



General Conditions

By :

- TNB

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Distribution Code Awareness Programme Funded by
Akaun Amanah Industri Bekalan Elektrik (AAIBE)



4.1 Introduction

Introduction



4.1.1 Each section within the **Distribution Code** contains provisions relating to that particular section. The **General Conditions** contain provisions that are of general application to all sections of the **Distribution Code**. The objective is to ensure, to the extent possible, that the various sections of the **Distribution Code** work together and work in practice for the benefit of all **Users**.

4.1.2 The **General Conditions** also specify the arrangements for the **Distribution Code Committee**, which requires representation from **Users** and therefore provides transparency to the development of the **Distribution Code**. The **Commission** approves the provisions of the **Distribution Code** and this provides independence to the governance of the **Distribution Code**.



4.2 Scope

Scope



4.2.1 The **General Conditions** apply to the **Distributor** and all **Users** including, for the avoidance of doubt, **TNB** as a **Distributor** and as a **Distributed Generator**.



4.3 Objectives



4.3.1 The objectives of the **General Conditions** are as follows:

- to ensure, to the extent possible, that various sections of the **Distribution Code** work together for the benefit of the **Users**; and
- to provide a set of principles for governing the development of the **Distribution Code**.



4.4 Interpretation



4.4.1 In this **Distribution Code**, unless the context otherwise requires:

- a) References to “the **Distribution Code**” or “this **Distribution Code**” are with reference to the whole of the **Distribution Code**, including any schedules or other documents attached to any part of the **Distribution Code**.
- b) The singular includes the plural and vice versa.
- c) Any reference to one gender includes the other.



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Interpretation



4.4.2 In this **Distribution Code**, references to codes, paragraphs, clauses or schedules are specifically to those codes, paragraphs, clauses or schedules of this **Distribution Code**.



4.4.3 In this **Distribution Code**,

- i. The section paragraph and schedule headings are for convenience and reference only and do not form part of the **Distribution Code**.
- ii. Reference to any law, regulation made under any law, standard, secondary legislation, contract, agreement or other legal document shall be to that item as amended, modified or replaced from time to time. In particular any reference to any **Licence** shall be to that **Licence** as amended, modified or replaced from time to time and to any rule, document, decision or arrangement promulgated or established under that **Licence**.



4.4.3 In this **Distribution Code**,

- iii. References to the consent, approval or concurrence of the **Commission** shall be references to the approval, consent or concurrence of the **Commission** in writing, which may be given subject to such conditions as may be determined by the **Commission**, as that consent, approval or concurrence may be amended, modified, supplemented or replaced from time to time and to any proper order, instruction or requirement or decision of the **Commission** given, made or issued under it



4.4.3 In this **Distribution Code**,

- iv. All references to specific dates or periods of time shall be calculated according to the Gregorian calendar and all references to specific dates shall be on the day commencing on such date at 00:00 hours.
- v. Where words or expressions are defined in this **Distribution Code**, cognate words and expressions shall be construed accordingly.



4.4.3 In this **Distribution Code**,

- vi. References to “person” or “persons” include individuals, firms, companies, state government agencies, federal government agencies, committees, departments, ministries and other incorporate or unincorporated bodies as well as to individuals with a separate legal personality or not.
- vii. The words “such as”, “include”, “including”, “for example” and “in particular” shall be construed as being by way of illustration or emphasis and shall not limit or prejudice the generality of any foregoing words.



4.5 Distribution Code Committee (DCC)



4.5.1 The Commission shall establish the Distribution Code Committee, which shall be a standing committee, and carry out the functions referred to in paragraph 4.5.3.



4.5.2 The **Committee** shall not have any obligations towards **Licence Standards** adopted by each **Distributor** with the concurrence of the **Commission**, and listed in Annex 1.



4.5.3 The Distribution Code Committee shall:

- a) Review the implementation of the Distribution Code
- b) Review all suggestions for amendments to the **Distribution Code** which the **Commission**, or any **User** or **Distributor** may wish to submit for consideration by the **Committee** from time to time. Publish recommendations, for public consultation, as to amendments to the **Distribution Code** that the **Committee** or any **Distributor** considers necessary or desirable and the reasons for the recommendations.



4.5.3 The Distribution Code Committee shall:

- c) Provide guidance in relation to the Distribution Code and its implementation, performance and interpretation when asked to do so by the Distributor, any User or the Commission.
- d) Consider what changes are necessary to the Distribution Code arising out of any unforeseen circumstances referred to it by any **Distributor** under **DGC** Section 4.6.



4.5.4 The Committee shall consist of members representing Distributors and Users of the Distribution System and observers from interested parties in accordance with the following requirements. (Committee members may also serve on the Grid Code Committee).

- i. Three members representing TNB Distribution Division
- ii. Two members representing other Distributors
- iii. Two members representing Embedded Distributors
- iv. Two members representing the Distributed Generators
- v. Two members representing Regional Control Centres
- vi. One member representing Consumer
- vii. One member representing Energy Commission

Distribution Code Committee



4.5.4 The Committee shall consist of members representing Distributors and Users of the Distribution System and observers from interested parties in accordance with the following requirements. (Committee members may also serve on the Grid Code Committee).

- viii. An observer appointed by the Grid System Operator
- ix. An observer appointed by the TNB Transmission Division
- x. Any other party as an observer or a member whom the Committee feels necessary

All members of the Distribution Code Committee shall be approved by the Commission. The Committee will be chaired by a Senior Officer of the Commission having adequate technical background.



4.5.5 The **Distribution Code Committee** shall establish and comply at all times with its own rules and procedures relating to the conduct of its business, which rules and procedures shall be approved by the **Commission** and are set out in Annex 3.



4.6 Unforeseen Circumstances



4.6.1 If circumstances not envisaged by the provisions of the **Distribution Code** should arise, the **Distributor** shall, to the extent reasonably practicable in the circumstances, consult promptly and in good faith with all affected **Users** in an effort to reach agreement as to what should be done. If agreement between the **Distributor** and those **Users** cannot be reached in the time available, the **Distributor** shall determine what is to be done.



4.6.2 Wherever the **Distributor** makes a determination, it shall do so having regard, wherever possible, to the views expressed by **Users** and, in any event, to what is reasonable in all the circumstances. Each **User** shall comply with all instructions given to it by the **Distributor** following such a determination provided that the instructions are consistent with the then current technical parameters of the particular **User's System**. The **Distributor** shall promptly refer all such unforeseen circumstances and any such determination to the **Distribution Code Committee** for consideration in accordance with 4.5.3(e).



4.7 Emergency Situations



4.7.1 The provisions of the **Distribution Code** may be suspended in whole or in part during emergency situations by order of the **Commission** so that the **Distributor** may safeguard electricity supplies in the national interest or for public safety, in consultation with the **Commission**.



4.8 Non Discrimination

Non Discrimination



4.8.1 The **Distributor**, in implementing and complying with the **Distribution Code** as well as scheduling maintenance on its system, shall not unduly discriminate against or unduly prefer in favour of or against:

- any one person or any group of persons, or
- the **Distributor** in the conduct of any business other than the Distribution business.



4.9 Legacy Arrangements and Derogations



4.9.1 It is the sole responsibility of a User to certify the continual compliance of all the provisions of the Distribution Code. In cases where he is unable to comply with any provision of the Distribution Code, then it shall, without any delay, report such non-compliance to the Energy Commission and the Distributor. It is important for the Distributor to be informed of every non-compliance as non-communication of this non-compliance may result in the Distributor taking operational decisions which may jeopardise integrity and safety of the Distribution System.



4.9.2 The User will discuss with the Distributor the proposed remedy to restore compliance and the Distributor will identify the operational measures required to ensure secure operation of the Distribution System. The User and the Distributor will then submit the agreed solution and timescales to complete the reasons for non-compliance to the Energy Commission for approval. The Energy Commission will then issue the appropriate temporary derogation after consultation with the Distribution Code Committee, with a time limit, to the User and request the Distributor and the User to report progress of the remedy.



4.9.3 On completion of the remedy within such time limit, the temporary derogation will be withdrawn by the Energy Commission. This process should be completed on an urgent basis so that all measures to the remedy are in place and the additional costs to the system are minimised.



4.9.4 The provision of a technical derogation or exemption does not release the derogated party from compliance with the provisions of any commercial agreement or from any commercial liability arising from such technical derogation or exemption. Likewise the provision of a technical derogation or exemption does not excuse the derogated party from compliance with any instruction from the Distributor in circumstances where the Distributor makes a finding that non-compliance by the derogated party in such circumstances may affect the safety and security of the Distribution System.



4.9.5 The non-compliance may be with reference to Plant and Apparatus:

1. which is already connected to the Distribution System and is caused by solely or mainly as a result of a revision to the Distribution Code;
2. which is already connected to the Distribution System and is caused by a developed or developing partial defect and where the Plant and Apparatus may remain operable albeit with some operational constraints or at reduced capability; and
3. which is seeking approval for connection to the Distribution System.



4.9.6 In cases where a User believes that remedying such non-compliance is unreasonable for technical or financial reasons or requires an extended period to remedy such non-compliance, it shall promptly submit a request to the Energy Commission with a copy to the Distributor for a full Derogation from remedying or an extension to the period for implementing the remedy.



4.9.7 If the Distributor finds that it is or will be unable to comply with any provision of the Distribution Code at any time, then it shall notify the Energy Commission promptly.



4.9.8 A request for derogation from the Distributor or a User shall contain:

- i. reference to the particular Distribution Code provision against which the particular non-compliance or the predicted or developing non-compliance was identified;
- ii. the particulars of the Plant and/or Apparatus in respect of which a derogation is being sought;
- iii. the reason, nature, extent and impact of the non-compliance;
- iv. the probable period of non-compliance and the times in which full compliance would be achieved; and
- v. the reason for and impact of extended periods of non-compliance if full compliance cannot be achieved for technical or financial reasons.



4.9.9 The Commission may reject the request giving reasons for the same or it may accept it for consideration. The Commission shall examine the requests which are for consideration and discuss them with the Distributor, the User, the Distribution Code Committee and the GSO (if the derogation is likely to affect the Transmission System). In considering granting the derogation the Energy Commission would fully take into account the views of the Distributor and the Distribution Code Committee on whether the derogation would, or is likely to:

- i. have material and adverse impact on the security and/or stable operation of the Distribution System; or
- ii. impose high or unreasonable costs on the operation of the Distribution System.



4.9.10 Dependent upon the nature of the Derogation being sought a temporary Derogation with a time limit or a long term Derogation or Exemption may be granted by the Energy Commission.



4.9.11 While considering a Derogation request by the Distribution Owner or a User, the Energy Commission may seek all necessary clarification and external expert assistance in making his determination.



4.9.12 To the extent of any Derogation granted to the User and/or the Distributor, the party or parties shall be relieved from any obligation to comply with the applicable provision of the Distribution Code and shall not be liable for failure to comply but shall comply with any alternative provisions specified in the Derogation.



4.9.13 It is the duty of both the Distributor and the Energy Commission to keep comprehensive records of all derogations granted with respect to the Distributor and/or the Users. These records shall contain detailed account of the nature of the Derogation and its effective period.



4.9.14 It is the duty of both the Distributor and the Energy Commission to annually review existing derogations and take into account of any material changes in the circumstances if such a change has occurred.



4.9.15 The Distributor and/or Users may request a review of any existing Derogation.



4.9.16 The Commission may consider hosting the following on its website:

- i. Details of all applications for grant of derogation/exemption received
- ii. Orders related to above.



4.10 Confidentiality



4.10.1 The **Distributor** shall maintain the confidentiality of all data provided by a **User** to meet the requirements of the **Distribution Code** and may only pass on data to other parties when authorized to do so by that **User**; except that the **Distributor** may pass on information to the **GSO** to meet the requirements of the **Grid Code**. An **Embedded Distributor** may also pass on data to the relevant **Distributor** to meet the requirements of the **Distribution Code**.



4.11 Notices and Communication



4.11.1 Unless otherwise specified in the **Distribution Code**, the methods of operational communication (other than relating to the submission of data and notices) shall be as agreed between the **Distributor** and **User** from time to time.



4.11.2 Data and notices that are required to be exchanged between the **Distributor** and **User** under the **Distribution Code** (other than data which is the subject of a specific requirement of the **Distribution Code** as to the manner of its delivery) shall be delivered in writing.



4.11.3 References in this **Distribution Code** to “in writing” or “written” include typewriting, printing, lithography and other modes of reproducing words in a legible and non-transitory form and, except where otherwise stated, includes suitable means of electronic transfer, such as electronic mail. In all cases the form of notification and the nominated persons or departments and addresses of the sender and recipient of the data or information shall be agreed by the **Distributor** and **User** and the sender shall be able to confirm receipt of the information by the recipient. In the case of electronic transfer the sender and recipient shall be able to reproduce the information in non-transitory form.







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Scheduling & Dispatch	
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Items	ICON
General Conditions	 or 
Planning Code	 
Connection code	
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THANK YOU



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