

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

**On this the 13<sup>th</sup> day of June 2013**

**In C.G.No:17/ 2013-14/ Vijayawada 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. Poda Ramakrishna Rao Petitioner  
Senior Vice President  
Hemadri Cements Limited  
Vedadri Village & Post., Jaggaiahpetta Mandal  
Krishna-Dist-521457

***And***

1. Chief General Manager/Finance/SPDCL/Tirupati Respondents  
2. Divisional Engineer/Operation/Rural/Vijayawada  
3. Senior Accounts Officer/Operation/Vijayawada

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Sri. Poda Ramakrishna Rao, Senior Vice President resident of Hemadri Cements Limited ,Vedadri Village & Post., Jaggaiahpetta Mandal, Krishna-Dist-521457 herein called the complainant, in his complaint dt:04-05-2013 filed in the Forum on dt:04-05-2013 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. Theirs is an industry with the title Hemadri cements limited in Krishna-Dist under HT supply with SCNo:VJA 153 .

2. They received electricity bills for the months of November and December 2012 and there is a discrepancy in calculation procedure in respect of CC.charges FSA charges and R&C measures.
3. They are not able to understand the variation in procedures calculating the billing very often and the issuance of bills from December to till date.
4. They have arrived at a statement of billing calculated by them as per the guidelines given by the department and enclosed the same.
5. Requested to advise the department concerned to calculate correctly so that they can pay the bills intime.

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

**The Superintending Engineer/Operation/Vijayawada though not a respondent, mentioning the respondent-3 i.e. the Senior Accounts Officer/Operation/Vijayawada submitted his written statement dt:23-05-2013, received in this office on 23-05-2013 stated that:**

It is to submit that M/s. Hemadri Cements Ltd., bearing HT Sc.No.VJA153 was issued bills for the month of 11/2012 & 12/2012 as per the instructions of the Corporate Office. In this connection it is to submit that the consumer has not submitted detailed grievances and specific part of the wrong calculations duly referring with the supported instructions etc.. However, on discussion with the representative of M/s.Hemadri Cements Ltd., the following grievances are known.

<b>Sl. No.</b>	<b>Month</b>	<b>Grievance</b>	<b>Reply to the Grievance</b>
1.	11/2012	For the IInd spell commencing with effect form 09-11-12 upto the date of bill, the bill has been prepared based on the billing data	As per the revised guide lines communicated by the APERC vide communicated by Corporate Office,

		as per guidelines communicated by Corporate Office, Tirupati vide Memo.No.CMD/ D.No.870/12, dt.26.11.2012 (copy enclosed) (i.e.)100% of CMD with 70% load factor during off-peak and 20% of CMD with 100% load factor during the peak hours on the working days instead of 100% CMD with 90% load factor during the off peak and 10% of CMD with 50% load factor during the peak hours as per the orders of SE/O/VJA/Tech/ D.No.2714/12,dt.31-10-12. As a result the consumer construed that the calculations appeared in the bill are on high side.	Tirupati vide Memo.No. CMD/D.No.870/12,dt.26.11.2012 which is applicable w. e. f. 09.11.2012(Nov.'12 II spell), the consumer has to avail 100% CMD with 70% load factor during off-peak hours and 20% of CMD with 100% load factor during the peak hours on the working days and with 10% CMD and 50% load factor on Power holidays. Hence the bills which were already issued are correct and requires no revision.
2.	12/2012	The consumer expressed his grievance that the open access consumption on 21-12-2012 & 22-12-2012 were not considered. Hence, the calculation in the bill appears on high side.	The open access considered and revised bills were communicated and RJE effected in the ledger.
3.	12/2012	In respect of open access consumption the actual consumption minus open access consumption resulting negative value treated as Zero during the off peak period instead of carry forward the negative value for that particular day and sum of the positive, negative and Zero values for each day during the off peak period for entire month, then	As per the procedure in vogue and power purchase under open access if any consumer drawn power more than actual utilized power during the off peak hours of the day is treated as Zero as the consumer not availed the total power drawn under open access. Hence, the contention of

		calculate penal values.	consumer is not agreeable and the calculations arrived on 13-12-12, 14-12-12, 15-12-12, 16-12-12 & 17-12-12 the actual consumption after ISOA is treated as Zero, even though the power drawn under open access consumption is more than the actual consumption during the off peak period
4.		The consumer raised the grievance that during the power holiday period from 22-11-2012 to 30-11-2012, 10% of CMD with 100% load factor has to be considered as per APERC guidelines.	As per the Corporate Office instructions vide Memo.No. CMD/APSPDCL/TPT/DE/T/ Peshi/F.65/D.No.870/12, dt.26-11-12, 10% of CMD with 50% load factor is to be allowed. According to the instructions of the Corporate Office the bills were prepared and arranged to the consumer

It is further to submit the above grievances are arrived with discussion of the representative of M/s.Hemadri Cements as the calculation sheet enclosed to were not indicated the specific grievances.

Further, it is to submit that there were no discrepancies in the calculations relating to CC Charges / FSA Charges.

**The Chief General Manager/Finance/SPDCL/Tirupati the respondent-1 in his written submission dated 21-05-2013, received in this office on 22-05-2013 stated that:**

1. His office deals with policy issues only and the said grievance being calculation procedure for billing from December 2012 onwards and the consumer may be advised to approach the Senior Accounts Officer/Operation/ Vijayawada who maintains the records at his end and issue the bills.

**Findings of the Forum:**

1. The grievance of the complainant is that their HT service bills were issued with calculation procedures varied often deviating the guidelines given by the department from time to time in-respect of CC.charges, FSA and R&C measures. Requested to advise the concerned to calculate correctly to enable them to pay the bills intime.
2. The respondent-3 i.e. the Senior Accounts Officer/Operation/Vijayawada while stating that the grievance of the consumer is not detailed and specific where the calculation part is wrong duly referring with the supported instructions, but however on discussing with the representative of the consumer replied the Forum.
3. The contention above of the respondent that the complainant did not specify the item where there is deviation observed in billing to that specified in the guide lines is accepted.
4. But however, the respondent-3 with a positive approach made conversation with the consumer's representative, offered his remarks and hence it is understood that the complainant is satisfied with the explanation of the respondent.
5. The first respondent, i.e., the Chief General Manager/Finance/SPDCL/Tirupati had submitted that the consumer should have first approached the Senior

Accounts Officer/Operation/Vijayawada at whose end the records are maintained and the bills are issued.

6. As such, it is felt by the Forum that the consumer herein the complainant may approach the respondent-3, the bill issuing authority representing the licensee for any further clarification in future in any matter of billing before approaching the Forum if not convinced with.

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

**ORDER**

The complainant is advised that he may approach the Senior Accounts Officer/Operation/Vijayawada in this case and also in future if any such dispute in the matter of billing and can then approach the Forum if the bills are issued contrary to the APERC orders from time to time.

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, 5<sup>th</sup> floor, Singarenibhavan, Redhills, Hyderabad-500004, within 30 days from the date of receipt of this order.

Signed on the 13<sup>th</sup> day of June 2013.

Sd/- <b>Member (Legal)</b>	Sd/- <b>Member (C.A)</b>	Sd/- <b>Member (Accounts)</b>	Sd/- <b>Chairperson</b>
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**Forwarded by Orders**

**Secretary to the Forum**

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

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