



BELIZE

**ELECTRICITY ACT
CHAPTER 221**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



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CHAPTER 221

ELECTRICITY (APPOINTED DAY) ORDER
ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Appointed Day.

CHAPTER 221

ELECTRICITY (APPOINTED DAY) ORDER

(Section 3)

5 of 1993.
Act 13 of 1992.

[16th January, 1993]

1. This Order may be cited as the

Short title.

ELECTRICITY (APPOINTED DAY) ORDER.

2. In exercise of the powers conferred upon me by section 3 (1) of the Electricity Act, 1992 (No. 13 of 1992) and all other powers thereunto me enabling, **I, CARLOS DIAZ**, Minister of Energy and Communications, hereby appoint the 7th day of January, 1993 as the “appointed day” for the purposes of the said Act.

Appointed Day.

MADE by the Minister of Energy and Communications this 7th day of January, 1993.

(CARLOS DIAZ)

Minister of Energy & Communications

CHAPTER 221

ELECTRICITY (AREAS OF SUPPLY OF ENERGY) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Areas of supply.

CHAPTER 221

ELECTRICITY (AREAS OF SUPPLY OF ENERGY) ORDER

(Section 6)

[9th December, 1972]

50/1972.
43/1976.
79/1978.
109/1989.
117/1989.
CAP. 182.

1. This Order may be cited as the

Short title.

**ELECTRICITY (AREAS OF SUPPLY OF ENERGY)
ORDER.**

2. The following areas are hereby declared to be the areas of supply for the purposes of supply of energy to consumers by the Belize Electricity Limited by virtue of Section 13 of the Electricity Act:

Areas of supply.
CAP. 221.

(1) **BELIZE CITY AND DISTRICT:**

- (a) The Northern Highway up to eighteen miles from the City boundary and including other roadways and areas up to three miles on either side and taken at any angle from the highway orientation.
- (b) The Village of Burrell Boom, including roadways and areas within a radius of four miles from the center of the village.
- (c) The Western Highway up to eighteen miles from the City boundary, and including other roadways and areas up to three miles on either side and taken at any angle from the highway orientation.

(2) CAYO DISTRICT:

- (a) The Western Highway between the Villages of Camalote and Santa Elena, including other villages, roadways and areas up to 1 mile on either side and taken at any angle from the highway orientation.
- (b) The Town of Santa Elena and San Ignacio from its junction with the Western Highway, and including other roadways and areas within the town boundaries.
- (c) That portion of the Western Highway from its junction with San Ignacio to the town of Benque Viejo del Carmen, including other roadways and areas up to ½ mile on either side and taken at any angle from the highway orientation.
- (d) The Town of Benque Viejo del Carmen, and including that portion of the highway between Benque Viejo del Carmen and the border line Immigration and Customs department stations.

(3) ORANGE WALK DISTRICT:

- (a) The Northern Highway up to four miles on either side from its junction with the boundary of Orange Walk Town, and including other roadways and areas up to ½ mile on either side and taken at any angle from the highway orientation.
- (b) Orange Walk Town, and including other roadways, villages and areas up to six miles from

the town along any roadway and up to ½ mile on either side of such roadways.

(4) COROZAL DISTRICT:

(a) That portion of the Northern Highway from its junction with Corozal Town to the Village of Libertad, and including villages, other roadways and areas up to ½ mile on either side and taken at any angle from the highway.

(b) Corozal Town, and including other roadways, villages and areas up to five miles from the town along any roadway and up to ½ mile on either side of such roadways.

(5) AMBERGRIS CAYE:

The Village of San Pedro, and including all roadways and areas up to two miles either side of the center of the village.

(6) BELMOPAN:

All roadways and areas within the New Capital City of Belmopan, including that portion of the Western Highway between the City and Camalote Village, and all other roadways and areas up to ½ mile on either side and taken at any angle from the highway orientation.

(7) CAYE CAULKER:

The Village of Caye Caulker, including all roadways and areas up to two miles on either side of the center of the village.

(8) STANN CREEK DISTRICT:

- (a) That portion of the Southern Highway between the boundary of Dangriga and mile thirteen, and including all other roadways and areas up to ½ mile on either side and taken at any angle from the highway orientation.
- (b) Dangriga, and including other roadways and areas up to three miles from the town along any roadway and up to ½ mile on either side of such roadways.

(9) PUNTA GORDA:

Punta Gorda Town, and including all roadways and areas up to three miles from the town along any roadways and up to ½ mile on either side of such roadways.

43/1976.

(10) LADYVILLE:

The area along the Northern Highway of a distance of two hundred and fifty yards on either side of the said highway extending from the Belize City limits up to and including Ladyville and the Philip S. W. Goldson International Airport.

79/1978.

(11) SANTA ELENA:

The area known as Santa Elena on the Northern Highway at the border with Mexico.

109/1989.

(12) SARTENEJA VILLAGE:

The area known as Sarteneja Village in the Corozal District, including all roadways and areas up to a distance of six miles from the said village along any roadways and for a distance of ½ mile on either side of such roadways.

(13) INDEPENDENCE VILLAGE:

117/1989.

The village of Independence in the Stann Creek District, including all roadways and areas up to a distance of six miles from the said village along any roadways and for a distance of ½ mile on either side of such roadways.

CHAPTER 221**ELECTRICITY TARIFFS, CHARGES AND
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FIRST SCHEDULE

SECOND SCHEDULE

CHAPTER 221

**ELECTRICITY TARIFFS, CHARGES AND
QUALITY OF SERVICE STANDARDS BYE-LAWS**

(Section 46)

60 of 2001.
Act 13 of 1992.
Act 40 of 1999.

[12th April, 2001.]

PART 1
INTERPRETATION AND APPLICATION

1. These Bye-laws may be cited as the

Short title.

**ELECTRICITY TARIFFS, CHARGES AND QUALITY
OF SERVICE STANDARDS BYE-LAWS.**

2. In these Bye-laws, unless the context otherwise requires:

Interpretation.

“Annual Tariff Period” means a twelve-month tariff period under bye-law 28;

“ARP” means Annual Rate Proceeding;

“Commission” means the Public Utilities Commission established under the Public Utilities Commission Act;

CAP. 223.

“Cost of Power” means the cost of power purchased in accordance with the terms and conditions of any power purchase agreement approved by the Commission together with the variable and fixed operating costs of generation production of the licensee;

“CPRSA” means the Cost of Power Rate Stabilisation Account to be established in accordance with bye-law 35;

“customer” means any person served or entitled to be served by a licensee;

“Effective Date” means the date on which these Bye-laws come into effect;

“FTP” means full tariff period;

“FTRP” means full tariff review proceeding;

“interested party” means any person, customer or entity having an interest or concern in the outcome of an application or proceeding before the Commission;

“licensee” means any legal person or entity licensed to produce, generate, store, transmit, sell, deliver, or supply electricity to or for the public under section 15 of the Act;

First Schedule. “proposed values” means those values forecasted by the licensee and submitted in support of the tariff and mean electricity rates in the First Schedule, including forecast values for the Cost of Power, recovery of changes in the Cost of Power and cost related to power delivery;

First Schedule. “regulated values” means those values as determined by the Commission that support the tariff and mean electricity rates in the First Schedule, including forecast values for the Cost of Power, recovery of changes in the Cost of Power and cost related to power delivery;

Schedules. “Schedules” mean the First and Second Schedules to these Bye-laws;

No. 13 of 1992. “the Act” means the Electricity Act as amended from time to time;

“transitional period” means the period from the Effective Date to June 30, 2005.

Applicability and scope. 3. (1) These Bye-laws shall govern the tariffs, rates and charges for the transmission and supply of electricity and for existing and new services to be charged by a licensee to consumers in Belize and the mechanisms, formulas, and procedures whereby such tariffs, rates and charges shall be calculated

and determined for all purposes.

(2) These Bye-laws shall govern the quality of service standards for existing and new services at any time provided or to be provided by a licensee, and the mechanisms, formulas and procedures whereby such services shall be calculated and determined for all purposes.

PART II **RATEMAKING PRINCIPLES**

4. (1) The methodology for electricity tariffs and mean electricity rates shall be as determined in the First Schedule to these Bye-laws, as amended from time to time by the Commission and shall include:

Ratemaking
principles.
First Schedule.

- (a) the recovery of the full cost of power;
- (b) the recovery of changes in the cost of power in accordance with Part V; and
- (c) a fee for capacity support to compensate the licensee for capacity it owns, including, without limitation, a reasonable return on investment when operating in a manner compatible with international standards of an efficiently operated power system of similar characteristics to that of Belize; and
- (d) a fee for power delivery service to compensate the licensee for the transport of electricity from its source to customers and for customer services associated with the supply of electricity including, without limitation, a reasonable return on investment when operating in a manner compatible with international standards of an efficiently operated

power system of similar characteristics to that of Belize.

(2) The Commission shall develop tariffs and rates based on regulated values determined by the Commission in a full tariff review proceeding as described in this Part.

First Schedule.

(3) The First Schedule and the tariffs and rates determined thereby shall be adjusted annually between FTRPs (including, for certainty, during the period from the Effective Date until June 30, 2005) in an ARP as provided for in Part IV of these Bye-laws.

(4) Tariffs shall be allocated to different customer classes to produce rates for such particular customer classes that are based on the cost of serving such classes, except where the Commission determines that a different allocation between customer classes is required to provide affordable rates to the needy.

First Schedule.

(5) Detailed rates shall be designed so that the licensee will recover on average the mean electricity rate resulting from application of the methodology set out in the First Schedule.

(6) Subject to these Bye-laws, a licensee shall not charge a customer less than the applicable rates or charges determined in accordance with these Bye-laws without the prior approval of the Commission provided on a case-by-case basis or for a general category of customers or circumstances; and the licensee shall not charge a customer rates that are less than the cost of power.

Conduct of
business.
Second Schedule.

5. A licensee shall conduct his business in a manner which is reasonably best calculated to meet the quality of service standards as set out in the Second Schedule.

Requirement of
public notice.

6. For the purposes of these Bye-laws, where a licensee is required to

provide public notice, the licensee shall -

- (a) place a copy of the notice in a publicly accessible part of its principal office of business in such manner and in such place that it is readily available for inspection free of charge by members of the general public during normal business hours;
- (b) publish the notice or, with the consent of the Commission, a summary thereof, in two newspapers published and circulating in Belize; and
- (c) send a copy of the notice or such part or parts thereof as are appropriate to any person who may request such a copy, provided that the Commission shall allow the licensee to assess a reasonable charge to cover the cost of such provision.

7. Throughout a FTRP and an ARP, the Commission and the licensee shall maintain an up-to-date schedule for the proceeding to take place in a publicly accessible part of its office and principal office of business in such manner and in such place that is readily available for inspection free of charge by members of the general public during normal business hours.

Schedule for proceeding.

8. (1) Where a licensee or an interested party files comments or information with the Commission, to the extent such comments or information include statements or information purported to be factual, such comments or information shall be accompanied by a sworn affidavit by the person making the submission or, if an entity makes the submission, by an officer of the entity.

Filing of information.

(2) An affidavit shall state that the factual statements or information provided are true to the best knowledge and belief of the signatory.

Filing of
information with
Commission.

9. (1) During a FTRP or an ARP, three copies of any application, report, comments or information provided by a licensee or an interested party to the Commission shall be filed in the Commission's office.

(2) A copy of documents submitted by an interested party shall be provided to the licensee at his principal office of business on the same day.

(3) On the date of issuance, the Commission shall provide to the licensee at his principal business office a copy of any proposal, report or decision issued by the Commission.

(4) No later than one day after receipt or issuance by the Commission, a copy of any document submitted by the licensee, or an interested party, or issued by the Commission, shall be made available to the public at the office of the Commission and at the principal office of the licensee, and members of the public shall be allowed to obtain copies of the documents at either of these locations at their own expense.

Cost of
independent
consultants.

10. The costs of independent consultants retained by the Commission in the course of a FTRP or an ARP, in accordance with bye-laws 23 and 32 respectively, shall be borne by the licensee, subject to reimbursement through the tariffs and rates established in the FTRP or ARP.

Costs of licensee.

11. A licensee and any interested party participating in a proceeding before the Commission shall bear their own respective costs of such participation, unless the Commission issues an order to the contrary.

Powers of
Commission.

12. (1) During all proceedings and hearings, the Commission shall have the right and responsibility to manage such proceedings and hearings to ensure that they are effective and efficient and provide participants a fair opportunity to be heard.

(2) The Commission shall have full power and authority to take

cognisance of and accept as fact any statement contained in any affidavit or documentation filed or submitted by a licensee in respect of the proceedings insofar as such statement is not disputed by any person.

(3) Nothing herein shall be construed as preventing the Commission from calling the deponent of any affidavit or any person to appear before the Commission for oral testimony in the proceeding.

13. (1) The licensee and interested parties may request confidential treatment for any commercially sensitive information submitted in a FTRP or an ARP. Confidential information.

(2) When filing information it deems to be confidential, the licensee or an interested party shall submit a petition for confidential treatment that sets forth the justification for confidential treatment and shall clearly mark the information it deems to be confidential.

(3) Only information that is commercially sensitive should be marked as confidential and, where only a portion of a document includes confidential information, an expurgated copy must be filed with the full document.

(4) Confidential information shall be treated confidentially unless, within five days of receipt of the petition and the information marked as confidential, the Commission finds that the information is not commercially sensitive and so notifies the person who submitted the information in writing, in which case, the person who submitted the information may withdraw the information within two days instead of having it disclosed, and information so withdrawn may not be considered by the Commission in making a determination or decision.

(5) The following shall apply to confidential information:

(a) the information shall not be released to the public;

- (b) the information shall not be released to an interested party in the proceeding unless the interested party signs a confidentiality agreement;
- (c) the information may not be copied by a recipient and shall be returned to the person who submitted it at the conclusion of the proceeding; and
- (d) the Commission shall return all but one copy of the confidential information submitted during the course of a proceeding to the person who submitted it and the copy that is retained shall be kept by the Commission in a confidential file which shall not be made available to the general public.

PART III
REGULATED VALUES
FULL TARIFF REVIEW PROCEEDINGS

Determination of regulated values.

14. (1) During a FTRP, the regulated values to be applied over the next four-year tariff period (the Full Tariff Period) shall be determined by the Commission.

(2) The first FTRP shall determine the regulated values for the Full Tariff Period commencing on July 1, 2005 and terminating on June 30, 2009.

(3) Subsequent Full Tariff Periods shall commence and terminate, respectively, on the fourth anniversary of the commencement and termination of the previous FTP.

Basis for regulated values.

15. (1) Regulated values for the FTP shall be based on forecasts of the Costs of Power, appropriate fees for capacity support and appropriate fees for power delivery.

(2) The regulated values shall also provide for rate adjustments so that any amounts in the rate stabilisation account as of the commencement of the FTP shall be reduced to zero as of the termination of the FTP, in accordance with the provisions of Part V.

16. (1) At least 120 days prior to the commencement of an FTP, a licensee, in coordination with the Commission, shall provide public notice, in accordance with bye-law 6 above, of the commencement of an FTRP. Notice of FTRP.

(2) Such notice shall describe the following:

- (i) the purpose and nature of a FTRP;
- (ii) a summary of the issues that will be addressed;
- (iii) the process for the FTRP and the opportunities available for public comment and participation;
- (iv) indication of the time, date and place for the initial scheduling meeting;
- (v) the fact that members of the public can obtain up-to-date information on the schedule of the case at the office of the Commission and at the licensee's principal business office.

17. On the date of publication of the public notice described in bye-law 16 above, the licensee shall submit proposed values for regulated values for the next tariff period and may submit proposed revisions to the Schedules including, without limitation, proposed changes to the category of regulated values used for determination of tariffs, the provisions in this bye-law or in the First Schedule. Publication of notice. Schedules. First Schedule.

respecting rate stabilisation accounts, and the parameters to measure quality of service and quality of service standards.

Meeting of
Commission.

18. Within ten days after the date of publication of the notice described in bye-law 16, the Commission shall hold, at the time and at the place set out in the notice, a meeting in which the licensee shall, and interested parties may participate; and at the meeting, the Commission shall establish the schedule for the proceeding in accordance with the time limits set out herein.

Comments of
interested parties.

19. Within thirty days of the licensee's submission, interested parties may submit written comments and information on the licensee's proposals.

Decision of
Commission.
Schedules.

20. Within fifteen days of the submission of comments above, the Commission shall issue an initial written decision on whether and in what manner the Schedules will be amended and proposing values for regulated values for the next tariff period, along with reasons explaining the decision.

Comments on
Commission's
decision.

21. Within fifteen days after the initial decision of the Commission above, the licensee and interested parties representing users of at least 10% of the annual energy supplied in the most recent year by the licensee may file written comments on the decision.

Final decision of
Commission.

22. Where there is no objection to the Commission's initial decision by the licensee or an interested party, representing users of at least 10% of the annual energy supplied by the licensee in the most recent year, the Commission shall issue a final decision adopting its initial decision.

Objections to
Commission's
decision.

23. (1) Where the licensee or an interested party representing users of at least 10% of the annual energy supplied by the licensee in the most recent year objects in writing to the initial decision of the Commission, the Commission shall appoint an independent consultant to review the Schedules within 15 days of such objection.

Schedules.

(2) Such independent consultant shall have adequate qualifications

and shall have no financial stake in the outcome of the proceedings.

(3) For the purposes of this bye-law, a consultant shall not be deemed to have a financial stake in the outcome of the proceeding merely on account of the fact that he is a customer of the licensee, or has a financial stake in an entity that is a customer of the licensee, unless electricity constitutes more than 5% of the annual expenses of such entity.

24. (1) Within thirty days of his appointment, the independent consultant shall issue a written report on the advisability of amending the Schedules and setting out proposed amendments and proposing values for regulated values for the next tariff period.

Report of consultant. Schedules.

(2) The consultant shall give due consideration to the interim decision of the Commission and the objections, comments and information submitted by the licensee and interested parties and such report shall be submitted to the Commission and the licensee and shall be made available to the public in accordance with bye-law 9 of these bye-laws.

25. Within twenty days of issuance of the report under by-law 24 above, the licensee and any interested parties representing customers of the licensee that together consumed at least 10% of the energy sold in the most recently completed year by the licensee may submit comments on the report, and within 15 days thereafter, if the Commission receives comments challenging the conclusions of the report, the Commission shall afford the licensee and the aforesaid interested parties an opportunity to be heard.

Comments on report.

26. No later than fifty days after the issuance of the independent consultant's report above, the Commission shall issue a final decision on the amendment to the Schedules and on the values for regulated values that will be in effect for the next FTP.

Commission's decision on report.

27. The regulated values in effect during the previous FTP shall remain in effect pending the final determination by the Commission in accordance with

Regulated values to remain in effect.

bye-law 26 above.

PART IV
ANNUAL RATE PROCEEDINGS

28. (1) The Commission shall, for each twelve month period within a FTP (other than the initial twelve months of a Full Tariff Period) (an Annual Tariff Period) hold an ARP to ensure that the tariffs and rates to be charged by the licensee during the ATP accurately reflect and give effect to the regulated values established during the last FTRP and to the Schedules in effect.

Holding of ARP.

Schedules.

(2) The first such Annual Tariff Period shall be the twelve month period commencing on July 1, 2001.

Filing of tariff application and report.

29. (1) At least ninety (90) days prior to the commencement of an ATP, the licensee shall file a tariff application and report on quality of service standards for determination of tariffs and rates in the applicable Annual Tariff Period.

(2) The report shall:

(a) propose tariffs and a mean electricity rate determined in accordance with the First Schedule and the regulated values established during the last FTRP, adjusted to take account of any changes necessary to recover balances in the CPRSA in the manner set out in Part V;

(b) propose rates for particular customer classes that accurately allocate to each customer class the costs of serving that class (except as necessary to provide affordable rates for the needy); and

- (c) describe the licensee's performance as to quality of service standards as set out in the *S e c o n d* Schedule. Second Schedule.
30. The application and report shall include all relevant historical data and forecasts of future costs and other relevant information, and shall set out in detail the calculations supporting the proposed tariffs, the proposed mean and customer class rates, and the reported performance with quality of service standards. Contents of application and report.
31. (1) Within thirty working days of the receipt of the documentation set out in bye-laws 29 and 30 above, the Commission shall determine whether the proposed tariffs and rates have been accurately calculated in accordance with the First Schedule (including the accuracy of the calculations of the amounts in any rate stabilisation accounts and the proposed adjustments necessary to reduce such amounts as provided in Part VI), and whether the licensee's reported performance as to quality of service standards are accurate and calculated in accordance with the Second Schedule. Determination of Commission.
First Schedule.
Second Schedule.
- (2) The Commission may issue a draft decision approving the proposals of the licensee.
32. (1) Instead of issuing a draft decision in accordance with bye-law 31 above, the Commission may, within thirty days of receipt of the documentation set out in bye-laws 29 and 30 above, appoint an independent consultant. Appointment of independent consultant.
- (2) Where the Commission does not appoint an independent consultant within the said thirty days, the proposals of the licensee submitted pursuant to bye-laws 29 and 30 above shall be deemed to have been approved.
- (3) Within twenty days of being appointed, the consultant shall issue to the licensee and the Commission a written report on the extent to which the licensee's proposals comply with the Schedules and proposing any necessary revisions to the rates Schedules and proposing any necessary revisions to the Schedules.

rates proposed by the licensee.

(4) Within fifteen days after receipt of the report of the independent consultant, the Commission shall issue a draft decision in which it may order the licensee to adjust its rates in a manner that complies faithfully and fully with these Bye-laws.

Comments on decision.

33. (1) Within ten days of issuing a draft decision in accordance with bye-law 31 or 32(4), the Commission shall allow the licensee and interested parties to comment on the draft decision.

(2) Within twenty days of issuing a draft decision, where the Commission receives comments challenging such draft decision, it shall afford the licensee and interested parties an opportunity to be heard.

(3) Within thirty days of issuing a draft decision, the Commission shall issue a final decision.

Rate adjustments.

34. Any adjustments to rates required or approved by the Commission shall become effective in relation to any customer charges for the period commencing on the first day of the Annual Tariff Period, regardless of the date upon which the Commission's final determination is made, and the licensee shall rebate or recover any difference in subsequent customer bills in accordance with the directions of the Commission.

PART V

COST OF POWER RATE STABILISATION ACCOUNT

CPRS Account.

35. The licensee shall establish an account, to be known as the Cost of Power Rate Stabilisation Account (the "CPRSA"), to regulate the manner in which increases or decreases in the cost of power are passed on to customers, but only to the extent that such increases or decreases in the cost of power are not reflected in the cost of power reference in unit revenue contained in the

First Schedule.

First Schedule.

36. (1) The amount in the CPRSA shall be calculated as of December 31 of each year (the "Calculation Date") by the licensee and subject to bye-law 37 below, the amount in the CPRSA on such date (the Calculation Date) shall be calculated in seriatim as follows:

- (a) take the balance in the CPRSA on the immediately preceding calculation date (the preceding calculation date);
- (b) calculate the difference, if any, between the reference Cost of Power in the First Schedule in effect, and the actual Cost of Power per KWh sold for the period between the preceding calculation date and the calculation date;
- (c) multiply the number obtained in paragraph (b) above by the number of KWh sold during the period between the preceding calculation date and the calculation date;
- (d) where the reference Cost of Power is less than the actual Cost of Power, the product obtained in paragraph (c) above shall be added to the balance in the CPRSA on the preceding calculation date, whereas if the reference Cost of Power is greater than the actual Cost of Power, the product obtained in paragraph (c) shall be subtracted from the balance in the CPRSA on the preceding calculation date;
- (e) add to the amount that is produced in accordance with paragraph (c) an amount for carrying charge that is equal to the licensee's annual cost of capital as set out in the First Schedule multiplied by the

Calculation of CPRSA.

First Schedule.

First Schedule.

average balance in the CPRSA for the calculation period;

- (f) adjust the amount in paragraph (e) above to take account of any adjustments in electricity rates in effect during the relevant period, in accordance with bye-law 37 and which would not otherwise be factored into the calculation at the CPRSA for the relevant period.

(2) The amount that results from the calculations in paragraphs (a) through (f) above shall be the balance in the CPRSA on the calculation date.

Submissions of licensee.

37. The licensee's submissions to the Commission pursuant to bye-law 17 (in the case of a FTRP) or bye-law 29 (in the case of an ARP) shall include a calculation of the amount in the CPRSA as of the calculation date and the licensee shall also propose adjustments to the mean electricity rates so that the amount in the CPRSA shall be reduced in accordance with the following:

- (a) in the case of a submission under bye-law 17 in respect of a FTRP, a licensee shall propose adjustments so that, as of the termination of the next Full Tariff Period, the amount in the CPRSA will be reduced to zero;
- (b) in the case of a submission under bye-law 29 in respect of an ARP, the licensee shall propose supplemental adjustments such that any amounts in the CPRSA that will not be reduced to zero in accordance with subparagraph 41 (1) (an "Excess Amount") shall be dealt with as follows:
- (i) one-third of any excess amount up to Bze

\$10,000,000 in the CPRSA (positive or negative) as of the calculation date shall have been rebated or recovered by the licensee as of the termination of the Annual Tariff Period;

- (ii) two-thirds of any excess amount greater than Bze \$10,000,000 but less than Bze \$15,000,000 in the CPRSA (positive or negative) as of the calculation date shall have been rebated or recovered by the licensee as of the termination of the Annual Tariff Period; and
- (iii) the full amount of any excess amount greater than Bze \$15,000,000 in the CPRSA (positive or negative) as of the calculation date shall have been rebated or recovered by the licensee as of the termination of the Annual Tariff Period.

38. The licensee may, with the approval of the Commission, provide for such other rate stabilisation accounts as are appropriate to avoid large short-term fluctuations in the prices charged to customers including, without limitation, accounts providing for the regulated and orderly pass through of costs resulting from extraordinary contingent events beyond the reasonable control of the licensee such as hurricanes, other severe storms, floods, earthquakes, fires, civil disturbances, war, labour disputes, sabotage or restraint by a court or governmental authority which occurs despite compliance with good utility practice.

Information to be provided by licensee.

PART VI
TRANSITIONAL PROVISIONS

Application of
transitional
provisions.

39. (1) Notwithstanding any other provision of these Bye-laws, the transitional provisions contained in this Part shall apply to the determination of tariffs and rates and quality of service standards for the licensee, for the transitional period.

(2) Where the Commission in the exercise of its discretion considers it appropriate, the Commission may order that the said transitional provisions be made applicable to any subsequent licensee subject to such changes or additional conditions or provisions as the Commission may determine in writing after consultation with the licensee.

Effective date of
tariffs and rates.
First Schedule.

40. (1) The tariffs and rates to be charged during the transitional period shall be determined in accordance with the First Schedule.

(2) The Commission shall, for each twelve month period within the transitional period (An Annual Tariff Period) hold an ARP to ensure that the tariffs and rates to be charged by the licensee during the Annual Tariff Period accurately reflect and give effect to the regulated values established in the First Schedule to these Bye-laws.

First Schedule.

(3) The first such Annual Tariff Period shall be the twelve month period commencing on July 1, 2001.

First Schedule.

(4) The first FTRP shall review and, if appropriate, adjust the First Schedule and shall establish tariffs and rates effective as of July 1, 2005.

Second Schedule.

(5) For the transitional period, the licensee shall monitor the measures set out in the Second Schedule and report to the Commission thereon as requested by the Commission to enable the Commission to establish reasonable quality of service standards and penalties for failure to meet those service standards to be effective as of July 1, 2005.

(6) Prior to July 1, 2005 the licensee shall, in a gradual manner and within the general provisions of these Bye-laws, adjust its rates to achieve the principles set out in bye-law 4 of these Bye-laws.

41. (1) The initial determination of the balance in the CPRSA shall be made as of December 31, 2000 and annual calculations shall be made as of December 31st of each succeeding year. Determination of balance.

(2) For the period from the Effective Date to June 30, 2004, adjustments to the mean electricity rates resulting from the operation of the CPRSA:

(a) shall not exceed the amounts set out in the First Schedule. First Schedule.
Schedule; and

(b) shall apply to tariffs payable by all customers served under all tariff classes except the street light class.

(3) Commencing July 1, 2004 and in each succeeding year, adjustments reflecting the accrued balance in the CPRSA as of December 31, 2003 shall be made in accordance with Part V of these Bye-laws.

MADE by the Public Utilities Commission this 12th day of March, 2001.

Chairman,
(Public Utilities Commission)

APPROVED by the Minister of Public Utilities this 5th day of April, 2001.

(MAXWELL SAMUELS)
*Minister of Public Utilities,
Energy, Communications
and Immigration.
Minister responsible for Electricity*

FIRST SCHEDULE

Target Regulated Values

Average Unit Revenue

(Transitional Tariff Period: July 1, 2001 to June 30, 2005)

	Historic				Forecast			
	1999	2000	2001	2002	2003	2004	2003	2004
Assumptions used for transitional tariff period								
Rate adjustment date		April 1, 2000	July 1, 2001	July 1, 2002	July 1, 2003	July 1, 2004		
Sales (KWh) - Calendar year Jan 1 to Dec 31	200,688,725	228,803,000	250,000,000	275,000,000	300,000,000	324,000,000		
A. Cost of power (Pass Through Component in \$/KWh)								
1. Projected	0.175	0.197	0.207	0.181	0.174	0.174		0.174
2. Reference (1999)	0.175	0.175	0.175	0.175	0.175	0.175		0.175
3. Deferred (A1-A2)	0	0.022	0.032	0.006	-0.001	-0.001		-0.001
B. Value Added of Delivery (Regulated Value in \$/KWh) (inclusive of Capacity Support)	0.187	0.180	0.170	0.160	0.150	0.140		0.140
C. True Mean Electricity Rate (A1+B)	0.362	0.377	0.377	0.341	0.324	0.314		0.314
D. Stabilized Mean Electricity Rate	0.362	0.355	0.355	0.355	0.345	0.336		0.336
E. Deferred Mean Electricity Rate (C-D)	0	0.022	0.022	-0.014	-0.021	-0.022		-0.022
F. Cost of Power Rate Stabilization Account (CPRSA)		\$5,033,666	\$6,750,000	\$(2,475,000)	\$(6,300,000)	\$(6,966,000)		\$(6,966,000)
WACC of 125%			\$1,051,083	\$1,449,656	\$1,082,426	\$ 388,604		\$ 388,604
G. Cumulative CPRSA		\$5,033,666	\$12,834,749	\$11,809,405	\$6,591,831	\$ 14,435		\$ 14,435

SECOND SCHEDULE**Quality of Service Standards****Measures**

1. System Average Interruption Frequency Index (“SAIFI”)
2. System Average Interruption Duration Index (“SAIDI”)
3. Customer Response Time
 - (i) new service installations
 - (ii) service trouble calls
4. Quarterly Customer Satisfaction (Uniform Survey)
5. Power Quality
 - (i) voltage (at substation busses and end of feeders)
 - (ii) frequency

CHAPTER 221

ELECTRICITY (VESTING DAY) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Vesting Day.

CHAPTER 221

ELECTRICITY (VESTING DAY) ORDER

(Section 46)

6 of 1993.
Act 13 of 1992.

[16th January, 1993]

Short title. 1. This Order may be cited as the

ELECTRICITY (VESTING DAY) ORDER.

Vesting Day. 2. In exercise of the powers conferred upon me by section 46 (1) of the Electricity Act, 1992 (No. 13 of 1992) and all other powers thereunto me enabling, **I, CARLOS DIAZ**, Minister of Energy and Communications, hereby appoint the 7th day of January, 1993 as the “vesting day” for the purposes of the said Act.

MADE by the Minister of Energy and Communications this 7th day of January, 1993.

(CARLOS DIAZ)

Minister of Energy & Communications

CHAPTER 221

ELECTRICITY (LICENSING OF WIREMEN) REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title.
2. Wireman's license.
3. Renewal of license.
4. Suspension and cancellation of license.
5. Penalty for unlicensed wiremen.
6. List of licensed wiremen to be published in the *Gazette*.
7. Repeal of certain sections of Electricity Bye-laws.
8. Commencement.

CHAPTER 221

78 of 1995.
Act 13 of 1992.

ELECTRICITY (LICENSING OF WIREMEN) REGULATIONS

(Section 53)

[8th July, 1995]

Short title.

1. These Regulations may be cited as the

**ELECTRICITY (LICENSING OF WIREMEN)
REGULATIONS.**

Wireman's
licence.

2. (1) Subject to the provisions of this Regulation, any person desiring to obtain a wireman's licence shall make a written application to the Public Utilities Commission (hereinafter referred to as the "P.U.C.") and shall submit himself to a written examination and trial as to his skill and competence by an officer appointed by the P.U.C., and shall also furnish evidence as to his character.

(2) There shall be charged by the P.U.C. a fee of twenty dollars for conducting the test, which shall be paid by the applicant in advance along with his application.

(3) The P.U.C. may determine whether a wireman's licence shall be granted to such applicant having regard to his character and to the report as to his skill and competence by such officer.

(4) If the P.U.C. determines that the applicant qualifies for the grant of a licence, it shall issue the license on payment by the applicant of a licence fee of ten dollars.

(5) A wireman's licence granted under this Regulation shall be valid for a period of one year from the date of issue.

(6) The P.U.C. may, if it is satisfied that the applicant was the holder of a valid wireman's licence granted by the Belize Electricity Limited during the period of two years immediately preceding the date of his application, waive the requirement of submitting to a written examination and the furnishing of the character evidence stipulated in sub-regulation (1) above.

3. (1) Any person desiring to renew a wireman's licence shall make a written application to the P.U.C. and shall furnish evidence as to his character.

Renewal of licences.

(2) If the P.U.C. is satisfied that the applicant meets the required standards, it shall renew the licence for a further period of one year on payment by the applicant of a fee of ten dollars.

(3) If a wireman fails to renew his licence for a consecutive period of two years, he shall on subsequent application be required to pay the licence and test fee.

4. Notwithstanding the above provisions, the P.U.C. may at any time for fit and proper cause suspend or cancel a wireman's licence granted hereunder.

Suspension and cancellation of licences.

5. (1) No person other than a licensed wireman shall construct, repair, alter or do any work whatsoever to or interfere with any part of any electrical installation connected or intended to be connected to the public electric lines, and the owner or occupier of any premises on which such installation shall be situated shall not knowingly permit any person not being a licensed wireman to do so.

Penalty for unlicensed wiremen.

(2) Any person who contravenes the provisions of subregulation (1) above shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding six months.

- List of licensed wiremen to be published in the Gazette.
6. The P.U.C. shall cause to be published annually in the *Gazette* a list of all licensed wiremen.
- Repeal of certain sections of Electricity Bye-laws.
Sub-Leg. Vol. IV
CAP. 182 p.5.
7. Bye-laws 19, 20 and 21 of the Electricity Bye-Laws are hereby repealed.
- Commencement.
8. These Regulations shall come into force on 1st July, 1995.

MADE by the Minister of Energy, Science, Technology and Transportation this 28th day of June, 1995.

(JOSEPH CAYETANO)

*Minister of Energy, Science, Technology,
and Transportation.*

CHAPTER 221

ELECTRICITY BYE-LAWS

ARRANGEMENT OF BYE-LAWS

1. Short title.
2. Interpretation.
3. Application for supply.
4. Power to refuse.
5. Unsuitable premises.
6. Meters.
7. Persons authorised to make installation.
8. Power to dispense with meter.
9. Evidence of meter.
10. Testing of meters.
11. Electrical installations.
12. Separate circuits.
13. Installation out of order.
14. Motors.

15. Motors and arc light switches.
 16. Alterations of installations.
 17. Board may undertake work.
 18. Inspection and testing of electrical installation.
 19. Licensed wireman.
 20. Licence.
 21. Suspension and cancellation.
 22. Fixing and altering of charges.
 23. Recovery of charges.
 24. Discontinuance of supply.
 25. Liability for failure of supply, etc.
 26. Penalty.
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CHAPTER 221

ELECTRICITY BYE-LAWS

(Section 53)

CAP. 156.
CAP. 182.

1. These Bye-laws may be cited for all purposes as the

Short title.

ELECTRICITY BYE-LAWS.

2. The interpretation contained in the Electricity Act shall apply to these Bye-laws and the following additional words and expressions shall, unless inconsistent with the context, have the meaning hereinafter respectively assigned to them, that is to say:

Interpretation.
CAP. 221.

“electrical installation” or “consumer’s installation” means and includes all electrical wires, fittings, appurtenances and attachments erected or maintained on or about the premises of a consumer for the distribution and use of electricity, not including the service line;

“licensed wireman” means the rightful holder of a wireman’s licence granted by the Public Utilities Commission;

“the Company” means the Belize Electricity Limited.

3. Every person who desires to be supplied by the Company with electricity shall fill in and deliver to the Company a form of application which shall be furnished by them, and shall, if so required by the Company, deposit and maintain from time to time with the Company a sum estimated by the latter to be sufficient to secure all the charges likely to be incurred by the applicant for or incidental to a supply of electricity for three months.

Application for
supply.

4. The Company may refuse to grant to any person a supply of electricity which would necessitate the extension of their electric lines, unless, by arrangement, such person undertakes to bear such portion of the cost of such

Power to refuse.

extention as may be agreed upon, or which would, in their opinion, harmfully affect the electricity works or the running thereof or the financial interest of the electricity undertaking.

- Unsuitable premises. 5. The Company may refuse to supply electricity or may discontinue the supply thereof to any premises so unsuitably constructed or unsound as in their opinion to be liable to be injured by or in consequence of such supply, or to endanger the supply of electricity to or the safety of other buildings which would be on the same circuit or the safety of such circuit or of the Company's electricity works.
- Meters. 6. The Company shall at their discretion provide and connect to each consumer's installation a meter which shall remain the property of the Company and the consumer shall be responsible for the safe custody thereof. All meters, before installation in any consumer's premises, and before being used for measuring the quantity of electric current, shall be tested by the Company.
- Persons authorised to make installation. 7. No person other than an authorised servant of the Company or a licensed wireman shall make any installation or alteration in installation on the premises of a consumer, and no person other than an authorised servant of the Company shall affix, connect or interfere with any service line, supply, fuse or meter.
- Power to dispense with meter. 8. In case of emergency or of a supply of electricity being required only temporarily, the Company may in their discretion dispense with the use of a meter and assess by computation which shall be binding on the consumer as to the quantity of electricity supplied.
- Evidence of meter. 9. The register of any meter connected by the Company to any consumer's installation shall, subject to bye-law 10 hereof, be *prima facie* evidence of the quantity of electricity supplied to such consumer.
- Testing of meters. 10. (1) Any person who questions the accuracy of the meter connected to his electrical installation may call upon the Company to test such

meter.

(2) Should any meter tested as aforesaid register within 2% above or below the correct quantity it shall be deemed to be correct.

(3) Any inaccuracy deduced from any test aforesaid shall be charged or allowed to the consumer.

(4) Should any meter cease registering altogether or be found to register so incorrectly that in the opinion of the Company the true quantity cannot be deduced therefrom, then the true quantity shall be assessed by taking the average quantity supplied during the previous nine months, or during such other period, not exceeding nine months immediately previous to the failure of the meter to register the supply of current as the Company may deem advisable in order to arrive at a fair estimate of the quantity of current consumed. The Company shall install without delay a tested meter and no charge shall be made to the consumer for such installation.

(5) No question of the accuracy of the meter shall exempt the consumer concerned from payment within the time prescribed by these Bye-laws of the quantity registered *prima facie* by such meter.

(6) The minimum rate for electricity supplied to any premises shall be as stated in the Company's schedule of charges for the time being whether current has been used or not during such calendar month:

Provided that, if a consumer gives written notice to the Company before the expiration of any calendar month that he does not intend to use current during the whole period of any following calendar month or months, the Company shall disconnect his service and the consumer shall not, in these circumstances, be required to pay a minimum rate for current during the period that service is disconnected.

11. Subject to the provisions of these Bye-laws respecting meters, every Electrical installations.

electrical installation shall be suitable for continuous current supplied at a pressure of 110 volts for lighting and 220 volts for power purposes which shall be provided and maintained by the consumer.

- Seperate circuits. 12. If separate supplies of electricity for lighting and for power purposes are required on any premises then entirely separate circuits shall be installed.
- Installation out of order. 13. If a consumer considers that for some reason his installation is out of order, or that there is a leakage or risk in using the installation through the presence of a fault, he should give notice at once to the Company, and, if possible, turn off the supply at the main switch.
- Motors. 14. Every motor of one or more horse-power shall only be connected to the mains having a pressure of 220 to 250 volts and shall be provided with and connected through an approved circuit breaker.
- Motors and arc light switches. 15. All starting and switching devices for motors and arc lamps shall be designed and arranged so as not to interfere with the supply of electricity or the pressure thereof of other consumers.
- Alterations of installations. 16. (1) No consumer to whom the Company is supplying current shall without applying for and obtaining the consent of the Company, add to or alter any electrical installation or, in respect of any electrical installation, increase the number of lights or the capacity of any fuse or substitute any motor, cooking apparatus, or heating apparatus of greater power.
- (2) Every such alteration, addition and substitution shall be subject to the provisions of these Bye-laws respecting new electrical installations and if made in contravention thereof without the consent of the Company first obtained, the Company may disconnect the installation without prejudice to any proceedings for an infringement of these Bye-laws.
- Board may undertake work. 17. (1) The Company may undertake any work of constructing or altering or repairing electrical installations on behalf of the owner thereof.

(2) Before such work shall be commenced the Company may require the owner to give a written undertaking to pay the said charges immediately upon completion of the work, and the Company may require that such undertaking shall be guaranteed in any manner they may deem desirable.

18. (1) No person other than a servant of the Company shall connect any electrical installation to the Company's electric lines.

Inspection and testing of electrical installation.

(2) All such connections shall be tested and approved by an officer of the Company:

Provided that the Company may at any time request the services of the Electrical Inspector to test and report on any connection.

19. (Repealed by Electricity (Licensing of Wiremen) Regulations.)

Licensed wireman.

20. (Repealed by Electricity (Licensing of Wiremen) Regulations.)

License.

21. (Repealed by Electricity (Licensing of Wiremen) Regulations.)

Suspension and cancellation.

22. (1) The Company shall cause the meter connected to each consumer's installation to be read as promptly as possible on or about the last day of each month in each year, and an account rendered to the consumer showing the quantity of electricity registered by the meter since the previous reading thereof.

Fixed and altering of charges.

(2) Each consumer shall pay to the Company within thirty days after the date of every such account the charges prescribed by the Company for the quantity of electricity noted thereon and all charges for construction, altering or repairing electrical installation including materials supplied; and if any consumer fails to do so, the Company shall cause the supply of electricity to be cut off from and not renewed to such consumer unless and until he pays the said charges and a labour charge of one dollar for the work involved in the disconnection and reconnection of his supply of electricity. And where two or

more premises of a consumer are supplied with electricity by the Company and one of these premises shall have been disconnected on account of the consumer failing to pay the charges of the Company within the prescribed time, the Company shall cut off the supply of electricity to the other premises on the last day of the month in which the prescribed thirty days elapse and shall not renew the supply of electricity to any of the consumer's premises until all charges due to the Company are paid in full.

Recovery of charges.

23. No provision contained in these Bye-laws shall be taken to abrogate or prejudice any right or remedy of the Company for the recovery of charges by process of law.

Discontinuance of supply.

24. The Company may discontinue the supply of electricity to any consumer at such times and for such periods as they may desire for the purpose of inspecting or testing any electrical installation, electric line or electricity works. Should the supply aforesaid be discontinued for a period extending over twenty-four hours continuously and at any one time, any consumer paying for current on flat rate shall be entitled to receive from the company a reduction in his account proportionate to the period during which current had not been supplied.

Liability for failure of supply, etc.

25. The Company shall not be liable for any loss suffered by any person whomsoever in consequence of any failure to supply electricity, or of any defect in such supply where such failure or defect is caused by the breakdown of any part of the electricity works, machinery, or electrical lines or by causes not within the Company's control.

Penalty.

26. Any person who shall offend against any of the provisions of these Bye-laws shall be liable on summary conviction to a penalty not exceeding fifty dollars, or to imprisonment for three months.