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ELECTRICITY ACT (CHAPTER 89A)

ELECTRICITY (CONTESTABLE CONSUMERS) REGULATIONS 2015

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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 Mr S Iswaran, Second Minister for Trade and Industry, charged with the responsibility for the portfolio of the Minister for Trade and Industry relating to regulation of energy utilities, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Electricity (Contestable Consumers) Regulations 2015 and come into operation on 1 July 2015.

Definitions

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

“application month” means the calendar month in which an application referred to in regulation 3(1) or 6(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 are used or occupied by multiple consumers;

“MSSL” means a market support services licensee;

“specified premises”, in relation to a consumer, means —

- (a) the subject premises of the consumer; or
- (b) any other premises that —
 - (i) are lawfully used or occupied by the consumer under the same unique identifier of the consumer as applies to the subject premises —
 - (A) for any non-residential purpose; or
 - (B) for a purpose connected with that unique identifier, where the unique identifier is a unique entity number; and
 - (ii) 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 the premises —

- (a) that are lawfully used or occupied by the consumer —
 - (i) for any non-residential purpose under a unique identifier of the consumer; or
 - (ii) for a purpose connected with that unique identifier, where the unique identifier is a unique entity number; and

(b) in relation to which an application referred to in regulation 3(1) or 6(1), as the case may be, is made;

“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 6(3), where a consumer’s account with an MSSL for any premises is opened for less than the whole of the month immediately preceding the application month for those premises, then the average monthly electricity consumption at those premises is the electricity consumption in that preceding month.

Classification as contestable consumer

3.—(1) Subject to regulation 4, an MSSL must, without undue delay after receiving an application made by a consumer who satisfies the criteria in paragraph (2)(a), (b), (c) or (d), open a contestable consumer account for the consumer for the subject premises.

(2) The criteria for the purpose of paragraph (1) are any of the following:

- (a) the consumer requires electricity to be supplied at high voltage to the subject premises;
- (b) at any time during the period from 1 March 2013 to the date of the application (both dates inclusive), the consumer is or was a contestable consumer for any specified premises of the consumer other than the subject premises;
- (c) where the application month is July 2015 or later, the consumer has an aggregate electricity consumption of 2,000 kilowatt-hour or more when calculated over a continuous period of not more than 12 months ending with the month immediately preceding the application month;

(d) the consumer was previously notified by the Authority or the MSSL that the consumer falls within sub-paragraph (a) or (b) or has an aggregate electricity consumption of 2,000 kilowatt-hour or more over a continuous period of not more than 12 months.

(3) For the purpose of paragraph (2)(c), 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 specified premises over the continuous period in question.

(4) An application referred to in paragraph (1) 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 the subject premises takes effect from the date on which the contestable consumer account of the consumer is opened by the MSSL under paragraph (1), and the MSSL is to notify the consumer of that date.

Consumers not qualifying to be classified as contestable consumers

4.—(1) Subject to paragraphs (2) and (3), where the subject premises comprise —

(a) a building or cluster of buildings used or occupied by multiple consumers for a non-residential purpose, or a part of such building or cluster; and

(b) the electricity consumed at the building or cluster of buildings is metered by a master-meter and one or more sub-meters,

the MSSL cannot, upon an application by the consumer who holds the master-meter account with the MSSL for the building or cluster of buildings, open a contestable consumer account for the subject premises.

(2) Paragraph (1) does not apply where —

(a) the subject premises comprise the entire building or cluster of buildings;

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- (b) the consumer (who holds the master-meter account with the MSSL for the subject premises) applies to open a contestable consumer account for the master-meter; and
 - (c) the consumer has, for each part of the building or cluster of buildings that has a sub-meter, the consent of the sub-meter consumer of each such part to purchase electricity for that part.
- (3) Paragraph (1) does not apply where —
- (a) the subject premises comprise a part of the building or cluster of buildings and the electricity consumed at the subject premises is metered by a sub-meter;
 - (b) the consumer (who holds the master-meter account with the MSSL for the entire building or cluster of buildings) also holds the sub-meter account with the MSSL for the subject premises and applies to open a contestable consumer account for the sub-meter;
 - (c) the consumer has —
 - (i) the consent of the sub-meter consumer of the subject premises to buy electricity for the subject premises; or
 - (ii) if there is more than one sub-meter consumer for the electricity consumed at the subject premises, the consent of every such sub-meter consumer to buy electricity for the subject premises; and
 - (d) the consumer can comply with the requirements of the Authority in ensuring that there will not be any negative billing by the MSSL in respect of the master-meter account.
- (4) To avoid doubt, the electricity consumption metered by the sub-meter referred to in paragraph (3) is considered as the electricity consumption of the consumer for the purposes of regulation 3.
- (5) In this regulation, “sub-meter consumer” means a person who is liable to pay the consumer referred to 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

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

- (a) the metering scheme for those premises is changed by or on behalf of the consumer so that 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 4(2) or (3), any sub-meter consumer revokes the consent which the sub-meter consumer had earlier 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.

(3) A consumer referred to in paragraph (1)(a) must, before the change in metering scheme takes effect, notify the Authority of the consumer's intention to effect the change and the intended date of the change.

Cessation of classification as contestable consumer: application by contestable consumer

6.—(1) A consumer who has an account as a contestable consumer with an MSSL for any premises may apply to the MSSL to close the account as a contestable consumer if the consumer has an aggregate electricity consumption of less than 4,000 kilowatt-hour when calculated over a continuous period of 12 months ending with the month immediately preceding the application month.

(2) For the purpose of paragraph (1), 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 specified premises over the 12-month period.

(3) Despite paragraph (2) and subject to regulation 2(2), where the account of the consumer with the MSSL (whether or not as a contestable consumer) has been opened for any of the specified premises of the consumer for less than the 12-month period, 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 referred to in paragraph (1) must be in the form specified by the MSSL, and must include any information requested by the MSSL.

(5) The MSSL must, without undue delay after receiving an application from a consumer referred to in paragraph (1), close the consumer's account as a contestable consumer 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 account of the consumer as a contestable consumer is closed by the MSSL under paragraph (5), and the MSSL is to notify the consumer of that date.

Remote meter reading of contestable consumer

7. Where a consumer —

- (a) was classified as a contestable consumer under the revoked Electricity (Contestable Consumers) Regulations 2013 (G.N. No. S 740/2013) immediately before 1 July 2015 for any premises;
- (b) remains classified as a contestable consumer under these Regulations for those premises; and
- (c) is using a telephone line to enable the remote reading of a meter at those premises,

the consumer 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.

Revocation and savings

8.—(1) The Electricity (Contestable Consumers) Regulations 2013 (G.N. No. S 740/2013) are revoked.

(2) Any consumer who is classified as a contestable consumer under the revoked Electricity (Contestable Consumers) Regulations 2013 and who is classified as such immediately before 1 July 2015, continues to be a contestable consumer for the purposes of the Act, and regulations 5 and 6 of these Regulations apply to that consumer.

Made on 4 May 2015.

LOH KHUM YEAN
Chairman,
Energy Market Authority of
Singapore.

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