



ORDER NO: NERC/2024/148

**BEFORE THE NIGERIAN ELECTRICITY REGULATORY COMMISSION
IN THE MATTER OF THE AMENDED ORDER ON UNAUTHORISED ACCESS, METER
TAMPERING AND BY-PASS**


Title

1. This regulatory instrument may be cited as the *Amended Order on Unauthorised Access, Meter Tampering and By-Pass*.

Commencement and Amendment

2. This Order amends Order No: NERC/REG/41/2017 (Order on Unauthorised Access, Meter Tampering and By-Pass) that was issued by the Nigerian Electricity Regulatory Commission ("NERC" or the "Commission") on 6 December 2017. This Amended Order on Unauthorised Access, Meter Tampering and By-Pass shall take effect from 22 January 2025.

Context

3. The Commission is required by section 34 (1) (b) of the Electricity Act 2023 ("EA" or "Act") to maximise access to electricity services, by promoting and facilitating customer connection to distribution systems in both rural and urban areas.
4. The Commission is further empowered by section 226 of the Act to make regulations on all matters which are required to give effect to the Act.
5. Pursuant to the above, the Customer Protection Regulations("CPR") 2023 came into effect and prescribed how Distribution companies (DisCos) should connect their customers to electricity distribution networks.
6. The CPR authorised DisCos to disconnect any unauthorised connections to the distribution network without giving any notice.
7. The CPR further prescribed conditions for reconnecting unauthorised connections to the distribution network which include - 

- a. Customers' formalisation of electricity supply arrangements to the satisfaction of the DisCo.
 - b. Payment of approved reconnection costs to the DisCo or entering into an agreement for the payment of reconnection costs.
8. The Commission has noted with concern and received complaints from DisCos on the increase in incidents of unauthorised access to electricity and meter bypass by customers.

Objective

9. This Order seeks to –
- a. Mitigate unauthorised access to electricity supply through measures addressing tampering and meter bypass.
 - b. Establish clear guidelines for the reconnection of unauthorised connections ensuring transparency and compliance.

THE COMMISSION HEREBY ORDERS AS FOLLOWS -

A. The Commission approves the following conditions for reconnecting unauthorised connections -

i. Administrative Charges

Any customer that gains unauthorised access to electricity through tampering or meter bypass will be reconnected upon payment of the administrative charges including meter replacement cost which shall not exceed the sum outlined in Table1 below –

Table 1: Administrative Charges

	Customer Class	Initial Incident (NGN)	Subsequent Incidents (NGN)
1	Non-MD Single Phase Residential	100,000	150,000
2	Non-MD Three Phase Residential	200,000	300,000

ii. Maximum Demand (MD) Meters

The initial incident of unauthorised access to electricity by tampering or bypassing a Maximum Demand ("MD") meter shall attract an

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administrative cost of 450% of the customer's last authorised recorded monthly consumption. Subsequent incidents of unauthorised access to electricity by tampering or bypassing an MD meter shall attract an administrative cost of 600% of the customer's last authorised recorded monthly consumption.

iii. Schedule of Reconnection Costs

All customers shall be liable to pay the reconnection costs in Table 2 below in addition to the administrative charges outlined in Table 1.

Table 2: Reconnection Cost

	Customer Class	Reconnection Cost (NGN)
1	Non-MD	10,000.00
2	MD	50,000.00

iv. Delayed Reconnection Costs

Distribution Companies shall assume responsibility for compensating customer(s) for delayed reconnection costs in cases where failure to reconnect the customer occurs beyond 48 hours subsequent to the payment of reconnection costs and administrative charges related to unauthorised access to electricity, as stipulated under section 26 (1) and (2) of CPR 2023.

Distribution Companies shall be held accountable for remunerating customers for delayed reconnection costs in situations where unjustifiable disconnection of the customer(s) has taken place, as outlined in Table 3 below.

Table 3: Delayed Reconnection Costs

	Customer Class	Delayed Reconnection Costs
1	Non-Maximum Demand	100% of daily consumption in energy Credit
2	Maximum Demand	100% of daily consumption in energy Credit

- B. A customer that gains unauthorised access to electricity through tampering or meter bypass shall in addition to paying for the reconnection costs and administrative charges stated in Table 1 and 2 be liable to pay for the Loss of

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Revenue ("LoR") to the Distribution Company for the unaccounted consumption by paying back-bills.

- C. Distribution Companies shall back-bill customers who gain unauthorised access to electricity at the prevailing tariff of the customer for the established period of the unauthorised access.
- D. Distribution Companies shall promptly submit monthly reports to the Commission detailing instances of unauthorised access.
- E. Distribution Companies shall separate all payments associated with unauthorised connections, encompassing loss of revenue, administrative charges, and reconnection fees, attributed to customers liable under this Order.
- F. Distribution Companies shall ensure that all payments for revenue losses arising from unauthorised access and administrative charges, with the exception of reconnection fees, are promptly remitted into the designated Collection Account.
- H. Distribution Companies shall strictly adhere to the Standard Operating Procedure (SOP) for unauthorised access, as outlined and detailed below-
 - i. Distribution Companies shall identify areas suspected of unauthorised access based on anomalies in consumption patterns, irregularities in billing, or other suspicious indicators.
 - ii. Distribution Companies shall conduct a comprehensive analysis of electricity consumption data, billing records, and other relevant information to detect any discrepancies or abnormalities indicating potential unauthorised access.
 - iii. Distribution Companies shall employ surveillance techniques to monitor suspicious activities or behaviours in suspected areas, gathering additional evidence as necessary.
 - iv. Distribution Companies shall physically inspect and examine meters in suspected areas for signs of tampering, illegal connections, or unauthorised modifications. Conduct integrity tests on suspected meters, capturing evidence of tampering through video and photographic documentation in the presence of the customer or their representative.
 - v. Distribution Companies shall conduct field inspections to visually assess the condition of distribution infrastructure, including power lines, transformers, and distribution boxes, to identify any unauthorised connections or illegal activities.

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- vi. Distribution Companies shall interview witnesses, residents, or local authorities to gather information about observed instances of unauthorised access or suspicious activities. Document all interviews conducted.
- vii. Distribution Companies shall employ advanced technologies, such as advanced metering infrastructure, data analytics, and monitoring systems, to detect abnormal consumption patterns and potential instances of unauthorised access.
- viii. Distribution Companies shall ensure all investigation procedures comply with legal and regulatory requirements, obtain necessary permissions for inspections and evidence gathering.
- ix. Distribution Companies shall maintain detailed records of the investigation process, including meter test results, video and photographic evidence, witness statements, and any actions taken.
- x. Distribution Companies shall issue a disconnection notice if meter tampering, bypass, or malfunction is confirmed.
- xi. Distribution Companies shall disconnect the customer's premises after issuing a disconnection notice in accordance with established procedures.
- xii. Distribution Companies shall implement appropriate penalties and legal actions against individuals or entities found guilty of unauthorised access, following due process, and in accordance with applicable laws and regulations.
- xiii. Distribution Companies shall collaborate with law enforcement agencies to facilitate legal actions and enforcement against individuals or entities involved in unauthorised access to the electrical distribution infrastructure within the Nigerian Electricity Supply Industry (NESI).

Dated this 22nd day of Jan 2025


Sanusi Garba
Chairman


Dafe C. Akpeneye
Commissioner
Legal, Licensing & Compliance