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AN APPRAISAL OF CONSUMER RIGHTS AND OBLIGATIONS UNDER THE NIGERIA ELECTRICITY ACT 2023

BY

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GOU/U21/LAW/339

BEING A LONG ESSAY PRESENTED TO THE FACULTY OF LAW, GODFREY OKOYE UNIVERSITY ENUGU

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SUPERVISOR: DR. MAUREEN UJAH

JULY, 2026.

DECLARATION

I**, OMASIRICHIM SONIA DUM-OKOYE,** with registration number **GOU/U21/LAW/339** hereby affirms that this work was duly and diligently carried out by me in the Faculty of Law, Godfrey Okoye University, Enugu. The Primary and secondary sources used to carry out this legal research, are acknowledged appropriately and referenced herein,within, this project. This work is an original and has not been submitted in part or in full for the award of any degree in this or any other Faculty of Law within and outside Nigeria.

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OMASIRICHIM SONIA DUM-OKOYE   **Date**

CERTIFICATION

I, **OMASIRICHIM SONIA DUM-OKOYE** with registration number **GOU/U21/LAW/339** hereby certify that this project research was done by me, with the direct and diligent supervision of **Dr .Maureen Ujah** has been approved by the administrative and the academic staff of the Faculty of Law, Godfrey Okoye University, Enugu. In Partial fulfilment of the requirement for the award of Bachelor of Law (LL.B) Degree.

Apart from the references made and acknowledged herein within this research work, this research work is an original work and has not been presented in part or in full, for any degree of this University or any other University to the best of my knowledge.

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DEDICATION

This research work is dedicated to all electricity consumers in Nigeria whose daily experiences continue to highlight the need for effective consumer protection within the Nigerian Electricity Supply Industry. It is further dedicated to policymakers, regulators, electricity distribution companies, researchers, and students committed to promoting transparency, accountability, efficient service delivery, and the advancement of consumer rights and obligations under the Electricity Act, 2023. It is hoped that this study will contribute, however modestly, to the development of a more responsive and consumer-oriented electricity sector in Nigeria.

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First and foremost, I give all glory and gratitude to Almighty God for His grace, mercy, and faithfulness throughout this academic journey. I thank Him for preserving my life from the beginning of this journey to its successful completion. There were moments when I felt overwhelmed and doubted my ability to continue, but through prayer and God's strength, I found the courage to persevere and carry on.

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1. CCU -Customer Complaints Unit
2. DisCos -Distribution companies
3. FCCPA. -Federal Competition and Consumer Protection Act
4. FCCPC. -Federal Competition and Consumer Protection Commission
5. MANCAP -Mandatory Conformity Assessment Programme
6. MAP -Meter Asset Provide
7. NBET -Nigerian Bulk Electricity Trading Company
8. NELMCO -Nigerian Electricity Liability Management Company
9. NEMSA - Nigerian Electricity Management Services Agency Act, 2015
10. NERC -Nigerian Electricity Regulatory Commission
11. NESI. -Nigerian Electricity Supply Industry
12. PCAF. -Power Consumer Assistance Fund
13. PPA -Power Purchase Agreements
14. SBT -Service-Based Tariff
15. SON -Standards Organisation of Nigeria

ABSTRACT

The Electricity Act, 2023 seeks to reinvigorate the Nigerian electricity supply industry, introduce enhanced legal protections for electricity consumers and also articulate and impose the duties and obligations that consumers must fulfil. The background of the subject matter centres on the longstanding challenges within the Nigerian electricity supply industry, including inadequate metering, unreliable service delivery, opaque billing practices and weak consumer redress mechanisms. The Electricity Act, 2023 was enacted to provide a framework for generation, transmission, distribution and supply of electricity, and also incorporates provisions for enforcement of consumer rights and obligations. The aim and objectives of the study is to assess how effectively the Electricity Act, 2023 has codified consumer rights and obligations and to identify the loopholes and possibilities of enforcing those rights in practice. The Research Methodology used in the paper was Doctrinal/Conceptual/Library based legal research approach. The approach is purely qualitative, involving a descriptive analysis of the study and an expository examination of the paper under study. The findings reveal that the Electricity Act, 2023 explicitly advances consumer protection, clearly outlining rights such as access to reliable and safe electricity, the right to a functioning meter, transparent billing, notice of disconnection, complaint resolution and regulatory oversight. Consumers are equally obliged to allow meter installation, pay bills timely, protect installations from tampering, and comply with safety standards. However, the study identifies persistent gaps including, regulatory capacity constraints, low consumer awareness of rights, weak enforcement of service standards, and ongoing complaints about erratic supply and billing practices. Based on these findings, the recommendations call for: strengthening the regulatory capacity of the Nigerian Electricity Regulatory Commission (NERC) to monitor and enforce consumer standards effectively; promoting advanced metering infrastructure to ensure billing transparency; conducting widespread consumer education campaigns to enhance awareness of rights and responsibilities; establishing efficient complaint-handling mechanisms with measurable performance targets; and periodic evaluation of service performance and regulatory compliance.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

Consumer protection is an essential principle in modern economic and legal systems, aimed at safeguarding individuals from unfair practices, ensuring access to quality goods and services and fostering a good relationship between consumers and service providers. [1] The concept of consumer rights is rooted in international legal frameworks.[2] These principles through the new Electricity Act[3] have been embraced into the electricity sector in Nigeria which introduces service standards, billing transparency and complaint resolution mechanisms. The study focuses on several interconnected variables, including regulatory enforcement, service quality, metering infrastructure, consumer awareness and legal accountability, which determine the extent to which consumer protection measures address well established issues within electricity sector such as, poor quality of electricity supply, frequent power outages, hike in electricity billings and tariffs and poor customer service by electricity providers in responding to customer complaints.[4] The motivation for this research stems from the persistent challenges faced by Nigerian electricity consumers, including

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[1] I. Ramsay, *Consumer Law and Policy: Text and Materials on Regulating Consumer Markets* (3rd edn, Hart Publishing 2012).

[2] United Nations, Guidelines for Consumer Protection (2015) <https://unctad.org/topic/competition-and-consumer-protection/un-guidelines-for-consumer-protection > accessed 26 November 2025.

[3] Electricity Act of 2023.

[4] P. Cartwright, *Consumer Protection and the Criminal Law* (Cambridge University Press 2001).

estimated billing, erratic power supply, poor customer service and a lack of effective complaint resolution mechanisms.

The introduction of the new Electricity Act[5] presents an opportunity to evaluate whether recent reforms adequately address these concerns. Personal experiences and widespread public dissatisfaction with the electricity sector further drive the need for an in-depth examination of consumer protection measures under the new legal framework. Additionally, the study is motivated by a desire to contribute to ongoing policy discussions on improving Nigeria's electricity sector, and by identifying gaps in consumer protection and recommending actionable solutions, this research aims to influence regulatory reforms that enhance consumer rights enforcement.[6] The significance of consumer protection in electricity sector in Nigeria cannot be overstated. The Electricity Act[7] represents a crucial policy shift, but its effectiveness depends on implementation and enforcement. This research is justified on several grounds, including legal and policy relevance, economic and social impact, regulatory improvement and comparative insights. The study evaluates a newly enacted law, contributing to legal scholarship on electricity regulation in Nigeria. Stable electricity supply and transparent billing practices are essential for economic growth and social well-being[8] and by identifying gaps in enforcement, the study provides recommendations for strengthening regulatory frameworks and consumer protections.

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[5] Electricity Act of 2023.

[6] C. Okeke, 'Consumer Protection in Nigeria's Power Sector: Challenges and Prospects' (2022) <https://lawyard.ng> accessed 27 November 2025.

[7] Electricity Act of 2023.

[8] G. Ojo, *Electricity and Consumer Rights in Nigeria* (Lagos University Press 2019).

Lessons from other jurisdictions offer valuable perspectives on how Nigeria can improve its electricity consumer protection mechanisms.

Stable supply of Electricity is a fundamental resource in today's society. As a result of this, the electricity industry is well controlled and managed all over the world. The Electricity Act[9] stands as the principal legislation governing the Nigerian Electricity Supply Industry which consequently also includes the rights and obligations of consumers and remains so until state governments enact their respective electricity laws in consonance with recent constitutional amendment.[10] Likewise, the Nigerian Electricity Regulatory Commission is the principal regulator of Nigerian Electricity Supply Industry until states establish their respective regulatory authorities.

Electricity consumers have several rights that accrue to them. On the other hand, electricity consumers have obligations which they are expected to observe. Therefore, the rights of consumers in Nigerian Electricity Supply Industry come with corresponding obligations.

1.2 Statement of the Problem

Supply of electricity is fundamental for the day to day activities and running of individual businesses, industries and organizations in Nigeria. It is one of the most basic and yet so illusive amenities required by an average Nigerian.[11] Unfortunately,

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[9] Electricity Act of 2023..

[10] Constitution of the Federal Republic of Nigeria 1999 (as amended), Part II, Second Schedule, Item 14(b).

[11] I. Aig-Imoukhuede, *The Nigerian Electricity Supply Industry: Law, Policy and Practice* (MIJ Professional Publishers 2018).

for so long the country has been plagued with difficulties in ensuring effective and efficient electricity supply. Some of the issues electricity consumers face include; poor quality of electricity supply, frequent power outages, hike in electricity billings and tariffs and poor customer service by electricity providers in responding to customer complaints. All these issues have for years frustrated many businesses and led to widespread demands for a more consistent supply of power and improved user-friendly billing structures.[12]

The Electricity Act[13] was enacted to deal with these well established problems by encapsulating rights for consumers and imposing corresponding obligations on them. It provides for the obligations of consumers including; making payments for electricity consumed, abstaining from fraudulent electricity connections and adherence to safety outlines. Theoretically, these provisions are expected to enhance the relations between electricity consumers and service providers. In contrast however, many problems surrounding electricity supply continue to persist.

At the fore of the challenges is lack of knowledge and awareness of rights conferred on consumers under the new Electricity Act[14]. For instance, many consumers are unaware of their right to transparent billing, timeous installation of prepaid meters and right to effective customer service. As a result of this ignorance, electricity providers

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12 P. Stevens, 'Electricity Market Reform in Africa' (2015) <https://www.chathamhouse.org> accessed 27 November 2025.

13 Electricity Act of 2023.

14 Electricity Act of 2023.

often exploit consumers by issuing hiked bills, disconnecting electricity without due and prior notice and failing to attend to consumer complaints.

Weak enforcement of the provisions of the Electricity Act also exists as a prevailing issue. Despite the Act giving regulators the authority and responsibility to protect consumers, these regulatory bodies oftentimes lack the capacity, resources or commitment to compel full compliance by electricity providers.[15] Consequently, most of the vices and ultra vires acts of these electricity providers that existed before the new Electricity Act continue to prevail.

Another prevailing problem is poor consumer behaviour and non compliance with consumer obligations, including refusal to pay bills, misuse of electricity or involvement in energy theft. These actions restrict the capital and financial resources of electricity providers and companies and contribute to lack of power supply.

Considering the above it is trite that the primary problem is the gap between the rights and obligations encapsulated in the Electricity Act[16] and what occurs in practice. Until this gap is narrowed, consumers will continue to face difficulties and the objectives of the Act will remain frustrated.[17]

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[15] Nigerian Electricity Regulatory Commission, 'Compliance and Enforcement Reports' <https://nerc.gov.ng> accessed 27 November 2025.

[16] Electricity Act of 2023.

[17] C. Okeke, 'Power Sector Reforms and Consumer Protection in Nigeria' (2023) <https://lawyard.ng> accessed 27 November 2025.

1.3 Research Questions

This study is steered by a host of questions that attempt to outline the main problems plaguing electricity consumers under the Electricity Act[18]. These questions are vital as a result of the introduction of new rights for consumers, as well as obligations for both consumers and electricity providers under the new Electricity Act. They include:

i. How aware are electricity consumers of their rights under the Electricity Act?
ii. Do electricity distribution companies and providers adhere to consumer protections and rights under the Act?
iii. What is the level of adherence of consumers to the obligations imposed on them under the Act?
iv. What are the roles and responsibilities of Electricity providers in ensuring compliance of consumers with the obligations imposed by the Act?
v. What ways can a more effective enforcement of the provisions of the Act be achieved?

1.4 Aim and Objectives of the Study

The aim of this study is to analyse how the Electricity Act[19] protects the rights of electricity consumers in Nigeria, specifies the obligations imposed on them and defines the roles of electricity providers and companies. Specific objectives of the study include:

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[18] Electricity Act of 2023.

[19] Electricity Act of 2023.

vi. To evaluate the level of awareness of electricity consumers about their rights under the Electricity Act.[20]

vii. To ascertain if electricity distribution companies adhere to the consumer protections and rights under the Act.

viii. To determine the level of adherence of electricity consumers to the obligations imposed on them under the Act

ix. To examine roles and responsibilities of electricity providers in ensuring compliance of consumers with the obligations imposed by the Act.

x. To suggest ways a more effective enforcement of the provisions of the Act can be achieved.

1.5. Scope and Limitations of the Study

The Act being a national law applies throughout Nigeria, thus the study spreads across the Federal Republic of Nigeria. The study examines the experiences of consumers in both rural and urban areas. The aim is to understand consumer rights and obligations at every level of the society

The study focuses on the specific sections of the Electricity Act[21] that deal directly with consumer protection such as sections on metering, billing transparency, service quality, disconnection guidelines and complaint-resolution procedures. The study also spans across the parts of the Act that outline consumer obligations such as paying for electricity utilised, avoiding illegal connections, protecting metering equipment and

[20] Electricity Act of 2023.
[21] Electricity Act of 2023.

complying with safety rules. Sections of the Act that relate to issues such as generation licences or market operations are not the primary concern of this study.

The study focuses on the issues revolving around consumer rights and obligations. It analyses how effectively the Act is implemented, the level of awareness of consumers with their rights and the difficulties consumers face when trying to enforce those rights. It also envisages how well consumers observe or carry out their obligations as well as how well regulatory bodies deal with disputes between consumers and electricity providers. The financial operations of power companies does not fall within the scope of this study except they have a direct influence on consumer rights.

This study was limited by a couple of factors that affected the research. One key limitation was the lack of sufficient financial support to enable the researcher assess certain materials essential to the research.

The disinclination of electricity providers and distribution companies to release information about billing practices and metering, made it difficult to fully evaluate their level of compliance with the Act. The study is also restricted by differences in electricity supply conditions among various areas and regions.

1.6. Significance of the Study

This study is important because it creates consciousness among consumers about their right to transparent billing, timeous installation of prepaid meters and right to effective customer service. Many consumers are unaware of these protections and frameworks and this study thus helps narrow that knowledge gap. The study is also vital for presenting to consumers the obligations they must adhere to, include making payments for electricity consumed, abstaining from fraudulent electricity connections and adherence to safety outlines.

For lawmakers and regulators, the study exposes areas where enforcement of the Act is weak. By highlighting the difficulties consumers face, the study can guide government agencies in developing their enforcement techniques. Electricity distribution companies may also benefit, as the inferences from this research can help them understand gaps in customer service and compliance to facilitate better services.

For researchers and students, the study simply supplements existing knowledge on electricity regulation and consumer protection in Nigeria.

1.7. Research Methodology

This study employed a doctrinal research method, relying on the primary and secondary sources of data. The primary sources comprised of case law, statutes, conventions and treaties, while the secondary sources included journal articles, textbooks and online materials. The obtained data were examined using the content analysis method.

Doctrinal research involves a structured and descriptive analysis of legal rules with the goal of developing and illuminating legal principles. It is basically library-based, necessitating the researcher to seek and assess existing literature on the subject. The legal researchers essentially seek for existing materials in the subject area of research and examine, appraise, critique, evaluate, analyse and use the information thereof to formulate and explain legal rules.

This research uses the qualitative research method, which involves examining non-numerical data such as legal texts and literature to obtain comprehensive understanding. As opposed to the quantitative research method which depends on statistics, numerical data and measurable variables to create patterns.

1.8. Literature Review

Coomassie, in ‘Empowering Consumers: A Critical Analysis of Customer Rights and Protections under the Electricity Act 2023’ points out that in spite of the provisions of the Electricity Act[22] aimed at strengthening consumer protection, Nigerian electricity consumers continue to face numerous challenges that undermine their rights.[23] These issues include non-metering or failure to provide meters, discriminatory power supply categorization, arbitrary charges, disconnection without notice, lack of investment in the electricity sub-sector, accumulated bills without justification and weak regulatory enforcement. These challenges persist due to gaps in enforcement, the inefficiency of distribution companies (DisCos) and systemic weaknesses in Nigeria’s electricity sector. A major issue affecting consumer rights is estimated billing, which continues to be a widespread practice despite regulatory interventions. The Electricity Act and the Meter Asset Provider (MAP) Regulations[24] require DisCos to ensure all

[22] Electricity Act of 2023.

[23] A. Coomassie, ‘Empowering Consumers: A Critical Analysis of Customer Rights and Protections under the Electricity Act 2023’ (2023) <https://lawyard.ng> accessed 28 November 2025.

[24] Meter Asset Provider (MAP) Regulations 2018.

consumers are metered.[25] However, due to slow meter deployment and implementation failures, many consumers remain unmetered, leading to the continued use of estimated billing. Also, the high cost of meters discourages consumers from opting for meter. NERC's Order on Capping of Estimates Billing attempted to limit the excessive charges imposed on unmetered customers, as well as high tariffs when compared with the old order, but enforcement has been weak. Consumers frequently report arbitrary bills that do not reflect their actual consumption, leading to financial exploitation and dissatisfaction. The failure of DisCos to comply with metering requirements has further exacerbated consumer frustration, with many being forced to pay for electricity they did not use.

Another critical issue is the discriminatory power supply structure introduced through the banding system. Under the Service-Based Tariff (SBT) Order, consumers are categorized into Bands A, B, C, D and E, based on their average daily hours of electricity supply.[26] Band A customers receive at least 20 hours of electricity daily and pay the highest tariff, while Band E consumers receive less than four hours and pay lower rates. While the policy aims to incentivize service improvement, it has created significant inequality, as many consumers in lower bands continue to pay high bills despite receiving poor or erratic supply. Furthermore, there is lack of transparency in the allocation of consumers to these bands, with reports of DisCos

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[25] Electricity Act 2023 (Nigeria); Nigerian Electricity Regulatory Commission, *Meter Asset Provider Regulations* 2018.

[26] Nigerian Electricity Regulatory Commission, 'Service-Based Tariff Order' (2020) <https://nerc.gov.ng> accessed 28 November 2025.

unilaterally placing consumers in higher bands to charge them more without corresponding improvements in service delivery. This discriminatory allocation of electricity violates the principle of fairness and consumer rights protection. Arbitrary charges imposed by DisCos remain another major consumer protection issue. Apart from estimated billing, consumers frequently face unexplained deductions and charges on their electricity bills. Many consumers have reported instances where their prepaid meter units deplete at inconsistent rates without clear justification. The lack of transparency in billing methodologies allows DisCos to exploit consumers by imposing hidden costs and unexplained levies. Additionally, the frequent increase in electricity tariffs without adequate consumer engagement further erodes consumer trust and affordability of electricity. According to the NERC Customer Protection Regulations 2020, electricity service providers must issue prior notice to consumers before disconnecting them due to non-payment.[27]

N.M. Idih and C.T . Njoku, in their article “Consumer Protection for Users of Energy under the Nigerian Electricity Act 2023” discuss how the Act firmly prioritises consumer rights and protection.[28] Acknowledging the need to protect consumer interests, it creates systems that advance transparent tariff systems, precise billing, effective service delivery and timely resolution of complaints. It also clarifies complaint resolution procedures, establishing mediums for consumers to obtain redress and express displeasures.

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[27] Nigerian Electricity Regulatory Commission, *Customer Protection Regulations* 2020.

[28] N.M. Idih and C.T. Njoku, ‘Consumer Protection for Users of Energy under the Nigerian Electricity Act 2023’ (2023) <https://lawyard.ng> accessed 28 November 2025.

I. Aig-Imoukhuede, in ‘The Nigerian Electricity Supply Industry: Law, Policy and Practice’ debates that the Nigerian Electricity Supply Industry has traditionally been marked by frail institutional capacity and regulatory incompetence, which have substantially weakened consumer protection struggles.[29] He is of the view that while statutes such as the Electricity Act[30] provide an in-depth framework for safeguarding consumer rights, the success of these provisions significantly relies on the ability and independence of regulatory bodies, especially the Nigerian Electricity Regulatory Commission.[31]

Furthermore, the Act prescribes corresponding obligations on consumers, such as avoidance of meter tampering, timely payment of electricity bills and adherence to safety standards. Nonetheless, unrelenting issues such as failure to pay bills and electricity theft still undermine the financial solidity of distribution companies, thus affecting service delivery. This interaction between consumer rights and obligations emphasises the need for a balanced strategy in which enforcement systems tackle both consumers and service providers.

A. Ibidapo-Obe, in ‘Essentials of Consumer Protection Law’ stresses that successful consumer protection frameworks need the integration of obtainable and effective dispute resolution structures to guarantee that complaints of consumers are

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[29] I. Aig-Imoukhuede, *The Nigerian Electricity Supply Industry: Law, Policy and Practice* (MIJ Professional Publishers 2018).

[30] Electricity Act 2023.

[31] Nigerian Electricity Regulatory Commission, ‘Functions and Mandate’ <https://nerc.gov.ng> accessed 29 November 2025.

appropriately dealt with.[32] Under the Electricity Act[33], systems such as customer complaint units and oversight by the Nigerian Electricity Regulatory Commission are created to enable consumers obtain redress.[34]

Nevertheless, practical observations show that these systems are usually restricted by administrative incompetence, delays and absence of enforcement of decisions. Thus, many consumers are forced to choose between turning to informal mediums for resolving disputes or staying without any appropriate remedy.

G. Ojo, in 'Electricity and Consumer Rights in Nigeria' analyses the connection between energy regulation and consumer protection. He debates that electricity should not be seen solely as a commercial entity, but as a crucial socio-economic commodity that substantially affects the welfare of citizens and economic efficiency.[35] Consequently, the Electricity Act reflects a significant legal development aimed at strengthening consumer rights by encouraging stringent regulatory oversight and advancing service delivery standards.[36]

In spite of these legal upgrades, Ojo highlights that the practical enforcement of consumer rights remains restricted as a result of relentless structural and operational difficulties within the sector. Challenges such as inadequate investment in

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[32] A. Ibidapo-Obe, *Essentials of Consumer Protection Law* (Concept Publications 2004).

[33] Electricity Act 2023.

[34] Electricity Act 2023 (Nigeria); Nigerian Electricity Regulatory Commission, 'Consumer Complaint Resolution Mechanism' <https://nerc.gov.ng> accessed 29 November 2025.

[35] G. Ojo, *Electricity and Consumer Rights in Nigeria* (Lagos University Press 2019).

[36] Electricity Act 2023 (Nigeria).

transmission and distribution systems, insufficient infrastructure and shortcomings in regulatory enforcement still impair efficient service delivery.[37]

CHAPTER TWO

CONCEPTUAL AND THEORETICAL FRAMEWORK

2.1. Conceptual Framework

This part of this research paper analyses the key concepts used with the goal of enhancing clarity and to prevent ambiguity in the discussion of Consumer Rights and Obligations under the Nigerian Electricity Act.[38]

2.1.1 Consumer Rights

Consumer rights connote inherent entitlements of purchasers of goods and services, shaped to guide them against unfair trade practices and exploitation. The conferment of these rights help ensure that consumers purchase products of high-quality and equally ensures fair treatment in the trade space. The present day concept of consumer rights obtained international acknowledgement in 1962 when President John F. Kennedy outlined four fundamental consumer rights. They are; the right to safety, information, choice, and to be heard.[39] Over the years, these rights have grown to

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[37] Nigerian Electricity Regulatory Commission, 'State of the Nigerian Electricity Supply Industry Report' <https://nerc.gov.ng.> accessed 30 November 2025.

[38] Electricity Act 2023.

[39] J. F. Kennedy, 'Special Message to the Congress on Protecting the Consumer Interest' (1962) <https://www.presidency.ucsb.edu/documents/special-message-the-congress-protecting-the-consumer-interest> accessed 16 January 2026.

include the right to redress, consumer education, and a healthy environment.[40] In Nigeria, the rights of consumers are generally protected by the Federal Competition and Consumer Protection Act 2018, which enshrines systems for dealing with fraudulent practices, below standard goods, and unfair pricing.[41] Effective protection of consumer rights is essential as it boosts confidence in markets, promotes ethical business conduct and encourages economic development by ensuring that purchasers are free from abuse or misinformation.

The Nigerian Electricity Act[42], expressly encapsulates and protects consumer rights. The Nigerian Electricity Act and other subsidiary regulations equip the Nigerian Electricity Regulatory Commission (NERC) with the power to implement transparent billing, reliable service, fair treatment and proper information for electricity consumers.[43] It equally demands complaint resolution, fair tariff structures, access to quality electricity supply as well as ensuring consumer protection is in line with international best practices. The Act also establishes systems such as the Power Consumer Assistance Fund[44] to assist low-income consumers and demands that suppliers reveal service terms, complaint procedures, and quality obligations. These provisions implant consumer rights into the electricity sector.

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40 United Nations, 'Guidelines for Consumer Protection' (2015), *UN trade & development (UNCTAD)* <https://unctad.org/topic/competition-and-consumer-protection/un-guidelines-for-consumer-protection > accessed 16 January 2026.

41 Sections 114–116, 124, 127 and 130, FCCP Act 2018.

42 Electricity Act 2023.

43 NERC Customer Bill of Rights and Obligations; Electricity Act consumer protection measures.

44 Section 208, Electricity Act 2023.

2.1.2 Consumer Obligations

Consumer obligations means the duties and responsibilities of consumers during the purchase and use of goods and services. As the law guides consumers from exploitation, it on the other hand, requires them to act reasonably, honestly and in good faith. Consumers are obliged to offer consideration for goods and services received, use products in accordance to instructions and deter from acts that may cause injury to themselves or others. The law equally demands that consumers make available precise information when entering into contracts and avoid fraudulent or deceptive conducts.

In sectors that are well regulated such as, telecommunications, electricity and banking, consumers are supposed to respect service terms, avoid illegal connections and without delay, report faults or disputes through lawful mediums. Adherence to these obligations will ensure fairness, promote sustainable businesses, reciprocal trust between consumers and service provider and eventually add to the proper functioning of the market space.

The Nigerian Electricity Act[45] recognises consumer obligations as segment of a uniform framework that regulates rights and duties in the electricity sector. The Act confers the Nigerian Electricity Regulatory Commission (NERC)[46] the power to set standards for electricity service and to determine the obligations of consumers in responsible and lawful use of electricity.[47] These include allowing access for meter

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[45] Electricity Act 2023.

[46] Section 6, Electricity Act 2023.

[47] Section 34, Electricity Act 2023.

installation and maintenance, timely payment of electricity bills, safeguarding electrical installations and complying with safety and distribution codes. The Customer Bill of Rights and Obligations developed under the Act further emphasizes these duties, emphasising unism between distribution companies (DisCos), reporting unauthorised tampering and informing distribution companies about outstanding bills before changing premises. By listing obligations together with the rights, the Electricity Act promotes reciprocal accountability, effective service delivery and a more sustainable electricity sector in Nigeria.

2.1.3 Electricity Regulation

Electricity regulation is the body of laws, policies, and institutional frameworks created to preside over the generation, transmission, distribution, and supply of electricity within a state. Because of crucial importance of electricity as a public utility, the capital-intensive nature of its infrastructure and the monopolistic tendencies of electricity, government involvement is crucial to ensure fairness, efficiency, and reliability.[48] Regulation helps prevent misuse of market power by utility companies and ensures that excessive tariffs are not imposed on consumers or that service delivery is poor.

Electricity regulation generally deals with setting standards for safety, licensing electricity operators, prescribing tariffs and implementing quality-of-service

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[48] A. E. Kahn, *The Economics of Regulation* (MIT Press, 1988) 48.

requirements.[49] Regulatory authorities equally monitor market entry, prevent monopoly and ensure observance of environmental and operational standards. A regulatory body which is completely independent is necessary for ensuring transparency, resolving conflicts between consumers and providers and ensuring that electricity companies function in the interest of the public.

In countries over the world, electricity regulation seeks to invite private investment while also protecting consumer welfare. This is attained by establishing predictable legal frameworks that balance investor faith with social goals.[50] Furthermore, regulation plays a vital role in energy development policies by advocating for renewable energy generation and ensuring grid stability.

Effective electricity regulation therefore promotes economic growth, industrial development and social welfare by assuring a safe, stable and affordable electricity supply. Thus, where there is no effective regulation, electricity markets may become inefficient, unreliable and exploitative, diminishing national development goals.

2.1.4 Electricity Distribution

Electricity distribution involves delivering electrical energy from transmission networks to consumers including households, businesses and industries. It is the back end of the chain between electricity generation and consumption and plays a vital role in ensuring that power arrives at the doorstep of consumers safely, reliably, and at the

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[49] World Bank, 'Electricity Regulation Handbook' (2014) 12 <https://openknowledge.worldbank.org/> accessed 17 January 2026.

[50] J. T. O'Connor, *Energy Regulation and Policy* (Routledge, 2017) 44.

proper voltage. After electricity is transmitted at high voltages over far distances, it is stepped down at substations and transmitted through local networks of transformers, feeders, and service lines to consumers.

Distribution systems are usually run by distribution companies that have the duty of maintaining infrastructure, billing consumers, installing meters and responding to issues.[51] Distribution networks are often treated as natural monopolies because they are capital-intensive and are therefore liable to strict regulatory oversight.[52] Regulation ensures that distribution companies make available quality service, comply with safety standards and bill tariffs that are fair and transparent.

Effective electricity distribution is vital for economic development and social welfare. A lack of effective distribution networks will therefore result in voltage fluctuations, power outages and energy losses, which negatively affect industrial productivity.[53] Present day electricity distribution also involves the unification of renewable energy sources, smart meters and digital monitoring systems that advance efficiency and accountability.

Strengthening electricity distribution infrastructure is especially important in developing countries for widening access to electricity and lessening technical and commercial losses. A well-regulated and effective distribution system helps ensure

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[51] International Energy Agency, 'Electricity Market Report' <https://www.iea.org/reports/electricity-market-report-2020> accessed 19 January 2026.

[52] A. E. Kahn, *The Economics of Regulation* (MIT Press, 1988) 31.

[53] 'UNDP and Energy for Sustainable Development' (2015) <https://www.undp.org/sites/g/files/zskgke326/files/publications/UNDP%20and%20Energy%20for%20Sustainable%20Development_2004.pdf> accessed 19 January 2026.

that electricity generated is not wasted and that consumers obtain reliable and affordable power, and by so doing promotes national development goals.

2.1.5 Metering

Metering connotes to the process of measuring and keeping records of the amount of electricity consumed by a user over a particular period of time. It is a crucial part of the electricity supply system as it gives the basis for correct billing, energy management and regulatory oversight.[54] An electricity meter records the quantity of electrical energy consumed in kilowatt-hours (kWh), enabling distribution companies and consumers to ascertain exactly the quantity of power that has been used.

There are various types of electricity meters, including digital meters, electromechanical meters and smart meters. Traditional meters require manual reading, on the other hand smart meters pass consumption data automatically to the service provider, allowing for real-time regulation and better billing accuracy. Smart metering enables consumers to monitor their electricity consumption, fostering energy conservation and effective consumption.

Metering plays a vital role in minimizing conflicts between consumers and electricity providers. This is so as when consumers are accurately metered, estimated billing which usually results to overcharging and dissatisfaction is reduced.[55] Metering also

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[54] World Bank, ‘Electricity Metering and Billing Systems’ <https://openknowledge.worldbank.org/> accessed 19 January 2026.

[55] Nigerian Electricity Regulatory Commission Metering Regulations 2021 <https://nerc.gov.ng/> accessed 19 January 2026.

enables electricity companies figure out energy theft, technical losses and system inefficiencies, and by so doing fosters revenue collection.

Furthermore, Metering ensures accountability and transparency in the electricity market. Regulators usually depend on metering data to confirm adherence with tariffs and service standards.[56] In most developing countries, improving the access to metering is a crucial aim because it fosters fairness, promotes financial sustainability of distribution companies, and inproves consumer confidence in the electricity system. Overall, effective metering promotes a more reliable, efficient and equitable electricity supply system.

2.2. Theoretical Framework

The theoretical framework for this study gives an analytical glass for critically examining the rights and obligations of Consumers under the Nigerian Electricity Act.[57]

2.2.1 Consumer Protection Theory

The consumer protection theory is a framework that aims to protect the interests of consumers in the markets by maintaining fairness, safety and transparency in the distribution of goods and services. This theory is rooted in the comprehension that consumers are usually in a less powerful bargaining standpoint in comparison to producers or service providers, which leaves them in danger of being exploited,

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[56] A. E. Kahn, *The Economics of Regulation* (MIT Press, 1988) 37

[57] Electricity Act 2023.

misinformed and delivered substandard products.[58] The theory stresses the importance of legal, institutional and regulatory schemes to balance this inequality, fostering equitable trade and safeguarding consumers from unfair practices.

Consumer protection theory covers various vital principles, including the right to safety, the right to be informed, the right to choose, and the right to redress. Present day constructions expand these rights to further include consumer education, access to sustainable products and protection against environmental hazards.[59] Regulatory authorities, such as consumer protection councils and competition commissions, make use of this theory by implementing standards, observing compliance and supplying schemes for dispute resolution.

Consumer protection theory thus, calls to attention the double obligation of safeguarding consumers while fostering ethical business conduct. The application of the theory fosters trust, market efficiency and economic stability, by ensuring that markets operate effectively while consumers' welfare is protected.

2.2.2 Public Interest Theory of Regulation

The Public Interest Theory of Regulation states that government involvement in markets is reasonable to safeguard the interests of the public and rectify market

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[58] J. F. Kennedy, 'Special Message to the Congress on Protecting the Consumer Interest' (1962) <https://www.presidency.ucsb.edu/documents/special-message-the-congress-protecting-the-consumer-interest> accessed 20 January,2026

[59] United Nations, 'Guidelines for Consumer Protection' (2015), *UN trade & development (UNCTAD)* <https://unctad.org/topic/competition-and-consumer-protection/un-guidelines-for-consumer-protection> accessed 16 January 2026.

failures. The theory believes that regulation is important when unregulated markets stop to allot resources proficiently, exploit consumers or endanger public welfare.[60] The theory supposes that regulators act as unbiased agents of the public, ensuring fairness, security and availability in the provision of goods and services.

The Public Interest Theory of Regulation is usually implemented in basic services and traditional monopolies such as electricity, water, and telecommunications, where private operators have the tendency to abuse market power, levy immoderate prices, or supply substandard services.[61] Regulatory mechanisms may include setting price controls, implementing quality standards, instructing universal access and observing adherence to safeguard consumers as well as the society.[62]

Those who criticize the theory debate that it exaggerates the kindness of regulators and does not pay attention to the risks of regulatory capture, where industry interests control regulatory resolutions.[63] The criticisms notwithstanding, the Public Interest Theory continues to exist as a rudimentary concept in regulatory economics, stressing that regulation should epitomize social welfare, consumer safeguard and equitable access to private profits. The application of the theory ensures that vital services function proficiently while protecting the collective interests of society.

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[60] A.R. Posner, *Economic Analysis of Law* (Wolters Kluwer, 2014) 78.

[61] G. J Stigler, *The Theory of Economic Regulation* (Bell Journal of Economics and Management Science, 1971) 23

[62] R. Baldwin, M. Cave and M. Lodge, *Understanding Regulation* (2nd edn, Oxford University Press, 2012) 18.

[63] D. P. Carpenter, *The Forging of Bureaucratic Autonomy* (Princeton University Press, 2001) 55.

2.2.3 Social Contract Theory

The Social Contract Theory as developed by great philosophers; Thomas Hobbes, John Locke, and Jean-Jacques Rousseau, states that individuals agree, either expressly or by conduct, to relinquish certain freedoms to a government in trade for protection, order and the provision of public amenities.[64] In relation to the electricity sector, this theory gives a framework for comprehending the relation between electricity providers, regulators and consumers.

In this theory, consumers assent to pay for electricity, comply with safety standards and obey contractual duties, and the government and electricity distribution companies (DisCos) on the other hand are required to supply reliable, safe and inexpensive electricity.[65] Regulatory institutions, such as the Nigerian Electricity Regulatory Commission (NERC), act as middle men to ensure that electricity distribution is proficient, transparent, and equitable, showing the social contract's principles of reciprocal responsibility. Consumers' rights such as access to accurate billing, quality service and grievance redress exist together with obligations like timely payment, lawful use of electricity and collaboration with maintenance protocols.

This theory stresses responsibility and reciprocal trust. By joining electricity rights and obligations within a social contract, regulators and distribution companies are led to hold high public welfare, while consumers are advised to act responsibly.

[64] J.J Rousseau, *The Social Contract* (Maurice Cranston tr, Penguin Classics 1968) 5.

[65] Nigerian Electricity Regulatory Commission, 'Customer Rights and Obligations Guidelines' (2021) <https://nerc.gov.ng/> accessed 22 January 2026.

Successful regulation and metering, supported by the social contract principle, thus promote reliable service delivery, minimize disputes and foster sustainability in the electricity sector.

CHAPTER THREE

LEGAL AND INSTITUTIONAL FRAMEWORKS ON THE RIGHTS AND OBLIGATIONS OF ELECTRICITY CONSUMERS

3.1 Legal Framework

The legal framework regulating the rights and obligations of electricity consumers in Nigeria through laws such as the Electricity Act,[66] NERC regulations and related legislations, seeks to safeguard consumers and equally ensure efficiency, sustainability and accountability in electricity supply in Nigeria.

3.1.1 The Electricity Act 2023

The Electricity Act,[67] reflects a significant revamp of Nigeria's electricity distribution legal framework. It repeals the Electric Power Sector Reform Act[68] and combines laws relating to the Nigerian Electricity Supply Industry (NESI), creating an all encompassing institutional and regulatory frameworks for the generation of electricity, electricity transmission, electricity distribution, electricity supply and critically, consumer rights and obligations.[69]

At the center of the Electricity Act is a movement towards a market-based, rule-driven power sector designed to foster efficiency, entice private investment and better service

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[66] Electricity Act 2023.

[67] Electricity Act 2023.

[68] Electric Power Sector Reform Act, 2005.

[69] Federal Republic of Nigeria, Electricity Act 2023 (No 13 of 2023), Explanatory Memorandum and long title, <https://faolex.fao.org/docs/pdf/nig218782.pdf> accessed 5 February 2026.

delivery. The Nigerian Electricity Regulatory Commission (NERC) is authorized by the Electricity Act to monitor and implement industry standards, including consumer protection measures.[70]

The Electricity Act acknowledges crucial rights for electricity consumers, derived from the principles of transparency, fairness and quality service. Distribution licensees are required to supply electricity to consumers within their delegated areas, subject to approved tariffs and service standards.[71] These rights include the consumers' right to trustworthy and quality electricity supply, fair and accurate billing systems and accountable information on tariffs, terms of service and complaint procedures. On the other hand, suppliers have the statutory obligation to provide consumers with sufficient information on services offered, applicable tariffs, rights, service obligations and mechanisms for bringing complaints.

The Electricity Act sets out the wide legal basis for consumer protection. However, the NERC's Consumer Protection Regulations,[72] further operationalises these rights. They assert consumers' entitlement to quick and safe connection upon demand, dispute resolution schemes and protection against exploitative activities such as unfair

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70 Establishing the powers and functions of the Nigerian Electricity Regulatory Commission (NERC), <https://www.lawglobalhub.com/section-34-nigerian-electricity-act-2023/> accessed 5 February 2026.

71 Part VII (Electricity Distribution, Supply and Consumer Protection), Sections 108–122 Electricity Act 2023.

72 NERC's Consumer Protection Regulations, 2023.

billing practices. These regulatory tools coincide with global best practices and intend to better accountability in service delivery.[73]

In like manner, the Electricity Act demands consumers to fulfil certain obligations structured to ensure system integrity and fair industry operation. Consumers must pay electricity bills timeously and adhere to safety and technical standards provided by the Nigerian Electricity Regulatory Commission and other regulations. They are also expected to allow licensed distribution companies to install, inspect and maintain meters at their premises, as metering is a statutory requirement for effective electricity consumption measurement and billing.

Consumers are also required to report unauthorized use or tampering with meters and notify distribution companies of changes in residence where applicable to prevent undue liabilities. Failure to adhere may result to lawful actions by distribution companies, including disconnection after due notice as defined by regulations.[74]

Although Nigerian courts have established that electricity supply is not a justiciable fundamental right under the Nigerian Constitution.[75] However, certain statutory protections in the Act and connected regulations establish enforceable consumer rights through regulatory and administrative mechanisms.[76] By so doing, the Electricity Act

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[73] NERC, Customer Bill of Rights and Obligations (2023), issued pursuant to the Electricity Act 2023, <https://nerc.gov.ng/index.php/library/consumer-protection> accessed 5 February 2026.

[74] NERC, Meter Asset Provider Regulations and mandatory metering framework under the Electricity Act 2023, <https://nerc.gov.ng/index.php/library/regulations> accessed 5 February 2026.

[75] *Manufacturers Association of Nigeria (MAN) v. Abuja Electricity Distribution Company PLC & 11 Ors* (FHC/L/CS/881/2024, Federal High Court Lagos Judicial Division, 7 October 2024).

[76] *Bureau of Public Enterprises v National Union of Electricity Employees* [2013] 7 NWLR (Pt 1352) 343 (CA).

aims to promote trust, fairness and efficiency in the electricity sector, thereby fostering improved service delivery and consumer confidence in the Nigerian Electricity Supply Industry (NESI).[77]

3.1.2 Federal Competition and Consumer Protection Act, 2018

The Federal Competition and Consumer Protection Act[78] creates an extensive legal regime for the safeguard of consumers and the advancement of just competition in the market environment in Nigeria.[79] In spite of the fact that the electricity sector is basically controlled by the Electricity Act 2023 and the Nigerian Electricity Regulatory Commission, the FCCPA creates a harmonious system that protects electricity consumers against unjust, exploitative and fraudulent practices.[80]

The Federal Competition and Consumer Protection Act[81] provides that electricity consumers are entitled to certain fundamental rights such as the right to fair billing, adequate information, safe and quality services and safeguard against false representations.[82] Distribution companies (DisCos) are banned from participating in false or misleading conduct connected to tariffs, service quality, billing or contractual terms.[83] Consumers equally have the right to be given fit for purpose services carried

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77 O. Oke, 'Powering Nigeria's Future: Consumer Protection under the Electricity Act 2023' (2023) Mondaq, <https://www.mondaq.com/nigeria/renewables/1331724/powering-nigerias-future-introducing-the-electricity-act-2023> accessed 5 February 2026.

78 Federal Competition and Consumer Protection Act 2018.

79 Section 1, Federal Competition and Consumer Protection Act 2018.

80 Section 105, FCCPA, 2018.

81 Federal Competition and Consumer Protection Act 2018.

82 Sections 114–127, FCCPA, 2018.

83 Section 123, FCCPA, 2018.

out with reasonable care and skill.[84] In the event of arbitrary billing or wrongful disconnection, consumers hold the power to obtain legal remedies through complaint systems created by the Federal Competition and Consumer Protection Commission, together with specific remedies for specific sectors under NERC regulations.[85] These remedies include refunds, energy-credit compensation, billing adjustments, regulatory intervention by NERC or FCCPC, reconnection orders and judicial relief.

The Act also safeguards consumers from unjust contract terms. The Act provides that contracts used by electricity distribution companies must not have unfair, unjust or clearly one-sided terms. Any such contracts may be declared void. This provision fortifies the bargaining position of electricity consumers in the power sector, who are historically known to have information asymmetry and restricted consumer choice.

The FCCPA equally acknowledges the corresponding obligations of consumer. Consumers are expected to act in good faith, respect contractual terms, avoid illegal connections and meter tampering and comply with safety rules. The Act advocates for market discipline by banning anti-competitive contracts thus ensuring that electricity service providers act within the bounds of law.[86]

In conclusion, the FCCPA reinforces the framework on electricity consumers' rights and obligations by enshrining principles of fairness, accountability and transparency.

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[84] Section 130, FCCPA, 2018.

[85] Sections 17-18 FCCPA, 2018.

[86] Sections 59-72 FCCPA, 2018.

3.1.3 The Nigerian Electricity Management Services Agency Act, 2015

The NEMSA Act[87] is the law that establishes the Nigerian Electricity Management Services Agency which is the body charged with the responsibility of enforcing technical standards and rules in the Nigerian Electricity Supply Industry (NESI).[88] The Act contains provisions geared towards ensuring electricity consumers' rights, especially in terms of safety and quality assurance.

The Agency is empowered by the Act to implement all technical standards and rules laid down for the power sector and to ensure that electrical installations and equipment adhere to acceptable specifications.[89] This provision safeguards consumers' right to safety by minimizing risks related with inferior electrical materials, fire outbreaks, electrocution, faulty installations and system collapse. Nigerian Electricity Management Services Agency ensures that electricity equipment distributed to consumers complies with nationally accepted safety benchmarks by carrying out checks, testing and certification of electrical works.[90]

The Act equally empowers the Agency to look into electrical accidents and system failures and to endorse remedial mechanisms and punishments where expedient. The Agency also requires necessary certification as a prerequisite to the connection of finished electrical projects to the national grid, thus stopping dangerous distribution to consumers.

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[87] Nigerian Electricity Management Services Agency Act, 2015.

[88] Section 1, Nigerian Electricity Management Services Agency Act 2015.

[89] Section **4(a)–(c),** Nigerian Electricity Management Services Agency Act 2015.

[90] Nigerian Electricity Management Services Agency (NEMSA), Mandate and Functions <https://nemsa.gov.ng> accessed 7 February 2026.

The Act also establishes corresponding obligations in addition to consumer rights. The Act provides that electricity consumers, contractors and operators must adhere to acceptable technical standards and permit approved officers access to installations for checks and testing.[91] Engaging in illegal connections or the use of uncertified electrical equipment subverts system integrity and may incur regulatory sanctions. Therefore, consumers are required to ensure that electrical installations within their environment adhere to safety requirements and are done by qualified professionals.

Nigerian Electricity Management Services Agency's technical enforcement role accompaniments larger consumer safeguard systems within the power sector. The Act reinforces public confidence and minimizes hazards that may undermine life and property by concentrating on safety adherence and integrity.[92]

In conclusion, the Nigerian Electricity Management Services Agency Act[93] exists as a critical legal framework guaranteeing electricity consumers' rights to safety and quality service in Nigeria. Through checks, certification, enforcement and necessary investigations, Nigerian Electricity Management Services Agency ensures compliance with technical standards, thereby advancing accountability, reliability and sustainability in electricity supply.

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[91] Sections 24-26, Nigerian Electricity Management Services Agency Act 2015.

[92] O. Oluwasola, 'Institutional Regulation in Nigeria's Electricity Sector' (2023) Mondaq <https://www.mondaq.com/nigeria/energy-law/1331724/> accessed 28 January 2026.

[93] Nigerian Electricity Management Services Agency Act 2015.

3.1.4 Nigerian Electricity Regulatory Commission (NERC) Regulations

The Nigerian Electricity Regulatory Commission (NERC), established under the Electricity Act[94] is the principal regulatory authority responsible for overseeing electricity generation, transmission, distribution and supply in Nigeria. In carrying out this mandate, NERC issues regulations, codes and guidelines which collectively form a stringent legal framework governing the rights and obligations of electricity end-users within the Nigerian Electricity Supply Industry (NESI).[95]

Central to consumer protection is the NERC (Consumer Protection) Regulations[96], which codify the rights of electricity consumers and impose enforceable obligations on distribution licensees. These regulations guarantee consumers the right to electricity supply in accordance with approved service standards, subject to system constraints and payment of lawful tariffs.[97] Consumers are also entitled to transparent and accurate billing. Estimated billing is regulated and consumers may challenge excessive or arbitrary bills through formal complaint mechanisms established by NERC.[98]

Furthermore, consumers have the right to fair complaint handling and dispute resolution. Distribution companies are required to establish customer complaint units and escalate unresolved disputes to the NERC Consumer Forum Offices, ensuring access to regulatory remedies without undue cost. The regulations also protect

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94 Electricity Act 2023.

95 Section 34, Electricity Act 2023.

96 NERC (Consumer Protection) Regulations, 2023.

97 Regulations 4-9, Nigerian Electricity Regulatory Commission, Consumer Protection Regulations 2023.

98 A. Ayo, 'Rights and Obligations of Electricity Consumers in Nigeria' (2024) Mondaq <https://www.mondaq.com/nigeria/oil-gas-electricity/1444240/> accessed 6 February 2026.

consumers against unlawful disconnection, requiring prior notice and adherence to due process before supply can be interrupted.

Alongside these rights, NERC regulations impose specific obligations on electricity consumers. Consumers are required to pay electricity bills promptly, safeguard metering infrastructure and comply with technical and safety standards issued by NERC.[99] Unauthorized connections, meter tampering and energy theft constitute regulatory offences and attract penalties, including disconnection and prosecution. Consumers are also obligated to grant access to licensed operators for meter installation, inspection and maintenance where reasonably required.

The legal significance of NERC regulations lies in their enforceability. Although electricity supply is not acknowledged as a fundamental right under the Nigerian Constitution, the regulatory instruments issued by NERC create statutory consumer rights that are enforceable through administrative and quasi-judicial mechanisms. By balancing consumer protection with system sustainability, NERC regulations promote accountability, efficiency and fairness within the electricity market.

In conclusion, NERC regulations constitute a critical legal framework that defines the rights and obligations of electricity consumers in Nigeria. Through detailed regulatory standards and enforcement mechanisms, they operationalise the objectives of the

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[99] Regulations 3–7, NERC, Meter Asset Provider Regulations 2018 (as amended).

Electricity Act, 2023 and enhance consumer confidence in the Nigerian power sector.[100]

3.2 Institutional Framework

The institutional framework on the rights and obligations of electricity consumers in Nigeria consists of regulatory, policy and implementation organizations created to monitor electricity supply. Institutions such as Nigerian Electricity Regulatory Commission, the courts and sector agencies ensure consumer safety, implement adherence and foster fairness, accountability and efficiency within the Nigerian power sector.

3.2.1 Nigerian Electricity Regulatory Commission

The Nigerian Electricity Regulatory Commission (NERC) is the primary regulatory body created under the Electricity Act[101] to superintend the Nigerian Electricity Supply Industry (NESI). The Nigerian Electricity Regulatory Commission acts as the principal institutional framework for safeguarding electricity consumers.[102]

The Nigerian Electricity Regulatory Commission is composed of seven full-time Commissioners comprising of a Chairman/Chief Executive Officer, a Vice-Chairman and five other Commissioners appointed by the President subject to the Senate's confirmation.

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[100] O. Oke, 'Consumer Protection under Nigeria's Electricity Regulatory Framework' (2023) Mondaq <https://www.mondaq.com/nigeria/renewables/1331724/> accessed 6 February 2026.

[101] Electricity Act 2023.

[102] Section 34, Electricity Act 2023.

The Nigerian Electricity Regulatory Commission is empowered to make regulations, issue licenses, set tariffs, observe market operations and implement adherence within the power sector.[103] The performance of its functions directly affects consumers' rights, thus the NERC guarantees consumers' right to safe, reliable and quality electricity supply. The Nigerian Electricity Regulatory Commission equally ensures honesty in billing by demanding metering under instruments.[104]

The commission further reinforces consumer protection through the NERC (Consumer Protection) Regulations [105] which contains consumers' rights to fair treatment, complaint settlement, accurate billing and safeguard from wrongful disconnection. Distribution companies are mandated to create customer complaint units and if dispute remains unresolved, same may be referred to NERC's Consumer Forum Offices for administrative determination. This complaint system enhances access to justice without necessitating instant recourse to the courts.

Asides safeguarding consumers rights, the Nigerian Electricity Regulatory Commission also enforces consumer obligations crucial for stability. Electricity consumers are mandated to pay approved tariffs, desist from meter tampering and power theft, grant access for meter installation and checks and adhere to technical and safety standards.[106] The Nigerian Electricity Regulatory Commission is vested with the

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[103] Section 114, Electricity Act 2023.

[104] Regulations 4-9, NERC, Consumer Protection Regulations 2023.

[105] NERC (Consumer Protection) Regulations 2023.

[106] Section 34(1)(d), Electricity Act 2023.

power to impose sanctions on both licensees and consumers who run contrary to regulatory provisions.

Judicial authorities have upheld that statutory rights established under specific sector legislation are enforceable through regulatory and judicial mechanisms in spite of the fact that electricity supply is not expressly acknowledged as a right in the Constitution.

In conclusion, the NERC exists as the principal institutional framework regulating the rights and obligations of electricity consumers in Nigeria, thus fostering fairness, honesty and effectiveness in the power sector.

3.2.2 Standards Organization of Nigeria

The Standards Organisation of Nigeria (SON) is the statutory agency charged with the responsibility of prescribing the standards and regulating the quality of products and services in Nigeria. Standards Organisation of Nigeria Act,[107] established in 2015, plays a critical role in safeguarding electricity consumers, especially in terms of safety and quality guarantee of electrical materials and equipment used in electricity supply.[108]

The governing body of the Standards Organisation of Nigeria is the Standards Council of Nigeria, consisting of seventeen members, including the Chairman, the Director-General, representatives of relevant federal ministries, professional and industrial bodies, consumer interests and other sectors as determined by the Standards Organisation of Nigeria Act.

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[107] Standards Organisation of Nigeria Act 2015.

[108] Sections 1 and 4, SON Act, 2015.

Standards Organisation of Nigeria does not directly regulate tariffs or electricity distribution. However, its responsibility to advance and implement Nigerian Industrial Standards for electrical products composes a critical element of consumer protection.[109] Electrical cables, meters, transformers, switchgear and other appliances used in electricity generation and distribution must adhere to licensed technical specifications. Standards Organisation of Nigeria by implementing conformity assessment procedures, protects consumers' rights, ensuring that inferior electrical goods do not jeopardize lives or properties.

Standards Organisation of Nigeria's enforcement powers include inspection of factories and markets, prosecution of offenders, confiscation of non-compliant goods and certification of products through the Mandatory Conformity Assessment Programme (MANCAP). These measures help stop dangers such as fire outbreaks, electrocution and equipment failure caused by substandard electrical components. By so doing, SON indirectly strengthens consumers' right to reliable and safe electricity supply.

Standards Organisation of Nigeria also impliedly provides for commensurate obligations for electricity consumers. Consumers are required to use approved electrical equipment bearing SON's quality marks and to desist from purchasing inferior products. Importers, distributors and contractors are mandated to adhere to national standards and acquire necessary certification before goods are presented to the

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[109] SON, Mandate and Functions <https://son.gov.ng> accessed 2 February 2026.

market.[110] Failure to comply with these standards results to penalties under the Act, such as fines and seizure of products.

Furthermore, Standards Organisation of Nigeria cooperates with sector regulators such as the Nigerian Electricity Regulatory Commission (NERC) and the Nigerian Electricity Management Services Agency (NEMSA) to ensure that safety standards are consolidated into electricity sector operations. While Nigerian Electricity Regulatory Commission emphasizes service delivery and tariff regulation, Standards Organisation of Nigeria ensures that the physical elements of electricity supply align with approved quality benchmarks.

3.2.3 Federal Ministry of Power, Works and Housing

This ministry exists as the principal policy enacting body in Nigeria's power sector. The ministry does not directly regulate electricity consumers. However, it forms a critical institutional framework affecting the rights and obligations of electricity consumers through its policy formulation, sector oversight and strategic coordination functions.[111] The Ministry is composed of the Minister of Power, Works and Housing, the Minister of State (where appointed), the Permanent Secretary and Directors heading the various departments.

The Federal Government, acting through the Ministry, is empowered by the Electricity Act to develop national electricity policies and general supervision of the power sector.

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[110] Sections 29-30, Standards Organisation of Nigeria Act 2015.

[111] Federal Ministry of Power, Mandate and Functions <https://power.gov.ng> accessed 31 January 2026.

The Ministry gives policy direction to critical institutions like the Nigerian Electricity Regulatory Commission and other government agencies involved in generation and distribution of electricity.[112] By doing all these, the Ministry indirectly promotes consumers' rights to better access to electricity, reliable supply and viable service delivery.

The power sector recovery programmes and rural electrification strategies of the ministry are crafted to widen electricity access and improve infrastructure development.[113] By advancing investment and market solidity, the Ministry supports the fulfillment of consumers' right to access electricity as a fundamental utility for economic and social advancement. Federal policies associated with tariffs and subsidy affect accessibility and define the financial obligations of electricity consumers.

Furthermore, the Ministry assists regulatory implementation by supporting policies on better tariffs, minimization of losses and energy proficiency. These mechanisms strengthen consumers' obligations to pay legal electricity rates and to utilize electricity responsibly. Although resolution of disputes are primarily handled by NERC and the courts, the Ministry ensures that regulatory actions cohere with national development goals.[114]

In conclusion, the Federal Ministry of Power, Works and Housing functions as a structured institutional framework within Nigeria's power sector. Through policy

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112 Section 3, Electricity Act, 2023.

113 Federal Ministry of Power, Power Sector Recovery Programme (2017).

114 O. Oke, 'Governance Structure of Nigeria's Electricity Market' (2023) Mondaq <https://www.mondaq.com/nigeria/energy-law/1331724/> accessed 5 February 2026.

formulation, it designs the surrounding in which electricity consumers' rights and obligations are outlined, safeguarded and implemented, thus advancing honesty, viability and fair access within the electricity industry.

3.2.4 The Court

The courts in Nigeria form a critical framework for the implementation and construction of the rights and obligations of electricity consumers. In as much as sector regulation is mainly handled by the Nigerian Electricity Regulatory Commission, the judiciary equally plays a monitoring and adjudicatory role in ensuring that regulatory agencies and electricity distribution companies abide by law.

The Constitution of the Federal Republic of Nigeria[115] confers judicial powers in the courts to adjudicate disputes involving civil rights and obligations.[116] In terms of electricity supply, courts construe provisions of the Electricity Act[117], regulations promulgated by NERC and contracts between consumers and distribution companies. By performing this function, the courts make clear the scope of consumer rights.

The judiciary also plays the role of being a check on the excesses of regulatory and administrative bodies. Where consumers allege illegal disconnection, arbitrary billing or breach of statutory duty, courts may award remedies such as damages, injunctions or

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115 Constitution of the Federal Republic of Nigeria 1999 (as amended).

116 Section 6(6)(b), CFRN 1999 (as amended).

117 Electricity Act 2023.

declaratory reliefs.[118] Judicial review proceedings further guarantee that regulatory decisions adhere to principles of natural justice, fairness and due process of law.

The courts in addition to guaranteeing consumer rights, equally uphold corresponding consumer obligations. Consumers are obliged to pay approved tariffs and desist from unlawful connections or meter tampering.[119] In the event of a breach of such obligation, electricity distribution companies may obtain judicial enforcement or recovery of debts.

Furthermore, Nigerian courts have maintained that statutory rights established under sector legislation are legally enforceable. Therefore, the judiciary accompaniments regulatory bodies by making available authoritative dispute settlement and reinforcement accountability within the power sector. Through interpretation, implementation and review, the courts continue to exist as a key institutional framework in maintaining the equilibrium between the rights and obligations of electricity consumers in Nigeria.

3.2.5 Nigeria Bulk Electricity Trading Company Plc

The Nigerian Bulk Electricity Trading Company Plc is a government institution established under the Companies and Allied Matters Act on 29 July 2010 pursuant to the implementation of the Electric Power Sector Reform Act[120] to play the role of

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[118] *Jos Electricity Distribution Plc v John* [2019] 6 NWLR (Pt 1668) 123 (CA).

[119] Nigerian Electricity Regulatory Commission, Regulation on Energy Theft and Related Offences 2014.

[120] Electric Power Sector Reform Act 2005.

mediator bulk purchaser of electricity from electricity generation companies and reseller to electricity distribution companies within the Nigerian Electricity Supply Industry (NESI).[121] Although Nigerian Bulk Electricity Trading Company Plc indirectly deals with consumers, it plays a crucial role in molding the environment where electricity consumers' rights and obligations operate. The company is governed by a Board of Directors and managed by a Managing Director/Chief Executive Officer.

Nigerian Bulk Electricity Trading Company Plc's main role is to gain entry into Power Purchase Agreements (PPAs) with electricity generation companies and Vesting Contracts with electricity distribution companies and by so doing assures payment security and stabilizes the electricity market.[122] Nigerian Bulk Electricity Trading Company Plc improves the confidence of investors and ensures stable supply of electricity to distribution companies by bearing credit and market risks.[123] This role indirectly assists consumers' right to dependable and steady electricity supply, as better liquidity in the market aids generation efficiency and service delivery.

Furthermore, revenue taken by distribution companies from electricity consumers eventually shapes part of the settlement chain that allows NBET to achieve its contractual payment obligations to generators.[124] Therefore, consumers' duty to pay endorsed tariffs is key to maintaining the contractual framework handled by NBET.

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[121] Nigerian Bulk Electricity Trading Company Plc, About NBET <https://nbet.com.ng> accessed 26 February 2026.

[122] Electricity Act 2023; NBET, Power Purchase Agreements and Vesting Contracts Framework.

[123] World Bank, Nigeria Power Sector Reform and the Role of NBET (2021).

[124] NBET, Market Settlement and Payment Structure <https://nbet.com.ng> accessed 8 February 2026.

NBET complements the regulatory oversight of tariffs and consumer protection by ensuring wholesale market stability despite the fact that this framework lies essentially with the Nigerian Electricity Regulatory Commission. By promoting structured contractual relationships and minimizing systemic risk, NBET indirectly aids consumer confidence and bettered service delivery.

In conclusion, although NBET does not hear and determine consumer complaints or implement regulatory standards, its intermediary function makes it a crucial pillar in the larger legal and market scheme regulating the rights and obligations of electricity consumers in Nigeria.

3.2.6 Nigerian Electricity Liability Management Company

The Nigerian Electricity Liability Management Company (NELMCO) is a company established by the Government in accordance with the repealed Electric Power Sector Reform Act 2005 to manage and settle the legacy debts of the defunct Power Holding Company of Nigeria and its heir companies. While NELMCO does not distribute electricity directly to consumers, it still plays a significant role in stabilising the Nigerian Electricity Supply Industry (NESI), thus affecting consumer rights and obligations indirectly.

The company is governed by a Board of Directors and managed by a Managing Director/Chief Executive Officer, supported by executive officers and departmental heads responsible for the administration of the company's assets, liabilities and operations.

NELMCO's principal goal is to take over, administer and settle stranded debts, pension liabilities, contractual obligations and other financial hindrances that occurred during the uncoupling and privatisation of the power sector.[125] NELMCO protects successor generation and distribution companies from conventional financial strains that could otherwise affect operational efficiency and service delivery by shelving these liabilities. This financial sanitization indirectly aids consumers' right to better and sustainable electricity supply, as financially steady operators are better placed to invest in infrastructure and keep service standards.

Furthermore, NELMCO's position strengthens the economic principle underpinning consumer obligations. The viability of the electricity market depends on revenue flow from end-users through distribution companies to other market participants.[126] By addressing past liabilities, NELMCO supports a more transparent and accountable market structure in which consumers' obligation to pay lawful tariffs contributes to long-term sector sustainability.

Although regulatory enforcement of consumer rights is primarily vested in the Nigerian Electricity Regulatory Commission (NERC), NELMCO accompaniments this framework by ensuring that historical debts do not distort present market operations. In this regard, NELMCO functions as a background institutional safeguard, promoting financial stability and protecting the structural integrity of Nigeria's electricity market.

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[125] Nigerian Electricity Liability Management Company (NELMCO), Mandate and Functions <https://nelmco.com.ng> accessed 9 February 2026.

[126] Electricity Act 2023; Nigerian Electricity Regulatory Commission (NERC), Market Rules for the Nigerian Electricity Supply Industry.

CHAPTER FOUR

CONSUMER RIGHTS AND OBLIGATIONS UNDER THE ELECTRICITY ACT 2023

4.1 Consumer Rights under the Electricity Act 2023

Consumer rights under the Electricity Act[127] in Nigeria are directed at fostering fairness, candor and quality service in electricity supply. The Act obligates electricity providers to supply consumers with sufficient news about energy sources, consumption, tariffs and complaint processes.[128] It also protects the right to effective

[127] Electricity Act 2023.

[128] Section 35(2), Electricity Act 2023.

metering, fair billing and access to dependable and secure electricity services.[129] Furthermore, consumers are guaranteed access to mediums for presenting displeasures and obtaining redress against service providers, thus fostering accountability in the sector. The Act reinforces regulatory control by safeguarding consumers from abuse. In general, it creates an organized system that gives precedence to consumer safeguard while fostering proficiency and healthy rivalry in the electricity space.[130]

4.1.1 Right to Reliable and Quality Electricity Supply

The right to reliable and quality electricity supply is a crucial consumer safeguard encapsulated in Nigeria’s Electricity Act[131]. This right requires electricity suppliers to provide stable, secure and efficient electricity to consumers in line with settled technical and service norms.[132] Reliability in electricity distribution alludes to the flow and steadiness of power supply, making sure that consumers face lesser disruptions or blackouts.[133] The Act strengthens this by requesting licensees, especially from distribution companies, ensuring compliance with performance standards prescribed by the Nigerian Electricity Regulatory Commission (NERC).[134]

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129 Nigerian Electricity Regulatory Commission, ‘Consumer Rights and Obligations’ <https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 1 April 2026

130 KPMG Nigeria, ‘Commentaries on the Electricity Act, 2023’<https://kpmg.com/ng/en/home/insights/2023/06/commentaries-on-the-electricity-act—2023.html> accessed 1 April 2026.

131 Electricity Act 2023.

132 Section 34, Electricity Act 2023.

133 Nigerian Electricity Regulatory Commission, ‘Service Charter for Electricity Distribution Companies’ <https://nerc.gov.ng/index.php/home/nesi/285-service-charter> accessed 1 April 2026.

134 Section 35, Electricity Act 2023.

On the other hand, quality electricity supply alludes to the caliber of power supplied to consumers. It demands that voltage levels, regularity and general power conditions comply with laid down standards to avoid harm to electrical appliances and guarantee secure usage.[135] Poor quality supply, including voltage instability or constant outages weakens economic activities and the welfare of consumers. Thus, the Act authorizes NERC to create and implement technical codes and functional frameworks directed at preserving strong service quality.

Additionally, electricity consumers are vested with the right to be notified of service conditions, such as organized blackouts, maintenance plans and any interruption that may affect supply.[136] This fosters transparency and affords consumers the opportunity to make needed alterations in their daily activities. In the event of service providers faulting to comply with reliability and quality standards, consumers have the power to obtain redress through complaint systems afforded by distribution companies and NERC.[137]

In essence, the right to reliable and quality electricity supply under the Electricity Act is crucial for protecting consumer interests and fostering tenable development. It

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[135] Nigerian Electricity Regulatory Commission, 'Distribution Code for the Nigerian Electricity Distribution System' <https://nerc.gov.ng/index.php/home/nesi/288-distribution-code> accessed 1 April 2026.

[136] Nigerian Electricity Regulatory Commission, 'Customer Service Standards of Performance for Distribution Companies' <https://nerc.gov.ng/index.php/home/nesi/283-customer-service-standards> accessed 1 April 2026.

[137] Nigerian Electricity Regulatory Commission, 'Forum Offices and Complaint Resolution' <https://nerc.gov.ng/index.php/consumers/complaints> accessed 1 April 2026.

imposes responsibilities on service providers and equally reinforces regulatory control to ensure that electricity services satisfy permissible standards.[138]

4.1.2 Right to Fair, Transparent and Accurate Billing

The right to fair, transparent and accurate billing is an important consumer protection doctrine under Nigeria's electricity administrative framework, especially strengthened by the Electricity Act[139]. This right guarantees that electricity consumers are charged precisely based on real use and in a way that is transparent, confirmable and devoid of arbitrary charges.[140] It aims to remove the persistent difficulties connected to estimated billing, which usually leads to extreme and groundless bills levied on unmetered consumers.

Fair billing demands that electricity distribution companies levy bills that demonstrate the real power used by customers, often through well installed and working meters.[141] Where meters are inaccessible, the law and administrative rules require that estimated billing must adhere to an authorized methodology to avoid abuse.[142] On the other hand, transparency requires service providers to plainly reveal tariff rates, billing parts

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[138] A. Oni, *The Nigerian Electricity Supply Industry: Law and Practice* (2nd edn, Thomson Reuters, 2018) 145.

[139] Electricity Act 2023.

[140] Section 114, Electricity Act 2023.

[141] Nigerian Electricity Regulatory Commission, 'Meter Asset Provider and National Mass Metering Programme' <https://nerc.gov.ng/index.php/home/nesi/403-meter-asset-provider-regulation> accessed 1 April 2026.

[142] Nigerian Electricity Regulatory Commission, 'Order on Capping of Estimated Bills' <https://nerc.gov.ng/index.php/home/orders/388-order-on-capping-of-estimated-bills> accessed 1 April 2026.

and any extra charges, affording consumers the ability to understand how their bills are premeditated.

Accuracy in billing is tightly linked to the honesty of metering systems and data management. The Electricity Act[143], as well as other regulations established by the Nigerian Electricity Regulatory Commission (NERC), mandates distribution companies to ensure that meters are frequently maintained and readings accurately recorded.[144] Consumers equally have the power to dispute inaccurate bills and demand reviews or amendments where disparities occur.[145] This fosters accountability and assists establish trust between consumers and service providers.

In conclusion, right to fair, transparent and accurate billing under the Electricity Act is integral to safeguarding consumers from unjust practices while fostering effectiveness and accountability in the power sector.

4.1.3 Right to Meters and Protection Against Estimated Billing

The right to meters and protection against estimated billing is an essential consumer right under Nigeria's Electricity Act. This right is shaped to ensure that electricity consumers are charged properly in line with real consumption, thus avoiding unreasonable and extreme charges.[146]

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[143] Electricity Act 2023.
[144] Section 115, Electricity Act 2023.
[145] A. Oni, *The Nigerian Electricity Supply Industry: Law and Practice* (2nd edn, Thomson Reuters, 2018) 132.
[146] Section 114, Electricity Act 2023.

A key component of this right is the privilege of every electricity consumer to a correctly installed and working meter. NERC explicitly states that no new electricity connection should be installed without earlier installation of a meter, strengthening the doctrine that billing must be usage-based.[147] This conforms with the goals of the Electricity Act[148], which aims to advance fairness and clarity in the electricity market.[149] The establishment of strategies such as the Meter Asset Provider (MAP) scheme further boosts access to meters by affording customers the opportunity to secure metering services within a controlled framework.

Safeguard against estimated billing is also significant. Estimated billing, usually associated with unmetered customers, has traditionally resulted in far reaching criticisms of overcharging and abuse. To deal with this, NERC has created stringent regulations, including the use of authorized methodologies and energy caps, which restrict the amount distribution companies (DisCos) can demand from unmetered consumers.[150] These limits are created to make sure estimated bills do not surpass reasonable utilization levels in a particular area.

Furthermore, consumers have the freedom to contest estimated bills where they seem extreme or incorrect. They may decline to pay debatable charges above their last undisputed bill while the grievance is being settled. This provision reinforces

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[147] Nigerian Electricity Regulatory Commission, 'Consumer Rights and Obligations' <https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 2 April 2026.

[148] Electricity Act 2023.

[149] Section 34(1)(d), Electricity Act 2023.

[150] Nigerian Electricity Regulatory Commission, 'Order on Capping of Estimated Bills' <https://nerc.gov.ng/index.php/home/orders/388-order-on-capping-of-estimated-bills> accessed 2 April 2026.

consumer safeguard by stopping unnecessary financial load during dispute settlement procedures. Additionally, distribution companies are expected to restore defective meters quickly and are estopped from arbitrarily relapsing customers to estimated billing as a result of their own operational failures.

In conclusion, the right to meters and safeguard against estimated billing exists as an essential protection against unfair billing practices in Nigeria's power sector. It fosters accountability, promotes transparency and guarantees that consumers are billed solely for the electricity they actually use.[151]

4.1.4 Right to Timely Connection and Reconnection

The right to timely connection and reconnection is a fundamental consumer safeguard under Nigeria's Electricity Act which seeks to ensure that electricity services are made available without unnecessary delay. This right obligates electricity distribution companies to promptly connect newly registered customers to the grid after satisfying all laid down requirements, including payment of due fees and adherence to technical standards.[152]

Timely connection is especially crucial in advancing access to electricity, which is growingly acknowledged as a socio-economic necessity. The Nigerian Electricity Regulatory Commission (NERC) has created service standards demanding distribution companies to process applications for new connections quickly and

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[151] A. Oni, *The Nigerian Electricity Supply Industry: Law and Practice* (2nd edn, Thomson Reuters, 2018) 138.

[152] Section 34, Electricity Act 2023.

effectively.[153] Any unnecessary delay may amount to a breach of regulatory obligations and could attract sanctions. This ensures that consumers are not exposed to administrative impediments or unscrupulous practices.

On the other hand, the right to reconnection occurs where a consumer has been disconnected, either as a result of failure to pay fees or other valid reasons. Once the consumer pays pending bills or remedies the reason for disconnection, the service provider is obligated to reinstate electricity supply within a provided timeframe.[154] This estops dictatorial or protracted disconnections that may interrupt domestic living or business activities.

Furthermore, the Electricity Act[155] and NERC regulations demand that disconnections must adhere to due process. Consumers have the right to timeous notice prior to disconnection and such notice must expressly state the reasons for disconnection and afford the consumer an opportunity to address the issue.[156] In situations of wrongful disconnection, consumers are entitled to seek prompt

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[153] Nigerian Electricity Regulatory Commission, 'Customer Service Standards of Performance for Distribution Companies' <https://nerc.gov.ng/index.php/home/nesi/283-customer-service-standards> accessed 2 April 2026.

[154] Section 114, Electricity Act 2023.

[155] Electricity Act 2023.

[156] Nigerian Electricity Regulatory Commission, 'Connection and Disconnection Procedures for Electricity Services' <https://nerc.gov.ng/index.php/home/nesi/286-connection-disconnection-procedures> accessed 2 April 2026.

reconnection and may also chase redress through NERC's complaint resolution systems.[157]

Additionally, NERC's Customer Service Standards of Performance lists out certain timelines within which reconnections must be made. These rules reinforce accountability by guaranteeing that electricity suppliers adhere to service delivery standards.

In conclusion, the right to timely connection and reconnection under the Electricity Act is crucial for protecting consumer access to electricity services. It fosters fairness, accountability and effectiveness within the electricity sector, while also giving consumers avenues for remedy in situations of non-adherence.[158]

4.1.5 Right to Protection from Arbitrary or Wrongful Disconnection

The right to protection from arbitrary or wrongful disconnection ensures that electricity consumers are not illegally or unjustly denied of electricity without due process.

Electricity distribution companies (DisCos) are estopped from disconnecting a customer's electricity supply indiscriminately. Disconnection can only arise where certain prerequisites are met, such as inability or refusal to pay bills after the

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[157] Nigerian Electricity Regulatory Commission, 'Forum Offices and Complaint Resolution' <https://nerc.gov.ng/index.php/consumers/complaints> accessed 2 April 2026.

[158] A. Oni, *The Nigerian Electricity Supply Industry: Law and Practice* (2nd edn, Thomson Reuters, 2018) 141.

expiration of an expressly outlined payment period.[159] Even in such cases, the law demands that sufficient earlier notice be provided to the consumer, usually in writing, showing the reason, date and time of the intended disconnection.[160] This provision fosters fairness and affords the consumer an opportunity to redress any omission.

Furthermore, specific categories of consumers are safeguarded from disconnection under special situations. For example, NERC rules forbid the disconnection of places where life-support medical equipment is being used, acknowledging the likely threat to life that such actions may present.

In the event that a disconnection is undertaken in contravention of established processes, it is considered wrongful and the aggrieved consumer has the right to seek redress. Consumers are equally entitled to challenge capricious disconnections through the complaint systems. Such complaints may initially be referred to the service provider and then to NERC if not adequately resolved.

4.1.6 Right to Access Information, Tariff Structures and Contract Terms

The right to access information, tariff structures and contract terms ensures that electricity consumers are sufficiently notified about the services they receive, the costs involved and the legal obligations regulating their relationship with service

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[159] Nigerian Electricity Regulatory Commission, 'Customer Protection Regulations 2023' <https://nerc.gov.ng/wp-content/uploads/2023/04/Customer%20Protection%20Regulations%202023_web.pdf> accessed 3 April 2026.

[160] Nigerian Electricity Regulatory Commission, 'Consumer Rights and Obligations' <https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 3 April 2026.

providers.[161] Access to information fosters clarity and allows consumers to make good decisions about their electricity consumption and contractual devotions.

Electricity distribution companies are obligated to expressly reveal tariff structures, including relevant rates, billing systems and any extra charges.[162] This enables consumers to comprehend how their bills are premeditated and to authenticate their accuracy. Consumers are also entitled to obtain and analyze the terms of their contracts, which encapsulate rights, obligations and terms for supply, connection and disconnection.[163]

Furthermore, regulatory frameworks issued by the Nigerian Electricity Regulatory Commission (NERC) require that such information must be easily attainable, either through customer service centres or official websites.[164] This promotes accountability and minimizes the possibility of conflict occurring from false statements.

4.1.7 Right to Complaint Redress, Refunds and Remedies

The right to complaint redress, refunds and remedies guarantees that electricity consumers can obtain justice when they encounter substandard service, billing mistakes or other displeasures.

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[161] Section 34, Electricity Act 2023.

[162] Nigerian Electricity Regulatory Commission, 'Multi-Year Tariff Order (MYTO)' <https://nerc.gov.ng/index.php/home/nesi/413-multi-year-tariff-order> accessed 3 April 2026.

[163] Nigerian Electricity Regulatory Commission, 'Consumer Rights and Obligations' <https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 3 April 2026.

[164] Nigerian Electricity Regulatory Commission, 'Customer Service Standards of Performance for Distribution Companies' <https://nerc.gov.ng/index.php/home/nesi/283-customer-service-standards> accessed 3 April 2026.

The NERC regulations provides that consumers are entitled to present grievances to their electricity distribution company through the Customer Complaints Unit (CCU). The DisCo is required to investigate and settle such complaints presented in due time, usually within 15 working days based on the intricacy of the issue.[165] Where the consumer is displeased with the result, the complaint may be stepped up to the NERC Consumer Forum and eventually, to the Commission for final resolution.[166] This systematic process ensures fairness and clarity in dispute settlement.

Additionally, consumers are entitled to reimbursements where they are overcharged or incorrectly billed. NERC has clearly maintained that customers have a right to compensation in the form of reimbursement.[167]

The right to remedies includes remedial actions such as bill amendments, reconnections and implementation sanctions against reneging service providers. These measures ensure that consumer complaints are not only heard but adequately dealt with.[168]

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165 Nigerian Electricity Regulatory Commission, 'Complaints and Redress Procedure' <https://nerc.gov.ng/faq/complaints-and-redress-procedure/> accessed 3 April 2026.

166 Nigerian Electricity Regulatory Commission, 'How to File a Complaint' <https://nerc.gov.ng/need-help/services/how-to-file-a-complaint/> accessed 3 April 2026.

167 Nigerian Electricity Regulatory Commission, 'Consumer Rights and Obligations' <https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 3 April 2026.

168 M. Gbadeyanka, 'NERC Fines AEDC, Orders Refunds to Customers' *Business Post Nigeria* (2024) <https://businesspost.ng/general/nerc-fines-aedc-for-charging-most-customers-n225-kwh-orders-refunds/> accessed 3 April 2026.

In conclusion, the right to complaint redress, refunds and remedies reinforces consumer faith by providing attainable systems for dispute resolution and guaranteeing that electricity providers remain responsible for their actions.[169]

4.1.8 Right to Participate in Electrification Schemes and Renewable Energy Options

This right empowers consumers, societies and private bodies to participate in electricity generation and distribution schemes, especially in local areas.[170] It demonstrates a shift from a centrally regulated electricity system to a more decentralised and all encompassing framework.

The Act backs engagement in rural electrification activities and supports the embracement of renewable energy sources.. Through regulatory backing from the Nigerian Electricity Regulatory Commission (NERC), consumers can invest in or profit from self sufficient power projects and off-grid solutions.[171] This fosters access to electricity while advancing sustainability and energy effectiveness.

Furthermore, consumers have the right to information that encourage their engagement in renewable energy schemes.[172] This right not only betters energy access but also equips consumers to assist to national energy development.

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[169] A. Oni, *The Nigerian Electricity Supply Industry: Law and Practice* (2nd edn, Thomson Reuters, 2018) 148.

[170] Section 2, Electricity Act 2023.

[171] Nigerian Electricity Regulatory Commission, 'Mini-Grid Regulation 2016' <https://nerc.gov.ng/index.php/home/nesi/287-mini-grid-regulation> accessed 3 April 2026.

[172] O. Fagbohun, *Energy Law and Policy in Nigeria* (Lagos University Press, 2017) 214.

4.1.9 Right to Support Through the Power Consumer Assistance Fund (PCAF)

The Power Consumer Assistance Fund (PCAF) was created to give financial support to susceptible and impoverished electricity consumers, thereby fostering fair access to electricity services.[173]

Under the Act, the PCAF is controlled by the regulatory authority, which monitors the collection, administration and disbursement of funds in line with policy instructions presented by the Minister. The Fund is funded through contributions from electricity consumers and subsidies provided by the Federal Government and designated by the National Assembly. This systematic financing mechanism guarantees transparency and accountability in assisting underprivileged consumers.

The principal goal of the PCAF is to mitigate the effect of electricity tariffs on low-income consumers by subsidising their energy usage. This targeted method betters affordability and guarantees that susceptible individuals are not exempted from access to crucial electricity services.

4.2 Consumer Obligations under the Electricity Act 2023

Consumer obligations under the Electricity Act[174] are crucial for preserving efficiency and responsibility in Nigeria's power sector. Consumers are obligated to pay for electricity consumed quickly and within laid out timeframes to prevent

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[173] Section 122, Electricity Act 2023.

[174] Electricity Act 2023.

disconnection.[175] They must equally adhere to technical and safety standards, including ensuring that electrical installations are not dangerous.

4.2.1 Obligation to Pay for Electricity Services Consumed

The obligation to pay for electricity used demands consumers to resolve their electricity bills quickly based on real usage or authorized billing systems.[176] Prompt payment guarantees the financial viability of power distribution companies and helps the uninterrupted supply of power.

Failure to pay electricity bills within the specified period may lead to legal disconnection of supply, so far as due process is observed. NERC regulations further stress that consumers must analyze their bills and raise any conflicts timeously, else the bills are deemed to have been embraced.

Additionally, consumers are not allowed to circumvent meters or partake in illegal connections to dodge payment, as such actions amount to offences under the law.

4.2.2 Obligation to Prevent Meter Tampering, Illegal Connections and Energy Theft

Consumers are obligated to consume electricity lawfully and ensure that metering installations are not hampered or circumvented.[177] Meter manipulations and illegal

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[175] Nigerian Electricity Regulatory Commission, ‘Consumer Rights and Obligations’< https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 4 April 2026.

[176] Nigerian Electricity Regulatory Commission, ‘Consumer Rights and Obligations’< https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 4 April 2026.

[177] Section 208, Electricity Act 2023.

connections affect billing accuracy, erode revenue collection and jeopardize the solidity of the electricity network.[178]

The Act prohibits such activities and outlines sanctions for offenders, including fines and disconnection of supply. Additionally, consumers are required to protect installed meters and quickly report any shady practices or defects to the distribution company. This joint responsibility facilitates in minimizing system losses and bettering general service delivery.

Regulatory rules by the Nigerian Electricity Regulatory Commission (NERC) further strengthen this role by demanding stringent adherence and supporting enforcement actions against offenders.

4.2.3 Obligation to Grant Access for Meter Reading, Inspection and Maintenance

Consumers are expected to permit licensed officers of electricity distribution companies reasonable entry into their buildings for the purpose of reading meters, examining installations and performing necessary preservation.[179]

This obligation guarantees precise billing, as meter readings constitute the essence for establishing real electricity usage. It also allows prompt discovery of faults, safety risks or meter inconsistencies that may affect service delivery or jeopardize lives and

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[178] Nigerian Electricity Regulatory Commission, 'Consumer Rights and Obligations' <https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 4 April 2026.

[179] Nigerian Electricity Regulatory Commission, 'Consumer Rights and Obligations' <https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 4 April 2026.

property.[180] Refusal to permit entry may hamper effective service delivery and could lead to regulatory effects, including estimated billing or disconnection in line with due process.

Furthermore, NERC regulations stress that such entry must be carried out responsibly, with respect for the consumer's privacy and safety.

4.2.4 Obligation to Use Electricity in a Safe and Lawful Manner

Consumers are obliged to ensure that their electrical appliances and equipment adhere to authorized safety standards to avoid accidents, or harm to persons.[181]

Lawful use of electricity also involves avoiding unlawful practices such as unauthorised connections, meter circumvention and energy theft. These acts contravene statutory provisions and equally undermine the integrity and transparency of the power sector.

Additionally, consumers are required to relay defects, dangerous conditions or unlawful practices affecting the electricity supply to the relevant authorities. This joint responsibility fosters public safety and improves trust in the power system.

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[180] Nigerian Electricity Regulatory Commission, 'Customer Protection Regulations 2023' <https://nerc.gov.ng/wp-content/uploads/2023/04/Customer-Protection-Regulations-2023.pdf> accessed 4 April 2026.

[181] Nigerian Electricity Regulatory Commission, 'Consumer Rights and Obligations' <https://nerc.gov.ng/need-help/services/consumer-rights-obligations/> accessed 4 April 2026.

4.2.5 Obligation to Report Faults, Tampering and Illegal Activities

Consumers are required to quickly inform their distribution company of defects in supply, spoilt meters or dangerous electrical conditions. This assists to ensure prompt fixes and prevents further damage to the electricity network.

Also, consumers have an obligation to relay situations of meter tampering, illegal connections or energy theft within their area. Such practices erode the effectiveness of the electricity system, lessen revenue for service providers and may result in heightened tariffs for patriotic consumers. The Electricity Act prohibits these activities and emphasizes public collaboration in tackling them.[182]

4.2.6 Obligation to Comply with Service Agreements and Tariff Conditions

Consumers are expected to comply with the terms and conditions regulating their electricity supply as enshrined in service agreements with distribution companies. These agreements encapsulate rights, duties, conditions for connection, billing procedures, disconnection and service delivery.

Adherence to tariff conditions is also crucial as consumers must pay bills in line with authorized tariff structures created by the Nigerian Electricity Regulatory Commission (NERC).[183] Refusal to adhere to these terms may lead to sanctions, including disconnection or extra charges, in accordance with regulatory provisions.

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[182] Section 208, Electricity Act 2023.

[183] Nigerian Electricity Regulatory Commission, 'Multi-Year Tariff Order (MYTO)' <https://nerc.gov.ng/index.php/home/nesi/413-multi-year-tariff-order> accessed 4 April 2026.

4.2.7 Obligation to Engage in Dispute Resolution Channels Before Litigation

Consumers are expected to first employ recognized complaint and dispute resolution systems before resorting to litigation in court.[184]

Under the Nigerian Electricity Regulatory Commission (NERC) framework, a consumer must first present a complaint with the Customer Complaints Unit (CCU) of the appropriate distribution company. The DisCo is required to deal with such complaints within a specific timeframe. Where the consumer is disgruntled with the result, the complaint must be stepped up to the NERC Consumer Forum, which plays the role of a quasi-judicial body for settling disputes between consumers and service providers.[185]

Furthermore, the Electricity Act[186] authorizes NERC to address petitions and conduct hearings, while equally supporting the use of alternative dispute resolution schemes including arbitration. These mechanisms are created to give efficient and cost-effective resolution of disputes within the power sector.

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[184] Nigerian Electricity Regulatory Commission, 'Petitions, Hearing and Dispute Resolution' <https://nerc.gov.ng/need-help/services/petitions-hearing-dispute-resolution/> accessed 4 April 2026.

[185] Nigerian Electricity Regulatory Commission, 'Forum Offices' <https://nerc.gov.ng/forum-offices/> accessed 4 April 2026.

[186] Electricity Act 2023.

CHAPTER FIVE

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1. Summary of Findings

1. The study revealed that although the Electricity Act provides vast consumer rights, including the rights to fair billing, metering, reliable electricity supply, protection from wrongful disconnection, complaint redress and access to information, the level of awareness among many electricity consumers is still somewhat low. A substantial number of consumers are ignorant of the legal safeguards at their disposal and the procedures for enforcing such rights. As a result, many consumers fail to contest arbitrary billing practices, wrongful disconnections and poor service delivery. The study therefore discovered that insufficient public enlightenment and inadequate dissemination of information have negatively impacted the actual enjoyment of consumer rights within the electricity sector.

2. The study revealed that although the Electricity Act and regulations issued by the Nigerian Electricity Regulatory Commission (NERC) impose obligations on electricity providers to protect consumer interests, the level of adherence by some distribution companies remains inconsistent. Cases of estimated billing, slow responses to complaints, bad service delivery, extended outages and wrongful disconnections continue to be reported by consumers. While some progress has been achieved in areas such as customer complaint resolution and metering initiatives, the study discovered that the practical enforcement of consumer protection provisions still

falls short of the expectations of the Act. Thus, there exists a gap between the legal safeguards provided under the Act and the realities faced by many consumers.

3. The study also found that consumer compliance with statutory obligations is ambivalent. While many consumers make strides to pay electricity bills and adhere to service conditions, difficulties such as electricity theft, meter bypass, unlawful connections and non-payment of bills remain common in some areas. The findings show that some consumers are either ignorant of their obligations or intentionally disregard them due to displeasure with service delivery. The study further revealed that some consumers connive with staff of distribution companies to intentionally avoid being metered and remain on estimated billing, on the belief that estimated charges are less expensive than paying for their actual electricity consumption through prepaid meters. Such practices weaken the objectives of the metering policy, foster revenue leakage and undermine accountability in the electricity sector. This situation adds to revenue losses, operational inefficiencies and heightened pressure on electricity providers. The study therefore discovered that effective consumer safeguard can only be attained where consumers equally fulfil their legal responsibilities under the Act.

4. The study discovered that electricity providers play an important role in ensuring adherence to consumer obligations. Their responsibilities stretch beyond electricity supply to include consumer sensitization, installation and maintenance of metering systems, observation of electricity usage, detection of unlawful connections, enforcement of service agreements and quick resolution of consumer complaints. The

study found that effective consumer compliance is greatly reliant on the ability of electricity providers to create transparent billing systems, sustain trustworthy service delivery and engage consumers through regular awareness programmes. Where service providers carry out these responsibilities effectively, consumers are more likely to adhere to their obligations under the Act.

5.The study revealed that effective enforcement of the Electricity Act demands a combination of regulatory, institutional and educational measures. These include reinforcing NERC's monitoring and enforcement powers, imposing more stringent sanctions on defaulting service providers and consumers, widening metering infrastructure, improving electricity supply, improving public enlightenment campaigns and reinforcing complaint resolution systems. The study further found that cooperation between regulators, electricity providers, consumer advocacy groups and government parastatals is crucial for ensuring compliance with the Act. Ultimately, the effectiveness of the Electricity Act relies not only on the existence of legal provisions but also on their steady enforcement and the active involvement of all stakeholders within the electricity sector.

5.2. Recommendations

1. Consistent public awareness on consumer rights and obligations under the Electricity Act 2023 is a necessity. Many electricity consumers in Nigeria are still ignorant of their legal safeguards and obligations, especially in terms of billing procedures, complaint methods and safeguard against improper disconnection.

The Nigerian Electricity Regulatory Commission (NERC), electricity distribution companies (DisCos), civil society organisations and the media should strengthen enlightenment campaigns through television, radio, social media platforms and rural community outreach programmes. Educational books should also be translated into local dialects to ensure broader accessibility and understanding by local consumers.

2. The Federal Government and electricity distribution companies should focus attention on making prepaid meters accessible to consumers so as to get rid of the constant challenge of estimated billing. Although the Electricity Act guarantees fair and transparent billing, many consumers remain victims of arbitrary charges as a result of insufficient metering infrastructure. Widening metering programmes such as the Meter Asset Provider (MAP) Scheme and ensuring strict adherence to metering obligations will better transparency, minimize conflicts and foster consumer faith in the electricity sector.
3. The Nigerian Electricity Regulatory Commission should embrace stringent enforcement steps against electricity providers that infringe on consumer rights. Cases of improper disconnection, hiked tariffs, poor service delivery and refusal to handle customer complaints should incur significant sanctions to ensure adherence to the law. NERC should also better its monitoring and inspection systems to ensure that distribution companies adhere to customer service standards and operational regulations. Effective implementation is crucial for

ensuring that the rights protected under the Electricity Act are not just enforceable theoretically but practically.

4. There is a need to reinforce the effectiveness and availability of consumer complaint and dispute resolution mechanisms within the power sector. Consumer Complaint Units (CCUs) and NERC Forum Offices should be sufficiently staffed and deconcentrated to ensure easy access to them by consumers across the country. Complaint resolution schedules should be strictly implemented, while alternative dispute resolution mechanisms such as mediation and arbitration should be advised to minimize lengthy disputes and irrelevant litigation.
5. The government and private investors should augment investment in electricity generation, transmission and distribution infrastructure to better service trustworthiness and quality. Constant power outages, voltage instability and bad network coverage continue to weaken consumer faith despite the legal safeguards enshrined in the Electricity Act. Improving transmission lines, transformers and grid systems will ensure proficiency and minimize technical losses within the power sector.
6. The Federal Government should prioritise the establishment of more electricity generation, transmission and distribution outlets across the country to improve access to electricity and reduce the pressure on existing infrastructure. There is a need to encourage both public and private sector investments in power generation plants, substations, transmission lines, and distribution networks to meet Nigeria's growing electricity demand. The decentralisation of electricity supply under the

Electricity Act provides an opportunity for state governments and private investors to develop additional electricity projects, including embedded generation, mini-grids, and renewable energy systems. Increasing electricity output outlets will enhance the reliability and availability of electricity, reduce frequent outages, promote industrial growth, and improve the overall quality of service delivered to consumers.

5.3. Conclusion

In conclusion, the Electricity Act portrays a major landmark in the development and regulation of Nigeria's electricity sector. The Act creates a more extensive legal framework that aims to balance the rights of electricity consumers with their equivalent obligations, while also advancing efficiency, accountability and stability within the Nigerian Electricity Supply Industry (NESI). Through provisions relating to fair billing, safeguard against improper disconnection, access to complaint resolution mechanisms, consistent electricity supply and engagement in renewable energy schemes, the Act significantly reinforces consumer protection in Nigeria.

Finally, the Electricity Act provides a solid ground for a more consumer-based electricity sector in Nigeria. If effectively enforced, it has the capacity to enhance electricity access, better service delivery, reinforce consumer trust and significantly add to national socio-economic development.

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