

[ERC RESOLUTION NO. 11, S. 2009, May 25, 2009]

**A RESOLUTION ADOPTING THE RULES TO GOVERN THE
INSTALLATION AND RELOCATION OF RESIDENTIAL ELECTRIC
METERS BY DISTRIBUTION UTILITIES TO ELEVATED METERING
CENTERS OR INDIVIDUAL RESIDENTIAL ELECTRIC METER TO
OTHER ELEVATED SERVICE**

WHEREAS, Article 11 of the Magna Carta for Residential Electricity Consumers allows electric meters to be located in other areas based on justifiable reasons;

WHEREAS, on January 21 & 23, 2009 and February 13, 2009, the Commission conducted expository hearings and a public consultation, respectively for the promulgation of a set of Rules to Govern the Installation and Relocation of Residential Electric Meters by Distribution Utilities to Elevated Metering Centers (EMCs) or Individual Residential Electric Meter to Other Elevated Service;

WHEREAS, the EMC Rules provide guidance to Distribution Utilities (DUs) in the installation and relocation of electric meters to elevated metering centers or to other elevated service in order to ensure their highest level of compliance with safety standards and adequate protection of the consumers' interests and accordingly reduce their system losses;

WHEREAS, the said EMC Rules shall apply to all DUs whose metering installations are over and above the height prescribed in the Magna Carta and the Distribution Services and Open Access Rules (DSOAR);

NOW THEREFORE, the Commission, after thorough and due deliberation, hereby APPROVES and ADOPTS the Rules to Govern the Installation and Relocation of Residential Electric Meters by Distribution Utilities to Elevated Metering Centers or Individual Residential Electric Meter to Other Elevated Service attached as "Annex A" and made integral part of this Resolution.

This Resolution shall take effect on the fifteenth (15th) day following its publication in a newspaper of general circulation in the country.

Adopted: 25 May 2009

(SGD.) ZENAIDA G. CRUZ-DUCUT
Chairperson

(SGD). RAUF A TAN
Commissioner

(SGD.) ALEJANDRO Z. BARIN
Commissioner

(SGD.) MARIA TERESA A.R.
CASTAÑEDA

(SGD.) JOSE C. REYES
Commissioner

Rules to Govern the Installation and Relocation of Residential Electric Meters By Distribution Utilities to Elevated Metering Centers or Individual Residential Electric Meter to Other Elevated Service

Pursuant to Article 11 of the Magna Carta for Residential Electricity Consumers and Article 2.11.1 of the Distribution Services and Open Access Rules (DSOAR), the Energy Regulatory Commission (ERC) hereby promulgates the following rules, terms and conditions for the installation and relocation of residential electric meters by Distribution Utilities to elevated metering centers or individual residential electric meter to other elevated service.

**ARTICLE 1
GENERAL PROVISIONS**

1.1 Objective

The objective of these Rules is to provide guidance to Distribution Utilities (DUs) in the installation and relocation of electric meters to elevated metering centers (EMCs) or to other elevated service in order to ensure their highest level of compliance with safety standards and adequate protection of the consumers' interest and accordingly reduce their system losses.

1.2 Guiding Principles

The DU shall ensure that the installation and relocation of residential electric meters to the EMC or to other elevated service conform with Republic Act No. 9136, other existing laws, rules, regulations and technical standards set by the ERC.

1.3 Scope

These Rules shall apply to all DUs whose metering installations are over and above the height prescribed in the Magna Carta and the DSOAR and shall cover the installation and relocation of residential electric meters to elevated metering centers or individual residential electric meter to other elevated service as may be specifically provided herein. Billing disputes resulting from the installation or relocation of the meter to EMC services shall be governed by the ERC Rules of Practice and Procedure.

1.4 Definition of Terms

- a. Act - Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001.
- b. Billing Month - The elapsed time between two (2) succeeding meter readings, at least twenty eight (28) days apart but not to exceed thirty one (31) days.

- c. Distribution Utility (DU) - Any electric cooperative, private corporation, government-owned utility or existing local government unit which has an exclusive franchise to operate a distribution system in accordance with its franchise and the Act.
- d. DSOAR - Distribution Services and Open Access Rules promulgated by the ERC under Resolution No. 01, Series of 2006, as may be amended.
- e. Elevated Metering Center (EMC) - the structure attached to DU poles or other structures on which a cluster of meters is installed beyond the mounting height per Magna Carta and DSOAR provisions.
- f. EMC Service Drop - Includes wires between the EMC installation and the customer's old metering point or to the point where the metering location would have been placed had the customer not been in an EMC area.
- g. Energy Regulatory Commission (ERC) - The independent and quasi-judicial regulatory agency created under Section 38 of the Act.
- h. Line Loss - The component that is inherent in the electrical equipment, devices and conductors used in the physical delivery of electric energy. The term includes both load and non-load losses.
- i. Magna Carta - Magna Carta for Residential Electricity Consumers including the Guidelines to Implement the Magna Carta issued by the ERC and any amendments thereto.
- j. Other Elevated Service - The structure other than the EMC attached to DU poles or other structures on which a meter or cluster of meters are installed beyond the mounting height per Magna Carta and DSOAR provisions.
- k. Service Drop - The overhead service conductors from the last pole or other aerial support including the splices, if any, connecting to the service entrance conductors at the building or other structure (Philippine Electrical Code).

ARTICLE II GENERAL CRITERIA

2.1 Magna Carta Requirement

Under Article 11 of the Magna Carta, meters, as a general rule, shall be located in clean places free from vibration where they are easily accessible and visible for reading and testing by both the DU and the consumer. Likewise, meters shall be located on the outside wall of the building or private pole and shall not be more than three (3) meters nor less than 1.52 meters mounting height from the surface on which one would stand to repair, or inspect the meter. However, the Magna Carta

also allows meters to be located in other areas based on justifiable reasons.

2.2 Instances when elevated meters may be allowed

No meter shall be installed or relocated to elevated metering centers or other elevated service, except under the following circumstances:

2.2.1 Non-availability of right-of-way

Right-of-way is required by the DU to enable its personnel to respond to emergencies and complaints as well as to construct its distribution posts and other power distribution equipments. The DU shall exert utmost effort in acquiring such right-of-way. Prior to the elevation of the meters to EMC or other elevated service, the DU shall write an explanation to the affected consumer as to its inability to secure the necessary right-of-way.

2.2.2 Areas with informal settlers without title or rights over their occupied lands resulting to rampant illegal service connection, meter vandalism, and meter tampering.

2.2.3 Areas with high incidence of illegal service connections, meter vandalism, and meter tampering

2.2.4 Habitual pilferer

A consumer twice found by the ERC or any other competent court, upon proof presented by the DU, to have illegally consumed electricity.

2.2.5 Consumer requests

Written requests from legitimate DU consumers or from new electric service applicants for the elevation of services to metering centers because of frequent pilferage-related power interruptions, shall also be given due consideration. Provided, that said consumers represent at least fifty (50) percent or at least thirty (30) consumers, whichever is higher, of the registered households in the area whose meters are proposed to be relocated, duly certified by the Barangay Chairman or by the Office of the City/Municipal Mayor concerned.

2.3 The DU shall prove before the ERC that an area has high incidence of illegal service connections, meter vandalism, and meter tampering or an area with rampant electricity theft by submitting a system loss report attributing such condition/s, prior to the relocation or installation of meter to EMC or other elevated service. The ERC shall act upon such application for approval, within fifteen (15) days from receipt of the system loss report. The DU's application shall be deemed approved in case of failure of the ERC to act on said application after the lapse of the 15-day period. An area is considered a pilferage-prone area if the difference between the average 3-month kilowatthour registration in the check meter or other load monitoring device and the average 3-month