

**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 2018

C.G.No:183/2018-19/Vijavawada 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

**S.V.S. Sai Prasad,
C/o. M/s. Vijaya Sai Resorts,
Opp Manginapudi Beach,
Tallapalem,
Machilipatnam,
Krishna Dt.**

Complainant

AND

1. Assistant Accounts Officer/ERO/Machilipatnam
2. Assistant Executive Engineer/O/ Machilipatnam (R)
3. Deputy Executive Engineer/O/Machilipatnam
4. Executive Engineer/O/Machilipatnam

Respondents

ORDER

1. S.V.S. Sai Prasad Managing Director, Vijay Sai Resorts presented a complaint before this Forum and stated that the Government of A.P. has awarded the beach resort project to the company at Manginapudi beach under PPP mode on BOT basis. They have number of rooms, restaurant and conference hall in the allotted land. They have been running the resort for providing accommodation to the tourists for Manginapudi beach. They have taken electrical connection for three phases in the month of Aug'2015. First bill was received for Rs.896/- Subsequently received a bill for Rs.8,228/- for a consumption of 865 units and the bill has gone increasing every month. They have sent a letter to the department for enquiry. The department people have changed the meter and send it for testing. Subsequently they have engaged experts in the field and as per their advise installed sub meters to know the correct usage of power supply. From then onwards the bill came down to Rs.4,000/- The department had issued bills by adding Rs.1,400/- to Rs.1,700/- every month under the head of capacitor surcharge. They are not a manufacturing industry or rice mill to use the capacitors. They are not using any equipment, machinery or boilers in the resort. They are using power only from 9.00 A.M. to 6.00 P.M. only. They will not avail a single light or fan during night time. They have also installed CC camera in the resort and maintaining minute to minute records regarding usage of rooms and restaurant. They have paid huge amount towards the false bills generated by the department. They have approached the department officers several

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times and wrote several letters regarding excess bills and ultimately the department has adjusted the excess bills and capacitor surcharge amount in future bills. Again the capacitor surcharge has been levied in the bills of July' 2018 for a capacitor surcharge of Rs.3,700/- . The complainant has also informed that there are fluctuations in the voltages and getting regular disturbances in power supply to the resort. Hence requested to resolve their grievances.

2. The respondent No.4 in his written submission has stated that an amount of Rs.3,793/- levied as capacitor surcharge has been withdrawn by respondent No.1 vide R.J No.01-09-2018.
3. A personal hearing was conducted through video conferencing on 30.04.2019. Respondents No.2 to 4 and complainant attended to the video conferencing. During the video conferencing the complainant has confirmed that at present the bills are being received correctly. The complainant has also informed that the interruptions are also minimized, but requested to withdraw the capacitor surcharge excessively levied.

4. Rule 4 VII (3) of tariff order for the F.Y. 2018-19 is as follows :

“ In the case of LT consumers (except LT Domestic, LT-IV,LT-V,LT-VI (A), LT-VII (B) not covered by KVAH billing, if during inspection, no capacitor is found, or the capacitors already installed are found damaged or having defect or ceased to function, such consumer shall be liable to pay capacitor surcharge @ 25% of the monthly bill amount, as per the terms and conditions of supply notified by the Licensees”.

As per the above condition the respondents are not entitled to levy capacitor surcharge @ 25 % on the monthly bill amount provided that during the inspection no capacitors are found or capacitors already installed are found damaged or having defect or ceased to function. But in the instant case the respondents have not produced the inspection notes and copy of the notice as contemplated in Appendix VIII (a) and VIII (b) of as GTCS approved by the Hon'ble APERC. Hence the respondents are not entitled to levy the capacitor surcharge.


5. In view of the above, respondents are directed to withdraw the capacitor surcharge if any levied on the complainant's service together with the belated payment surcharge thereon and compliance report within fifteen days from the date of receipt of this order.
6. Accordingly the complaint is disposed off.

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, the day of 28th May 2019.

Sd/- Sd/- Sd/- Sd/-
Member (Finance) Member (Technical) Independent Member Chairperson

Forwarded By Order



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.