

Pursuant to Article 71, paragraph 1 of the Energy Law (*Official Gazette RS* no. 84/04), the Government hereby adopted

## ORDINANCE ON THE TERMS OF ENERGY SUPPLY

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no. 107/2005 dated 12 December 2005*

### I. GENERAL PROVISIONS

#### Article 1

This Ordinance shall regulate more specific terms of energy supply, as well as the measures taken in case the security of energy supply has been jeopardized due to the functional disruption of the energy system or the disruption in the energy market in the Republic of Serbia, namely:

- 1) Terms and procedure of granting approval for connection to the electric energy transmission or distribution systems;
- 2) Terms and procedure of connection of temporary facilities, construction sites and facilities in trial run to the electric energy transmission or distribution systems;
- 3) Measures to be undertaken in case of short-term disruptions caused by breakdowns and other unforeseen circumstances whereby safety of the energy system operation is jeopardized, as well as due to unforeseen and necessary works on maintenance of electric power facilities and required works on the expansion of the electric power system, and also other terms and measures for the purpose of supplying customers with electric energy;
- 4) Measures to be undertaken in the case of a general electric power shortage caused by circumstances referred to in Article 76 of the Energy Law (hereinafter: the Law);
- 5) Terms and conditions for energy supply discontinuance;
- 6) Terms and conditions for rational use of energy and energy saving;
- 7) Terms and conditions for undertaking measures and the schedule of restricting energy supply, as well as measures of energy saving and rational consumption in case of a general energy shortage;
- 8) Conditions of supply of customers' facilities to which electric energy supply may not be discontinued on the grounds of outstanding liabilities for electric energy delivered or in other cases;
- 9) Method of calculation and billing of electric energy
- 10) Method of regulating relations between a supplier and a customer to whom energy supply may not be discontinued;
- 11) Method of measuring the delivered energy;
- 12) Method of calculation of unauthorized take-off of energy;
- 13) Manner of notification of customers in cases referred to under it. 3), 4), 5), 6) and 7) of this Article.

### II. TERMS AND PROCEDURE OF GRANTING APPROVAL FOR CONNECTION TO THE ELECTRIC POWER TRANSMISSION AND DISTRIBUTION SYSTEMS

#### Article 2

Customer's facility or the energy producer's facility shall be connected to the transmission or distribution system under the terms and procedure stipulated by the Law, this Ordinance and the transmission or distribution system operation rules, in accordance with the standards and technical regulations governing terms and conditions of connection to and utilization of those facilities, devices and plants.

### **Article 3**

Connection of a facility to the electric power transmission or distribution system shall be made subject to approval issued, in accordance with the Law and this Ordinance, by the energy entity to whose system the connection is to be made with the obtained consent of the system operator.

### **Article 4**

The approval referred to in Article 3 hereof shall also be obtained in case of increase of approved capacity in the facility that has already been connected to the electric power transmission or distribution system and in case of separation or connection of the installations in such facilities, irrespective of whether the power is thereby increased compared to previously approved capacity, and also in case of disconnection referred to in Art. 28 hereof.

The increase of approved capacity referred to in paragraph 1 of this Article shall be the capacity exceeding the capacity determined by the previous approval.

For facilities which do not have the approved capacity, it shall be considered that their approved capacity is 17.3 kW (25 A), three-phase.

### **Article 5**

The approval for the connection of a facility shall be granted by means of a decision at the request of a legal or natural person or an entrepreneur whose facility is to be connected.

The request referred to in paragraph 1 of this Article shall contain the following data:

- 1) The owner or occupant/user of the facility (for a natural person: full name and address, personal identification number, and for a legal person: business name, registered address, tax identification number, company ID number, account number and responsible person);
- 2) Facility for which the connection approval is requested (address, type, location of the facility and purpose of the facility);
- 3) Total installed capacity (metering devices, nominal power/current of the miniature circuit breaker), peak load, consumption devices, voltage level and type and manner of a connection (single and three phase);
- 4) The purpose of electric energy consumption;
- 5) The time when the facility is to be connected.

In addition to the data referred to in paragraph 2 of this Article, the request for granting the approval for connection of the facility whose installed capacity equals or exceeds 43.5 kW (63 A) shall contain the following data:

- 1) Total annual electric energy consumption and planned or projected consumption and capacity by months;
- 2) Specific electric energy consumption devices (induction and electric arc heaters, high power motors, heating boilers etc.).

## **Article 6**

In addition to the data referred to in Article 5, paragraph 2, pt. 1), 2) and 5) hereof, the request for granting the approval for connection of a power generator facility to the distribution or transmission system shall contain the following data:

- 1) Total installed capacity of the facility, the number and power of generator units, generator voltage and block transformer;
- 2) The expected annual and monthly generation output;
- 3) Protective and metering devices.

The request referred to in paragraph 1 of this Article shall be accompanied by the energy approval and license issued in conformity with the Law.

## **Article 7**

The request for granting the approval for the connection of a newly-constructed facility, i.e. the first-time connection of a facility to the electric power transmission or distribution system, or a reconstructed facility that has already been connected to the electric power transmission or distribution system, in case of an increase of approved capacity in the facility, shall be accompanied by the building permit for the facility and the proof of ownership or of legal right of occupancy/usage.

## **Article 8**

If the request for granting the approval for connection does not contain all the data referred to in Art. 5, 6, and 7 hereof, the energy entity to whose system the connection is requested shall be obliged to notify the applicant in writing within 8 days from the day of receipt of the request and to determine the deadline for provision of the missing data.

If the applicant does not act accordingly within the timeframe referred to in paragraph 1 of this Article, the energy entity will refuse the request in conformity with the Law governing the general administrative procedure.

## **Article 9**

Subject to the obtained consent of the transmission or distribution system operator, the energy entity engaging in electric power distribution or transmission shall be obliged to decide upon the request for approval for connection within 30 days from the day of receipt of the written request.

## **Article 10**

In addition to the parts required by law, the decision granting the approval for connection of the facility to the transmission or distribution system (hereinafter: the decision) shall comprise the following data:

- 1) Type of the facility and the purpose of electric energy consumption;
- 2) Approved capacity and peak load (the type of metering device, nominal power/current of the miniature circuit breaker);
- 3) Type, method and location of connection of the lines, transforming stations, metering, protective and controlling devices serving the needs of the facility to be supplied with electric energy, the method of overvoltage protection, step and touch voltage;

- 4) Designation of the electric power facility to which the connection is to be made according to the urban planning documents, prepared in conformity with the regulations on planning and construction;
- 5) Duration of the approval for connection;
- 6) Connection costs;
- 7) Terms of transmission or distribution in conformity with the Law, operation rules and other technical regulations;
- 8) Quality of transmission and distribution in conformity with the Law, operation rules and other technical regulations adopted according to the Law;
- 9) Metering point and the method of metering the energy supplied in conformity with the Law, this Ordinance, operation rules and other technical regulations;
- 10) Other obligations of the customer stipulated by the Law;  
In addition to the parts referred to in paragraph 1 of this Article, the decision may also contain the following data:
  - 1) Power factor at the time of peak load or the duration of the higher tariff rate, for those customers where such metering is applied;
  - 2) Approved annual and monthly electric energy consumption and peak load, for those customers whose facility is to be connected at high voltage (exceeding 1 kV).

#### **Article 11**

The decision shall be issued with the validity period matching the facility construction period, i.e. the construction work completion deadline stated in the request for granting the approval for connection, but up to two years from the date of issuing the decision.

The decision validity period may be extended upon the applicant's request.

The request for extension of the validity period referred to in paragraph 1 of this Article shall be submitted 30 days before the expiry of the deadline set in the decision, at the latest.

The decision shall be issued to the applicant, transmission or distribution system operator and the energy entity engaging in the activity of trade in electric energy for the purpose of supplying tariff customers, if the customer in question is a tariff customer, in conformity with the Law governing the general administrative procedure.

#### **Article 12**

An appeal against the decision may be lodged with the Energy Agency of the Republic of Serbia (hereinafter: the Agency) within 15 days from the day of receipt of the decision.

#### **Article 13**

The costs of connection to the transmission or distribution system shall be borne by the applicant.

The energy entity engaging in electric energy transmission or distribution shall determine the amount of the costs referred to in paragraph 1 of this Article, in accordance with the methodology for determining connection charges adopted by the Agency.

The methodology referred to in paragraph 2 of this Article defines the method and detailed criteria for calculating connection charges depending on the approved installed capacity, connection point, necessity for execution of works or installing necessary equipment and on other objective criteria.

#### **Article 14**

After issuing the decision, the energy entity supplying energy to the customer's facilities and the energy customer shall conclude an electric energy sale contract in conformity with the Law, the law governing obligations, this Ordinance and other regulations adopted in conformity with the Law and operation rules of the transmission or distribution system, and this before connecting the customer's facility to the transmission or distribution system.

The energy entity is obliged to connect the customer's facility to the transmission or distribution system within 15 days of the day of concluding the electric energy sale contract, provided that the customer has fulfilled the obligations stipulated by the decision and furnished the following documentation:

- 1) Occupancy permit or proof that the facility installations fulfill the prescribed technical norms ensuring the safety of people and property, accompanied by proof that the installation testing has been conducted in conformity with the regulation governing technical norms for low voltage electric installations, issued by an authorized technical organization, for connection of facilities to voltages not higher than 1 kV;
- 2) Occupancy permit or proof issued by the competent body that such permit is not issued for the facility in question, proof of inspection and compliance of safety devices in the facility, single-line diagram of the completed installation verified by the contractor of electric assembly works, list of people responsible for handling the appliances in the facility, proof of established HF radio or public phone link of the facility with the system control center of the transmission or distribution system operator (for transformer stations of 110 kV and higher), proof of certified and inspected calculation and metering devices in the facility, for connection of facilities to voltages higher than 1 kV.

The proof referred in paragraph 2, item 1) of this Article shall be issued by a registered construction works contractor in the form prescribed by the energy entity to whose electric power system the connection is to be made.

The authorized organization referred to in paragraph 2, item 1) of this Article is an organization holding the authorization according to the Law governing occupational health and safety.

### **III. TERMS AND METHOD OF CONNECTION OF TEMPORARY FACILITIES, CONSTRUCTION SITES AND FACILITIES IN TRIAL RUN**

#### **Article 15**

Temporary facilities referred to in this Ordinance shall be facilities which, according to the regulations governing construction land and construction, are being constructed on vacant construction land, as well as smaller prefabricated facilities located in public places (kiosks, summer gardens, movable booths, circuses, merry-go-rounds and other amusement facilities, TV reporter cars, trailers, waterborne facilities etc.).

Construction site referred to in this Ordinance shall be an area in which, according to the regulations governing construction, preparatory works are performed, as well as an area where, according to regulations governing construction, construction works are being performed.

Facility in trial run shall be a facility for which an act of granting a trial operation period has been issued in conformity with the Law.

The request for granting the approval for connecting temporary facilities and construction sites to the transmission or distribution system shall be submitted to the energy

entity to whose electric power system connection is requested, and shall comprise data referred to in Article 5 hereof, as well as the duration of the connection.

In addition to the request for connection of temporary facilities, construction sites and facilities in trial run, the approval of the competent body shall be submitted, when such approval is required.

#### **Article 16**

The decision on the connection of temporary facilities referred to in Article 15 hereof shall be issued with the connection duration of 18 months, and, exceptionally, with a longer duration if it has been decided by the competent body.

The duration referred to in paragraph 1 of this Article may be extended at the applicant's request submitted 30 days before the expiry of the period set by the approval for connection at the latest.

#### **IV. MEASURES TO BE UNDERTAKEN IN CASE OF SHORT-TERM DISRUPTIONS CAUSED BY BREAKDOWNS AND OTHER UNFORESEEN CIRCUMSTANCES WHEREBY SECURITY OF ELECTRIC POWER SYSTEM OPERATION IS JEOPARDIZED, AS WELL AS DUE TO UNFORESEEN AND NECESSARY MAINTENANCE WORKS ON ELECTRIC POWER FACILITIES AND NECESSARY WORKS ON ELECTRIC POWER SYSTEM EXPANSION**

#### **Article 17**

In case of short-term disruptions in electric power supply caused by breakdowns of electric power generation, transmission and distribution facilities and plants and other unforeseen circumstances that may lead to a disruption of normal electric power system operation (power system failure), the following measures may be undertaken:

- 1) Maximum utilization of the available generation capacities;
- 2) Decrease of the nominal voltage by up to 5% in 110/X kV transformer stations;
- 3) Energy procurement (power system failure assistance) from other energy systems, both in the country and abroad;
- 4) Consensual discontinuance or decrease of further deliveries to other power systems;
- 5) Temporary restriction of power supply to all tariff customers to the extent that enables re-establishment of balance;
- 6) Adjustment of sub-frequent protection within prescribed boundaries.

The measures referred to in paragraph 1 of this Article shall be conducted according to the plan prepared by the transmission or distribution system operator for the area in which it operates, in cooperation with the energy entity engaging in the activity of electric energy transmission or distribution.

The decision on the implementation of measures pursuant to the plan referred to in paragraph 2 of this Article shall be adopted by the transmission or distribution system operator.

#### **Article 18**

Restricted power supply to tariff customers in a particular distribution area shall be performed based on their percentage share in power consumption within the past 12 months.

Exceptionally, in case of disruption of balance within the energy system of the Republic, when the conditions for implementing protective measures referred to in Article 17

hereof are not fulfilled, energy supply to eligible customers may be restricted, under the conditions determined by the operation rules of the transmission or distribution system.

Restricted power supply to eligible customers referred to in paragraph 2 of this Article shall not affect the right of an eligible customer to claim indemnification against the damage arising from such restricted power supply.

### **Article 19**

The supplier may, without prior notice, temporarily restrict or discontinue power supply to customers due to a fault on the transmission or distribution network, faults on transformer, switching and generation facilities, sudden overload of the facilities and other unforeseen circumstances, if the fault does not last for longer than two hours.

Exceptionally, the supplier may, without prior notice, restrict or discontinue power supply to customers if the failure lasts for longer than two hours, in cases of *force majeure* and other unforeseen circumstances which could not have been predicted or whose consequences could not have been removed by the supplier.

In case of a temporary power supply restriction or discontinuance due to reasons stated in paragraph 2 of this Article, power supply to a tariff customer may temporarily be restricted or discontinued for not longer than 12 hours during a 24-hour period, and power supply to an eligible customer for not longer than the period stipulated in the electric energy sale contract.

Temporary power restriction or discontinuance referred to in paragraphs 2 and 3 of this Article may not last longer than 72 hours from the moment of occurrence of interruption.

If the causes of temporary power restriction are not remedied within the time stated in paragraph 4 of this Article, the measures referred to in Article 20 hereof shall be implemented.

If the circumstances referred to in paragraph 2 of this Article occur, the supplier is obliged to notify the customers of the reasons for temporary power restriction or discontinuance without delay and in a convenient way.

## **V. MEASURES TO BE UNDERTAKEN IN CASE OF A GENERAL ENERGY SHORTAGE WHEN SECURITY OF POWER SUPPLY OR ENERGY SYSTEM OPERATION IS JEOPARDIZED**

### **Article 20**

In case security of supply to customers or energy system operation is jeopardized due to insufficient supply on the energy market or if other exceptional circumstances emerge (general power shortage), the following measures may be undertaken:

- 1) Restriction of power supply to tariff customers;
- 2) Other measures ensuring electric energy saving and rational consumption, especially: switching off all outdoor signage and other commercial lighting, limited lighting of display windows to the level of safety and/or minimum requirements; reducing public lighting of streets, squares and other facilities by 50%, or bringing the lighting to a minimum safety level; shorter programs of all TV studios; restricted electric energy supply for lighting sports arenas and stadiums.

The measures referred to in paragraph 1 of this Article shall be implemented pursuant to the power supply restriction plan adopted by the transmission or distribution system operator for the area in which it performs its activities, in collaboration with the energy entity performing the activity of electric energy transmission or distribution.

The plan referred to in paragraph 2 shall ensure:

- 1) Equal status of all tariff customers in terms of frequency and duration of supply restrictions
- 2) Protection of consumers referred to in Article 32 hereof.

The decision on implementation of measures referred to in paragraph 1 of this Article shall be passed by the Government at the proposal of the Ministry in charge of energy affairs, following notification of the electric energy transmission or distribution system operator of the occurrence of circumstances requiring such measures.

During the period of implementing electric power supply restriction measures in case of general shortage, the electric power supplier for tariff customers shall ensure:

- 1) Cooperation with tariff customers, as well as cooperation with the competent bodies of the state and of local self-government units;
- 2) Timely information for tariff customers on all measures concerning restricted power supply during general shortage, by means of media;
- 3) Highest possible operational readiness of electric energy facilities, plants and appliances.

### **Article 21**

Electric energy supply in case of general shortage shall be conducted according to the Government decision on implementing measures referred to in Article 20 hereof.

For tariff customers in the area covered by the same electric energy transmission or distribution system, the percentage of power supply restriction shall be applied to the basis computed as average monthly power consumption of all tariff customers in that area in the period from 1<sup>st</sup> October to 31<sup>st</sup> March preceding the general power shortage.

For tariff customers that have not consumed any electric energy in the period from 1<sup>st</sup> October to 31<sup>st</sup> March preceding the general power shortage, the basis to which the restriction percentage is applied shall be determined using the basis determined for similar tariff customers.

Transmission or distribution system operator is obliged to notify tariff customers of restricted power supply. i.e. of possibilities of electric energy consumption during the general power shortage.

The notification referred to in paragraph 4 of this Article shall be given through the media within three days from the date of the Government decision on implementing electric power supply restriction measures and electric energy saving.

## **VI. TERMS AND CONDITIONS OF ELECTRIC ENERGY SUPPLY DISCONTINUANCE**

### **Article 22**

An energy entity engaging in electric energy transmission or distribution is obliged to supply the customer with electric power of suitable quality, permanently and continuously, under the conditions determined by the Law, electric energy sale contract and this Ordinance.

Interruptions in electric energy supply occurring as a result of electric power facilities protection devices shall not be considered interruptions of continuous electric power supply.

### **Article 23**

An energy entity engaging in electric energy transmission or distribution is obliged to supply customers with nominal voltage and nominal frequency power.

Allowable variation from the nominal voltage may be:

- 1) At high voltage 110, 35, 20 and 10 kV, from +10% do -10%;
- 2) At low voltage 230/400 V, from +10% to -10%.

Exceptionally, if it is not possible to maintain the voltage referred to in paragraph 2 of this Article due to a fault in the supplier's energy facility caused by force majeure or unforeseen overload, greater variations are allowable, in which case the supplier is obliged to undertake prompt measures and remedy the fault in the shortest possible time, as well as to re-establish the adequate voltage.

#### **Article 24**

The frequency in the supplier's network shall be 50 Hz  $\pm$  0.5 Hz (hertz).

#### **Article 25**

The customer is obliged to notify the supplier of any changes in occupancy rights, name, business name, purpose of electric energy consumption, status and other changes occurring after conclusion of electric energy sale contract within 5 days from the day of occurrence of such change.

When the consumer has submitted the notification referred to in paragraph 1 of this Article, the supplier is obliged to read the meter on the day the change was notified. In case such notification is not submitted in a timely manner, the supplier is obliged to read the meter within three days from the receipt of the notification.

#### **Article 26**

In case of change of ownership or of occupancy rights in relation to the facility connected to the electric power system, the new owner or bearer of legal rights shall cover the expenses for electric energy consumed as of the day of conclusion of electric energy sale contract.

The new owner or holder of occupancy rights that fails to notify the change of ownership to the supplier in a timely manner shall pay for the electric energy consumed from the last meter reading or from the day of reading following the notification of ownership change submitted by the previous consumer.

The previous consumer who fails to notify change of ownership is obliged to pay for the electricity consumed by the day of submission of notification by the new owner.

#### **Article 27**

Electric energy supply may be discontinued to the consumer in cases and under conditions stipulated by the Law, this Ordinance and electric energy sale contract.

Electric energy supply to the customer may be discontinued when:

- 1) The customer disables proper recording of electric energy consumption;
- 2) Electric energy facilities, plants or devices fail to comply with technical regulations;
- 3) Electric energy facility, plants or devices disturb normal electric energy supply to other customers;
- 4) The customer allows another person to use his installation for the purpose of consumption without the supplier's consent;
- 5) The customer fails to bring the peak load to the agreed level;
- 6) The customer denies access or prevents the authorized person from accessing the metering devices or installation and connections;

- 7) The customer fails to observe or conduct prescribed electric energy saving and rational consumption measures;
- 8) The customer consumes electric energy contrary to the terms stipulated in the Decision on granting the connection;
- 9) The customer refuses to conclude electric energy sale contract according to the Law;
- 10) The customer fails to meet the liabilities for electric energy supplied within the prescribed or agreed time.

An energy entity engaging in electric energy transmission or distribution is obliged to discontinue electric energy supply without delay at the customer's request.

If the discontinuance is performed at the customer's request referred to in paragraph 3 of this Article, such discontinuance may last for at least one year and for two years at the most.

The energy entity engaging in electric energy transmission or distribution is obliged, in cases stipulated by the Law, to warn the customer in writing of deficiencies or irregularities on the grounds of which electric energy supply may be discontinued, and set an appropriate deadline for remedying such deficiencies or irregularities, which may not be shorter than 3 days or longer than 30 days from the day of delivery of the written warning.

#### **Article 28**

The energy entity engaging in electric power transmission or distribution is obliged to disconnect the facility from the transmission or distribution system without delay, in the following cases:

- 1) When electric energy is used without the consent for connection;
- 2) When electric energy is used with bypassing of the metering devices;
- 3) When the facility, devices or installations are connected on the customer's own accord;
- 4) When the facility fails to comply with requirements of technical regulations and poses a direct threat to people's lives and health and property;
- 5) When electric energy is used in contravention of the provisions of the electric energy sale contract regarding reliable and accurate metering;
- 6) When the consumer so requests.

The energy entity engaging in electric power transmission or distribution may disconnect the consumer's facility if the electric energy discontinuance referred to in Article 27 hereof lasts longer than one year; in case the discontinuance was requested by the consumer, the facility may be disconnected if the discontinuance lasts for one year from the expiry of the term of discontinuance, unless the connection serves as backup supply.

#### **Article 29**

If the electric energy customer considers that the supplier discontinued the electric energy supply in contravention of applicable rules, the consumer may file a complaint with the supplier.

The supplier is obliged to decide on the complaint within three days from the day of receipt of the complaint. In case the complaint is justified, the supplier is obliged to provide conditions for reconnection of the customers' facility within the shortest possible time, and at the latest within 24 hours from the moment it is decided that the electric energy supply discontinuance was unjustified.

#### **Article 30**

In case the electric energy supply discontinuance has been performed according to the Law, this Ordinance and other regulations passed pursuant to the Law, the supplier is obliged to continue electric energy supply to the customer, as a rule on the first working day following the cessation of the grounds for discontinuance, and at the latest within three days from the day of cessation of grounds for discontinuance.

## **VII. TERMS OF SUPPLY OF CUSTOMERS' FACILITIES TO WHICH ELECTRIC ENERGY SUPPLY MAY NOT BE DISCONTINUED ON THE GROUNDS OF OUTSTANDING LIABILITIES FOR ELECTRIC ENERGY SUPPLIED OR IN OTHER CASES**

### **Article 31**

Electric power supply to customers may not be discontinued in contravention of this Ordinance for facilities the interruption of whose operation would lead to a direct threat people's lives and health and for facilities of vital interest for industry, people's lives and national defense, on the grounds of outstanding liabilities for electric energy supplied.

The facilities referred to in paragraph 1 of this Article shall comprise:

- 1) Hospitals, clinics and special health institutions (emergency rooms and other emergency intervention facilities, blood transfusion, drawing and processing institutes, and dialysis centers);
- 2) Water supply and sewage facilities (for water processing, treatment and transport, for sewage functioning);
- 3) Facilities for production of basic nutrition products (central bakeries and central kitchens for supplying childcare institutions and social protection institutions);
- 4) Major district heating sources;
- 5) Hydro-meteorological and seismological services;
- 6) Coal mines and other mines with mining shaft exploitation;
- 7) Specific military facilities (barracks, headquarters, commands etc.);
- 8) Facilities of radio and television stations with national level frequencies
- 9) Higher capacity childcare institutions;
- 10) Interior affairs facilities and fire stations;
- 11) Telecommunication facilities of international and main level and facilities at the transport plane of special interest.

### **Article 32**

In addition to the facilities referred to in Article 31 hereof, in case of general shortage, electricity supply may not be discontinued to the following facilities:

- 1) Public transport facilities and control rooms (airports, railway stations, tram cars, trolleybuses, public transport signaling stations and public transport central garages);
- 2) Embassies, consulates, foreign news agencies and ambassadors and consuls' residences;
- 3) Printing houses of daily papers;
- 4) Students' dormitories and retirement homes;
- 5) Cargo handling facilities of river, rail and other forms of transportation;
- 6) Hotels rated 4 or more stars;
- 7) Industrial plants for weapons production for national defense purposes;
- 8) Heat-generating facilities, smelting furnaces, petrochemical and base chemistry plants, construction sites;
- 9) Gas pipeline metering and control centers;

- 10) News agency facilities;
- 11) Public administration buildings;

In case of general power shortage, power supply may not be discontinued to health centers, dairies and cow milking facilities or tourist accommodation facilities during the time required for normal functioning thereof, which time is mutually agreed upon by the supplier, deliverer and customer.

In case of general power shortage, supply to an eligible customer may not be discontinued, except in cases envisaged by the electric energy sale contract.

## **VIII. METHOD OF REGULATING RELATIONS BETWEEN A DELIVERER AND A CUSTOMER TO WHOM ELECTRIC ENERGY SUPPLY MAY NOT BE DISCONTINUED**

### **Article 33**

The electric energy sale contract shall stipulate means of securing payment (bank bill guaranteed by a commercial bank, bank guarantee, debt collection insurance with an insurance company and other means of securing liabilities) for supplying electric energy to the facilities to which the supply may not be discontinued on the grounds of failure to honor liabilities for electric energy supplied.

The contract referred to in paragraph 1 of this Article shall also stipulate the obligation of tariff customers referred to in Articles 31 and 32 hereof, in case of general power shortage, to activate their backup (local) power supply for the purpose of securing their vital functions.

### **Article 34**

In case that payment security is not stipulated by the electric energy sale contract referred to in Article 33 hereof, and the facilities in question represent tariff customers' facilities referred to in Article 31 hereof to which electric energy supply may not be discontinued on the grounds of failure to honor liabilities for electric energy delivered, the supplier shall, without delay, request such customer to furnish the said payment security within eight days.

If the customer fails to act accordingly and within the deadline referred to in paragraph 1 of this Article, the supplier shall discontinue further electric power supply to that customer.

## **IX. METHOD OF CALCULATING AND BILLING THE DELIVERED ELECTRIC ENERGY**

### **Article 35**

The energy entity supplying electric energy to tariff customers shall calculate and bill the delivered electric energy or services rendered as part of the performance of energy activities in compliance with the tariff system.

The billing period for tariff customers referred to in paragraph 1 of this Article shall be one month, and three months at the most.

An energy entity supplying electric power to eligible customers shall charge for the delivered electric energy in compliance with the electric energy sale contract, and for the services rendered as part of the performance of energy activities – in compliance with the tariff system.

### **Article 36**

The bill delivered to the customer shall state separately the quantity of electric energy supplied, the amount due for electric energy supplied, the amount due for services rendered, taxes and other financial liabilities stipulated by the Law and other regulations pertaining to electric energy delivered, as well as payment deadline.

## **X. TERMS AND METHOD OF ELECTRIC ENERGY RATIONAL CONSUMPTION AND SAVING**

### **Article 37**

An energy entity engaging in electric energy transmission or distribution and an electric energy customer shall take the following measures in order to ensure rational consumption of electric energy:

- 1) Decrease of reactive power and energy by installing a compensation device;
- 2) Shifting the consumption from the higher daily load period to the lower daily load period;
- 3) Adjustment of the technological process so as to achieve balanced consumption to the highest possible extent and save electric energy;
- 4) Harmonization of the production process and shift work with the optimal possibilities for electric energy supply.

### **Article 38**

In the interest of saving and rational consumption of electric energy, the supplier shall give certain instructions to customers concerning the most cost-efficient ways of using and saving electric energy.

### **Article 39**

The energy entity that has concluded an electric energy sale contract with a tariff customer shall determine, by its decision, the criteria for granting discounts and benefits to tariff customers, in conformity with the Law and this Ordinance.

The decision referred to in paragraph 1 of this Article shall be published in the media and must be based upon the principles of equality and non-discrimination of tariff customers.

## **XI. METHOD OF CALCULATING UNAUTHORIZED TAKE-OFF OF ELECTRIC ENERGY**

### **Article 40**

Unauthorized take-off of electric energy shall comprise:

- 1) Electric energy consumption by connecting a facility, installation or a device to the electric power system on the consumer's own accord;
- 2) Electric energy consumption without a metering device or with bypassing the metering device;
- 3) Electric energy consumption using a metering device that the customer has disabled from recording consumption accurately;
- 4) Electric energy consumption using a metering device on which the seal of the supplier or an authorized organization has been damaged by the customer;

- 5) Electric energy consumption incompatible with the envisaged purpose, which results in application of a more favorable rate from the electric power tariff system;
- 6) Replacement of main fuses or power/current limiting devices by fuses or limiting devices whose nominal current is higher than contracted or approved, or replacement of other power/current limiting devices, on the consumer's own accord;
- 7) Usage of power higher than that approved or contracted.

#### **Article 41**

Electric power consumed in an unauthorized manner shall be calculated and billed by applying the appropriate tariff rates for the consumption category and group for which the electric energy was used. Calculation and billing of electric energy consumed in an unauthorized manner shall be conducted for active energy and power used.

The calculation of unauthorized consumption shall be increased by liabilities stipulated by the Law and other regulations, payable by the consumer in addition to electric power.

The calculation of unauthorized consumption shall be performed at the prices applicable on the day of detecting the unauthorized consumption.

#### **Article 42**

In case of unauthorized consumption referred to in Article 41, paragraph 1, items 1) to 4) hereof, the power used shall be determined by multiplying the sum of nominal currents of main fuses or the sum of nominal powers and cross-sections of the conductor through which electric power was used without authorisation, if the electric energy was taken off before the main fuses or if the fuse inserts are faulty, and the nominal phase-to-neutral voltage of the network to which the customer is connected. Active electric energy shall be computed by multiplying the power used and working hours in a month, in the following way:

- 1) For households in the period 1<sup>st</sup> October – 31<sup>st</sup> March, multiply by four hours a day, or eight hours in case the household uses electric power for heating;
- 2) For households in the period 1<sup>st</sup> April – 30<sup>th</sup> September, multiply by four hours a day;
- 3) For facilities of public, common or other consumption that operate in one shift, multiply by eight hours a day;
- 4) For facilities of public, common or other consumption that operate in two shifts, multiply by 16 hours a day;
- 5) For facilities of public, common or other consumption operating in three shifts, multiply by 24 hours a day.

In case of unauthorized electric energy take-off referred to in paragraph 1, items 1) and 2) of this Article, the electric energy consumed in an unauthorised manner shall be calculated by applying the tariff rate for moderate consumption (blue tariff band) for the group of consumers with single- tariff metering without a power/current limiting device.

In case of unauthorized electric energy take-off referred to in paragraph 1, items 3) and 4) of this Article, the electric energy consumed in an unauthorised manner shall be calculated by applying the higher daily tariff rate, and in case referred to in item 5) of this Article, the electric energy consumed in an unauthorised manner shall be calculated based on the durations of the higher and lower tariff rates.

In case of unauthorized electric energy take-off referred to in Article 40, item 5) hereof, the total electric energy consumed and power used shall be calculated by applying the tariff rate for the relevant consumption category for which the electric energy was actually used, at

the prices applicable on the day of detecting the unauthorized consumption, and for the total time of unauthorised consumption.

In the case referred to in paragraph 4 of this Article, the buyer is obliged to pay for the difference between the amount determined in the way described in that paragraph and the amount obtained by calculating the total consumption by applying the tariff rate for the contracted purpose of consumption at the prices applicable on the day of detecting the unauthorized consumption.

In the case referred to in Article 40, paragraph 1, item 6) hereof, the customer shall be charged for unauthorized power use equal to the difference between the contracted power enabled by the fuse installed on the customer's own accord and the contracted or approved power, at the price twice as high as that for the contracted power.

In the case referred to in Article 40, item 7) hereof, the customer shall be charged for unauthorized power use equal to the difference between the actual power used and approved or contracted power at the price twice as high as that for the contracted power.

Electric energy consumed in an unauthorised manner referred to in Art. 40 hereof shall be calculated from the day of starting the unauthorized consumption to the day of detecting the unauthorized consumption.

In case the exact date of starting unauthorised consumption cannot be determined, the unauthorized consumption shall be billed in the manner stipulated by this Article for a period of one year.

The customer whose facility has been disconnected from the transmission or distribution system on the grounds of unauthorized consumption shall acquire the right to file a request for approval of connection to the transmission or distribution system upon payment of the calculated amount for unauthorized usage.

## **XII. METHOD OF METERING THE DELIVERED ELECTRIC ENERGY**

### **Article 43**

Metering of delivered and off-taken electric energy and power shall be performed by means of appropriate metering devices and proper measures, namely:

- 1) measuring voltage or current transformers;
- 2) metering devices for active and reactive energy;
- 3) ancillary devices (time switches, tone frequency and radio remote control receivers, summation meters, recorders and indicators of active and reactive power, power/current limiting devices, miniature circuit breakers or cartridge fuses and other ancillary devices).

The metering devices to be installed must be validated and sealed by an authorized organization, and their connections must be inspected and sealed by the deliverer in conformity with the Law and other regulations.

The validation may not be older than two years.

The type of metering devices to be used shall be set according to the technical conditions and consumption patterns of the electric energy purchaser.

### **Article 44**

Metering devices must comply with the set standards, technical and quality norms.

The energy entity engaging in electric energy transmission or distribution shall set the type, make, accuracy class, required number of devices and their metering range, as well as the location and method of their installation, in accordance with this Ordinance and technical conditions for billing and metering point.

#### **Article 45**

In case of disconnection at the customer's request owing to demolition or relocation of the facility, the customer shall be entitled to a metering device of the same type and class free of charge, to be placed at another metering point (location) for which he has been issued a connection approval within the area served by the same energy entity engaging in electric energy transmission or distribution.

#### **Article 46**

If the customer requests a replacement of the existing metering device with one that allows using greater power or a more favorable tariff, the costs of purchasing such device and its replacement shall be borne by the electric energy customer.

#### **Article 47**

For electric energy customers at low voltage, where only active energy is metered, the energy meters must be at least class 2.0.

For electric energy customers at low voltage using capacity over 43.5 kW and where active energy, reactive energy and peak load are metered (direct or semi-direct metering group), the meters must be at least class 1.0 for all dimensions except reactive energy, for which they must be at least class 3.0.

For energy customers at high voltage (above 1kV) active energy, reactive energy and peak load are metered by electricity meters of at least class 0.5 for all dimensions for consumption not exceeding 10 GWh/year, or at least class 0.2 for all dimensions for consumption exceeding 10 GWh/year, except for reactive energy, for which they must be at least class 3.0.

Accuracy class of metering transformers for metering energy not exceeding 10 GWh/year on one metering group may be at most class 0.5, and for metering energy exceeding the said threshold –at least class 0.2.

The metering devices used by electric energy consumers at high voltage must have a possibility of two-way communication.

An energy entity engaging in electric energy transmission or distribution and a customer can determine consensually additional metering requirements, in conformity with this Ordinance and technical conditions for a billing and metering point.

#### **Article 48**

An energy entity engaging in electric energy transmission or distribution shall attend to and ensure regular servicing of metering devices under the conditions determined by the Law.

The costs of regular adjustment cycle of metering devices shall be borne by the energy entity engaging in electric energy transmission or distribution.

The energy entity engaging in electric energy transmission or distribution shall have the right to replace the metering device with another suitable metering device for calibration purposes, and shall notify the customer in writing of the replacement.

#### **Article 49**

An energy entity engaging in electric energy transmission or distribution is obliged to notify the customer, without delay and at the latest within three days of obtaining such information, of any disturbances or damages on the metering devices installed with the energy entity engaging in electric energy transmission or distribution or with the customer, as well as to undertake urgent measures in order to rectify these within three days.

The customer is obliged to notify the energy entity engaging in electric energy transmission or distribution without delay of disappearance of or any disturbances or damage to the metering and associated devices, at the latest within three days from the day of detecting the disappearance, disturbance or damage.

The energy entity engaging in electric energy transmission or distribution is obliged to take adequate measures and ensure regular metering immediately upon receiving the notification referred to in paragraph 2 of this Article, and at the latest within two days.

#### **Article 50**

Upon the customer's request, the energy entity engaging in electric energy transmission or distribution shall replace the main fuses with miniature circuit breakers of nominal power/current indicated in the customer's request, or replace the existing miniature circuit breakers with those of nominal power/current higher or lower than the existing, but within the power approved in the decision.

In case referred to in paragraph 1 of this Article, subsequent replacement of main fuses by miniature circuit breakers may not be performed before expiry of one year from the day of replacement, unless they are replaced by miniature circuit breakers of lower nominal power/current.

#### **Article 51**

The electric energy customer is obliged to enable access to connected lines, metering devices, connections and installations to authorised persons of the energy entity engaging in electric energy transmission or distribution for the purpose of checking their accuracy or performing replacement or adjustment.

The energy entity engaging in electric energy transmission or distribution is obliged to allow the electric energy customer to access the metering devices for the purpose of informing himself of the metered balance.

The seal on a metering device may be removed only by an authorized employee of the energy entity engaging in electric energy transmission or distribution, who must make a protocol of this subsequently.

#### **Article 52**

The electric energy customer shall be responsible for the disappearance of or damage on metering devices located on his premises, as well as for consequences of such disappearance.

The electric energy customer shall not be responsible for damage on metering devices located on his premises resulting from activities of the energy entity engaging in electric energy transmission or distribution.

#### **Article 53**

Regular inspection of billing and metering devices installed on high voltage shall be conducted once a year as a rule.

The energy entity engaging in electric energy transmission or distribution and the electric energy customer shall determine consensually the time and method of regular inspection.

The energy entity engaging in electric energy transmission or distribution is obliged to inspect visually the orderliness of metering devices on low voltage at least once a year.

The energy entity engaging in electric energy transmission or distribution and the customer may request an extraordinary inspection of metering devices at the metering point, which must be performed within 10 days following the submission of the request.

The costs of the extraordinary inspection shall be borne by the party that requested the inspection if it is determined that the metering device is in order.

#### **Article 54**

If it is determined that the calculation constant of the device was determined incorrectly, an additional calculation shall be performed by applying the correct constant starting from the day the calculation was made by applying the incorrect constant.

Adjustment of the calculation shall also be done in cases when the values of certain points on the dial have been calculated incorrectly due to the incorrect numbers of wholes and decimals.

The calculation shall be performed at the prices applicable on the day of detecting the error, for the period of time not exceeding the limitation of actions.

#### **Article 55**

If it is determined that the tariff control device (time switch, tone frequency and radio remote control receivers) has not operated accurately, the total recorded electric energy consumption in that period shall be spread over the tariff rates applying the same ratio of the realised values as that in the previous period when the registration was accurate.

#### **Article 56**

If it is determined that the device has not recorded the consumption in a certain period of time or if the recording was inaccurate, the energy entity engaging in electric energy transmission or distribution, the supplier and customer shall consensually estimate the unrecorded electric energy. If the check metering was performed, the data obtained by such metering may be used consensually.

The calculation shall be made at the prices applicable on the day of detecting metering inaccuracy.

If the energy entity engaging in electric energy transmission or distribution, supplier and customer fail to reach an agreement as described in paragraph 1 of this Article, the estimate of energy and power shall be made according to the value realised during the corresponding hours of a similar period when the recording was accurate.

#### **Article 57**

Check metering or changes on the billing and metering devices shall be made in the presence of authorized persons of the energy entity engaging in electric energy transmission or distribution, the supplier and customer.

The protocol of changes shall be made and signed by all parties.

### **XIII. MANNER OF CUSTOMER NOTIFICATION**

#### **Article 58**

The energy entity engaging in electric energy transmission or distribution is obliged to notify tariff customers through the media or in another suitable way of all changes in the terms and conditions of electric energy supply, and especially of:

- 1) Electric energy supply restrictions or discontinuances in case of general shortage;
- 2) Supply restriction due to works on maintenance, inspection, overhaul and expansion of electric energy facilities, or to works associated with the connection of new electric energy customers that have been planned and announced beforehand;
- 3) Measures and method of electric energy saving and rational consumption;
- 4) The cause and estimated duration of electric energy supply restrictions due to force majeure or failures;

Notifications referred to in paragraph 1 of this Article shall also contain data on electric energy customers to whom electric energy supply is not discontinued pursuant to Article 32 hereof.

#### **Article 59**

The energy entity engaging in electric energy transmission or distribution is obliged to notify a tariff customer in writing of electric energy supply discontinuance in cases determined by the Law and this Ordinance.

### **XIV. TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 60**

As of the date of entry of this Ordinance into force, the Decision on General Conditions for Electric Energy Supply shall cease to be effective (*Official Gazette of the Republic of Serbia*, no. 39/01 – integrated text, 130/03 and 73/04).

#### **Article 61**

This Ordinance shall come into force on 1<sup>st</sup> January 2006.

05 number 110-7113/2005-2

Belgrade, 17<sup>th</sup> November 2005

**Government**  
Deputy Prime Minister