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ELECTRICITY ACT (CHAPTER 89A)

ELECTRICITY (CONTESTABLE CONSUMERS) REGULATIONS 2018

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In exercise of the powers conferred by sections 41(1) and 103(1) of the Electricity Act, the Energy Market Authority of Singapore, with the approval of the Minister for Trade and Industry (Industry), makes the following Regulations:

Citation and commencement

1. These Regulations are the Electricity (Contestable Consumers) Regulations 2018 and come into operation on 1 April 2018.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“application month” means the calendar month in which an application in regulation 3(2) or 7(1), as the case may be, is made;

“master-meter” means a meter measuring the electricity consumed by all the units and common areas in a building or cluster of buildings which is or are used or occupied by multiple consumers;

“MSSL” means a market support services licensee;

“non-residential premises”, in relation to a consumer, means any premises that are lawfully used or occupied by the consumer —

(a) for any non-residential purpose under a unique identifier of the consumer; or

(b) for a purpose connected with a unique identifier of the consumer that is a unique entity number;

“residential premises”, in relation to a consumer, means any premises that are lawfully used or occupied by the consumer and are not non-residential premises;

“specified non-residential premises”, in relation to a consumer, means any non-residential premises lawfully used or occupied by the consumer (other than the subject premises) that do not use a master-meter and one or more sub-meters to measure the electricity consumption at those premises;

“subject premises”, in relation to a consumer, means any premises that are lawfully used or occupied by the consumer and in relation to which the consumer applies for or maintains a contestable consumer account with an MSSL for electricity consumed at those premises;

“sub-meter” means a meter measuring the electricity which, after being taken through a master-meter, is consumed at any part of a building or cluster of buildings;

“unique identifier”, in relation to a consumer, means the set of numeric or alphanumeric characters assigned by the Government or a public authority to the consumer in order to identify the consumer for the operations of the Government or public authority in Singapore.

(2) For the purposes of regulations 3(3) and 7(3), where a consumer’s account with an MSSL for any premises is opened for less than the whole of the month immediately before the application month, then the average monthly electricity consumption at the premises is the electricity consumption in the firstmentioned month.

Classification as contestable consumer

3.—(1) Subject to regulations 4 and 5, a consumer is classified as a contestable consumer for any premises lawfully used or occupied by the consumer if the consumer has a contestable consumer account for those premises with an MSSL on the basis that —

- (a) the subject premises are residential premises, or non-residential premises, with a postal code beginning with “60”, “61”, “62”, “63” or “64”; or
- (b) the subject premises are non-residential premises and any one of the following is satisfied:
 - (i) the consumer requires electricity to be supplied at high voltage to the subject premises;
 - (ii) at any time during the period from 1 March 2013 to the date of the application (both dates inclusive) by the consumer for the contestable consumer account, the consumer is or was a contestable consumer for any specified non-residential premises of the consumer;
 - (iii) where the application for the contestable consumer account is made in April 2018 or later, the consumer has an aggregate electricity consumption of 2,000 kilowatt-hour or more (when calculated in accordance with paragraph (3)) over a continuous

period of not more than 12 months ending immediately before the application month;

- (iv) the consumer has been notified by the Authority or the MSSL that the consumer falls within sub-paragraph (i), (ii) or (iii).

(2) An MSSL must, without undue delay after receiving an application to open a contestable consumer account for any premises on a basis mentioned in paragraph (1), open such account.

(3) For the purpose of paragraph (1)(b)(iii) and subject to regulation 2(2), the aggregate electricity consumption of the consumer is the sum total of the consumer's average monthly electricity consumption at each of the consumer's subject premises and specified non-residential premises over the continuous period mentioned in paragraph (1)(b)(iii).

(4) An application mentioned in paragraph (2) must be in the form specified by the MSSL, and must include any information requested by the MSSL.

(5) The classification of a consumer as a contestable consumer for any subject premises takes effect from the date on which the contestable consumer account of the consumer for those premises is opened by the MSSL under paragraph (2), and the MSSL must notify the consumer of that date.

Consumers not classified as contestable consumers: subject premises under prepaid metering scheme

4. A consumer is not classified as a contestable consumer for any subject premises under regulation 3 if the premises are subject to a prepaid metering scheme administered by an MSSL under which electricity is consumed on a pay-as-you-use basis.

Consumers not classified as contestable consumers: subject premises with master-meter and sub-meters

5.—(1) This regulation applies where —

- (a) the subject premises comprise the entire of a building or cluster of buildings, or a part of a building or cluster of buildings;
- (b) the electricity consumed at the building or cluster of buildings is metered by a master-meter and one or more sub-meters; and
- (c) the application to open a contestable consumer account for the subject premises is made by the consumer that holds the master-meter account with an MSSL for those premises.

(2) Where the subject premises comprise the entire of a building or cluster of buildings, the consumer is not classified as a contestable consumer under regulation 3 unless the consumer has the consent of all sub-meter consumers of the subject premises to purchase electricity for those premises.

(3) Where the subject premises comprise a part of a building or cluster of buildings, the consumer is not classified as a contestable consumer under regulation 3 unless —

- (a) the consumer also holds the sub-meter account with the MSSL for the subject premises;
- (b) the consumer has the consent of all sub-meter consumers of the subject premises to purchase electricity for those premises; and
- (c) the consumer is able to comply with the requirements of the Authority in ensuring that there will not be any billing for a negative amount by the MSSL in respect of the master-meter account.

(4) To avoid doubt, the electricity consumption metered by any sub-meter for a sub-meter consumer mentioned in paragraph (3) is considered as the electricity consumption of the consumer for the purposes of regulation 3(1).

(5) In this regulation and regulation 6, “sub-meter consumer” means a person who is liable to pay the consumer mentioned in paragraph (1) for electricity metered through a sub-meter for a part of a building or cluster of buildings.

Cessation of classification as contestable consumer: change in metering scheme and revocation of consent by sub-meter consumer

6.—(1) A consumer who is classified as a contestable consumer under regulation 3 for any subject premises ceases to be classified as such for those premises if —

- (a) the metering scheme for those premises is changed by or on behalf of the consumer to one where the electricity consumption at those premises is measured by a master-meter and one or more sub-meters; or
- (b) in the case of regulation 5, any sub-meter consumer of those premises revokes its consent given to the consumer.

(2) The cessation of classification as a contestable consumer takes effect —

- (a) for paragraph (1)(a), from the date of the change in the metering scheme; and
- (b) for paragraph (1)(b), from the date on which the sub-meter consumer opens an account with the MSSL for the sub-meter.

Cessation of classification as contestable consumer: application by contestable consumer

7.—(1) A consumer who is a contestable consumer under regulation 3 for any subject premises may apply to the MSSL with whom the consumer holds a contestable consumer account for the subject premises, to close the account if —

- (a) the subject premises are residential premises; or
- (b) the subject premises are non-residential premises, and the consumer has an aggregate electricity consumption of less than 4,000 kilowatt-hour (when calculated in accordance

with paragraph (2)) over a continuous period of 12 months ending immediately before the application month.

(2) For the purpose of paragraph (1)(b) and subject to paragraph (3) and regulation 2(2), the aggregate electricity consumption of the consumer is the sum total of the consumer's average monthly electricity consumption at each of the consumer's subject premises and specified non-residential premises over the 12-month period mentioned in paragraph (1)(b).

(3) Despite paragraph (2) and subject to regulation 2(2), where the account of the consumer with the MSSSL (whether or not a contestable consumer account) has been opened for any of the subject premises or specified non-residential premises of the consumer for less than the 12-month period mentioned in paragraph (2), the average monthly electricity consumption at those premises is to be calculated over the period for which the account for the premises has been opened.

(4) An application mentioned in paragraph (1) must be in the form specified by the MSSSL, and must include any information requested by the MSSSL.

(5) An MSSSL must, without undue delay after receiving an application mentioned in paragraph (1), close the contestable consumer account for the subject premises.

(6) The classification of a consumer as a contestable consumer for any subject premises ceases from the date on which the contestable consumer account is closed by the MSSSL under paragraph (5), and the MSSSL must notify the consumer of that date.

Metering requirements

8.—(1) A contestable consumer who is using a telephone line to enable the remote reading of a meter at any subject premises must continue to maintain the telephone line until the meter is replaced by a transmission licensee with another meter that can be remotely read without a telephone line.

(2) Subject to paragraph (1), a contestable consumer must maintain a remotely read interval meter for any subject premises of the consumer that are non-residential premises.

(3) Subject to paragraph (1), a contestable consumer must maintain a remotely read interval meter for any subject premises of the consumer that are residential premises if the consumer purchases electricity for those premises directly from any wholesale electricity market.

(4) Subject to paragraph (1), a contestable consumer must maintain a remotely read interval meter or adopt load-profiling as determined by the Authority for any subject premises of the consumer that are residential premises, if the consumer purchases electricity for those premises —

- (a) from a retail electricity licensee; or
- (b) indirectly from any wholesale electricity market through an MSSL.

Revocation and saving

9.—(1) The Electricity (Contestable Consumers) Regulations 2015 (G.N. No. S 274/2015) are revoked.

(2) Any consumer who is classified as a contestable consumer under the revoked Electricity (Contestable Consumers) Regulations 2015 and who remains so classified immediately before 1 April 2018, continues to be a contestable consumer for the purposes of the Act and these Regulations.

Made on 28 March 2018.

NG HOW YUE
Chairman,
Energy Market Authority of
Singapore.

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(To be presented to Parliament under section 103(4) of the Electricity Act).