



Tamil Nadu Electricity Regulatory Commission
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Notice for Expression of Interest

The Tamil Nadu Electricity Regulatory Commission (TNERC) intends to establish a **Cell for Consumer Education and Advocacy (CCEA)** under its aegis for promoting and protecting the interests of the consumers in line with the objectives of Electricity Act 2003.

Expression of interest is solicited latest by **30th April 2009** from Consumer Organisations willing to take a lead by getting involved to build a strong team of activists, to establish a network with individuals / organizations in the entire state, with the objective to gather, share and disseminate information. The Expression of interest submitted to the Commission shall contain

- i) the Rollout plan for the year one
- ii) details about publicity & promotion of consumer interest
- iii) Expected outcomes
- iv) projected income & expenditure statement for the year one.

The shortlisted organizations will be called for presentation before the Commission. ***The contracted organization shall arrange non-controversial self-financing***, take policy guidelines from the Commission, bring out a monthly position paper, assist the consumers and the Distribution licensee, bring out bilingual newsletter, create web page at www.tnerc.gov.in with links to Distribution licensee and other required data, and be able, to use the Media. Further details can be downloaded from www.tnerc.gov.in (sub menu: **Cell for Consumer Education and Advocacy**)

Secretary /TNERC

CELL FOR CONSUMER EDUCATION AND ADVOCACY

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CELL FOR CONSUMER EDUCATION AND ADVOCACY

1. **Name of Cell:** This institution shall be named “**Cell for Consumer Education and Advocacy**” (here in after called “**CCEA**”). The Cell for Consumer Education and Advocacy shall be established by a **voluntary organization** to work as a Society registered under the **Societies Registration Act of 1860**.
2. **Address of the Cell:** The head office of the cell shall be based in Madras, with its regional and branch centers all over the state.
3. **Extent of works of CCEA:** Consumer Education and Advocacy (CCEA) cell shall promote and protect the interests of the consumers of all categories in all discoms/utilities of power sector of Tamil Nadu.
4. **Background:** The present provisions of the Acts empowering the Commission for protecting consumer interests and subsequent need for constituting the CCEA has emanated from the following:
 - a) One of the objectives in the preamble of the **Electricity Act 2003** is to **protect the interests of the consumers**. The preamble provides: “An Act to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, **protecting interest of consumers** and supply of electricity to all areas.”
 - b) The Commission can issue directions to licensees in terms of **Section 23 of EA 2003** for maintaining efficient supply, securing the equitable distribution of electricity and promoting competition, which in itself holds a wide encompassing dimension.
 - c) The Electricity Act under **Section 87 of EA 2003** provides for **State Advisory committees**, with representations from various sectors, including consumer groups. These will advise their respective Commission on policy making, consumer interest and electricity supply and overall standards of performance by utilities.
 - d) State regulators are entrusted with overseeing distribution utilities' service provision. The Act stipulates that regulators have the authority to suspend the licenses of distribution licensees that persistently supply poor quality or interrupted power. **Section 42 of EA 2003** provides that every state regulator shall appoint an **Ombudsman**, and every distribution licensee should also have a **Consumer Grievance Redressal Forum**.
 - e) The Act defines utilities' **obligation to serve**, and enforcement of performance standards. The Central Electricity Authority, according to the National Electricity Policy, will develop **Reliability Index (RI)**, to be implemented in all cities and towns. The regulator will be responsible for enforcing RI's, as well as these performance standards.

- f) License revocation, suspension and imposition of fines for non-performance can be invoked. But larger issues pertaining to **power adequacy and affordability** cannot be addressed through complaints or performance standards.
- g) The regulator is supposed to regulate retail tariffs, and develop loss reduction targets for distribution operation, as well as approve generator tariffs employing competitive bidding. They are also required to set tariffs to progressively reduce cross subsidies. However the regulators, constrained by bounds of their mandate, often take decisions in the absence of reliable data, which may not entirely meet the requirement of consumers.
- h) Reforms of State-owned utilities are required in the new electricity regime like setting of performance targets to spur them to shape up.
- i) This must be supplemented by direct interventions from consumers to enforce transparency and demand accountability from State-owned utilities. To successfully intervene, consumers will need organized representation, through group of associations and NGOs, having technical and managerial experts. In order to facilitate this, there is a compelling need for increased consumer awareness and advocacy.

5. Intent

- a) To give effect to this objective, the Tamil Nadu Electricity Regulatory Commission (TNERC) intends to establish a **Cell for Consumer Education and Advocacy (CCEA)** under its aegis to provide twin objective of consumer education as well as consumer advocacy, through an effective system of collection and dissemination of consumer related information.
- b) The CCEA shall comprise of staff of technical persons, Attorneys assisted by Analysts, Administrative and Clerical Support Staff, Consumer Service Representatives and Consumer Liaisons who offer consumer education services, which is widespread all over the state. Whenever consumers have questions or problems with their electric utilities, the CCEA is intended to help.
- c) The CCEA shall represent the interest of consumers in cases before the utilities, forums and courts involving a wide range of utility issues. The CCEA shall be involved in cases that involve concerning electric bills and the quality of service. In pursuance to the interest of the consumers the CCEA may also prefer to respond or resolve their complaints or assist in filing appeal before Court's or forums, as regards to final decision of utility / forum, if it believes the decision is in error and is harmful to consumers.

6. Preamble

An Organization that works towards protecting consumer rights and promoting good governance processes including transparency, accountability and participatory decision-making. Provide output service that is qualitative, affordable, accessible and available all across the state, so as to empower

consumers, uphold, protect and advance their rights at all times and in all frontiers.

The CCEA has therefore to:

- Foster a participatory way in getting opinions and inputs from stakeholders.
- Develop actions to address major challenges in a proactive, collaborative way with stakeholders.
- Improve knowledge, skills, and abilities.
- Share credit with all contributors.
- Maintain a non-biased work environment.

7. CCEA Committees:

There shall be a core **Advisory Council** of members mainly drawn from well-known consumer activists, belonging to established Consumer Organizations, and other stakeholders such as licensees, and the Commission, **to serve as an interface between the CCEA and the Commission**, to ensure that the policy guidelines from the Regulator are being followed by the CCEA. The membership of the council shall be reviewed each year.

CCEA Organization Core Committee shall be constituted comprising of Chairman, Secretary, Finance & Treasurer, Editor in Chief, Advertisement & Commercial Co-ordinator, films and media coordinator, supervisory heads, nominated members(category of consumers—domestic, non domestic, industrial, commercial, agricultural & rural etc.).

8. Funds and financing

CCEA shall be a **non-profitable, non-political and professional organization and shall be able to generate self-financing, be self-sustaining**, and may be contracted to serve for **five years on periodic evaluation of satisfactory performance preferably each year.**

The CCEA is being envisaged from already well established institution with proper infrastructure, to gradually generate sufficient income for its sustenance in the state and be in a position to meet its entire running cost independently, and shall not be financially dependent on the Commission.

Half yearly progress reports, and at the end of the year, an annual report indicating physical performance, financial turnover, balance sheet, audited reports shall be submitted to the Commission for its appraisal and any other reports desired by the Commission from time to time to assess the intellectual and policy abidance done by the organization.

9. OBJECTIVES

The Objectives of the CCEA is:

- Provide feedback on policies, legislation and administrative framework towards promoting consumer interests.
- Empowering consumer protection groups to work towards strengthening the civil society in the democratic system of the country.

- Development of National Information gathering mechanisms on Consumer related issues.
- Dissemination of information on important Consumer Issues.
- Establishing a Research and Documentation Centre (highlighting the work of partner members) on various consumer issues.
- Providing Information and Analysis of Consumer related Laws and Judgments.
- Develop so as to provide Online Support and pursue Consumer Complaints.

10. Goal

a) **The ultimate goal** of CCEA is to empower consumers as well as uphold, protect and advance their rights and inculcate their obligations, at all times and in all frontiers.

- To empower consumers to participate effectively in the regulatory process
- To represent consumers on all matters relating to power sector
- To act as a clearing house of information to consumers on electricity issues
- To arrange workshops and training programmes for consumer advocacy groups
- To publish newsletters, fact sheets and other informative materials
- To highlight grievances and complaints of electricity consumers by bringing out questions-answers in its news letter.
- To interact with the media.
- To conduct survey and publish reports.
- To apprise on matters relating to consumer protection

b) **Basic rights and obligations of Consumer:**

Rights: The CCEA shall endeavor to address to the following basic issues of consumers:

- **Basic Needs** - The right to the promotion of consumer interests.
- **Information:** The right to receive information related to power rates.
- **Safety:** The right to be assured of quality, reliability, security, and affordability in the supply of electric power.
- **Redress:** The right to complain and be compensated in cases of violation of consumer rights.
- **Choice:** The power to choose the right supplier of electricity, when there are alternatives, and to be ensured transparency in the prices of electricity.
- **Representation:** The right to participate or be involved in the communication program to discuss special issues and topics on energy-related concerns.
- **Healthy Environment:** The right to be protected from a utility's monopolistic practices to promote fair competition and to be assured of socially and environmentally compatible energy sources.

c) **Obligations:** The CCEA shall spread awareness amongst the consumers through campaigns regarding:

- **Critical Awareness:** To get involved in the promotion and protection of the interest of the consumers and report unlawful acts & practices committed in violation of the existing laws.

- **Environmental Awareness:** To support and promote programs that will encourage consumers to use their energy sources efficiently, and to participate in the continuing education regarding the electricity industry.
 - **Solidarity:** To give support to the efforts of the government / utilities / regulator to enhance the operation of the electricity industry.
 - **Social Concern:** To participate in any public consultation and/or hearings on power rate-related matters. To cooperate in identifying instances of theft of electricity. To share information on the resolutions on electricity rate matters with one's family, friends, etc.
 - **Action:** To pay electric bills faithfully and promptly. To immediately report defects in power service.
- d) The CCEA shall participate in public forums, seminars, community meetings and through the media to educate consumers on current utility issues. These programs shall enable the CCEA to feel the consumer pulse, and in doing so, the power sector utilities shall be able to keep up with the changing trends and realities as regards consumer needs.
 - e) These programs shall serve as venue for address and redress for consumer issues in the energy industry.
 - f) False advertisements and product misrepresentation in the form of energy saving and safety gadgets are becoming prominent in the market. The CCEA shall also ensure that consumers have enough protection from these false claims by maintaining an open line of communication.

11. COMPONENTS

The significant aims of the CCEA will be creation of –

(i) Resource Centre with comprehensive database of categorized and tagged information on Consumer welfare related issues, research and information needs, with accessibility to subscribed members only. CCEA shall maintain regularly datas/ information from the licensees on the assets, consumer base, commercial /billing and such other data considered of prime importance.

(ii) Online Data base/ Portal

An online database/ portal on consumer issues. This would significantly reduce the learning curve of consumers, activists and professionals working in the field. The access to the online portal would be free.

(iii) Newsletter Service

An external, independent newsletter service ensures that the detailed information in the Resource Centre and the Online Database are circulated to stakeholders in a regular, steady and comprehensive manner. If the newsletters are dispatched in electronic format, apart from the reduced costs, benefits of personalization are possible and will ensure that only focused and important information is dispatched to the subscribers as per the subscriber's requirement.

(iv) Network between Consumer Organizations, Consumer Information Centers, Government & Non-Government Organizations

The CCEA would also serve as a network between Consumer Organizations, Consumer Information Centers, Government and Non-

Government Organizations to ensure that an information flow is created for the benefit of the ultimate beneficiaries, i.e. the Consumers. The CCEA would make use of the latest ICT tools also to ensure that these organizations can exchange information on various consumer related issues and can keep abreast of any developments taking place in any part of the country.

(v) Online Complaint Registration and Mediation Mechanism

Creation of an Online Complaint Registration and Mediation Mechanism will ensure that the consumers can report their grievances online and experts in the field can advise them and channelise their complaints to a proper authority, for quick and effective disposal. The CCEA would also seek to provide redressal by directly taking up issues with manufacturers, licensees or other Government agencies and organizations.

(vi) The Rules & Regulations of CCEA shall provide for Membership as follows:

CCEA would primarily comprise of:

- Electricity consumers,
- Registered Consumer Organizations and association,
- Registered Non-Government Organizations (NGOs),
- Regulatory Authorities and standards setting bodies.
- Institutions,
- Gram Panchayat institutions, franchisees,
- Activists of persons dealing with electricity related matters
- Academicians, Practicing lawyers,
- Persons having degrees/diplomas/ certifications in the field of studies like Law, economics, information technology, computer or electrical/mechanical/ electronics of Indian origin and domicile of Tamil Nadu.

The **Core Committee** shall frame rules for Membership for Life, general, professional, institutional, expert, editorial, or advisory, etc, as per the requirement. Registered organizations can also apply as affiliate members.

However they will not participate in the management of the CCEA. Their role will be participatory in terms of inputs required by CCEA. Procedure of application, fees, validity for membership, Cessation of Membership, and the Meetings of the Organization Core Committee, General body, editorial body, Consultative panel, Advisory Committee etc. shall be spelt out, and time periods, Corum, rights and duties for conduct of each meeting (monthly / quarterly / annual) shall be laid down by the CCEA.

12. ACTIVITIES RELATED TO TNERC

The CCEA shall take up the following activities:

- Preparation and providing web-page/links at **www.tnerc.gov.in** of a directory of consumer organizations, individual activists with contact details, serving the consumers related to electricity in Tamil Nadu.

- Publication and providing web-page/links at **www.tnerc.gov.in** of a Compendium of extracts of important electricity cases (Supreme Court, Appellate Tribunal, High Courts, and Regulatory Commission)
- Advertisement and publicity through media-TV, Radio, Newspapers, Hoardings, Films etc.
- Publication and providing on web page at **www.tnerc.gov.in** with links to discoms, of bilingual newsletter “**Consumer Empowerment**”.

Statistical information for Newsletter

The Newsletter shall bring out for benefit of consumers some statistics in different formats as below:

COMPLAINTS HANDLED BY CCEA

Year wise breakup of complaints

YEAR	COMPLAINTS RECEIVED	COMPLAINTS DISPOSED	COMPLAINTS PENDING
TOTAL			

Electricity company wise break up of complaints

DISCOM	COMPLAINTS RECEIVED	COMPLAINTS DISPOSED	COMPLAINTS PENDING
TOTAL			

Nature wise details of complaints

	Nos.	Percent
Nature of grievance		
Duty to give supply on request		
a) New Service connection		
b) Additional Load		
c) Temporary Supply		
d) Shifting of service connection		
e) Transfer of service connection		
f) Change of tariff		
Complaints in billing		
Replacement of meters		
Interruption of supply		
Voltage fluctuations and complaints		
Responding to consumer’s complaints		
Making and keeping appointments		
Grievance handling		
Total		

Publish an easy Consumer Guide to Complaint Handling Procedure laid down in Consumer Grievance Forum and Ombudsman Regulations, Electricity Supply Code 2004:

- Have the Complaint Handling Procedure come into force?
- What do the Procedure cover? : Nature of complaints, Procedure for lodging complaints, Time limit for attending to the complaint, Procedure to be followed by consumers in case of non response by the licensee.
- What is the nature of complaints covered in the Procedure? Interruptions/Failure of power supply, Voltage variations, Load shedding/Scheduled outage, Metering complaints, Billing complaints, Disconnection and reconnection complaints, Additional load, Normal Fuse off-Line Breakdowns, Distribution Transformer failures, Application for Additional Loads, Transfer of ownership and conversion, Conversion of LT single phase to LT three phase, Conversion of LT to HT and vice-versa, Refund of Deposits, Issue of certificates.
- Proforma for lodging complaint
- Address of the Electricity Companies, Consumer Grievance Redressal Forums, Ombudsman, etc.,

The CCEA shall bring out position papers on typical issues through newsletters, use of advertising, media such as on following and many more issues:

- How Transparent is the Power Sector
- Power Reforms in Tamil Nadu
- Consumer Advocacy in Power Sector
- Consumer Rights and Power Regulators
- Consumers under The New Electricity Act
- Electricity Service & The Consumer Protection Act
- RTI ACT: Your Right To Information
- Protection: Living Safely With Electricity - Do's and Don't's
- Accidents: Procedure for Claiming Solatium
- Consumer guide to obtaining connections, rectify billing and Metering related problems: A Pre- Requisite of Power Reforms
- How to read your bills, calculate load, saving electricity, energy efficiency methods.
- Power Consumption Guide
- Say "No" to Power Theft, or face the penalties prescribed for Theft and Unauthorized use of Electricity
- Open access and trading related activities.
- Energy Conservation and demand side management
- Energy Efficient technologies.