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PART I : SECTION (I) — GENERAL
Government Notifications

L.D.B. 3/2009(III)

SRI LANKA ELECTRICITY ACT, No. 20 OF 2009

RULES made by the Public Utilities Commission of Sri Lanka under Section 53 of the Sri Lanka Electricity Act, No. 20 of 2009 read with Section 27 of that Act.

SALIYA MATHEW,
Chairman,
Public Utilities Commission of Sri Lanka.

Colombo,
23rd December 2016.

Rules

1. These Rules may be cited as the Electricity (Information required to ascertain insufficient means to defray in total at once the expenditure relating to connection and supply of electricity) Rules No. 04 of 2016.
2. Any person who requires a supply of electricity under Section 25 of the Act, but does not have sufficient means to pay in total at once the expenses reasonably incurred by a Distribution Licensee in providing any electrical line or electrical plant or connection and supply of electricity to the person concerned, may request the Distribution Licensee to recover such expenses in reasonable monthly instalments along with the tariff and any other charges levied by the Distribution Licensee as per the standard tariff agreement.
3. Where the Distribution Licensee is satisfied that the person requesting such supply of electricity does not have sufficient means to pay in total at once the expenses incurred by a Distribution Licensee in providing a connection and supply of electricity, prior to providing the electric line or electrical plant or connection and supply of electricity, the Distribution Licensee shall request such person to enter into an agreement regarding the manner in which the expenses would be paid by him to the Distribution Licensee.



4. Criteria for the purpose of ascertaining whether a prospective Domestic Consumer has sufficient means to pay in total at once the expenses incurred by the Distribution Licensee in providing a connection and supply of electricity shall be based on the level of household income.

5. The following criteria shall be used for the purpose of being satisfied that a prospective Domestic Consumer does not have sufficient means to pay in total at once the expenses incurred by the Distribution Licensee in providing a connection and supply of electricity-

- (i) the fact that the person requesting the supply of electricity (being the owner or occupier of the premises at which the supply is required) is a Divinaguma beneficiary ; or
- (ii) the fact that monthly household income of the occupants, including the owner or occupier requesting the supply of electricity at the premises where the supply of electricity is required, is less than 50% of the median income of households in Sri Lanka as specified by the Department of Census and Statistics from time to time based on the Household Income and Expenditure Survey (HIES).

6. The information required by the Distribution Licensee to make the determination shall be comprised of the following :-

- (i) if the person requesting the supply of electricity (being the owner or occupier of the premises at which the supply is required) is a Divinaguma beneficiary, a certificate issued by the Grama Niladhari countersigned by the Divisional Secretary of the relevant Divisional Secretaries' Division confirming the same ; or
- (ii) if the monthly household income of the occupants, including the owner or occupier requesting the supply of electricity, is less than 50% of the median income of households in Sri Lanka, an Income Assessment Form issued by the Divisional Secretary of the relevant Divisional Secretaries' Division confirming the same.

7. The expenses reasonably incurred by the Distribution Licensee in providing the electrical line, electrical plant or connection and supply of electricity shall be recovered in reasonable monthly instalments along with the tariff and any other charges levied by the Distribution Licensee as per the standard tariff agreement :

Provided however, such monthly instalments shall-

- (i) not be more than five percent of the declared household income with the maximum deduction being not more than Rs. 1,500 (equivalent to five percent of the median income of households in Sri Lanka as specified by the Department of Census and Statistics from time to time based the Household Income and Expenditure Survey) ;
- (ii) be recovered over a period of not less than 24 months ; and
- (iii) be synchronized with the seasonal variations of income patterns, such as the cultivation cycle, if applicable.

8. Interest may be charged only as per the standard tariff agreement after the due and at the rate specified by the Commission.

9. The Distribution Licensee shall also consider requests from prospective Domestic Consumers who do not meet the above criteria, such as elderly persons over the age of 55 years, pensioners, disabled soldiers, whether the person requesting the supply of electricity is the owner of the premises, the extent of the premises as well as housing conditions etc., and, to satisfy that such person do not have sufficient means, shall adopt fairly and transparently such other criteria as the Distribution Licensee deems appropriate.

10. The Distribution Licensee shall also consider persons other than prospective Domestic Consumers, and shall adopt fairly and transparently such other criteria either individually or consumer tariff category-wise as the Distribution Licensee deems appropriate.

11. In adopting such other criteria, the Distribution Licensee shall be mindful that what constitutes insufficient means would vary by individual consumer and consumer category as well as by the nature and scope of the connection and supply of electricity requested, and the Distribution Licensee shall consider each request on a case by case basis while adopting generic criterion where possible.

12. In these rules, unless the context otherwise requires :

“Act” means the Sri Lanka Electricity Act, No. 20 of 2009 ;

“Commission” means the Public Utilities Commission of Sri Lanka established under the Public Utilities Commission of Sri Lanka Act, No. 35 of 2002 ;

“Distribution Licensee” means a person who has been granted a license to distribute and supply or distribute or supply electricity for the purpose of giving a supply to any premises or enabling a supply to be so given in the Authorized Area as per Paragraph (c) (i) (c) of sub-section (1) of Section 13 of the Act.

“Domestic Consumer” means a person who is provided a supply of electricity under the domestic consumer tariff category.

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