

CONSUMER UNITY & TRUST SOCIETY

A registered, recognised, non-partisan, non-profit and non-government organisation
pursuing social justice and economic equity within and across borders.

CUTS
International

Value For People

S.44/1272

Date: 18.05.12

Mr. K. L. Biswas
Secretary
West Bengal Electricity Regulatory Commission (WBERC)
Poura Bhawan
Salt Lake

Sub: Comments on WBERC Draft Regulation titled "Draft West Bengal Regulatory Commission (Terms and Conditions of Tariff) (Amendment) Regulations, 2012"

Ref: Your notice No. WBERC/Regulation/36/11-12/0065 dated 17.04.12

Dear Mr. Biswas,

Greetings from CUTS International!

In response to your above mentioned notice, we are enclosing our comments on the draft regulation for your kind consideration and inclusion.

We have also consulted all our district based Civil Society Partners and the comments being submitted also has inputs from the following organisations:

1. Magra Women Development Centre, Magra, Hooghly, West Bengal
2. Alinan Ramkrishna Vivekananda Yuba Sangha, Alinan, East Midnapur, West Bengal
3. Sreema Mahila Samity, Duttaphulia, Nadia, West Bengal
4. Chanchal Janakalyan Samity, Chanchal, Malda, West Bengal
5. Dakshin Ramchandrapur Vivekananda Seva Kendra, Coochbehar, West Bengal
6. Agragati, Amta, Howrah, West Bengal
7. Chak Kumar Association for Social Services, Chak Kumar, West Midnapur, West Bengal
8. Ramkrishna Lok Seva Kendra, Gosaba, South 24 Parganas, West Bengal

We hope that our comments and concerns that reflect those that of the grassroots consumers are favourably considered for inclusion.

With regards

Keya Ghosh

Keya Ghosh
Centre Head
CUTS Calcutta Resource Centre



CUTS INTERNATIONAL AND PARTNERS:

COMMENTS AND SUGGESTIONS ON THE PROPOSED DRAFT REGULATIONS – THE WEST BENGAL ELECTRICITY REGULATORY COMMISSION (TERMS AND CONDITIONS OF TARIFF) (AMENDMENT) REGULATIONS, 2012

- Point 3 (v): In the definition of “Specified Institution” the words “owned or aided by the State / Central Government” should be deleted from 3(v)(a). Also the word “Charitable” should be replaced by “Non-profit” in the point 3(v)(b).
- Point 11 (3.15.1): The following sentence needs to be added– “In case the FPPCA charge for one billing cycle is more than Rs5,000.00 then appropriate installment facility should be provided to the consumer for recovery of the same”.
- Point 14 of the proposed draft regulation needs to be modified. The last sentence i.e. “The consumer category shall also be changed for those consumers, if required due to such revision of contract demand” should be modified as “The consumer category shall also be changed for those consumer, if required due to such revision of contract demand. However prior to any change in consumer category the utility should serve a prior notice of at least one month to the consumer informing him/her about the such changes and give an opportunity to the consumer to be heard before the appropriate authority before finalising any decision regarding change of his/her consumer category. If the consumer is able to cite sufficient reasons towards such non-adherence to his/her registered contract demand and such reasons establish that the non-adherence will have very low chances of recurring, revision of contract demand will need to be reconsidered and any change in consumer category should not be done”.
- Point 24 of the proposed draft regulation needs to be modified. In point 7.5.3(i) 10 percent should be revised to 8 percent. Further under 7.5.3 it is important to mention an appropriate price cap (to be determined by WBERC) for the power purchased without prior approval of WBERC. However, appropriate arrangements should be done to ensure that consumers get uninterrupted supply of electricity throughout the year (especially in the summer months).
- Point 32 (v)(a) needs to be rephrased as follows –

“Non-profit institutions who are more than three years old shall furnish audited financial report for the preceding three years. However for those organisations who are in operation for less than 3 years, audited financial report for the last year shall be furnished. Organisations that are in operation for less than one year shall produce appropriate certificate of registration before the licensee establishing their non-profit nature to be eligible for electricity connection under the category “Specified Institution”. “

- Point 32 (v) (f) needs to be rephrased as follows –

“Certificate from concerned Corporation/Municipality/Panchayat regarding clearance of dues, if applicable, should be furnished by the respective Institution. In case the Institution is housed in rented premises, valid Rent Receipt shall be furnished by the Institution”

- Point 34 of the proposed draft regulation needs to be modified as follows -

Paragraph (x) of note of the Table under Annexure C2 of the principal regulations could be substituted as – “Notwithstanding anything to the contrary contained in any other regulation of the Commission, in case a consumer applies for a pre-paid meter facility or TOD meter facility in any area of a licensee, appropriate steps should be adopted by the licensee to ensure provision of the same within one month of receiving such request. In case of non-availability of pre-paid/TOD meters, an appropriate letter is to be issued by the licensee to the consumer citing the reasons for

- Point 34 of the proposed draft regulation needs to be modified as follows -

“(xi) optional tariff scheme is meant for existing consumers only. Once option for optional tariff scheme is exercised subsequent revisions to the applicable tariff scheme is not permissible till the time fixed costs incurred by the licensee to extend such optional tariff schemes is not recovered”. WBERC may suggest an appropriate time frame for the minimum duration for which each of the optional tariff schemes has to be applied for by a consumer. This time frame may be calculated by considering the time required for the recovery of costs for extending each of the optional tariff schemes.