

ANDHRA PRADESH ELECTRICITY REGULATORY COMMISSION

First Amendment to Regulation No.5 of 2004 on **ELECTRICITY SUPPLY CODE**

Introduction:

Whereas the A.P. Electricity Regulatory Commission (hereinafter referred to as "the Commission" notified the Andhra Pradesh Electricity Regulatory Commission (Electricity Supply Code) Regulation, 2004 (No.5 of 2004), in A.P. Gazette dated 17-03-2004;

And whereas the said Code contained the procedure for implementation of the matters covered in Section 50 of the Electricity Act, 2003 (hereinafter called "the Act");

And whereas the Ministry of Power, Government of India, in exercise of the powers vested with it u/s 183 of the Act, notified the Electricity (Removal of Difficulties) Order, 2005, on 08-06-2005 requiring inclusion of certain additional matters in the Supply Code specified by State Commission u/s 50 of the Act, for giving effect to the provisions of the Act in controlling theft of Electricity by the distribution licensees;

And whereas the Commission approved the General Terms & Conditions of Supply of distribution licensees, which inter-alia contain the matters covered in the Order dated 08-06-2005 of the Ministry of Power, GoI;

And whereas these matters were finalized after consultation with consumer associations, Non-Government Organisations and State Advisory Committee and approved by the Commission under clause 21 of the Licences granted to the distribution licensees;

Now, therefore, the Commission, in exercise of the powers vested with it u/s 181 of the Act read with clause 13 of the A.P. Electricity Regulatory Commission (Electricity Supply Code) Regulation, 2004 (No.5 of 2004), makes the following amendment Regulation to the said Regulation No.5 of 2004, namely: -

1. Short title, commencement and interpretation.
 - (i). This Regulation may be called the A.P. Electricity Regulatory Commission Electricity Supply Code (First Amendment) Regulation, 2006.
 - (ii). This Regulation shall be applicable to all distribution licensees in their respective Licensed areas in the State of Andhra Pradesh.
 - (iii). This Regulation shall come into force on the date of its publication in the Andhra Pradesh Gazette.
2. The following new clause shall be incorporated in the Regulation No.5 of 2004 as clause 7A after clause 7:

7A - Measures to be taken by distribution licensees for control of theft of electricity.

- 1) The Distribution Licensees shall follow the procedure approved by the Commission in the Terms and Conditions of Supply of Distribution Licensees under clause 21 of their Distribution Licences for assessment of electricity charges payable in the case of theft of electricity, pending adjudication by the appropriate court.

- 2) The Distribution Licensees shall be entitled to disconnect supply of electricity in the case of theft or unauthorized use of electricity as provided in the Terms and Conditions of Supply of Distribution Licensees approved by the Commission under clause 21 of the licence granted to the Distribution Licensees.
- 3) The licensees shall take measures to prevent diversion of electricity, theft or unauthorised use of electricity, or tampering distress or damage to electrical plant, electric lines or meter in accordance with the provisions of the Act and clauses 7 and 7A herein.
- 4) The provisions of this clause 7A shall be without prejudice to the other rights of the Licensee under the Act, or any other applicable laws to recover the sums due, and to protect the assets and interests of the Licensees

(BY ORDER OF THE COMMISSION)

S. SURYA
PRAKASA
RAO
SECRETARY