

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P.LIMITED TIRUPATI
On this the 20th day of February 2018
In C.G. No: 219/2017-18/Kurnool Circle

Present

Sri. A. Jagadeesh Chandra Rao
Sri. A. Sreenivasulu Reddy
Sri. D. Subba Rao
Sri. Dr. R. Surendra Kumar

Chairperson
Member (Finance)
Member (Technical)
Independent Member

BETWEEN

Sri. S. K. Fakruddin,
5-25-56,
Sunnipenta(P),
Kurnool Dt..

Complainant

AND

1. Assistant Accounts Officer/ERO/Nandikotkur
2. Assistant Engineer/Op/ Srisailam
3. Assistant Divisional Engineer/OP/Atmakur
4. Divisional Engineer/O/Kurnool

Respondents

ORDER

1. S.K. Fakruddin of Sunnipenta presented a complaint on 16.11.2017 during the Vidhyut Adalat conducted at Srisailam wherein the complainant has informed that capacitor surcharge is being levied from 03/2017 onwards though he has provided adequate capacitors. Hence requested to order for waiver of capacitor surcharge amount.
2. The Respondents.No.1 and 2 submitted their written submissions separately. The Respondent.No.1 has informed that as per the office records capacitor surcharge has not been levied and he has also enclosed copy of the account copy of the service connection from 05/2017 to 12/2017. The Respondent. No.2 in his submission has explained that the consumer is not maintaining the power factor in between 0.95 lag and 0.95 lead and hence he is getting capacitor surcharge amount.
3. The Respondent. No.3 in his written submission has elucidated that the complainant's Service No. 8331401002983 is under LT Category -III with a contracted load of 12.06 HP and having 3 phase meter. As KWH billing being done for this service monthly, capacitor surcharge amount will be levied in CC bill if the consumer unable to maintain power factor of 0.95. He has also advised the consumer to maintain power factor of 0.95 by using required capacitor rating to avoid capacitor surcharge amount in the bill.

C.G.No.219/2017-18_Kurnool Circle

JESPACHED

DATE

08/2/2018

The rule position regarding levy of capacity surcharge is explained below:

In accordance with Clause 12.1.1 of General Terms and Conditions of Supply "Failure to install/maintain capacitors by consumers in accordance with the provisions under Clause 5.13.1 will be treated as violation of GTCS and attracts levy of capacitor surcharge at the rates specified by the commission in the tariff orders issued from time to time or otherwise.

Clause 12.1.2 of GTCS regarding the procedure to be followed in respect of LT consumers is reproduced here under:

" If the capacitors already installed are found, during inspection of the premises of a LT consumer, damaged or become defective or cease to function or derated, the consumer shall be served with a notice by the Designated Officer to get the same replaced/rectified or corrected within 30 days from the date of notice in accordance with the format prescribed in Appendix VIII(A) herein, and intimate the fact of replacement/rectification or correction to the Designated Officer of the Company who will inspect the capacitors again to verify their satisfactory performance. In the event of failure on the part of the consumer to comply with the above notice, the company may levy a surcharge as specified by the commission in the Tariff Orders issued from time to time or otherwise from the consumption month of the date of inspection till such time the capacitor is replaced/rectified or corrected. Provided further that retrospective levy if any of surcharge shall not extend to beyond one year prior to the date of inspection. The consumer aggrieved by the retrospective levy, may appeal to the authority/officer designated for this purpose in the "Designated Officers' Notification' whose decision shall be final.

Clause 12.1.3 of the GTCS "The failure on the part of the consumer to comply with the above notice as per Clause 12.1.2 shall be treated as violation of GTCS and the company reserves the right to terminate the contract and collect the sum equivalent to the minimum charges for the balance initial period of agreement.

In accordance with the above rule position the Respondents should issue a notice for rectification/replacement of defective capacitor as per appendix VIII (A) on the consumer and if the consumer fails to replace/rectify the capacitor within 30 days from the date of the notice another notice as contemplated in appendix VIII(B) shall be issued for recovery of capacitor surcharge amount.

4. As could be seen from the account copy of the said service connection it is noticed that an amount of Rs.4399.37 has been levied as capacitor surcharge during 04/2017 being 25% of energy charges i.e Rs16,936.04 and fixed charges of Rs. 661.44 i.e 25%

