

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

‘Vidyut Niyamak Bhawan’, Near I.S.B.T., P.O.-Majra, Dehradun-248171

Uttarakhand Electricity Regulatory Commission (Standards of Performance) Regulations, 2022

Statement of Objects and Reasons (SOR)

1. UERC (Standards of Performance) Regulations, 2007 was notified on 21.04.2007 in the official gazette and since then a lot of advancements have taken place in the electricity sector in the field of Technology and Regulations. Some of the major Regulations issued post 2007 by Central Electricity Authority (CEA) are namely CEA (Measures relating to Safety and Electric Supply) Regulations, 2010, CEA (Safety requirements for construction, operation and maintenance of electrical plants and electric lines) Regulations 2011, Central Electricity Authority (Grid Standards) Regulations, 2010, etc.
2. Besides aforesaid updates in Central Regulations several important Regulations in the State have also been notified namely UERC (State Grid Code) Regulations, 2016, UERC (Deviation Settlement Mechanism and Related Matters) Regulations, 2017, UERC (Distribution Code) Regulations, 2018 and UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.
3. Considering the several Regulatory changes alongwith various technological changes in the power sector within past 15 years, it has become even more imperative for revising/amending/updating the prevailing UERC (Standards of Performance) Regulations, 2007 so that the same are made conducive for the betterment, growth & empowerment of the electricity consumers of the State.
4. Besides above, on Pan India basis today the focus of the power sector has shifted from the issues of ‘Accessibility’, ‘Availability’ & ‘Affordability’ of Power to ‘Quality and Reliability of Power Supply’. In this context, the Standards of Performance Regulations not only provides the Overall Standards of Performance for the Discom but also the Guaranteed Standards of Performance which ensures that the various services to the consumers including ‘Quality and Reliability of Power Supply’ are as per norms approved by the Commission. Moreover, any default in service covered under Guaranteed Standards of Performance would attract compensation to the affected consumers paid by the distribution licensee.

5. In exercise of powers conferred under Section 181(1) & Section 181(2)(za&zb) read with Section 57, Section 58 , Section 59 & Section 86(1)(i) of The Electricity Act 2003, and all powers enabling it in that behalf, the Commission had issued draft UERC (Standards of Performance) Regulations, 2022 on 08.06.2022 and accordingly had issued a Public Notice dated 10.06.2022 for seeking comments/objections/suggestions on the aforesaid draft Regulations by 11.07.2022. The aforesaid timeline was further extended upto 26.07.2022 on the request of Stakeholders.
6. Thereafter, the Commission held a public hearing on 26.07.2022 in the Commission's office giving an opportunity to the various Stakeholders to facilitate oral submission of the Stakeholders and other interested persons. List of Stakeholders/ Institutions who submitted comments on Draft Regulations is at Annexure-I enclosed. List of Stakeholders/Institutions who participated during the hearing is at Annexure-II enclosed.
7. After detailed analysis of the comments/objections/suggestions received from the Stakeholders/ Institutions on the aforesaid draft Regulations, the Statement of Objects and Reasons (SOR) is being issued with the intent of explaining the rationale which went into finalisation of UERC (Standards of Performance) Regulations, 2022. However, in case of any deviation/discrepancy in the SOR with respect to UERC (Standards of Performance) Regulations, 2022, the provisions of UERC (Standards of Performance) Regulations, 2022 shall be applicable. The relevant comments/suggestions/objections received from the Stakeholders/ Institutions and public and the views of the Commission on the same are discussed in subsequent paragraphs.
8. **Comments/Suggestions/Objections of Stakeholders and the Commission's views thereon:**

8.1. Regulation 1 of the Draft Regulations :-

The draft Regulation states that:-

“

1. Short title, commencement, and interpretation

- (1) *These Regulations may be called Uttarakhand Electricity Regulatory Commission (Standards of Performance) Regulations, 2022.*
- (2) *These Regulations shall be applicable to all the Distribution and Retail Supply Licensee(s) including Deemed Licensee(s) and all its consumers in the State of Uttarakhand.*

- (3) *These Regulations shall come into force on the date of the publication in the official Gazette replacing the existing UERC (Standards of Performance) Regulations, 2007.*
- (4) *These Regulations shall be interpreted and implemented in accordance with, and not at variance from, the provisions of the Electricity Act, 2003 read with the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006, CEA (Measures relating to Safety and Electric Supply) Regulations, 2010, any other relevant CEA Regulations, UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020, and any other relevant UERC Regulations, as amended from time to time in this regard."*

Stakeholders Comments/Suggestions

Uttarakhand Power Corporation Ltd. (UPCL), has submitted that *"It is suggested to rename the regulation as **"Short Title and Commencement"** as "Interpretation" is already defined in separate regulation no. 3."*

Commission's View:-

The provisions of Interpretations are covered in the draft Regulation 1 as well as in draft Regulation 3 of the aforesaid draft Regulations. Therefore, to bring more clarity the Commission has decided to bring the provisions of Interpretations under the individual specific Regulation. Thus, the draft Regulation 3 has been deleted and rearranged at draft Regulation 1. The modified draft Regulation 1 of the aforesaid draft Regulations is mentioned below:-

"

1. Short title, Extent, Commencement and Interpretation

- (1) *These Regulations may be called Uttarakhand Electricity Regulatory Commission (Standards of Performance) Regulations, 2022.*
- (2) *These Regulations shall be applicable to all the Distribution and Retail Supply Licensee(s) including Deemed Licensee(s) and all its consumers in the State of Uttarakhand.*
- (3) *These Regulations shall come into force on the date of the publication in the official Gazette replacing the existing UERC (Standards of Performance) Regulations, 2007.*
- (4) *These Regulations shall be interpreted and implemented in accordance with, and not at variance from, the provisions of the Electricity Act, 2003 read with the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006, CEA (Measures relating to Safety and Electric Supply) Regulations, 2010, any other relevant CEA Regulations, UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020, and any other relevant UERC Regulations, as amended from time to time in this regard.*
- (5) *Interpretation of these Regulations, unless the context otherwise requires, words in the singular or plural term, as the case may be, shall also be deemed to include the plural or the singular terms and the headings inserted in this Regulation is for convenience only."*

Further, the Commission is of the view that the proviso of the draft Regulation 4 'other statues' has already been covered at Sub Regulation 4 of draft Regulation 1. The draft Regulation 4 of aforesaid draft Regulations is given below:-

"4 Other Statues

This Regulation 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."

Therefore, the Commission has decided to delete draft Regulation 4 'Other Statues' from the draft Regulations. Further, due to deletion of the draft Regulation 3 'Interpretation' and draft Regulation 4 'Other Statues' from the aforesaid draft Regulations, the numbering of subsequent Regulations has been changed accordingly i.e. proviso mentioned at draft Regulation 5 'Objective' shall be read as Regulation 3 and other Regulations numberings shall be read accordingly.

8.2. Sub Regulation (1) (j) and (1) (s) of Regulation 2 of the Draft Regulations.

The draft Regulation states that:-

"2. Definitions

(1) *In these Regulations, unless the context otherwise requires:*

(j) *"Licensee" means a person who has been granted a license under Section 14 of the Act to operate and maintain a distribution system for supplying electricity to the consumers in his area of supply;*

...

(s) *"Licensee" means any person licensed under Part IV of the Act;"*

Stakeholders Comments/Suggestions

UPCL, has submitted that *"The definition of Licensee is defined two times i.e. at regulation 2(j) & 2(s). It is requested to retain the definition as per regulation 2(j) of the draft document. It is also suggested to put the definitions in the alphabetical order."*

Commission's View:-

The definition of the licensee is defined two times at Regulations 2 (1) (j) and 2 (1) (s) in the draft Regulations, therefore, the Commission is of the view to retain the definition of the licensee as defined in UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 which is same as defined in 2(1) (s) of the aforesaid draft Regulations. Hence, the definition of licensee as defined at 2(1) (j) is deleted and the definition of licensee in the draft Regulations at Regulation 2 (1) (s) is retained.

Further, due to deletion of the definition of licensee at 2 (1) (j) of the draft Regulations the subsequent clause numbers have been changed accordingly.

8.3. Sub Regulation (1) (m) of Regulation 2 of the Draft Regulations.

The draft Regulation states that:-

"2. Definitions

(1) *In these Regulations, unless the context otherwise requires:*

(m) *"Electrical Inspector" means a person appointed as such by the Appropriate Government under sub-section (1) of Section 157 of the Electricity Act, 2003 and also includes the Chief Electrical Inspector;"*

Stakeholders Comments/Suggestions

UPCL, has submitted that *"Reference of Section of Electricity Act-2003 should be sub-section (1) of Section 162 instead of sub-section (1) of Section 157."*

Commission's View:-

UPCL's comment has been found to be correct and accordingly the definition of Electrical Inspector in the draft Regulation is modified as mentioned below:-

2 (1)(l) *"Electrical Inspector" means a person appointed as such by the Appropriate Government under sub-section (1) of Section 162 of the Electricity Act, 2003 and also includes the Chief Electrical Inspector."*

8.4. Regulation 5 of the Draft Regulations.

The draft Regulation states that:-

"5. Objective

(1) *These Regulations lay down the standards to maintain distribution system parameters within the permissible limits.....*

(2) *The objectives of these Regulations are:*

.....

f) *to develop transparent mechanism for ensuring fair compensation to the consumers in case the Licensee fails to achieve guaranteed benchmark Standard of Performance as described in **Schedule-I** of these Regulations."*

Commission's View:-

On in-house analysis of the aforesaid draft Regulations, the Commission has found that business of Licensee is also to maintain supply parameters alongwith the distribution system. Also for bringing in more clarity in Sub-Regulation (2) of Regulation 5 of aforesaid draft Regulations the words 'grievance redressal' have been incorporated in the

aforesaid draft Regulations. Therefore, the aforesaid draft Regulations has been accordingly modified as mentioned below:

“3. Objective

- (1) *These Regulations lay down the standards to maintain distribution system and supply parameters within the limits permissible in these Regulations.....*
- (2) *The objectives of these Regulations are:*
.....
 - f) *to develop transparent grievance redressal mechanism for ensuring fair compensation to the consumers in case the Licensee fails to achieve guaranteed benchmark Standard of Performance as described in **Schedule-I** of these Regulations.”*

8.5. Sub Regulation (2) of Regulation 6 of the Draft Regulations.

“6. Guaranteed and Overall Standards of Performance

...

- (2) *The Standards specified in the **Schedule-II** shall be the Overall Standards of Performance which the Licensee shall seek to achieve in the discharge of his obligations as a Licensee.”*

Stakeholders Comments/Suggestions

Centre for Energy Regulation & Energy Analytic Lab, Department of Industrial and Management Engineering, Indian Institute of Technology, Kanpur (CER-IITK) has submitted that:-

“Framework for Regulatory Compliance: The words “shall seek to achieve” used in Draft clause no. 6(2) and the words “shall arrange to give due publicity” used in Draft clause no. 8 (2) seem to leave gaps in the framework for regulatory, and need be amendment.”

Commission’s View:-

With regard to the submission of CER-IITK for amendment of words ‘shall seek to achieve’ in aforesaid draft Regulation 6 (2), the Commission find it correct for amending the relevant draft Regulations in order to bring more clarity and with regard to the submission of CER-IITK for amendment of words ‘shall arrange to give due publicity’ in the aforesaid draft Regulation 8 (2), it is to highlight that the same Regulation has been deleted and rearranged at Regulation 8 with a new heading ‘Publicity and Awareness’ of the aforesaid draft Regulations. Accordingly, with regard to comment at draft Regulation 6 (2) the same has been renumbered as discussed above and modified as mentioned below:-

"4. Guaranteed and Overall Standards of Performance

...

- (2) *The Standards specified in the **Schedule-II** shall be the Overall Standards of Performance which the Licensee shall achieve in discharge of his obligations as a Licensee."*

8.6. Sub Regulation (2) of Regulation 7 of the Draft Regulations.

The draft Regulation states that:-

"7. Compensation

- (1) *The Licensee shall be liable to pay to the affected consumers compensation specified in **Schedule-III** for Licensee's failure to meet the Guaranteed Standards of Performance specified in **Schedule-I**. The compensation shall be paid by the Licensee as specified in **Schedule-III***
- (2) *The Licensee shall pay the compensation referred to under sub-regulation (1) above by way of adjustment in the current or future electricity bill(s) as laid out in **Schedule-III**."*

Stakeholders Comments/Suggestions

UPCL, has submitted that *"It is requested that the Compensation to the affected consumer should be made separately in light of various provisions for tax treatment and other compliances and not to be adjusted from the electricity bills as proposed in draft regulations. The same can be paid separately after collecting the details like Bank Account Number, PAN Number, Aadhar Number etc. from the affected Consumer."*

Commission's View:-

The details of the provision of Compensation as mentioned in Regulation 7 is already covered in the Regulation 9 of the draft Regulations, thus Regulation 7 has been deleted to avoid reference of the same provision at two different Regulations.

Therefore, the Commission has deleted Regulation 7 'Compensation' from the draft Regulations. Further, due to deletion of the Regulation 7, the Regulation number of all other subsequent Regulations has been changed accordingly. UPCL's aforesaid submission w.r.t. Regulation 7 (2) of the draft Regulation has been addressed at comments/submissions received for Regulation 9 'Compensation Mechanism' of the draft Regulation discussed at para 8.8 of this SOR.

8.7. Sub Regulation (1) of Regulation 8 of the Draft Regulations.

The draft Regulation states that:-

"8. Complaint Handling Procedures

- (1) *The Licensee within 2 months of notification of these Regulations, shall update the Complaint Handling Procedures and submit the same in English as well as in*

Hindi before the Commission for approval in-line with the conditions mentioned at para 23.4 of Uttarakhand Distribution and Retail Supply Licence (Licence No. 2 of 2003)."

Stakeholders Comments/Suggestions

UPCL, has submitted that *"It is requested to modify the allowed time from 2 months to at least 3 months."*

Commission's View:-

The Commission opines that SoP Regulations can be implemented in true spirit as and when it works in tandem with Complaint Handling Procedures available for the consumers, therefore, the Commission had provided time duration of 02 months to UPCL for updating and submitting the Complaint Handling Procedures before the Commission, which shall be further analysed by the Commission and if required, UPCL would be asked for making necessary modifications. However, UPCL has requested to modify the stipulated time from 02 months to atleast 03 months. The Commission is of the view that many new provisions have been incorporated in the draft Regulations and existing Complaint Handling Procedures have to be modified accordingly, so that all the provisions of the Regulations should be covered and addressed clearly. Therefore, the Commission agrees to provide 01 additional month over and above 02 months from the date of notification of the Regulations within which the licensee shall be required to update the Complaint Handling Procedures and submit the same in English as well as in Hindi before the Commission. The Regulation 8 (1) is accordingly renumbered and modified as mentioned below: -

"5. Complaint Handling Procedures

- (1) *The Licensee within 03 months of notification of these Regulations, shall update the Complaint Handling Procedures and submit the same in English as well as in Hindi before the Commission for approval in-line with the conditions mentioned at para 23.4 of Uttarakhand Distribution and Retail Supply Licence (Licence No. 2 of 2003)."*

8.8. Sub Regulation (1) of Regulation 9 of the Draft Regulations.

The draft Regulation states that:-

"9. Compensation Mechanism

- (1) *If Licensee fails to meet the guaranteed Standards of Performance as specified in **Schedule-I**, Licensee shall pay compensation to the affected person upon lodging of a claim for compensation. The compensation to be paid by the Licensee to the affected person is specified in **Schedule-III** of these Regulations.*

Provided that, if, there is a stay order by any Court, Forum Tribunal, or by Commission, staying the recovery of any dues from consumer and during the operating period of any such order, compensation shall become due but shall be payable to the Consumer only after the final decision of the case in favour of the consumer.

Provided also that no compensation shall be payable if there is any arrear due to be recoverable from the consumer."

Stakeholders Comments/Suggestions

CER-IITK has submitted that:-

"Compensation Mechanism (Clause No. 9):

The mechanism for awarding compensation is clearly in the favour of the licensee as the burden to claim compensation lies with the consumer who is essentially the affected party. To ensure that the licensee has incentive to adhere to the SoP and to provided adequate, timely and effortless compensation to the consumers, the process of payment of compensation should be automatic and be adjusted in the forthcoming bill(s) of the consumer. The licensee should make an online portal wherein a consumer should be able to review its historical consumption and payment history. This portal should also allow for cross checking the automatic payment of compensation and it's adjustment in the consumer's bill as per these Regulations. In case of a failure of a licensee to make automatic payment of compensation, this portal should allow raising the complaint against the same, a copy of which should also be forwarded to the appropriate CGRF."

Commission's View:-

On the aforesaid submission of CER-IITK with regard to automatic payment of compensation to the affected consumer, it is to highlight that the State of Uttarakhand has typical geographical conditions where often force-majeure conditions occur and thus, it becomes very important for the sole distribution licensee of the State to analyse each compensation claim application with due diligence so that undue financial losses on account of compensation against delay in guaranteed services can be avoided. Further, considering the aforesaid comment of CER-IITK and provisions of Rule 13(1) of Electricity (Rights of Consumers) Rules, 2020, it would be prudent to bring certain services under the ambit of automatic compensation for which a consumer has deposited the requisite charges, if any, and determination of compensation can be monitored remotely like in case of release of new LT connections and accuracy testing of meters etc.

However, the distribution licensee while updating the Complaint Handling Procedure shall propose all such services for automatic compensation which shall be approved by the Commission.

Therefore, the aforesaid draft Regulation has been renumbered and modified as mentioned below:-

"6. Compensation Mechanism

- (1) *If Licensee fails to meet the guaranteed Standards of Performance as specified in **Schedule-I**, Licensee shall pay compensation to the affected person upon lodging of a claim for compensation. The compensation to be paid by the Licensee to the affected person is specified in **Schedule-III** of these Regulations.*

Provided that the distribution licensee while updating the Complaint Handling Procedure in accordance with Sub-Regulation (1) of Regulation 5 of these Regulations shall propose the services which are eligible for automatic payment of compensation (for which complainant is not required to file a complaint for claiming its compensation) and the distribution licensee based on its records shall credit the compensation amount in the next bill of the affected consumer.

Provided that, for shifting of lines/poles/transformers, the compensation payable to the affected person shall be made through Cheque/NEFT/RTGS as per timeline stipulated in Sub-Regulation (7) of this Regulation.

Provided that, if, there is a stay order by any Court, Forum, Tribunal, or by the Commission, staying the recovery of any dues from consumer and during the operating period of any such order, compensation shall become due but shall be payable to the Consumer only after the final decision of the case is in favour of the consumer.

Provided also that, no compensation shall be payable if there is any arrear due to be recoverable from consumer."

8.9. Sub Regulation (2) of Regulation 9 of the Draft Regulations.

The draft Regulation states that:-

"9. Compensation Mechanism

...

- (2) *In all cases of compensation, the payment of compensation shall be made only by adjustment against current and immediate future bills for supply of electricity by the licensee/franchisee. The details of the total compensation due and the amount paid thereof shall be shown in every electricity bill of the consumer.*

Provided that in case payment of compensation gets delayed due to decision of Forum/Court and by then the consumer has been permanently disconnected on his will with no outstanding dues then the payment of compensation shall be made through cheque/NEFT/RTGS."

Stakeholders Comments/Suggestions

UPCL, has submitted that *“As per request made above at point-4 above Compensation shall be paid separately so it will not part of the electricity bill. However, the status of the same can be fetched by the affected consumer from the UPCL’s website by entering the registration number”*.

CER-IITK has submitted that:- ***Time limit for adjustment of compensation through consumer’s bills:*** Draft clause no. 9 (2) states *“...payment of compensation shall be made only by adjustment against current and immediate future bills...”*. The duration of ‘immediate future bills’ may be mentioned in these definitions. It is suggested that adjustment of compensation of bills must not exceed more than 3 months (and that too in case the compensation amount is higher than the bill of the proceeding months). In case the total claim is less than the total billed amount even after 3 months, the outstanding compensation due to the consumer must be made through cheque/NEFT/RTGS on the third month.”

Commission’s View:-

UPCL in its submission has requested that the compensation to the affected consumers should not be adjusted from the electricity bill and proposed to pay the compensation to the affected consumers through banks. In this regard, the Commission is of the view that disbursement of compensation directly to bank account number of the affected consumers would unnecessary entail in inclusion of one more entity i.e. bank in the process of compensation. This may further cause delay in providing the compensation to the affected consumers as collecting the bank account details and paying the compensation in the bank account may result in additional exercise at Discom end and also may put consumers puzzled about exact status of disbursement of compensation. Further, UPCL with regard to payment of compensation through bank shall have to intimate affected consumers separately. Moreover, compensation is not payable if any arrear is due to be recoverable from the consumers and the same can be easily assessed by viewing/referring the consumer’s electricity bill. Many other States in their SoP Regulations has also made the provision of adjustment compensation in the electricity bills of the affected consumers. Moreover, Regulation 5.2.2 (40) Bill Particulars of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 provides for inclusion of details of ‘compensation to consumers, if any’. Apart from these, it is prudent to highlight that the Electricity (Rights of Consumers) Rules, 2020 also allow the payment of compensation to the affected consumer by adjustment against its current or future electricity bills. Thus, the Commission does not find any legit pleading w.r.t. deviating from the settled philosophy of compensation adjustment in electricity bills as the same acts as one stop ready reckoner for all the details pertaining to electricity.

With regard to CER-IITK submission for adjustment of compensation within the bills of 03 months and if any outstanding compensation remained after such adjustment the same shall be paid to the consumer through Cheque/NEFT/RTGS on the third month, the Commission has already dealt the matter above and provided its view. However, in order to bring more clarity w.r.t. credit of compensation amount in the electricity bill and there subsequent adjustment, the Commission has decided to incorporate the provision of crediting of compensation amount in the electricity bill and accordingly made necessary changes in the draft Regulations as mentioned below:-

“6. Compensation Mechanism

...

- (2) *In all cases of compensation, the payment of compensation shall be made only by crediting the same in electricity bill and subsequent adjustment in current and immediate future bills for supply of electricity by the licensee/franchisee. The details of the total compensation due and the amount paid thereof shall be shown in every electricity bill of the consumer.*

Provided that in case payment of compensation gets delayed due to decision of Forum/Court and by then the consumer has been permanently disconnected on his will with no outstanding dues then the payment of compensation shall be made through cheque/NEFT/RTGS.”

8.10. Sub Regulation (3), Sub Regulation (4) of Regulation 9 of the Draft Regulations.

The draft Regulation states that:-

“

9. Compensation Mechanism

...

- (3) *In order to create awareness about the guaranteed Standards of Performance, the licensee shall intimate the prescribed guaranteed time as per **Schedule-I** of these regulations to the individual complainant along with intimation of registration of complaints. The licensee/franchisee shall also intimate the compensation details as per **Schedule-III** of these Regulations along with each registration of complaints.*
- (4) *The licensee shall also display the guaranteed Standards of Performance as per **Schedule-I** and compensation payable as per **Schedule-III** on its websites and its sub-division/division/circle/zonal offices.”*

Stakeholders Comments/Suggestions

CER-IITK has submitted that:-

“Information sharing through Discom’s Website and App: Draft clause no. 9 (3) states “...licensee shall intimate the prescribed guaranteed time as per Schedule-I of these regulations to the individual complainant...”, clause no. 9 (4) states “The licensee shall also display the Guaranteed Standards of Performance as per Schedule-I and compensation payable as per Schedule-III on its websites and its sub-division/division/circle/zonal offices”, clause no. 10 (4) states “Licensee

should publish the guaranteed Standards of Performance along with compensation structure, information on procedure for filing of complaints, on their website...”, clause no. 10 (5) states “...licensee shall arrange to give due publicity through media, TV, newspaper, website and by displaying in boards at its subdivision/division/circle/zonal offices to bring awareness of consumer rights...”. All these four clauses may be rearranged in a way that the same information isn’t repeated multiple times.

Publicity has a connotation that the utility has done its part in informing the consumer of their rights. Utilities must make an effort to go beyond publicity, thus these SoPs should be easily assessable and visible in an informed matter to the consumer through the homepage of the licensee.

The given statements also do not mention sharing the information through the App of the licensee. It is suggested that SoP related information may be displayed on the Discom’s website and mobile app in a separate section named ‘Standards of Performance’ for ease of viewing and consumer awareness. This section should be available as a dedicated tab on the homepage of the website and app, and should be clearly visible on the site map as well. This information must also be visible on the consumer’s login dashboard and a QR code with link to the SoP page should also be printed on the back of the consumer’s monthly bill.”

Commission’s View:-

CER-IITK in its aforesaid submission has suggested to rearrange all draft Regulations pertaining to the publication and awareness of the consumers in such a way that the same information should not be repeated multiple times and also suggested for displaying the SoP related information on the Discom’s website in a separate section. The Commission is of the view that in order to bring more clarity all the draft Regulations related to the creation of awareness, publicity, displaying of the information w.r.t. SoP, Complaint Handling Procedure etc. should be addressed under a separate heading and separate draft Regulation in the aforesaid draft Regulations. Further, for ease of accessibility and viewing of the SoP related information, a separate section/tab should be created/made on the Discom’s website. In this context, the draft Regulation 8 (2), Regulation 9 (4), Regulation 10 (3), Regulation 10 (4), Regulation 10 (5) & Regulation 10 (6) are being deleted from the aforesaid draft Regulations and rearranged at newly added draft Regulation at Regulation 8 of the draft Regulations. Further, the subsequent draft Regulations are changed accordingly. The newly added draft Regulation is mentioned below:-

“

8. Publicity & Awareness

- (1) *The distribution licensee shall give due publicity through newspaper every year in the month of January & July via media, TV, website & by displaying in boards at its sub-division/division/circle/zonal offices to bring the awareness of approved complaint handling procedure (along with the information on procedure for filing the complaints, Grievance Redressal etc.), Guaranteed Standards of Performance as per Schedule-I, Compensation provisions as per Schedule-III & any other information pertaining to SoP and make it all available for reference of consumers at every office of licensee.*

- (2) *An exclusive link/section shall be created on the distribution licensee's website for ready reference of all the information pertaining to SoP including periodical reports as mentioned in Sub-Regulation (1) above.*
- (3) *The distribution licensee shall annually arrange to display feeder wise outage data, efforts made for minimising outages, prevention of theft or unauthorised use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained during the year, on its website at exclusive link/section as mentioned in Sub-Regulation (2) above."*

8.11. Proviso of Sub Regulation (6) of Regulation 9 of the Draft Regulations.

The draft Regulation states that:-

"9. Compensation Mechanism

...

- (6) *The claim can be filed by the consumer as per Format SoP-2. Such claim can be filed either personally/e-mail/registered post/online/mobile app/Help Desk/Centralized Customer Care Centre to the concerned officer.*

Provided that the distribution licensee, within six months from the date of notification of these Regulations, shall create an online facility on which consumers may register and claim the compensation amount. The information in this regard shall be widely circulated among consumers through appropriate means including mass media/bills/SMS/e-mails/ licensee's website."

Stakeholders Comments/Suggestions

UPCL, has submitted that "As In the draft regulations IT based application for Online Facility and monitoring reports has been envisaged for which UPCL has to redesign the current applications for which there may be requirement of appointment of agency to carry out the software development work for which UPCL may require to publish the separate Request for Proposal, Bid Evaluation & award for which provided six (6) months time may not be sufficient.

*It is requested to modify the time period from **Six (6) months to Twelve (12) months** after the notification of the regulations."*

Commission's View:-

On the aforesaid request of UPCL, the Commission is of the view that development of an online facility on which consumer may register its complaint and claim the compensation amount needs careful implementation and thus certain time in bidding process and finalization would be required for finalizing the development of software. This may require some additional time over and above 6 month's time provided in draft Regulations. Therefore, the Commission found it to be prudent to allow additional time of 03 months i.e. total 09 months be provided to UPCL for creation of an online facility on which consumers may register and claim the compensation amount. The Regulation

9 (6) of the draft Regulations is being renumbered and modified accordingly as mentioned below:-

"6. Compensation Mechanism

- (6) *The claim can be filed by the consumer as per Format SoP-2. Such claim can be filed either personally/e-mail/registered post/online/mobile app/Help Desk/Centralized Customer Care Centre to the concerned officer.*

Provided that the distribution licensee, within nine (09) months from the date of notification of these Regulations, shall create an online facility on which consumers may register and claim the compensation amount. The information in this regard shall be widely circulated among consumers through appropriate means including mass media/bills/SMS/e-mails/ licensee's website."

8.12. Proviso of Sub Regulation (7) of Regulation 9 of the Draft Regulations.

The draft Regulation states that:-

"9. Compensation Mechanism

...

- (7) *Every Claim Application shall be given a registration number which will be different from the Unique Complaint Number. Licensee shall maintain online data of the compensation Claim Application and the action taken there on by fully displaying the same on licensee website."*

Stakeholders Comments/Suggestions

CER-IITK has submitted that:-

"Information Complaint handling/ Claim application Tracking System: Draft clause no. 9 (6) states "...Such claim can be filed either personally/e-mail/registered post/online/mobile app/Help Desk/Centralized Customer Care Centre to the concerned officer..." and clause no. 9 (7) states "Every Claim Application shall be given a registration number which will be different from the Unique Complaint Number..."

It is not advisable to create an independent Claim Application registration number, but this should be linked to the Unique Complaint Number (and hence to the consumer number) against which the claim is to be made. The complaint handling/ claim application may be made online through the licensee's website and mobile app for tracking the complaint/ claim status through the claim registration number made through the consumer's account linked through its Consumer Number. This will enable live tracking of the complaint/ claim status to the consumer."

Commission's View:-

The intention of the Commission for keeping separate registration no. for every claim application with unique complaint no. is to rationalize the ease of identification of registration no. for compensation claim from complaint no. The Commission opines that every complaint may not be registered for compensation as some of them would be resolved by the distribution licensee within the stipulated timeline as mentioned at

Schedule-I of aforesaid draft Regulations. Therefore, the Commission does not find it correct to link the compensation claim registration no. with the unique complaint no. Further, w.r.t. the CER-IITK submission for making the complaint handling/claim application online, it is to highlight that the relevant provision has been provided at Regulation 9 (6) of the aforesaid draft Regulation, therefore, the Commission does not find it correct to repeat the same provision as proposed by the CER-IITK.

8.13. Sub Regulation (8) of Regulation 9 of the Draft Regulations.

The draft Regulation states that:-

“ 9. Compensation Mechanism

...

- (8) *Licensee shall give compensations within 45 days from date of receipt of Claim Application in the prescribed **Format SoP-2** at the Licensee's office giving details as well as reference of relevant Regulations. In case of refusal of compensation Licensee shall pass an appropriate order after hearing the consumers with respect to each claim of compensation within 45 days from the date of filing the Claim Application of compensation. All such orders shall be displayed on the website of the licensee and shall be communicated to the consumer as well.”*

Stakeholders Comments/Suggestions

UPCL, has submitted that “It is requested that the timeline mentioned in section 9(8) of the draft regulations should be modified in lines with **Section 57 Standards of performance of licensee** of Electricity Act-2003. Sub-section (2) of section 57 provides for payment by the concerned licensee within 90 days of such determination. In view of above it is requested to kindly made provision for maximum 45 days for determination of compensation and thereafter, 90 days for the payment against the same as Act mandates for 90 days after determination.”

Commission's View:-

The Section 57 (3) of Electricity Act, 2003 provides that the compensation determined shall be paid by Discom within 90 days of such determination. The Commission is of the view that the time period for payment of compensation from the date of its determination should not exceed 90 days and the same may be kept less than 90 days. Accordingly, in draft Regulations the Commission had kept aggressive time lines in order to ensure expeditious resolution of issues of consumers complaints and associated compensation. However, taking a considerate view, the Commission has decided to allow a period of 30 days for determination of compensation and thereafter 60 days for payment of compensation to the affected consumer by way of crediting in his electricity bills and

subsequent adjustment in the electricity bills. The Regulation 9 (8) of draft Regulation has been renumbered and modified accordingly as mentioned below:-

“6. Compensation Mechanism

- (7) *Licensee shall determine the compensation payable to the affected person within 30 days from date of receipt of Claim Application in the prescribed **Format SoP-2** at the Licensee’s office giving details as well as reference of relevant Regulations and thereafter shall give compensations, if any within 60 days from the date of determination of such compensation by way of crediting the same in its electricity bill and subsequent adjustment in present and future electricity bills of consumer. In case of refusal of compensation, Licensee shall pass an appropriate order after hearing the affected person with respect to each claim of compensation within 45 days from the date of receipt of the Claim Application of compensation. All such orders shall be displayed on the website of the licensee and shall be communicated to the consumer as well.”*

8.14. Sub Regulation (9) of Regulation 9 of the Draft Regulations.

The draft Regulation states that:-

“ 9. Compensation Mechanism

...

- (9) *Failure by the licensee to pay the compensation as per sub-Regulation (8) above or non satisfaction of the consumer with the decision of the licensee shall constitute a Grievance, which shall be dealt and decided by the respective Consumer Grievance Redressal Forum (CGRF), in accordance with procedure set out in the UERC (Guidelines for Appointment of Members and Procedure to be followed by the Forum for Redressal of Grievances of the Consumers) Regulations, 2019 as amended from time to time or any other Regulations specified by the Commission for this purpose. In such event, additional penalty may be levied on licensee for non-faithfully implementing regulation on case-to-case basis. Accordingly, the consumer may approach respective CGRF within 30 days from the date of order passed by the licensee as mentioned in Sub regulation (8) above.”*

Stakeholders Comments/Suggestions

UPCL, has requested to delete ‘In such event, additional penalty may be levied on licensee for non-faithfully implementing regulation on case-to-case basis’ line from the aforesaid Regulations and has accordingly submitted that “It is requested to delete the mentioned lines as compensation in itself will act as deterrent and no further penalty should be imposed especially when the quantum and severity of penalty is not mentioned. Moreover, such overreaching power should not be given to CGRF to decide upon the non-faithfulness of licensee especially considering that licensee has limited option for appeal and that too before Hon’ble High Court of the State.”

Commission’s View:-

The aforesaid line has been introduced in the draft Regulation for imposing penalty on Discom for non-faithfully implementation of Regulations on case to case basis. It would be prudent to highlight that this provision has not been introduced now, it was there in existence since 2007 in existing SoP Regulations at Regulation 10(3). Moreover, with regard to UPCL's contention that over reaching powers have been bestowed to CGRF, it is to clarify that additional penalty imposing authority is Commission. However, on examination, it is observed that post notification of UERC (Standards of Performance) Regulations, 2007 a separate Regulation pertaining to CGRF was notified i.e. UERC (Guidelines of Appointment of Members and Procedure to be followed by the Forum for Redressal of Grievances of the Consumers) Regulations, 2019 wherein, Regulation 3.3 (12) provides that:-

'Non-compliance of Forum's order by either party shall be in violation of these Regulations and shall be liable for appropriate remedial action against it under Section 142 and 146 read with Section 149 of the Electricity Act, 2003'

As all the decisions of CGRF are in concurrence with the provisions of the Act, Rules and Regulations framed thereunder and orders and directions issued by the Commission from time to time. Therefore, provision for non-compliance of CGRF's orders at Regulation 3.3 (12) of aforesaid Regulations shall also be applicable for UERC (Standards of Performance) Regulations, 2022. Hence, the Commission has decided not to include the provision of additional penalty in instant Regulations. Accordingly, the draft Regulation has been renumbered and modified as mentioned below:-

"6. Compensation Mechanism

...

- (8) *Failure by the licensee to pay the compensation as per Sub-Regulation (7) above or non satisfaction of the consumer with the decision of the licensee shall constitute a Grievance, which shall be dealt and decided by the respective Consumer Grievance Redressal Forum (CGRF), in accordance with procedure set out in the UERC (Guidelines for Appointment of Members and Procedure to be followed by the Forum for Redressal of Grievances of the Consumers) Regulations, 2019 as amended from time to time or any other Regulations specified by the Commission for this purpose. The aggrieved consumer may approach respective CGRF within 30 days from the date of order passed by the licensee as mentioned in Sub-Regulation (7) above."*

8.15. Sub Regulation (1) of Regulation 10 of the Draft Regulations.

The draft Regulation states that:-

“10. Responsibilities of the Licensee

(1) Submission of SoP Reports

The Licensee shall submit the reports on performance levels and compensation as mentioned in Table below:-

S. No.	Report Type	Report Particulars	Periodicity /Timeline
(A) Guaranteed Standards Related			
1.	Guaranteed Standards (in accordance with Section 59 (1) (a) of the Act)	Monthly <u>Division-wise</u> Reports on Guaranteed Standards specified in Schedule-I and to be submitted in the prescribed Format SoP-3 of these Regulations.	Monthly/within 15 days of close of the month
2.	Guaranteed Standards (in accordance with Section 59 (1) (a) of the Act)	Consolidated Annual Report on Guaranteed Standards specified in Schedule-I for UPCL and to be submitted in the prescribed Format SoP-4 of these Regulations.	Annually/within 30 days of close of the Financial Year
(B) Overall Standards Related			
3.	Overall Standards (in accordance with Section 59 (1) (a) of the Act)	<u>Circle-wise</u> Quarterly Reports on Overall Standards specified in Schedule-II and to be submitted in the prescribed Format SoP-5 of these Regulations.	Quarterly/within 15 days of close of the quarter
4.	Overall Standards (in accordance with Section 59 (1) (a) of the Act)	<u>Circle-wise</u> Consolidated Annual Report on Overall Standards specified in Schedule-II and to be submitted in the prescribed Format SoP-6 of these Regulations.	Annually/within 30 days of close of the Financial Year
(C) Compensation Related			
5.	Compensation paid (in accordance with Section 59 (1) (b) of the Act)	<u>Division-wise</u> quarterly reports on compensation paid as per Guaranteed Standards specified in Schedule-I and to be submitted in the prescribed Format SoP-7 of these Regulations.	Quarterly/within 15 days of close of the quarter
6.	Compensation claims	<u>Division-wise</u> Half yearly report on compensation claimed as per Guaranteed Standards specified in Schedule-I and action taken by the licensee for such claims and to be submitted in the prescribed Format SoP-8 of these Regulations.	Half yearly/within 30 days of close of the half year
7.	Measures for improvement	Measures taken by the licensee for improving performance as per Guaranteed Standards specified in Schedule-I and Licensee's targets of improved performance for the ensuing year and to be submitted in the prescribed Format SoP-9 of these Regulations.	Annually/within 30 days of close of the Financial Year
8.	Annual Target of Reliability Indices	Annual target levels of Reliability Indices (SAIFI, SAIDI, MAIFI) to be furnished alongwith ARR in the prescribed Format SoP-10 of these Regulations.	Annually alongwith ARR

”

Stakeholders Comments/Suggestions

UPCL, has submitted that:-

“General remark for all prescribed Format SoP-1 to SoP-10

- 1 *For all the prescribed reports in the draft regulations, it is requested that Licensee should be allowed to approach Hon'ble UERC to modify the SoP formats during the phase of Application Development as difficulty if any, in designing the reports or for improvement in the format of the reports can be known during the finalization of design document with the appointed agency whosoever UPCL will appoint for development of the application. The Periodicity/Timeline for submission of Monthly Division-wise Reports within 15 days seems to be on very lower side it is requested that it should be modified as **Monthly/within 30 days of close of the month.**"*
- 2 *The Periodicity/Timeline for submission of Annual Report within 30 days of close of the Financial Year seems to be on very lower side it is requested to modify the regulation as below **Annually /within 60 days of close of the Financial Year.***
- 3 *The Periodicity/Timeline for submission of Quarterly Circle-wise Reports within 15 days of close of the quarter seems to be on very lower side it is requested that it should be modify as **Quarterly /within 45 days of close of the quarter.***
- 4 *The Periodicity/Timeline for submission of Annual Reports within 30 days of close of the Financial Year seems to be on very lower side it is requested that it should be modify as **Annually /within 60 days of close of the Financial Year.***
- 5 *The Periodicity/Timeline for submission of Quarterly Division-wise Reports within 15 days of close of the quarter seems to be on very lower side it is requested that it should be modify as*
Quarterly /within 30 days of close of the quarter
- 6 *The Periodicity/Timeline for submission of Half Yearly Division-wise Reports within 30 days of close of the half year seems to be on very lower side it is suggested that it should be modify as*
Quarterly /within 45 days of close of the half year.
- 7 *It is requested to modify the Periodicity/Timeline as under*
Annually /within 45 days of close of the half year."

Commission's View:-

With regard to UPCL's submission for allowing them to approach the Commission for modification of the SoP formats during the designing of the reports for application development, it is to mention that the Commission has already introduced the provision for revising the formats through separate orders, as warranted necessary from time to time at draft Regulation 10 (2). Therefore, the Commission does not find it suitable to change draft Regulations in this regard as the similar provision is already covered at draft Regulation 10 (2).

With regard to UPCL's submission for providing more time for submission of SoP reports in the prescribed format SoP-3 to SoP-9, it has been observed that UPCL is seeking additional time either twice or thrice times of timeline stipulated in the draft Regulations

for submission of each SoP reports. The Commission is of the view that in the era of advancement in information technology, UPCL should be prompt in accessing, compiling and generating the desired reports. Further, it is pertinent to highlight that UPCL has incorporated the ERP software. Moreover, it is to mention that once the online facility for registration of complaint & claim of compensation amount and report generation frame work for generation of reports related to complaints & claim for compensation is developed by UPCL then the SoP reports desired to be submitted before the Commission under the aforesaid Regulation shall be generated instantly. Hence, the Commission is of the view that the timelines provided to UPCL are sufficient for submission of SoP reports and therefore, does not find it reasonable. Further, the Commission would like to highlight that services under SoP are not only under scanner of the State agencies but also regular feedback/reporting is taken from various Central Agencies, CEA/CERC/FOR from time to time and therefore, in this context timely reporting is the essence to implementation and compliance of SoP Regulations.

Therefore, no change in the draft Regulations is required.

8.16. Sub Regulation (2) of Regulation 10 of the Draft Regulations.

The draft Regulation states that:-

“ 10. Responsibilities of the Licensee

(2) The Commission may revise the formats through separate orders, as warranted necessary from time to time.”

Stakeholders Comments/Suggestions

UPCL, has submitted that:-

“10 (2) It is requested that to modify the regulation as under:-

The Commission may revise the formats through separate orders, as warranted necessary from time to time after giving sufficient opportunity to Licensee so that revision in formats can be decided considering the software development complexities, if any”

Commission's View:-

It is already clear from the provision mentioned at draft Regulation 10 (2) that the formats would be revised by the Commission when warranted necessary. UPCL may approach the Commission for revision of the formats alongwith legitimate reasoning for revision of the formats. Accordingly, the Commission may take appropriate decision in this regard and issue separate Orders. Hence, the Commission does not find it reasonable to change the draft Regulations.

Therefore, no change in the draft Regulations is required.

8.17. Sub Regulation (3) of Regulation 10 of the Draft Regulations.

The draft Regulation states that:-

“10. Responsibilities of the Licensee

...

- (3) *Licensee shall develop report generation framework on its website, within six months from the date of notification of these Regulations, to generate reports related to complaints and claim for compensation. Such reports shall be generated dynamically based on the search parameters including but not limited to type of complaint, status of complaint, Name of Division, Complaint Number, Compensation Claim Number or as directed by the Commission from time to time. The report generation framework shall be approved by the Commission.”*

Stakeholders Comments/Suggestions

UPCL, has submitted that:-

“10 (3) It is requested to increase time line for development of report generation framework to 12 months as per suggestion also made at point-7 above.”

Commission’s View:-

This type of matter is related to the UPCL’s submission at draft Regulation 9 (6) and has already been dealt. Accordingly, UPCL is being provided 09 months for development of report generation frame work on their website to generate reports related to complaint and claim for compensation.

The Regulation 10 (3) of the draft Regulations is being renumbered and modified as mentioned below:-

“7. Responsibilities of the Licensee

- (3) *Licensee shall develop report generation framework on its website, within nine (09) months from the date of notification of these Regulations, to generate reports related to complaints and claim for compensation. Such reports shall be generated dynamically based on the search parameters including but not limited to type of complaint, status of complaint, Name of Division, Complaint Number, Compensation Claim Number or as directed by the Commission from time to time. The report generation framework shall be approved by the Commission.”*

8.18. Sub Regulation (6) of Regulation 10 of the Draft Regulations.

The draft Regulation states that:-

“10. Responsibilities of the Licensee

...

- (6) *The distribution licensee shall annually arrange to display feeder wise outage data, efforts made for minimising outages, prevention of theft or unauthorised use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained during the year, on its website."*

Stakeholders Comments/Suggestions

CER-IITK has submitted that:-

"Data sharing and Transparency: Draft clause no. 10 (6) states "The distribution licensee shall annually arrange to display feeder wise outage data, efforts made for minimising outages, prevention of theft or unauthorised use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained during the year, on its website." Such data should be archived and be available for ease of access and may be made available for public viewing for research and data analysis in order to enrich the environment for open source regulatory research and, to assist improvement of the relevant policy and regulation."

Commission's View:-

The Commission has provided its view on the submission of CER-IITK on draft Regulation 9 (3) & draft Regulation 9 (4) whereby the draft Regulation 8 (2), Regulation 9 (4), Regulation 10 (3), Regulation 10 (4), Regulation 10 (5) & Regulation 10 (6) are deleted and accordingly rearranged at Regulation 8 under new heading 'Publicity and Awareness' wherein the provision for creating exclusive link/section on the distribution licensee website for ready reference of all the information pertaining to SoP has been introduced. Further, the distribution licensee can be approached directly for providing the data required for research and analysis purpose.

Therefore, no further changes are required in this regard.

8.19. Sub Regulation (1) of Regulation 12 of the Draft Regulations.

The draft Regulation states that:-

"12. 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, pandemic, lockout, fire affecting the Licensee's installations."*

Stakeholders Comments/Suggestions

CER-IITK has submitted that:-

"Uncontrollable Weather Conditions:

The SoP for snow bound hilly areas during winters should be addressed separately. Also, uncontrollable weather conditions such as Heavy Snowfall, Avalanches aren't specified in Force

Majeure Conditions under Regulation No. 12. It is suggested that such issues should be addressed in these Regulations.”

Commission’s View:-

With regard to CER-IITK submission for addressing SoP for snowbound hilly areas separately, it is to highlight that the Commission wherever found necessary has created the separate category i.e. ‘hilly areas not connected with the motorable roads’ and has provided the maximum timeline compared to other categories for restoration of power supply. Therefore, the Commission does not find it reasonable to make separate provision for SoP for snowbound hilly areas.

With regard to CER-IITK submission for inclusion of ‘Heavy Snowfall’ in Force-Majeure conditions under draft Regulation 12 (1), the Commission is of the view that it would be difficult to categorise the snowfall into heavy snowfall or lesser snowfall and thus licensee may take untoward advantage and may not restore the power supply in the snowbound areas of the State. Further, to improve the quality and reliability of power supply in the snowbound areas, the licensee can strengthen their distribution network depending upon the requirements.

With regard to CER-IITK submission for inclusion of ‘Avalanches’ in Force-Majeure conditions under draft Regulation 12 (1), the Commission is of the view that it would be prudent to incorporate the same under Force-Majeure conditions. Therefore, the same has been incorporated under Force-Majeure conditions and accordingly the aforesaid draft Regulation has been renumbered and modified as mentioned below:-

“10. 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, avalanches, lightning, earthquake, pandemic, lockout, fire affecting the Licensee's installations.”*

8.20. Sl. No. 1.1(3) of Schedule-I of the Draft Regulations.

The draft Regulation states that:-

“

1. *Guaranteed Standards of Performance*

1.1 *Release of New Connections and Enhancement/Reduction of Load*

S. No.	Nature of request	Specified Timeline*
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3)	Enhancement/Reduction of Load	<p>Where no alteration of Lines/Substations works are required:-</p> <ul style="list-style-type: none"> • Within 15 days- for LT Connection • Within 30 days- for HT/EHT Connection <p>Where alteration in Lines/Substations works are required the timelines shall be as specified in the S. No. 1) & 2) of sub Regulation 7.1 mentioned above.</p>
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* Timeline specified in Regulation 3.3.3 (15), Regulation 3.3.3(16), Regulation 3.4.3 (10) & Regulation 3.4.3(11) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020"

Stakeholders Comments/Suggestions on S. No. 3 of Schedule-I

UPCL, has submitted that:-

"It is requested to modify the proviso as per below :

Where alterations in Lines/Substations works are required the timelines shall be as specified in the S. No. 1) & 2) of sub Regulation 1.1 mentioned above."

Commission's View:-

The reference of the Regulation as submitted by UPCL is being corrected and accordingly the relevant proviso at Sl. No. 1.1(3) of Schedule-I has been modified as per the following:-

"Where alterations in Lines/Substations works are required the timelines shall be as specified in the S. No. (1) & (2) mentioned above in this Table."

8.21. Sl. No. 1.2 of Schedule-I of the Draft Regulations.

"1.2 Restoration of Power Supply

S. No.	Nature of cause of power supply failure	Maximum Time Limit for restoration.
1)	Fuse blown out or MCB/MCCB tripped (in case fuse or MCB/MCCB belongs to Licensee)	<ul style="list-style-type: none"> • Within 4 hours- for Urban areas. • Within 8 hours- for Rural areas. • Within 12 hours- for Hilly areas not connected with motorable roads.
2)	Service line broken Service line snapped from the pole	<ul style="list-style-type: none"> • Within 6 hours- for Urban areas. • Within 12 hours- for Rural areas. • Within 24 hours- for Hilly areas not connected with motorable roads.
3)	Fault in LT distribution line/system	<p>Rectification of fault and thereafter Restoration of normal power supply:</p> <ul style="list-style-type: none"> • Within 12 hours- for Urban and Rural areas. • Within 24 hours- for Hilly areas not connected with motorable roads. <p>Temporary Supply to be restored within 4 hours from alternate source, wherever feasible.</p>
4)	Distribution transformer failed/burnt	<p>Replacement of failed transformer:</p> <ul style="list-style-type: none"> • Within 24 hours- in Urban and Rural areas of Plains. • Within 48 hours- in Hilly areas connected with motorable roads.

S. No.	Nature of cause of power supply failure	Maximum Time Limit for restoration.
		<ul style="list-style-type: none"> • Within 72 hours- in Hilly areas not connected with motorable roads. Temporary Restoration of supply through mobile transformer or another backup source within 8 hours, wherever feasible.
5)	HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults	Rectification of fault: <ul style="list-style-type: none"> • Within 12 hours- in Urban and Rural areas • Within 24 hours- in Hilly areas not connected with motorable roads Temporary restoration of power supply within 4 hours, wherever feasible.
6)	Problem in 33/11 kV Substation	Repair and restoration of supply: <ul style="list-style-type: none"> • Within 24 hours- in Plains. • Within 48 hours- in Hilly areas Restoration of supply from alternate source, within 6 hours, wherever feasible. Roster load shedding may be carried out to avoid overloading of alternate source.
7)	Failure of Power Transformer	Within 10 days- Rectification to be completed Restoration of supply from alternate source, within 6 hours, wherever feasible. Roster load shedding may be carried out to avoid overloading of alternate source.
8)	Fault in underground (UG) system including line/cable	<ul style="list-style-type: none"> • Within 12 hours- for LT system • Within 48 hours- for HT system

”

8.21.1. Stakeholders Comments/Suggestions on Sl. No. 1.2 of Schedule-I

UPCL, has submitted that:-

“With respect to hilly areas following is requested:-

In hilly areas connectivity by motorable roads is not the only constraint in attending breakdown. Even if an area is well connected by road working online for attending fault is affected by hilly terrain as line passes through top & bottom of hills and not through roads. Moreover, life threatening presence of wild animals always poses difficulty irrespective of time of day (day or night).

As such it is requested that allowable Time Limit for restoration of Power Supply required to be modified considering the practical difficulty being faced by the Licensee in attending the complaints in hilly areas.”

Commission’s View:-

UPCL has requested to modify allowable time limit for restoration of power supply for ‘hilly areas not connected with motorable roads’ considering the various difficulties viz hilly terrain, non availability of roads, threatening presence of wild animals etc. being faced by UPCL while attending breakdown for restoration of power supply. The Commission is aware of such difficulties being faced by UPCL while attending the power

supply failure in the hilly areas, therefore, the Commission has put the separate category and provided the maximum time limit amongst all other categories (urban areas & rural areas) for restoration of power supply in the hilly areas that are not connected with motorable roads. Thus, the Commission is of the view not to change the maximum time limit for category of 'hilly areas not connected with motorable roads' except for HT (11 kV & 33 kV) mains failed due to lines snapping or any other faults (excluding fuse blown out cases) for which time limit has been revised from 24 hrs. to 36 hrs. However, for fuse blown out cases time limit has been kept same as 24 hrs. only. The Commission's view & decision in this regard is discussed in detail at para 8.21.5.

8.21.2. Stakeholders Comments/Suggestions on S. No. 1.2(1) "Fuse blown out or MCB/MCCB tripped" of Schedule-I

UPCL, has submitted that:-

"It is requested to modify the clause as per below:-

Existing Clause as per Draft SOP

- ***Within 4 hours-*** for Urban areas.
- ***Within 8 hours-*** for Rural areas.
- ***Within 12 hours-*** for Hilly areas not connected with motorable roads.

Proposed Modification

- ***Within 4 hours-*** for Urban areas.
- ***Within 8 hours-*** for Rural areas.
- ***Within 24 hours-*** for Hilly areas not connected with motorable roads."

Commission's View:-

UPCL has submitted to modify the maximum time limit for restoration of power supply due to "Fuse blown out or MCB/MCCB tripped" cases in 'hilly areas not connected with motorable road' to within 24 hrs., however, UPCL has not put forward any justified reasoning for the same. The Commission is of the view that maximum time limit provided for restoration of power supply in 'hilly areas not connected with motorable roads' in aforesaid draft Regulation is sufficient i.e. within 12 hrs. and thus does not find relevant to modify the aforesaid draft Regulation. Even the existing UERC (Standards of Performance) Regulations, 2007 do not provide any relaxation for hard/geographically tough terrains however, citing the constraints the Commission decided to allow special dispensation/timelines for hilly areas not connected with motorable road and further, relaxation in timeline for hilly areas for the purpose of "Fuse blown out or MCB/MCCB tripped" cases would dilute the entire intent of specifying timelines for consumer

residing in geographically tough terrains and deprive them from getting good/prompt services.

Therefore, no change in the draft Regulations is required.

8.21.3. Stakeholders Comments/Suggestions on S. No. 1.2(3) "Fault in LT distribution line/system" of Schedule-I

UPCL, has submitted that:-

"Proposed time limit to restore the power supply through temporary supply in draft regulations is very less for hilly areas as at many places it takes more time to reach fault location. This time limit should be different for day & night hours.

Therefore, it is requested that it should be modified as under :-

*Temporary Supply to be restored within 6 hours in plain areas and within 12 hours for hilly areas after occurrence of fault during day time and within 12 hours in plain areas and within 24 hours for hilly areas after occurrence of fault during night time **wherever feasible.**"*

UPCL, further submitted that:-

"It is requested to modify the clause as per below:-

Existing Clause as per Draft SOP

Rectification of fault and thereafter Restoration of normal power supply:

- **Within 12 hours- for Urban and Rural areas.**
- **Within 24 hours- for Hilly areas not connected with motorable roads.**

Proposed Modification

- **Within 12 hours- for Urban and Rural areas.**
- **Within 24 hours- for Hilly areas connected with motorable roads.**
- **Within 48 hours- for Hilly areas not connected with motorable roads."**

Commission's View:-

With regard to UPCL's submission on increasing the timeline for temporary supply, it is pertinent to note that even after modernization and upgradation of various technologies in past 15 years, time limit for temporary restoration of power supply from the alternate source in the aforesaid draft Regulations has been kept same as provided in the UERC (Standards of Performance) Regulations, 2007. It is the responsibility of UPCL to provide its best efforts for giving uninterrupted and reliable power to its consumers. Further, the Commission in the aforesaid draft Regulations has provided the timeline for providing temporary restoration of power supply where it is feasible to provide from alternate sources. The Commission understands that it is not feasible at all the times to restore the temporary power supply from alternate sources as it depends on the availability of alternate sources and relevant infrastructures at the site of power supply failure,

therefore, the Commission has not taken the proviso of restoring the temporary supply under Guaranteed Standards of Performance attracting compensation for default on the said service.

With regard to UPCL's submission for addition of new constraint of 'day and night fault occurrence', it is to highlight that electricity is termed to be as an essential service and hence it would not be prudent to categorise time limits based on day and night time fault occurrences as it would further complicate the objectivity of the services under Guaranteed SoP. Infact, the Commission has added an additional category "Hilly areas not connected with motorable roads" with objective to provide some additional time for providing the services specified in the SoP Regulations due to non-availability of motorable roads which causes real hinderance in timely redressal of faults. In this context, the Commission does not find it reasonable to modify the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

8.21.4. Stakeholders Comments/Suggestions on S. No. 1.2(4) "Distribution transformer failed/burnt" of Schedule-I

UPCL, has submitted that:-

"It is requested to modify the clause as per below:-"

Existing Clause as per Draft SOP

Replacement of failed transformer:

- ***Within 24 hours-*** in Urban and Rural areas of Plains.
- ***Within 48 hours-*** in Hilly areas connected with motorable roads.
- ***Within 72 hours-*** in Hilly areas not connected with motorable roads.

Proposed Modification

- ***Within 24 hours-*** in Urban and Rural areas of Plains.
- ***Within 48 hours-*** in Hilly areas connected with motorable roads.
- ***Within 96 hours-*** in Hilly areas not connected with motorable roads."

Commission's View:-

UPCL has requested to increase the specified time limit for 'distribution transformer failed/burnt' falling under 'hilly areas not connected with motorable roads' from 72 hours to 96 hours, however, it has not substantiated its submission with convincing reasoning. The Commission is of the view that timeline provided for restoration of power supply for 'hilly areas not connected with motorable roads' in case of failure/burning of distribution transformer is sufficient and the same cannot be increased further as it would

deprive the people from getting the power supply for more than 3 days in case of distribution transformer failure/burnt.

Therefore, the Commission decided not to make any changes in the draft Regulations.

8.21.5. Stakeholders Comments/Suggestions on S. No. 1.2(5) “HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults” of Schedule-I

UPCL, has submitted that:-

“It is requested to modify the Maximum Time Limit for restoration as per below :-

- ***Within 12 hours – In Urban and Rural of Plain areas.***
- ***Within 48 hours – In Hilly areas***

Temporary Supply to be restored within 6 hours in plain areas and within 12 hours for hilly areas after occurrence of fault during day time and within 12 hours in plain areas and within 24 hours for hilly areas after occurrence of fault during night time wherever feasible.”

UPCL, further submitted that:-

“It is requested to modify the clause as per below:-

Existing Clause as per Draft SOP

Rectification of fault:

- ***Within 12 hours- in Urban and Rural areas***
- ***Within 24 hours- in Hilly areas not connected with motorable roads***

Proposed Modification:

- ***Within 12 hours- in Urban and Rural areas***
- ***Within 24 hours- in Hilly areas connected with motorable roads***
- ***Within 48 hours- in Hilly areas not connected with motorable roads”***

Commission’s View:-

With regard to UPCL’s submission on providing additional time for restoring temporary power supply from the alternate source, the Commission has already dealt the matter in its earlier views and thus no modifications are required in the aforesaid draft Regulations.

Further, w.r.t. to UPCL’s submission for providing maximum time limit for restoration of power supply in ‘hilly areas not connected with the motorable roads’ to 48 hrs., the Commission is of the view that considering the spread of HT network in hilly terrain of the State, the specified timeline under this category in the aforesaid draft Regulation can be increased to 36 hrs. for the restoration of supply against the failure occurred due to line snapping or any other faults in HT (11 kV & 33 kV). However, it would not be prudent to increase the specified timeline against the failure occurred due to ‘fuse blown out’ in HT (11 kV & 33 kV). Therefore, the aforesaid Sl. No. 1.2(5) has been modified as mentioned below:-

“2 Restoration of Power Supply

Sl. No.	Nature of cause of power supply failure	Maximum Time Limit for restoration.
...
(5)	HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults	<p>Rectification of fault:</p> <ul style="list-style-type: none"> • Within 12 hours- in Urban and Rural areas • Within 36 hours (except fuse blown out cases for which timeline shall be 24 hours)- in Hilly areas not connected with motorable roads <p>Temporary restoration of power supply within 4 hours, <i>wherever feasible</i>.</p>

”

8.21.6. Stakeholders Comments/Suggestions on S. No. 1.2(8) ‘Fault in underground (UG) system’ of Schedule-I

UPCL, has submitted that:-

“It is requested that Time Period for attending Fault in underground (UG) system including line/cable may be modified to at least 24 hours for LT system and 48 hours for HT system as fault has to be located through Fault Locator Machine & then digging shall be done for which permission is required from other departments. Thereafter, rectification works such as joints or replacement of cable shall be required to be done which take significant amount of time.”

Commission’s View:-

Considering the constraints put forward by Discom for Fault in Low Tension Under Ground system, the Commission is of the view that the distribution licensee is mandated to plan a robust network including contingency provisions while designing and implementing underground system. Accordingly, by complying to ‘N-1’ contingency criteria Discom is required to place double conductor in the underground systems in order to ensure reliable power supply. Further, at specific certain distance in the underground system the inspection holes are provided for facilitating the rectification of the faults. Therefore, the Commission does not find it appropriate to modify the specified timeline provided for restoration of power supply for underground LT system in the aforesaid draft Regulation.

Further, the Commission is of the view that the ‘line’ is not the part of the underground system, however, underground system comprises of ‘cable’. Hence, for removing ambiguity, the words ‘including line/cable’ have been deleted from the nature of fault namely ‘fault in underground (UG) system including line/cable’ and the modified Regulation is mentioned below:-

“

8)	Fault in underground (UG) system	<ul style="list-style-type: none"> • Within 12 hours- for LT system • Within 48 hours- for HT system
----	----------------------------------	--

Besides above, on in-house analysis it has been observed that it would be prudent to clarify the word 'motorable road'. Accordingly, following note at the bottom of Sl. No. 2 of Schedule-I has been added as mentioned below:-

"Here 'motorable roads' means roads which are suitable for four-wheeler movement upto the site."

8.22. Sl. No. 1.3 of Schedule-I of the Draft Regulations.

"1.3 Quality of Power Supply

1.3.1 Voltage variations:

- (1) The Licensee shall maintain the voltages at the point of commencement of supply to a consumer within the limits stipulated hereunder, with reference to declared voltage:
 - a) In the case of Low Voltage (LT), +6% and -6%;
 - b) In the case of High Voltage (HT), +6% and -9%; and,
 - c) In the case of Extra High Voltage (EHT), +10% and -12.5%.
- (2) The voltage problem shall be resolved with the time limits specified in Table given below:-

Sl. No.	Cause of problem related to voltage variation	Time limit for the rendering service
1)	Local problem (Voltage Variation, Voltage Fluctuation, Flickering or any other local problem)	Within 4 hours
2)	Tap changing of transformer	Within 3 days
3)	Repair of distribution line / transformer / capacitor	<ul style="list-style-type: none"> • Within 15 days- LT distribution line, • Within 90 days- HT distribution line, • Within 30 days- Distribution Transformer • Within 120 days- Power Transformer • Within 30 days- Capacitor.
4)	Installation & Up-gradation of HT / LT System	<ul style="list-style-type: none"> • Within 90 days- for LT system • Within 180 days- for HT system
5)	Damage to consumer's apparatus due to voltage fluctuations*	Immediate Isolation of Faulty Section.

**If apparatus of more than one consumer in close neighbourhood are affected and subject to physical verification of the damaged apparatus by the Licensee*

1.3.2 Harmonics

The Licensee shall furnish the limits of Total Harmonic Distortion (THD) for Current and Voltage at the point of commencement of supply for the consumers connected at various voltage levels within 6 months of notification of these Regulations. The Commission would accordingly notify the limits of THD levels."

8.22.1. Stakeholders Comments/Suggestions on Sl. No. 1.3.1(1)

UJVN Ltd., has submitted that:-

"As per the CERC, IEGC, Regulations 2010, Clause 5.2(s), the nominal, maximum and minimum voltage limit 33 kV voltage level is detailed here below:-

As above the deviation for HT voltage level is +9% and -9%. The limit of voltage variation should be in line with CERC, IEGC, Regulation 2010.

Therefore, in the case of High Voltage, the voltage variation may be modified to +9% and -9%."

UJVN Ltd., has accordingly proposed to change the aforesaid draft Regulation as mentioned below:-

"The Licensee shall maintain the voltages at the point of commencement of supply to a consumer within the limits stipulated hereunder, with reference to declared voltage:

- a) In the case of Low Voltage (LT), +6% and -6%;*
- b) In the case of High Voltage (HT), +9% and -9%; and,*
- c) In the case of Extra High Voltage (EHT), +10% and -12.5%.*

”

Voltage-(kV rms)		
Nominal	Maximum	Minimum
33	36	30

Commission's View:-

UJVN Ltd. in its aforesaid submission has proposed to change the voltage variation of high voltage (HT) from +6% to +9%. In this context, it is to highlight that the provision of maintaining the voltage within the limits of the declared voltage has been taken from the Regulation 2.1 (3) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. Further, it is to clarify that the voltage variation limits stipulated at HT voltage level in the aforesaid Regulation are at the point of commencement of supply to a consumer and are within the voltage variation limits of +9% to -9%. Infact, band is kept stringent to avoid any issues due to over voltage and thus promote more discipline at HT level.

Therefore, the Commission does not find appropriate to make any changes in the draft Regulation.

8.22.2. Stakeholders Comments/Suggestions on heading in Table under Sl. No. 1.3.1 of Schedule-I

UPCL, has submitted that:-

"It is requested to modify it as :- Time limit for rendering the service"

Commission's View:-

As submitted by UPCL, the Commission has modified the heading in Table of Sl. No. 1.3.1 as mentioned below:-

"Time limit for rendering the service."

8.22.3. Stakeholders Comments/Suggestions on Sl. No. 1.3.2 of Schedule-I.

CER-IITK has submitted that:-

"It is requested Although the draft Regulations provides for Voltage Unbalance under Schedule – II clause no. 1 (7), these Regulations do not provide for Harmonic Standards. It is suggested that Harmonic Standards may be incorporated in these draft Regulations (or separately) since these influence the grid operation.

EAL comments on the draft amendments to the Tamil Nadu Electricity Supply Code stipulating Harmonic Limits in it's newsletter 'Power Chronicle: Volume 4, Issue 2', accessible from https://eal.iitk.ac.in/assets/docs/power_chronicle_vol_4_issue_2.pdf."

Commission's View:-

The provision w.r.t. Harmonics Standards has already been introduced at Sl. No. 1.3.2 of Schedule-I of the aforesaid draft Regulations whereby the distribution licensee shall within 06 months from the date of notification of the Regulation shall be required to come up with the proposal before the Commission for specifying the limits of current and voltage Total Harmonic Distortion (THD) at various voltage levels.

Therefore, no change in the draft Regulations is required.

8.23. Sl. No. 1.6 of Schedule-I of the Draft Regulations.

"1.6 Complaints about consumer's bills

S. No.	Nature of complaint	Specified Timeline*
1)	First Bill	<i>Within 02 months</i> of release of connection.
2)	Complaints on billing	[Acknowledgement of complaint • <i>Immediate-</i> for complaints received by hand • <i>Within 3 days-</i> for complaints received by post] Resolution of Complaint and intimation to consumer • <i>Within 15 days-</i> If no additional information required. • <i>Within 30 days-</i> If additional information required.
3)	Final bill for vacation of premises/change of occupancy	[Special reading request to be made by consumer <i>at least 7 days</i> in advance before vacation of premise or change of occupancy.] Delivery of final bill including arrear, if any- <i>at least 3 days</i> before the vacation of premises or change of occupancy after arranging special reading.

S. No.	Nature of complaint	Specified Timeline*
4)	Billing after permanent disconnection on consumer's request	[Licensee shall not raise any bill after permanent disconnection.] In case Licensee raises bill after permanent disconnection the same shall be liable for compensation.
5)	Arrears appearing in bills/wrongly raised bills	Licensee shall not raise arrears for the amount which has already been paid by the consumer within the due date or which is not due to the Licensee.

* Timeline specified in Regulation 5.2.4, Regulation 5.2.6, Regulation 6.2 (5) & Regulation 5.2.5 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020."

8.23.1. **Stakeholders Comments/Suggestions on Sl. No. 1.6(4) 'Billing after permanent disconnection on consumer's request' of Schedule-I**

UPCL, has submitted that:-

"It is requested that although UPCL shall make out all efforts to stop billing immediately after permanent disconnection yet the possibility of generation of One Bill may exist after permanent disconnection due to time gap in data uploading in Spot Billing Machine and bill served to the consumers.

So the draft regulation may kindly be modified accordingly."

Commission's View:-

The permanent disconnection can occur either due to non-payment of the Licensee's dues or on consumer's request and both the cases have already been covered under Regulation 6.1 and Regulation 6.2 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. With regard to permanent disconnection on non-payment of the licensee's dues, the Licensee shall disconnect the connection permanently if the consumer fails to clear all the dues including arrears within 6 months of the date of temporary disconnection. With regard to permanent disconnection on consumer's request, the licensee shall ensure permanent disconnection within 07 days of receipt of the application in the prescribed format for permanent disconnection and shall carry out a special reading and issue final bill to the consumer. Hence, UPCL's submission on the possibility of generation of One Bill after permanent disconnection due to time gap in data uploading in Spot Billing Machine and bill served to the consumers does not arise.

Therefore, the Commission does not find appropriate to make any changes in the draft Regulation.

8.23.2. **Stakeholders Comments/Suggestions on Sl. No. 1.6(5) 'Arrears appearing in bills/wrongly raised bills' of Schedule-I**

UPCL, has submitted that:-

"It is requested to modify the draft regulation in light of the submission made at point-25 above."

Commission's View:-

UPCL has submitted to modify the Sl. No. 1.6(5) of Schedule-I in light of its comments made w.r.t. Sl. No. 1.6(4). The Commission does not find any legitimate reasoning for revising the Sl. No. 1.6(5) in-line with the views mentioned for Sl. No. 1.6(4) of Schedule-I.

Therefore, the Commission does not find appropriate to make any changes in the draft Regulation.

8.24. Sl. No. 1.7 of Schedule-I of the Draft Regulations.

"1.7 Issues relating to disconnection/ reconnection of supply

S. No.	Nature of Complaint	Specified Timeline*
1)	Request for reconnection	<i>Within 5 days</i> of payment of past dues and reconnection charges- <i>In case consumer requests for reconnection within a period of six months after disconnection or before permanent disconnection whichever is later.</i> <i>However, in case consumer requests for reconnection after six months of disconnection or before permanent disconnection whichever is later, the connections would be reconnected only after all the formalities as required in the case of release of new connection are complied with by the consumer including payment of pending dues, service line charges, security deposit etc., as applicable, for that Category of Consumer.</i>
2)	Consumer wanting disconnection	<i>Within 7 days</i> of submission of application in prescribed format for permanent disconnection.
3)	Refund of security deposit after adjustment [For permanent disconnection on consumer's request]	<i>Within 30 days</i> of permanent disconnection.

* Timeline specified in Regulation 6.3, Regulation 6.2 (1) & Regulation 6.2 (4) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020"

8.24.1. Stakeholders Comments/Suggestions on Sl. No. 1.7(2) 'Consumer wanting disconnection' of Schedule-I

UPCL, has submitted that:-

"It is suggested to modify the regulation as under:

Physical disconnection will be ensured within 7 days of submission of application in prescribed format for permanent disconnection. However, permanent disconnection, stop billing and deletion of Consumer Account from Master Ledger may take some more time. So as such 30 days are requested to be allowed for completion of all the formalities as stated above."

Commission's View:-

The provision of permanent disconnection within 7 days of submission of application in prescribed format by consumer has been introduced from the Regulation 6.2 (1) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. Moreover, the said Regulation provides that consumer seeking permanent disconnection shall give an advance written notice of minimum 01 month to Discom. In this regard, the Commission is of the view that in today's era of advanced IT the contention raised by Discom do not sustain as 'deletion of consumer account from master ledger' and 'stop billing' are not too time consuming exercise/works which are difficult to be executed. Thus, the UPCL's submission in this regard cannot be accepted.

Therefore, no change in the draft Regulation is required.

8.24.2. Stakeholders Comments/Suggestions on Sl. No. 1.7(3) 'Refund of security deposit after adjustment [For permanent disconnection on consumer's request]' of Schedule-I

UPCL, has submitted that:-

"It is requested to modify the regulation as under:

Within 30 days after the completion of permanent disconnection formalities as mentioned above at S No. 27."

Commission's View:-

The relevant provision of the aforesaid draft Regulations has been introduced from the Regulation 6.2 (4) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 and as discussed at preceding point, UPCL's submissions in this regard do not sustain.

Therefore, no change in the draft Regulations is required.

8.25. Sl. No. 1.8 of Schedule-I of the Draft Regulations.

"

1.8 Other services chargeable to consumer/applicant

S. No.	Nature of Complaint	Specified Timeline
1.	Shifting of lines/ poles/ transformers	<ul style="list-style-type: none"> • Within 45 days - for LT system • Within 120 days- for HT system

"

Stakeholders Comments/Suggestions on Sl. No. 1.8 of Schedule-I

UPCL, has submitted that:-

"It is requested to omit this regulation since Shifting of lines/poles/transformers does not come under the purview of services to be provided by Licensee to its consumers.

Moreover, such requests may come from both consumers as well as non-consumers of UPCL and requires right of way and NoC for servicing the request which is basically the responsibility of applicant."

Commission's View:-

The Commission has introduced the new provision for shifting of lines/poles/transformers in the draft Regulation with intention to facilitate these services to the person where it is feasible viz. shifting of lines/poles/transformers from one location to another location after conducting feasibility study in this regard. Therefore, the payable compensation allowed for these services at Schedule-III of draft Regulations is based on each day of default and maximum payable compensation is further set as 20% of the amount deposited by the affected person. This is to highlight that a specified timeline for shifting of lines/poles/transformers at aforesaid draft Regulation shall commence from the date of deposition of the amount by the person as estimated by the Discom after carrying out the feasibility survey. Once the estimated amount has been deposited by the person then it is the responsibility of Discom to provide the services against which the estimated amount has been deposited. In past, it has been observed that UPCL has deposited the amount from various persons and has not completed the desired works/services for many years. Further, Discom while conducting the feasibility survey shall ensure that all the aspects for shifting of lines/poles/transformers i.e. right of way, desired NoC from the relevant authorities etc. are obtained and accordingly accept the application of person if it is found feasible. However, it is also expected that certain RoW issues may arise during the course of work execution.

Further, on in-house analysis, it has been observed that it would be reasonable to increase the time limit of 45 days and 120 days for LT system and HT system to 90 days and 180 days respectively considering that the shifting of lines/poles/transformers work is to be executed as brown-field project wherein, the inherent constraints of existing systems along with clearance issues, shut-down etc. exists and therefore calls for additional time for execution of the works in comparison to a green-field project. Therefore, considering the same, the Commission has decided to modify and renumber the aforesaid Sl. No. 1.8 of Schedule-I of the draft Regulations as mentioned below:-

"8 Other services chargeable to consumer/applicant

S. No.	Nature of Complaint	Specified Timeline
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1.	Shifting of lines/ poles/ transformers	<ul style="list-style-type: none"> • Within 90 days - for LT system • Within 180 days- for HT system <p><i>Note:- The specified timeline shall commence from the date of deposition of the requisite amount as estimated by distribution Licensee or NoCs (if any) obtained from the relevant authorities, whichever is later. In-case RoW issues arise during work execution, delay due to RoW shall be exempted.</i></p>
----	--	--

”

8.26. Note of Schedule-I of the Draft Regulations.

“Note: The time limits prescribed in this Schedule will be computed from the time when the complaint is filed with the Centralized Customer Care Centre or Help Desk or Local Complaint Centre of the Licensee. Wherever the charges are required to be deposited by the consumer, the date of deposition of charges shall be treated as date of filing of complaint/application.”

Commission’s View:-

During the in-house analysis of the aforesaid draft Regulations, the Commission is of the view that the contents of the aforesaid draft note have already been covered at appropriate places of the aforesaid draft Regulations and therefore, to avoid duplicity of the same the note has been deleted.

8.27. Schedule-II of the Draft Regulations

Stakeholders Comments/Suggestions

CER-IITK has submitted that:-

“Measurement of Performance and Incentive/Penalty Thereof:

The Regulations specify measurement of Overall Standards of Performance provided in Schedule – II, but these Regulations don’t specify the level at which these standards will be measured, calculated and reported. Furthermore, it is also not clear how these measurements will be used in the overall regulatory framework. From a regulatory perspective, it is important that the performance of the licensee measured in terms of these indexes should be linked either to their return or to the recovery of O&M costs. The linkage to the O&M costs will give appropriate incentive to the licensee to ensure that such expenses are efficiently deployed improvement of these performance indices by maintaining the equipment adequately.”

Commission’s View:-

As per the submission of CER-IITK on specifying the level of measuring, calculating and reporting of the Overall Standards of Performance is concerned, it is to highlight that the Commission has specified the reporting of Overall Standards parameters on the SoP-4 and SoP-5 formats at Circle level of the distribution licensee. With regard to the submission of CER-IITK on linking the indices of Overall Standards of Performance with

O&M cost of the distribution licensee, the Commission is of the view that the Overall SoP has different significance and linking the indices of Overall Standards of Performance with O&M cost of the distribution licensee can only be done after carrying out the performance review and detailed analysis of the overall SoP. Therefore, the Commission in this regard shall issue its directions separately after carrying out the performance review and detailed analysis of the overall SoP. **As of now, no change in draft Regulations is required.**

8.28. Sl. No. 1(4) of Schedule-II of the Draft Regulations.

“

1. Overall Standards of Performance

- (4) *Period of scheduled outages: Interruption in power supply due to scheduled outages, other than the load-shedding, has to be notified in 48 hours in advance and shall not exceed 12 hours in a day and in each such event, the Licensee has to ensure that the supply is restored by 6:00 PM. The Licensee shall achieve the above standards of performance in at least 95% of the cases.”*

Stakeholders Comments/Suggestions on Sl. No. 1 (4) ‘Period of Schedule Outages’ of Schedule-II.

UPCL, has submitted that:-

“It is requested that notification timing to be reduced from 48 hours to 24 hours as it would be more appropriate and convenient for consumers as well as for Licensee.”

Commission’s View:-

The relevant provision of the aforesaid draft Regulations has been taken from the Regulation 5.4 (6) of UERC (Distribution Code) Regulations, 2018 wherein, UPCL is required to intimate 02 days in advance to the public through media including publishing in atleast two largely circulated newspaper in Uttarakhand of that area. Further, the Commission is of the view that in a day ahead scheduling mechanism under UERC (State Grid Code) Regulations, 2016 it is not pragmatic to have notification of scheduled outages 24 hours in advance as precise scheduling and despatch of power by SLDC requires correct estimation of power availability/requirement duly considering the scheduled outages. In this context, it is prudent to notify scheduled outages 48 hours in advance so that UPCL is in a better situation of scheduling its power requirements on a day ahead basis. Infact, any reduction in advance notification of scheduled outages may result in hefty financial losses to Discom on account of DSM charges/high power purchase cost. Therefore, UPCL’s request for reducing the time for prior intimation of scheduled

outages from 48 hrs. to 24 hrs. cannot be accepted as the same is not conducive for the Discom itself.

Therefore, no change in draft Regulation is required.

8.29. Sl. No. 1(9) of Schedule-II of the Draft Regulations.

"1. Overall Standards of Performance

...

(9) Faulty meters: The Licensee shall maintain the percentage of defective meters [Appears to be Defective (ADF), Reading Defective (RDF) & Identified Defective (IDF)] to the total number of meters in service, not greater than 2%."

Stakeholders Comments/Suggestions on Sl. No. 1 (9) of Schedule-II of draft Regulations.

CER-IITK has submitted that:-

"In Schedule – II clause no. 1 (9) mentions three types of faulty meters, namely "Appears to be Defective (ADF), Reading Defective (RDF) & Identified Defective (IDF)". The definition of these terms may be mentioned in these Regulations or be referred to in case a definition already exists in the prevailing rules."

UPCL, w.r.t. restricting faulty meter percentage within 2% has submitted that:-

"After meter change its reflection in the bills take time as it depends upon the billing cycle of consumers therefore it is requested to modify Overall Standard of Performance as under:-

For Plain Area

Not exceeding 2%

For Hilly Area

Not exceeding 3%."

Commission's View:-

With regard to CER- IITK for mentioning the definition of Appears to be Defective (ADF), Reading Defective (RDF) & Identified Defective (IDF), it is to highlight that ADF, RDF, IDF terminology has been drawn from UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 where the same has been appropriately dealt and thus it is not essential to define the terminology in SoP Regulations as the same is an extended arm of the Supply Code Regulations.

With regard to UPCL's submission, it is to highlight that the rationale behind keeping aggressive targets for defective meters in the draft Regulations was that the said Regulations are expected to be in-force for a longer period and it is expected that situation of defective meters would improve considerably. However, considering the request of UPCL, the % defective meters have been restricted to 2% for plain and 3% for hilly areas.

Therefore, the aforesaid draft Regulations 1 (9) of Schedule-II has been modified as mentioned below:-

“Faulty meters: The Licensee shall maintain the percentage of defective meters [Appears to be Defective (ADF), Reading Defective (RDF) & Identified Defective (IDF)] to the total number of meters in service, not greater than 2% for plain areas and 3% for hilly areas.”

Further, the relevant provision of the Sl. No. 1(12) of Schedule-II of aforesaid draft Regulations has also been modified in accordance with the aforesaid modification as mentioned below:-

“

(12) *The Summary of Overall performance standards is as follows:*

<i>Service area</i>	<i>Overall Standard of Performance</i>
...	...
Percentage faulty meters	<i>Not exceeding 2% for plain areas and 3% for hilly areas.</i>

”

8.30. Sl. No. 1(10) of Schedule-II of the Draft Regulations.

“

1. Overall Standards of Performance

...

(10) *Not Accessible (NA)/Not Read (NR): The Licensee shall maintain the percentage provisional billings pertaining to NA/NR cases to the total number of bills issued, not greater than 2%.”*

Stakeholders Comments/Suggestions on Sl. No. 1(10) of Schedule-II of draft Regulations.

UPCL, has submitted that:-

“It is requested to exclude Not Accessible (NA) as the same is beyond the control of Licensee. Therefore, it should be applicable only for Not Read (NR) cases, it is requested to modify the regulation as

Percentage NR cases

For Plain Area

- Not exceeding 2%

For Hilly Area

- Not exceeding 3%”

Commission’s View:-

The rationale put forward by Discom for relaxing provisional billing due to NA as the same is beyond their control is misplaced. Discom has failed in acknowledging the fact that now the majority of connection have been brought outside the consumer’s premise

for which the Discom had taken approval from the Commission for placing consumer meters on electric poles/outside consumer premise. This completely nullifies the plea of Discom for excluding NA from the ambit of 2% of provisional billing NA/NR cases. Moreover, the existing SoP Regulations, 2007 has also restricted the NA/NR cases upto 2% and thus it would not be prudent to increase NA/NR percentage in the aforesaid draft Regulation which are being prepared after an elapse of 15 years since the notification of the existing SoP Regulations, 2007. Further, after considering percentage of faulty meters to 2% for plain areas and 3% for hilly areas, the overall provisional billing will be restricted to 4% for plain areas and 5% for hilly areas. Therefore, the Commission does not find it reasonable to modify the percentage NA/NR cases as mentioned in the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

8.31. Sl. No. 1.1 to 1.3 of Schedule III of the Draft Regulations.

The draft Regulation states that:-

“1. *Guaranteed Standards of Performance and Compensation to Consumers in Case of Default*

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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. Release of new connections and Enhancement/Reduction of Load				
1.1	Release of new LT connection	For LT connections <ul style="list-style-type: none">• Within 15 days- Where no extension of distribution mains or laying of new distributing mains or commissioning of new substation is required. Where extension of distribution mains or laying of new distributing mains or commissioning of new substation is required:-• Within 60 days- For extension of distributing mains.• Within 90 days- For commissioning of new 11/0.4 kV substation.• Within 180 days- For commissioning of new 33/11 kV substation.	Rs. 5 per Rs. 1,000 of the deposited amount subject to a maximum of Rs. 500 for each day of default. [The total amount of compensation shall be limited to the amount deposited by the applicant.]	Not applicable.

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
1.2	Release of new HT/EHT connection	<p>For HT/EHT connections</p> <p>1) Where supply of electricity to premises applied for does not require commissioning of new substation /bay.</p> <ul style="list-style-type: none"> • Within 60 days- 11 kV works including line not involving independent feeder. • Within 90 days- 11 kV works including line involving independent feeder. • Within 180 days- 33 kV works including line. • Within 300 days- 132 kV and above works including line. <p>2) Where supply of electricity to premises applied for require commissioning of new substation /bay, additional time frame for release of new HT/EHT connection shall be:-</p> <ul style="list-style-type: none"> • Within 180 days- new 33/11 kV substation. • Within 120 days- Augmentation of existing 33/11 kV substation. • Within 45 days- Extension of bay at 33/11 kV substation. • Within 540 days- 132 kV and above substation. • Within 90 days- Extension of bay at 132 kV and above substation. 	Rs. 500 for each day of default. [The total amount of compensation shall be limited to the amount deposited by the applicant.]	Not applicable.
1.3	Enhancement/Reduction of Load	<p>Where no alteration of Lines/Substations works are required:-</p> <ul style="list-style-type: none"> • Within 15 days- for LT Connection • Within 30 days- for HT/EHT Connection <p>Where alteration in Lines/Substations works are required the timelines shall be as</p>	Rs. 50 for each day of default subject to a maximum of Rs. 50,000.	Not applicable

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
		specified in the sub paragraph 1.1 & sub paragraph 1.2 mentioned above.		

”

Stakeholders Comments/Suggestions on Sl. No. 1.1 to 1.3 of Schedule-III of aforesaid draft Regulations.

CER-IITK has submitted that:-

“Lack of Compensation for under-performance:

In Schedule - III, for the “Release of new connections and Enhancement/Reduction of Load” the “Compensation payable to individual consumer if the event affects more than one consumer” is marked as “Not Applicable”. This would let the Discom avoid compensation in those cases, where more than one consumer is affected by a fault in the distribution network. This means that scope of the SoP excludes a major component of what forms part of the key indices like SAIFI, SAIDI etc. Non-payment of compensation should be limited to force majeure conditions only.”

Commission’s View:-

The provision w.r.t. delay in release of new connections and enhancement/reduction of load in aforesaid draft Regulation is applicable only for individual applicant. Many applicants may apply for release of new connections and enhancement/reduction of load in the State, however, each application shall be treated as separate application by the licensee. Further, the compensation is linked with the date of deposition of the requisite amount by each applicant and therefore, the individual applicant is only entitled for the compensation. Therefore, it would be prudent to distinguish the services in which consumer has deposited the requisite charges from other services. Further, the Commission has observed that the content of the existing draft note at the end of Schedule-III needs to be modified in order to avoid duplicity of the provisions and bring more clarity w.r.t. computation of compensation for services wherein, consumer has deposited the requisite charges to the licensee. Accordingly, a modified note at the end of the Schedule-III of draft Regulations is mentioned below:-

“Note: Compensation payable in case of violation of standard against services mentioned at Sl. No. 1.1, Sl. No. 1.2, Sl. No. 1.3, Sl. No. 4.1, Sl. No. 6.3, Sl. No. 7.1 & Sl. No. 7.2 shall be computed from the date of default by the licensee subject to filing of the complaint by the

consumer. Provided that post approval of Complaint Handling Procedure, the Commission may review the services mentioned in aforesaid Sl. Nos. through a separate order(s)."

8.32. Sl. No. 2.1 to 2.8 of Schedule III of the Draft Regulations.

The draft Regulation states that:-

"

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
2. Restoration of Power Supply				
2.1	Fuse blown out or MCB/MCCB tripped (in case fuse or MCB/MCCB belongs to Licensee)	<ul style="list-style-type: none">• Within 4 hours- for Urban areas.• Within 8 hours- for Rural areas.• Within 12 hours- for Hilly areas not connected with motorable roads.	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.
2.2	Service line broken Service line snapped from the pole	<ul style="list-style-type: none">• Within 6 hours- for Urban areas.• Within 12 hours- for Rural areas.• Within 24 hours- for Hilly areas not connected with motorable roads.	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.
2.3	Fault in LT distribution line/system	Rectification of fault and thereafter Restoration of normal power supply: <ul style="list-style-type: none">• Within 12 hours- for Urban and Rural areas.• Within 24 hours- for Hilly areas not connected with motorable roads.	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.
2.4	Distribution transformer failed/burnt	Replacement of failed transformer: <ul style="list-style-type: none">• Within 24 hours- in Urban and Rural areas of Plains.• Within 48 hours- in Hilly areas connected with motorable roads.• Within 72 hours- in Hilly areas not connected with motorable roads.	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.
2.5	HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults	Rectification of fault: <ul style="list-style-type: none">• Within 12 hours- in Urban and Rural areas• Within 24 hours- in Hilly areas not connected with motorable roads	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.
2.6	Problem in 33/11 kV Substation	Repair and restoration of supply: <ul style="list-style-type: none">• Within 24 hours- in Plains.• Within 48 hours- in Hilly areas	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.
2.7	Failure of Power Transformer	Within 10 days- Rectification to be completed	Rs. 1,000 for each day of default	Rs. 300 for each day of default to each consumer affected.
2.8	Fault in underground (UG) system including line/cable	<ul style="list-style-type: none">• Within 12 hours- for LT system• Within 48 hours- for HT system	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.

8.32.1. Stakeholders Comments/Suggestions on Sl. No. 2.1 to 2.8 of Schedule-III of draft Regulations.

Confederation of Indian Industry (CII), Dehradun has submitted that:-

*“In, Schedule III, section 2 – **“Restoration of Power Supply”**, the compensation is only Rs 20 per hour, which should be actually the differential cost of Grid Vs DG, in case the Restoration didn’t happen within the agreed timeline.”*

Commission’s View:-

Allowing the compensation on the actual differential cost of Grid and DG set for the period of unavailability of power supply beyond the stipulated timeline as mentioned in Schedule-I of the aforesaid draft Regulation would not be prudent as all the consumers would not necessarily resort to running a DG set and thus setting a high value of compensation would be detrimental for the Discom. The Commission has a pivotal role of balancing between the needs/requirements of the consumers and the service provided by Discom, therefore, the compensation amounts have been decided on generic basis and may not necessarily be cost reflective. Further, the cost of generation from DG set is dependent on the fluctuating oil prices. Thus, the Commission does not find it reasonable to allow the compensation on the actual differential cost of Grid and DG.

Therefore, no change in the draft Regulations is required.

8.32.2. Stakeholders Comments/Suggestions on Sl. No. 2.1 ‘Fuse blown out or MCB/MCCB tripped (in case fuse or MCB/MCCB belongs to Licensee)’ of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested that the compensation amount should be modified as under :-

	<i>Compensation payable to individual consumer if the event affects a single consumer</i>	<i>Compensation payable to individual consumer if the event affects more than one consumer</i>
<i>Fuse blown out or MCB/MCCB tripped</i>	<i>Rs 20 for each hour of default subject to maximum amount of Rs. 100</i>	<i>Rs 10 for each hour of default subject to maximum amount of Rs. 100 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers.</i>

Commission’s View:-

UPCL in its aforesaid submission has requested for fixing the maximum ceiling on payable compensation amount. However, it will be prudent to highlight that provision

for maximum ceiling on the payable compensation amount was also not introduced in existing SoP Regulations, 2007 in order to efficiently handle the complaint and expedite the fault attending & restoration of power supply at the earliest by the Discom that results in paying of less compensation to the affected consumers. Further, if maximum ceiling on the payable compensation amount had been fixed in the existing SoP Regulations, 2007 then it would have not resulted in any deterrence to Discom for addressing the Guaranteed SoP after elapse of maximum ceiling period/amount with regard to payable compensation. Lot of advancements and strengthening of networks has been done in the power evacuation infrastructure/technologies including efficient & reliable power equipment's, communications, software's etc. in last 15 years. Therefore, the Commission does not find it reasonable to introduce the provision of maximum ceiling on the payable compensation amount to the affected consumers in the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

8.32.3. Stakeholders Comments/Suggestions on Sl. No. 2.2 "Service line broken/Service line snapped from the pole" of Schedule-III of draft Regulations.

UPCL, has submitted that:-

"It is requested that the compensation amount should be modified as under :-

<i>Service line broken/Service line snapped from the pole</i>	<i>Compensation payable to individual consumer if the event affects a single consumer</i>	<i>Compensation payable to individual consumer if the event affects more than one consumer</i>
	<i>Rs 20 for each hour of default subject to maximum amount of Rs. 100.</i>	<i>Rs 10 for each hour of default subject to maximum amount of Rs. 100 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers</i>

"

Commission's View:-

The comments put forward by UPCL do not sustain in light of the views mentioned on the submission of UPCL at Sl. No. 2.1 of Schedule-III of draft Regulations. In-line with the same, UPCL's aforesaid request for fixing the maximum ceiling on payable compensation amount is not acceptable.

Therefore, no change in the draft Regulations is required.

8.33. Stakeholders Comments/Suggestions on Sl. No. 2.3 “Fault in LT distribution line/system” of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested that the compensation amount should be modified as under :-

Fault in LT distribution line/system	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
	<i>Rs 20 for each hour of default subject to maximum amount of Rs. 100.</i>	<i>Rs 10 for each hour of default subject to maximum amount of Rs. 100 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers.</i>

”

Commission’s View:-

The comments put forward by UPCL do not sustain in light of the views mentioned on the submission of UPCL at Sl. No. 2.1 of Schedule-III of draft Regulations. In-line with the same, UPCL’s aforesaid request for fixing the maximum ceiling on payable compensation amount is not acceptable.

Therefore, no change in the draft Regulations is required.

8.34. Stakeholders Comments/Suggestions on Sl. No. 2.4 “Distribution transformer failed/burnt” of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested that the compensation amount should be modified as under :-

Distribution transformer failed/burnt	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
	<i>Rs 5 for each hour of default subject to maximum amount of Rs. 100.</i>	<i>Rs 2 for each hour of default subject to maximum amount of Rs. 100 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers</i>

”

Commission's View:-

UPCL in its aforesaid submission has proposed to reduce the compensation payable to individual consumer in both the cases, i.e. if the event affects a single consumer or if it affects more than one consumer and has also proposed for fixing the maximum ceiling on payable compensation amounts. However, UPCL has not substantiated its aforesaid submission. With regard to UPCL's submission for reducing the payable compensation amount, the Commission does not find any rationale in reducing the compensation amount as provided in aforesaid draft Regulation. Further, with regard to UPCL's submission for fixing the maximum ceiling on payable compensation amounts, the Commission has dealt the similar matter earlier and accordingly provided its view on the submission made by UPCL at Sl. No. 2.1 of Schedule-III of draft Regulations. In-line of the same, UPCL's aforesaid request for fixing the maximum ceiling on payable compensation amount is not acceptable.

Therefore, no change in the draft Regulations is required.

8.35. Stakeholders Comments/Suggestions on Sl. No. 2.5 "HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults" of Schedule-III of draft Regulations.

UPCL, has submitted that:-

"It is requested that the compensation amount should be modified as under :-

<i>HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults</i>	<i>Compensation payable to individual consumer if the event affects a single consumer</i>	<i>Compensation payable to individual consumer if the event affects more than one consumer</i>
	<i>Rs 10 for each hour of default subject to maximum amount of Rs. 200.</i>	<i>Rs 5 for each hour of default subject to maximum amount of Rs. 200 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers</i>

”

Commission's View:-

The Commission has addressed the matter in similar type of UPCL's submission and has accordingly provided its view at Sl. No. 2.4 of Schedule-III of draft Regulations. In-line with the same, UPCL's aforesaid request for reducing the payable compensation amount and fixing the maximum ceiling on the same could not be accepted. Further, the

Commission has modified the timeline for rectification of fault in Sl. No. 1.2(5) of Schedule-I of the aforesaid draft Regulations. Therefore, the same provision has been modified in the draft Regulation as mentioned below:-

"1. Guaranteed Standards of Performance and Compensation to Consumers in Case of Default

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
2. Restoration of Power Supply				
...
2.5	HT (11 kV & 33 kV) mains failed due to fuse blown out, line snapping or any other faults	Rectification of fault: <ul style="list-style-type: none">• Within 12 hours- in Urban and Rural areas• Within 36 hours (except fuse blown out cases for which timeline shall be 24 hours)- in Hilly areas not connected with motorable roads	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.

"

8.36. Stakeholders Comments/Suggestions on Sl. No. 2.6 "Problem in 33/11 kV Substation" of Schedule-III of draft Regulations.

UPCL, has submitted that:-

"It is requested that the compensation amount should be modified as under :-

Problem in 33/11 kV Substation	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
	Rs 10 for each hour of default subject to maximum amount of Rs. 200.	Rs 5 for each hour of default subject to maximum amount of Rs. 200 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers.

"

Commission's View:-

The Commission has addressed the matter in similar type of UPCL's submission and has accordingly provided its view at Sl. No. 2.4 of Schedule-III of draft Regulations. In-line

of the same, UPCL's aforesaid request for reducing the payable compensation amount and fixing the maximum ceiling on the same is not acceptable.

Therefore, no change in the draft Regulations is required.

8.37. Stakeholders Comments/Suggestions on Sl. No. 2.7 "Failure of Power Transformer" of Schedule-III of draft Regulations.

UPCL, has submitted that:-

"It is requested to modify the regulation as under :-

Failure of Power Transformer	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
	<i>Rs 1,000 for each day of default subject to maximum of Rs. 5000.00</i>	<i>Rs 100 for each day of default subject to maximum of Rs. 1000.00 per affected consumers however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers.</i>

"

Commission's View:-

The Commission has addressed the matter in similar type of UPCL's submission and has accordingly provided its view at Sl. No. 2.4 of Schedule-III of draft Regulations. In-line of the same, UPCL's aforesaid request for reducing the payable compensation amount and fixing the maximum ceiling on the same is not acceptable.

Therefore, no change in the draft Regulations is required.

8.38. Stakeholders Comments/Suggestions on Sl. No. 2.8 "Fault in underground (UG) system including line/cable" of Schedule-III of draft Regulations.

UPCL, has submitted that:-

It is requested to modify the regulation as under:-

Fault in underground (UG) system including line/cable	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
	<i>Rs 10 for each hour of default subject to maximum amount of Rs. 100.</i>	<i>Rs 5 for each hour of default subject to maximum amount of Rs. 100 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers</i>

"

Commission's View:-

The Commission has addressed the matter in similar type of UPCL's submission and has accordingly provided its view at Sl. No. 2.4 of Schedule-III of draft Regulations. In-line of the same, UPCL's aforesaid request for reducing the payable compensation amount and fixing the maximum ceiling on the same is not acceptable. Further, the Commission has deleted the words 'including line/cable' from the nature of fault namely 'Fault in underground (UG) system including line/cable' at Sl. No. 1.8 of Schedule-I of draft Regulations and accordingly, the same modifications at Sl. No. 2.8 of Schedule-III & Sl. No. 1.8 of Schedule-I of draft Regulations has been made as mentioned below:-

“

2.8	Fault in underground (UG) system	<ul style="list-style-type: none"> • Within 12 hours- for LT system • Within 48 hours- for HT system 	Rs. 20 for each hour of default	Rs. 10 for each hour of default to each consumer affected.
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”

8.39. Sl.No. 3 of Schedule III of the Draft Regulations.

The draft Regulation states that:-

“

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
3. Quality of Power Supply				
3.1	Local problem (Voltage Variation, Voltage Fluctuation, Flickering or any other local problem)	Within 4 hours	Rs. 5 for each hour of default	Rs. 2 for each hour of default to each consumer affected.
3.2	Tap changing of transformer	Within 3 days	Rs. 100 for each day of default	Rs. 50 for each day of default to each consumer affected.
3.3	Repair of distribution line / transformer / capacitor	1. Within 15 days - LT distribution line, 2. Within 90 days - HT distribution line, 3. Within 30 days - Distribution Transformer 4. Within 120 days - Power Transformer 5. Within 30 days - Capacitor.	Rs. 200 for each day of default	Rs. 100 for each day of default to each consumer affected.
3.4	Installation & Up-gradation of HT / LT System	6. Within 90 days - for LT system	Rs. 200 for each day of default	Rs. 100 for each day of default to each consumer affected.

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
		7. Within 180 days- for HT system		
3.5	Damage to consumer's apparatus due to voltage fluctuations* [If apparatus of more than one consumer in close neighbourhood are affected and subject to physical verification of the damaged apparatus by the Licensee within 72 hours]	Immediate Isolation of Faulty Section	Repair charges subject to maximum of Rs. 1,000 per apparatus: For Fan, B&W TV, Mixy, Grinder, Toaster, other portable electric equipments	
			Repair charges subject to maximum of Rs. 3,000 per apparatus: For Colour TV upto 43 inch, Semi-Automatic Washing Machine, Fridge upto 200 Lt., Microwave	
			Repair charges subject to maximum of Rs. 5,000 per apparatus: For Colour TV above 43 inch, Fully Automatic Washing Machine, Computer, Air Conditioner, dishwasher, chimney, Fridge above 200 Lt.	

”

8.40. Stakeholders Comments/Suggestions on Sl. No. 3 of Schedule-III of draft Regulations.

Confederation of Indian Industry (CII), Dehradun has submitted that:-

“In, Schedule III Section 3 – “Quality of Power Supply”, the compensation amount is also very low.”

Commission's View:-

CII in its aforesaid submission has informed that the compensation amount is very low, however, it has not substantiated the reasons behind the same and has also not proposed compensation amount against the amount stipulated in the aforesaid draft Regulation.

Therefore, no change in the draft Regulations is required.

8.41. Stakeholders Comments/Suggestions on Sl. No. 3.1 ‘Local problem (voltage variation, voltage fluctuation, flickering or any other local problem)’ of aforesaid draft Regulations.

UPCL, has submitted that:-

“It is requested to modify the regulation as under :-

Local problem (Voltage Variation, Voltage Fluctuation, Flickering or any other local problem)	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
	Rs 5 for each hour of default subject to maximum amount of Rs. 100.	Rs 2 for each hour of default subject to maximum amount of Rs. 100 per affected consumer however; overall compensation to be paid to multiple affected consumers

		<i>shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers.</i>
--	--	---

”

Commission’s View:-

The Commission has addressed the matter in similar type of UPCL’s submission and has accordingly provided its view at Sl. No. 2.1 of Schedule-III of draft Regulations. In-line with the same, UPCL’s aforesaid request for fixing the maximum ceiling on the same is not acceptable.

Therefore, no change in the draft Regulations is required.

8.42. Stakeholders Comments/Suggestions on Sl. No. 3.2 ‘Tap changing of Transformer’ of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested to modify the regulation as under :-

	<i>Compensation payable to individual consumer if the event affects a single consumer</i>	<i>Compensation payable to individual consumer if the event affects more than one consumer</i>
<i>Tap changing of transformer</i>	<i>Rs 50 for each day of default subject to maximum amount of Rs. 250.</i>	<i>Rs 25 for each day of default subject to maximum amount of Rs. 100 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers</i>

”

Commission’s View:-

The Commission has addressed the similar type of UPCL’s submission and has accordingly provided its view at Sl. No. 2.4 of Schedule-III of draft Regulations. In-line with the same, UPCL’s aforesaid request for reducing the payable compensation amount and fixing the maximum ceiling on the same is not acceptable.

Therefore, no change in the draft Regulations is required.

8.43. Stakeholders Comments/Suggestions on Sl. No. 3.3 ‘Repair of distribution line /transformer/ capacitor’ of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested to modify the regulation as under :-

<i>Repair of distribution line /transformer/ capacitor</i>	<i>Compensation payable to individual consumer if the event affects a single consumer</i>	<i>Compensation payable to individual consumer if the event affects more than one consumer</i>
	<i>Rs 100 for each day of default subject to maximum amount of Rs. 500.</i>	<i>Rs 50 for each day of default subject to maximum amount of Rs. 500 per affected consumer however; overall compensation to be paid to multiple affected consumers shall be capped at Rs. 10,000.00 and to be distributed on Pro-rata basis among the affected consumers</i>

”

Commission’s View:-

The Commission has addressed the similar type of UPCL’s submission and has accordingly provided its view at Sl. No. 2.4 of Schedule-III of draft Regulations. In-line with the same, UPCL’s aforesaid request for reducing the payable compensation amount and fixing the maximum ceiling on the same is not acceptable.

Further, the numbering of the aforesaid draft Regulation has been changed to bullet points as per other Regulations. The modified draft Regulation is mentioned below:-

“

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
3. Quality of Power Supply				
...
3.3	Repair of distribution line / transformer / capacitor	<ul style="list-style-type: none">• Within 15 days- LT distribution line,• Within 90 days- HT distribution line,• Within 30 days- Distribution Transformer• Within 120 days- Power TransformerWithin 30 days- Capacitor.	Rs. 200 for each day of default	Rs. 100 for each day of default to each consumer affected.

”

8.44. Stakeholders Comments/Suggestions on Sl. No. 3.4 ‘Installation & Up-gradation of HT / LT System’ of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested to modify the numbering of the points from 6 & 7 to 1 & 2.”

Commission’s View:-

The numbering of the aforesaid draft Regulations has been modified to bullets as in other Regulations and the modified Regulation after change in the numbering is mentioned below:-

“

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
3. Quality of Power Supply				
...
3.4	Installation & Up-gradation of HT / LT System	<ul style="list-style-type: none">• Within 90 days- for LT system• Within 180 days- for HT system	Rs. 200 for each day of default	Rs. 100 for each day of default to each consumer affected.

”

8.45. Stakeholders Comments/Suggestions on Sl. No. 3.5 of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“Stipulated repair charges as mentioned in the draft SoP regulation are to be paid after inspection of the damaged apparatus by authorised personnel of licensee and on submission and verification of documentary evidence of repair charges incurred by the affected consumer.”

Commission’s View:-

With regard to aforesaid submission of UPCL, it is to highlight that the provision of physical verification of the damaged apparatus within 72 hours has already been introduced in the aforesaid draft Regulations. The cause of damage of apparatus and its eligibility for compensation would be determined by UPCL after carrying out the physical verification of the damaged apparatus. Further, it is important to note that during physical verification of the damaged apparatus within 72 hours, the damaged apparatus of the consumer may not have been repaired. Hence, in such condition the affected consumer may not be able to produce documentary evidence with regard to repair charges incurred in repairing of the apparatus. Moreover, the Commission also understands that it is prudent to seek documentary evidence from the affected consumer by Discom for its verification and determination of the payable compensation in-line with the aforesaid draft Regulations.

Further, the Commission has observed that the replacement of damaged equipment occurred due to voltage fluctuations and which is beyond repair, such cases were not envisaged in the draft Regulations. The Commission considered such cases eligible for compensation against replacement/exchange of damaged equipment with new one on production of original invoice/bill subject to verification by competent authority of distribution licensee and accordingly included a para at column 'Service Area' at Sl. No. 3.5 of Schedule-III.

Moreover, on in-house analysis, it is observed that it would be prudent to shift the equipment namely 'Chimney' from the category of Rs. 5,000/- to Rs. 3,000/-. In this regard, the Commission has modified the aforesaid draft Regulation as mentioned below:-

“

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
3. Quality of Power Supply				
3.5	Damage to consumer's apparatus due to voltage fluctuations* [If apparatus of more than one consumer in close neighbourhood are affected and subject to physical verification of the damaged apparatus by the Licensee within 72 hours followed by submission of documentary evidence by affected consumer with regard to expenses incurred on repair* charges and its verification by the Licensee.] *In case of replacement or exchange of any damaged apparatus/equipment with new one the compensation shall be limited to the extent of repair charges mentioned in this clause subject to the production of original bill and its verification by the Licensee.	Immediate Isolation of Faulty Section	Repair charges subject to maximum of Rs. 1,000 per apparatus: For Fan, B&W TV, Mixy, Grinder, Toaster, other portable electric equipment	
			Repair charges subject to maximum of Rs. 3,000 per apparatus: For Colour TV upto 43 inch, Semi-Automatic Washing Machine, Fridge upto 200 Lt., Microwave, Chimney.	
			Repair charges subject to maximum of Rs. 5,000 per apparatus: For Colour TV above 43 inch, Fully Automatic Washing Machine, Computer, Air Conditioner, dishwasher, Fridge above 200 Lt.	

”

Further, due to revision of the aforesaid draft Regulation, the S. No. (5) of Table mentioned at Sl. No. 1.3.1 of Schedule-I of aforesaid draft Regulations is also modified as mentioned below:-

Sl. No.	Cause of problem related to voltage variation	Time limit for the rendering service
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5)	Damage to consumer's apparatus due to voltage fluctuations*	Immediate Isolation of Faulty Section.
----	---	--

*If apparatus of more than one consumer in close neighbourhood are affected and subject to physical verification of the damaged apparatus by the Licensee within 72 hours followed by submission of documentary evidence by affected consumer with regard to expenses incurred on repair charges and its verification by the Licensee

8.46. Sl. No. 4 of Schedule III of the Draft Regulations.

The draft Regulation states that:-

“

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
4. Complaints about Meters				
4.1	Complaint lodged for accuracy test of Meter	<ul style="list-style-type: none">• Within 30 days- For testing of meter and if needed, the meter shall be replaced within 15 days thereafter.	Rs. 50 for each day of default	Not applicable
4.2	Complaint lodged for defective/stuck meter	<ul style="list-style-type: none">• Within 30 days- For testing of meter and if needed, the meter shall be replaced within 15 days thereafter.	Rs. 100 for each day of default	Not applicable
4.3	Complaint lodged for burnt meter	<ul style="list-style-type: none">• Within 06 Hours- Restoration of supply by bypassing the burnt meter.• Within 3 days- New meter to be installed.	Rs. 100 for each day of default	Not applicable

”

8.47. Stakeholders Comments/Suggestions on Sl. No. 4.1 “Complaint lodged for accuracy test of meter” of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested that Compensation charges against this SoP parameter shall only be payable in case meter is found to be inaccurate in accuracy test.”

Commission's View:-

On the aforesaid submission of UPCL, it is to highlight that one of the objective of SoP Regulations is to improve service delivery by Discom to its consumers within the stipulated timeline prescribed against the benchmark Standards of Performance and in case of failure to achieve guaranteed benchmark SoP, the Discom has to pay compensation to the affected consumers. The aforesaid draft Regulations provide services pertaining to accuracy testing of meter within the stipulated timeline and violation of the same shall make Discom liable for paying compensation to the affected consumers. Thus, applicability of compensation is irrespective of the result of the

accuracy testing of meter whether the meter is accurate or inaccurate. The Discom can conduct the accuracy testing of meters within the stipulated timeline and avoid paying compensation. Further, the provisions for carrying out 'testing of the meter by the licensee within 30 days of receiving the complaint from the consumer' and 'replacement of meter, if needed, within 15 days of testing' have been taken from the Regulation 5.1.3 (5) and Regulation 5.1.3 (10) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 respectively. Thus, the Commission does not find it suitable to include the aforesaid submission of UPCL in the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

8.48. Stakeholders Comments/Suggestions on Sl. No. 4.3 "Complaint lodged for burnt meter" of aforesaid draft Regulations.

UPCL, has submitted that:-

"It is requested that Compensation charges against this SoP parameter shall only be payable in case meter has been found burnt due to reasons attributable to licensee."

Commission's View:-

The aforesaid submission of UPCL is similar to its submission made at Sl. No. 4.1 of Schedule-III of aforesaid draft Regulations. The Commission has expressed its view at Sl. No. 4.1 and has the same view on UPCL's aforesaid submission. Further, the provision for restoration of supply by by-passing the burnt meter within 06 hours and installation of new meters within 03 days by the licensee has been taken from the Regulation 5.1.5 (1) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. Thus, the Commission does not find it suitable to include the aforesaid submission of UPCL in the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

8.49. Sl. No. 5.1 to 5.3 of Schedule III of the Draft Regulations.

The draft Regulation states that:-

"1. Guaranteed Standards of Performance and Compensation to Consumers in Case of Default ...

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
5. Transfer of Consumer's Connection and Conversion of Services				
5.1	Change of consumer's name due to change in ownership/occupancy for property	Within two months after acceptance of application.	Rs. 100 for each day of default	Not applicable
5.2	Transfer of consumer's name to legal heir	Within two months after acceptance of application.	Rs. 100 for each day of default	Not applicable
5.3	Change of category	<ul style="list-style-type: none">• Within 5 days- Inspect the premise.• Within 02 months- change the category.	Rs. 100 for each day of default	Not applicable

”

8.50. Stakeholders Comments/Suggestions on Sl. No. 5.1 "Change of consumer's name due to change in ownership/occupancy for property" of Schedule-III of draft Regulations.

UPCL, has submitted that:-

"It is requested that Compensation charges against this SoP parameter shall only be payable if all documentary formalities has been completed by the consumer and there is no outstanding arrears /liabilities against the consumer."

Commission's View:-

UPCL in its aforesaid submission has requested to allow applicability of compensation charges to consumers if all documentary formalities have been completed by the consumer and there is no outstanding arrears /liabilities against the consumer. With regard to completion of all documentary formalities by the consumer, it is to mention that in the aforesaid draft Regulation it is clear that the timeline shall commence after acceptance of application and the same has been taken from Regulation 4.3.1 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 wherein, it has been highlighted that application shall be accepted by the licensee on showing proof of lawful ownership/occupancy of property. With regard to UPCL's submission on outstanding arrears /liabilities against the consumer, the same shall be dealt in accordance with provision of Section 56 (2) of the Act which is elaborated in the Regulation 4.3.1 of UERC (The Electricity Supply Code, Release of New

Connections and Related Matters) Regulations, 2020. Hence, the Commission does not find it suitable to incorporate UPCL's submission in the aforesaid draft Regulation.

Therefore, no change in the draft Regulations is required.

8.51. Stakeholders Comments/Suggestions on Sl. No. 5.2 "Transfer of consumer's name to legal heir" of Schedule-III of draft Regulations.

UPCL, has submitted that:-

"It is requested that Compensation charges against this SoP parameter shall only be payable if all documentary formalities has been completed by the consumer and there is no outstanding arrears /liabilities against the consumer."

Commission's View:-

The aforesaid submission of UPCL is similar to its submission made at Sl. No. 5.1 of Schedule-III of aforesaid draft Regulations. The Commission has provided its view at Sl. No. 5.1 and has the same view on UPCL's aforesaid submission. Further, the provision as mentioned in aforesaid draft Regulation has been taken from the Regulation 4.3.2 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. Thus, the Commission does not find it suitable to include the aforesaid submission of UPCL in the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

8.52. Stakeholders Comments/Suggestions on Sl. No. 5.3 "Change of category" of Schedule-III of draft Regulations.

UPCL, has submitted that:-

"It is requested that Compensation charges against this SoP parameter shall only be payable if all documentary formalities has been completed by the consumer and there is no outstanding arrears /liabilities against the consumer."

Commission's View:-

The provision as mentioned in aforesaid draft Regulation has been taken from the Regulation 4.4 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. Further, the Commission has already provided its view on the submission made by UPCL on Sl. No. 5.1 of Schedule-III of aforesaid draft Regulations which is similar in matter as submitted by UPCL on aforesaid draft Regulation. Thus, the Commission does not find it reasonable to include the aforesaid submission of UPCL in the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

8.53. Sl. No. 6.1 to 6.5 of Schedule III of the Draft Regulations.

The draft Regulation states that:-

“1. *Guaranteed Standards of Performance and Compensation to Consumers in Case of Default*
...

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
6. Complaint about Consumer's Bills				
6.1	First Bill	Within 02 months of release of connection.	10% of billed amount subject to a maximum of Rs. 500 per month.	Not applicable
6.2	Complaints on billing	[Acknowledgement of complaint <ul style="list-style-type: none">• Immediate- for complaints received by hand• Within 3 days- for complaints received by post] Resolution of Complaint and intimation to consumer <ul style="list-style-type: none">• Within 15 days- If no additional information required.• Within 30 days- If additional information required.	Rs. 20 for each day of default subject to a maximum of 10% of billed amount or Rs. 500 whichever is less.	Not applicable
6.3	Final bill for vacation of premises /change of occupancy	[Special reading request to be made by consumer at least 7 days in advance before vacation of premise or change of occupancy.] Delivery of final bill including arrear, if any- at least 3 days before the vacation of premises or change of occupancy after arranging special reading.	Rs. 20 for each day of default.	Not applicable
6.4	Billing after permanent disconnection on consumer's request	[Licensee shall not raise any bill after permanent disconnection.] In case Licensee raises bill after permanent disconnection the same shall be liable for compensation.	Rs. 500 for each case	Not applicable
6.5	Arrears appearing in bills/wrongly raised bills	Licensee shall not raise arrears for the amount which has already been paid by the consumer within the due date or which is not due to the Licensee.	For First time- 10% of arrear amount subject to a maximum of Rs. 500. [Computation of compensation for first time shall be based on bills downloaded from the Licensee's billing portal.]	Not applicable

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
			For Second time- 15% of arrear amount subject to a maximum of Rs. 1,000. For Third and subsequent times- 20% of arrear amount subject to maximum of Rs. 2,000.	

”

8.54. Stakeholders Comments/Suggestions on Sl. No. 6 of Schedule-III of draft Regulations.

CII, Dehradun has submitted that:-

“In, Schedule III Section 6 “Complaint about Consumer’s Bills”, the compensation amount should be as per the Bank interest rate.”

Commission’s View:-

The Commission has fixed the payable compensation determined on each day of default and as of now does not find appropriate to allow compensation amount on variable parameters such as bank interest rates which are subject to change from time to time as per RBI guidelines.

Therefore, no change in the draft Regulations is required.

8.55. Stakeholders Comments/Suggestions on Sl. No. 6.2 “Complaints on billing” of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested to modify the regulation as under Rs. 10.00 for each day of default subject to a maximum of 10 % of billed amount or Rs. 250 whichever is lesser.”

Commission’s View:-

UPCL vide its above aforesaid submission has simply made the statement for modification of payable compensation however, has not furnished any rationale for the same. Thus, the Commission does not find it appropriate to reduce the compensation amount as proposed by UPCL.

Therefore, no change in the draft Regulations is required.

8.56. Stakeholders Comments/Suggestions on Sl. No. 6.5 “Arrears appearing in bills/wrongly raised bills” of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested that compensation may be payable in cases where wrong bills have been raised due to reasons other than due to technological technical constraints.”

Commission’s View:-

The aforesaid provision in the draft Regulation is new and was not in existence in UERC (Standards of Performance) Regulations, 2007. The same has been introduced in the aforesaid draft Regulations in accordance with the Regulation 5.2.5 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. UPCL’s request for exemption of compensation in cases where wrong bills have been raised due to reasons other than technical constraints are devoid of reasoning in the support of the same. Further, the Commission is of the view that responsibility of resolving technical issues/ constraints in billing lies with Discom only which further rejects Discom’s plea for relaxation.

Therefore, no change in the draft Regulations is required.

8.57. Sl. No. 7.1 to 7.3 of Schedule III of the Draft Regulations.

The draft Regulation states that:-

“

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
7. Issues relating to disconnection/reconnection of supply				
7.1	Request for reconnection	<p>Within 5 days of payment of past dues and reconnection charges- In case consumer requests for reconnection within a period of six months after disconnection or before permanent disconnection whichever is later.</p> <p>However, in case consumer requests for reconnection after six months of disconnection or before permanent disconnection whichever is later, the connections would be reconnected only after all the formalities as required in the case of release of new connection are complied with by the consumer including payment of pending</p>	Rs. 100 for each day of default	Not applicable.

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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
		<i>dues, service line charges, security deposit etc., as applicable, for that Category of Consumer.</i>		
7.2	Consumer wanting disconnection	Within 7 days of submission of application in prescribed format for permanent disconnection.	Rs. 100 for each day of default	Not applicable.
7.3	Refund of security deposit after adjustment [For permanent disconnection on consumer's request]	Within 30 days of permanent disconnection.	Rs. 100 for each day of default	Not applicable.

”

8.58. Stakeholders Comments/Suggestions on Sl. No. 7.1 “Request for reconnection” of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested that Compensation charges against this SoP parameter shall only be payable if all documentary formalities has been completed by the consumer and there is no outstanding arrears /liabilities against the consumer.”

Commission’s View:-

The aforesaid provision w.r.t. request for reconnection in the aforesaid draft Regulations has been taken from Regulation 6.3 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. With regard to UPCL’s aforesaid submission on applicability of compensation charges on completion of formalities, it is to highlight that submission of prescribed documents are pre-requisites for an application to be complete in all respect and the compensation shall be applicable once the application is complete in all respect. With regard to UPCL’s aforesaid submission on applicability of compensation charges, if there is no outstanding arrears/liabilities on the consumers, it is to clarify that reconnection shall be provided by Discom within the stipulated timeline only after payment of past dues & reconnection charges by the consumer and the same has been clearly highlighted in the aforesaid draft Regulation. Thus, the Commission does not find it suitable to include UPCL’s submission in the aforesaid draft Sl. No. 7.1.

Therefore, no change in the draft Regulations is required.

8.59. Stakeholders Comments/Suggestions on Sl. No. 7.3 “Refund of security deposit after adjustment [For permanent disconnection on consumer’s request” of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested that Compensation charges against this SoP parameter shall only be payable if all documentary formalities has been completed by the consumer and there is no outstanding arrears /liabilities against the consumer.”

Commission’s View:-

The provision as mentioned in aforesaid draft Regulation has been taken from the Regulation 6.2 of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020. Further, the Commission has already provided its view on the similar type of submission made by UPCL against Sl. No. 7.1. Thus, the Commission does not find it suitable to include the aforesaid submission of UPCL in the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

8.60. Sl. No. 8.1 “Shifting of lines/ poles/ transformers” of Schedule III of the Draft Regulations.

The draft Regulation states that:-

“

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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 Other services chargeable to consumer/applicant				
8.1	Shifting of lines/ poles/ transformers	1. Within 45 days - for LT system Within 120 days- for HT system	For LT System- Rs. 100 for each day of default subject to maximum of 20% of the deposited amount by the consumer. For HT system- Rs. 200 for each day of default subject to maximum of 20% of the deposited amount by the consumer.	Not applicable

”

8.61. Stakeholders Comments/Suggestions on Sl. No. 8.1 “Shifting of lines/ poles/ transformers” of Schedule-III of draft Regulations.

UPCL, has submitted that:-

“It is requested to delete this regulation from the draft SoP in lines with the comments made at point-29 above.”

Commission’s View:-

The Commission has provided its view on the UPCL’s submission at Sl. No. 1.8 of Schedule-I of aforesaid draft Regulations. Accordingly, aforesaid draft Sl. No. 8.1 has been modified as mentioned below:-

“

S. No.	Service Area	Standard	Compensation payable in case of violation of Standard (default shall be considered from the time consumer has made complaint)	
			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 Other services chargeable to consumer/applicant				
8.1	Shifting of lines/ poles/ transformers	<ul style="list-style-type: none">• Within 90 days - for LT system• Within 180 days- for HT system <p><i>Note:- The specified timeline shall commence from the date of deposition of the requisite amount as estimated by distribution Licensee or NoCs (if any) obtained from the relevant authorities, whichever is later. In-case RoW issues arise during work execution, delay due to RoW shall be exempted.</i></p>	<p>For LT System- Rs. 100 for each day of default subject to maximum of 20% of the deposited amount by the consumer/applicant.</p> <p>For HT system- Rs. 200 for each day of default subject to maximum of 20% of the deposited amount by the consumer/applicant.</p>	Not applicable

”

Further, the numbering mentioned against ‘Standard’ column in the aforesaid draft Regulation has been modified and changed into bullet points above.

8.62. Stakeholders General Comments/Suggestions/In-house changes on aforesaid draft Regulations.

1. General Comments/Suggestions by UPCL

(1) UPCL, has submitted that:-

“For all the prescribed reports in the draft regulations, it is requested that Licensee should be allowed to approach Hon’ble UERC to modify the SoP formats during the phase of Application Development as difficulty if any, in designing the reports or for improvement in the format of the reports can be known during the finalization of design document with the appointed agency whosoever UPCL will appoint for development of the application.

It is requested that Licensee should be allowed to approach Hon'ble UERC to modify the SoP formats during the phase of Report Designing & Application development."

Commission's View:-

UPCL has already submitted its similar submission under the heading 'General remark for all prescribed Format SoP-1 to SoP-10' for draft Sub-Regulation (1) of Regulation 10 of the draft Regulations which has been adequately dealt by the Commission in the relevant sections of this SOR.

(2) UPCL, has submitted that:-

"Proposed for new addition:-

It is inform that Hon'ble GERC has recently issued DRAFT GERC (Standard of Performance of Distribution Licensee) Regulations, 2022 notified on 19th Feb'2022 in the draft Hon'ble GERC has proposed

Clause 6.1.1 Proviso 5th & 6th at Page No. 21 (Relevant Extract Attached – Annexure-A)

Provided further that the compensation shall be payable as per Clause 6.2 to only those affected person/Consumers who have paid all their bills to the Distribution Licensee within the due dates of each bill without any delay in last 1 (One) year or in cases where supply has been provided for a shorter period, such shorter period shall be considered and there is no outstanding amount to be paid to the licensee except for current bill which is not due and have not been, during last 2 (Two) years, either convicted for theft of electricity or finally assessed for Unauthorised Use of Electricity:

Provided further that the affected person/Consumer who have paid the bills, though not within due date but with delayed payment charges, in last 1 (One) year or in cases where supply has been provided for a shorter period, such shorter period shall be considered and there is no outstanding amount to be paid to the licensee except for current bill which is not due and have not been, during last two years, either convicted for theft of electricity or finally assessed for Unauthorised Use of Electricity, such affected person/Consumer who seeks to claim compensation shall file his claim with such a Distribution Licensee within a maximum period of 60 (Sixty) days from the time such a person is affected by such failure of the Distribution Licensee to meet the Standards of Performance and such affected person/Consumer shall only be entitled for Compensation of half the amount specified in Clause 6.2.

It is requested to kindly add these proviso's in Regulation-9 of the draft Regulation as it is important that compensation should be given to the affected and committed consumer who has not defaulted in his payments to the utility and also not being engaged in any illegal act. It is important to discipline consumers as well so as to maintain the balance on both sides. Hence, it is humbly requested the add the above clauses in the regulation."

Commission's View:-

The brief of the UPCL's aforesaid submission are summarized below:-

(A) Entitlement of affected consumer for payment of full compensation: -

- 1) Who have paid all their bills within due dates of each bill without any delay in last one year or for such shorter period for which supply has been provided.

And

- 2) Who do not have any outstanding amount due to be paid during last two years except for current bill.

(B) Entitlement of affected consumer for payment of half compensation:-

- 1) Who have paid the bills, though not within due date but with delayed payment charges in last one year or for such shorter period for which supply has been provided.

And

- 2) Who do not have any outstanding amount due to be paid during last two years except for current bill.

The Commission with regard to aforesaid point no. (A) 1) & point no. (B) 1) is of the view that the State of Uttarakhand has typical geographical constraints with limited resources viz. transport, internet etc. available in the hilly regions. Therefore, the residents of hilly regions in some months throughout the year may not be able to pay their electricity bills within the due date. However, they pay their electricity bills dues after due date attracting delayed payment surcharge. Therefore, it would not be prudent to deprive the consumer from its legitimate right of compensation when he has been adequately penalised for delayed payment of dues.

The Commission with regard to aforesaid point no. (A) 2) & point no. (B) 2) is of the view that this provision has already been taken at draft Regulation 9 (1) of aforesaid draft Regulations wherein, no compensation shall be payable to affected consumer if there is any arrear due to be recoverable from the consumer which has been further modified and dealt in the relevant section of this SOR.

As far as, exclusion of consumers who have been booked under UAE or theft of electricity from payment of compensation appears to be in-line with promoting people to adopt the correct path of legitimate electricity usage in first go. However,

considering that a person convicted of UUE and theft cases would have already faced penalty for the same and the Commission does not find it prudent to deprive such person of its legal right of compensation for the misdeed done in past for which he has already been adequately penalised. Therefore, the Commission does not find it prudent to include the suggestions of UPCL in draft Regulations.

(3) UPCL, has submitted that:-

“Proposed for new addition:-

In case a transformer services a single consumer and gets damaged due to overload above the transformer capacity, then consumer should be made liable to deposit the repair cost of damaged transformer equivalent to 30% of the transformer’s cost. Compensation amount for the concerned SoP parameter shall only be made applicable on the Licensee after deposition of the repair cost of damaged transformer as stated above.

Hence, it is humbly requested to add the above in the regulation.”

Commission’s View:-

On the aforesaid submission of UPCL, the Commission is of the view that the transformer installed at consumer premise for which consumer has initially paid the charges for construction and the same is being maintained by the distribution licensee thereafter. For such cases, the onus of providing & maintaining the transformer overload protection lies with Discom. Moreover, if any consumer by-passes the aforesaid transformer protection system by using unlawful means then it would result in jeopardizing the distribution network and Discom in this case can disconnect the consumer as per the provisions mentioned in ‘Declaration/Undertaking’ submitted by the consumers while applying for new connection. **Thus, the Commission does not find it appropriate to include above submission of UPCL in the aforesaid draft Regulation.**

2. General Comments/Suggestions by CER-IITK

(1) CER-IITK submitted that:-

“Sharing of Consumer Claim Data:

The licensee must report the compensation amount, type of consumer, and other associated data linked to complaints made by consumers and complaint status to the Commission on a quarterly basis. The website of the licensee should also provide for a mechanism to search the complaint/ compensation status upon entering the Unique Complaint Number.”

Commission’s View:-

With regard to the issue of reporting of compensation, the Commission has already made the format at SoP-8 for submission of periodical reports pertaining to ‘compensation

claimed by the consumer, compensation paid/not paid by the licensee'. Further, with regard to establishment of mechanism for searching the status of complaint/compensation via unique complaint no., it is to clarify that the unique complaint no. has been kept separate from the registration no. for compensation claim application which has been adequately dealt at Sub-Regulation 9 (7) of draft Regulations wherein, the provision of maintaining online data of the compensation claim application alongwith the status of action taken has been provided.

Therefore, no change is required in the relevant draft Regulation of the aforesaid draft Regulations.

(2) CER-IITK submitted that:-

“Enabling Digital Customer Service Interface:

In the modern era of social media, Discoms should be encouraged to adopt technology platforms (like WhatsApp) for customer service experience. A customer would easily be able to share the picture of an incident (if required) or the equipment needing attention allowing the Discom officials to send appropriate response team with necessary technology support and replacement parts. This will enable the response staff to understand beforehand the incident before visiting the site in order to carry the necessary equipment thus saving the precious time, and allowing the Discom to meet its SoP.”

Commission’s View:-

The Commission agrees for adopting available communication technology by the licensee for better customer service so as to provide required facility/services to the affected customer within the minimum time. In this regard, the distribution licensee while updating the Complaint Handling Procedure may incorporate features of available communication technology to minimize the time required for addressing the complaint of its consumers. In this regard, considering the aforesaid submission of CER-IITK, the relevant changes at Regulation 8 of the draft Regulations have been done. Accordingly, the relevant Regulation has been renumbered and modified as mentioned below:-

“5. Complaint Handling Procedures

- (1) *The Licensee within 03 months of notification of these Regulations, shall update the Complaint Handling Procedures and submit the same in English as well as in Hindi before the Commission for approval in line with the conditions mentioned at para 23.4 of Uttarakhand Distribution and Retail Supply Licence (License No. 2 of 2003).“*
- (2) *The distribution licensee while updating the Complaint Handling Procedure as mentioned above at Sub-Regulation (1) shall require to incorporate the features of available communication technologies to minimize the time period required for*

addressing the complaint of its consumers and shall also require to propose the services that can be taken for automatic payment of compensation.

(3) Details of each complaint shall be recorded as per **Format SoP-1**.

(3) CER-IITK submitted that:-

“Reoccurrences of Events:

The reoccurrences of the same event multiple times at the same point/ area of service needs to be resolved with greater scrutiny from the Licensee’s engineering side and requires greater scrutiny from the Regulatory perspective. These events must be reported separately. The Commission may later take a call on a separate SoP criteria for such events if required.”

Commission’s View:-

The Commission agrees with the aforesaid submission of the CER-IITK that the events which reoccur in distribution licensee’s network resulting in repetitive default in services to the consumers needs special monitoring. The Commission has introduced a reporting Format SoP-9 pertaining to ‘measures of improvement’ dealing with the issue highlighted by CER-IITK. However, for ascertaining the current situation vis-a-vis the target set for the improvement, a separate column for reporting the number of events of default in particular service has been inserted in the aforesaid Format, i.e. SoP 9 as mentioned below:-

“

Format for Measures taken for improvement of Guaranteed SoP (Schedule-I)

S. No.	Description of SoP Parameter	Total no. of defaults during the FY	Measures for improving performance		Targets for improving performance in the ensuing FY
			Taken during the FY	Proposed for ensuing FY	
...

”

(4) CER-IITK submitted that:-

“Supply through Microgrids:

In case the Discom provides new connections through micro/mini grids in remote areas, due to unavailability of the distribution network in the area, the provisions of these Regulations do not provide for such arrangements. It is suggested that the SOP for microgrids be specified separately.”

Commission’s View:-

As per scope of the Regulation as mentioned at draft Regulation 1 (2), these Regulations are applicable to all the distribution and retail supply licensee(s) including deemed licensee(s) and all its consumers in the State of Uttarakhand. Further, with regard to CER-IITK submission for specifying SoP for microgrids separately, the Commission appreciates the submission of CER-IITK and is of the view that there are certain areas in geographically tough terrains of Uttarakhand wherein, the sole distribution licensee of the State i.e. UPCL is not supplying electricity to the consumers but in such areas the electricity is being provided by other entities/agencies through microgrid. Therefore, for such areas the Commission after conducting detailed analysis of factual position may decide on formulating a separate SoP for such areas. **As of now no change in draft Regulations is required.**

(5) CER-IITK submitted that:-

“Record of Delay:

The audit trail for the record of number of days of delay should be mentioned in these Regulations. It may also be specified in these Regulations, that which entity will mark and keep a record of the delay. The date of completion of complaint application should also be specified in order to record the delay time.”

Commission’s View:-

The provision w.r.t. aforesaid submission of CER-IITK has already been covered in the reporting mechanism as mentioned at draft Regulation 10 (1). Further, the Commission under the newly added Regulation 8 (2) has included the provision for creating exclusive tab/section on the website of the licensee for accessing all the reports/information pertaining to the SoP. Besides above, as per suggestion of CER-IITK relevant changes in Format SoP-9 have also been incorporated in the relevant section of this SOR.

(6) CER-IITK submitted that:-

“Pass-through of IT Infrastructure costs in ARR:

A reasonable and efficient investment required for achieved the aforementioned objectives be provided for through the ARR by the Commission. This should also ensure that the investment made lead to the desired outcome identified for the investment.”

Commission’s View:-

With regard to consideration of investment incurred against development of IT infrastructure in the ARR of the distribution licensee, it is to highlight that a separate Regulation namely UERC (Terms and Conditions for determination of Multi Year Tariff) Regulations, 2021 has been notified by the Commission whereby

expenditure/investment incurred or projected to be incurred once found genuine are admitted in the ARR of distribution licensee subject to prudence check.

Therefore, no change in the draft Regulations is required.

(7) CER-IITK submitted that:-

“IT based implementation of SoP:

Implementation of SoP and its enforcement, including payment of compensation as applicable would be significantly influenced by the process implemented by the Discom for the same. To ensure that such a process is efficiently implemented, an IT-based platform should be integrated with the existing system to ensure that the consumers get timely compensation. Otherwise, the physical process to claim compensation or even to verify whether the SoP have been breached or not would defeat the purpose of design of the SoP and the compensation mechanism by the Commission. This will also improve overall transparency and empower consumers.

The mechanism for verification of rectification of a fault (event) is currently based on the self reporting by the licensee. This should involve the consumer through appropriate IT intervention through an App based system. The parallels for an example of such mechanism can be drawn from e-Commerce companies, which deliver products only after the package delivery is confirmed through an OTP. The confirmation of this OTP (to be received directly by the consumer) to the delivery person closes the delivery process and ensures that the task has been completed. A similar process involving OTP based confirmation of ‘satisfactory rectification of the fault/error’ be introduced, wherein the consumer would receive the OTP and share it with the visiting Discom team or ‘close’ the complaint through the App once the task is completed. This would incentivise the Discom to address the fault/error within the SoP limit, and would ensure consumers’ participation.....”

Commission’s View:-

The suggestion provided by CER-IITK through its aforesaid submission is appropriate, however, it is pertinent to highlight that Uttarakhand State has tough geographical terrain and availability of good communication networks/infrastructure still remains the challenge. Further, mechanism for expediting fault rectification through appropriate IT systems interventions would immediately attract lot of modifications in the IT infrastructure of the Discom. Therefore, as of now, the Commission does not find it suitable to include the aforesaid submission of CER-IITK in the aforesaid draft Regulations.

Therefore, no change in the draft Regulations is required.

3. General Comments/Suggestions by CII, Dehradun

CII, Dehradun submitted that:-

“To extend Industry Power Tariff to hotels since Tourism has been granted Industry Status.”

Commission's View:-

The Commission carries out separate exercise for determining the Tariff of consumers under various schedules every financial year while determination of ARR of the distribution licensee. The proposed submission of CII, Dehradun is not relevant with the aforesaid draft Regulation and thus cannot be dealt herewith.

4. General Comments/Suggestions by Uttaranchal Power Engineers Association (UPEA), Dehradun

Most of the submissions made by Uttaranchal Power Engineers Association (UPEA), Dehradun are relevant with the administration and Tariff determination aspects. The Commission has only considered the submissions of UPEA those are relevant with the aforesaid draft Regulations and has accordingly provided its view on the relevant submissions.

Uttaranchal Power Engineers Association (UPEA) has submitted that:-

“बिन्दु 1— यहां Release of New Connections and Enhancement/Reduction of Load, Restoration of Power Supply, Quality of Power Supply तथा Overall Standards of Performance के लिये राज्य के भौगोलिक क्षेत्रफल को मैदानी क्षेत्र व पर्वतीय क्षेत्र में अलग-अलग परिभाषित किया जाना आवश्यक है।

- (a) मैदानी क्षेत्र को “नगरीय मैदानी क्षेत्र” तथा “ग्रामीण मैदानी क्षेत्र”, दो भागों में विभक्त किया जाना वांछनीय है।
- (b) पर्वतीय क्षेत्र को “दुर्गम पर्वतीय क्षेत्र”, तथा “अतिदुर्गम पर्वतीय क्षेत्र” तथा “स्नो बाऊंड पर्वतीय क्षेत्र”, तीन भाग में विभक्त किया जाना वांछनीय है।
पर्वतीय क्षेत्र की लिंक रोड पर परिवहन साधन उपलब्धता अत्यंत सीमित है तथा अनेक गाँव व तोक ऐसे हैं जिनकी सड़क मार्ग से पैदल दूरी 2 कि०मी० से लेकर 10 कि०मी० तक भी है।
- (c) पर्वतीय क्षेत्र में रात्रि में जंगली जानवरों जैसे बाघ, तेंदूआ, भालू, हाथी आदि का खुला विचरण रहता है तथा इनसे टकराव की संभावना बनी रहती है इसलिये सुरक्षात्मक कार्य मानक/समय तय करना आवश्यक है।

बिन्दु 2— यहां Release Guaranteed Standards of Performance and Compensation to Consumer in Case of Default में Compensation to Consumers में Penalty ताकि व/आर्थिक दण्ड का मूल्य, रेपो रेट/रिवर्स रेपो रेट को मानक मानकर भिन्न न हो।”

Commission's View:-

With regard to UPEA's submission for categorising the regions into Urban Plain, Rural Plain, Inaccessible Hill, Very Inaccessible Hill and Snow Bound Hill, it is to highlight that the Commission has broadly categorised regions into Urban and Rural areas. However, acknowledging the constraints in the hilly areas of the State which are not connected with the motorable roads, the Commission has specifically distinguished such areas and incorporated a separate category of "Hilly areas not connected with motorable roads" for certain services requiring special attention. The existing UERC (Standards of Performance) Regulations, 2007 do not provide any relaxation for hard/geographically tough terrains. However, acknowledging the constraints, the Commission decided to allow special timelines for hilly areas not connected with motorable road and further categorization of hilly areas and relaxation in timeline for the same would ultimately dilute the entire intent of Regulations, as consumers residing in geographically tough terrains would be deprived from getting good/prompt services. With regard to UPEA submission for consideration of compensation on the basis of repo rate/reverse repo rate, the Commission is of the view that the compensation amount should be generic and should not be dependent on variable parameters as repo rate/reverse repo rate are revised by RBI from time to time. Thus, the Commission does not find it reasonable to set compensation amount based on repo rate/reverse repo rate. In this context, the Commission does not find it reasonable to include the aforesaid submission of UPEA in the draft Regulations.

5. Other Changes as per In-house analysis:-

"9. Compensation Mechanism

...

- (5) *In case there is a delay in the resolution of complaint, claim for compensation shall be filed by the consumer not beyond 30 days of resolution of complaint.*

....

- (11) *The aggrieved consumer shall not be liable to pay any fee for lodging a claim of compensation under these regulations before the licensee, Forum or Electricity Ombudsman."*

Commission's View:-

The Commission has observed that the provision as mentioned in the aforesaid Sub-Regulation 11 of draft Regulation 9 has already covered in the draft Regulation 11

therefore, it has been decided to delete the aforesaid Sub-Regulation 11 of draft Regulation 9. Further, with regard to aforesaid Sub-Regulation 5 of draft Regulation 9, the Commission for bringing more clarity/ understanding has modified and renumbered the aforesaid draft Sub-Regulation as mentioned below:-

“

6. Compensation Mechanism

...

- (4) *In case there is a delay in the resolution of complaint beyond the time limit prescribed in the **Schedule-I**, claim for compensation shall be filed by the consumer not beyond 30 days of resolution of complaint.”*

Furthermore, the numbering of Schedule-I, Schedule-II & Schedule-III have been modified at appropriate places in the draft Regulations.

List of stakeholders who submitted comments on draft Regulations.

1. UJVN LTD., vide letter dated 24.06.2022
2. Confederation of Indian Industry vide e-mail dated 04.07.2022
3. Uttaranchal Power Engineers Association vide letter dated 11.07.2022
4. CER, IIT Kanpur, vide letter dated 20.07.2022
5. UPCL, vide letters dated 25.07.2022 and dated 08.08.2022

List of participants who attended the Public Hearing.

1. Sh. Rahul Jain, SE (Distribution), UPCL.
2. Sh. Vikas Gupta, SE (Regulatory Management), UPCL.
3. Sh. Anurag Sharma, Advocate, UPCL.
4. Sh. Beeru Bisht, Social Worker, Dehradun.
5. Sh. Aman Joshi, Director, Fidato Consultants Pvt. Ltd.
6. Sh. Tushar Negi, Consultant, Fidato Consultants Pvt. Ltd.
7. Sh. Vijay Joshi, Dainik Jagran, Dehradun.
8. Sh. B. S. Negi, Hindustan, Dehradun.