



SIMPLIFIED LEGAL *And* REGULATORY GUIDE:

**Nigerian Electricity Regulatory Commission
(NERC) (Connection and Disconnection
Procedures for Electricity Services) Regulations,
2007**





CONTENTS

Overview

Enabling Law

Objective(s)

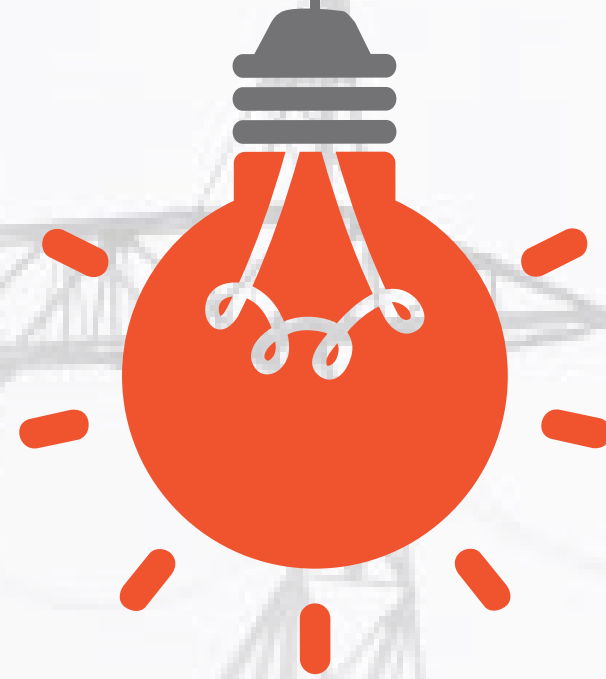
Key Provisions

Key Stakeholders

Pricing and Tariffs

Incentives and Investment Opportunities

Sanctions and Penalties



OVERVIEW

**Nigerian Electricity Regulatory
Commission (NERC) (Connection and
Disconnection Procedures for Electricity
Services) Regulations, 2007**



The Nigerian Electricity Regulatory Commission's (NERC) Regulation on Connection and Disconnection Procedures for Electricity Services ("the Regulation") was introduced on the 20th of December, 2007¹ as a regulatory framework which provides guidelines regarding connection and disconnection procedures applicable to Customers and the Distribution Companies (DisCos) regarding the supply of electricity. The Regulation contains a total of fourteen (14) sections.

The Glossary of Terms referenced in this guide can be found in the main Regulation² and in our [Glossary of Industry Terms](#).



NERC is empowered by the Electric Power Sector Reform Act, 2005 (EPSRA)³, as the major agency with the responsibility of formulating regulations, to facilitate the implementation and enforcement of the provisions of the Act. NERC is vested with the authority to develop regulations relating to areas of administration, licensing, market structure, connection, and disconnection procedures, pricing, and tariffs, etc.⁴The Regulation for the Connection and Disconnection Procedures for Electricity Services is one of many Regulations formulated within the ambit of the NERC's powers. [Please refer to EL's guide on the Electricity Act.](#)



OBJECTIVE

**Nigerian Electricity Regulatory
Commission (NERC) (Connection and
Disconnection Procedures for Electricity
Services) Regulations, 2007**

OBJECTIVE



The primary objective of the Regulation is:

- To provide guidelines for connection and disconnection procedures in the Nigerian electricity supply industry.



KEY PROVISIONS

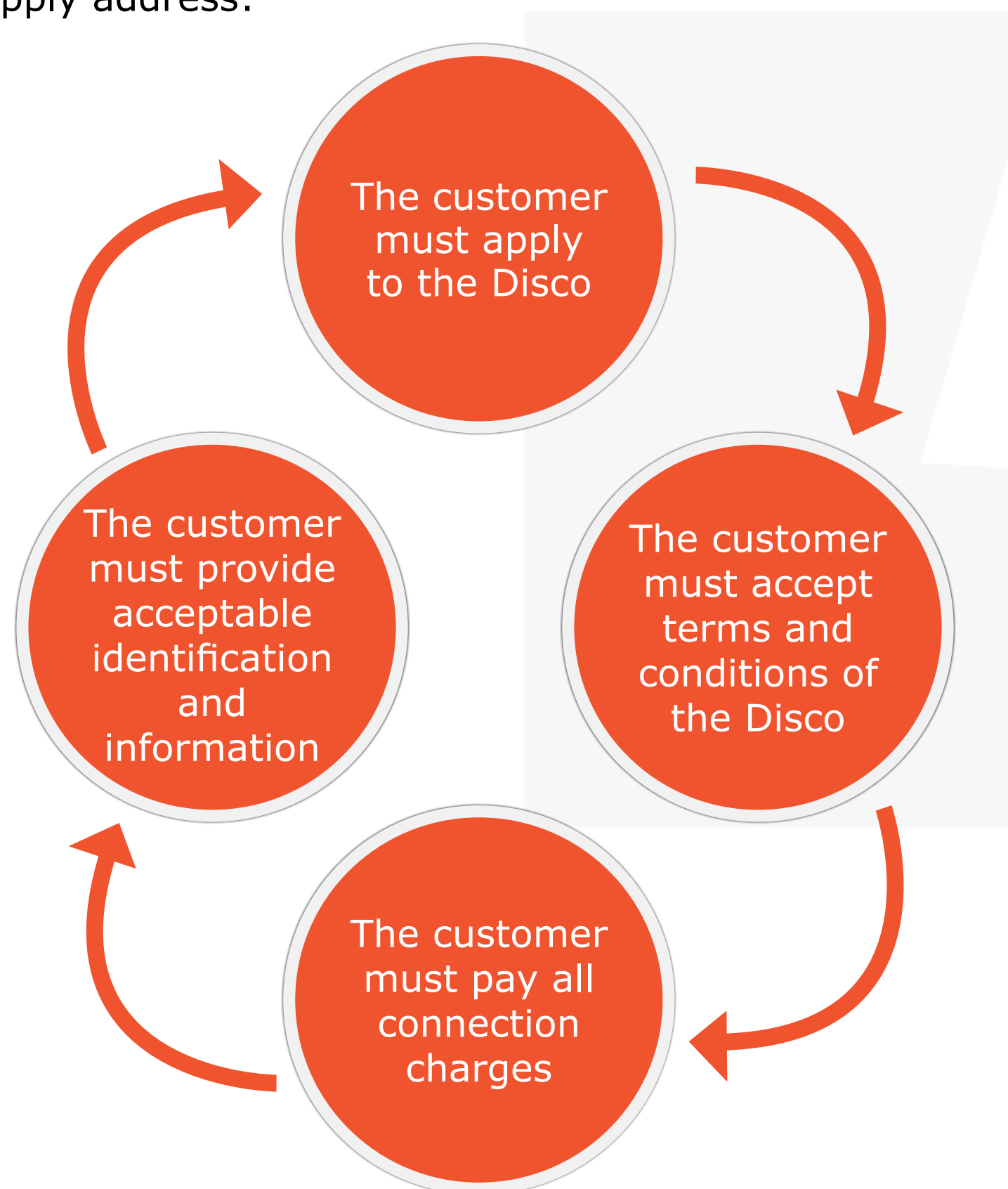
**Nigerian Electricity Regulatory
Commission (NERC) (Connection and
Disconnection Procedures for Electricity
Services) Regulations, 2007**

KEY PROVISIONS



Supply of Electricity to an existing Electricity Supply Address.⁵

When a customer desires electricity supply to an existing supply address:

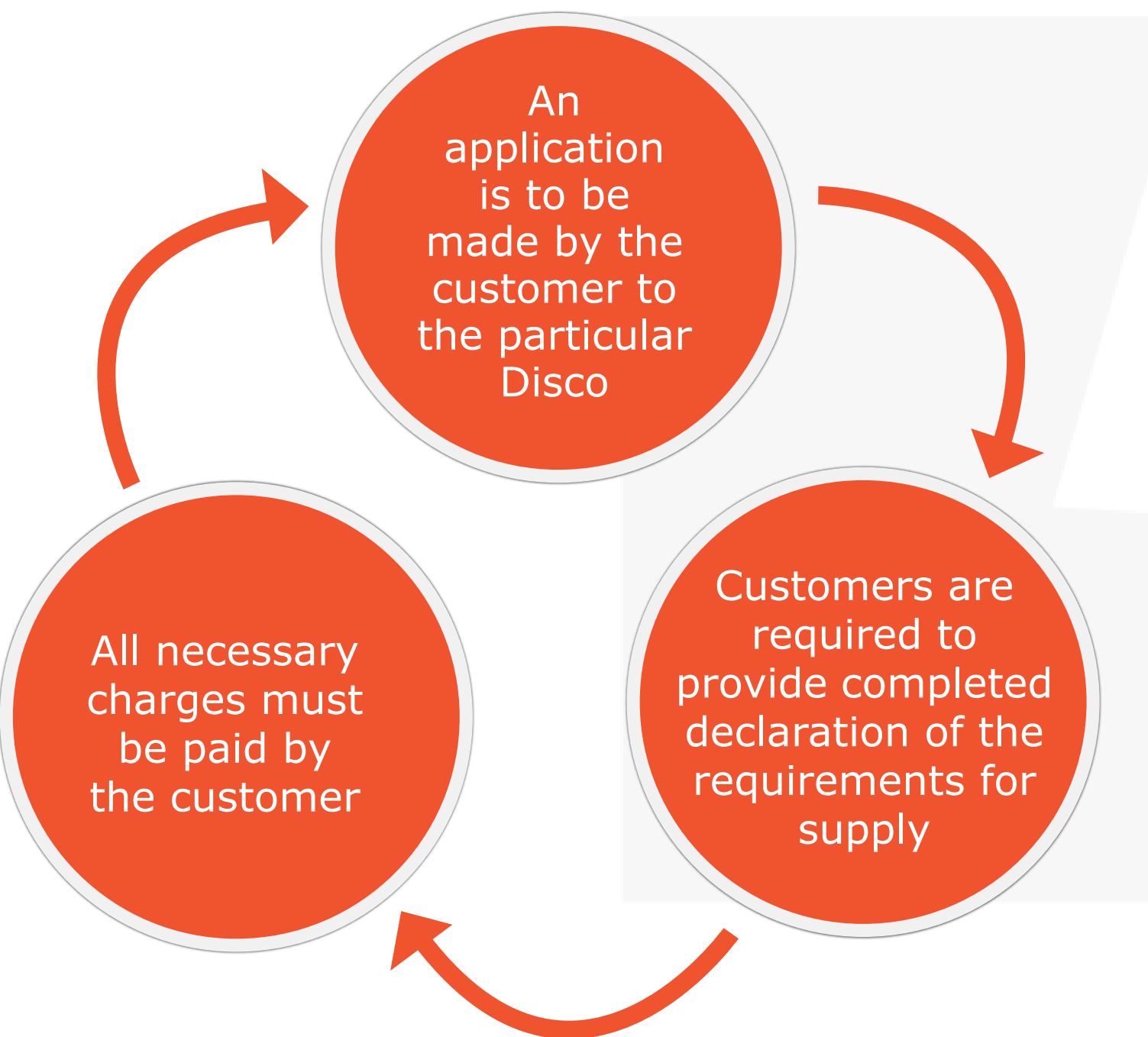


Obligation of the DisCo to Connect existing Electricity Supply

The Regulation mandates the DisCo to provide its customer with its terms and condition of electricity supply in written form as approved by the Commission. A DisCo is also expected to connect the Customer's supply address as soon as practicable but not later than forty-eight (48) hours after the Customer puts forward an application for connection. The DisCo is to ensure that all future Electricity Bills for the address are issued in the name of the Customer unless where otherwise agreed by the DisCo with the Customer.⁶

New Connections⁷

If a customer desires to obtain electricity supply from a DisCo to a premises where there is no connection to the distribution system:



DisCos Obligation to Connect New Electricity Supply⁸

DisCos must make appointments with customers as regards installation of meters and electricity supply connections

The connection must comply with the technical standards of the Commission

DisCos must provide customers the terms and conditions of supply in writing.

Future electricity bills would be issued in the customer's name unless the parties agree otherwise

Disconnection of Electricity Supply

The regulation allows a DisCo to disconnect supply to a Customer's address when the Customer has not paid the correct amount billed to that supply address by the stipulated payment date. Disconnection of electricity supply is only permissible under the following circumstances:



- If the date for payment was expressly stated in the bill.
- If the date for payment is ten (10) days after the date of delivery of the bill.
- The period between the date for payment and the date for disconnection is not less than three (3) months.

It should be noted that a bill that corrects a previous inaccurate bill should have a payment date with is at least ten (10) working days from the delivery date of the correct bill to the supply address of the Customer or any other address that is acceptable to the DisCo.⁹

Conditions for Disconnection

The Regulation specifies certain conditions under which the DisCo may disconnect a Customer's electricity supply.

The DisCo may disconnect the Customer's electricity supply without notice in the following instances:¹⁰

- When the Customer is connected to the distribution network illegally

- Where the DisCo considers the Customer's connection dangerous to the health and integrity of the network or the quality of supply to other Customers

- Where due to the Customer's act of omission, a meter located in the customer's premises is inaccessible to be read for a period of three (3) consecutive bills.

However, the disconnection is subject to stipulated conditions which include¹¹:

DisCo has informed the customer in writing or telecommunications about meter inaccessibility

1

DisCo requests customer to provide access arrangement

2

If customer fails to provide access arrangement as requested, the DisCo is to give the customer a written warning that if his refusal persists after 10 working days, his connection to electricity supply will be disconnected.

3



Customers Right to request Disconnection

The Regulation grants the Customer the right to request for a disconnection of electricity supply to the premises, by the Disco. The Disco must disconnect the electricity supply in accordance with the request of the Customer in so far as the Disco has conducted investigation to the effect that prior consent of occupants of the premises had been obtained. After disconnection, the Disco relinquishes all right to bill the Customer provided the Customer does not cancel the request.¹²

Prohibition of Disconnection of Electricity Supply

The regulation prohibits the to the Disco from disconnecting a Customer's supply of electricity on grounds of non-payment:¹³

when the customer has paid his electricity bills

where the customer has agreed with the Disco on the amount

when the customer makes a complaint in accordance with the Customer Complaints Procedure Regulations and it is unresolved

when the amount owed by the customer is less than the value of his one (1) month usage.

when the customer has not paid charges relating to the sale of energy

It should be noted that a Disco cannot disconnect electricity supply to any premises where it is aware that a life support machine is in use.¹⁴



Reconnection of Supply

DisCos must reconnect electricity supply within the period stipulated in the Consumer Service Standards of Performance Regulation, in the following circumstances:

- When a Customer who has been disconnected for non-payment of electricity bill pays all the distribution company charges approved by the Commission or when the customer enters into an acceptable arrangement with the DisCo.
- Where a Customer who has been disconnected for non-payment is eligible for assistance under the Power Consumer Assistance Fund (PCAF) or, some other Customer welfare mechanism that is approved by the Commission and the Customer has applied for the assistance.
- When a Customer who has been disconnected for theft or for illegal connection to the distribution network formalizes his electricity supply arrangement to the satisfaction of the Disco and pays all the charges due to the Disco as approved by the Commission or enters into an acceptable payment arrangement.
- Where a Customer who has been disconnected on the ground that his electrical installation constitutes a danger to the health and integrity of the distribution network rectifies the problem that is associated with the installation and the installation is subsequently certified with the appropriate authority in accordance with the Company's requirement and approved by the Commission.
- Where a customer who has been disconnected for failure to provide access to the meter in his premises provides access or makes reasonable access arrangement and pays necessary reconnection fee approved by the Commission.
- Where the Customer who has been disconnected for failure to provide acceptable identification or for failure to pay security deposit provides suitable identification and pays a security deposit and the reconnection fee approved by the Commission.¹⁵



KEY STAKEHOLDERS

Nigerian Electricity Regulatory
Commission (NERC) (Connection and
Disconnection Procedures for Electricity
Services) Regulations, 2007

KEY STAKEHOLDERS



Nigerian Electricity Regulatory Commission


The primary agency for the supervision and control of the Regulations as specified in the EPSRA is NERC. The Commission was established as a corporate body to regulate the generation, transmission, distribution of electricity in Nigeria through promoting efficiency in industry and market structures, regulating prices, and ensuring safety in the production and delivery of electricity.¹⁶ NERC is vested with the responsibility of monitoring and overseeing connection and disconnection procedures for electricity services to facilitate competition and prevent abuse of market power. In its process of monitoring operations of connection and disconnection procedures, the Commission is entitled to request for information from Customers and the DisCos. Where NERC determines that there has been an abuse of market power, NERC is vested with the power to issue cease orders and levy.¹⁷ The Commission may amend or repeal the provisions of the Regulation periodically. In addition, the Commission may make Orders as may be necessary in the public interest and it may adopt a procedure that is not consistent with the Regulations if it is expedient to do so.¹⁸

The background of the slide features a faint, dark silhouette of a high-voltage power transmission tower, also known as a pylon, which is a lattice structure. It is positioned centrally and extends from the bottom towards the top of the frame, serving as a thematic backdrop for the text.

PRICING AND TARIFFS

**Nigerian Electricity Regulatory
Commission (NERC) (Connection and
Disconnection Procedures for Electricity
Services) Regulations, 2007**

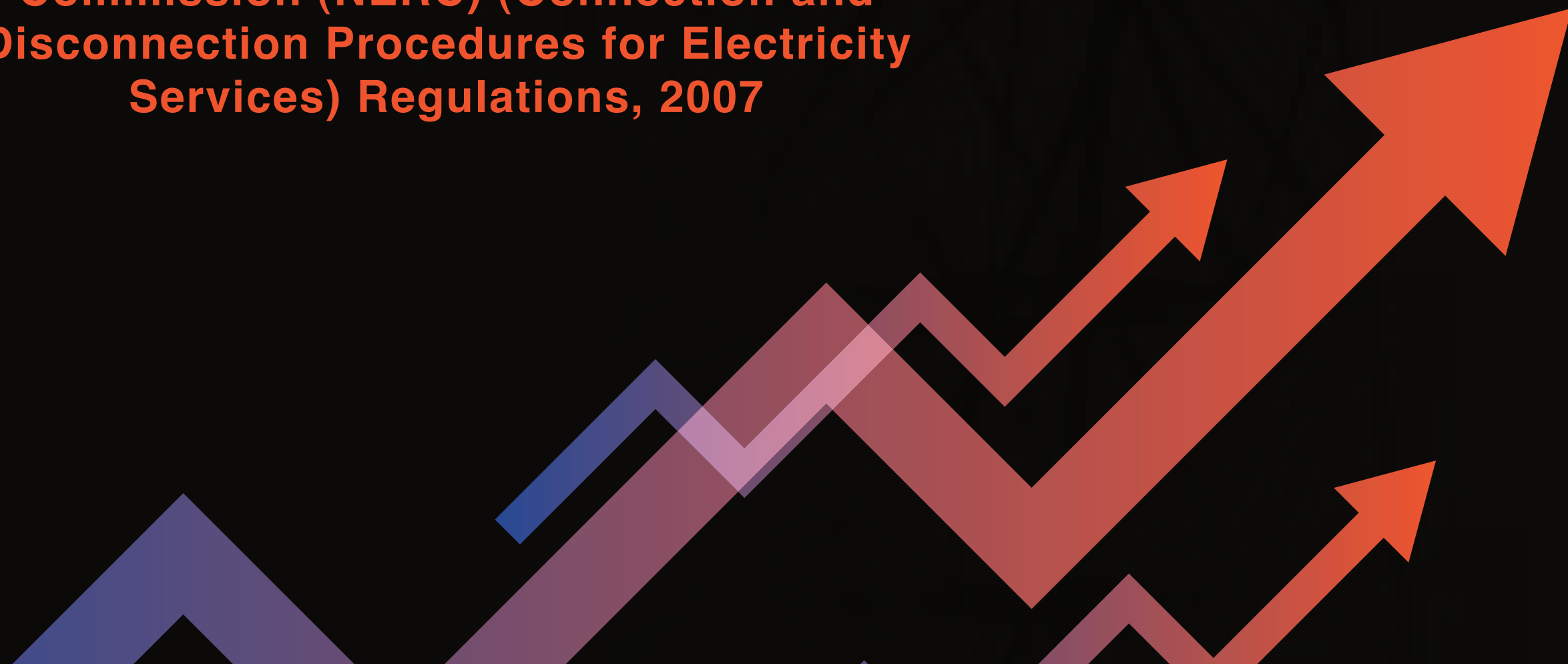
PRICING AND TARIFFS

A large, stylized illustration of a lightbulb is positioned on the left side of the slide. The lightbulb is orange with a grey base and a black filament. It is surrounded by several grey, rounded rectangular shapes that resemble light rays or reflections. The lightbulb is hanging from a thin black line that extends from the top of the slide.

Due to the nature of the provisions of the Regulation, it does not specifically provide for pricing and tariff.

INCENTIVES AND INVESTMENT OPPORTUNITIES

Nigerian Electricity Regulatory
Commission (NERC) (Connection and
Disconnection Procedures for Electricity
Services) Regulations, 2007



INCENTIVES AND INVESTMENT OPPORTUNITIES



The Regulation does not contain any opportunity for investment, due to the nature of its provisions.



SANCTIONS AND PENALTIES

**Nigerian Electricity Regulatory
Commission (NERC) (Connection and
Disconnection Procedures for Electricity
Services) Regulations, 2007**

SANCTIONS AND PENALTIES



The Regulation specifies that where a DisCo disconnects electricity supply to a Customer's premises in violation of the Regulation, the DisCo will be adjudged for committing an offence and is liable on conviction to pay the Customer a penalty for each, or part of a day that the supply is wrongfully disconnected.²⁰



Referenced Statutory Instruments

- Nigeria Electricity Regulatory Commission Customer Complaint Procedure (2006).
- Nigeria Electricity Regulatory Commission Customer Service Standard of Performance (2007).

Endnotes

1 Nigerian Electricity Regulatory Commission Connection and Disconnection Procedures for Electricity Services Regulations, No.41 of 2007
2 NERC, NERC Official website, available at https://nerc.gov.ng/index.php/library/documents/func-download/38/chk,b40d2309472df9ca8cfa132278af18606/no_html,1/
3 NERC, Electric Power Sector Reform Act (EPSR), 2005. Available at [https://nerc.gov.ng/index.php/component/remository/Regulations/Electric-Power-Sector-Reform-Act-\(EPSR\)-2005/?Itemid=591](https://nerc.gov.ng/index.php/component/remository/Regulations/Electric-Power-Sector-Reform-Act-(EPSR)-2005/?Itemid=591)
4 See Section 96 Electric Power Sector Reform Act (EPSRA), No. 6 LFN 2005
5 Section 1
6 Section2
7 Section 3
8 Ibid
9 Section5
10 Section 6
11 Section 6
12 Section 8
13 Section 10
14 Section 10
15 Section 12
16 Sections31-61 of the EPSRA
17 Section 82 of the EPSRA
18 Section 82 of the EPSRA
19 Section 11
20 Section 11

DISCLAIMER

This document titled the “Simplified Legal and Regulatory Guide” of the referenced country is not expected to form the basis of, or be construed as standard legal advice; nor should any of its contents and representations be strictly relied upon for any activities. Electricity Lawyer (EL) will not be liable for decisions whatsoever that are made based on the contents of the document.

For Enquiries and/or Advisory Services, kindly reach out to us at our e-mail address: ask@electricitylawyer.com

For Research and Insights, kindly reach out to us at our email address: insights@electricitylawyer.com

For Training and Capacity Building, kindly reach out to us at our email address: trainings@electricitylawyer.com



ELECTRICITY
LAWYER