

Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
San Miguel Avenue, Pasig City



**RESOLUTION NO. 11**, Series of 2009

**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.

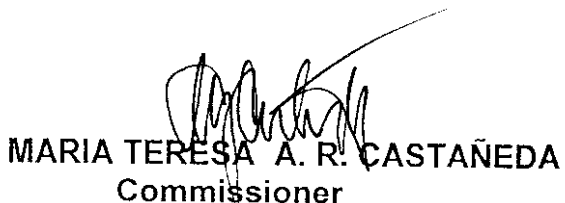
This Resolution shall take effect on the fifteenth (15<sup>th</sup>) day following its publication in a newspaper of general circulation in the country.

Pasig City, May 25, 2009

  
ZENAIDA G. CRUZ-DUCUT  
Chairperson

  
RAUF A. TAN  
Commissioner

  
ALEJANDRO Z. BARIN  
Commissioner

  
MARIA TERESA A. R. CASTAÑEDA  
Commissioner

  
JOSE C. REYES  
Commissioner

Republic of the Philippines  
**ENERGY REGULATORY COMMISSION**  
San Miguel Avenue, Pasig City

**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 I**

**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' interests 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.

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### 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

|                                       |   |
|---------------------------------------|---|
| <b>Act</b>                            | Republic Act No. 9136, otherwise known as the Electric Power Industry Reform Act of 2001.   |
| <b>Billing Month</b>                  | The elapsed time between two (2) succeeding meter readings, at least twenty eight (28) days apart but not to exceed thirty one (31) days.   |
| <b>Distribution Utility (DU)</b>      | 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. |
| <b>DSOAR</b>                          | Distribution Services and Open Access Rules promulgated by the ERC under Resolution No. 01, Series of 2006, as may be amended.  |
| <b>Elevated Metering Center (EMC)</b> | 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.   |
| <b>EMC Service Drop</b>               | 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.  |
| <b>Energy Regulatory Commission (ERC)</b> | The independent and quasi-judicial regulatory agency created under Section 38 of the Act.  |
| <b>Line Loss</b>                          | 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.                                    |
| <b>Magna Carta</b>                        | Magna Carta for Residential Electricity Consumers including the Guidelines to Implement the Magna Carta issued by the ERC and any amendments thereto.  |
| <b>Other Elevated Service</b>             | 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.                           |
| <b>Service Drop</b>                       | 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

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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.**

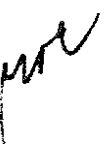
### **2.2.4 Habitual pilferer**

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 total registered kilowatthour consumptions of the consumers in the area exceeds the allowable system loss cap of a DU.

### ARTICLE III

#### REQUIREMENTS AND PROCEDURES

##### 3.1 Cost of installations or relocations

The cost of installations and relocations shall be borne as follows:

- 3.1.1 For existing consumers whose meters are to be relocated to EMC installations or for existing individual consumer whose meter is to be relocated to other elevated service, the DU shall shoulder the cost of relocation including the costs of service drop wires and all necessary protective accessories coming from the EMC frames down to the old metering point or to the point where the metering location would have been placed had the consumer not been in an EMC area;
- 3.1.2 For relocation falling under Article 2.2.5 hereof, the DU and the consumer shall equitably bear the costs, based on the market value at the time of purchase, of the service drop wires and all necessary protective accessories coming from the EMC frames down to the point where the metering location would have been placed had the consumer not requested for the elevation thereof. However, the DU may opt to bear all the costs.

The consumer shall have the right to select his/her material and accessory vendor, provided that such material and accessory adhere to the applicable minimum technical standards. For purposes of commencing the procurement of the service drop wires and all necessary protective accessories, the consumer shall present a procurement invoice to the DU indicating the amount of said material and accessories. However, the consumer may opt to advance the costs of the service drop wires and all

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necessary protective accessories, subject to immediate refund by the DU of its equitable share thereof upon presentation of proof of purchase.

- 3.1.4 For new consumers applying for service connections in areas served through EMCs, the DU shall shoulder the cost of the service drop wires from the EMC down to the point where the metering location would have been placed had the consumer not been in an EMC area. It is understood that these new consumers have complied with the requirements for new electric service connection.
- 3.1.5 For a new consumer whose meter is to be installed in an elevated service, the DU shall shoulder the cost of the service drop wires and all necessary protective accessories from the meter down to the point where the metering location would have been placed had the consumer not fallen in any of the acceptable circumstances enumerated in Article II hereof.
- 3.1.6 No other charges shall be required by the DU for new consumers applying for service connections in areas served through EMCs or for a new consumer whose meter is to be installed to an elevated service, other than those approved by the ERC.

**3.2 Operating procedures**

- 3.2.1 Unless duly approved by the Commission, the length of the service drop wires shall not be more than one hundred thirty (130) meters from the EMC or other elevated service to the point where the metering location would have been placed had the consumer not been in an EMC area or in other elevated service.
- 3.2.2 The DU shall maintain the usefulness including the replacement of the service drop wires from the EMC or other elevated service down to the point where the metering location would have been placed had the consumer not been in an EMC area or in other elevated service.
- 3.2.3 The DU shall conduct regular inspection of the service drop wires in all areas served through EMCs or other elevated service. The DU shall immediately remove any wiring connection found tapped on the service drop wire without the consent by the consumer concerned. If, by reason of such unauthorized connection, it resulted to drastic increase in consumer's kilowatthour consumption, the difference in the average kilowatthour consumption of such consumer for the past six (6) months prior to the discovery shall be borne by the DU.
- 3.2.4 The DU shall not install more than thirty (30) electric meters per EMC frame and not more than ten (10) service drop wires per bundle, if any.

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- 3.2.5 The DU shall, at all times, allow its consumer or authorized representative to witness meter reading and testing. Metering information should be made available to the consumer.
- 3.2.6 Before clustering or actual elevation of the meter/s, the DU must conduct an information campaign/forum in the affected area, or show proof, in case of individual consumer, on why there is a need to cluster or elevate the meter/s and the procedures to be adopted in implementing the same.
- 3.2.7 The DU shall conduct meter readings once every billing month and shall, within two (2) days from such reading, report to the consumer and investigate any abrupt change in kilowatt-hour consumption by a consumer. For all intents and purposes, abrupt change in kilowatt-hour consumption means an increase by one hundred percent (100%) or decrease by fifty percent (50%) of consumption based on the average 12-month consumption immediately preceding the billing month in question.
- 3.2.8 Consumers in other elevated service shall witness the meter readings, or in the absence of such consumers, their appointed representatives shall serve as the default witness to such meter readings.
- 3.2.9 Consumers in EMC areas shall designate a representative/s, or at least two (2) common representatives per EMC frame, who shall witness the meter readings. In the absence of such representative/s, the Barangay Chairman or his/her appointed constituent shall serve as the default witness to such meter readings.
- 3.2.10 The consumer/s' representative/s, or the Barangay Chairman or his/her authorized representative must be duly informed of the conduct of the meter reading on a designated date and time period at least two (2) days prior to the scheduled reading date. The consumers' representatives or the Barangay Chairman or his/her authorized representative shall be informed of the scheduled reading date and time period and any date thereafter, in case of changes in schedule. The DU may proceed with the conduct of meter reading/s on the scheduled date and time in the event the consumer, consumers' representative/s, the Barangay Chairman, or his/her appointed constituent fails to appear, without justifiable reason, at the scheduled reading date and time.
- 3.2.11 In reading the meters, the DU shall use either basket trucks to hoist the meter readers and the consumer/s' representative or use high-resolution digital still or video cameras with zoom-in capabilities to capture the

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- images of the meter/s showing distinctly the registration/s of the said meter/s.
- 3.2.12 If high resolution cameras are used, pictures of the meter showing the registration taken shall be kept by the DU for at least three (3) months after the reading date. In cases where the consumer questions the correctness of the readings, the DU shall allow the concerned consumer access to the meter-reading picture in question.
- 3.2.13 DUs shall issue meter reading cards that will be filled-up monthly by the meter readers with the previous and present month's readings for each meter located at the affected EMC or other elevated service, except when the statement of account for that billing period is issued within two (2) days from such reading date.
- 3.2.14 For consumers' ready reference, the DU shall furnish the Barangay Chairman concerned, within two (2) days from such reading date, the pictures of the meters showing distinctly the registration taken during the reading of the meters on all consumers in EMC area, unless expressly waived by the consumer concerned.
- 3.2.15 The DU shall process requests involving relocation or new connection to an EMC service in a timely manner and shall not give preference or discriminate existing consumers or connection applicants based on the distance between the EMC service and the consumers' or applicant's premises.

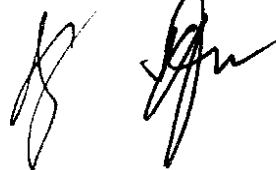
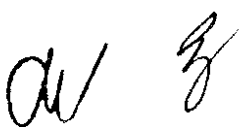
## ARTICLE IV

### TECHNICAL STANDARD

#### 4.1 Minimum technical standards

DUs shall conform with the applicable minimum technical standards set by law, rules and regulations including the Philippine Electrical Code.

- 4.1.1 DUs shall ensure that the consumer's utilization voltage is within the variations set under Chapter 3.2.3.2 and Chapter 3.2.3.3 of the Philippine Distribution Code.
- 4.1.2 The DU shall ensure that the service drop wires shall have an adequate capacity for the load contracted by the consumer pursuant to the minimum



standard set under Article 2.30.2.3(b) of the Philippine Electrical Code and are well insulated for wear and tear endurance.

- 4.1.3 Sagging of service drop wire/s shall not be greater than that allowed by the DSOAR and that clearance requirements set by the Philippine Electrical Code shall not be violated.
- 4.1.4 DUs shall bear the cost in correcting errors in connecting the service drop wires from the meter in the EMC to the premises of another consumer other than the registered consumer. The DU shall immediately correct the billing statement of the affected consumer and the same shall be reflected in the next immediate billing statement.
- 4.1.5 The DU shall ensure that the technical capability of the EMC supporting structure follows good engineering design according to acceptable standards.

## ARTICLE V

### VIOLATION

Violation of any provision of these Rules shall be subject to penalty which the Commission, after giving the DU the opportunity to be heard, may impose in accordance with law.

## ARTICLE VI


### TRANSITORY PROVISIONS

- 6.1. **Refund.** For existing consumers whose meters are already relocated to EMC installations but who bore the expenses in acquiring service drop wires, including all necessary protective accessories, said consumers shall file, not later than three (3) months from the effectivity of these Rules, an application for refund of the costs of such drop wires and all necessary protective accessories, upon presentation of a valid proof of purchase. The amount to be refunded shall be based on the actual amount reflected in the Official Receipt.



- 6.2 **Separability Clause.** If, for any reason, any provision of these Rules is declared unconstitutional or contrary to law, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.
- 6.3 **Repealing Clause.** Provisions of the Magna Carta, rules, regulations, guidelines and other issuances not expressly revised by these Rules shall remain in force and effect.
- 6.4 **Effectivity.** These Rules shall apply prospectively and shall take effect on the fifteenth (15<sup>th</sup>) day following its publication in a newspaper of general circulation in the country.


Pasig City, May 25, 2009

  
**ZENAIDA G. CRUZ-DUCUT**  
 Chairperson

  
**RAUF A. TAN**  
 Commissioner

  
**ALEJANDRO Z. BARIN**  
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