

M.P. Electricity Supply Code,2004

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Section- 50 of the Electricity Act, 2003 stipulates that the State Commission shall specify an Electricity Supply Code to provide for recovery of electricity charges, intervals for billing of electricity charges, disconnection of supply of electricity for non-payment thereof, restoration of supply of electricity, tampering, distress or damage to electrical plant, electric lines or meter, entry of distribution licensee or any person acting on his behalf for disconnecting supply and removing the meter, entry for replacing, altering or maintaining electric line or meters. Section 181 of the Act provides powers of State Commission to make Regulations.

In exercise of powers conferred by various sections of the Electricity Act 2003, the Madhya Pradesh Electricity Regulatory Commission (MPERC) has published the MP Electricity Supply Code 2004, to govern supply and retail sale of electricity by the licensees and procedures thereof, the powers, functions and obligations of the licensees and the rights and obligations of consumers, and matters connected therewith and incidental thereto.

The Electricity Supply Code, 2004 is made effective from 10th June, 2004 in Madhya Pradesh.

The Code comprises of following chapters –

CHAPTER-1: SHORT TITLE, COMMENCEMENT AND REVIEW PROCESS

CHAPTER-2 : COVERS DEFINITIONS

CHAPTER-3: SYSTEM OF SUPPLY AND CLASSIFICATION OF CONSUMERS.

CHAPTER-4: NEW POWER SUPPLY

This chapter mainly covers Licensee's obligation to supply and procedure for supply of power for new HT & LT consumers including cost of service connection/extension etc. The time limit for rendering service for giving supply to HT/LT connections has also been covered in the chapter.

CHAPTER-5 : POINT OF SUPPLY AND LICENSEE'S EQUIPMENT IN PREMISES.

CHAPTER-6 : WIRING AND APPARATUS IN CONSUMER PREMISES.

CHAPTER-7: CONTRACT DEMAND, AGREEMENT, SECURITY DEPOSIT.

CHAPTER-8 : METERS

CHAPTER-9 : BILLING

CHAPTER-10: PAYMENT OF BILLS AND DISCONNECTION ON NON- PAYMENT.

CHAPTER-11: COVERS MISCELLANEOUS REQUIREMENTS, CONDITIONS

Chapter 1 : Short title, commencement and review process.

Salient Feature –

- The commission shall constitute an Electricity Supply Code Review Panel to review various provision of the code.
- The Commission shall nominate one of its Directors as convener of review Panel and Joint Director as Member Secretary. The Commission shall provided all the required support, administrative or otherwise. All members of the review panel shall be appointed for a period of two years and the members present at any meeting shall elect one member from amongst themselves to be the Chairman for the meeting.” **(1.7)**
- The Commission may amend the Electricity Supply Code suo-motu.**(1.10)**

CHAPTER 2: DEFINITION

Some important definitions reffered in various sections in code

'Act' means The Electricity Act 2003 (No. 36 of 2003) as in force from time to time.

'Code' means the Madhya Pradesh Electricity Supply Code as in force from time to time.

- **'Commission'** means the Madhya Pradesh Electricity Regulatory Commission constituted under section 3 of the Madhya Pradesh Vidyut Sudhar Adhiniyam, 2000 (no.4 of 2001)..
- " Authorised officer" means the officer authorised in this behalf by the State Government under section 135 of the Act."
- " Theft of Electricity" has the meaning assigned to it under Section 135 of the Act."
- "Person" means any person or persons or occupier or possessor of the premises or place and may or may not be the consumer and shall include any company or body corporate or ssoication or body of individuals, whether incorporated or not, or artificial juridical person;"
- **"Connected Load,"** means aggregate of the manufacturer's rating of all energy consuming devices, in the consumer's premises, which can be simultaneously used. This shall be expressed in kW, kVA or HP units and shall be determined as per the procedure laid down in clauses 6.37 to 6.42 on 'Rating of Installations' in this Code.
- **'Consumer'** means any person who is supplied with electricity by the licensee and includes any person whose premises are for the time being connected for the purpose of receiving electricity from the licensee, persons who have applied for an electricity connection, persons whose supply is not yet connected even after due notice to avail connection or whose electricity supply has been disconnected. A consumer is –
(i) 'Low Tension Consumer (LT Consumer)' if he obtains supply from the licensee at low or medium voltage.

(ii) 'High Tension Consumer (HT Consumer)' if he obtains supply from the licensee at High Voltage.

(iii) 'Extra High Tension Consumer (EHT Consumer)' if he obtains supply from the licensee at Extra High Voltage.

'Consumer's installation' means any composite electrical unit including electric wires, fittings, motors and apparatus, portable and stationary, erected and wired by or on behalf of the consumer at the consumer's premises.

- **'Contract demand'** means the maximum Load in kW, kVA or HP, as the case may be, agreed to be supplied by the licensee and contracted by the consumer and mentioned in the agreement.
- **'Date of commencement of supply'** means the day immediately following the date of expiry of a period of one month for in case of LT consumers and three months in case of HT of EHT consumer from the date of intimation to an intending consumer of the availability of power or the date of actual availing of supply by such consumer, whichever is earlier.
- **'Demand Charge'** for a billing period means a charge levied on the consumer based on the contract demand or maximum demand and shall be calculated as per the procedure provided in the Tariff Order, approved by the Commission
- **'Electric line'** means any line which is used for carrying electricity for any purpose and includes
 - (i) any support for any such line**, that is to say, any structure, tower, pole or other thing in, on, by or from which any such line is, or may be, supported, carried or suspended; and
 - (ii) any apparatus connected to any such line** for the purpose of carrying electricity;
- 'Energy'** means electrical energy-
 - (i) Generated, transmitted or supplied for any purpose, or
 - (ii) Used for any purpose except the transmission of a message.
- **'Extra High Voltage'** means the voltage, which exceeds 33,000 volts subject, however, to the percentage variation allowed under the Indian Electricity Rules, 1956.
- **'High Voltage (HV)'** means the voltage higher than 650 volts but which does not exceed 33,000 volts 50 cycles under normal conditions subject, however, to the percentage variation allowed under the Indian Electricity Rules, 1956
- **'Initial period of agreement'** means the period of two years starting from the date of commencement of supply. The initial period of agreement shall continue till the end of the month, on which the end date of the two years period expires.
- **'Licensed Electrical Contractor'** means a contractor licensed under rule 45 of the Indian Electricity Rules 1956.
- **'Low Voltage (LV)'** means the voltage, which does not exceed 250 volts 50 cycles under normal conditions subject, however, to the percentage variation allowed under the Indian Electricity Rules, 1956

- **'Maximum demand'** for a category of consumer shall be calculated as per the procedure provided in the Tariff Order, approved by the Commission
- **'Medium Voltage'** means the voltage higher than 250 volts but which does not exceed 650 volts 50 cycles under normal conditions subject, however, to the percentage variation allowed under the Indian Electricity Rules, 1956.
- **'Meter'** means an equipment used for measuring electrical quantities like energy in kWh or kVAh, maximum demand in kW or kVA, reactive energy in kVAR hours etc. including accessories like Current Transformers (CT) and Potential Transformers (PT), including cables, where used in conjunction with such meter and any enclosure used for housing or fixing such meter or its accessories and any devices like switches or MCB/ load limiter or fuses used for protection and testing purposes.
- **'Occupier'** means the owner or person in occupation of the premises where electrical energy is used or proposed to be used.
- **'Power Factor'** means the average monthly power factor and shall be the ratio expressed as a percentage of the total kilowatt hours to the total kilovolt ampere hours supplied during the month; the ratio being rounded off to two decimal figures, 5 or above in the third place of decimal being rounded off to the next higher place in the second. In case kWh or kVAh reading is not available then power factor shall be calculated on the basis of kVARh reading, if the meter has KVARh recording feature in the meter.
- **'Premises'** includes any land, building or structure.
- **'Service-line'** means any electric supply-line through which energy is, or is intended to be, supplied
 - (i) to a single consumer either from a distribution main or immediately from the supplier's premises, or
 - (ii) from a distribution main to a group of consumers on the same premises or on adjoining premises supplied from the same point of the distribution main.
 - **'System'** means an electrical system in which all the conductors and apparatus are electrically connected to a common source of electric supply.
 - **"Group user"** means Cooperative Group Housing Society registered under the M.P. Cooperative Society Act or a person representing his employees."

CHAPTER 3: SYSTEM OF SUPPLY AND CLASSIFICATION OF CONSUMERS

System of Supply

- The declared frequency of A.C. supply 50 cycles per second. **(3.1)**
- The declared voltage of the AC supply is as follows: **(3.2)**
 - (a) Low Tension**
 - (i) Single Phase: 230 volts between phases and neutral.
 - (ii) Three Phase: 400 volts between phases.
 - (b) High Tension (HT)** - Three Phase: 11 kV or 33 kV between phases.

(c) Extra High Tension (EHT) - Three Phase: 132 kV or 220 kV between phases

➤ The licensee shall design and operate a distribution system in conjunction with the transmission systems. The licensee shall not permit the voltage at the point of supply to the consumer to vary from the declared voltage which is

(a) In the case of low or medium voltage, by more than 6%; or

(b) In the case of high voltage, by more than 6% on the higher side or by more than 9% on the lower side; or

(c) In the case of extra high voltage, by more than 10% on the higher side or by more than 12.5% on the lower side

. Voltage of Supply to consumers

3.4 The supply voltage for different contract demands shall normally be as follows. Amendment and supply code 12 July 2005 1st Amendment.)

The MPERC has broadly classified the consumers on the basis of their contract demand for the purpose of supply voltage as indicated in the following table: -

Voltage	Minimum contract Demand	Maximum Contract Demand
230 volts	-	3 kW
400 volts	Above 2 kW	100 HP or 75 kW
11 kV	60 kVA	300 kVA
33 kV	300 kVA	10000 kVA
132 kV	2500 kVA	40000 kVA
220 kV	40000 KVA	-
Note : The classification of consumers, tariff & condition of supply applicable to each category shall be as fixed by the MPERC from time to time in the Tariff Order or otherwise.		

CHAPTER 4: NEW POWER SUPPLY

Licensee's Obligation to Supply

The Licensee shall, on an application by the owner or occupier of any premises located in his area of supply, give supply of electricity to such premises within the time specified in this Code (refer clause **4.74**), provided

- (a) the supply of power is technically feasible,
- (b) the consumer has observed the procedure specified in this Code, and
- (c) the consumer agrees to bear the cost of supply and services as specified. **(4.1)**

Licensee's obligation to extend the Distribution System and Consumer's share in the Cost

In all cases of new connections the consumer shall bear the Service Connection Charges, that is the cost of extension of service connection from the Distribution Mains to the point of supply. **(4.4)**

Cost of service connection/ extension

- The Service Connection Charges shall be as approved by the Commission from time to time. **(4.6)**
- For estimating a ready reckoner to be prepared **(4.7)**
- In case the connected/ contracted load of any new connection is projected to be 50 kW or more, a separate transformer of adequate capacity shall be installed. **(4.8)**
- The service connection/ extension of distribution mains, notwithstanding that it has been paid for by the consumer shall be the property of licensee. The licensee shall maintain it at its cost. **(4.9)**
- One-month notice issued in case of L.T. and three-month notice in case of H.T. For taking power supply. if he fails to do so, billing starts as per agreement **(4.10)**
- Service connection/ extension work executed by consumers. **(4.11)**
- The consumer shall get the work done within the timeframe as provided in clause 4.74, failing which the licensee may, on giving fifteen days notice treat the requisition for supply as cancelled. **(4.12)**

Requisition for Supply

- Requisition for a new supply or an additional supply of electrical energy must be made in duplicate in the prescribed application form to the licensee. **(4.13)**
- The consumer shall furnish, along with the requisition form, copies of following documents. The licensee may ask for the original documents, from the consumer, for verification. **(4.15)**
 - (a)** Proof of ownership e.g. registered sale deed or partition deed or succession or heir ship certificate or deed of last will, OR Proof of occupancy such as valid power of attorney or latest rent receipt or valid lease deed or rent agreement or copy of allotment order issued by the owner of the property, OR In case of supply for agriculture/ irrigation pump set, the 'khata nakal' giving the 'khasara' number of the field within which the supply is required and water availability certificate from competent government authority.
 - (b)** Approval/permission of the local/statutory authority, if required under any law /statute.
 - (c)** In case of a partnership firm, partnership deed, authorization in the name of the applicant for signing the requisition form and agreement
 - (d)** In case of a Public or Private Limited Company, Memorandum and Articles of Association and Certificate of incorporation together with an authorization in the name of the applicant for signing the requisition form and agreement. In case of applications for power supply to stone crushers, stone polishing and hot-mix plants, the following additional information shall also be furnished.
 - (e)** Documentary evidence from the department concerned to show that he will be able to take requisitioned quantum of power supply for at least two years.

(f) His permanent address. The consumer shall also intimate whether the service line and extensions, if any, shall be laid by the consumer or the licensee.

- If the consumer, in respect of an earlier agreement executed in his name or in the name of a firm or company with which he was associated either as a Partner, director or Managing Director or as occupier and or owner of the premises, has any arrears of electricity dues or other dues on the premises where the new connection is applied for and such dues are payable to the licensee, the requisition for supply may not be entertained by the Licensee until the dues are paid in full. However, release of new connections shall not be refused by the Distribution Licensee in following cases:
 - i) If the lease deed is cancelled by the State Govt. on account of any reason and allocated to a new party/ consumer, then the new party/ consumer shall not be required to pay the energy dues of erstwhile consumer.
 - ii) If the property is attached and sold by the Income Tax Department / Commercial Tax Department or such other Govt. Departments for recovery of their dues, then the new purchaser shall not be required to pay the energy dues of erstwhile consumer.
 - iii) If the Financial Institutions created under the State Act/Central Act attach and sale property for recovery of their dues, then the purchaser shall not be required to pay the energy dues of erstwhile consumer.
 - iv) On vacation of Govt. Quarter/Flat on transfer of an employee leaving arrears of energy charges, new occupant shall not be required to pay the energy dues of erstwhile consumer.
 - v) If there is a specific order from a Court for non-recovery of arrears outstanding on the premises.” **(4.17) (9th Amendment 11-8-2006)**

Supply to different categories of consumers

(A) Supply at LT

- prevailing rules and regulations should be taken. **(4.34)**

For the purpose of considering the criteria of a multi-consumer complex, for development of infrastructure for extension of distribution mains and if any, the load of the multi-consumer complex shall be calculated on the following basis**(4.39)**

Sl. no	area	load
A	Up to 400 sq.feet	1.5 K.W.
B	Above 400 sq ft & up to 700 sq ft	2.0 K.W.
C	Above 700 sq ft & up to 1000 sq ft	3 K.W.
C	Above1000 sq ft & up to 1300 sq ft	4 K.W.
E	Above1300 sq ft & up to 1600 sq ft	5 K.W.
F	Above 1600 sq ft & up to 2000 sq ft	7 K.W.
g	above 2000 sq ft & up to 2500 sq ft	10K.W.
h	For every additional 500 sq.ft. or part there of over 2500 sq ft of built up area,1 k.w. of load should be added	

4 (C) LT Supply to housing colonies:

- The developer/ builder/ society/ consumers of a housing colony shall bear the cost of extension including the cost of 11 kV line, distribution transformer and LT lines/ LT cables. The cost of construction /aug of capacity of power station of 33/11 Kv if required shall be born by the licensee **(4.41)**

For the purpose of considering the criteria of a housing colony, for development of infrastructure for extension of distribution mains the load of the housing colony shall be calculated on the following basis **(4.42)**



S.No.	Area (plot area)	Load
A	Up to 500 sq.feet	1.5 K.W.
B	Above500 sq ft & up to 1000 sq ft	2.0 K.W.
C	Above 1000 sq ft & up to 1500 sq ft	3 K.W.
C	Above1500 sq ft & up to 2000 sq ft	4 K.W.
E	Above2000 sq ft & up to 2400 sq ft	5 K.W.
F	Above 2400 sq ft & up to 3000 sq ft	7 K.W.
g	above 3000 sq ft & up to 3500 sq ft	10K.W.
h	Plot or house for E W S	1.0 K.W.
I	Informal section (reserved slum area)	0.5k.w.per connection

(D) LT Supply for agriculture/irrigation pump sets:

- The procedure laid down in clause 4.19to 4.28, as applicable, shall be followed for giving supply to agriculture/irrigation pump sets where extension of distributing mains and /or augmentation of distribution transformer is not required.**(4.44)**
- In case of extension, cost shall be born by board as per available fund .a facility is available to farmer that he may avail supply after depositing whole estimated amount to escape form long queue **.4.46)**
- An agricultural consumer, if he so desires, may shift the location within his premises of his connection, with approval of the licensee, within the premises after payment of charges as applicable. **(4.47)**

(E) LT Supply to Public Street Lightings:

- Requisition for power supply to new or additional public street lights shall be submitted in the prescribed format to the local office of the licensee by the Municipal Corporation or Municipality or Municipal Board or Gram Panchayat or Local Body or the Government Department or any other organization made responsible by the Government to maintain public street lights (in context of public street lights herein after called 'local body'). **(4.48)**
- The requisition for public lights shall be accompanied by resolution of the local body and the sketch indicating the number of poles, existing or new, where streetlights are required. **(4.49)**
- The local body shall bear the full cost of arranging of power supply to public streetlights including complete fittings and brackets. **(4.50)**

- The work shall be taken up only after deposit of the amount and execution of agreement by the local body. (4.51)
- A suitable double compartment weatherproof metal box to house the energy meter and streetlight switch/ M.C.B./ timers shall be provided by the licensee. (4.52)
- The fixtures, bulbs etc. shall be supplied by the consumers and replaced by the licensee all such services shall be chargeable. (4.53)

(F) Temporary Power Supply

- Any person requiring power supply for temporary purpose for a period of less than one year may apply for temporary power supply in the prescribed form.(two years for building construction activities and installation of equipments by industrial consumers) (4.54)
- He shall also furnish the proof of occupation or permission from the owner of the premises, where 100 or more persons are likely to assemble; the consumers shall comply with the provisions of section 54 of the Act.(4.55)
- If the supply is feasible, the licensee shall intimate the consumer the charges to be paid (4.56)
- In case the consumer fails to pay the bills in time and the advance with the licensee does not cover the charges for the balance period, the supply is liable for disconnection. (4.57)
- Consumer shall pay the entire amount of bill charges payable for the period of proposed connection as advance. (4.58)
- The licensee shall release the supply within 3 days of payment of charges(4.59)
- The readings of the meter may be taken during the period of the temporary connection to ensure that the charges for actual consumption does not exceed the advance payment received. (4.60)
- After the period of temporary supply is over and supply has been disconnected, the licensee shall prepare the final bill and send it to the consumer. (4.61)
- The licensee shall have in place a procedure of reporting and checks to see that provisions made herein are properly observed and no connections are given without realizing dues. (4.62)

(G) Tatkal Yojana

- The licensee may give temporary supply at a notice of 24 hours under Tatkal Yojna, if it is technically feasible, on payment of an additional fee as approved by the Commission in the order on Miscellaneous Charges. (4.63)

(H) Supply at H.T.

- After Receiving application with all relevant document, licensee examine feasibility and if he satisfy for his feasibility he can fixed supply point (4.64)
- Supply to HT industrial consumers shall normally be given through HT feeder exclusively meant for industries. It may be preferable to extend supply through a separate feeder from the nearest 33/11 kV or EHT substation in case of consumers with continuous process industry or load of 3 MVA or more. (4.65)

- Supply to new HT consumer (both at 11 kV or 33 kV) shall normally not be extended from the rural feeder. If due to the prohibitive cost of extension of separate feeder from the nearest 33/11 kV or EHT sub station, or for any other reason, the supply is given from a rural feeder, the consumer shall be informed that the supply shall be restricted and regulated in accordance with the restrictions imposed on the rural feeders as per grid conditions. Such consumer may be required to furnish a declaration to the licensee indemnifying the licensee for the restrictions in supply. **(4.66)**
- Within 30 days of intimating the feasibility, the licensee shall intimate the consumer the charges required to be paid for the cost of extension, if any, and the amount of security deposit and other charges if any. Copies of the draft agreement and the form of the required test report shall also be forwarded simultaneously. **(4.67)**
- After the payment of charges including security deposit, and execution of the agreement, the licensee shall take up the work of extension of mains. If the consumer wishes, he may execute the job on his own after payment of due supervision charges to the licensee. The work shall be completed within 90 days if extension work is required and within 30 days if no extension work is required. After completion of the installation, the consumer shall furnish to the licensee the test report and the permission from the Electrical Inspector to energize the installation. In case of mines, the permission from the Inspector of Mines shall have to be furnished. On receipt of the reports, the licensee shall intimate the consumer in writing the date of inspection and testing of the consumer's installation. In case the consumer's installation is found in order, the licensee shall seal the meter in the presence of the consumer and serve the connection. **(4.68)**

(I) Supply at Extra High Tension:

- After receipt of the requisition in the prescribed format for supply of energy at E.H.T., the licensee shall intimate the consumer in writing the date of inspection to check the feasibility of supply. The licensee and the Transmission Licensee shall carry out the inspection jointly. The consumer or his authorized representative shall remain present at the time of inspection. The two licensees shall check the feasibility of supply and if found feasible shall fix the point of entry of the supplier's line, the position of meter, metering equipment and other equipments of the supplier. The Licensee shall intimate the feasibility of supply within 15 days of receipt of the requisition. **(4.69)**
- Within 60 days of intimating the feasibility, the licensee shall intimate the consumer the charges required to be paid for the cost of extension, if any, and the amount of security deposit and other charges, if any. Copies of the draft agreement and the form of the required test report shall also be forwarded simultaneously. **(4.70)**
- After the payment of charges including security deposit and execution of the agreement, the licensee shall request the Transmission licensee to take up the work of extension required to give supply. If the consumer wishes he may execute the job on his own after payment of due supervision charges to the licensee. The work shall be completed within 180 days. **(4.71)**

- After the consumer executes his internal electrical works, he shall furnish to the licensee the test report and the permission from the Electrical Inspector to energize the installation (refer section 47 of IE Rules). In case of mines, the permission from the Inspector of Mines shall have to be furnished. On receipt of the reports, the licensee shall intimate the consumer in writing the date of inspection and testing of the consumer's installation. If the consumer's installation is found in order, the licensee shall seal the meter in the presence of the consumer and serve the connection. **(4.72)**
- Nothing contained in this chapter on New Power Supply shall be taken as requiring a licensee to give supply of electricity to any premises if he is prevented from doing so due to Force Majeure Conditions provided in clause 11.1. **(4.73)**
- The following table provides the target period of completion of various activities.

(I) L.T. Connection-

Sl. No	Type of Service	Target Period
1 2 3	<p>Notice of inspection on receipt of complete application</p> <p>Inspection after sending the notice</p> <p>a) Urban area</p> <p>b) Rural area</p> <p>A) Issue of demand note to the applicant for payment of estimated charges (if the extension work is not required and the connection is to be given from the existing network)</p> <p>a) Urban area</p> <p>b) Rural area</p> <p>B) Issue of demand note to the applicant for payment of estimated charges (if the extension work or enhancement of transformer capacity is required)</p> <p>a) Urban area</p> <p>b) Rural area</p>	<p>3 working day</p> <p>5 working day</p> <p>10 working day</p> <p>3 working day</p> <p>3 working day</p> <p>15 working day</p> <p>30 day</p>
4	<p>Serving of power availability notice for commencement of Supply/ commencement of supply in areas where licensee's distribution system exists</p> <p>A) After payment of necessary charges (if the connection is required to be given from existing network)</p> <p>a) Urban area</p> <p>b) Rural area</p> <p>B) After payment of necessary charges (if the extension work or enhancement of transformer capacity is required)</p> <p>a) All connections excluding agriculture</p> <p>b) Agricultural connection during season when clear access to fields is available (if full extension cost is paid)</p> <p>c) Agricultural connection during season when no clear access to fields is available (if full extension cost is paid)</p>	<p>10 working day</p> <p>14 working day</p> <p>60 day</p> <p>90 days</p> <p>90 days from the date access made available</p>

(II) H.T. Connection-

1	Informing feasibility after receipt of the application	15 working days
2	Issue of demand note of estimated charges (after issue of notice of feasibility)	60 days
3	Serving of power availability notice for commencement of supply/ release of connection after receipt of estimated charges subject to receipt of clearance from Electrical Contractor	180 days (since it will involve extension of line)

(4.74)

- The licensee shall maintain a priority register where the type of connection will be categorised in the following categories (a) Where no extension of distribution mains is required (b) Where extension of distribution mains upto two poles is required (c) Where extension of distribution mains of more than two poles is required.(**4.75**)
- The Commission may for reasons to be recorded, direct deviations from the above clause 4.1 to 4.75 if in the opinion of the Commission the circumstance warrants such deviation. The Commission may issue such direction by an order to the licensee.(**4.76**)

CHAPTER 5: POINT OF SUPPLY AND LICENSEE'S EQUIPMENT IN PREMISES

Point of Supply:

- Unless otherwise agreed to, the point of supply shall be at the out-going terminals of Licensee's (a) cut-outs in the case of LT consumers and (b) control switchgear that may be installed in the licensee's or consumers premises as agreed to mutually in the case of HT or EHT consumers (**5.1**)
- Supply shall be given at a single point in the premises (refer clause 4.18) at the incoming terminals of the licensee's cut-outs/ MCB/ control switchgear. However in case of coal mines the licensee may provide supply at more than one point in the installation of the consumer having regard to the physical layout of the installation and the requirements of the consumer. The licensee shall be required to intimate a summary of such cases to the Commission annually. (**5.2**)

Dedicated Feeder

- Consumers desirous of getting power supply from dedicated feeders may request for such facility to the licensee. The dedicated feeder shall be extended from the Power Substation to the consumer's point of supply. In such cases the consumers shall be liable to pay the cost of Bay and all protection Switchgears and its accessories provided at the power substation for this feeder in addition to the cost of the feeder. On receipt of such request, the licensee will check the feasibility based on merit of providing a dedicated feeder to the consumer's premises. If found feasible, the consumer will be provided with a dedicated feeder and the consumer will be liable to pay additional charges as indicated in the Schedule of Miscellaneous Charges. (**5.3**)

Licensee's Equipment on Consumer's Premises

- The consumer shall provide free of cost to the licensee necessary land belonging to the consumer and afford all reasonable facilities for bringing in not only the direct cables or overhead lines from the licensee's system for servicing the consumer, but also cables or overhead lines connecting licensee's other consumers and shall permit the licensee to install all requisite switchgears and connections thereto on the above premises and to extend supply to such other consumers through the cables and terminals situated on the consumer's premises, provided supply to the consumer in the opinion of the licensee is not thereby unduly affected. (**5.4**)
- The meter, cut-out/ MCB, service mains and other equipment belonging to the licensee, must on no account be handled or removed by any one who is not an authorized employee/representative of the licensee. The seals, which are fixed on the meters /metering equipments, load limiters and the licensee's apparatus, must on no account be tampered, damaged and broken. The responsibility for the safe custody of licensee's equipments and seals on the meters/metering equipments within the consumer's premises shall be on the consumer. (**5.5**)
- In the event of any damage caused to the licensee's equipments in the consumer's premises by reason of any act, neglect or default of the consumer or his employees/ representatives, the cost thereof as claimed by the licensee shall be payable by the consumer. If the consumer fails to do so on demand, it shall be treated as a contravention of the terms and conditions of supply agreement and the supply shall be liable to be disconnected after due notice. The consumer shall however be liable to pay the charges as per the provisions in clause 7.26 of this Code. (**5.6**)
- The licensee is responsible for maintaining the meters and equipments, installed at consumer's premises from where electricity is supplied to the consumer. (**5.7**)

Failure of fuse / supply:

- Should the licensee's service fuse or fuses fail, at any time, notice thereof should be sent to the licensee's local office as specified in the Guidelines for Redressal of Consumer Grievance approved by the Commission. Only authorized employees possessing the photo-identity card of the licensee are permitted to replace these fuses in the licensee's cut-outs. Consumers are not allowed to replace these fuses. The licensee should not allow its employees to carry out any repairs in the consumer's installations. (**5.8**)
- The licensee shall take all reasonable precautions to ensure continuity of supply of electrical energy to the consumer but shall not be responsible for or liable to the consumer for any loss to him or damage to his plant and equipment due to interruptions in supply of electrical energy due to Force Majeure Conditions provided in clause 11.1. (**5.9**)
- The licensee shall always be entitled for the purpose connected with the working of its supply system to temporarily discontinue the supply for such period as may be necessary, subject to reasonable advance notice being given in this behalf, with the object of causing minimum inconvenience to the consumer.(**5.10**)

CHAPTER 6: WIRING AND APPARATUS IN CONSUMER PREMISES

Wiring on Consumer's Premises

- Wiring on the consumer's premises should conform to the Indian Electricity Rules, 1956, materials used shall bear ISI mark. The test report form for this purpose shall be submitted to the local office of the licensee. **(6.1)**
- Wiring on the consumer premises should be confirm to the I.E. Rules 1956. The material used shall bear ISI mark, Consumer should submit contractor's test report in prescribed format **(6.2)**
- Any person committing breach of rule 45 shall render himself liable to punishment under rule 139 of the Indian Electricity Rules, 1956. **(6.3)**
- No cut-out, link or switch other than a linked switch arranged to operate the earthed and live conductors simultaneously, shall be inserted in the conductor of the consumer's installation to be connected to the neutral conductor of the licensee's system. **(6.4)**

General Wiring Conditions: Mains:

- The consumer's mains shall, in all cases, be brought back to the licensee's point of supply and sufficient cable shall be provided for connecting up with the licensee's apparatus. **(6.5)**

Switches and Fuses:

- The consumer shall provide proper linked quick-break main switches of requisite capacity to carry and break current in each conductor near the point of commencement of supply. The switches in the consumer's premises shall be on the live wire and the neutral conductor shall be marked for identification where it leaves the consumer's main switch for connecting up to the meter. No single pole switch or cut-out should remain inserted in any neutral conductor. **(6.6)**

Balancing of load:

- The consumer taking three-phase supply shall balance his load between the phases as per IE Rules Annexure VI, section 22 (c). **(6.7)**

Earthing:

- Gas and water pipes shall on no account be used for earthing purposes. All wiring shall be kept as far as possible away from gas and waterpipes. **(6.8)**

Domestic appliances:

- For the safety of the wiring at the consumer's premises, separate circuit for heaters, geysers, air-conditioners and for cooking apparatus like oven, micro wave oven shall be run with adequate size of wire from the main distribution board of the consumer. Wall plugs used on the circuits for domestic appliances shall be of the three-pin type, the third pin being connected to "earth". Two pin plugs shall not be allowed. All appliances used in bathroom for heating or washing purposes or in any damp location must be effectively earthed. **(6.9)**

Plugs:

- All plugs shall be provided with switches on the live wire and not on the neutral. **(6.10)**

Apparatus interfering with licensee's system

- The licensee may discontinue the supply giving reasons if the consumer installs any instrument, apparatus that are likely to affect adversely, the supply to other consumers. **(6.11)**

A.C. motor installations:

- The motor shall be provided with control gear so that the starting current of consumer's installation does not in any case exceed the limit given in the following schedule:
- Single Phase. Up to and including 1 Six times full load current
- Three phase. Above 1 BHP and upto and including 10 BHP Three times full load current
- Above 10 BHP and up to and including 15 BHP Twice full load current.
- Above 15 BHP one and a half times full load current. Failure to comply with these regulations will render the consumer liable for disconnection forthwith. **(6.12)**

Consumer's Apparatus

- The apparatus/ appliances/ gadgets used by consumers should conform to the standards and specifications prescribed by the Bureau of Indian Standards. **(6.13)**

Power Factor of Apparatus: Welding Transformers:

- All LT installations where the connected load of welding transformers exceeds 25% of the total connected load will be required to have suitable capacitor(s) installed so as to ensure power factor of not less than 80%. Consumers shall be liable to pay penalty specified by the Commission, from time to time, on account of poor power factor. **(6.14)**

Low Tension Shunt Capacitor:

- Every L.T consumer, including irrigation pump set consumer, whose connected load includes induction motor(s) of capacity of 3 BHP and above, shall arrange to install Low Tension Shunt Capacitors of appropriate capacity at his cost across the terminals of his motor(s).

The consumer on whose LT connection the meter provided by the licensee does not have the power factor recording feature, shall ensure installation of Capacitors as per ratings indicated in the following table and shall maintain these capacitors in working condition.

Sr. No.	Rating of Individual Induction Motor	KVAR Rating of LT Capacitors
1.	3 BHP and above up to 5 BHP	1
2.	Above 5 BHP up to 7.5 BHP	2
3.	Above 7.5 BHP up to 10 BHP	3
4.	Above 10 BHP up to 15 BHP	4
5.	Above 15 BHP up to 20 BHP	5
6.	Above 20 BHP up to 30 BHP	6
7.	Above 30 BHP up to 40 BHP	7
8.	Above 40 BHP up to 50 BHP	8
9.	Above 50 BHP up to 100 BHP	9

The Consumer on whose L.T connection, the meter provided by the Licensee has the power factor recording feature, shall ensure that the capacitors installed by him ensure power factor of 80% and above.

Supply to LT installations with induction motor(s) of capacity of 3 BHP and above will not be given unless suitable capacitors to improve power factor are installed. **(6.15)(10th Amendment dtd. 25-09-2006)**

- All LT consumers, other than consumers covered in clause 6.15, with load of 50 kW or above, shall install capacitor of appropriate capacity so as to ensure power factor of 80% and above. Consumers shall be liable to pay penalty **(6.16)**
- LT consumer, in whose case the meter installed does not have power factor recording feature and who fails to provide LT capacitors as specified hereinbefore and fails to maintain these capacitors in working condition, would be liable to pay a surcharge as may be specified in the tariff order from time to time. LT consumer in whose case the meter installed has power factor recording feature and who fails to maintain power factor as per specified limits, as recorded by meter, by installing appropriate capacitors, would be liable to pay a surcharge as may be specified in the tariff order from time to time.”**(6.17)**
- Installation where the average power factor is less than 70% levy demand/ minimum charges as applicable **(6.18)**

High Tension Consumers:

- The controls shall be installed as per section 50 of IE Rules **(6.19)**

Extra-High Tension Consumer

- Extra-High Tension consumer shall install a circuit breaker on HV side of the transformer (refer section 50 of IE Rules). **(6.20)**

HT/ EHT Consumers

- The setting of fuses and relays on the consumer's control gear, as well as the rupturing capacity of any of his circuit breakers, shall be subject to the approval of the licensee. **(6.21)**
- The consumers shall maintain a power factor of 90% and above. Consumers except Railway Traction shall be liable to pay penalty or receive incentive specified by the Commission,(Railway Traction consumer shall maintain power factor of 0.85 and above) **(6.23)**

Inspection and Testing of Consumer's Installation

- no connection shall be made without the licensee's approval. all high-tension installations will have to be approved by the Electrical Inspector **(6.24)**
- The licensee shall not connect the conductors and fittings on the consumer's premises with its works unless it is reasonably satisfied **(6.27)**
- On receipt of intimation of rectification of defects, the licensee shall retest the installation. **(6.28)**

- The licensee will not accept any responsibility with regard to the maintenance or testing of wiring on the consumer's premises.
(6.29)

Extensions and Alterations:

- No electrical installation work, including additions, alterations, repairs and adjustments to existing installations permitted except by authorized person.
(6.30)
- Failure to regularize the increase in connected load or contract demand may attract penalty **(6.31)**

Access to Consumer's Premises for inspection of Consumer's Installation

- The only authorized persons of the licensee are entitled in day hour , for inspection of premise, checking of unauthorized use of energy **(6.32-6.36)**

Rating of Installations:

- The licensee shall send formats of 'self declaration of connected load' to all consumers once in six months. **(6.38)**
- The connected load of all categories other than Domestic category of consumers shall be the aggregate of the manufacturer's rating of all energy consuming devices, in the consumer's premises, which can be used simultaneously. **(6.39)**
- The rating determined by the approved institute shall be final and acceptable to both the consumer and the licensee in case of any dispute.
(6.40)

Generator in the Consumer's Installation and Parallel Operation with the Supply System of the Licensee

- An operation of the generator in the consumer's installation run parallel with the licensee's system is permissible only with the written consent of the Licensee. **(6.43)**
- Generator get not connected to the licensee's system without approval of licensee. **(6.44)**
- Where consent has been given for parallel operation, the consumer shall arrange his installation to protect it from disturbances in the licensee's system. **(6.45)**
- In case the consumer's supply gets extended to the licensee's system from a generator or inverter or from any other source, without appropriate approval from the licensee, causing damage to the licensee's apparatus or to human life, the consumer shall be liable for the same and shall duly compensate the licensee for all losses caused to the licensee or to the licensee's other consumers. **(6.46)**

Harmonics

- If the licensee detects and proves to the consumer that the consumer's system is generating harmonics above acceptable limits, the licensee shall request the consumer to install appropriate harmonic filter. The consumer shall install such filters within a period of six month.**(6.47)**

CHAPTER-7 : (Contract Demand, Agreement)

The contract demand has been defined in the Supply Code as *'the maximum load in kW, kVA or HP, as the case may be, agreed to be supplied by the licensee and contracted by the consumer and mentioned in the agreement'*.

- (a) "7.1 The Contract Demand for LT consumers without MD based (two part) tariff will be the connected load of the premises as per the agreement entered into between the Consumer and the licensee for consumers other than Domestic consumers. In case of Domestic consumers the load shall be expressed as "authorized load" and the agreement shall be executed accordingly. The authorized load shall be only in multiples of 0.5 KW (500 Watts) and shall be sanctioned so initially by the distribution licensee on application of consumer for new connection. Minimum authorized load for domestic connections shall be 0.5 KW. One KW of authorized load will be equated to a consumption of 150 units and half KW with 75 units per month or part (**Ref. 5th amendment**).
- (b) In case of LT consumers with MD based tariff and all HT & EHT (132 KV & above) consumers, the contract demand shall be as per the agreement entered into between the consumer and the Licensee and having record to the consumers.

Procedure for enhancement of contract demand

Clause No.7.3 to 7.8 of the Supply Code provide the procedure for application and sanction of enhancement in contract demand of the consumer with the Licensee. The consumer has to apply in the prescribed format (Annexure-1 & 2 of the Supply Code in duplicate) for enhancement of load. The application will be examined to ascertain the feasibility of supply of the enhanced load. The Licensee is required to intimate the applicant consumer regarding –

- (a) Whether the additional power can be supplied at the existing voltage or at a higher voltage.
- (b) Addition or alterations, if any, required to be made to the system and the cost to be borne by the consumer.
- (c) Amount of additional security deposit, cost of additional infrastructure and the system strengthening charges or capacity building charges, if any, to be deposited.
- (d) Change in the classification of consumer, if required.

It may be noted that **load enhancement will not be sanctioned in case the consumer is in arrears of payment of licensee dues unless it is stayed by any statutory order.**

Clause 7.6 stipulates the requirement of formalities to be completed by the consumer in whose case the enhancement of load is found feasible. The consumer shall be required to submit –

- (a) Work completion certificate along with test report from the Licensed Electrical contractor.
- (b) Approval for the electrical installation from the Electrical Inspector.
- (c) Additional security deposit along with cost of addition or alteration, if any, made in the system.
- (d) To execute supplementary agreement with the Licensee.

Procedure for reduction of contract demand

Clause 7.9 to 7.14 (as amended from time to time) provide the procedure to be followed in case of reduction of contract demand.

No application will be entertained for reduction of contract demand within the first 2 years from the date of contract (the agreement period is 2 years). After expiry of initial period of agreement, the consumer may apply in the prescribed formats (in duplicate). A test report from a competent licensed Electrical Contractor shall be submitted by the consumer alongwith the application, where alternation or installation is involved.

Clause 7.12 stipulates that-

"After the expiry of the initial period of agreement of two years, a consumer will be entitled to reduce contract demand of his connection and such request when made to licensee shall come into effect after a period of 30 days. The reduction shall be duly reflected by the licensee in the bill for the billing period that commences after 30 days when the application is made. Any subsequent request for reduction in contract demand can also be made to the licensee after expiry of at least one year. Reduction in contract demand is subject to permissible minimum contract demand on relevant voltage level".

(Ref. 8th amendment to MP Electricity Supply Code)

On approval of the reduction, the consumer is required to execute supplementary agreement for reduced contract demand with the Licensee.

Agreement:

The clause 7.15 to 7.24 of the Supply Code prescribe the procedure/requirement for execution of agreement in the prescribed format for availing new connection as well as alteration in contract demand on the terms & conditions as laid down in the agreement. For HT consumers format-C-9 as approved by MPERC has been prescribed. Similarly, for the LT consumers format-C-7 has been approved by the MPERC.

Termination of agreement:

Clause 7.25 to Clause 7.27 provide the procedure for termination of agreement of the consumer in case of non-payment of charges or dues or non-compliance of any direction issued under MP Electricity Supply Code, 2004 as amended from time to time. The agreement shall only be terminated on expiry of the period of notice issued by the Licensee, provided the initial period of the agreement is over. During the period of temporary disconnection, the consumer is liable to pay the demand charges or minimum charges as prescribed in the tariff inforce.

The domestic and single phase non-domestic consumers can terminate the agreement after giving 15 days notice.

The consumers (LT/HT/EHT) other than domestic and single phase non-domestic consumers may terminate the agreement after the expiry of initial period of 2 years of the agreement by giving 1 month notice to the Licensee. On termination of the agreement the Licensee is entitled to review the service line and other equipments of the Licensee for supply of power from the premises of the consumer.

Security Deposit: - The MPERC has issued a separate Regulation, MPERC (Security Deposit) Regulation 2004 on 22nd Sept., 2004 for the purpose.

Initial Energy Security Deposit

The licensee may take a security deposit for new service connection from the consumer for consumption equivalent to the estimated consumption of specific number of days as indicated in the following table (ref. clause No.1.12 to 1.15 of the Regulation):-

Sl. No.	Category of consumer	Assessed consumption in units per month (30 days)	No. of days for which security is to be calculated
1	Domestic	140 units/kW or 35 units/250 watt or part thereof.	45 days
2	Non-domestic	140 units/kW or 35 units/250 watt or part thereof.	45 days
3	Agricultural pump Thrasher	120 units/HP 360 units/HP	(i) 90 days for permanent connection (ii) for temp. conn. for entire period of connection
4	Industrial	70 units/KW for 50 units/HP	90 days
5	HT consumers	190 units/KVA	45 days

Note : For details the Security Deposit Regulation may be referred.

CHAPTER-8: METERS

This chapter covers the requirement of meters, supply and installation of meters, testing of meters.

No new connection shall be given without a meter and cutout or a Miniature Circuit Breaker (MCB) or Circuit Breaker (CB) of appropriate specification from the date of issue of the Code. It has made mandatory for the consumers to accept the installation of an appropriate metering device.

The Licensee is authorized to review the status of meters already installed in the context of upgraded technology becoming available and suitability of the site where meter is placed in the consumer's premises. The Licensee is also authorized to install check meter at one consumer's location or for a group of consumers for correct billing. Clause 8.6 to 8.9 stipulate the procedure/requirement to be fulfilled for installation of meter(s) in different situations of the premises of the consumer. As far as, it is possible, the meter should be installed outside the premises in a tamper-proof meter box in such a manner that it is protected from the element (weather etc.) and can be read from outside. The meter so installed shall be required properly sealed by the Licensee in presence of the representative of the consumer. The consumer shall be responsible for safe custody of meters, cutout/MCB/CB etc. except in cases where such meter(s), cutout/MCB/CB are installed in the premises of the Licensee.

Testing of meters :- It is the responsibility of the Licensee to satisfy himself regarding accuracy of the meter before it is installed. The licensee is also required to conduct periodical inspection/testing of the meters as per following schedule-

- (a) Single phase meter - atleast once every 5 years
 - (b) LT 3 ph. Meter - atleast once every 3 years
 - (c) HT meter - atleast once a year
- (including CT/PT units)

The proper record of test results is required to be maintained by the Licensee.

Defective meters:- Clause 8.16 to 8.19 provide the procedure to deal with defective meters for the purpose of testing. The Licensee has the right to test any meter for its accuracy and the consumer will be allowed to be present during the testing. The consumer can also get his meter tested in case he doubts its accuracy by depositing testing fee. The date of testing in the laboratory shall be informed to the consumer atleast 7 days in advance. In case disputes in results matter may be referred to the Electrical Inspector.

The consumer is also required to intimate the Licensee in writing in case he noticed that his meter has been stopped/is not recording. The Licensee shall arrange to test the meters within 7 days.

Through an addendum to MP Electricity Supply Code 2004 issued by MPERC vide notice dtd. 18th Oct., 2005, the procedure regarding procurement of meters, choices of meters to the consumers have been prescribed.

CHAPTER-9 – BILLING

Meter reading, bill generation & bill distribution

In respect of HT & LT consumers the periodicity of the meter reading of various categories of consumers has been prescribed by the MPERC.

Consumer Category	Meter Reading schedule
Domestic – Rural	Once in three months
Domestic – Urban (corporation towns, municipalities above one lakh population as per census 2001 and district head quarter towns)	Monthly
Other Domestic Urban	Once in two months
Non-Domestic <10kW – Rural	Once in three months
Non-Domestic – Others (Urban & Rural)	Monthly
LT Industrial	Monthly
Agriculture – Rural	Once in three months
Agriculture –Urban	Once in two months
Street light, Water works, X-Ray Plants, Electric Crematorium	Monthly
HT	Monthly (as far as practicable on the same day of the month)

CHAPTER-10 – PAYMENT AND DISCONNECTION

Payment – The consumer is expected to make payment for energy used by him every month. The due date of payment for all consumers shall normally be 15 days from the date of issue of bill. If due date of payment mentioned in the bill is a public holiday, the succeeding working day shall be treated as the due date.

The Licensee shall issue necessary receipt in token of having received the payment.

All categories of consumers committing default in payment of billed amount shall be liable to pay delayed payment surcharged on the amount outstanding including arrears, as the rate approved by the MPERC from time to time. All payments made by the consumer will be adjusted in the following order of priority.

- (a) Electricity Duty and Cess on the current consumption.
- (b) Arrears of Electricity Duty plus arrears of Cess.
- (c) Delayed payment surcharge.
- (d) Balance of arrears.
- (e) Balance of current bill amount.

Disconnection : If a consumer face to payment of any bill in full, without the approval of authorized officer, by the due date, the service connection of the consumer will be liable to be disconnected on temporary basis before disconnection. The Licensee would serve a retain notice of 15 clear days as per provisions contained in section-56 of Electricity Act 2003.

After temporary disconnection, the supply shall be restored only after the consumer pays the outstanding charges/dues/amount of installments fixed along with disconnection/reconnection charges.

No sum due from any consumer shall be recoverable after the period of 2 years from the date when the such sum became first due unless such sum has been shown continuously as recoverable as arrears of charges for Electricity supply and the Licensee shall not cut off the supply of the electricity.

CHAPTER-11 – MISCELLANEOUS

FORCE MAJEURE – Clause 11.1 to 11.3 - Stipulate the procedure/requirement to be adopted for claims for loss damage or compensation due to failure of supply during force majeure conditions such as war, mutiny, civil commotion, riot, terrorist attack, flood, fire, strike (subject to certification by Labour Commissioner), lockout (subject to certification by Labour Commissioner), cyclone, tempest, lightning, earthquake or act of God.

Tampering, distress or damage to electrical plant, lines or meter

11.4 If the electrical plant, lines or meter or any other equipment. of the licensee placed in the consumer premises is found tampered, distressed/damaged, the licensee shall be entitled to recover the expenses incurred for restoration of such plant, line, meter or equipment., without prejudice to his right to take action under appropriate provisions of the Act, including disconnection of supply for non-payment of the cost for replacement/rectification, action for theft or assessment for unauthorized use as the case may be. The use of energy by artificial means (like use of phase splitters) to convert a supply to three-phase supply will be treated as unauthorised use of energy.

Authorisation of Franchisees

11.5 A licensee may authorise a franchisee to distribute electricity on its behalf in a particular area within the former's area of supply as per the provisions of the Act.

Other Codes and Regulations

11.6 Consumers shall ensure that new buildings, structures, additions, modifications and any other construction projects keep the minimum clearances required from existing supply lines of the licensee. These minimum clearances are specified in the Indian Electricity Rules 1956 and MPERC Distribution Code and Safety Code as may be notified by the Commission.

Service of Notice

11.7 Any letter, order or document addressed by the licensee to the consumer shall be deemed to be duly given, if served in writing addressed to the consumer and delivered by hand at, or sent by post/ courier, to the address specified in the consumer's requisition or in the agreement with the consumer if entered into or as subsequently notified to the licensee. In case there is no person on the premises to whom the notice can with reasonable diligence be delivered, the notice may be served by affixing it on some conspicuous part of the premises.

11.8 The licensee may serve any general notice like message regarding load regulatory measures, applicability of new tariff or change in due date of payment etc. in a widely circulated local newspaper.

11.9 All communications to the licensee shall be addressed to:

(a) The Secretary of the licensee's Company at the Corporate Office of the licensee or to any other officer authorised or designated in this behalf in case of H.T. consumers.

(b) The licensee's Executive Engineer or person holding an equivalent post of the area or his authorised representative in the case of L.T. consumers.

Unforeseen Circumstances

11.10 If any circumstances not envisaged by the provisions of the Electricity Supply Code, should arise, the licensee shall, to the extent reasonably practicable in the circumstances, consult promptly and in good faith with all affected parties in an effort to reach an agreement as to what should be done. If agreement between the licensee and those parties cannot be reached in the time available, the licensee shall determine it in the manner best to its ability.

11.11 Wherever the licensee makes such a determination, it shall do so having regard, wherever possible, to the views expressed by the affected parties and, in any event, to what is reasonable in the circumstances. Each party shall comply with all instructions given to it by the licensee following such a determination, provided that the instructions are consistent with the prevailing Codes and Regulations. The licensee shall promptly refer all such unforeseen circumstances, and any such determination to the MPERC and the Review Panel for consideration.