

- (b) The surcharge of 0.01cent for each unit of electricity consumed referred to in paragraph (a) shall be increased or decreased in respect of units consumed after the 30th September, 2003 in the following manner:
- (i) By the amount of 0.1029 cents per unit for every \$1.00 per barrel increase/decrease in the price of automotive diesel oil above or below \$30.00 per barrel;
 - (ii) By the amount of 0.0859 cents per unit for every \$1.00 per barrel increase/decrease in the price of Bunker ‘C’ fuel on above or below \$20.00 per barrel.
- (c) A “True Up” adjustment shall be made to the fuel surcharge each year, beginning with bills rendered on the 1st November of each year, by adding or subtracting, as appropriate, an amount equal to the difference between actual fuel cost and fuel cost recovered during the immediately preceding period of twelve months commencing 1st October divided by the estimated number of units to be sold during the ensuing year commencing 1st November, each year.

SI 105/1972
SI 10/1974

**ELEUTHERA POWER AND LIGHT COMPANY
LIMITED REGULATIONS**

(SECTION 60)

[Commencement 15th May, 1972]

Title.

1. These Regulations may be cited as the Eleuthera Power and Light Company Limited Regulations.

Interpretation.

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

“area of supply” means the area specified in the franchise granted to the Licensed Undertaker under the Out Islands Electricity Act;

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“contractor” means an electrical contractor holding a general licence issued under any Rules made pursuant to the Electricity Act;

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“Electrical Code” means Part I of the Canadian Electrical Code of the Canadian Standards Association for the time being in force and as amended from time to time;

“Licensed Undertaker” means the Eleuthera-Electricity Company Limited.

“the Rules” means the Electricity (Out Islands) Rules;

“Unit” means a unit of electrical energy equal to one kilowatt hour.

3. Electricity shall be supplied within the area of supply to all applicants for the same who agree to pay the prescribed rates and charges and who agree to comply with the terms and conditions fixed by the Licensed Undertaker.

4. (1)(a) Overhead services within sixty feet of existing and available low voltage overhead power lines shall be provided free of charge.

(b) The cost of providing overhead services or extensions beyond sixty feet of existing and available low voltage mains, or overhead services or extensions from existing and available high voltage overhead mains, shall be borne by the applicant, except for the cost of providing a sixty foot low voltage connection.

(c) Where an applicant or a number of applicants require an extension along a public roadway and the anticipated revenue therefrom is estimated by the Licensed Undertaker to be sufficient to provide an adequate return upon the capital outlay, the Licensed Undertaker may, if he sees fit, contribute the whole or any part of the cost of providing such extension, subject to availability of his capital resources for that purpose.

(d) Where underground services are required, the entire cost shall be borne by the applicant.

(e) Wherever possible, free easements shall be granted in writing by any applicant to the Licensed Undertaker in respect of any poles, guys, lines, sub-stations or other works connected with the extension.

(2) All services and extensions shall be constructed by the Licensed Undertaker, by a contractor under contract to the Licensed Undertaker, or, where the Licensed Undertaker deems it necessary, by a contractor under

contract to a third party with his approval. Where it is decided by the Licensed Undertaker to construct an overhead service, the consumer shall be required to provide an approved conduit outlet between the overhead service and his meter board or socket, the position of which shall, in all cases, be determined by the Licensed Undertaker:

Provided that, if the applicant requests the Licensed Undertaker to place the service in another position and no technical objection exists to the alternative position, the service may be so installed if the whole of the additional cost is borne by the applicant.

(3) Normal maintenance of services and extensions installed under these Regulations shall be carried out by the Licensed Undertaker except that repairs arising from wilful damage or gross negligence by third parties shall not be undertaken at the expense of the Licensed Undertaker. Ownership up to the consumer's terminals of all services installed under these Regulations shall be vested in the Licensed Undertaker.

(4)(a) The Licensed Undertaker shall have the right to connect any subsequent consumer to any extension or services installed under these Regulations where this can be effected without any permanent impairment of the supply.

(b) Where the Licensed Undertaker's mains are extended at the expense of an individual consumer for his own personal use and such extension is subsequently used to supply an additional consumer, such additional consumer shall be required to pay half the original cost of the extension to the Licensed Undertaker, and the Licensed Undertaker will refund to the original consumer one half the amount paid by him for the service and extension, provided that the new connection is made within a period of five years from the date of the original extension. No further refund will be made thereafter in respect of any other additional connections made.

(c) Where the Licensed Undertaker extends his distribution system at his own expense he may make a *pro rata* charge to each consumer connecting to the extension whether or not the mains are existing at the time of the application.

(5) A consumer shall not interfere with the meter or other equipment provided by the Licensed Undertaker and he shall be responsible for any damage resulting from unauthorised interference therewith.

(6) The Licensed Undertaker shall be responsible in accordance with the terms and conditions of supply and not otherwise.

(7) When the Licensed Undertaker replaces a consumer's fuses at his own request a charge of two dollars and fifty cents will be made for this service. The Licensed Undertaker reserves the right to refuse to attend private calls which are not his responsibility and are not of an urgent nature.

(8) A charge of two dollars and fifty cents may be made by the Licensed Undertaker for —

- (a) the taking of a special meter reading at the consumer's request;
- (b) the turning on or turning off of the supply of electricity; and
- (c) the connection or disconnection of any temporary service.

5. (1) Application for the supply of electricity shall be made in writing on the Licensed Undertaker's official "Application for Supply" forms. Applications shall be made in respect of either —

Application for
supply of
electricity

- (a) new installations;
- (b) existing installations; or
- (c) additions or modifications to existing installations.

(2)(a) A specification in duplicate of every proposed installation shall be submitted to the Licensed Undertaker for approval, on the official form to be supplied by the Licensed Undertaker. If the specification is approved, the duplicate copy shall be returned to the contractor or electrician, who may then proceed with the installation; and who shall be responsible for completing it in accordance with the specification and with these Regulations.

(b) On completion of the installation, the contractor or electrician shall submit a test notice requesting inspection by the Licensed Undertaker.

(c) Application for the supply of electricity shall be made by the owner or occupier of the premises in respect of which the installation has been completed. Connection to provide a supply of electricity shall in all cases be subject to the acceptance by the Licensed Undertaker of the installation and to the completion of a Supply Agreement between the applicant and the Licensed Undertaker. The Licensed Undertaker may, at his discretion, require the applicant to pay a deposit, not exceeding the estimated cost of one quarter's consumption (as estimated by the Licensed Undertaker) together with a sum to cover the proper care and maintenance of meters and other fixtures installed by him on the consumer's premises, before a connection supplying electricity is made.

(3) Application for supply of electricity in respect of premises which have previously been connected shall be made in the manner herein prescribed, but a connection to supply electricity shall be conditional upon —

- (a) the installation in such premises having been carried out in accordance with these Regulations, and
- (b) such installation not having deteriorated beyond the limits considered as safe by the Licensed Undertaker:

Provided further that paragraph (2)(c) of this regulation shall also apply in the case of existing installations.

(4) Additions to existing installations shall be treated as new installations.

Rates and charges

6. The rates and charges for electricity supplied to a consumer shall be in accordance with the published tariffs of the Licensed Undertaker for the time being in force with the approval of the Minister.

Measurement and assessment of charges for electricity supplied

7. (1) Electricity supplied to a consumer shall be measured by means of a meter or meters supplied and fixed by the Licensed Undertaker:

Provided that in the cases of street lighting and of temporary connection for not more than one week's duration, metering may be dispensed with and the amount or value of energy consumed shall be assessed and charged in accordance with the published tariffs.

(2) The registration of all meters shall be *prima facie* evidence of the energy consumed.

(3) If a meter for any reason ceases, omits or otherwise fails to register the amount of electrical energy consumed during any period not exceeding three months, the consumer concerned shall pay in respect of the energy supplied during such period of meter failure a reasonable sum based on the amount of consumption by such consumer ascertained by comparison with similar periods.

(4) If a consumer disputes the readings of a meter he may on giving notice in writing secure a test of the meter by the Licensed Undertaker. If upon such test being made the mean inaccuracy of the meter is found to be greater than two and one-half per centum, then the expense of such testing shall be defrayed by the Licensed Undertaker and the consumer's account for the month or quarter (according to whether the account is rendered monthly or quarterly) in which the accuracy was disputed shall be amended so as to correct the inaccuracy found. If the mean inaccuracy of the meter is found to be less than two and one-half per centum, the consumer who disputed its accuracy shall be charged a fee of five dollars to defray the testing expenses incurred. For the purposes of this regulation, "mean inaccuracy" means the average error of the meter in question observed at one-quarter, one-half, three-quarters and full load.

(5) The Licensed Undertaker shall not be responsible for excess consumption of electrical energy resulting from faulty installations, or waste or other similar neglect on the part of a consumer. The Licensed Undertaker may, at the consumer's request and subject to his payment of the expense thereof, assist the consumer's licensed contractor in the carrying out of tests necessary to ascertain the reason for any excess consumption of electrical energy.

8. (1) Accounts for electricity consumed and for other charges due to the Licensed Undertaker shall be rendered monthly or quarterly as the Licensed Undertaker may direct.

Accounts and
collection

(2) Accounts shall be due for payment within twenty one days from the date of issue, after which time they shall be deemed to be in arrear.

(3) Acceptance by the Post Office of a consumer's account or other document addressed to the consumer at the last address notified by him to the Licensed Undertaker shall be deemed to constitute service on the consumer, unless the same is returned by the Post Office within a reasonable period.

(4) Whenever a consumer's account is in arrear the electricity supply may be disconnected without further notice, and may only be reconnected when all amounts due to the Licensed Undertaker, together with a reconnection fee of fifteen dollars, have been paid.

(5) When a consumer or his agent assumes responsibility for the energy consumed in more than one premises, all such premises shall be liable for disconnection whenever the account for electricity supplied to any one of the premises is in arrear.

(6) Money due to the Licensed Undertaker shall be recoverable by the ordinary processes of the courts.

Access to
premises.

9. A consumer shall give to duly appointed employees of the Licensed Undertaker access to his premises between the hours of 8:00 a.m. and 9.00 p.m. and in an emergency at all times for the purpose of inspecting or reading the meter and for other purposes connected with the supply of electricity.

Vacation of
premises.

10. A consumer shall give three working days notice in writing to the Licensed Undertaker before vacating his premises in order to permit the electricity meter to be read and final accounts rendered. Where a consumer fails to comply with this requirement he shall be liable for payment in respect of all electricity consumed subsequent to the last regular meter reading.

Discontinuation
of supply.

11. The Licensed Undertaker may discontinue the supply of electricity at any time for the purpose of repairs, tests or other essential work and where possible will advise consumers in the area or areas affected by the publication of a notice.

Conditions of
supply.

12. (1) All persons residing within the area of supply shall enjoy equal rights in respect of obtaining a supply of electricity.

(2) Electrical energy shall be supplied by the Licensed Undertaker upon condition that the same is not resold by the consumer. Sub-metering by landlords of rented premises shall not be permitted.

SCHEDULE OF RATES AND CHARGES

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TARIFF “A” - GENERAL SERVICE: SMALL CONSUMERS

For electrical energy supplied to residential, commercial and industrial consumers, the maximum demand of which does not exceed 10 kw —

- (a) All kWh consumed per month at \$0.10 per kWh.
- (b) A minimum monthly charge of \$3.00.

TARIFF “B” - GENERAL SERVICE: LARGE CONSUMERS

For electrical energy supplied to residential, commercial and industrial consumers, the maximum demand of which exceeds 10 kWh —

- (a) A charge of \$5.00 per kw of maximum demand on monthly reading, billed at the highest demand for the following eleven months.
- (b) The first 20,000 kWh per month at \$0.085 per kWh.
- (c) The next 20,000 kWh per month at \$0.080 per kWh.
- (d) The next 20,000 kWh per month at \$0.075 per kWh.
- (e) In excess of 60,000 kWh per month at \$0.070 per kWh.

TARIFF “C” - LARGE CONSUMERS WITH STANDBY GENERATION CAPACITY UNDER 500 KW

- (a) Tariff “C” is applicable to consumers whose monthly demand exceeds 10 kW, having permanently installed standby generating facilities with a capacity of less than 500 kW but sufficient to meet the consumer’s maximum peak load and designed to operate in parallel with the Company’s system; provided that the consumers agree to —
 - (i) maintain such facilities in good condition;
 - (ii) operate the same when requested to do so by the Company as a result of failure of Company’s equipment due to casualty or similar cause;
 - (iii) make available to the Company any power in excess of the consumer’s needs during such period of operation.

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- (b) Charges under Tariff “C” shall be calculated in accordance with the rates set forth with respect to Tariff “B”, less a monthly discount of 22% applicable to charges otherwise payable, provided, however, that the minimum consumption charges shall be not less than \$0.070 per kWh.

**TARIFF “D”;
TARIFF “E”**

Additional tariffs that may be determined in respect of consumers having permanently installed standby generating facilities with a capacity in excess of 500 kw and who agree to the provisos as in Tariff “C” (a) above, or whose character of service merits special consideration of the Company with the agreement of the Minister.

FUEL PRICE ADJUSTMENT

The energy charges in Tariffs “A”, “B”, “C”, and “E” shall be increased or decreased by \$0.001 per kWh for each \$0.01 U.S. Gallon, or major part thereof, increase or decrease in the delivered cost (after refund of customs duties, etc.) of diesel fuel at the Company’s main generating plant at Rock Sound, Eleuthera above or below \$0.20 per U.S. Gallon.

DEVELOPMENT SURCHARGE

Pursuant to the Agreement between the Company and the Government, a temporary surcharge at the rate of \$0.02 per kWh will be imposed on all consumers in areas north of Island Inn.

STREET LIGHTING

250 watt incandescent	\$80.00 per light per annum
175 watt mercury vapour	\$80.00 per light per annum
100 watt mercury vapour	\$75.00 per light per annum.