

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

On this the 21st day of September 2013

In C.G.No: 109/ 2013-14/ Ongole Circle

Present

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

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

Between

Sri. Kotipalli Sreenivasa rao
Pandillapalli Village & Post,
Vetapalem mandal,
Prakasam-Dist

Complainants

And

1. Assistant Accounts Officer/ERO/Vetapalem
2. Assistant Engineer/Operation/Chinnaganjam
3. Assistant Divisional Engineer/Operation/Chirala

Respondents

Sri. Kotipalli Sreenivasa rao, Pandillapalli Village & Post, Vetapalem mandal, Prakasam-Dist herein called the complainants, in his complaint dt: 04-07-2013 filed in the Forum on dt: 04-07-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E. Act 2003 have stated that

1. He is a consumer of SCNo:870 at Rajubangarupalem of Chinaganjam mandal in Prakasam-Dist and the supply was being utilized for prawn culture under lease.
2. He is having connected load of 44HP in total with 20 numbers aerators each of 2 HP and 2 numbers bore-wells each of 2 HP and the supply is being fed from rural feeder resulting in no supply period of 10:00 to 12:00 hrs a day.

3. There is no need of additional load for their service above and hence the additional charges shall be levied with due consideration the facts.
4. He never received any notice regarding additional load or additional charges of the bill from the department. He paid the CC.Charges installment and got his service reconnection on 19-06-2013 due to emergency and requested to render justice by waiving the additional charges that were levied unlawfully to his service.

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

The respondent-2, i.e. the Assistant Engineer/Operation/Chinnaganjam in his written submissions dt: 16-07- 2013, received in this office on 22-07-2013 stated that:

1. I, B Hari Prasada Rao joining as Asst. Engineer / Chinaganjam on 23.05.2013. For the above service the contracted load is 30 HP. But the recorded MDs are 54 KVA, 55 KVA, 127 KVA, 122 KVA, 117 KVA, 45 KVA & 90 KVA in the months of 11/2012,12/2012,01/2013,02/2013, 03/2013,04/2013 & 07/2013 respectively. As seen from the above the consumer has exceeded PDL in too much.
2. As per PCL calculations, the allowable PCL is 12780 units per month only. But the consumer has utilized 16764 units, 42814 units, 43050 units and 27760 units in the months of 12/2012, 01/2013, 02/2013, 03/2013 and exceeded PCL also.
3. While seeing the consumer representation it is observed that, by blaming the department, he wants to escaping simply. He mentioned that, No body can not guide about additional load R&C penalties. But it was 100% wrong. We are giving well announcement regarding R&C penalties which was “if any boby exceeds the PDL it can be billed 6

times and if exceeds the PCL, it can be billed 5 times”. All the consumer has good aware of that R&C restricting. They all together having a association in the name of 'kundaru straight cut aqua formers association'.

4. By knowing our restrictions they all get together and put a meeting at their association building. At that a Meeting they all together decided that no body cannot take the notice of R&C Restrictions and penalties. Due to that he Simply refused to take R&C restrictions notice. The same notice was pasted on the door. The duplicate notice was enclosed. And another thing is while observing the recorded RMD, it is observed that he has continuing the additional load after first penalizing. It causes for further months penalties. By exceeding sanctioned contracted load (i.e 30 HP), he over look the terms and conditions of LT agreement. The service was feeding the supply from 11 KV peddaganjam SS head quarter feeder. He has another 2 nos aqua services they are ISC No: 233 Motupalli and ISC No: 720 Rajubangarupalem. For these 2 services also he exceeds the contracted load and overlook the terms and conditions of LT Agreement, Due to power drawback and bad power crisis to safe guard the power grid, the department has taken up the R&C Restricting while billing in every month, if any body exceeds the contracted load we automatically intimate on the spot about regularization of additional load. And in bill, it self if consumer exceeds contracted load automatically a quotation will appear on the bill it self, as “regularize your additional load immediately”.

5. With out taking R&C restrictions notice, with out looking terms and conditions of LT Agreement, with out under standing the bad power conditions of the state, he simply behave very carelessness, by exceeding the connected load 3 times.
6. It has to submit that an additional load case was booked for 78 HP, total 108 HP by ADE/OPN/VETAPALEM on 25.01.2013. Vide case No: ONG/CHRL/ VTPAL/476/13. But he did not regularize the Additional load.
7. As per the instructions of corporate office, Tirupati the PCL & PDL penalties has billed. Regarding the PCL & PDL the consumer has informed several times, but he ignored. The connected DTR is 63 KVA and the Transformer has also failed due to over load and informed the consumer to utilize the load as per contracted load and requested to regularize the additional load. The copy of MRB sheet, PCL & PDL calculations are here with enclosed.

Findings of the Forum

1. The grievance of the complainant is that the respondents levied penal charges for his service stating that he exceeded the contracted load of 30HP during R&C periods and requested to waive the additional charges as he was never received any notice indicating levy of such additional charges till the date of his complaint.
2. The matter was already dealt with in CGNo:99/2013-14 and was disposed on 12th August 2013 by the Forum ordering as follows.
“The consumer is directed that he shall pay the C.C.Charges as usual along with the monthly installments as scheduled to get

his service reconnected and to avoid disconnection of his service further”.

3. There are no additional points to be considered as far as the matter is concerned and hence the order delivered above shall held good.

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

ORDER

No separate order needs 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 21st day of September 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 to the General Manager/ CSC/ Corporate office/ Tirupati for pursuance in this matter.