

**HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA**

**NOTIFICATION**

Shimla, the 20<sup>th</sup> July, 2018

**No. HPERC/419.-** WHEREAS the Himachal Pradesh Electricity Regulatory Commission (hereinafter referred as “the Commission”) made the Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) Regulations, 2012 (hereinafter called “the said regulations”), published in the Rajpatra, Himachal Pradesh, dated 23<sup>rd</sup> May, 2012;

**AND WHEREAS** the Distribution Licensee i.e. the Himachal Pradesh State Electricity Board Ltd. (HPSEBL), has proposed the amendment in regulation 10 i.e. ‘Restoration of Supply after Permanent Disconnection’ of HPERC (Recovery of Expenditure for Supply of Electricity) Regulations, 2012, as per the proposal, there will be 100% rebate for the premises which has been disconnected permanently without time duration and the consumer itself or any other consumer can approach HPSEBL for restoration of supply. All the codal formalities for release of new connection as provided in the Supply Code has to be completed by the consumer and payment of requisite charges as per regulations except the normative IDC (which shall not be levied). The suggestion has been made on the premise that such charges are specific to the premises (not to the consumers) and that the new applicant has the option either to avoid payment of IDC by clearing the dues in respect of old connections on that premises or get the connection in a normal mode by paying the usual IDC.

**AND WHEREAS** the Commission finds it appropriate to rationalize the provisions in relation to the recovery of Infrastructural Development Charges (IDC) for the premises which has been disconnected permanently. However, to give equitable treatment to the existing consumer(s) those have reduced some of their sanctioned load or contract demand permanently opts later to restore the same may also be eligible for the similar treatment as proposed by the HPSEBL on account of permanent disconnection to the premises, so Commission also proposes to amend the Regulation 7 of the said regulation alongwith amendment in Regulation 10.

**NOW, THEREFORE,** in exercise of the powers conferred by section 46, read with Section 181, of the Electricity Act, 2003 (36 of 2003), read with section 21 of the General Clauses Act, 1897 (10 of 1897), and all other powers enabling it in this behalf, the Commission proposes to amend the Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) Regulations, 2012, and as required by sub-section (3) of section 181 of the said Act and rule 3 of the Electricity (Procedure for

Previous Publication) Rules, 2005, and the draft regulations are hereby published for the information of all the persons likely to be affected thereby; and notice is hereby given that the said draft regulations will be taken into consideration after the expiry of twenty one (21) days from the date of notification together with any objections or suggestions which may within the aforesaid period be received in respect thereto.

The text of the aforesaid draft regulations is also available on the website of the Commission i.e. <http://www.hperc.org>.

The objections or suggestions in this behalf should be addressed to the Secretary, Himachal Pradesh Electricity Regulatory Commission, Vidyut Aayog Bhawan, Block-37, SDA Complex, Kasumpti-171009 (HP).

### **DRAFT REGULATIONS**

1. **Short title and commencement:** -(1) These regulations may be called the Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) (Fifth Amendment) Regulations, 2018.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. **Amendment of Regulation7.-** In regulation 7 of the Himachal Pradesh Electricity Regulatory Commission (Recovery of Expenditure for Supply of Electricity) Regulations, 2012 (hereinafter called “the said regulations”)-

(i) for the words, brackets and signs “Save as provided in Clause (b) of sub-regulation (1) in case of reduction of the connected load or contract demand, by a consumer-” appearing at the beginning of sub-regulation(2), the following words, brackets and signs shall be substituted, namely:-

“Save as provided in sub-clause (ii) of Clause (b) in sub-regulation (1), in case of reduction of the connected load or contract demand, not attributed to clubbing of loads as per the said sub-clause (ii), including provision thereto, by a consumer-”; and

(ii) in clause (ii) of sub-regulation (2); for the words, figures and signs “contract demand so reduced, during the said period of 365 days;” the following words and signs shall be substituted, namely:-

“contract demand so reduced if the consumer clears all such outstanding dues, if any, as have been billed to him, also including those related to the infrastructure development charges which were payable by him at the time of release of original connection.”.

### 3. **Amendment of Regulations 10:-**

In Regulation 10 of the said regulations;-

- (i) for the Clause(ii) of the third proviso, the word and bracket “[omitted]” shall be substituted;
- (ii) for the existing clause (iv) under the third proviso, the following shall be substituted:-  
“(iv) the applicant clears all outstanding dues, if any, against the original connection as well as against all such previous connections which existed from time to time at the premises for which new connection is being sought, also including those relating to the infrastructure development charges, for such original connection which was permanently disconnected; and”;
- (iii) the existing fourth proviso, alongwith explanation thereto, shall be omitted;
- (iv) in the existing fifth proviso, for the words “third and fourth provisos,” the words “third proviso” shall be substituted; and
- (v) at the end, the following explanations shall be added, namely:-

#### **“Explanations:-**

- (a) The term original connection used in this regulation means the connection as it existed immediately before the permanent disconnection and the sanctioned connected load/contract demand as per the latest status existing immediately prior to permanent disconnection shall be considered as the connected load/contract demand of the original connection for such purposes. However, the temporary reduction to the extent 50% of such contract demand, if any, under the provisions of the Tariff Order shall not be considered for the purpose;
- (b) The condition specified under Clause (iv) of the third proviso to this regulation, being a part of package offer in such cases, shall override the general provision under the existing last sentence of sub-para 5.2.13 of the Himachal Pradesh Electricity Supply Code, 2009.”.

By order of the Commission  
Sd/-  
Secretary,  
HPERC, Shimla.