STATUTORY INSTRUMENTS

2015 No. 698

ELECTRICITY

The Electricity (Connection Standards of Performance) Regulations 2015

Made - - - -	*13th March 2015*
Coming into force - -	*1st April 2015*

The Gas and Electricity Markets Authority(**1**) makes the following Regulations in exercise of the powers conferred by sections 39A, 39B, 40B and 60 of the Electricity Act 1989(**2**) ("the Act").

In accordance with section 40B(1) of the Act, the Authority has considered the results of research to discover the views of a representative sample of persons likely to be affected by these Regulations.

In accordance with section 40B(4) of the Act, the Authority has consulted Citizens Advice and Citizens Advice Scotland(**3**), electricity licence holders and persons and bodies appearing to be representative of persons likely to be affected by these Regulations;

The Secretary of State has consented to making these Regulations in accordance with sections 39A(1) and 39B(3) and (5) of the Act 1989.

PART 1

General

Commencement, transitional provisions and revocation

1.—(1) These Regulations may be cited as the Electricity (Connection Standards of Performance) Regulations 2015 and come into force on 1st April 2015.

(2) Where, in relation to any occasion upon which a regulation would otherwise apply, the applicable date falls before the date on which these Regulations come into force, the Electricity

(**1**) The Gas and Electricity Markets Authority was established under section 1(1) of the Utilities Act 2000 (c.27).

(**2**) 1989 c.29; sections 39A and 39B were inserted by section 54(2) of the Utilities Act 2000 (c.27) and section 39B was amended by paragraph 52 of Schedule 9 to the Crime and Courts Act 2013 (c.22) and by paragraph 5 of Schedule 1 to the Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631); section 40B was inserted by section 56 of the Utilities Act 2000.

(**3**) The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631) abolished the National Consumer Council and transferred its functions to The National Association of Citizens Advice Bureaux and the Scottish Association of Citizens Advice Bureaux.

(Connection Standards of Performance) Regulations 2010(**4**) shall continue to apply to the exclusion of these Regulations.

(3) Subject to regulations 1 and 13, the Electricity (Connection Standards of Performance) Regulations 2010(**5**) are revoked.

Interpretation

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

"the Act" means the Electricity Act 1989(**6**);

"agreed date" means, in respect of the commencement or the completion of any works or the energisation of any connection, any date agreed between the electricity distributor and the customer or the relevant authority (as applicable) by which the works are to be commenced or completed or the connection energised (as applicable), and includes that date as subsequently varied by agreement between them or revised in accordance with regulation 16;

"applicable date" means, in relation to each occasion on which a regulation applies, the day on which that regulation first applies;

"associated works" means any works required in order to provide a connection to an electricity distributor's distribution system, including any necessary reinforcement works or diversionary works;

"the Authority" means the Gas and Electricity Markets Authority established under section 1(1) of the Utilities Act 2000(**7**);

"budget estimate" means a statement in writing, which may be provided without carrying out a site visit or system studies, of the amount that the electricity distributor reasonably estimates it would require the customer to pay in respect of a connection if the customer were to require the electricity distributor to offer terms for making such a connection under section 16A(1) of the Act(**8**);

"completion" means, in respect of any works, the completion of electrical works to the point that, subject only to the fitting of an appropriate meter where necessary, energisation would be possible;

"contact" means—

(a) to place a telephone call, post a letter, send an e-mail or initiate any other appropriate means of communication, in each case to a number or address specified by the customer for that purpose (as envisaged by regulations 8(1)(e), 9(1)(e) and 12(1)(f)); and

(b) in the case of communication by telephone, where the customer does not answer a telephone call, to leave a message where it is possible to do so and to contact the customer by an alternative appropriate means of communication, if details sufficient to enable such contact have been provided by the customer;

"consumer advocacy body" means the National Association of Citizens Advice Bureaux or the Scottish Association of Citizens Advice Bureaux;

"customer" means an owner or occupier of premises in Great Britain who is supplied or requires to be supplied with electricity by an electricity supplier, and includes an electricity supplier where it is acting on behalf of such a person;

(**4**) S.I. 2010/2088
(**5**) S.I. 2010/2088
(**6**) 1989 c.29.
(**7**) 2000 c.27.
(**8**) 1989 c.29; section 16A was inserted by section 44 of the Utilities Act 2000 (c.27).

"demand connection" means a new or modified connection (including, for the purposes of regulations 4 to 7, any modification carried out solely to facilitate an alteration to the position of a meter) the purpose of which is to enable premises to receive a supply of electricity from an electricity distributor's distribution system;

"dispatch" includes transmission by email or other electronic means;

"diversionary works" means (except in relation to any requirement arising under section 84 of the New Roads and Street Works Act 1991(**9**)) works to move any electric lines or electrical plant in order to facilitate the extension, redesign or redevelopment of any premises on which such lines or plant are located and to which they are connected;

"EHV demand connection" means a demand connection at any voltage level where the highest voltage of the assets involved in providing such connection, and any associated works, is extra-high voltage;

"energisation" means the insertion of a fuse or operation of a switch that will allow an electrical current to flow from an electricity distributor's distribution system to the customer's installation, when the action in question is required to be carried out by the electricity distributor and is subject to the provisions of any industry code maintained in accordance with the conditions of the electricity distributor's distribution licence and with which the electricity distributor is required to comply;

"extra-high voltage" means a nominal voltage of more than 22,000 volts up to and including 132,000 volts in England and Wales and up to but excluding 132,000 volts in Scotland;

"high voltage" means a nominal voltage of more than 1,000 volts but not more than 22,000 volts;

"HV demand connection" means a demand connection at any voltage level where the highest voltage of the assets involved in providing such connection, and any associated works, is high voltage;

"low voltage" means a nominal voltage not exceeding 1,000 volts;

"LV demand connection" means a low-voltage demand connection where the highest voltage of the assets involved in providing such connection, and any associated works, is low voltage;

"payment date" means, in relation to any paragraph or sub-paragraph of these Regulations, the period specified in column 4 of Schedule 1 against the reference to that paragraph or sub-paragraph in column 1 of that Schedule;

"premises" includes any distribution system;

"prescribed period" means, in relation to any paragraph or sub-paragraph of these Regulations, the period specified in column 2 of Schedule 1 against the reference to that paragraph or sub-paragraph in column 1 of that Schedule;

"prescribed sum" means, in relation to any paragraph or sub-paragraph of these Regulations, the amount set out in column 3 of Schedule 1 against the reference to that paragraph or sub-paragraph in column 1 of that Schedule;

"quotation" means the notice required to be given by an electricity distributor in accordance with section 16A(5) of the Act;

"quotation accuracy scheme" means, in respect of an electricity distributor, a scheme, including a process through which a customer can challenge whether it has received an accurate quotation, published by the electricity distributor pursuant to a requirement of its distribution licence;

"reinforcement works" means works required on an electricity distributor's distribution system to accommodate a new or modified connection;

(**9**) 1991 c.22.

"relevant authority" means an authority with responsibility for street lighting or street furniture;

"relevant unmetered connection scheme" means the connection of no more than 100 units of street lighting or other street furniture for which a relevant authority is responsible, where such units are in the same street or adjacent streets and are to receive an unmetered supply and where only low-voltage works are required;

"service line" means a low-voltage electric line or any part of that line that will, at the time it is provided, be used only for supplying single premises, excluding any part of the line that, at the time it is provided, is intended by the distributor to be used to enable it to provide a connection to other premises in respect of which the distributor has received, or would reasonably expect within the following 12 months to receive, a notice under section 16A(1) of the Act;

"single LV service demand connection" means an LV demand connection (other than of a load that could reasonably be expected to cause disruption to other customers) to single premises, involving a single-phase connection and no significant work other than the provision of a service line and the electricity distributor's fuses; and

"small project demand connection" means a connection (other than of a load that could reasonably be expected to cause disruption to other customers) via low-voltage circuits fused at 100 amperes or less per phase with whole-current metering, and where the highest voltage of the assets involved in providing such connection, and any associated works, is low voltage, to—

(a) a development scheme requiring more than one but fewer than five single-phase connections at domestic premises and involving only the provision of a service line and the electricity distributor's fuses; or

(b) a development scheme requiring fewer than five single-phase connections at domestic premises and involving an extension of the existing low-voltage network; or

(c) single premises requiring a two-phase or three-phase connection and involving only the provision of a service line and the electricity distributor's fuses.

(2) Unless otherwise provided in these Regulations, words or expressions defined (as at the date of these Regulations) for the purposes of any of the conditions of a distribution licence granted or treated as granted under the Act have the same meaning when used in these Regulations.

(3) For the purposes of these Regulations—

(a) where a person is a customer in respect of multiple premises, a reference in a regulation to "customer" is a reference to that person in respect of each of the premises at which he is a customer to which the regulation applies; and

(b) any reference to a customer (except in relation to the entitlement to any payment due from an electricity distributor under these Regulations) includes any person having apparent authority to represent the customer.

Application

3.—(1) Regulation 4 applies where an electricity distributor has received a request from a customer for the provision of a budget estimate on or after 1st October 2010.

(2) Subject to paragraph (4)—

(a) regulations 5 to 9 and 11 and 12 apply where an electricity distributor has received notice pursuant to section 16A(1) of the Act from a customer who requires or may require a connection (whether metered or unmetered) to be made by the electricity distributor pursuant to section 16(1) of the Act; and

(b) regulation 10 applies where an electricity distributor has been notified by a relevant authority of a fault repair that needs to be carried out in respect of an unmetered connection.

(3) The regulations referred to in paragraph (2)(a) apply whether or not the connection that was contemplated by the customer is subsequently made.

(4) The regulations referred to in paragraph (2) do not apply to connections (or, as the case may be, fault repairs) in any of the following circumstances—

(a) in respect of regulations 5 to 7 and 10 and 11, where the notice given under section 16A(1) of the Act requesting terms for a connection (or, as the case may be, the notification by the relevant authority of the need for a fault repair) was received by the electricity distributor before 1st October 2010; and

(b) in respect of regulations 8, 9 and 12, where the electricity distributor has sent an offer of terms to the customer in respect of the connection before 1st October 2010.

PART 2

Services and Standards for Metered Connections

Provision of budget estimates

4.—(1) This regulation applies to an electricity distributor where—

(a) a customer requests that the electricity distributor provide a budget estimate in respect of a connection of the customer's premises to the electricity distributor's distribution system; and

(b) the electricity distributor receives from the customer—

(i) the information relating to the provision of the connection that is or could reasonably be expected to be within the knowledge of the customer and that the electricity distributor reasonably requires to enable it to provide the budget estimate; and

(ii) payment of any reasonable charge that the law allows the electricity distributor to make for providing the budget estimate.

(2) Where this regulation applies and the requested capacity of the connection that is the subject of the budget estimate request is less than 1 MVA, and the electricity distributor fails to dispatch a budget estimate to the customer within the prescribed period from the applicable date, the electricity distributor must, except in any of the circumstances described in regulation 15, pay to the customer the prescribed sum.

(3) Where this regulation applies and the requested capacity of the connection that is the subject of the budget estimate request is 1 MVA or more, and the electricity distributor fails to dispatch a budget estimate to the customer within the prescribed period from the applicable date, the electricity distributor must, except in any of the circumstances described in regulation 15, pay to the customer the prescribed sum.

(4) In providing a budget estimate the electricity distributor must—

(a) describe the assumptions on which the budget estimate is based, including a reference to any matters that the electricity distributor considers might cause the amount of the budget estimate to be varied significantly, in a quotation provided in accordance with section 16A(5)(b) of the Act; and

(b) set out whether (and, if so, at what likely cost) associated works are likely to be required.

Provision of quotations: single LV service demand connections and small project demand connections

5.—(1) This regulation applies to an electricity distributor where—