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**JHARKHAND STATE ELECTRICITY REGULATORY
COMMISSION, RANCHI**

**Notification
21 February, 2019**

Notification No. 66--

**CHAPTER I:
GENERAL**

A1: PREAMBLE

- 1.1 The Electricity Act, 2003 specifies the promotion of competition, protecting interest of consumers and supply of electricity to all areas.
- 1.2 Under section 61 (c) of the Act, the Commission is empowered to specify the terms and conditions for the determination of tariff and in doing so shall also be guided by factors which would encourage competition, efficiency, economical use of the resources, good performance and optimum investments.

- 1.3 Under section 14 of the Act, the Commission may grant a licence to two or more persons for distribution of electricity through their own distribution system within the same area. The state of Jharkhand has multiple distribution licensees and in several areas, the multiple licensees are present within the same area of operation.
- 1.4 The Commission, in order to promote competition, enable efficient use of network infrastructure in common areas and also to provide more choice to the consumers, has drafted the regulation for operation of parallel licensees in the state of Jharkhand.
- 1.5 In exercise of the powers conferred by Section 181 of the Electricity Act 2003 and all other powers enabling it in this behalf, the Jharkhand State Electricity Regulatory Commission hereby makes the following Regulations.

A2: short title and commencement

- 2.1 This Regulation shall be called the 'Jharkhand State Electricity Regulatory Commission (Operation of Parallel Licensees) Regulations, 2019'.
- 2.2 These Regulations shall extend to the whole state of Jharkhand.
- 2.3 These Regulations shall come into force on the date of its publication in the Jharkhand Gazette unless amended or a new regulation is issued by the Commission.

A3: SCOPE AND EXTENT OF APPLICATION

- 3.1 The scope and extent of the regulation is for the areas in Jharkhand wherein more than one Distribution Licensees are present.
- 3.2 The Commission through this regulations aims to enable the Consumer, in those areas, to avail electricity from any of the Distribution licensees as per the choice of the Consumer. This will also foster competition and may improve the utilisation of the existing assets.
- 3.3 Each Distribution Licensee operating in the common area has the universal service obligation to provide electricity supply to the Consumer.
- 3.4 In cases where distribution system of one Distribution Licensee already exists, the other Distribution Licensee may provide electricity to Consumers by using the wires of the other licensee on payment of wheeling charges to the Licensee whose wire is being used. This Regulation in no way intends to stop the other Licensee from extending network for enhancement of reliability and load growth in the common area of operation.

A4: Definitions and INTERPRETATION

4.1 In this Regulation unless the context otherwise requires:

- (a) **“Act”** means the Electricity Act, 2003 and subsequent amendment thereof;
- (b) **“Consumer”** means any person who is supplied with electricity for his own use by a Licensee or the Government or by any other person engaged in the business of supplying electricity to the public under the Act or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving electricity with the works of a licensee, the Government or such other person, as the case may be;
- (c) **“Changeover”** means the act of a Consumer of changing over from the existing Distribution Licensee with whom its premises are for the time being connected for the purpose of receiving electricity, to another Distribution Licensee within the same area in order to avail supply, while remaining connected through the wires of the existing Distribution Licensee;
- (d) **“Changed-over Consumer”** means the Consumer who has Changed-over from the existing Distribution Licensee to another Distribution Licensee.
- (e) **“Commission” or “State Commission”** means Jharkhand State Electricity Regulatory Commission;
- (f) **“Common area”** means the areas in Jharkhand wherein more than one Distribution Licensees are present;
- (g) **“Completed application form”** means an application form filled and completed in all aspects including submission of required documents as per the requirements laid down by the Distribution Licensees;
- (h) **“Day”** means a day starting at 00.00 hours and ending at 24.00 hours of any calendar date of Gregorian calendar;
- (i) **“Distribution Licensee”** means a Licensee authorised to operate and maintain a distribution network system for supplying electricity to the Consumers in its area of supply;

- (j) "**Distribution system**" means the system of wires and associated facilities between the delivery points on the transmission lines or the generating station connection and the point of connection to the installation of the consumers;
- (k) "**Existing Distribution Licensee**" (EDL) means the Distribution Licensee with whom the Consumer's premises are for the time being connected for the purpose of receiving electricity supply, before Switchover;
- (l) "**Grid**" means the high voltage backbone system of interconnected transmission lines, sub-stations and generating plant including also distribution lines and sub-stations;
- (m) "**Grid Code**" shall mean the JSERC (State Grid Code), Regulations, 2008 and its subsequent amendments;
- (n) "**Infrastructure cost**" means the cost of auxiliaries, cost of land, site development charges and other civil works, transportation charges, cost of evacuation up to interconnection point;
- (o) "**Licensee**" in the present Regulations pertains to Distribution Licensee;
- (p) "**Meter**" means a device suitable for measuring, indicating or recording consumption of electricity or any other quantity related to an electrical system and shall include, wherever applicable, other equipment such as current transformer, potential transformer, voltage transformer or capacitor voltage transformer with necessary wiring and accessories for such purpose.
- (q) "**Month**" means a calendar month as per the Gregorian calendar;
- (r) "**New Distribution Licensee**" (NDL) means the Distribution Licensee with whom the Consumer's premises are connected for the purpose of receiving electricity supply after Switchover;
- (s) "**Person**" shall include any company or body corporate or association or body of individuals, whether incorporated or not, or artificial juridical person;
- (t) "**Premises**" includes any land, building or structure;
- (u) "**SERCs**" means State Electricity Regulatory Commissions;

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- (v) **“Standards of Performance”** means the Jharkhand State Electricity Regulatory Commission (Distribution Licensee’s Standards of Performance) Regulations, 2015 and its subsequent amendments;
- (w) **“State Load Despatch Centre (SLDC)”** means the Centre established under subsection (1) of Section 31 of the Act;
- (x) **“Supply Code” (ESC)** means the Jharkhand State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2015 and subsequent amendments;
- (y) **“Supply Distribution Licensee” (SDL)** means the Distribution Licensee who provides electricity supply to the Consumer using the distribution system of the Wheeling Distribution Licensee;
- (z) **“Switchover”** means the act of a Consumer of switching over from the existing Distribution Licensee with whom his premises are for the time being connected for the purpose of receiving electricity, to the wires of another Distribution Licensee within the same area in order to avail supply;
- (aa) **“Switched-over Consumer”** means the Consumer who has switched over from the existing Distribution Licensee to another Distribution Licensee.
- (bb) **“Transmission licensee”** means a licensee authorised to establish or operate transmission lines;
- (cc) **“Wheeling”** means the operation whereby the distribution system and associated facilities of a transmission licensee or distribution licensee, as the case may be, are used by another person for the conveyance of electricity on payment of charges to be determined under Section 62;
- (dd) **“Wheeling Distribution Licensee” (WDL)** means the Distribution Licensee who owns and operates the distribution system in the area where the Consumer premises are located and is responsible for providing wheeling services to the Supply Distribution Licensee.
- (ee) **“Year”** means a financial year.

4.2 All other expressions used herein although not specifically defined, but defined in the Act, shall have the meaning assigned to them in the Act. The other expressions used herein but not specifically defined in this Regulation or in the Act but defined under any law passed by the Parliament applicable to electricity industry in the State shall have the meaning assigned to them in such law.

CHAPTER-II:**A5: CO-ORDINATION COMMITTEE**

- 5.1 A State level Co-ordination Committee shall be nominated by the Commission for co-ordination of all the matters pertaining to electricity supply in the common area of operation. The Committee has to be nominated within one (1) month from the date of notification of this regulation. The State level Co-ordination Committee shall have a nominee each from the Commission, Distribution Licensees, Transmission Licensees and SLDC.
- 5.2 In addition, the Commission in consultation with State level Co-ordination Committee shall appoint Area level Co-ordination Committee (s) for each common area where multiple Distribution Licensees are present. The Area level Co-ordination Committee shall comprise of members from the Commission, Transmission Licensee, SLDC and from Distribution Licensees that have the license to supply in the common area.
- 5.3 The Area level Co-ordination Committee shall be responsible for co-ordination and information flow between the Distribution Licensees. The Area level Co-ordination Committee shall also develop rules for energy accounting and work collaboratively to sort out any issues, which may arise during implementation at local area level. Each Area level Co-ordination Committee under supervision of State level Co-ordination Committee shall frame rules for the conduct of business, detailed procedure of parallel operation, resolution of disputes, common formats and application forms if any, consistent with provisions of these regulations and the provisions of other applicable regulations. The formats, rules etc. upon finalisation by the State level Co-ordination Committee shall be submitted to the Commission for approval within sixty (60) days from the date of notification of these regulations. The State level Co-ordination Committee shall oversee the overall implementation of the Regulations in the State. The Area level Co-ordination Committee shall also function as the first level for dispute resolution for all the functions provided in the Regulation. In case, any issues are not resolved at the Area level Co-ordination Committee, it can be referred to the State level Co-ordination Committee.
- 5.4 The Area level Co-ordination Committees under the supervision of the State level Co-ordination Committee shall also decide the laboratory testing requirements of meters and specify the meter specifications for the common area.
- 5.5 The Distribution Licensees through the various Co-ordination Committees shall provide regular data pertaining to the operation of parallel licensees in the common areas as per directions of the Commission.

A6: ELIGIBILITY OF CHANGEOVER/ SWITCHOVER

- 6.1 A Consumer wishing for Changeover or Switchover shall be provided connectivity in line with the norms specified for providing electricity supply in JSERC (Electricity Supply Code) Regulations, 2015 and its amendments.
- 6.2 A Distribution Licensee shall not put any criteria which favours or deters the Consumers from Changeover or Switchover.

A7: APPLICATION and PROCEDURES FOR OPERATION OF PARALLEL LICENSEES**7.1 Information for the benefit of the Consumer**

- i. Distribution Licensees shall give wide publicity to the choice of Licensee available to Consumers in their license areas.
- ii. Distribution Licensees shall provide the following at their respective Consumer service centers and websites:
 - a) Application forms for Changeover/ Switchover;
 - b) Detailed procedures;
 - c) Specifications of meters and indicative sources from where the Consumer can purchase meters, if they opt for their own meters;
 - d) Agreements if any for certain loads;
 - e) Frequently asked questions (FAQs) and
 - f) Any other relevant information which helps the Consumers to make an informed decision.

7.2 Application for Changeover/ Switchover

- i. The Distribution Licensees shall make the application form available to the Consumer through offline and online channels. The cost of application form shall be as per the current rates as applicable.
- ii. Consumer disconnected for payment default will have to first clear the dues of the Existing Distribution Licensee in order to apply for Changeover/ Switchover.
- iii. Consumer shall attach a copy of the last bill served by the Existing Distribution Licensee, proof of its payment and other relevant documents as required under Supply Code.
- iv. The Consumer shall not be required to obtain the No-objection certificate (NOC) from the Existing Distribution Licensee in order to apply for Changeover/ Switchover.
- v. Application for Changeover/ Switchover shall be submitted by the Consumer to the Supply Distribution Licensee/ New Distribution Licensee respectively.
- vi. The Consumer shall pay application processing fees as per Schedule of Charges approved by the Commission as per the Supply Code;
- vii. The Consumer shall not be permitted to change his/ her name or the purpose or the classification category at the time of Changeover/ Switchover.
- viii. The application shall mention that any Changed-over/ Switched-over Consumer who proposes to change name, purpose, category at a later date shall continue to abide by the conditions even after change of his/ her name or the purpose or the classification category.

7.3 Pre-Changeover/ Pre-Switchover activities

- i. The Supply Distribution Licensee/ New Distribution Licensee shall inform the Wheeling Distribution Licensee/ Existing Distribution Licensee on a periodic basis (in the agreed timeline and format to be decided by the State level Co-ordination Committee) information regarding completed application forms received.
- ii. The Existing Distribution Licensee shall share with the Supply Distribution Licensee/ New Distribution Licensee information relating to any arrears/ disputes/ vigilance/ court cases, etc. for Consumers proposing to Changeover/ Switchover within 1 week of receipt of information from the Supply Distribution Licensee/ New Distribution Licensee. In case of non-receipt of the required information within the stipulated time, the Supply Distribution Licensee/ New Distribution Licensee may consider it deemed that there is no pendency/ disputes/ cases etc. on the part of the Consumer.
- iii. The Supply Distribution Licensee/ New Distribution Licensee shall inspect the Consumer premises to confirm classification, connected load, technical issues, if any, etc. within the timeframe as stipulated under JSERC (Standards of Performance Regulations) 2015 and its subsequent amendments.
- iv. The meter installed at Consumer premises shall be inspected by the Supply Distribution Licensee/ New Distribution Licensee in order to ascertain the specifications. In case the specifications are in line with those defined by the Area level Co-ordination Committee, the meter has to be acquired by the Supply Distribution Licensee/ New Distribution Licensee from the Wheeling Distribution Licensee/ Existing Distribution Licensee respectively. In case the meter installed at Consumer premises is not as per defined specifications, the Consumer shall indicate his/ her choice in terms of the meter i.e.
 - a. Meter to be provided by the Supply/ New Distribution Licensee
 - b. Consumer to purchase own meter from authorised vendors
- v. The Supply Distribution Licensee/ New Distribution Licensee shall estimate the security deposit to be provided by Consumer as per Supply Code and intimate the same to the Consumer.
- vi. The Consumer shall pay such security deposit amount to the Supply Distribution Licensee/ New Distribution Licensee as the case may be for Changeover/ Switchover. The security deposit of the Consumer shall not be transferred from the Existing Distribution Licensee to the Supply Distribution Licensee/ New Distribution Licensee.
- vii. In case of sanctioned load equal to or higher than 50 kW (67 HP/63 kVA), the Consumer shall have to enter into an agreement with the Supply Distribution Licensee/ New Distribution Licensee.
- viii. Once Changeover/ Switchover is completed, its reversal shall not be allowed for at least one year.

7.4 Changeover/ Switchover activities

- i. The Changeover/ Switchover shall coincide with the next scheduled meter reading date of the Existing Distribution Licensee, subject to a minimum of 7 working days from receipt of intimation from the Supply Distribution Licensee/ New Distribution Licensee. In case the scheduled meter reading date falls within the minimum 7 working days from receipt of intimation, the Distribution Licensees will then have to agree on a suitable date for Changeover/ Switchover within the 30 day period. In any case, the Changeover/ Switchover has to be completed within 30 days from the receipt of completed application by the Supply Distribution Licensee/ New Distribution Licensee.
- ii. During the time of inspection of Consumer premises, the Wheeling Distribution Licensee/ Existing Distribution Licensee shall remain present.
- iii. In case a Consumer opts for the Supply Distribution Licensee/ New Distribution Licensee's meter or own meter, the meter shall be tested by the Supply Distribution Licensee/ New Distribution Licensee as per the specifications specified by the State/ Area level Co-ordination Committee. The Wheeling Distribution Licensee/ Existing Distribution Licensee shall remain present at the time of such testing.
- iv. In case of meters provided by the Wheeling Distribution Licensee/ Existing Distribution Licensee, such meters will be tested jointly as per agreed schedule between the Distribution Licensees, ideally at the time of Changeover/ Switchover.
- v. In case metering involves CT/PT ratios, same shall be jointly verified by the respective Distribution Licensees.
- vi. All meters and cut-outs shall be safe-guarded against unauthorized access by way of sealing. For the New Distribution Licensee and Consumer meter, sealing shall be done by the New Distribution Licensee and for the meter provided by Existing Distribution Licensee, sealing shall be by the Existing Distribution Licensee. The cut-out in case of Changeover shall be sealed by the Wheeling Distribution Licensee, while in case of Switchover shall be sealed by the New Distribution Licensee upon Switchover.
- vii. The meter reading on Changeover/ Switchover date shall be taken jointly by Wheeling Distribution Licensees and Supply Distribution Licensee in case of Changeover and by Existing Distribution Licensee and New Distribution Licensee in case of Switchover.
- viii. The Consumer may remain present at the time of joint meter reading if so desired by the Consumer. Such meter reading shall be the final meter reading for billing purpose. In case the meter of the Wheeling Distribution Licensee/ Existing Distribution Licensee is used, the meter rent shall be paid and the opening meter reading of the Supply Distribution Licensee/ New Distribution Licensee shall be counter-signed by all the Distribution Licensees involved at the time of joint meter reading and by the Consumer in case present.

- ix. The Wheeling Distribution Licensee/ Existing Distribution Licensee shall raise the final bill based on final meter reading. The Consumer shall pay the Wheeling Distribution Licensee/ Existing Distribution Licensee's final bill on or before the due date.
- x. The Wheeling Distribution Licensee/ Existing Distribution Licensee may adjust the security deposit in the event of payment default with the prior notice, if any, and refund the balance security deposit within 30 working days from the due date for final bill.
- xi. In case of any non-payment or partial payment of final bill of the Wheeling Distribution Licensee/ Existing Distribution Licensee (after adjusting security deposit, if any), provisions of Section 56 (Disconnection of supply in default of payment) of Act shall apply.

7.5 Meter reading

- i. For the purpose of the billing, the meter reading shall be done by the New Distribution Licensee in case of Switchover.
- ii. In case of Changeover consumers, billing shall be carried out by the Supply Distribution Licensee. The Supply Distribution Licensee shall provide the meter reading information for Changed-over Consumers to the Wheeling Distribution Licensee on a periodic basis along with the date and time of the meter reading. The formats and period of data sharing shall be worked out by the Area level Co-ordination Committee. The Wheeling Distribution Licensee may cross-verify such readings for computing distribution losses.

7.6 Energy Accounting

- i. The energy accounting procedures and formats shall be worked out by the Area level Co-ordination Committee for each common area in consultation with the State level Co-ordination Committee.
- ii. For Switchover Consumers, the energy accounting shall be undertaken by the New Distribution Licensee.
- iii. Electricity supply to Changeover consumers, as per meter readings of the Supply Distribution Licensee taken for the purpose of billing, shall be shared by the Supply Distribution Licensee with Wheeling Distribution Licensee and the SLDC.
- iv. Monthly settlement of energy shall be done between Distribution Licensees as per SLDC certification, and any surplus/ deficit, shall be receivable / payable at the rate of approved per unit weighted average power purchase cost of respective licensee. The settlement and any other issues in energy accounting shall be dealt with the by Co-ordination committee.

7.7 Billing and Collection

- i. The Bills for Switched-over consumers shall be raised by the New Distribution Licensee as they shall be responsible for wheeling and supply to the Consumer.

- ii. The Bills for Changed-over Consumers shall be raised by the Supply Distribution Licensee. Such bills shall include the wheeling charges and clearly state the Wheeling charges and the name of the Wheeling Distribution Licensee
- iii. The Supply Distribution Licensee shall be responsible for collection of bills from the Changed-over Consumers.

7.8 Wheeling Charges to Wheeling Distribution (Wire) Licensee

- i. The Wheeling Distribution Licensee upon settlement of energy for the period shall raise the bill for payment of wheeling charges to the Supply Distribution Licensee.
- ii. The Supply Distribution Licensee shall pay wheeling charges to the Wheeling Distribution Licensee within 30 days from the date of bills raised on Changed-over Consumers. In case of delay on the part Supply Distribution Licensee, the Wheeling Distribution Licensee may levy applicable delay payment surcharge.
- iii. Such payment shall consider the meter readings and wheeling charges included in the bills raised on Changed-over Consumers.
- iv. Such payment shall be made irrespective of receipt of payment from Changed-over Consumers by the Supply Distribution Licensee. In case of delay on the part of consumer, the Supply Distribution Licensee may levy applicable delay payment surcharge.

7.9 Disconnection for non-payment

- i. For Switchover Consumers, the New Distribution Licensee shall have the right to disconnection for payment default after giving prior notice to the Consumers as per Section 56 of the Act.
- ii. For Changeover Consumers, the Supply Distribution Licensee shall have right of disconnection for payment default in respect of its bills raised on Changed-over Consumers, and the Supply Distribution Licensee shall exercise such right through the Wheeling Distribution Licensee after giving prior notice to the Consumers as per Section 56 of the Act. The Wheeling Distribution Licensee shall undertake disconnection upon receipt of advice from the Supply Distribution Licensee provided that notice as per Section 56 of the Act shall be issued to the Consumer.
- iii. The Supply Distribution Licensee shall raise the final bill on Changeover Consumer after disconnection.
- iv. No Consumer who has been disconnected for payment default shall be allowed a Changeover/ Switchover without clearing dues of the Wheeling Distribution Licensee/ Existing Distribution Licensee.
- v. Any delay in payment shall attract an interest as applicable.

7.10 Customer service and interface

- i. For Switchover Consumers, the New Distribution Licensee shall be the sole interface and shall deal with all Consumer service requirements and complaints.

- ii. For Changeover Consumers, the Supply Distribution Licensee shall be the sole interface for the Consumer and shall deal with all Consumer service requirements and complaints including those relating to billing, meter accuracy, supply quality, network, etc.
- iii. The Supply Distribution Licensee shall also inform Wheeling Distribution Licensee of all complaints supply quality and network. The Wheeling Distribution Licensee shall keep the Supply Distribution Licensee informed about the status of re-dressal /closure of the complaint.
- iv. Both the Supply Distribution Licensee and the Wheeling Distribution Licensee shall develop an efficient process of sharing information and ensuring that Consumer service standards are not compromised due to Changeover.
- v. Any Changed-over/ Switched-over Consumer who proposes to change name, purpose, category shall continue to abide by the conditions of Changeover/ Switchover respectively even after change of name/purpose/category etc. The respective Distribution Licensee shall inform the other applicable Distribution Licensee of such changes at the time of change.
- vi. Any dispute or delay in addressing Consumer complaints shall be looked into by the Area level Co-ordination committee. In case of receipt of any complaint by the Consumers or if satisfied that any Licensee has failed to comply with any of the conditions, regulations etc., the Commission may investigate and issue necessary directions as deem fit to the Distribution Licensees.

7.11 Thefts and Inspection

- i. For Switchover Consumer, the New Distribution Licensee shall have the right to check for thefts and inspect Consumer premises including meter to detect tampering of meter and also to establish misuse, unauthorized consumption, if any. In case of misuse, the New Distribution Licensee shall initiate appropriate proceedings against the Consumer as per the Act and applicable regulations.
- ii. For Changeover Consumers, the Supply Distribution Licensee shall have right to inspect customer premises including meter to detect tampering of meter and also to establish misuse, unauthorized consumption, if any. In case of misuse, the Supply Distribution Licensee shall initiate appropriate proceedings against the Consumer and advise the Wheeling Distribution Licensee to carry out disconnection in accordance with Act.
- iii. The Wheeling Distribution Licensee shall use meter reading data provided by the Supply Distribution Licensee and compare the same with its own meter reading data to establish any prima-facie case of theft/ tampering. The assessed energy, in cases where theft by meter tampering / bypassing meter is established, shall be considered as default supply by the Supply Distribution Licensee in case of Changeover and will be computed and recovered from Consumer as per provisions of Section 126 (6) of Act. The applicable wheeling charges for the assessed energy shall be paid to the Wheeling Distribution Licensee.

- iv. In case of Switchover, the assessed energy shall be computed and recovered from Consumer as per provisions of Section 126 (6) of Act by the New Distribution Licensee.

7.12 Standards of Performance

- i. In case of Changeover, the Supply Distribution Licensee shall be the sole interface to the Consumer and therefore shall be responsible for adherence to Standards of Performance relating to period of giving supply, quality of supply, system of supply, restoration of supply, restoration in burnt meter cases, reconnection on payment of amounts due, etc.
- ii. The Wheeling Distribution Licensee shall honour its obligations to adhere to Standards of Performance.
- iii. The Wheeling Distribution Licensee shall not discriminate between Changed-over Consumers and its own Consumers for provision of wheeling services.
- iv. For non-adherence to Standards of Performance, the Supply Distribution Licensee shall have the right to demand from the Wheeling Distribution Licensee, reimbursement of compensation paid to affected Consumers. The Distribution Licensees shall utilise the forum of Area level Co-ordination Committee for settling such issues/ compensation etc.
- v. In case of Switchover, the New Distribution Licensee shall be the sole interface to the Consumer and therefore shall be responsible for adherence to Standards of Performance relating to period of giving supply, quality of supply, system of supply, restoration of supply, restoration in burnt meter cases, reconnection on payment of amounts due, etc.

7.13 Security Deposit

- i. In case of Changeover/ Switchover, the Supply Distribution Licensee/ New Distribution Licensee respectively shall advise the Consumer at the time of acceptance of application to pay required Security Deposit as per the Supply Code.
- ii. Transfer of Security Deposit shall not be allowed as it may impede the process of smooth Changeover/ Switchover.
- iii. Security Deposit with Existing Distribution Licensee shall be settled directly by Consumer before Changeover/ Switchover.

7.14 Tariff

- i. All the Existing / New/ Supply / Wheeling Distribution Licensees shall endeavour to maintain separate accounts for wheeling and retail supply of electricity.
- ii. The Switchover Consumers shall pay the tariff as determined by the Commission for the New Distribution Licensee.

- iii. For determination of tariff for Changeover Consumers, the following methodology shall be used:

	Calculation methodology for tariff for a Changeover Consumer
	Charges based on tariff of the Supply Distribution Licensee as determined by the Commission
Less:	Wheeling charges of the Supply Distribution Licensee
Add:	Wheeling charges of the Wheeling Distribution Licensee
	Tariff chargeable to the Changeover Consumer

- iv. In the above tariff computations the wheeling charges determined by Commission, expressed as Rs. /kWh, in the Tariff Orders of respective Distribution Licensee and subsequent orders, if any, shall be considered.

7.15 Provision of additional margins and levy of surcharges

- i. The regulations have been framed in order to provide choice to Consumers and to enable efficient operation of parallel licensees in the common area (s).
- ii. The Existing Distribution Licensee (in case of Switchover) and Wheeling Distribution Licensee (in case of Changeover) are not allowed to levy cross-subsidy, additional surcharge or regulatory surcharge, in case prevalent currently, from the Switched-over and Changed-over Consumers respectively.
- iii. In case, the Distribution Licensees face difficulties due to non-levy of such margins/ surcharges etc., it should be brought to the notice of the Commission during ARR filings or as a separate Petition. The request should be supported by data of how the non-levy has affected the Distribution Licensee. The Commission upon receipt of the same shall undertake a detailed analysis and shall pass appropriate orders for such levies separately.

7.16 Network development in the common area of the licensees

- i. The Distribution Licensees operating in the common area of operation can augment or expand their distribution system network as per provisions of the applicable regulations. However, such expansion/ augmentation should be carried out by avoiding duplication of network infrastructure in an area. Expansion of network infrastructure should be to improve reliability of supply and in interest of Consumers.
- ii. Wherein network infrastructure is already present, the same should be used to supply and augmented to improve reliability.
- iii. In case, distribution system network to connect a new Consumer is not present, then distribution system network of the licensee which is nearest to the Consumer should be extended in order to ensure connection. Such

- extension may also require augmentation in the distribution system of the nearest Distribution Licensee as a whole. Hence decisions pertaining to expansion and augmentation of distribution system network should be undertaken post agreement with the Area level Co-ordination Committee.
- iv. Post agreement in the Area level Co-ordination Committee and State level Co-ordination Committee, the plans for distribution system network expansion and augmentation has to be submitted to the Commission for approval.
 - v. In case the existing distribution system network is too old or cannot be upgraded by Wheeling Distribution Licensee/ Existing Distribution Licensee, the Supply Distribution Licensee/ New Distribution Licensee (as applicable for Changeover/ Switchover respectively) can take up the plan with Area level Co-ordination Committee. Upon discussion and go-ahead from the Area level Co-ordination Committee/ State level Co-ordination Committee, the Supply Distribution Licensee/ New Distribution Licensee shall submit specific roll-out plan to the Commission indicating the need, load growth, inability of Wheeling Distribution Licensee/ Existing Distribution Licensee etc.
 - vi. In the common area of supply, the Consumer can only choose the Distribution Licensee from whom the supply is to be received, and the decision on which Distribution Licensee will set up the distribution system to effect such supply shall be made based on discussion and go-ahead by the Area level Co-ordination Committee, subject to acceptance and approval of the Commission after due regulatory process.
 - vii. The Area level Co-ordination Committee in consultation with State level Co-ordination Committee is also required to lay down norms for sharing of information pertaining to expansion and augmentation of network.
 - viii. The Commission shall have the power to give directions if it comes to its notice that a licensee is laying down network selectively to connect the high end Consumers ignoring the low end Consumers and violating the terms and conditions of the licence.

7.17 Redressal Mechanism

- i. All disputes and complaints relating to operation of parallel licenses shall be referred to the Commission in case it is not resolved at Area level Co-ordination Committee/ State level Co-ordination Committee. The Committee (s) shall co-operate to resolve the disputes and complaints amicably.

CHAPTER - III:**A8: Power to remove difficulties**

- 8.1 In case of any difficulty in giving effect to any of the provisions of this Regulation, the Commission may by general or special order, issue appropriate directions to take suitable action, not being inconsistent with the provisions of the Act, which appear to the Commission to be necessary or expedient for the purpose of removing the difficulty.
- 8.2 The Distribution Licensees may make an application to the Commission and seek suitable orders to remove any difficulties that may arise in implementation of these regulations.

A9: Power to amend

- 9.1 The Commission may from time to time add, vary, alter, suspend, modify, amend or repeal any provisions of this Regulation.

A10: Savings

- 10.1 Nothing in these Regulations shall be deemed to limit or otherwise affect the inherent power of the Commission to make such orders as may be necessary to meet the ends of justice or to prevent abuses of the process of the Commission.
- 10.2 Nothing in this Regulations shall bar the Commission from adopting in conformity with the provisions of the Act a procedure, which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or class of matters and for reasons to be recorded in writing, deems it necessary or expedient for dealing with such a matter or class of matters.
- 10.3 Nothing in these Regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no Regulations or Regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner it thinks fit.

By order of the Commission,

A.K. Mehta,
Secretary

Jharkhand State Electricity Regulatory Commission.
