
STATUTORY INSTRUMENTS

2001 No. 3265

The Electricity (Standards of Performance) Regulations 2001

Relevant distributor's individual standards of performance

Relevant distributor's fuse

4.—(1) This regulation applies where a relevant distributor is informed (other than by post) by a customer that, or of circumstances suggesting that, the relevant distributor's fuse has operated so as to disconnect the supply to the customer's premises.

(2) For the purposes of paragraph (1), where information is received by a relevant distributor outside working hours it shall be deemed to have been received at the commencement of the next following working hours.

(3) Where, within the prescribed period from the applicable date, an appropriate person fails to attend at the premises where the relevant distributor's fuse is situated for the purpose of replacing or reinstating the relevant distributor's fuse and restoring the supply, the relevant distributor shall, except in any of the circumstances described in paragraph (4), pay to the customer the prescribed sum.

(4) The circumstances described in this paragraph are—

- (a) each of the circumstances described in regulation 17;
- (b) that the customer requested the relevant distributor not to restore the supply; and
- (c) that the relevant distributor's fuse had not operated so as to disconnect the supply.

(5) In this regulation "appropriate person" means a person employed or authorised by a relevant distributor to restore the supply where the relevant distributor's fuse has operated.

Supply restoration

5.—(1) This regulation applies where the supply to a customer's premises is discontinued as a result of a failure of, fault in or damage to the relevant distributor's distribution system, except where regulation 4 applies.

(2) Where this regulation applies, the relevant distributor shall, except in any of the circumstances described in paragraph (3), pay the prescribed sum to the customer, where—

- (a) the supply is not restored to the customer's premises within the relevant period; and
- (b) in respect of each succeeding period of 12 hours upon the expiry of which the supply is not restored.

(3) The circumstances described in this paragraph are—

- (a) each of the circumstances described in regulation 17;
- (b) that it was not reasonable in all the circumstances for the relevant distributor to be aware that the supply had not been restored;
- (c) that—

- (i) the premises to which the supply was discontinued are situated on an island;

- (ii) the supply to premises on that island is normally provided through an electric line situated on or under the sea bed;
 - (iii) the failure, fault or damage occurred in that part of the electric line which is situated below the high water mark of spring tides; and
 - (iv) no alternative means is normally available to the relevant distributor to supply the premises on that island; and
- (d) that the relevant distributor has not received a claim for compensation from the customer in respect of the circumstance referred to in paragraph (1) within a period of one month from the date upon which the supply was restored to the customer's premises.
- (4) In this regulation—
- “relevant period” means the prescribed period commencing at the time—
- (i) the relevant distributor is informed by a customer that the supply to the customer's premises has been discontinued;
 - (ii) the relevant distributor is informed by a person other than the customer or is otherwise made aware by the operation of any automatic system operated by the relevant distributor of circumstances in which paragraph (1) applies or may reasonably be expected to apply to premises including the customer's premises; or
 - (iii) where the failure, fault or damage has occurred in an underground electric line of a nominal voltage of 20 kilovolts, 12 hours after the time at which paragraph (i) or (ii) applies.

Estimate of charges for connection

- 6.—(1) This regulation applies where—
- (a) a customer gives a notice under sub-section 16A(1) of the Act⁽¹⁾ (including a notice modifying any previous notice) and requests that the relevant distributor provides an estimate;
 - (b) the supply is to be provided at low voltage; and
 - (c) the relevant distributor receives from the customer the information relating to the provision of the connection which is or could reasonably be expected to be within the knowledge of the customer and is reasonably required by the relevant distributor to enable him to provide the estimate.
- (2) Where this regulation applies and paragraph (4) applies and the relevant distributor fails to dispatch an estimate to the customer within the prescribed period from the applicable date, the relevant distributor shall, except in any of the circumstances described in regulation 17, pay to the customer the prescribed sum.
- (3) Where this regulation applies, but paragraph (4) does not apply and the relevant distributor fails to dispatch an estimate to the customer within the prescribed period from the applicable date, the relevant distributor shall, except in any of the circumstances described in paragraph (5), pay to the customer the prescribed sum.
- (4) This paragraph applies where it is reasonable for the relevant distributor to believe that it will not be necessary to carry out any significant work other than the provision of a service line and a relevant distributor's fuse to enable the connection to be given.
- (5) The circumstances described in this paragraph are—
- (a) each of the circumstances described in regulation 17; and

(1) Section 16A was inserted by section 44 of the Utilities Act 2000.

- (b) that the relevant distributor reasonably believes that the premises referred to in the notice form or will form part of a development scheme comprising five or more premises.
- (6) In providing an estimate referred to in sub-paragraph (1), the relevant distributor—
 - (a) may reserve the right to vary the amount stated in the estimate having regard to the actual costs incurred by him in carrying out the work, but if he does so, the estimate shall include a reference to any matters which the relevant distributor considers may cause the amount to be varied significantly; and
 - (b) shall state the terms for payment of the amount in the estimate and any variation of that amount.
- (7) In this regulation—
 - (i) “estimate” means a statement in writing of the amount which the relevant distributor reasonably expects he will require the customer to pay under sub-section 19(1) of the Act⁽²⁾ or under regulations made under sub-section (2) of that section having regard to the information which is known or ought reasonably be known by the relevant distributor in relation to the carrying out of that work; and
 - (ii) “service line” means a low voltage electric line or any part of the line which will, at the time it is provided, only be used for supplying a single customer, excluding any part of the line which, at the time it is provided, is intended by the relevant distributor to be used to enable him to provide a connection to premises (other than the customer’s premises) in respect of which the relevant distributor has received or would reasonably expect within the following 12 months to receive a notice under section 16A.

Notice of supply interruption

7.—(1) This regulation applies where a relevant distributor discontinues the supply to a customer’s premises for an authorised purpose.

- (2) Where this regulation applies and the relevant distributor—
 - (a) has failed to give to the customer prior notice of not less than the prescribed period, stating the day upon which the supply is or is expected to be discontinued; or
 - (b) discontinues the supply on a day other than a day stated in the notice,

the relevant distributor shall, except in any of the circumstances described in paragraph (3), pay to the customer the prescribed sum.

- (3) The circumstances described in this paragraph are—
 - (a) each of the circumstances described in paragraphs (3), (6) and (7) of regulation 17; and
 - (b) that the relevant distributor has not received a claim for compensation from the customer in respect of the failure referred to in paragraph (2) within a period of one month from the applicable date.

(4) In this regulation “authorised purpose” means testing or any other purpose connected with the carrying on of the activities which he is authorised by his licence to carry on in relation to his electric lines and electrical plant (other than the relevant distributor’s fuse).

Voltage complaint

- 8.—(1) This regulation applies where a relevant distributor is notified by a customer that—
 - (a) the customer believes that the supply to the premises is being or has been given at a voltage outside the limits of the permitted variations; or

(2) Section 19 was amended by section 46 of the Utilities Act 2000.

(b) an event has occurred in relation to the supply and a relevant distributor might reasonably expect the cause of the event to have been a supply given at a voltage outside the limits of the permitted variations.

(2) Where this regulation and paragraph (3) apply, and the relevant distributor fails within the prescribed period from the applicable date to offer to the customer to visit the customer's premises to investigate the matter during a specified time the electricity distributor shall, except in any of the circumstances described in paragraph (5), pay to the customer the prescribed sum.

(3) This paragraph applies where the relevant distributor is reasonably satisfied that he is unable to provide an explanation of the probable reason for the matter notified under paragraph (1) without visiting the customer's premises.

(4) Where this regulation applies and the relevant distributor—

(a) where paragraph (3) applies, fails to visit the customer's premises during the specified time, he shall pay to the customer the prescribed sum; or

(b) where paragraph (3) does not apply, fails to dispatch to the customer an explanation of the probable reason for the matter notified under paragraph (1) within the prescribed period from the receipt of the notification, he shall pay to the customer the prescribed sum,

except in either case in any of the circumstances described in paragraph (5).

(5) The circumstances described in this paragraph are each of the circumstances described in regulation 17 provided that, in relation to paragraph (6) of that regulation, the relevant distributor gave the customer not less than one working day's prior warning (whether or not in writing) that he would be unable to visit during the specified time or the circumstances in which that paragraph applied occurred at a time when it was not reasonably practicable to give such a warning.

(6) In this regulation, "permitted variations" has the same meaning as in regulations made under section 29 of the Act(3).

(3) Section 29 was amended by paragraph 30 of Schedule 6 to the Utilities Act 2000.