

**Comments from Prayas (Energy Group) on
Draft Electricity (Rights of Consumers) Second Amendment Rules, 2023**

This is in response to the letter dated 13/12/2023 from the Ministry of Power seeking comments on the [Draft Electricity \(Rights of Consumers\) Second Amendment Rules, 2023](#).

The draft amendment specifies time limits for some consumer services, where it was not specified in the principal Rules and proposes to tighten some. It also simplifies the procedure for connection for roof top solar systems upto 10 kW. We broadly feel that this amendment is a good step, but strongly request MoP to provide explanatory memorandum giving the justification and objective for such amendments.

Our comments on individual clauses (as given in the draft) are *given in italics* in the following paragraphs.

1. Rule name, Gazette notification: *No comment*

2. Modification to Rule 4(11), reducing the time for connection limit:

Suggestion is to reduce the time limit from 7/15/30 days (metro/municipality/rural) to 3/7/15 days.

We feel that the proposed time limits are too short, unless data on actual time taken for providing connections is much shorter than what is proposed in the 2020 Rules. Our suggestion is to change these time limits to 7/15/15 days (metro/municipality/rural) with an idea to nudge licensees to improve service quality in rural areas. Regulatory Commissions/Licensees should collect data for actual time taken and based on a review, further tightening could be planned. To illustrate, it may be noted that as late as on April 17, 2023, APERC changed the LT connection time limit from 7 to 15 days, based on a request from APEPDCL, as detailed the [Fourth Amendment to APERC SoP Regulations \(2004\)](#).

3. Addition after 4 (13) as Rule 4(14):

Suggestion is to provide Individual connection and ensure SERC approved tariff to willing consumers who at present have single point connection.

This is an important issue and we welcome the need for SERC to finalise suitable Regulations in 6 months. There would be many implementation challenges depending on the nature of single point connection, choice by individual occupants and the decision of the association of occupants. Some states already have a separate category for single point connections. In many townships, the construction, maintenance, meter reading and collection are handled by the association or third party. How will this change if occupants become consumers of the licensee? There will be complications if only some occupants opt to become consumers of the licensee. Category of consumers of licensee should be decided based on nature of use. It is good if the tariff is as decided by SERC and any extra charges are also as approved by SERC

on a periodic basis. All these implementation challenges should be part of the proposed Regulations.

Addition as Rule 4(15) on separate connection for EV Charging:

We welcome this provision of licensee providing a separate connection for EV charging. SERC should finalise the method to decide the category for such a connection – LT/HT EV charging, or same category as that of the consumer.

4. Modification of Rule 5(7) on handling meter complaints:

The provision to test the meter after complaints within the time limit specified by SERC, not exceeding 30 days is retained as in the existing Rule.

We welcome the new provision of installing an additional meter within 3 days to verify consumption for as much time as specified by SERC, minimum of 3 months. We suggest that the time limit to install additional meter could vary in metro/municipality/rural areas as 3/7/7 days respectively. SERC Regulations should make it clear as to who will bear the cost of this additional meter.

5. Modification of Rule 11 (7) on feasibility study (consumer as prosumer):

This modification will help to improve the adoption of RTS, especially in the much-needed small capacity segment. We welcome the suggestion to reduce the upper margin on time limit to be specified by SERC from 20 days to 15 days. The new provision waiving the requirement for technical feasibility study for roof top systems up to 10 kW is also welcome. It is also good that SERC could specify a higher limit for such a waiver.

The suggestion that DISCOMs should strengthen the distribution infrastructure for RTS is welcome, though it may be noted that such strengthening is also required for EV charging and electric cooking. Rather than claiming the expense through revenue requirement (and thus socialising the cost), it is better to recover it from the consumers/prosumers through grid support charge, fixed charges etc, as decided by the SERC.

The suggested provision that technical feasibility will be presumed if the licensee does not intimate within the prescribed time limit is risky from safety and grid reliability considerations. It would be better to introduce penalty on the licensee for delay in completing the feasibility study.

In addition, in order to address the challenge of limited / no roof space in multi-house / apartment buildings, there should be a provision to allow 'group rooftop' connection – wherein a group of consumers within same licensee area can put up or lease part of a rooftop system at a suitable location and get credit for generation from such system. In order to ensure that such a system is limited to small consumers, upper limit of capacity / consumer could be limited to 10 kW and a small charge, say 50 p/ kWh generated can be added to compensate the licensee for additional metering/ billing / logistics costs. This will help in truly democratising and unlocking huge private investment in rooftop systems.

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