EDO STATE ELECTRICITY REGULATORY COMMISSION
ESERC

BEFORE THE EDO STATE ELECTRICITY REGULATORY COMMISSION

ORDER NO: ESERC/2026/002

IN THE MATTER OF METERING, CONSUMER PROTECTION AND SERVICE-BASED TARIFF COMPLIANCE FOR BAND A CUSTOMERS OF BEDC ELECTRICITY EDO LIMITED

ORDER ON MANDATORY METERING OF BAND A CUSTOMERS AND CONSEQUENTIAL RECLASSIFICATION OF UNMETERED CUSTOMERS

Date of Order	30 September 2026
Compliance Deadline	31 October 2026
Licensee	BEDC Electricity Edo Limited (BEDC Edo SubCo)

TITLE

1. This regulatory instrument may be cited as the ESERC Order on Mandatory Metering of Band A Customers and Consequential Reclassification of Unmetered Customers, 2026 ("this Order").

COMMENCEMENT

2. This Order shall take effect on the date it is issued and shall remain in force until amended, varied or revoked by the Edo State Electricity Regulatory Commission ("ESERC" or "the Commission").

LEGAL AND REGULATORY BASIS

3. This Order is issued pursuant to the powers and functions of ESERC under the Edo State Electricity Law, 2025, including the Commission's mandate to regulate intrastate electricity distribution and supply, protect consumers, regulate tariffs and service standards, prescribe metering requirements, issue directives and compliance orders, investigate infractions, and impose lawful sanctions and remedial measures.
4. In making this Order, the Commission has regard to the Electricity Act, 2023 (as amended), the constitutional framework for State regulation of intrastate electricity markets, and all applicable national standards and residual federal regulatory requirements.
5. The Commission further relies on Order No. NERC/2024/111, being the NERC Order on the Transfer of Regulatory Oversight of the Electricity Market in Edo State to ESERC, which took effect on 21 August 2024 and directed, among other matters, the creation of an Edo-focused subsidiary of Benin Electricity Distribution Company Plc and its licensing by ESERC for intrastate distribution and supply activities in Edo State.
6. The Commission also relies on ESERC Order 001 and on the terms and conditions of the Interim Licence issued to BEDC Electricity Edo Limited, under which ESERC adopted and continued, during the transition period and to the extent applicable to the Edo State intrastate electricity market, relevant extant NERC regulations, codes, orders, directives, standards and customer-protection instruments pending their replacement, modification or re-issuance by ESERC.

CONTEXT AND FINDINGS

7. The Service-Based Tariff ("SBT") framework links the tariff payable by electricity customers to the minimum service level committed to and delivered by the distribution licensee. Under the SBT framework, Band A represents customers on qualifying feeders/locations for which a minimum average supply level of twenty (20) hours per day is committed, subject to applicable regulatory rules.
8. The Commission notes that metering is fundamental to accurate billing, transparent tariff implementation, consumer confidence and the prevention of arbitrary or excessive estimated billing. NERC's SBT and

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customer-protection framework has consistently treated metering and the protection of unmetered customers from uncontrolled estimated billing as central regulatory safeguards.

9. Following the assumption of regulatory oversight by ESERC and the grant of an Interim Licence to BEDC Electricity Edo Limited, the Commission considers it necessary, in the public interest and for effective consumer protection, to prescribe a definitive metering condition for customers retained in Band A within the Edo State electricity market.

10. Accordingly, ESERC hereby establishes full metering as a mandatory condition for the continued classification and billing of customers in Band A after 31 October 2026.

THE ORDER

11. BEDC Electricity Edo Limited ("the Licensee") is hereby ORDERED to ensure that every customer classified and billed as Band A within its licensed area in Edo State is provided with, and billed through, a functional and duly commissioned electricity meter on or before 31 October 2026.

12. For the avoidance of doubt, the obligation in paragraph 11 applies to all Band A customers, including residential, commercial, industrial, maximum-demand and non-maximum-demand customers, except where a customer is lawfully served through an approved bulk, boundary or other metering arrangement expressly recognised by ESERC.

13. The Licensee shall not, from 1 November 2026, continue to classify or bill any unmetered customer as Band A. Any customer who remains unmetered at the close of 31 October 2026 shall be automatically reclassified and billed at Band C under the applicable SBT structure, without prejudice to the customer's right to any additional remedy arising from overbilling, wrongful classification, service shortfall or other regulatory infraction.

14. The reclassification required by paragraph 13 shall not be treated as a waiver of the Licensee's continuing obligation to meter the affected customer. The Licensee shall continue its metering programme and may apply to ESERC for restoration of the customer to Band A only after:

(a). the customer has been duly metered and the meter is functional;

(b). the applicable Band A service-level requirements are demonstrably satisfied; and

(c). the Licensee has complied with all ESERC reporting and verification requirements in respect of the customer or feeder.

IMPLEMENTATION AND REPORTING

15. Within seven (7) days of the date of this Order, the Licensee shall submit to ESERC a verified Band A Metering Compliance Register in both hard copy and editable electronic format. The Register shall, at a minimum, contain:

(a). the name/identifier of each Band A feeder and service location in Edo State;

(b). the total number of customers classified as Band A on each feeder;

(c). the number and percentage of metered and unmetered Band A customers;

(d). customer account number, meter number and meter status for each metered customer;

(e). a deployment plan and firm metering date for each unmetered Band A customer; and

(f). the name and designation of the responsible officer certifying the accuracy of the information supplied.

16. The Licensee shall thereafter submit weekly progress reports to ESERC not later than 4:00 p.m. every Friday until 31 October 2026, showing meters installed, meters commissioned, outstanding unmetered Band A customers, exceptions requiring regulatory attention, and the projected date for full compliance.

17. Not later than 3 November 2026, the Licensee shall submit a Final Compliance Return certified by its Managing Director/Chief Executive Officer and Head of Regulatory Affairs confirming: (i) the number of Band A customers fully metered as at 31 October 2026; (ii) the identity of any customers not metered by that date; (iii) evidence that all such customers have been reclassified to Band C effective 1 November 2026; and (iv) all billing adjustments and customer credits arising from the implementation of this Order.

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18. ESERC may conduct field verification, meter audits, feeder audits, customer sampling, billing-system reviews and such other inspections as it considers necessary to confirm compliance with this Order. The Licensee shall provide full and timely access to relevant records, systems, premises and personnel.

SANCTIONS, RESTITUTION AND CUSTOMER COMPENSATION

19. Failure by the Licensee to comply with any provision of this Order shall constitute a regulatory infraction and a breach of the applicable conditions of its Interim Licence, without prejudice to any other breach established under the Edo State Electricity Law, 2025 or applicable adopted regulatory instruments.

20. Where non-compliance is established, ESERC may impose such sanctions, penalties, directives, licence consequences, compliance measures and other enforcement actions as are authorised by law and the applicable regulatory framework.

21. In addition to any regulatory sanction, the Licensee shall make full restitution and/or compensation to affected customers for any identified infraction. Such customer remedy may include, as applicable:

(a). refund or credit of the difference between amounts improperly billed at Band A and the amount properly payable under the applicable tariff class;

(b). reversal of unlawful estimated charges or other billing adjustments;

(c). compensation prescribed under any applicable customer-protection, service-quality or metering regulation, order or directive adopted by ESERC; and

(d). any further customer-specific remedy directed by the Commission after investigation or complaint determination.

22. Any refund, credit or compensation ordered under this Order shall be reflected transparently on the affected customer's bill or vending account and shall be supported by an auditable schedule submitted to ESERC.

NON-DEROGATION

23. Nothing in this Order shall be construed as limiting any higher or additional obligation imposed on the Licensee under the Edo State Electricity Law, 2025, the Electricity Act, 2023 (as amended), ESERC Order 001, the Interim Licence, the NERC Metering Code, applicable MYTO/SBT instruments, customer-protection regulations, orders or directives adopted by ESERC, or any subsequent instrument issued by the Commission.

24. Where there is any inconsistency between a transitional NERC instrument adopted by ESERC and a validly issued ESERC instrument governing the same intrastate matter, the ESERC instrument shall apply within the Edo State electricity market to the extent permitted by law.

SERVICE AND PUBLICATION

25. This Order shall be served on BEDC Electricity Edo Limited and may be published on the Commission's official channels. The Licensee shall circulate this Order internally to all relevant commercial, customer service, metering, billing, ICT and regulatory compliance units and shall ensure immediate implementation.

EFFECTIVE DATE

26. This Order is made and takes effect this 30th day of September 2026.

BY ORDER OF THE EDO STATE ELECTRICITY REGULATORY COMMISSION

DR. SHITTU H. SHAIBU
Chairman
Edo State Electricity Regulatory Commission

ABDULRAZAK ABUBAKAR
Commissioner
Edo State Electricity Regulatory Commission

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