

# MAHARASHTRA ELECTRICITY REGULATORY COMMISSION

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## MAHARASHTRA ELECTRICITY REGULATORY COMMISSION (ELECTRICITY SUPPLY CODE AND STANDARDS OF PERFORMANCE OF DISTRIBUTION LICENSEES INCLUDING POWER QUALITY) (FIRST AMENDMENT) REGULATIONS, 2024.

### STATEMENT OF REASONS

Dated: 5 July 2024

#### **Introduction**

As per Section 181 (2) (x), Section 50 and Section 57 of the Electricity Act, 2003 (“EA 2003” or “the Act”), the State Electricity Regulatory Commissions (SERCs or Commissions) have been assigned the function of framing the electricity supply code constituting the obligations of the Distribution Licensee and Consumers vis-à-vis each other and specifies the set of practices that shall be adopted by the Distribution Licensee to provide efficient, cost-effective and consumer friendly services to the Consumers.

In order to strengthen the supply services by Distribution Licensees in the State of Maharashtra, the Maharashtra Electricity Regulatory Commission (“MERC” or “the Commission”) has notified the Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 in February, 2021.

The Commission proposed the Draft MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) (First Amendment) Regulations, 2024 [hereinafter referred as “Draft (First Amendment) Regulations, 2024”] with the rationale for the various provisions proposed in the Draft (First Amendment) Regulations, 2024 elaborated in the Explanatory Memorandum (EM) published along with the Draft (First Amendment) Regulations, 2024.

Accordingly, the Draft (First Amendment) Regulations, 2024 and the associated Explanatory Memorandum were published on the Commission’s website [www.merc.gov.in](http://www.merc.gov.in) in downloadable format on 23 May 2024. A Public Notice was also published in daily newspapers Marathi (Maharashtra Times and Lokmat) and English (Economics Times and Times of India), inviting

comments, objections and suggestions from all stakeholders to be submitted to the office of Commission on or before 14<sup>th</sup> June, 2024.

A total of 9 stakeholders have submitted their comments/suggestions/objections on the Draft (First Amendment) Regulations, 2024. The list of stakeholders who offered their comments/suggestions/ objections on the Draft (First Amendment) Regulations, 2024, which have been considered by the Commission while finalising the Regulations, is placed at **Annexure-I**.

The main comments/suggestions/objections and views expressed by the stakeholders through their written submissions and the Commission's views thereon have been summarized in the following paragraphs. It may be noted that all the suggestions given by the stakeholders have been considered and the Commission has attempted to elaborate all the suggestions as well as the Commission's decisions on each suggestion in the Statement of Reasons (**SOR**). However, in case any suggestion is not specifically elaborated, it does not mean that the same has not been considered.

Wherever possible, the comments and suggestions or objections have been summarised clause-wise, along with the Commission's analysis and ruling on the same. However, in some cases, due to overlapping of the issues/comments, the clauses have been combined in order to minimise repetition.

Some comments and suggestions were not directly related to the Draft (First Amendment) Regulations, 2024 on which inputs were invited. While the Commission has summarised such comments and suggestions or objections briefly in this SOR, specific rulings on the same have not been provided, as the same are outside the scope of these Regulations.

The SOR is organised in the following Chapters, along the same lines as the Draft MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) (First Amendment) Regulations, 2024, summarising the main issues raised during the public consultation process, and the Commission's analysis and decisions on them which underlie the Regulations as finally notified:

**Chapter 1:** MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) (First Amendment) Regulations, 2024

**Chapter 2:** Additional Points.

# 1 MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) (First Amendment) Regulations, 2024

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## 1.1 Amendment to Regulation 5 of the Principal Regulations

### 1.1.1 Substitution of 2<sup>nd</sup> Proviso of Regulation 5.8 of the Principal Regulations:

*“Provided further that subject to the statutory provisions and permissions, the Distribution Licensee shall release new connections or modify an existing connection, after submission of application complete in all respects within the following timelines:*

- a. *Connection from existing network without any augmentation:*
  1. *Metropolitan Area – Three (3) Days*
  2. *Other Municipal Areas – Seven (7) Days*
  3. *Rural Area – Fifteen (15) Days*
- b. *Connection requiring augmentation or extension of Distribution Mains or commissioning of new sub-stations forming a part of the distribution system – Ninety (90) Days.”*

### **Comments Received**

Secretary, Urja Sahayog, Chhatrapati Sambhajnagar, submitted that the proposed 90 days’ timeline for release of power supply to consumer/s involving construction of new sub-station is very difficult because of the following reasons:

- Land acquisition and source line erection have become extremely challenging;
- Obtaining various approvals and clearances from authorities causes significant delays.

Therefore, Urja Sahayog requested the Commission to increase the proposed timeline in case of connection requiring augmentation or extension of Distribution Mains or commissioning of new sub-stations forming a part of the distribution system to one hundred and fifty (150) days to allow distribution licensees sufficient time for administrative approvals, clearances, tendering, and appointment of implementing agencies.

The Tata Power Company Limited (TPC) submitted that in metro cities like Mumbai, the process of commissioning a distribution substation involves laying underground HT cables, requiring road reinstatement and MCGM permissions. Additionally, no permissions are granted during the monsoon period for at least 4-5 months each year. It is pertinent to submit that Turn Around Time (TAT) for Electrical Inspector's plan approval and charging approval itself takes 90 days (approval for each takes 45 days). Hence, the mentioned time of 90 days is not

sufficient. Therefore, it requested the Commission to increase the proposed timeline in case of connection requiring augmentation or extension of Distribution Mains or commissioning of new sub-stations forming a part of the distribution system to a minimum of 8 months. TPC requested the Commission to also amend the Substitution of Sr. No. 1 (II) in Annexure-II of the Principal Regulations in line with the aforesaid Regulation.

MSEDCL submitted that DTC sub-stations can be commissioned in 90 days but new connections requiring 33/11 kV or 22/11 kV level sub-stations will take more than 90 days. Issues such as availability of land and its acquisition, statutory clearances, tendering process, erection, RoW, etc., will require a period of one year. Therefore, despite MSEDCL striving to provide new connections in the stipulated timeframe, due to practical difficulties as mentioned above, there may be possibility of delay. Hence, MSEDCL requested the Commission to introduce a proviso for delays on case-to-case basis for the reasons beyond the control of the Distribution Licensee.

***Analysis and Commission’s Decision***

The proposed amendment is in line with the Electricity (Rights of Consumers) Amendment Rules, 2024. Therefore, the Commission has not modified the Draft (First Amendment) Regulations, 2024 in this regard.

Further, regarding objections that delay in clearances by statutory authorities requires more time for releasing connection, the Commission notes that following provisions of the Principal Regulations exempt distribution licensee from such delay:

*“24.1 .....*

*Provided further that the Distribution Licensee shall not be held responsible for the delay, if any, in giving supply on account of problems relating to statutory clearances, right of way, acquisition of land or the delay in Consumer’s obligation which is beyond the reasonable control of the Distribution Licensee or due to force majeure events.”*

***1.1.2 Introduction of Regulation 5.9 after Regulation 5.8 of the Principal Regulations***

*“5.9 On the request from a consumer, the Distribution Licensee shall provide a separate connection for supply of electricity for Electric Vehicle charging system:*

*Provided that the timeline for providing this connection shall be in accordance with the 2<sup>nd</sup> Proviso of Regulation 5.8 of this Regulation.”*

***Comments Received***

MSEDCL submitted that HT commercial consumers like petrol pumps, shopping complexes, industries, etc., who need EV charging facilities at their locations face problem of duplication

of HT distribution network. Hence, they need to enter into multi-party agreement with the distribution licensee and distribution licensee may install sub-meter for EV charging station facility. Therefore, MSEDCL requested the Commission to include this framework as a proviso in the proposed Regulation. MSEDCL requested the Commission to also include battery swapping stations along with EV charging stations in the proposed Regulations.

AEML-D submitted that the Draft (First Amendment) Regulations, 2024 uses the word ‘Consumer’ and not ‘Applicant’. AEML-D suggested that the word “Consumer” may be replaced by the word “applicant” as this will ensure consistency within the Regulations, as everywhere else, the Supply Code Regulations use the word “applicant” for an intending consumer. AEML-D also suggested that in the case of EV connections within a co-operative housing society/building, additional permissions shall be required by the applicant for excavation, location of charger/meter, etc. These permissions shall be granted by the co-operative housing society.

### ***Analysis and Commission’s Decision***

The proposed amendment is in line with the Electricity (Rights of Consumers) Amendment Rules, 2024.

However, the Commission finds merit in the suggestion of stakeholder regarding installation of sub-meter for EV charging station facility for HT consumer, considering practical considerations.

The Commission also agrees with the suggestion to replace the term “Consumer” with “applicant” for ensuring consistency within the Regulations. Hence, the Commission has replaced the term “Consumer” with “applicant” in the final Regulations.

Accordingly, the Regulation 5.9 introduced after Regulation 5.8 of the Principal Regulations has been modified as under:

*“5.9 On the request from **an applicant (who is existing consumer)**, the Distribution Licensee shall provide a separate connection for supply of electricity for Electric Vehicle charging system:*

*Provided that the time line for providing this connection shall be in accordance with the 2nd Proviso of Regulation 5.8 of these Regulations:*

***Provided further that the distribution licensee may install sub-meter for EV charging station/ battery swapping facility in case of HT connection.”***

## **1.2 Amendment to Regulation 15 of the Principal Regulations**

### ***1.2.1 Substitution of Regulation 15.3.3 and 1<sup>st</sup> and 2<sup>nd</sup> Proviso of the Principal Regulations***

*“15.3.3 The estimated electricity charges for the period for which meter was not available due to loss of meter may be billed to the Consumer in the ensuing bill after supply is restored. Where, upon a complaint by the Consumer or inspection by the Authorised Representative, the meter is found to be burnt or defective, it shall be replaced and supply restored to the Consumer.*

*Provided that the Distribution Licensee may recover the price of the new meter from the Consumer wherever the cause of burnt or defective meter is attributable to Consumer:*

*Provided further that the estimated electricity charges for the period for which meter was not available due to burning or defective of meter may be billed to the Consumer in the ensuing bill after supply is restored.”*

### ***Comments Received***

Urja Sahayog, Chhatrapati Sambhajinagar, submitted that they agree with the proposed amendment. Further, Urja Sahayog submitted that if consumers challenge the past consumption and charges based on replaced or working meters, distribution licensees should arrange testing in their presence. If consumers are still dissatisfied, licensees should cover the testing costs. Consumers who tamper with meters should be penalized heavily, in addition to actions under Section 135 of the Electricity Act, 2003. To prevent malpractices, defective or lost meters should be replaced promptly, with sufficient inventory maintained at each Sub-Division. High-level monitoring should be implemented to curb frequent meter changes and protect licensee’s revenue. Currently, new meter inventory is low, leading to inaccurate average billing, which needs to be rectified.

### ***Analysis and Commission’s Decision***

The proposed amendment is in line with the Electricity (Rights of Consumers) Amendment Rules, 2020. However, the Commission has slightly modified the Draft (First Amendment) Regulations, 2024 for better clarity in this regard, as under:.

*“15.3.3 The estimated electricity charges for the period for which meter was not available due to loss of meter may be billed to the Consumer in the ensuing bill after supply is restored. Where, upon a complaint by the Consumer or inspection by the Authorised Representative, the meter is found to be burnt **or defective**, it shall be replaced and supply restored to the Consumer:*

Provided that the Distribution Licensee may recover the price of the new meter from the Consumer wherever the cause of burnt **or defective** meter is attributable to Consumer:

Provided further that the estimated electricity charges for the period for which meter was not available due to burning of meter **or being defective** may be billed to the Consumer in the ensuing bill after supply is restored.”

### ***1.2.2 Introduction of Regulation 15.4.4 after Regulation 15.4.3 of the Principal Regulations***

*“15.4.4 The pre-payment meters shall be read by an authorised representative of the Distribution Licensee at least once in every three months and the data regarding energy consumption shall be made available to the Consumer, through website or mobile application or Short Message Service and the like:*

*Provided that the Consumers having smart pre-payment meters shall also be given the data access for checking their consumption and balance amount at least on daily basis.”*

### ***Comments Received***

Shri Mohd. Rafee proposed that the pre-payment facility be made optional for consumers, rather than mandatory. Should it become mandatory, and even if consumers opt for the prepaid facility, the distribution licensee should be obliged to pay interest for the billing cycle period at a rate equivalent to the Bank Rate of the Reserve Bank of India.

AEML-D submitted that all the pre-payment meters shall be smart meters, which can be read remotely. This leads to significant cost reduction as manpower required to read meters is reduced. In view of the same, there is no need for physical reading of pre-payment meters every three months. It has unnecessary cost implications for consumers. The remote reading of Smart Meters itself can be construed as meter reading for all practical purposes.

Shri Sachin More submitted that data privacy, security and other consumers’ data of smart meter cannot be sold without prior permission.

### ***Analysis and Commission’s Decision***

The Commission would like to clarify that no interest shall be provided on the amount of pre-payment. However, in accordance with the third proviso of Regulation 13.2 of the Principal Regulations, the Consumer Security Deposit will no longer be required to be maintained with the distribution licensee once pre-paid meters are installed. Further, as per the latest Tariff Order issued by the Commission for all distribution licensees, rebate of 2% is provided for consumers

who opt for pre-paid metering, which is inclusive of prompt payment discount. Thus, there is sufficient incentive for installation of pre-payment meters.

The Commission agrees with the suggestion that since, all the pre-payment meters shall be smart meters, they can be read remotely, and hence, there is no need to specify the need for physical reading of pre-payment meters every three months. The Commission has hence, modified the Draft (First Amendment) Regulations, 2024 to this extent, and also specified that the pre-payment meters shall be read remotely once every month.

As regards the submission regarding data privacy, security and consumers' data from smart meter, the Commission is of the view that the distribution licensee always had access to this data about the consumer, and no new data is being made available because of the smart meter, which necessitates concerns about data privacy, etc.

Accordingly, the Regulation 15.4.4 introduced after Regulation 15.4.3 of the Principal Regulations has been modified as under:

*“15.4.4 The pre-payment meters shall be read remotely by the Distribution Licensee once every month and the data regarding energy consumption shall be made available to the Consumer, through website or mobile application or Short Message Service and the like:*

*Provided that the Consumers having smart pre-payment meters shall also be given the data access for checking their consumption and balance amount at least on daily basis.”*

**1.2.3 Introduction of Regulation 15.6.1 (A) after Regulation 15.6.1 of the Principal Regulations:**

*“15.6.1(A) The testing of meters shall be done by the Distribution Licensee within thirty days of receipt of the complaint from the consumer about the meter readings not being commensurate with his consumption of electricity, stoppage of meter, damage to the seal, burning or damage of the meter, and the like:*

*Provided that in case of complaint by a consumer regarding meter reading not being commensurate with his consumption of electricity, Distribution Licensee shall install an additional meter within five days from the date of receipt of the complaint, to verify the consumption, for a minimum period of three months.”*

**Comments Received**

MSEDCL suggested to retain the existing Regulation, which specifies that distribution licensee shall provide temporary meter and consumers supply shall be continued through a temporary

meter, which shall be used for billing the consumer during the period in which the meter is being tested in the laboratory. MSEDCL submitted that each meter has unique accuracy level. Hence, using two meters with different accuracies, one with +3% and the other with unknown negative accuracy, can lead to variations of up to 6% due to potential measurement errors. This discrepancy could raise concerns about the validity of the results.

MSEDCL requested the Commission's approval for up to 6% deviation in readings when using two meters with different accuracies, due to potential measurement errors. MSEDCL further submitted that installing and maintaining extra meters increases operational costs, possibly leading to higher tariffs. Further, in view of MSEDCL's decision to install smart meters to all Non-Agricultural consumers, installing another smart meter may pose more challenge. Additional fee can be charged from consumers for installation of additional meters and the same can be adjusted/refunded in the bill, if the meter is found faulty or forfeited. MSEDCL also requested the Commission to increase the time period for installation of additional meters to 15 days from proposed 5 days and reduce observation time to 15 days from proposed 3 months.

AEML-D submitted that there are space constraints within existing buildings, and these will come in the way of installation of additional meter. The existing Meter Rooms will anyway be fully occupied. Therefore, an additional proviso may be inserted requiring the consumer and Distribution Licensee to agree on a mutually acceptable location for installation of additional meter for a period of 3 months.

### ***Analysis and Commission's Decision***

The proposed amendment is in line with the Electricity (Rights of Consumers) Amendment Rules, 2024. Therefore, the Commission has not accepted the suggestion to retain the existing Regulation in this regard. Further deviation of 6% as proposed by MSEDCL cannot be allowed.

The Commission accepts the suggestion of stakeholder regarding the situations where space constraints may come in the way of installation of additional meter.

Accordingly, the Regulation 15.6.1(A) introduced after Regulation 15.6.1 of the Principal Regulations has been modified as under:

*“15.6.1(A) The testing of meters shall be done by the Distribution Licensee within thirty days of receipt of the complaint from the consumer about the meter readings not being commensurate with his consumption of electricity, stoppage of meter, damage to the seal, burning or damage of the meter, and the like:*

*Provided that in case of complaint by a consumer regarding meter reading not being commensurate with his consumption of electricity, Distribution Licensee shall install an additional meter within five days from the date of receipt of the complaint, to verify the consumption, for a minimum period of three months:*

*Provided further that in case of space constraints for installation of additional meter, the consumer and Distribution Licensee shall mutually agree on an acceptable location for installation of additional meter for the period of three months.”*

#### **1.2.4 Introduction of additional Proviso in Regulation 15.6.2 of the Principal Regulations:**

*“Provided also that the list of NABL accredited laboratories for testing of meters shall be made available in their various offices as well as on the website of the Distribution Licensee.”*

#### **Comments Received**

AEML-D suggested that the Commission should approve the list of NABL Accredited laboratories for testing of meters in each licensee’s area of supply. Each distribution licensee shall accordingly maintain the approved list on its website and consumer facing offices.

#### **Analysis and Commission’s Decision**

The proposed amendment is in line with the Electricity (Rights of Consumers) Amendment Rules, 2022. Therefore, the Commission has not modified the Draft (First Amendment) Regulations, 2024 in this regard.

### **1.3 Amendment to Regulation 22 of the Principal Regulations**

#### **1.3.1 Introduction of d. and e. in Regulation 22.12.1 of the Principal Regulations:**

*“d. Customer Average Interruption Frequency Index (CAIFI); and*

*e. Momentary Average Interruption Frequency Index (MAIFI):”*

#### **Comments Received**

Shri Madhav Mehetre submitted that there is no requirement to add additional performance indices, rather effort should be on to implement existing ones properly. There is no mechanism to measure interruptions due to DT fuse failure or DT failure or LT line breakdowns to ensure timely replacement of a failed DT, also there is no mechanism to genuinely record the time taken for release of a new connection or release of additional load in case of an existing consumer and to monitor the power quality. Therefore, there is no point in introducing additional indices, which will just be one more performance index on paper.

AEML-D requested the Commission to include the definitions and formulae for CAIFI and MAIFI in the Regulations, or the Regulations may refer to the relevant IEEE Standard document for the formulae.

The Tata Power Company Limited requested the Commission to incorporate the methodology of computation of CAIFI and MAIFI in Regulation 22.12.5 as Regulation 22.12.5 of the Principal Regulations specify the method of computing Reliability Indices like SAIDI and SAIFI.

MSEDCL requested the Commission to specify the formula for computation of CAIFI and MAIFI.

### ***Analysis and Commission's Decision***

The definition of CAIFI and MAIFI are already specified in Regulation 2.2(j)(a) and Regulation 2.2(ii)(a), respectively, of the Draft (First Amendment) Regulations, 2024.

The Commission has accepted the suggestion regarding specifying the formula for CAIFI and MAIFI in the Regulations, in order to ensure against any ambiguity in interpretation of the same.

Accordingly, clauses d. and e. in Regulation 22.12.1 of the Principal Regulations have been modified as under:

*“d. Customer Average Interruption Frequency Index (CAIFI), calculated in accordance with the following formula:*

$$CAIFI = \Sigma Ni / C_N$$

*Where,*

*Ni: Total number of customer interruptions*

*C<sub>N</sub>: Total number of customers interrupted*

*e. Momentary Average Interruption Frequency Index (MAIFI), calculated in accordance with the following formula:*

$$MAIFI = \Sigma Mi * Ci / Ct$$

*where,*

*Mi: Number of momentary Interruptions (<5min)*

*Ci: Number of consumers on the interrupted feeders*

*Ct: Total Number of consumers (U/R) in the feeders in the circle/area.”*

## **1.4 Additional Comment**

### ***1.4.1 Comments Received***

Shri Rahul Dighe requested to publish draft Regulations in Marathi language also.

### ***Analysis and Commission's Decision***

Along with already published English version of draft Regulations, the Commission has published Marathi version of draft Regulations on its website on 5 June 2024 for enabling stakeholders to submit their comments.

## 2 Additional Points

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### 2.1 Adjustment of payments made by Consumer

#### 2.1.1 Regulation 16.7 of the Principal Regulations

*"16.7 Utilization of the amount Received*

*16.7.1. All payments made by the Consumer will be adjusted in the following order of priority:*

- a. electricity duty / other taxes and arrears of electricity duty/ tax;*
- b. delayed payment charges;*
- c. arrears of electricity charges;*
- d. current electricity charges; and*
- e. miscellaneous charges, if any."*

#### **Comments Received**

MSEDCL submitted that in Regulation 16.7 of the Principal Regulations, interest on arrears has been excluded in the methodology for appropriation of payment made by consumers. Further, Delayed Payment Charges (DPC) mentioned in this Regulation is one-time interest levied on the current billed amount for the first month of delay only and is different from the LPS as mentioned in Electricity (Late Payment Surcharge and Related Matters) Rules, 2022.

MSEDCL requested the Commission to align the methodology for appropriation of payment to consumer payments as per LPS Rules. MSEDCL further submitted that prioritizing the adjustment of past period bills, starting from the longest overdue bill and the associated interest will alleviate the pressure on its working capital. This approach ensures that outstanding dues are systematically cleared, reducing the financial strain on MSEDCL's resources.

Accordingly, MSEDCL requested the Commission to amend the proposed regulation as below:

*"16.7. Utilization of the Amount Received*

*16.7.1. All payments made by the Consumer will be adjusted in the following order of priority:*

- a. Electricity duty / other taxes and arrears of electricity duty/ tax all overdue bills starting from longest overdue bill;*
- b. Delay Payment Charge (DPC) & Interest all the overdue bills starting from longest overdue bill;*
- c. Energy Charges & Fixed Charges of all overdue bills starting from longest overdue bill;*
- d. Current electricity charges; and*
- e. Miscellaneous charges, if any."*

## ***Analysis and Commission's Decision***

The Commission has not proposed any amendment in the Draft (First Amendment) Regulations, 2024 on this aspect. However, it is clarified that the interest on delayed payment shall be considered along with DPC.

### **2.2 Estimated Bills for the period during which the meter was unavailable**

#### ***2.2.1 Regulation 15.3.3 of the Principal Regulations***

*"Provided further that the estimated electricity charges for the period for which meter was not available due to loss of meter may be billed to the Consumer in the ensuing bill after supply is restored. Where, upon a complaint by the Consumer or inspection by the Authorised Representative, the meter is found to be burnt, it shall be replaced and supply restored to the Consumer.*

*Provided that the Distribution Licensee may recover the price of the new meter from the Consumer wherever the cause of burnt meter is attributable to Consumer:*

*Provided further that the estimated electricity charges for the period for which meter was not available due to burning of meter may be billed to the Consumer in the ensuing bill after supply is restored."*

#### ***Comments Received***

MSEDCL submitted that, as per 2nd proviso of Regulation 15.3.3 of the Principal Regulations, in cases where meters are lost, burnt, or defective, the distribution licensee can issue estimated bills for the period during which the meter was unavailable. However, this provision contradicts the second proviso of Regulation 16.4.1 of the Principal Regulations, which specifies as under:

*"Provided further that, in case the meter is stuck, burnt, lost or has stopped recording, the Consumer will be billed for the period for which the meter is stuck or has stopped recording or for the period for which meter was not available due to burning or loss of meter, up to a maximum period of Three (3) months, based on the consumption during the corresponding period in the previous year when readings were taken or the average consumption of the previous Three (3) billing cycles for which the meter has been read by the Distribution Licensee, whichever is higher:"*

MSEDCL suggested that the three-month billing cap for non-functioning meters should be removed, as consumers continue to consume energy even without a working meter. MSEDCL argued that waiving charges is incorrect, and instead, consumers should be compensated for delayed meter replacement. MSEDCL proposed amending the Regulations to ensure accurate billing for actual energy consumption.

### ***Analysis and Commission's Decision***

The Commission is of the view that the clauses are not inconsistent, and have to be read together. Regulations mandates that faulty meter be replaced by subsequent billing cycle, which is one month for all consumers except Agriculture. Therefore, restriction of 3 months for assessed billing is correct. The Commission has hence, not modified the Draft (First Amendment) Regulations, 2024 in this regard.

**Sd/-**  
**(Surendra J. Biyani)**  
**Member**

**Sd/-**  
**(Anand M. Limaye)**  
**Member**

**Sd/-**  
**(Sanjay Kumar)**  
**Chairperson**

## Annexure – I

<b>Sl. No.</b>	<b>Name of Stakeholders</b>
1	Shri. Rahul Dighe
2	Shri. Mohd. Rafee Chougale
3	Shri. Madhav Mehetre
4	Adani Electricity Mumbai Ltd. (AEML-D) (Distribution Licensee)
5	Urja Sahayog
6	BEST (Distribution Licensee)
7	The Tata Power Company Ltd. (TPC-D) (Distribution Licensee)
8	Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) (Distribution Licensee)
9	Shri. Sachin More