

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

On this the 19th day of December 2013

In C.G.No: 127/ 2013-14/ Kadapa 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.B.Venkatarami Reddy
C/o China Tirupal Reddy
DNo:21/94-A, Gandhi Road,
Jammalamadugu Village, Post and Mandal,
Kadapa-Dist

Complainant

And

1. Junior Accounts Officer/Sub-ERO/Jammalamadugu
2. Assistant Engineer/Operation/Mylavaram
3. Assistant Divisional Engineer/Operation/Jammalamadugu
4. Divisional Engineer/Operation/Proddatur
5. Senior Accounts Officer/Operation/Kadapa
6. Assistant Divisional Engineer/HT.Meters/Kadapa

Respondents

* * *

Sri. B.Venkatarami Reddy, C/o China Tirupal Reddy resident of DNo:21/94-A, Gandhi Road, Jammalamadugu Village, Post and Mandal, Kadapa-Dist herein called the complainant, in his complaint dt:31-08-2013 filed in the Forum on dt:31-08-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. He had purchased an industry in March 2011 at Torrivemula of Mylavaram Mandal in Kadapa-Dist.
2. The said industry is having service connection bearing SCNo:249 and the name of the earlier owner is B.Ravi Kumar.

3. Since the said industry is in APSFC bank the title transfer was not taken place in to his name. Prior to his purchase of the industry, there was an amount of Rs.1,38,000/- pending as arrears against the service and the service was restored in 2011 June month after clearing of all the dues above.
4. He received CC.bill for an amount of Rs.65,918/- abnormally for the month of July 2011 while the usual range was in between Rs.10,000 and Rs. 20,000/- every month.
5. Subsequently for August 2011, the bill amount was Rs.87,892/- and for September it was Rs.38,687/-. He was shocked to see the bills and immediately informed the AE/Opn/Peddamudiyam who inturn deputed one contract labour by name Shariff who disconnected the service at 6:30AM on 28-08-2011.
6. The next day i.e. on 29-08-2011 at the same time in the morning the meter reading was checked and found a consumption of 117 units. Upon his information the AE/Opn/Peddamudiyam on 01-09-2013 in the matter he arrived at and examined and declared that there is difference in reading. The AE also felt that the advancement of reading is due to certain problem in the distribution transformer.
7. On 06-09-2011 he met he AE and the ADE and informed about the defect in the transformer and the transformer was replaced subsequently with which the problem of reading advancement was stopped and the bills also were fell down to the range of Rs.7,000/- to Rs.23,856/-.
8. The main problem is the issuance of bills on high side for the months of July, August and September 2011 due to defect in the transformer. He requested the ADE concerned to withdraw the excess billing amount on

account of the defective transformer, but the ADE replied that the high consumption is due to non providing of capacitors at the transformer.

9. No crusher industry fixes capacitors to the Transformers, but the capacitors are only connected on the main switch and more over if the problem is with the capacitor, the bills should have been issued on high side in the earlier months also. He informed the matter to the DE and the SE over phone, but none had taken any action and resolved his problem. The problem is persisting for the past two years and the officials instead of resolving his problem pressing for payments of arrears. His service above was disconnected for the second time on 20-08-2013 because of which his labour was left idle and also the crops he raised were damaged.
10. Requested the Forum to conduct an enquiry in the matter of billing on high side for the months of July, August and September 2011 due to certain technical problem of the transformer and cancel the related additional bill amount of Rs.1,92,417/- and order for reconnection of the service.

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

The respondents-1 and 3, ie the Assistant Divisional Engineer/Operation/Jammalamadugu and the Junior Accounts Officer/Sub-ERO/Jammalamadugu in their similar written submission dt: NIL and the 16-09-2013, received in the Forum office on 19-09-2013 and 30-09-2013 stated that:

1. ISC No. 249, Torrivemula, Mylavaram Section released for Connected Load of 74 H.P in the name of M/s. Venkateswara Metal Curshers. The service was disconnected on 15-07-2010 due to nonpayment of C.C Charges. Sri. B.Venkata Rami Reddy purchased the crusher and cleared the arrears pending up to the month of Feb – 2011, and on his request service reconnected

on 20-04-2011 after testing the equipment by H.T wing Kadapa. The reading as on 20-04-2011 is KWH – 33856 & KVAH – 103945.

2. The service metering is H.T type. The monthly readings are being taken by the ADE/O/J.Madugu regularly under as fallows.

Date	KWH	Consumption	KVAH	Consumption	RMD	P.F
07/05/2011	34515	1146	109428	8894	60.6	0.13
06/06/2011	35410	895	115376	5948	24.6	0.15
08/07/2011	37499	2089	125441	10065	36.4	0.20
09/08/2011	40050	2551	135081	9640	37.8	0.26
11/09/2011	41349	1299	143019	7938	28.2	0.16
09/10/2011	41792	443	143462	443	26.4	1.00

3. From the above, it is clear the capacitors existing to the service are not functioning properly and the power factor is very low, due to which recorded KVAH units are more compare to the KWH units. Due to introduction KVAH billing from April – 2011 the billed amount is high even though the consumer not utilizing supply fully.
4. On receiving the abnormal bills the consumer approached to this Office, on verifying the C.C bills it is clarified to the consumer that due to non functioning / Maintenance of required capacitors KVAH units recorded are high and also informed to provide healthy capacitors to the service. The consumer immediately installed new 20 KVAR capacitor near the transformer in the month of Sep – 2011 and since then the power factor is being maintained between 0.95 to 1.0 till to date.
5. It is also to submit that the consumer is not paying regular bills also in specified dates and hence the service is being disconnected regularly and no body has intention to harass to the consumer.

6. It is further submitted that the abnormal C.C bills are only due to high KVAH units that are recorded due to non maintenance of capacitors only and not due to the transformer problem as pointed out by the consumer.

The respondent-2 Assistant Engineer/Operation/Mylavaram in his written submission dt:20-09-2013, received in the Forum office on 30-09-2013 stated that:

1. He joined as a Assistant Engineer, Operation, Mylavaram on 20/5/2013 in general transferors 2013. After joining I reviewed the non slab D.C list of 05/2013. In that D.C list I observe the ISC No. 249, Torrivemula, Connected Load of 74 H.P in the name of M/s. Venkateswara Metal Crushers having a huge amount of arrears Rs 2,10,406/- due to this the service of ISC No. 249 at Torrivemula disconnected. After that the consumer paid the part amount Rs 50,000/- and the consumer expressed that these arrears are raised due to the malfunctioning of DTR and energy meter and also consumer requested to verify the outstanding arrears on his service.
2. The service metering is H.T type hence he observed the ADE/O/J.Madugu meter reading register (MRB) and identifying the low power factor in certain months as follows.

Date	KWH	Consumption	KVAH	Consumption	RMD	P.F
07/05/2011	34515	1146	109428	8894	60.6	0.13
06/06/2011	35410	895	115376	5948	24.6	0.15
08/07/2011	37499	2089	125441	10065	36.4	0.20
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09/10/2011	41792	443	143462	443	26.4	1.00

3. From the above, it is clear the capacitors existing to the service are not functioning properly and the power factor is very low, due to which recorded

KVAH units are more compare to the KWH units. Due to introduction KVAH billing from April – 2011 the billed amount is high even though the consumer not utilizing supply fully.

4. The above reason is clarified to the consumer due to non functioning / Maintenance of required capacitors KVAH units recorded are high and also informed to the consumer please pay the arrears as early as possible. But the consumer not forward to pay at least the regular bills in specified dates hence the service is disconnected. And nobody has intention to harass to the consumer.
5. It is further submitted that the abnormal C.C bills are only due to high KVAH units that are recorded due to non maintained of capacitors only and not due to the transformer problem as pointed out by the consumer.

The respondent-6, ie the Assistant Divisional Engineer/HT.Meters/Kadapa in his written submission dt:08-11-2013, received in the Forum office on 12-11-2013 stated that:

1. The Chairperson, CGRF, Tirupati requested to submit the test results of ISC NO:249 Category-III, Thorrivemula village in Mylavaram section of Jammalamadugu Sub-Division conducted on 20-04-2011.
2. The photocopy of the same taken from the office records is herewith submitted. However the MRI data taken for the above period is deleted from the system after verification so as to accommodate the other subsequent data of various HT services in the circle. Hence couldn't be submitted.

Findings of the Forum:

1. The grievance of the complainant is that he received bills on high side for his stone crusher industry for the months of July, August and September 2011 due to some defect in the distribution transformer and requested to

withdraw the excess bill amounts since he is not at fault and the fault lies with the distribution transformer which is a property of the licensee and for that he shall not be penalized.

2. The said industry is having a contracted load of 74 HP and the metering was on HT side.
3. As could be seen from the reading extract of the service, the power factor from 05/2011 to 09/2011 was ranging from 0.13 to 0.26 which is very low indicating that the capacitors are not maintained by the consumer and for the month of October 2011, the power factor was unity (1.0) which indicates that the consumer rectified the capacitors and maintained to the required level.
4. The other factor is that the billing pattern was changed from the tariff year 2011 and the billing was done based on KVAH instead of KWH based on which the earlier bills were issued to the end of financial year 2011-12. Since the effect of poor capacitors maintenance does not have any impact on the KWH component, the complainant though not maintained the capacitors earlier was not penalized, but since the KVAH parameter is dependent on the capacitors maintained as the capacitors are not taken care of by the consumer this component was boosted and there by the billing was also increased proportionately.
5. The respondents have stated that the consumer installed an additional capacitor of 20KVAR capacity newly near the transformer in the month of September 2011 with which the power factor was increased to 0.95.
6. The complainant in his complaint mentioned that the transformer of the service was replaced after 06-09-2011 and there was no problem in the meter reading with the said change, but the respondents nowhere made a

mention of such replacement of the transformer which is to be ascertained being the vital point in this case.

7. Regarding the condition of the transformer and reasons for its replacement, it was reported by the respondents that the transformer was replaced on 09-09-2011 for the reason the HT fuses are blowing off even charged ideally and after detailed examination of the transformer at the SPM as reported by the AE/SPM three numbers HV coils were damaged and the same were replaced.
8. As per the report of the respondents, the transformer was kept idle for a considerable period of about 9 months from 15-07-2010 the date on which the service was disconnected on HT side and 20-04-2011 on which date the service was reconnected. But the said defect was blown up on 06-09-2011 ie after about 5 months serving. As such the replacement of the transformer was done on only the cause that the fuses are blowing off due to certain defect developed inside the transformer, but not suspecting its contribution in raising bills on high side. As such, the high consumption shall not be attributed to the transformer only as contended by the complainant
9. Here the point that is to be considered having its own gravity is that the problem was solved with installation of 20KVAR capacitor on the distribution transformer as stated by the respondents which indicates that the distribution transformer it self is of high reactance value beyond its normal resulted in boosting up of KVAH though the consumer did not utilize power for his industry.
10. As such it is felt by the Forum that there is a need of testing the transformer for its parameters to ensure its healthiness.

11. The variance in the PF was only with the installation of capacitors on the distribution transformer of the industry keeping the capacitors if any on the consumer loads unaltered as accepted by the respondents. Hence the problem is with the respondents equipment only, but not with the consumer.
12. As such the respondents shall have to revise the consumer bills for the months from 07/2011 till 09/2011 duly considering the KVAH equivalent to KWH and adjust the amounts if any excess paid by the consumer to his future bills.
13. The complainant in his letter dt: 21-10-2013 requested the Forum to conduct personnel hearing with the respondents in the matter accordingly the hearing was held on 25-11-2013 in the chamber's of the Chairperson, Tirupati for which all the respondents were present also the complainant were present and upon hearing to both the parties it was decided to simulate conditions and obtaining the readings with and without connecting the capacitors and both the cases without consumer loads to assess the consumption towards the transformer loading exclusively and the respondents were ordered to do so.
14. To ascertain the exact reason for the said high consumption of KVAH, it was necessitated to simulate the conditions of both capacitors connected and not connected and accordingly the same was done on 26-11-2013.
15. Accordingly the respondents have obtain the meter readings by creating the conditions and allowing each for 6 hours period. As per the readings data so obtained in the first condition the transformer only was idle charge without connecting the capacitor and the meter recorded one unit of KWH and 18 units of KVAH for 6 hrs, this indicates that the consumption towards the transformer idle charged was 3 units of KVAH per hour and it

is 72 units in a day. In the other case when a 25KVAR capacitor was connected on the LT side of the distribution transformer and allowed for a period of 6 hrs the KWH recorded was 5 units and the KVAH also was 5 units bringing the PF to unity.

16. As such it is concluded that the transformer itself consumes about $72 \times 30 = 2160$ KVAH for a month without having consumer load and any capacitor. The above said consumption recorded by the meter is billed even without the consumer actually utilizing the power.
17. Since the service is under LT category-III (A), the metering is to be on LT side only, but in accordance with the tariff order it was provided on HT side. In cases of LT services, the transformer consumption is not recorded by the meter since installed on the consumer side, and hence not included in the bill. Similarly since the service is under LT, the consumption towards the transformer shall be deducted from the main consumption KVAH @ 2160 units per month.
18. The consumer disputed the bills for the months of July, August and September suspecting the behavior of the transformer. Requested to revise the bills as the bills are on high side, the consumer also blamed that there is a consumption of 117 units as observed from 6:30am of 28-08-2011 till 29-08-2011 same time.
19. As such it is felt by the Forum that the consumption of the transformer while in idle also is considerably on high side for which the consumer shall not be penalized. There is an ambiguity whether the said high consumption is on account of the defective transformer as contended by the consumer or on account of not having capacitors connected on the consumer loads.

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

ORDER

The respondents are directed that

1. They shall revise the bills of the service for the months from 07/2011 to 09/2011 duly deducting 2160 units per month towards consumption of the distribution transformer within 15 days from the date of this order.
2. They shall adjust to the future bills of the consumer the amount if any found in excess paid by the consumer on such above said billing and subsequent bill revision.
3. They shall report compliance on the items 1 and 2 above within 21 days from the date of this order.

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 this the 19th day of December 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.