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BIHAR ELECTRICITY^[1] REGULATORY COMMISSION

BIHAR ELECTRICITY SUPPLY CODE, 2007

Notification No. 10 /2007

dated 31.12.2007

No. BERC/Regl-6/2006/529 – In exercise of power conferred by Section 181(1) and 181(2) read with Section 50 and 43 (1), Section 44, Section 46, Section 47 (4) Section 56 of the Electricity Act, 2003 (36 of 2003) and all powers enabling it in this behalf and also in compliance of the Ministry of Power, Govt. of India's (i) notification no. SO 790(E) dated 8th June, 2005 issuing "Electricity (Removal of difficulties) Order, 2005" for "Inclusions of measures to control theft of electricity in Electricity Supply Code", and (ii) notification no. SO 798(E) dated 9th June, 2005 issuing Electricity (Removal of Difficulties) Eight Order, 2005 for obtaining supply of electricity at single point from the distribution licensee by the Cooperative Group Housing Societies or by any person for their members or employees residing in the same premises, the Bihar Electricity Regulatory Commission hereby makes the following Electricity Supply Code to govern supply and retail sale of electricity by the licensees and procedure thereof, the powers, functions, and obligations of the licensees and the right and obligations of the consumers and matter connected therewith and incidental thereto.

[1] Corrigendum vide Notification No. BERC-Regl-06/06-part-II/02/08 dt.24.04.08

- (d) Execute a fresh agreement as per enhanced load which shall be a new statutory agreement period and the old agreement shall stand terminated.
- (5) If no addition or alteration to the system including new/ alternate metering arrangement is required, the enhanced load will be released within 20 days or as specified in the Standards of Performance of Distribution Licensee Regulations subject to completion of the requisite formalities. If the system needs any alteration or addition, the procedure as given for a new connection shall be followed.
- (6) In case of 'Railways Traction', the consumer may be provided such additional supply in excess of contract demand as may be agreed between the licensee and the consumer after the latter has given due notice of six weeks in writing of his desire to have the contract demand altered.

7.12 Procedure for Reduction of Contract Demand / Connected Load

- (1) Application for reduction of load, after the expiry of initial period of agreement, upto the limit specified in clause 7.12(5) of the Code shall be made in duplicate to the concerned officer of Licensee in the prescribed form along with the following documents:
 - (a) Details of alteration/ modification/ removal of the electrical installation along with work completion certificate and Test report from a licensed electrical contractor where alteration of the installation is involved.
 - (b) Any other reason for reduction of contract demand.
 - (c) Maximum demand recorded in the last two billing cycles if the meter has facility to record maximum demand along with the electricity bills for the same.
 - (d) Details of generators, if any, installed by the consumer along with copies of the safety clearance certificate issued by the competent authority for installation of the generators.
- (2) On receipt of the application for reduction of load, the licensee after verification shall sanction the reduction of load within thirty days or notice period for termination of agreement as specified in the agreement whichever is later from the date of acceptance of application.
- (3) If the sanction is not granted by the licensee within the period specified in clause 7.12(2) above, the applicant may, by a written notice to the licensee, draw its attention to the matter and if the decision is still not communicated to the applicant within the period of further thirty days, the permission of reduction of contract demand shall be deemed to have been granted.

- (4) The reduced Contract Demand shall take effect from the first day of the month following the month in which the sanction is communicated or 'deemed permission is granted'.
- (5) The above reductions are subject to permissible minimum contract demand specified in clause 3.4 of the Code. Request of the consumer for reduction in contract demand of his connection shall not be refused by the licensee on the ground that there are dues payable to the licensee against the connection.
- (6) In all existing agreements executed prior to this Code coming into effect, if there is any provision regarding restriction on reduction of Contract Demand, the same shall be deemed to have been modified to the extent of the provision made in this Code.
- (7) When reduction of contract demand is agreed to, the consumer shall execute a fresh agreement for reduced load. The licensee shall recalculate the security deposit and any excess security deposit shall be adjusted in future bills not exceeding six succeeding bills.
- (8) The reduction of Contract Demand load shall not be permitted in following cases
 - (i) Arc / Induction furnaces, rolling and re-rolling mills and mini steel plants shall not be allowed to reduce the load below the total rating of machines and furnaces installed in the premises, except in case of removal of any equipment or replacement of any old equipment by new equipment and also to the extent of captive generation capacity that may be installed and is operating in parallel. Auxiliary load shall be excluded.
 - (ii) Contracted load shall not be reduced below the total rating of installed machines in case of Small & Medium industrial and private tube wells consumers, having no MDI meter.
 - (iii) Load shall normally not be reduced within initial period of the agreement from the date of commencement of supply. However, if the consumer is willing to pay the fixed/minimum charge applicable for the quantum of contracted load surrendered /reduced for the balance period of initial period of agreement or period of notice specified in the agreement for that category of consumer, whichever is higher, reduction may be allowed.
 - (iv) No application for reduction of load shall be rejected without recording reasons and the decision shall be communicated to the applicant.