

# **Guideline on Notice for Disconnection of Electricity Supply**

## **1. Background**

By this guideline, Distribution Licensees are guided to know their obligations as well as the obligations of Tariff Customers before disconnecting/discontinuing/cutting off electricity supply to any premises.

In accordance with the Electricity Act, No.20 of 2009 as amended by the Act, No. 31 of 2013 (the Act.), disconnecting/discontinuing/cutting off of electricity supply is mostly related with “notice” and/or “requisite period”.

The interpretation given in the Act for “notice” is “notice in writing”. That is, a tariff customer to his/her distribution licensee or a distribution licensee to their tariff customer shall issue a notice in writing before disconnecting/discontinuing/cutting off of electricity supply to any premises. The meaning of “requisite period” is given in Item 4 below.

The instances of serving notices and the period of prior notice or requisite period with respect to disconnecting/discontinuing/cutting off the electricity supply of tariff customers/consumers differ from each other. Such instances can be identified as:

- i) When a tariff customer quits his/her premises
- ii) When any person fails to provide security deposit
- iii) When a tariff customer fails to pay charges due to distribution licensee
- iv) When a tariff customer fails to pay monthly installment to distribution licensee
- v) When a consumer uses the electricity supply in a dangerous or unsafe manner

## **2. When a Tariff Customer quits his/her premises**

When a tariff customer quits his or her premises at which electricity is supplied by his or her distribution licensee, the tariff customer has the following obligations.

- a) At least two days’ prior notice shall be given to the respective distribution licensee to disconnect the electricity supply of the premises.
- b) If such notice is not given, he/she shall pay all accrued charges due up to the earlier of

- i) Second (2<sup>nd</sup>) working day after he/she gives notice to the respective distribution licensee provided that reasonable access to the premises has been granted
- ii) The next day on which the register of any meter is ascertained, and
- iii) The day from which any subsequent occupier of the premises requires the distribution licensee to supply electricity (Schedule II, Item 1(2) of the Act.)

The respective distribution licensee shall endorse a statement setting out those provisions in 2(a) and 2(b) above upon every demand note for electricity charges payable by such tariff customer (Schedule II, Item 1(3) of the Act.).

### **3. When any person fails to provide security deposit**

Distribution licensees may require any person who requires a connection and supply of electricity, by notice in writing, to provide reasonable security for the payment of all money which may become due to the distribution licensee-

- a) in respect of the supply, or
- b) where any electric line or electrical plant requires to be provided for such supply.

If such person has not provided such security or the security provided by such person has become insufficient, the distribution licensee may by notice require such person to provide within seven days after the service of the notice, reasonable security for the payment of all monies which may become due to the distribution licensee in respect of the supply.

If such person fails to provide such security, the distribution licensee may refuse to make the connection or discontinue the supply, as the case may be, for so long as the failure continues (Section 28(1), 28(2) of the Act.).

In the case of a supply of electricity, the reasonable security referred above is the amount equivalent to not more than two (2) months' average usage of electricity (Part I,C(2) of Rights and Obligations of Electricity consumers (ROEC)).

When the security provided has become insufficient, the distribution licensee can require the balance amount from the respective person. In the case of a supply of electricity, the balance amount is the amount equal to the present average consumption for a period of two (2) months less the present security deposit and the accrued interest of it (Part I, B1(b), Foot note 4 of ROEC).

#### **4. When a tariff customer fails to pay charges due to distribution licensee**

If a tariff customer has not, within the requisite period, paid all charges due to a distribution licensee in respect of the supply of electricity to any premises, or the provision of any electricity meter, electric line or electrical plant for the purpose of that supply, the distribution licensee, at the end of the requisite period, cut off the electricity supply to the premises (Schedule II, Item 1(5) of the Act.).

The requisite period means:

- a) In the case of premises which are used wholly or mainly for domestic purposes, a period of not less than ten days after either the making by the distribution licensee of a demand in writing for the payment of the charges due or a notice by the distribution licensee requiring the tariff customer to cease to use the appliances which interfere with electricity supplied to another customer (Schedule II, 1(6) (a) of the Act), and
- b) In the case of any other premises, a period of ten days after the making of such a demand (Schedule II, 1(6) (b) of the Act).

#### **5. When a tariff customer fails to pay monthly installment to distribution licensee**

If a tariff customer has failed to pay the monthly instalments due for the requisite period under the agreement entered into under the direction given by the Commission under Section 27 (2) of the Act or any other charges which the customer has agreed to make to the distribution licensee, the distribution licensee, at the end of the requisite period (refer 4 (a) and (b) above) cut off the supply to the premises (Schedule II, Item 1(5)(c) of the Act).

#### **6. When a tariff customer uses the electricity supply in a dangerous or unsafe manner**

Where a connection to a distribution licensee's network has been made and the distribution licensee is not satisfied that the tariff customer's installation is or would be danger or interference with their or with the supply to any other consumer's installation, the distribution licensee may issue a notice in writing to the consumer requiring remedial work to be carried out within such reasonable period as may be specified in the notice (Regulation No. 59 of Electricity (Safety, Quality and Continuity) Regulations of 2016).

If a tariff customer has failed to comply with a notice from the distribution licensee requiring him/her to cease using any appliance which unduly or improperly interferes with the

supply of electricity by the distribution licensee to any other consumer, the distribution licensee, at the end of the requisite period (refer 4 (a) and (b) above) cut off the supply to the premises (Schedule II, Item 1(5)(b) of the Act).

A distribution licensee may disconnect the supply to the consumer's installation without giving notice as required by regulation 59, if such disconnection can be justified on grounds of safety, but in such an event the distribution licensee shall by notice in writing address to the consumer and served as soon as reasonably practicable after the disconnection, giving the reasons for such disconnection and if applicable, details of remedial measures required to be taken by the consumer (Regulation No. 61 of Electricity (Safety, Quality and Continuity) Regulations of 2016).

## **7. Dispute Resolution**

Any dispute arising with regard to Items 2, 3, 4, 5 and 6 above can be referred to the respective Deputy General Manager of the Ceylon Electricity Board or Head of Operations of the Lanka Electricity Company (Private) Limited as the case may be, as a Dispute Resolution Officer under PART I of the Electricity (Dispute Resolution Procedure) Rules Published in Gazette Extraordinary No. 1951/1 dated 25th January 2016.

Where the parties to a dispute referred fail to reach a settlement which is acceptable to both parties, either party to the dispute may inform the Commission and call upon to resolve the same through mediation under Part-II of the above Rules.