

Electricity Consumer Services Regulation Revised by EMRA in Attempt to Step in on the Eligible Consumer Controversy

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EMRA (Energy Market Regulatory Authority), Turkey's energy market regulator has amended electricity legislation, particularly focusing on consumer-facing aspects. The definition of "eligible consumer" has now changed to focus on the location, rather than individual. Changes also apply to billing and meter reading timeframes, as well as the steps distribution companies must take before initiating legal processes and enforcement proceedings against consumers.

EMRA published the Amending Regulation on Electricity Market Regulation on Consumer Services ("**Amendment Regulation**") in Official Gazette number 29791 on 4 August 2016, entering into effect on the same date.

Key changes introduced by the Amendment Regulation include:

Change to definition of "*eligible consumers*"

The definition of "eligible consumers" changes to focus on the location, rather than the particular consumer. These consumers are eligible to choose their electricity suppliers.

Accordingly, "eligible consumers" are now defined as consumers who own (or obtain) usage rights for an electricity connection location which consumed more than the eligible consumer limit in the preceding calendar year.

Adjustments to billing processes

- Monthly (or longer) billing periods must now be determined under the retail sales agreements or bilateral consumer agreements. The billing period cannot exceed one year.
- Electricity distribution companies cannot bill more than once in the same calendar month under the retail sales agreement. Certain exceptions exist, such as billings for electricity disconnections due to unpaid bills, termination, expiration of the agreement, or changes in energy suppliers.
- Consumers can now request to make payments in installments if the billing period is initially determined as three months or less, but a particular billing period exceeds three months.
- Electricity distribution companies must now read electricity meters every 25-35 days and only once each calendar month. Exceptions apply for force majeure, heavy weather conditions, inability to make readings due to periodic usage, as well as other reasons and situations deemed acceptable by the Authority.

Information requirements under bilateral agreements

Invoices and payment notices sent to consumers who purchase electricity under a bilateral agreement and have agreed to purchase electricity for a specific period of time must include:

- Term of the undertaking.
- Remaining period of the undertaking.
- Date which the undertaking terminates
- Rules for forfeit penalties in case of early termination.

Initiating proceedings against consumers

To initiate legal processes and enforcement proceedings against residential consumers who are subject to regulated tariffs, electricity distribution companies must first:

- Disconnect the consumer's electricity.
- Terminate the consumer's agreement.
- Deduct the consumer's security deposit from unpaid amounts.

Any proceedings initiated contrary to this process will be stopped and the costs of the proceedings will not be claimed from the consumer.

Please see this [link](#) for the full text of the Amendment Regulation (only available in Turkish).

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