# Bhutan Electricity Authority

# Public Hearing Procedure 2016

# for

# Electricity Tariff Determination

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# CHAPTER I

# PRELIMINARY

## Title, Extent and Commencement

1. These procedure shall:
   a) Be cited as Public Hearing Procedure 2016 for Electricity Tariff Determination;
   b) Apply to licensees and electricity consumers; and
   c) Come into force with effect from 1st March 2016.

## Purpose

2. This procedure is to outline the procedures for conducting the public hearing for electricity tariff determination in line with Bhutan Electricity Authority – Tariff Determination Regulation 2016, whenever the Bhutan Electricity Authority decides to conduct a public hearing for tariff determination.

3. This procedure is to provide an opportunity for licensees to present their electricity tariff application and to allow consumers to raise their views and comments over the licensees' electricity tariff applications.

## Supersession

4. Any procedure with respective to the public hearing adopted by the Bhutan Electricity Authority shall be superseded by this public hearing procedure.

## Authority for Amendment

5. This public hearing procedure shall be amended as and when deemed necessary by the Authority.

# CHAPTER II

# PRE-PUBLIC HEARING PROCEDURE

## Tariff Application

6. The Licensee shall submit the tariff application to the Bhutan Electricity Authority as per the provisions of the Tariff Determination Regulation 2016.

7. The Bhutan Electricity Authority shall undertake preliminary review of the tariff application submitted by the Licensees and accordingly, inform Licensees to submit further information/data required, if any.

## Notice of Public Hearing

8. The Bhutan Electricity Authority shall upload the tariff application of the Licensees on its website at least twenty one calendar days prior to the public hearing.

9. The Bhutan Electricity Authority shall notify the actual date of public hearing in at least two widely circulated national newspapers including national TV and BEA's website twenty one (21) calendar days prior to the public hearing. The notification shall contain the following information but not limited to:
   (1) Information from where the Bhutan Electricity Authority – Public Hearing Procedure for Electricity Tariff Determination and registration form(s**)** can be downloaded.
   (2) Email address, mail address and fax number for the submission of the form.

10. The Bhutan Electricity Authority shall notify the venue and time of the public hearing in at least two widely circulated national newspapers, national TV and BEA's website at least three calendar days prior to the public hearing.

11. The rescheduling of venue, time and date of the public hearing shall not be undertaken unless some untoward emergency situation occurs and shall be notified to the public through at least one widely circulated national newspaper and national TV as soon as possible.

## Registration

12. The participants who wish to attend the public hearing shall submit the duly filled registration **form A** to Bhutan Electricity Authority by e-mail/mail or fax.

13. The registration for the public hearing will be closed for the participants in seven calendar days prior to the public hearing.

14. The interested participants/consumer group wishing to make a presentation before a public hearing shall submit the duly filled registration **form B** by e-mail/mail or fax to Bhutan Electricity Authority at least ten calendar days prior to the public hearing. The participants/consumer group shall submit the presentation copy (hard and soft) along with the duly filled registration **form B**.

15. The selected participants/consumer group for the presentation will be informed through email/phone at least three calendar days prior to the public hearing.

16. Only the registered individuals and parties shall be allowed to attend the public hearing. The Bhutan Electricity Authority may, however, limit the number of participants to a manageable size upon ensuring that all consumer groups are represented for effective public hearing on first-come-first served basis. The consumers shall be categorized within one of the following groups:
    (1) Low voltage consumers;
    (2) Medium voltage consumers; and
    (3) High voltage consumers.

# CHAPTER III

# PUBLIC HEARING PROCEDURE

## General Procedures

17. The public hearing shall be presided over by the Chairman of the Bhutan Electricity Authority and in his absence it shall be presided over by any other member of the Commission appointed by the Bhutan Electricity Authority as a Chairman for that purpose.

18. The quorum required of the Bhutan Electricity Authority Commission for the public hearing shall be at least two-third.

19. The Chairman of the public hearing shall announce the rules of proceedings to ensure order in the house.

20. In order to expedite the public hearing proceedings, participant may nominate a representative to voice their common concerns or issues on behalf of consumer group.

21. All participants raising queries or expressing views shall identify themselves and clarify who they are representing.

22. All queries and expressed views shall be substantive and relevant to the tariff application. The Chairman shall intervene in any irrelevant or repetitive queries and views being expressed at the public hearing.

23. The Bhutan Electricity Authority shall conduct only the hearing and shall neither engage in any debate nor take part in any discussion on the tariff application or the preliminary tariff review result during the public hearing.

24. No other than Bhutan Electricity Authority shall record and maintain the public hearing proceeding.

25. When the public hearing is officially declared closed by the Chairman, no further comments and questions shall be taken into consideration.

### Presentation by Licensees

26. The Licensees shall present its tariff application before the public and the said presentation shall not last more than 45 minutes.

### Presentation by Consumers

27. The Bhutan Electricity Authority shall select one presentation from each consumer group for end user tariff application and one presentation for generation tariff application.

28. The selected presentation of the participants shall present their presentation before a public hearing. The presentation shall not last more than 45 minutes.

## CHAPTER IV
## POST PUBLIC HEARING

### Comments and Clarifications

29. Any written comments shall be addressed to the Chief Executive Officer, Bhutan Electricity Authority, Post Box No. 1557, Thimphu within twenty one calendar days from the date of public hearing. Any comments received after twenty one calendar days shall not be entertained.

30. The Bhutan Electricity Authority may forward some of the relevant comments/queries to the Licensee for appropriate response(s).

31. The Bhutan Electricity Authority shall not provide any individual response to the written comments and queries raised.

32. The comments received during the public hearing and responses to the comments of consumer(s) by the licensee shall be taken into consideration during the tariff review process.

**FORM A**

## REGISTRATION FORM FOR PUBLIC HEARING

| | |
|---|---|
| 1. Full Name | |
| 2. CID No./Work permit No/Visa No. | |
| 3. Organization (individuals please write 'self') | |
| 4. Present Address | |
| 5. Email Address | |
| 6. Contact Number | a. Mobile: ……. b. Phone: ……. |

7. Please tick the hearing you want to attend

☐ BPC Public Hearing Only ☐ DGPC Public Hearing Only

☐ Both DGPC and BPC Public Hearings

8. Consumer Category

☐ Low Voltage (upto 400V) ☐ Medium Voltage (6.6/11/33 kV)

☐ High Voltage (66kV and above)

Date: _____ Applicant Signature

**FORM B**

**REGISTRATION FORM FOR MAKING PRESENTATION AT PUBLIC HEARING**

| | |
|---|---|
| 1. Full Name | |
| 2. CID No. CID No./Work permit No/Visa No. | |
| 3. Organization (individuals please write 'self') | |
| 4. Present Address | |
| 5. Email Address | |
| 6. Contact Number | a. Mobile: ……. b. Phone: ……. |

7. Please select the presentation you want to make at the public hearing:

Low Voltage (upto 400V) ☐

Medium Voltage (6.6/11/33kV) ☐

High Voltage (66kV and above) ☐

Generation ☐

Date: _____

Applicant Signature