Commercial & Tariff)** of the Kerala State Electricity Board Limited, Vidyuthi Bhavanam, Pattom, Thiruvananthapuram, and the **Petitioner** in the above matter and I am duly authorized by the Board to make this affidavit on its behalf. I solemnly affirm at Thiruvananthapuram on this the 7th October, **2021** that

- (i) Contents of the above petition are true to my information, knowledge and belief. I believe that no part of it is false and no material has been concealed there from.
- (ii) That the statements made in paragraphs of the accompanying application now shown to me are true to my knowledge and are derived from the official records made available to me and are based on information and advice received which I believe to be true and correct.


Deponent


Chief Engineer (Commercial & Tariff)
Kerala State Electricity Board Limited,
Vidyuthi Bhavanam, Pattom
Thiruvananthapuram – 695 004

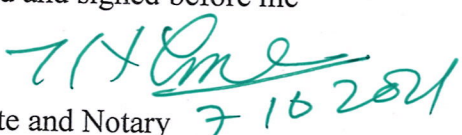
VERIFICATION

I, **Sunny John** the above named deponent, solemnly affirm at Thiruvananthapuram on this the 7th, October **2021** that the contents of the affidavit are true to my information, knowledge and belief, that no part of it is false and that no material has been concealed there from.

Deponent


Chief Engineer (Commercial & Tariff)
Kerala State Electricity Board Limited,
Vidyuthi Bhavanam, Pattom
Thiruvananthapuram – 695 004

Solemnly affirmed and signed before me


Advocate and Notary

T. N. OMANA
Advocate & Notary
Thiruvananthapuram Revenue District
Kerala State South India



BEFORE THE HON'BLE KERALA STATE ELECTRICITY REGULATORY COMMISSION

at its office, KPFC Bhavan, Vellayambalam, Thiruvananthapuram

**In the Matter of: Petition in respect of Amendment of various Regulations with respect to
The Electricity (Right of Consumers) Rules, 2020 and The Electricity
(Rights of Consumers) Amendment Rules, 2021**

**Petitioner: Kerala State Electricity Board Ltd.,
Vydyuthi Bhavanam,
Pattom, Thiruvananthapuram**

Respondent:

The Petitioner may humbly submit as under:

1. Government of India has notified "The Electricity (Rights of Consumers) Rules, 2020" vide Notification dated 31-12-2020 G.S.R.818 (E). These rules came into force on 31-12-2020. The Electricity (Rights of Consumers) Amendment Rules, 2021 was notified by Government of India vide Government of India Notification dated 28-06-2021 G.S.R.448 (E).
2. Hon. KSERC vide order on O.P.No.60/19 of 2020 dated 12.01.2021 had ordered that KSERC will be proposing amendments in KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015, Kerala Electricity Supply Code 2014 and any other Regulations as required, so as to bring these regulations in line with the Rules.
3. While KSERC is proposing the amendments the following facts may also be considered.
4. KSEBL has made a detailed review of "The Electricity (Rights of Consumers) Rules, 2020" and noted the alterations needed in existing regulations. Accordingly, the suggestions of KSEBL are submitted in detail. Amendments proposed in various Regulations are listed below.

A. Kerala Electricity Supply Code 2014

1. The following definitions are introduced / modified.

a) **“Days”**: means clear working days. Rule 2 (1) (g). ***New definition.***

b) **“applicant”** means an owner or occupier of any premises who files an application form with a distribution licensee for supply of electricity, increase or decrease in sanctioned load or contract demand, change in title or mutation of name, change in consumer category, disconnection or restoration of supply, or termination of agreement, shifting of connection or other services as the case may be, in accordance with the provisions of the Act, rules and regulations made there under; Rule 2 (1) (b). ***Shifting of connections to be added.*** Amendment required in Regulation Section 2(6).

c) **“Disconnection”** means the physical separation or remote disconnection of a consumer from the distribution system of the distribution licensee; Remote disconnection introduced. ***Applicable when Smart meter/ pre payment meter introduced.*** Rule 2 (1) (h). Amendment required in Regulation Section 2(33).

d) **“Occupier”** means the owner, tenant or person in occupation of the premises where electricity is used or proposed to be used; ***New term tenant introduced.*** Rule 2 (1) (k). Amendment required in Regulation Section 2(60).

e) **“temporary connection”** means an electricity connection required by a person for meeting his temporary needs such as

(i) for construction of residential, commercial and industrial complexes including pumps for dewatering;

(ii) for illumination during festivals and family functions;

(iii) for threshers or other such machinery excluding agriculture pump sets;

(iv) for touring cinemas, theatres, circuses, fairs, exhibitions, melas or congregations.

Rule 2 (1)(n). Amendment required in Regulation Section 2(74).

2. **Hard copy submission** - The acknowledgment with registration number generation time to be specified by Commission: In case of hard copy submission, the acknowledgment with registration number shall be generated within such period as may be specified by the Commission, not exceeding twenty four hours, of receipt of the application, complete with all the required information. Rule 4 (7). Amendment required in Regulation Section 76(8).
3. **Agreement shall become the part of the application form:** Application form complete in all respects in the appropriate format shall include agreement as part of it as mentioned in Rule 4 (10). ***Revised application form with agreement as part of it will be submitted for amendment of Annexure 4*** Regulation Section 103(1).
4. **Time period for providing new service connection:** The Commission shall specify the maximum time period, post submission of application complete in all respect, not exceeding seven days in metro cities, fifteen days in other municipal areas and thirty days in rural areas. Rule 4 (11). Amendment required in Regulation Section 85 1(b).
5. **Connection charges for new connection:** For electrified areas up to 150 kW or such higher load as the Commission may specify the connection charges for new connection shall be fixed on the basis of the load, category of connection sought and average cost of connection of the distribution licensee so as to avoid site inspection and estimation of demand charges for each and every case individually. The demand charges, in such cases, may be paid at the time of application for new connection. The estimate of Connection charges as per Rule 4 (13) above is under preparation. ***Separate petition will be filed before Commission for approval.*** Rule 4 (13). Amendment required in Regulation Section 32(1).
6. **Metering:** No connection shall be given without a meter and such meter shall be the smart prepayment meter or pre-payment meter. Any exception to the smart meter or prepayment meter shall have to be duly approved by the Commission. The Commission, while doing so, shall record proper justification for allowing the deviation from installation of the smart pre-payment meter or prepayment meter. ***Smart pre-payment meter or prepayment meter implementation.*** Rule 5 (1). Amendment required in Regulation Section 121(1). Honorable Commission may

kindly note that change over of the existing metering system to smart pre- payment or pre payment involves many factors including technical and financial. A proposal on the strategy to be adopted to implement metering as per Rule 5 (1) considering various technical and financial aspects involved is under preparation and will be submitted as additional submission to this petition for consideration of Hon'ble Commission.

7. **Testing of meters** shall be done by the distribution licensee within a period as may be specified by the Commission, not exceeding thirty days, of receipt of the complaint from the consumer about their meter readings not being commensurate with his consumption of electricity, stoppage of meter, damage to the seal, burning or damage of the meter, etc. ***Presently it is fixed as 5 days. It can be up to 30 days as per new Rule.*** Rule 5(7). Amendment required in Regulation Section 116(4, 5).
8. **No test fee shall be charged from the consumer at the time of reporting:** If the meter is found to be defective or burnt due to reasons attributable to the consumer, the consumer shall bear the cost of new meter and test fee shall be charged from the consumer through subsequent bills. Rule 5(8). Amendment required in Regulation Section 115(4).
9. **Third party testing facility:** As per Regulation 115(8) if a consumer disputes the result of testing at the laboratory of the licensee, the meter shall be got tested at a laboratory selected by the consumer from among the laboratories accredited by the National Accreditation Board for Testing and Calibration Laboratories (NABL). Whereas as per Rules 5 (11) if a consumer disputes the results of testing, the meter shall be tested at a third party testing facility selected by the consumer from the list of third party testing agencies approved by the Commission and as per Rule 5 (12) the list of third party agencies approved by the Commission shall be available in their various offices as well as on the website of the distribution licensee. Amendment required in Regulation Section 115(8) incorporating the Rule 5 (11). Honorable Commission may kindly take necessary steps to approve third party testing agencies as per Rule 5(12) and publish the same.

10. **Replacement of defective or burnt or stolen meters** shall be done within a time period, to be specified by the Commission not exceeding twenty-four hours in urban areas and seventy-two hours in rural areas by the distribution licensee. **Timeline modification.** Rule 5(13) ©. Amendment required in Regulation Section 118(4).
11. **Information to consumers regarding changes:** Consumers shall be notified of change in tariff including fuel surcharge and other charges, a full billing cycle ahead of time, through distribution licensee's website. Rule 6(1). Amendment required in Regulation Section 176 (b).
12. **First bill:** In case the consumer does not receive the first bill within such period, he may complain, in writing, to the distribution licensee and the distribution licensee shall issue the bill within a time period, not exceeding seven days. **15 days shortened to 7 days.** Rule 6(8). Amendment required in Regulation Section 122(7).
13. **Rebate in delay in issue of any bill:** If any bill is served with a delay of such period as specified by the Commission, not exceeding sixty days, the consumers shall be given a rebate of two to five percent as specified by the Commission. Rule 6(10). New clause introduced.
14. **Mandatory online payment:** Bill amount of more than one thousand rupees or an amount specified by the Commission shall mandatorily be paid online. Commission shall specify a suitable incentive or rebate for payment through online system. Rule 7(2). New clause introduced
15. **Advance payment of bills:** In case of post payment meters, when a domestic consumer gives prior information in writing about his continued absence from residence, the distribution licensee shall not send any notice or provisional bill to the consumer provided that the consumer pays the fixed charges for such period in advance and his supply line shall not be disconnected. Rule 8(1). Amendment required in Regulation Section 129.
16. **Remaining security deposit shall be refunded** to the consumer within such period as specified by the Commission, not exceeding seven days. Rule 9(1)(b). New clause introduced

17. **Reconnection duration:** Not exceeding six working hours of receipt of past dues and other charges as applicable. Rule 9(3). Amendment required in Regulation Section 147(1).

B. KSERC (Renewable Energy and Net metering Regulations), 2020.

1. **Definitions modified "Prosumers":** means a person who consumes electricity from the grid and can also inject electricity into the grid for distribution licensee, using same point of supply; Rule 2 (1) (m). *Amendment in RE Regulation Section 2(bc) & required.*
2. **New Definitions:** The following definitions as per Amendment Rules, 2(ia) and (ja) are to be inserted.
 - a) **"gross-metering"** means a mechanism whereby the total solar energy generated from Grid Interactive rooftop Solar Photovoltaic system of a Prosumer and the total energy consumed by the Prosumer are accounted separately through appropriate metering arrangements and for the billing purpose, the total energy consumed by the Prosumer is accounted at the applicable retail tariff and total solar power generated is accounted for at feed-in tariff determined by the Commission;
 - b) **"net-billing or net feed-in"** means a single bidirectional energy meter used for net-billing or net feed in at the point of supply wherein the energy imported from the Grid and energy exported from Grid Interactive rooftop Solar photovoltaic system of a Prosumer are valued at two different tariffs, where-
 - (i) the monetary value of the imported energy is based on the applicable retail tariff;
 - (ii) the monetary value of the exported solar energy is based on feed-in tariff determined by the Commission;
 - (iii) the monetary value of the exported energy is deducted from the monetary value of the imported energy to arrive at the net amount to be billed (or credited / carried-over);
3. **The definition for Net metering needs amendment:** "net-metering" means a mechanism whereby solar energy exported to the Grid from Grid Interactive rooftop Solar Photovoltaic system of a Prosumer is deducted from energy imported from the

Grid in units (kWh) to arrive at the net imported or exported energy and the net energy import or export is billed or credited or carried-over by the distribution licensee on the basis of the applicable retail tariff by using a single bidirectional energy meter for net-metering at the point of supply. Amendment Rules, 2(jb)

4. Regulations in connection with net-metering, gross-metering, net billing or net feed-in:

The arrangements for net-metering, gross-metering, net-billing or net feed-in shall be in accordance with the regulations made by the State Commission, from time to time:

Provided that where the regulations does not provide for net-metering, net-billing or net feed-in, the Commission may allow net metering to the Prosumer for loads up to five hundred Kilowatt or upto the sanctioned load, whichever is lower and net-billing or net feed-in for other loads:

Provided further that in the case of Prosumers availing net-billing or net feed-in, the Commissions may introduce time-of-the-day tariffs whereby Prosumers are incentivised to install energy storage for utilization of stored solar energy by them or feeding into the grid during peak hours thus helping the grid by participating in demand response of the Discoms:

Provided also that in case of net-metering or net-billing or net feed-in, the distribution licensee may install a solar energy meter to measure the gross solar energy generated from the Grid Interactive rooftop Solar Photovoltaic system for the purpose of renewable energy purchase obligation credit, if any:

Provided also that the Commission may permit gross-metering for Prosumers who would like to sell all the generated solar energy to the distribution licensee instead of availing the net-metering, net-billing or net feed-in facility and the Commission shall decided for this purpose the generic tariff for gross-metering as per tariff regulations.

Amendment Rule 3 (a).

The Commission may formulate appropriate regulations on arrangements for net-metering, gross metering, net billing or net feed in as per sub rule 4 of rule 11 of the Electricity (Rights of Consumers) Rules, 2020, amendment dated 30.06.2021.

5. Technical feasibility Study in case of Solar: Duration to be specified by Commission. Can be up to 20 days as per Rule 11(7). At present 15 days in RE Regulations.18 (4).

6. **Time line for signing the agreement:** shall not be more than thirty days from the date of submission of the installation certificate. Rule 11(9). *Amendment in RE Regulation Section 19(7,9).*

7. **Solar Commissioning and installation:** - Time period -30 days, Compensation -Not less than Rs. 500/- per day. Rule 11(12). *Amendment in RE Regulation Section 62(1)*

C. KSERC (Standards of Performance of Distribution Licensees Regulations), 2015

Sl. No	Item	As per Existing SOP Regulations, 2015 Schedule -I	As per The Electricity (Rights of Consumers) Rules, 2020	Supply Code 2014
1	Time period for providing new service connection	30 days (SI No.9)	7 days- Metro 15 days – Municipal 30 days – Rural (Rule No.4(11))	Regulation 85
2	Reconnection	Within 24 Hours of remittance of dues (SI No.20)	Within 6 Hours of remittance of dues (Rule No.9(2))	Regulation 147
3	Refund of security deposit	30 days (SI No.21)	7 days (Rule No.9(1)(b))	Regulation 71
4	Meter testing in case of meter faulty – On consumer complaint	5 days (SI No.22)	Not exceeding 30 days (Rule No.5(7))	Regulation 116(5)
5	Faulty meter changing	3 days (LT) 15 days (HT) (SI No.23 & 24)	24 Hours – Urban area 72 Hours- Rural area (Rule No.5(13)©)	Regulation 118

The following items mentioned in Rules are not covered in existing Standards of Performance.

1. Delay in serving First Bill not included in SOP. Rule 6 (7, 8) specifies the time period for serving first bill as not exceeding two billing cycles. This time period may be

included in SOP Regulations. Rule 6 (10) specifies if any bill is served with a delay: Rebate of 2 to 5% to be given to Consumers as specified by Commission.

2. Number of interruptions in supply beyond the limits as specified by the Commission.

Rule 13(4)(ii)

3. Time period within which bills are to be served. Rule 13(4)(vii)

D. KSERC (Consumer Grievance Redressal Forum & Electricity Ombudsman Regulations), 2005

1. **Constituting CGRF from Sub Division Office level:** The distribution licensee shall establish Consumer Grievance Redressal Forum (CGRF) under sub-section (5) of section 42 of the Act at different levels to cater the needs of the sub- division, division, circle, zone, company level. The forum shall be headed by an officer of the licensee of appropriate seniority. The forum shall consist of officers of the licensee and have not more than four members as consumer and prosumer representatives. The Appropriate Commission shall nominate one independent member who is familiar with the consumer affairs. The forum may be assigned different types of grievances depending on the nature of the grievance and the level at which it can be best resolved. Provided that the manner of appointment and the qualification and experience of the persons to be appointed as member of the forum and the procedure of dealing with the grievances of the consumers by the Forum and other similar matters would be as per the guidelines specified by the Commission. Rule 15(1). ***Hon'ble Commission may nominate independent member.***

KSEBL proposes to form a company level Consumer Grievance Redressal Forum (CGRF) as an in-house appellate body for the three prevailing Consumer Grievance Redressal Forums with one Chief Engineer as its head is proposed to be set up. Any consumer who is aggrieved by the order of the zone level CGRF shall approach the company level CGRF before moving to the Ombudsman. Amendment required in CGRF Regulations 3(2) & 3(3).

2. **Time limit for settling the grievance:** The licensee shall specify the time within which various types of grievances by the different levels of the forums are to be resolved. Normally, a grievance shall be decided within a period of thirty days and in any case not exceeding forty five days from the date of receipt of such grievance. The consumer

aggrieved by the decision of sub-divisional or divisional or circle forum will have the option to approach the company level forum before making an appeal to the Ombudsman. Rule 15(2). Appropriate amendment is required in CGRF Regulations 10.(6)

3. **Consumer may approach Ombudsman if he is not satisfied by the decision of Company Level CGRF:** If a consumer's grievance is not redressed by the company level forum within the specified time or the consumer is not satisfied with the disposal of his grievance, he will be free to approach the Ombudsman appointed by the Commission. Rule 15(3). Amendment required in CGRF Regulations 12(3).

PRAYER

It is humbly prayed that the Hon. Commission may kindly do the needful to amend the following Regulations incorporating necessary guidelines in line with "The Electricity (Rights of Consumers) Rules, 2020" and "The Electricity (Rights of Consumers) Rules, 2020, amendment dated 30.06.2021".

1. Kerala Electricity Supply Code 2014
2. KSERC (Standards of Performance of Distribution Licensees Regulations), 2015
3. KSERC (Renewable Energy and Net Metering Regulations), 2020
4. KSERC (Consumer Grievance Redressal Forum & Electricity Ombudsman Regulations), 2005

Chief Engineer. (Commercial & Tariff)

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Re 11/12/21

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