

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED
TIRUPATI

On this the 25th day of July 2013

In C.G.No: 102/ 2013-14/Tirupati Circle

Present

Sri K. Paul
Sri A. Venugopal
Sri T. Rajeswara Rao
Sri A. Sateesh Kumar

Chairperson
Member (Accounts)
Member (Legal)
Member (Consumer Affairs)

Between

Sri. A.Balasundaram
Dno:2-77., Beri Street,
Nagari Post,
Nagari Town,
Chittoor-Dist-517590

Complainant

And

1. Assistant Accounts Officer/ERO/Nagari
2. Assistant Engineer/Operation/ Town/Nagari
3. Assistant Divisional Engineer/Operation/Nagari
4. Divisional Engineer/Operation/Puttur
5. Superintending Engineer/Operation/Tirupati

Respondents

Sri. A.Balasundaram resident of Dno:2-77., Beri Street, Nagari Post, Nagari Town, Chittoor-Dist-517590 herein called the complainant, in his complaint dt:22-06-2013 filed in the Forum on dt:22-06-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E. Act 2003 has stated that

1. He is one of the agl. consumers having services 283, 287, 327, 351, 412, 546 and 626 of Nagari distribution under LT-V (B).
2. He is paying the CC.Charges regularly in installments and there were no arrears till the end of the year 2012-13.

3. He received a demand notice for the month of March 2013 which is a double entry and on 12-03-2013 he requested the AAO/ERO/Nagari to drop the demand for the month of March 2013.
4. The AAO in his letter dt:28-03-2013 denied his request and his doubt about the billing was not at all clarified even by the DE/Opn/Puttur, SAO/Opn/Tirupati till to the date of complaint.
5. In the bill dt:07-06-2013 an amount of Rs.605/- was added as arrears from 1st April and amount of Rs.4.176 was added as additional surcharges and the same was paid on 12-06-2013 to avoid further charges.

The total amount paid from Apr'12 – Mar'13	=	Rs.5634/-
Bimonthly demand Rs.875 + 60/-	=	Rs.935/-
Six installments Rs. 935 x 60/-	=	Rs.5610/-
Excess paid	=	Rs.24/-

6. In respect of service number 2712 for the month of November and December 2012 the respondents have added capacitor surcharge and on his representation to deduct the same the AE/Opn/recommended for withdrawal, but the same was appeared again in the bill dt:09-03-2013 for an amount of Rs.1789/- and Rs. 2240/- was not adjusted.

Notices were served upon the respondents duly enclosing a copy of complaint.

The respondent-1, i.e. the Assistant Accounts Officer/ERO/Nagari in his written submissions dt: 01-07-2013, received in this office on 03-07-2013 stated that:

1. Sri.A.Balasundaram has complained in his notice that excess demand billed in respect of the Agriculture service No.5312203000283, 287, 327,351,412,546 and 626 of Nagari Distribution, under AGL category LT V(B) and requested to drop the demand for the month of March'13.

2. The billing pattern is unique and being followed though out the SPDCL in respect of AGL. The billing pattern for Agriculture is furnished below:
3. March'12-April'12 bill issued, with bill date on 1st of May'2012 and payable on or before 15th of May'2012.
4. It is very clear that bill date 1st of May'12 means the billing demand pertains to the March'12 and April'2012 and May'12& June'12 bill issued with bill date 1st of July'12 only under bi-monthly billing pattern and similarly Nov'12 & Dec'12 bill issued with bill date 1st of Dec'12, since the billing pattern has been changed to monthly during the month of Jan'13,. Under Monthly billing pattern, the bills issued during the same month only. i.e. Jan'13 bill issued during the month Jan, 2013 itself and asking to pay on or before 15th of Jan'2013.

The details of Demand and Collection for the service No.5312203000283 are furnished below perusal please and similarly all other bills of complainant were issued.

Month	Billing Pattern	Bill issued Month	OB	Demand	Collection	CB
Mar'12-April'12	Bi-Monthly	May'12	-14.26	935.00	921.00	-0.26
May'12-June'12	Bi-Monthly	July'12	-0.26	935.00	707.00	227.74
July'12-Aug'12	Bi-Monthly	Sep'12	227.74	937.00	707.00	457.74
Sep'12-Oct'12	Bi-Monthly	Nov'12	457.74	943.00	707.00	693.74
Nov'12-Dec'12	Bi-Monthly	Dec'12	693.74	951.00	0.00	1644.74
Jan'13	Monthly	Jan'13	1644.74	478.00	2123.00	-0.26
Feb'13	Monthly	Feb'13	-0.26	469.00	469.00	-0.26
March'13	Monthly	March'13	-0.26	468.00	0.00	467.74

5. Further, The complainant, Sri.A.Balasundaram has complained in his notice that he has paid Five (5) installments Starting with 1st installment i.e. March'12-April'12 bill issued ,with bill date on 1st of May'2012 .
6. In this connection it is to submit that it is very clear that Sri.A.Balasundaram has paid 1st installments i.e. March'12 –April'12 during the month of May'12 which includes left over of Previous Financial year of installment of March'12 and this was explained to Sri.A.Balasundaram vide Reference 2nd and 3rd but he is not satisfied with the explanation given by the AAO/ERO/Nagari.
7. In view of above, it is to submit that there is no such excess demand billed. Hence the question of withdrawal of demand does not arise.
8. Further it is to submit that the complainant, Sri.A.Balasundaram has complained in his notice that capacitor surcharge was added to the service No.5312200002712 for the month of Nov'12 and Dec'12, amounting to Rs.1789/- and Rs.2240/- respectively and Assistant. Engineer/Operation/Nagari, in his letter recommended for withdrawal, but not adjusted.
9. In this connection it is to submit that as per Retail Supply Tariff rates and terms and conditions as mentioned in VII(3) of “ Power factor apparatus and capacitor surcharge for LT”.
10. “in the case of LT consumer (Except LT Domestic) not covered by KVAH billing, if inspection, no capacitor is found or **the capacitor already installed are found to be damaged or having defect or ceased to function, such consumer shall be liable to pay surcharge @ 25% of the monthly bill amount** as per the Terms and Conditions of supply notified by the licensee”.

It is to submit that the Service Connection No.2712 particulars furnished below: SC . NO.2712 ,CAT: II

CMD: 10KW, CONNECTED LOAD: 6KW

INSTALLED CAPACITORS: 2KVAR

MAKE: HPL 3PH, 10-40APS

METER NO:16706969

It is to submit that the billing is being done based on **KWH only**

11. Further The ADE/O/Nagari has submitted an inspection report stating that the SC.No.2712, Cat-II and CMD-10KW and Connected Load -6KW **and Installed Capacitors is 2 KVAR instead of 3 KVAR**. Since the installed capacitors are insufficient, the capacitor surcharge was billed, whenever the power factor recorded below 0.95. Hence the capacitor surcharge was not withdrawn.

Findings of the Forum

1. The grievance of the complainant is that the bills for his agl services were issued on high side and also the capacitor surcharge was levied unnecessarily and was not withdrawn though was recommended by the AE concerned .
2. The respondents reported that the excess demand as mentioned by the complainant is not actually excess, but and hence cannot be withdrawn.
3. Regarding levy of capacitor surcharge the respondents mentioned that in respect of service number 2712 which is under LT-II category and the amounts of Rs.1789/- and Rs.2240/- were added for the months of November and December 2012 respectively as per retail tariff rates and Terms and Conditions of supply wherein it was stated that the capacitor surcharge is to be levied for the services (Excepting LT domestic) where the billing is done on KWH and there are no capacitors, **the capacitor**

already installed are found to be damaged or having defect or ceased to function, such consumer shall be liable to pay surcharge @ 25% of the monthly bill amount.

4. Since it was established that the capacitors installed were of 2KVAR capacity instead of 3KVAR for the connected load of 6KW and since the service is under LT-II category the capacitor surcharge is to be levied for insufficiency of the rating.
5. The action of the respondents in both the items appears to be in order and hence there is no need to revise the bills.

In view of the above, the Forum passed the following order.

ORDER

“No separate order need to be issued”.

Accordingly the case is allowed and disposed off

If aggrieved by this order, the complainant may represent to the Vidyut Ombudsman, O/o the APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on the 25th day of July 2013.

Sd/-
Member (Legal)

Sd/-
Member (C.A)

Sd/-
Member (Accounts)

Sd/-
Chairperson

Forwarded by Orders

Secretary to the Forum

To
The Complainant
The Respondents
Copy submitted to the Honourable Ombudsman, APERC, 5th floor, Singarenibhavan, Redhills, Hyderabad-500004.

Copy to the General Manager/CSC/Corporate office/Tirupati for pursuance in this matter.