

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

On this the 25th day of June 2014

In C.G.No:02/ 2014-15/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

Smt. Sanapala Satyapriya
W/o Apparao late
DNo:74-8-8/18,
J.D.Nagar, Patamata,
Vijayawada City – Post,
Vijayawada
Krishna-Dist-520010

Complainant

And

1. Assistant Accounts Officer/ERO/Kanuru
2. Assistant Engineer/Operation/Yanamalakuduru
3. Assistant Divisional Engineer/Operation/Kanuru
4. Assistant Divisional Engineer/Integrated Call Center (ICC) /Vijayawada
5. Divisional Engineer/Operation/Gunadala
6. Superintending Engineer/Operation/Vijayawada

Respondents

Smt. Sanapala Satyapriya, W/o Apparao late resident of DNo:74-8-8/18, J.D.Nagar, Patamata, Vijayawada City – Post, Vijayawada Krishna-Dist-520010 herein called the complainant, in his complaint dt:10-04-2014 filed in the Forum on dt:10-04-2014 under clause 5 (7) of APERC regulation 1/2004 read with section 42 (5) of I.E.Act 2003 has stated that

1. She had set up a water plant at Yenamalakuduru village of Penamaluru mandal of Krishna-Dist by leasing shops for a period of 5 years.
2. She got registered the application in the district industries center, Vijayawada for the said water plant.
3. Prior to her occupying the shops there was a service in the shop under category with service No:6521404009056, but she requires 5HP load for running the water plant.
4. She approached the ADE/call center/ Vijayawada requesting for change of category of the said above service from LT-II to LT-III, but the ADE refused to receive the application.
5. Requested the Forum to change the category of the service from LT-II to LT-III and render justice.

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

The respondent-1 Assistant Accounts Officer/ERO/Kanuru in his written submission dt:21-04-2013, received in this office on 23-04-2013 stated that:

1. The category change proposals are to be registered at CSC/Vijayawada and the same has to be received through ADE/Opn/Kanuru for effect the same to the data base. Such proposals are not received till to date to this office against ScNo.9056. Yenamalakuduru for change of category from II to III.

Findings of the Forum:

1. The complainant states that she is running a water plant in a shop under lease with a load of 5HP and the shop was already having one commercial service with No:9056. After setting up the water plant she

approached the ADE, Call Center, Vijayawada for change of category of the service into industrial i.e. LT-III for which the ADE rejected the application without assigning any reason. Approached the Forum and requested to pass such orders upon the respondents to change the category of the service from LT-II to LT-III and render justice.

2. The respondent-1 i.e. the AAO/ERO/Kanur in his reply stated that he had not received any proposal of such change of category as stated by the complainant from the ADE/CSC/Viayawada through ADE/Opn/Kanuru in respect of the said service.
3. The contention of the respondent-1 above is quite acceptable.
4. The respondent-4 i.e. the ADE/ICC/Vijayawada had not put forth any of his remarks about the said allegation made against him by the complainant in the matter of not accepting the complainant's application for registration required to initiate the process of changing the category from LT-II to LT-III.
5. Though the complainant mentioned that she had approached the Assistant Divisional Engineer/ Integrated Call Center (ICC) / Vijayawada, she could not produce any evidence of the said rejection of her application.
6. She should have sent her application by registered post or some other means creating certain evidence in support of her claim of rejecting her application.
7. As could be seen from the data available, the service is under LT-category-II with a load of 3.001KW stood in the name of G.V.Satyavathi and the consumption is almost nil as per the bill dt:12-05-2014.

8. The complainant mentioned that the load required for running a water plant is 5HP where as the service is having only 3KW load and hence requires release of additional load of about 1KW to the service.
9. Since the activity is running a water plant, the respondents shall have to change the category of the service from LT-II to LT-III provided that there shall be some machinery to process the raw water for purification and the respondents after due verification and satisfying themselves with the activity as mentioned supra can effect the change of category duly following other requirements as per the norms.
10. As such it is felt by the Forum that the consumer shall approach the ADE/ICC/Vijayawada afresh with an application and pay the necessary charges for effecting the change of category as sought for.

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

ORDER

The complainant is advised that she shall approach the ADE/ICC/Vijayawada afresh with an application and the required documents and pay the necessary charges for effecting the change of category as sought for.

The respondents are directed that they shall accept the application of the complainant duly collecting the necessary fees, register it and forward to the officers concerned for effecting the change of category from LT-II to LT-III provided that there shall be some machinery to process the raw water for purification and the respondents after due verification and satisfying themselves with the activity as mentioned supra can effect the change of category duly following other requirements as per the norms.

Accordingly the case is allowed and disposed off

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, 1st Floor, 33/11KV Sub-Station, Hyderabad Boat Club Lane, Lumbini Park, Hyderabad-500063**, within 30 days from the date of receipt of this order.

Signed on this, the 25th day of June 2014.

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.