



NEPRA CONSUMER ELIGIBILITY CRITERIA (ELECTRIC POWER SUPPLIERS) REGULATIONS, 2021

NOTIFICATION

Islamabad,, 2021

S.R.O. _____. — In exercise of the powers conferred by section 47 read with sub-section (2) of section 23F of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997) and all other enabling provisions thereof, the National Electric Power Regulatory Authority is pleased to notify the following regulations.-

1. Short title and commencement.- (1) These regulations may be called the National Electric Power Regulatory Authority Consumer Eligibility Criteria (Electric Power Suppliers) Regulations, 2021.

(2) These regulations shall come into force at once.

(3) The Authority may amend the provisions of these regulations, either *suo moto* or at the request of any person or a licensee, as deemed appropriate.

2. Definitions.— (1) In these regulations, unless there is anything repugnant in the subject or context.-

(i) “Act” means the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997);

(ii) “applicant” means any person who applies to an electric power supplier for supply of electric power;

(iii) “competitive supplier” means a person licensed under Section 23E of the Act to supply electric power to consumers who are located in the territory specified in its licence and meet the eligibility criteria laid down by the Authority;

(iv) “Consumer Service Manual” means the Consumer Service Manual 2021 approved by the Authority in pursuance of section 21 of the Act or such other manual prepared by the electric power suppliers for laying down the terms and conditions of supply of electric power to the consumers and approved by the Authority from time to time;

(v) “electricity connection” means a physical connection along with relevant meter and allied infrastructure installed by the relevant distribution licensee at the premises of a consumer to enable the consumer to connect with the distribution facilities of the distribution licensee at the premises of the consumer to enable the consumer to

purchase or receive electric power from an electric power supplier in accordance with the Consumer Service Manual and other applicable documents;

- (vi) "service territory" means the area specified in a licence within which the licensee is authorized to supply electric power to the consumers who meet the relevant consumer eligibility criteria;
- (vii) "supplier of last resort" means a person who holds an electric power supply license for the service territory specified in its licence and is obligated to supply electric power to all consumers located in that service territory at the rates determined by the Authority and is also obligated to provide electric power supply to the consumers, located within its service territory, of any competitive supplier who defaults on its obligations of electric power supply;

(2) Words and expressions used but not defined in these regulations shall have the same meaning as assigned to them in the Act or the National Electric Power Regulatory Authority Licensing (Electric Power Supplier) Regulations, 2021 or other applicable documents.

3. **Consumer eligibility criteria for competitive supplier.**—(1) Any person meeting the following eligibility criteria may apply to a competitive supplier for supply of electric power:

- (i) the applicant has filed an application in the form and manner provided in the Consumer Service Manual:

Provided that the competitive supplier shall make available on its website and in its offices the relevant application forms and information concerning all other requirements including guidelines for filing of the application by the consumers;

- (ii) the premises identified by the applicant for supply of electric power must be located within the service territory of the competitive supplier;
- (iii) the applicant qualifies as a bulk power consumer as per the criteria provided under the Act or specified by the Authority;
- (iv) the applicant is not a defaulter of any electric power supplier;
- (v) where the applicant is, or was a consumer of a supplier of last resort during the twelve months, the requisite advance notice of one year for stoppage of purchase of electric power from the supplier of last resort as required under sub-section (2) of section 22 of the Act has been given to the supplier of last resort by the applicant;
- (vi) the applicant must have a valid electricity connection from the concerned distribution licensee;
- (vii) the applicant is competent to enter into a legally binding contract with the competitive supplier for supply of electric power; and
- (viii) the applicant is not declared as insolvent by any competent court of law;

4. **Consumer eligibility criteria for supplier of last resort.**- (1) Within the service territory of a supplier of last resort licensee, all persons shall have the right to be supplied with electric power by the licensee provided that they meet the following eligibility criteria:

- (i) the applicant has filed an application in the form and manner provided in the Consumer Service Manual:

Provided that the supplier of last resort shall make available on its website and in its offices the relevant application forms and information concerning all other requirements including guidelines for filing of the application;

- (ii) the premises, where the supply of electric power is required, are located within the service territory of the respective supplier of last resort;
- (iii) where applicable, the applicant has made payment of security deposit;
- (iv) the applicant has not been guilty of committing an offence of stealing of electricity under the law:

Provided that if a guarantee to the satisfaction of the licensee is provided to compensate for any loss to the licensee which may accrue due to dishonest abstraction of electric power or non-payment of bills, the applicant shall be eligible to be supplied with electric power services;

- (v) the occupier or owner of the premises in respect of which the application for supply of electric power is made, is not a defaulter of the supplier of last resort or any other electric power supplier.
- (vi) a consumer of a competitive supplier shall not be eligible to get supply of electric power from a supplier of last resort except in cases where the competitive supplier has either defaulted in its obligation to supply electric power and a notice of termination of the arrangement between the consumer and the competitive supplier has been served by the consumer:

Provided that the supply of electric power by the supplier of last resort to a consumer whose competitive supplier has defaulted will be on the same rates, terms & conditions as are being offered to other regulated consumers of the same consumer category of the licensee and there shall be no-discrimination in this regard;

- (vii) the applicant must have a valid connection from the concerned distribution licensee;
- (viii) the applicant is competent to enter into a legally binding contract with the supplier of last resort for supply of electricity:

Provided that a minor or a person otherwise not competent to enter into a legally binding contract, may make an application through its guardian.

(2) A supplier of last resort shall not refuse supply of electric power to any person unless such person has been explained the deficiencies observed in its application and provided an opportunity to rectify these deficiencies or clarify the same within reasonable time.

5. **Connection from a distribution licensee.-** If the consumer does not have an electricity connection, the consumer shall be responsible for submitting an application as per the Consumer Eligibility Criteria for Distribution Companies, and relevant Consumer Service Manual for obtaining electricity connection from the distribution licensee.

6. **Multiple electric power supplier arrangements.-** (1) A person may have electric power supply arrangements from multiple competitive suppliers for different time of use against a single electricity connection:

Provided that a consumer shall not be eligible to supply of electric power from supplier of last resort if it has a valid arrangement for supply of electric power from a competitive supplier:

Provided further that if the competitive supplier of the consumer defaults in supply of electric power as per the terms of their mutual contract or consumer terminates the supply of electric power arrangement with the competitive supplier, the consumer shall be eligible to supply of electric power from the supplier of last resort subject to fulfilment of other requirements established in these regulations.

(2) A person may have electric supply arrangements from multiple competitive suppliers at a single premises against separate electricity connections.

7. **Non-discriminatory treatment by supplier of last resort.-** The supply of electric power by the supplier of last resort to a consumer whose competitive supplier has defaulted will be on the same rates, terms and conditions as are being offered to other regulated consumers of the same consumer category of the licensee and there shall be no-discrimination in this regard.

8. **Consumer complaints and dispute resolution.-** (1) An electric power supplier shall make available complaints-handling mechanisms that provide consumers or applicants with expeditious, fair, transparent, inexpensive, accessible, speedy and effective dispute resolution without unnecessary cost or burden.

(2) All complaints and disputes in respect of the administration of these regulations that are not addressed by the electric power supplier to the satisfaction of the consumer or applicant, shall be referred to the designated department of the Authority for resolution.
