

BEFORE THE FORUM
FOR REDRESSAL OF CONSUMER GRIEVANCES
IN SOUTHERN POWER DISTRIBUTION COMPANY OF A.P LIMITED TIRUPATI
On this the 28th day of May 2019
C.G.No:206/2018-19/Kadapa 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

J.Chenna Krishna Reddy,
3/193-R,
R. Sreeramulupeta,
Yerraguntla,
Kadapa -Dist

Complainant

AND

1. Assistant Accounts Officer/ERO/Yerraguntla
2. Assistant Engineer/O/Yerraguntla (R)
3. Assistant Divisional Engineer/O/Yerraguntla
4. Divisional Engineer/O/ Proddatur

Respondents

ORDER

1. J. Chenna Krishna Reddy, R. Sreeramulupeta Yerraguntla (M) presented a complaint before this forum during the Vidhyut Adalat held at Yerraguntla on 18.08.2018. The complainant in his petition has informed that excess bills are being received for the last two months as he has exceeded the recorded maximum demand against the service No.2234514000255. But he had never exceeded the connected load. He has requested to write off the additional load amount included in the CC bills. The complainant has also informed that the transformer from which supply is extended to his service is not provided with AB switch and hence requested to arrange the same.
2. The Respondent No.2 in his written submission has informed that the recorded MD in the CT Meter of the service No. 2234514000255 of the complainant was more than the contracted demand i.e. 20.14 KW. The same was entered in the reading registers every month and intimated to the complainant to regularize the excess load. But the complainant has not responded. Additional load notice was automatically generated in MATS for the service exceeding the contracted load and additional load charges included in the CC bills.

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DATE 3/6

C. G. No. 206/2018-19/Kadapa Circle

3. Taking into consideration the petitions filed by 61 complainants in Yerragunla, the forum has issued interim directions vide I.A No.06/2018-19 Kadapa Circle directing the respondents not to disconnect the service connection of the complainant on the ground that they have not paid the miscellaneous charges mentioned in the respective electricity bills till the disposal of the case.

4. Points for determination are :

1. Whether the respondents are entitled to include additional load amount automatically generated in the MATS without issuing notice on the complainant based on the RMD (Recorded Maximum demand) ?
2. Whether the respondents are liable to provide AB Switch as demanded by the complainant?

The case of the complainant is that though he has never connected more load than the contracted load the respondents on the pretext of recorded MD in the CT Meter was more than the contracted load and have included the additional load amounts in the bills without issuing notices is arbitrary and illegal.

It is not just and reasonable to include any shortfall amount without issuing appropriate notice on the complainant. The act of the respondents in including the additional load amount, since the same was automatically generated in the MATS is against the principles of natural justice, arbitrary and illegal. Any shortfall amount included in the bills without issue of notice on the complainant is liable to be set aside and the respondents are not entitled to include such amounts in the bills. Thus the point No.1 is answered accordingly.

The respondent No.2 in his written submission has stated that there is a chance of theft of energy during night hours in Nidzivi Distribution by connecting unauthorized service wires at LT bush rods of the DTRs by opening the AB switch and hence AB switches are not provided for individual Distribution Transformers but AB switches are available at various locations at the 11 KV Nidzivi feeder for attending the consumer complaints. The complainant has nothing to do with the AB switch since he is a LT consumer. The necessity of providing AB Switch falls under the purview of the Licensee only depending upon the prevailing operation convenience. Hence the complainant is not entitled to demand for providing of AB switch to the transformer from which supply is extended to his service connection. Hence the point No.2 is answered accordingly.

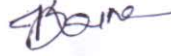
5. In result the respondents are directed to set aside the additional load amount included in the bills of the complainant besides withdrawing the delayed payment surcharge if any included on the above amount. However the respondents are at liberty to issue a fresh notice if the complainant has exceeded the contracted load in accordance with the GTCS provisions of Appendix No. IX.
6. Accordingly the complaint is disposed off in favour of the complainant to the extent of withdrawal of additional load case is concerned. Further the request of complainant to provide AB switch cannot be considered.

If aggrieved by this order, the complainant may represent to the **Vidyut Ombudsman, Andhra Pradesh**, 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008 , within 30 days from the date of receipt of this order.

This order is passed on this, 28th day of May 2019.

Sd/- Member (Finance)	Sd/- Member (Technical)	Sd/- Independent Member	Sd/- Chairperson
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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.
Copy to the Nodal Officer (Executive Director/Operation)/CGRF/APSPDCL/TPT
Copy Submitted to the Vidyut Ombudsman, Andhra Pradesh, 3rd Floor, Sri Manjunatha Technical Services, Plot No:38, Adjacent to Kesineni Admin Office, Sri Ramachandra Nagar, Mahanadu Road, Vijayawada-520008
Copy Submitted to the Secretary, APERC, 11-4-660, 4th Floor, Singareni Bhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.