

Legal Study of Electricity Extension by PT. State Electricity Company in Merauke District

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ABSTRACT

PT. PLN as one of the business actors and also as a State-owned business entity should be able and as much as possible to provide electricity evenly and quality to its consumers. But in reality the community is still faced with various problems in the field of electricity. The method used in this study is the library method and field method. library method by reading books, journals and other literature while the field data is obtained by going down to the field to retrieve data then the data analyzed using qualitative methods will then be presented descriptively. The results of this study are PT PLN Merauke trying to provide electricity supply according to the needs of the community however, PLN is also forced to take turns by blackouts at certain times because they have to carry out maintenance and rejuvenation of the machines that have also replaced old electricity poles, but if there is a rotating power outage, PLN always announces the outage through social media. and also through RRI. People as electricity users have not been active and tend to accept and be quiet if they feel disadvantaged by a power outage.

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1. INTRODUCTION

In line with the development of an increasingly modern era, human life is increasingly sophisticated where the dependence of the community on electricity is increasingly increasing. The community seems to be spoiled with all-electric work, with the development of the modern society's need for electronic equipment is a basic necessity that directly in desperate need of electricity in its use, but sometimes the high community needs for electricity needs are not balanced with the power possessed by PT. PLN.

The community is also very familiar with electricity-related equipment to increase family income where many businesses and businesses are very dependent on electricity so the government in this case PLN must prepare itself to meet the needs of the community in terms of electricity. The occurrence of rotating power cuts is often

carried out by PLN in the Merauke district, proof that PLN is not able to provide optimal service to the people of Merauke and its surroundings.

The existence of business actors in Indonesia will automatically cause consumers to exist so that consumer protection is very necessary, but consumer protection only arises with the existence of an institution called the Consumers' Foundation (YKI) that helps the public monitor the quality of goods and services offered.¹

With the existence of this YKI institution, then Law No. 8 of 1999 emerged on consumer protection which automatically brought fresh air to consumers in the protection of their rights.

PT. PLN as one of the business actors and also as a State-owned business entity should be able and as much as possible to provide electricity evenly and quality to its consumers. But in reality the community is still faced with various problems in the field of electricity

Electricity outages carried out by PT PLN are not a new thing because in every city in Indonesia must have experienced a power outage, both electricity blackouts carried out in turn, sudden power cuts and power cuts due to network improvements or increased capacity. which will automatically harm consumers. Electricity has indeed become a difficult part to be separated from people's lives because electricity is the most important part in all activities both for industry and personally, both those that use it from the smallest level and the highest level. electricity is increasing every day but is not balanced with the electricity supply prepared by PT PLN. The high electricity consumption per capita shows the degree of welfare of the people of a country.²

Consumers are sometimes faced with a very complicated situation where it must be to get something desired there is no other choice or in other words only offered that can be chosen without any other goods or services as a comparison of the quality and quality of it. whereas in the consumer protection law when it is concluded that a business actor has the right to receive payments in accordance with the agreement on the condition of goods or services traded and regulated also the obligation that the quality of goods or services must comply with applicable standards and consumer rights is to choose goods and services that is.³

In the electricity law, it has also been stated that consumers have the right to obtain electricity continuously with good quality and reliability, so if observed in the presence of this article, PT PLN should be a State-Owned business entity should realize its obligation to provide electricity in accordance with consumer needs so that for whatever reason PT PLN should not conduct a power outage, especially if the power outage occurs for a long period of time, the biggest impact will be felt by consumers. blackouts in some points give a negative view of PLN because they are considered to have ignored the electricity law so that the public can just demand a ganji loss in accordance with the consumer protection law, namely Article 4 of Law No. 8 1999 which regulates consumer rights.

It should provide higher electricity supply to provide opportunities for this private industry so that the monopoly system does not occur in the field of electricity

¹ Gabriela P.A. 2016. "Consumer Protection In Unilateral Power Outages By PT. PLN (Persero) (In Indonesia)". *Lex Crimen*, Vol.V (6) Aug 2016: p. 24

² Tim YLKI. 2010. *Be Critical Acting Teliti (Panduan Konsumen Menghadapi Pengendalian Penggunaan Tenaga Listrik di Indonesia)*, Jakarta: Yayasan Lembaga Konsumen Indonesia, p. 3

³ Undang-undang No. 8 tahun 1999 Tentang Perlindungan Konsumen (Di Indonesia), LN No.42 tahun 1999, TLN no.3821, ps 6 huruf a

supply so that people can vote and this also allows Indonesia to be asked as an antitrust country.⁴

Before the existence of the Law on consumer protection, what is actually an obligation or a right of a service provider or business manager and the rights of consumers, but sometimes people as consumers feel lazy to report things experienced because they do not know where to report and also sometimes need very high time and patience. In addition there are some weaknesses of the law in question including not specifically regulating the definition of consumer protection, the position of consumers as if they were inferior, procedures that are sometimes considered very complicated and so difficult for consumers to understand and sometimes require a very long time.⁵

Power outages that occur sometimes are not entirely the fault of PT PLN because there is a power outage that occurs because things that cannot be reached by humans for example due to natural disasters or because of bad weather, rain occurs which causes lightning to emerge when time can cause power outages suddenly and also the maintenance or development of facilities and infrastructure will cause electricity outages and whatever the reason for the power outages is still detrimental to consumers and as the only electricity provider PLN must be responsible for all inconveniences caused power outages .

Based on the background above, there are two formulations of the problem, namely is To what extent does the Merauke branch of PT PLN provide the electricity supply needed by the community and What efforts can be made by consumers if they feel disadvantaged by a power outage.

2. METHOD

The method used in this study is the library method and field method. library method by reading books, journals and other literature while the field data is obtained by going down to the field to retrieve data then the data analyzed using qualitative methods will then be presented descriptively.

3. RESULTS AND DISCUSSION

3.1. Provision of electricity supply by PT PLN in Merauke Regency.

PT. PLN as a state-owned enterprise has a duty in accordance with the 1945 Constitution of the Republic of Indonesia in Article 33, namely holding important production branches and controlling the livelihoods of many people whose results must be used as much as possible for the people's prosperity . As one of the companies whose shares are owned by the State, PT PLN is a company that can be considered a legal monopoly because PT PLN does not have a company that does not indirectly have competitors because until now PT PLN is the only company that has an obligation to provide electricity.

From time to time the community needs for electronic goods which automatically require electricity which is increasing and with the increase in the community's need for electricity, PT PLN must provide sufficient supplies to meet

⁴ Paripurna Sugarda dan Muhammad Rifky Wicaksono. 2018. Power to the People: Enhancing Competition Law Enforcement in Indonesia through private cement. *Asia Pasific Law Review*. **16** (2) 2018. pp.127-146

⁵ Nurhayati Yati. 2015. Perlindungan konsumen terhadap maraknya pemadaman listrik terkait dengan hak konsumen di Indonesia). *Al'Adl*. Vol.VII (13). Jan-Jun 2015. p. 75.

those needs. But sometimes the very high demand is not matched by the availability of adequate electricity. Often PT PLN Merauke rotates at hours which are considered rush hours, from 08.00 to 17.00 and also at night at 17.30 until 22.00 so that people feel disadvantaged by this rotating blackout.

With the rotating blackouts, it is clearly no longer in line with the electricity laws that the PLN as the electricity provider should continuously provide electricity with good and reliable quality in accordance with the Law Number 30 of 2009 concerning electricity, the rights of consumers to get electricity continuously with good quality and reliability while the obligation of consumers is to pay electricity in accordance with the usage on the date set by PT PLN. To avoid late payment, PT PLN has used prepaid system payments from the postpaid system. It is expected that there will be no late payments that can lead to termination of electricity in accordance with the stipulated provisions and with the use of pre-paid meters, the community is expected to use electricity wisely. Therefore, for whatever reason, PT PLN must never cut electricity as a form of good service to the community based on Law Number 30 of 2009.

In accordance with the data taken in the field that PT PLN Merauke has tried to provide services and also strives to always provide electricity supply according to the needs of the community as a power provider in Merauke Regency and the occurrence of rotating blackouts is carried out when the facilities and infrastructures need rejuvenation or maintenance network which causes several machines that cannot be used because they need maintenance so that to meet the electricity supply according to community needs cannot be met in its entirety until the treatment is completed. And before rotating blackouts PT PLN Merauke has given prior notice to the public as customers through mass media, social media and announced RRI lewar, so if PT PLN will make a blackout it must have been announced in advance but there is also a sudden outage - arrives and this is due to human ability usually if there is heavy rain and strong winds suddenly power outages due to broken cables due to fallen trees or due to lightning strikes and this cannot be predicted when it occurs.

PT PLN Merauke strives to always provide services to the maximum extent possible and strives to prevent blackouts for a long time but sometimes damage to one of the machines causes it to be brewed from Jakarta so that it takes a long time since not all the tools and goods needed are available in Merauke. Rotating power outages have been very concerned about activities in areas that will be extinguished and also if somewhere is going to be blacked out and it turns out that there are important activities and very much in need of electricity then customers or consumers can correspond to PLN so that the blackouts can be delayed. this is done as a form of accountability to consumers or electricity customers in Merauke.

PT PLN Merauke is always ready to receive every complaint from the public either through telephone service or directly come to the PLN office and in accordance with the standard operating procedure, every complaint will be processed and will be dealt with quickly. hampered and a little late considering that the HR they have is inadequate so they have to queue up to wait their turn, because there are many complaints that are resolved one by one the incoming complaints are not returned individually but by direct socialization to consumers so that it is more efficient. year is always trying to meet people's needs for electricity and this can be seen from the decrease in the number of reports received by PLN in the last 3 years.

Table 1
Number of complaints entered at the PLN office The last three years

Number	Year	Total
1	2017	3092
2	2018	2030
3	2019	1676

Source: PLN Merauke

In accordance with the existing data, it can be seen that the number of complaints that enter each year is still relatively high and this causes PLN Merauke to take a long time to settle every complaint that comes in but PLN tries to make all complaints properly resolved and consumers are satisfied with work from PLN. sometimes the PLN is always a scapegoat in terms of power outages but the community in this case the customer is not aware if the power cut is done solely to improve the network, rejuvenation in order to get better service to the community. Complaints received by PLN will be resolved quickly and quickly because PLN also has an SOP that must be carried out and implemented, resolved which is done by prioritizing negotiations. Negotiation is very important to use in resolving problems that arise and this also occurs in countries such as China by using CAI negotiations⁶ Because disputes cannot indeed be carried out so an alternative is made⁷

Complaints received by PLN will be resolved appropriately and quickly because PLN also has SOPs that must be implemented and implemented. From the complaints that come in the most that are complained by the public can be seen in the table.

Table 2
Types of complaints in 2019

Number	Type of Complaint	Total
1	Shorting The meter	21
2	recorder that plays the shot	19
3	High voltage causes the electronic device to break	8
4.	Meter disturbance	1628
	Total	1676

Source: PLN Merauke

In handling these complaints PLN Merauke tried to conduct an investigation and clarify the complaint in question. In the event of a koslet in the houses the PLN cannot be responsible because the PLN's duty is only to installations outside the house while the installation in the home is the responsibility of the homeowners so that most of the houses occur due to the low quality of the installation at the consumer stable is also usually due to heavy rain due to sparks caused by lightning. PLN will be responsible for damage caused by negligence of the PLN itself and also to officers who fail to carry out their duties by conducting investigations and collecting evidence and if proven, compensation will be given and will also impose sanctions on unmitigated field officers to end with dismissal.

⁶ Wei Yin. 2018. Challenges Issue Dalam Perjanjian Investasi China-EU dan Implikasinya Pada Reformasi Domestik China. *Asia Pasifik Law Review*, Volume **16** (2). 2018. pp.170-202

⁷ Guiguo wang. 2017. The Belt and Road Initiative In Quest For A Dispute Resolution Mechanism. *Asia Pasifik law review*. Volume **25** (1), pp.1-16

Complaints that are most often reported from year to year are about damage to the existing meter and the form of the service of PT PLN. In 2019 the old meter has been replaced to a new meter which is more effective and cannot be repaired.

In order for electric power supplies to meet the needs of the community which is increasingly increasing, government policies to enable renewable energy can be an alternative so that Indonesia does not have an energy crisis.⁸

3.2. Efforts that can be made by consumers if they feel disadvantaged by a power outage

In accordance with Law Number 30 of 2009 article 29 paragraph (1) concerning electricity, namely:

- a. Get good service
- b. Get electricity continuously with good quality and reliability
- c. Obtain electricity which is the right at a reasonable price
- d. Get service for repairs if there is a power failure
- e. Obtain compensation in the event of a blackout caused by an error and / or negligence of the holder of the electricity supply business license according to the stipulated conditions.

PT PLN can temporarily stop or decide on electricity if it meets the requirements, namely if it is necessary to carry out maintenance, expansion or rehabilitation of electricity installations, but it must be notified to the public no later than 24 hours before the outage for the purpose of the activity is in accordance with Article 16 paragraph 3 PP No.3 of 2005 and PT PLN Merauke have tried to provide advance notice if blackouts are carried out through social media and also announced through RRI in the hope that in this way the notification will reach consumers but according to information obtained from the public that notifications are sometimes not obtained because some people have never listened to RRI or do not have social media, so that in the event of a blackout the community becomes frantic, especially its blackout for a long time, ie in the morning from i at 08.00 to 17.00 while at night from 18.00-22.00.

When looking at power outages, it can be seen that the cause of a power outage is caused by two things, the first is purely caused by natural phenomena in this case beyond human ability which is purely due to natural factors and there is no factor of negligence and human error. Whereas the second factor is caused by an element of negligence from Humans as manager of management. From the above, for the first element, there will be no one who is responsible for damages because of pure disturbances that occur because of natural conditions, but for the second element, this should not occur and even if it must occur, someone must be Responsible, and PT PLN as a business entity that is also a subject of law must be responsible if something goes against the applicable law. For the settlement of a case it can be resolved through the court or outside the court. PLN as a legal subject does not rule out the possibility of committing an act that violates the law, therefore consumers can only report PLN if it is considered to violate the applicable provisions.

The Consumer Protection Act, abbreviated as UUPK and in accordance with Article 45 of the UUPK, states clearly that consumers who feel disadvantaged can make a lawsuit against the institution tasked with resolving the dispute through the general court environment and resolving the dispute can be resolved either through court or

⁸ Erni Dwita Silambi. 2019. Aspek Hukum Pemanfaatan Panas Bumi Di Indonesia, *International Journal of Mechanical Engeneering and Technologi*, Volume 10, Issue 04, April 2019, pp. 925-930

outside the court with the wishes of the parties to the dispute. Based on this article, it is not possible to conclude that complaints submitted by consumers can be resolved peacefully.⁹

Consumers in this case electricity customers can take legal action if it is deemed that the settlement provided by PLN does not provide a good solution. In the case of complaints, PLN has facilitated the community to make complaints if they feel disadvantaged either through 123 telephone connections and also by providing complaints boxes and can be directly met with PLN officials. However, from several students we met in the field said that the number given by PLN was 123 too. it is difficult to contact because the telephone line is in a busy state and also when pressing this number it will be connected to the Center so that it takes time to settle the complaint because the center will consult the area again to resolve this issue. PLN is considered slow in handling complaints complained by the community so that the people themselves feel bored to convey the problems they face because they feel there is no way out or feel they have not been responded to by the PLN itself.

PT PLN as a business entity that is a legal subject that violates the provisions based on applicable regulations, can be given sanctions based on law Number 8 of 1999 in article 62 paragraph 1 for violations that do not meet predetermined standards. Meeting the Standard means that it must comply with the law The law is that PLN must always provide electricity continuously with good quality and reliability and there should be no blackouts for any reason. . As a public legal entity in its position as a civil legal entity does not rule out the possibility that in carrying out all its activities PLN can only carry out activities that violate criminal law that can be prosecuted as defendants before the court.¹⁰

PT PLN in handling public complaints still prioritizes settlement in a family manner so that until now there have been no cases of complaints from the public that have reached the court level, all of which can be handled by the Public Relations sector at PT PLN Merauke.

Consumers in this case customers who make complaints we consider to be satisfied with the results of the settlement because they have no advanced process to a higher level or to legal channels so we assume that all of them have finished and our case is closed. So far, PT PLN Merauke has always resolved public complaints by mediation whose resolution is agreed upon by both parties even though the decision is not binding.

4. CONCLUSION

PT PLN Merauke has made various efforts to meet the needs of the community for electricity and electricity outages carried out in rotation due to maintenance, the existence of machines that have been damaged so that rejuvenation needs to be done including replacing the electricity from the old one to the poles only to avoid the occurrence of things that are not desirable because the electricity poles that have been rusted and also blackouts that have occurred through the procedure, namely by

⁹ Angga K. Nurindiyan. 2007. "Bentuk Tanggung Jawab Pidana PT PLN (Persero) Terhadap Pemadaman Listrik Terkait Perwujudan (di Indonesia) Pasal 4 huruf b juncto Pasal 62 Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen (Studi di Kantor PT PLN (Persero) Service and Network Area (APJ) (In Indonesia) Malang, Jawa Timur)", (Skripsi Sarjana Tidak Diterbitkan, Universitas Brawijaya Fakultas Hukum Malang, 2007), pp. 3-4.

¹⁰ Roeslan Saleh. 1980. Tindak Pidana dan Pertanggungjawaban Pidana. Jakarta: Aksara Baru Cetakan Kedua, pp. 78-79.

announcing a far-off schedule before the blackout is carried out either announced through social media or announced via Radio Republik Indonesia Merauke. Consumers must understand more about what their rights are so that in making complaints they understand and can also follow what paths can be taken to get what they are entitled to. Most consumers will remain silent and can only complain because they do not know the flow of information if they feel disadvantaged, consumers are impatient in guarding their complaints so they don't get a bright spot. PT PLN should announce rotating electricity outages by giving letters in writing directly to consumers through RT heads so that people feel they have not received information about the power outage. Consumers must be more active if they feel disadvantaged by rotating power cuts.

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