

Notification No. TNERC/SPR/9/1- 7 dated 9.7.2007

**Sub: TNERC – Electricity Distribution Standards of
Performance Regulations - Reg.**

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(1) The Commission specified Tamil Nadu Electricity Distribution Standards of Performance Regulations under section 57 of the Electricity Act 2003. The Regulations have been published in the Tamil Nadu Government Gazette dated 01.09.2004 from which date all regulations except 21 and 22 have come into force.

(2) The regulation 21 prescribes the compensation payable by the licensees for failure to achieve the performance and regulation 22 prescribes the procedure for payment of compensation.

(3) Considering the time that might be required by the TNEB to equip itself with the requirement to meet the standards and also to change the attitude and approach of their employees to the new environment, it was specified in regulation 1 (iii) that the provisions under the Regulations 21 and 22 shall come into force after 1 year from the date of the publication of the Regulations in the Gazette. Thus the provisions under Regulations 21 and 22 of the Tamil Nadu Electricity Standards of Performance Regulations would have come into effect from 01.09.2005.

(4) The TNEB represented that they were running with dearth of men and material and hence finding it difficult to implement the various standards prescribed by the Commission. They had requested that the Enforcement Mechanism prescribed in the Regulations may be postponed for two years so as to set right the dearth of men and material and also to change the mind setting of the employees. The TNEB also made a presentation before the Commission on the measures taken by them to achieve the standards of performance.

(5) The Commission considered the request of the TNEB and approved to extend the period specified in clause (iii) of Regulation 1 by **nine months** so that the provisions of Regulations 21 and 22 shall come into effect from **01.06.2006** subject to the condition that the TNEB submit an action plan with milestone to achieve the standards, etc. and the postponement of Enforcement Mechanism **up to 31.5.2006** was notified on **31.08.2005**.

(6) Further, TNEB in their letter dated 26.5.2006 once again requested that the Enforcement Mechanism may be postponed for another two years citing various difficulties such as huge load growth beyond the expectation warranting vast improvement to the existing infrastructure, natural calamities like tsunami, flood and vagaries of summer, etc.

(7) The Commission considered the request of the TNEB and approved to extend the period specified in clause (iii) of Regulation 1 by **six months** so that the provisions of Regulations 21 and 22 shall come into effect from **01.12.2006** subject to the condition that the progress are reported monthly and the TNEB prepare themselves to meet the standards positively from 1.12.2006 and the postponement of Enforcement Mechanism **upto 30.11.2006** was notified on **31.05.2006**.

(8) Yet again the TNEB in their letter dt. 7.11.2006 had expressed certain field level difficulties to implement the Tamil Nadu Distribution Standards of Performance Regulations which falls due from 1.12.2006 and hence requested for postponement of Enforcement mechanism prescribed in Regulations 21 & 22 for another **one year and TNEB also made a presentation of their genuine difficulties before the Commission on 4.12.2006 so as to assess its merits and demerits.**

(9) After careful consideration of the field difficulties put forth by TNEB, the Commission ordered the following vide notification no. TNERC/SPR/9/1-5 dt. 12.12.2006:

(i) to implement the provisions of Regulations 21 and 22 of Tamil Nadu Distribution Standards of Performance Regulations (Enforcement

Mechanism) with effect from 1.1.2007 in respect of the following service areas:

- 1 Duty to give supply on request**
 - a) New Service connection }
 - b) Additional Load }
 - c) Temporary Supply }
 - d) Shifting of service connection
 - e) Transfer of service connection
 - f) Change of tariff
- 2 Complaints in billing**
- 3 Replacement of meters**
- 4 Responding to consumer's complaints**
- 5 Making and keeping appointments**
- 6 Grievance handling**

However, in respect of regulation 4, enforcement mechanism is applicable only for the following items of Table I and II, viz.

- (a) Involving no extension or improvement work **for LT (Table I)**
- (a) Involving Extension & Improvement **for HT / EHT (Table II)**

and

(ii) to consider an extension of time for seven months up to 30.06.2007 to implement the provision of Regulations 21 and 22 of Tamil Nadu Distribution Standards of Performance Regulations in respect the following service areas:

- 1 Interruption of supply**
- 2 Voltage fluctuations and complaints**

However in respect of regulation 4, exemption up to 30.06.2007 is granted only to the following items of Table I and II, viz.

- (b) Involving Extension and Improvement without Transformers **for LT**
- (c) Involving Extension and Improvement with Transformers **for LT**
- (b) Involving the enhancement of Power Transformer/Addition of Power Transformer **for HT/EHT**
- (c) Involving the Commissioning of new substation **for HT/EHT**

(10) Further, based on the difficulties expressed by TNEB during the presentation cited in Para 8 above, amendment to the Distribution Standards of Performance for Tamil Nadu Electricity Board was issued viz. "**Tamil Nadu Electricity Distribution**

Standards of Performance (First Amendment) Regulations 2007” vide Notification dated 2.5.2007.

(11) Subsequently, TNEB in their letter dt. CE/Comml./EE3/AEE1/F.DSOP/D.67/2007 dt. 14.6.2007 have now requested that the enforcement mechanism for certain items of works (currently extended up to 30.6.2007) be postponed up to 30.6.2008 in respect of services such as giving supply, Restoration of supply and Voltage complaints for various reasons some of which are said to be beyond the control of TNEB such as filling up of huge number of vacancies which involves Govt. Policy, delay in land acquisition, public objections, etc. Therefore the TNEB have requested the postponement of enforcement mechanism from 30.6.2007 to 30.6.2008 in respect of the works relating to certain category of new services/additional load, interruption of supply and voltage fluctuations and complaints.

(12) In this context, the following were considered by the Commission.

12.1 The Commission have given ample time to TNEB, initially by one year and a further period of 16 months in total through two extensions to prepare themselves with necessary infrastructure to implement the standards. Further extension for six months have also been given, vide Commission’s notification dt. 27.12.2006, to the services for which TNEB is now requesting further postponement up to one year.

12.2 Most of the TNEB’s requirements for amendments of the DSOP Regulations have been accepted as such by the Commission and necessary amendments have also been incorporated in the regulation. One of the main requests of TNEB **is to provide more time to issue new service connection or to attend to the fault.** In this connection, the period within which the service connection will be given or fault will be attended by the TNEB as given in TNEB’s website was compared with the duration permitted by the Commission in the DSOP Regulations. The above comparison showed that **the Commission have given equal or more time (after categorization of the services) to attend to the fault or to give service connections than the time assured by the TNEB in their website.** Therefore, the TNEB’s request for more time is not reasonable considering their own declared standards.

12.3 The Commission shall have to play a fair role to protect the interests of all the stakeholders as provided in the Electricity Act.

(13) However, as there are only few days left for the implementation of the Enforcement Mechanism for the remaining standards, to enable TNEB to give necessary official instruction to the filed and to give additional time to the TNEB field officials to prepare themselves to implement some of the important Distribution Standards, the Commission orders the postponement up to **31.07.2007** for the implementation of the compensation provisions of Regulations 21 and 22 of Tamil Nadu Distribution Standards of Performance Regulations in respect the following service areas:

- (i) S. No. 4 of Table of Regulation 21: Interruption of supply
- (ii) S. No. 5 of Table of Regulation 21: Voltage fluctuations and complaints
- (iii) In respect of regulation 4, postponement up to **31.07.2007** is granted only to the following items of Table I and II, viz.

Table I item (b) Involving Extension and Improvement without Distribution Transformers for LT

Table I item (c) Involving Extension and Improvement with Distribution Transformers for LT

Table II item (b) Involving the enhancement of Power Transformer/Addition of Power Transformer for HT/EHT

Table II item (c) Involving the Commissioning of new substation for HT/EHT

(By order of the Tamil Nadu Electricity Regulatory Commission)

R.BALASUBRAMANIAN
Secretary