

**REGULATION AND METHODOLOGY FOR CALCULATING AND SETTING THE
ECONOMIC DAMAGE CAUSED FROM THE ILLEGAL INTERVENTIONS ON
THE ELECTRICITY METERING SYSTEM**

FIRST PART

GENERAL PROVISIONS

ARTICLE 1

Purpose of the Regulation

The purpose of this regulation is to define the methodology for calculating the economic damage caused to the Distribution System Operator (DSO) from the illegal interventions in the metering system and the electricity distribution network from the network user connected in the distribution system as well as the procedures followed by the DSO to observe and set the economic damage that will enable minimizing the non-technical losses in the electricity distribution system.

ARTICLE 2

Object

Object of this regulation is the calculation of the economic damage caused by the Distribution System Operator from the:

1. illegal interventions on the metering system, individual meters, which prevent the evidence of the real quantity of electricity consumed by them, from the electricity distribution network users.
2. connection with a second line of supply from the network, unauthorized by DSO, performed by a user that has signed a connection contract with the DSO.
3. unauthorized reconnection of any network user, whose supply is interrupted by the DSO on the request of the user/supplier on DSO initiative.

ARTICLE 3

Legal basis

This regulation and methodology is drafted and approved in conformity with:

- Article 77, point 9 of Law no.43/2015 “On Power Sector”, as amended;
- Point II.8 and II.9 of the Metering Code.

ARTICLE 4

Definitions

All the terms used on this regulation shall have the meaning as follows:

“Distribution System Operator” or **“DSO”** shall mean a legal person, responsible for secure, reliable and effective operation of the distribution network, by ensuring the maintenance and development of the distribution system, extended in a given area and when applicable, its connections with other systems to provide long term ability of the system to fulfill the reasonable requests of electricity distribution, in harmony with the environment and electricity efficiency.

“Network users” are natural or legal persons, which supply or are supplied with electricity from the distribution network

“Electricity distribution network” includes the bus-bars, switching devices and transforming devices in 110/35/20/10 kV substations, and all elements under 110 kV level owned by DSO.

“Metering System” – shall mean complete metering devices, the meter, the automat, metering transformers, protection of the meter and the insulator, the circles and equipment of maintaining the data, equipment for transferring and communicating the data and the necessary cable lines which are part of the active and reactive Electricity metering equipment at the facility.

“Individual box” shall mean the box that protects the meter from moisture, dirt, electromagnetic fields, physical shock secured with a padlock and/or sealed, not to permit the unauthorized interventions.

“Ownership borders” shall mean the Point/points where electricity is withdrawn or injected between the Distribution System and the installation of the user which are defined by the DSO and the User at the connection agreement.

“End-use Customer” shall mean the customer that purchases electricity only for personal use.

All the terms and definitions used on this regulation, defined on Law no. 43/2015 “On Power Sector”, as amended, shall have the same meaning on this regulation.

SECOND PART

PROCEDURE OF OBSERVING THE INTERVENTIONS AT THE ELECTRICITY METERING SYSTEM

The rights and obligations of the DSO

In conformity with the rights and obligations defined on Law no. 43/2015 “On Power Sector” as amended as well as the conditions and terms of the license for the distribution activity issued by ERE, the Distribution System Operator shall have the right and the responsibility to exercise control for the implementation of the respective legislation regarding the administration and use of the electricity network;

1. DSO representatives shall have the access right to the properties and/or buildings of the citizens to control the well - functioning of the distribution network and the metering system, at the presence of the network users.
2. DSO, is responsible for ensuring, installing and maintenance of the metering system and the metering at the borders where the network Users are connected with the Distribution System.

ARTICLE 6

Authorization of the working groups

Control of the metering system and of the distribution network to evidence the cases of illegal interventions in the distribution network according to the definitions of Article 2, is performed by the control groups equipped with a special authorization and under DSO logo.

ARTICLE 7

Exercising the controls

1. DSO exercises controls for the verification of the metering system and the electricity distribution network, in any case there are the data or reasonable doubts for illegal interventions, that might have caused or may cause economic damage;
2. Exercising DSO activity for the control and verification of the metering system and the electricity distribution network according to the definitions of article 2 of this regulation shall be in full compliance with the provisions of this regulation and other legal and by-legal acts that regulate the relation of the users in the distribution network with the DSO.

ARTICLE 8

Control documentation

1. In case of exercising the control according to the provisions of article 7.1 of this regulation, DSO, not less than 48 hours, shall inform in priority the Supplier for the control that shall be performed at the electricity metering system of the network user with which has a supply contract and the time when this will be performed.
2. The prior notification is inapplicable on cases provided on point 2 of this regulation.
3. At any case DSO documents by a minute of “Standard” assessment approved by the DSO, the observed damage, accompanied with the evidence of the identified violation.

4. In any case, the DSO shall realize the visual images through cameras in accordance with the Law on Personal Data Protection.
5. In any case it is necessary that during the control process the DSO shall ensure the laboratory evidences which are expressed with the verification results of the electricity meter.
6. During exercising the control it is necessary the presence of the network user or law enforcement bodies.

THIRD PART

METHODOLOGY FOR CALCULATING THE ECONOMIC DAMAGE

ARTICLE 9

Calculating the economic damage

1. The economic damage shall be the counter value in ALL of the electricity quantity expressed in kwh active energy, required from the DSO to the network users, which represents the electricity consumed without the authorization of this last one mentioned.
2. Calculation of the electricity quantity required from the DSO to the network user shall be based on Annex 1 of this Regulation.
3. The electricity price, which shall serve for calculating the counter-value defined on point 1 of this article shall be defined as the sum (I) of the weighted electricity average price per unit kwh, purchased to cover the losses for the period that shall be invoiced the economic damage with (II) the transmission costs and (II) the network costs with which it is switched the user for each category.
4. On the invoice issued from the DSO for the Network User regarding the caused economic damage, shall be evidenced any component that constitutes the counter-value defined on point 1 of this article.

ARTICLE 10
**Invoice and payment of the calculated economic
damage**

1. DSO shall inform the Supplier and the network user if it ascertains economic damage caused by a network user with which the supplier has signed a supply contract, not later than 48 hours from the ascertainment, before undertaking any action to the network user.
2. DSO issues the specific invoice for the economic damage calculated for the network user, not later than 7 days from the ascertainment, send it on the address defined on the connection agreement with the network User and ensures to collect it within 30 calendar days from its issuance.
3. The network user shall pay the obligation defined on the economic damage invoice, not later than 30 days from the date of issuing the invoice.
4. At the absence of the invoice the Network User, within the defined term for the payment according to point 3 of this article, DSO shall have the right to interrupt the electricity supply of the User, after having informed by writing this last one mentioned and the Supplier, 48 hours in advance.

PART FOUR
OTHER PROVISIONS

ARTICLE 11
Complaining

1. Any network user, in conformity with the provisions of this regulation as well as the legislation in force, shall have the right to complaint at the DSO and/or ERE, if it opposes the economic damage invoice issued by the DSO and claims that the DSO has not followed and implemented the provisions of this Regulation.
2. DSO or ERE shall handle any complaint of the User within 7 days from its submission, in conformity with the provisions and procedures of the Regulation for handling the complaints approved by the DSO.
3. When the DSO does not respond for the complaint of the network User within the term defined on point 2 of this article, or if the User does not agree with the respond issued from the DSO, it has the right to submit a complaint at ERE, according to the procedures defined at the respective ERE Regulations.
4. The complaint at ERE may be submitted not later than 1 month from being informed from the network producer of the respond for handling the complaint by the DSO on the address defined in the connection agreement with the distribution network.
5. In case after DSO verifications, it results that “the economic damage” invoiced to the network user contradicts the definitions of this regulation or is calculated incorrectly, then the DSO within 7 days from the ascertainment cancels the respective invoice and issues the correct one according to the case.
6. For the invoices complained by the Network User, shall not be interrupted the electricity supply until the termination of reviewing the complaint for this invoice from the DSO.
7. Except of the provisions of point 1 above, any network user may submit a complaint to

the competent court.

ARTICLE 13

Amendment of the Regulation

This Regulation is object of review and amendment with ERE Board Decision.

ARTICLE 14

Entry into force

This Regulation enters immediately into force after publication on the Official Gazette.

ANNEX 1

Calculation of the electricity quantity, required from the DSO to the network user

No.	Type of the meter	Category	Pinst (kW)	In of the Automat	Quantity of electricity calculated as “economic damage”	No of the months	Total electricity quantity calculated as “economic damage”	Electricity price	Counter value in ALL of the caused “economic damage”
1	1-phase Meter	Household	1 up to 5	up to 25 A	320	6	1920		
2	3-phase Meter	Household	6 up to 40	up to 80 A	640	6	3840		
3	1-phase meter	Non-household	1 up to 5	up to 25 A	1200	6	7200		
4	3-phase meter	Non – household	6 up to 10	up to 16 A	2500	6	15000		
5	3-phase meter	Non – household	10 up to 20	up to 32 A	5000	6	30000		
6	3-phase meter	Non – household	20 up to 50	up to 80 A	12000	6	72000		
7	3-fazor meter at TRI 100/5A metering panel	Non-household	51-74	up to 100A	17750	6	106500		
8	3-phase meter at TRI 150/5 metering panel	Non - household	75-99	up to 150A	23760	6	142560		
9	3-phase meter at TRI 200/5A metering panel	Non – household	100-124	up to 200 A	29760	6	178560		
10	3-phase meter at TRI 250/5A metering panel	Non-household	125-150	up to 250 A	36000	6	216000		
11	3-phase meter at TRI 300/5A metering panel	Non household	151-174	up to 300 A	41760	6	250560		
12	3-phase meter at TRI 400/5A metering panel	Non household	175-200	up to 400 A	48000	6	288000		
13	3-phase metering at TRI 500/5A metering panel	Non household	201-225	up to 500 A	54000	6	324000		
14	3-phase metering at TRI 600/5A metering panel	Non household	226-300	up to 600A	72000	6	432000		

15	3-phase metering at T.M. metering panel	Non Household			420000	6	2520000		
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