

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

On this the 9th day of March' 2021

C.G.No:30/2020-21/ Anantapur Circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao
Sri. R.M.M. Baig
Sri Y.Sanjay Kumar
Sri. Dr. R. Surendra Kumar

Chairperson
Member (Finance)
Member (Technical)
Independent Member

Between

M/s. ATC Telecom infrastructure Pvt Ltd,
Sy.No.410/A,
Dharmavaram,
Anantapur -Dist

Complainant

AND

1.Assistant Accounts Officer/Dharmavaram
2.Deputy ExecutivEngineer/O/Dharmavaram
3.Executive Engineer/O/Anantapur

Respondents

ORDER

1. Gopaiah Aradala , Authorized signatory of the Complainant filed this complaint stating that complainant is a private limited company having local office at Vijayawada and they are providing passive tele -communication infrastructure to telecom operators across the country. They have obtained 900 services from the licensee for their licensed premises for supply of electric power for their telecom equipment. They have received additional load demand notice vide Case No. ATP/ATP-DRVM-AG1257 dt : 24.08.2018. They have objected for this order and submitted a letter to AE and ADE in the month of Nov' 18 for inspection of physical connected load of the service. The inspection was done and observed the load was within the contracted load. Meter was sent for testing and replaced new meter for observation on 30.11.2019 for 3 months, after 3 months observation MD recorded 13.7 KW only. Again they approached AE and ADE to revise the

DESPATCHED

DATE: 10/3/2021 C.G.No30/2020-21/Anantapur Circle

Page 1

demand notice. But they denied on the ground that it was an auto generated case. Hence the complaint.

2. Executive Engineer/O/Anantapur filed written submission stating that in response to the consumer complaint, he instructed to inspect the service and submit inspection report for the connected load in the premises. The inspecting officer submitted inspection report stating that an auto generated case was generated on 24.08.2018 for HSC No.7141202038608 Cat -2 service pertaining to D2 section for an additional load of 24.4 KW basing on the maximum demand recorded, while the contracted load is only 15 KW. A notice for additional load was served to the complainant and requested to regularize the additional load by paying necessary charges within 30 days. Contradicting with the additional load, complainant has requested for testing the meter and the meter was tested at test bench on 25.11.2019 and as per the test report the performance of the meter was declared to be satisfactory. But it was observed that the Real Time Clock (RTC) of the meter was showing 08.01.2015, 16.11 Hrs against IST 25.11.2019, 12.30 Hrs and concluded that the date and time of the meter was wrong. Hence the meter was replaced with a new meter on 25.11.2019 from the date of change of meter, the recoded MD did not exceeded 18.34 KW till to date. As per the inspecting officer the total connected load is 20.2 KW in the premises of the complainant. Based on the connected load Dy.EE/Dharmavaram has requested to modify the auto generated case by revising the maximum demand from 39.41 KW to 20.2 KW and issue final assessment order. Revised assessment notice will be sent to the complainant.
3. Additional submissions were filed by Executive Engineer stating that he requested CGM/O&M/Tirupati to provide authorization to revise maximum demand from 39.41 KW to 20.2 KW and to issue final assessment order. But CGM/O&M/Tirupati has stated that authorization for revising the auto generated case cannot be provided since in the LT meters test report, it was mentioned that only date and time are working and meter was not declared as defective.
4. Personal Hearing was conducted through video conferencing on 10.02.2021. Heard both parties.

5. Point for determination is whether additional load notice issued by the respondents on account of an auto generated case is sustainable ?

Respondents did not furnish any authority that licensee is empowered to issue additional load notice basing on recording of MD only that too by way of auto generated case without physically inspecting the premises. The relevant provision which authorizes a licensee to register a case for additional load is provided in Clause No.12.3.2 of GTCS which is as follows:

“If at any time the Maximum Demand of an HT consumer exceeds his Contracted Demand or LT consumer exceeds the Contracted Load without prior approval of the Company, the consumer shall be liable to compensate the Company for all damages occasioned to its equipment or machinery if any, by reason of this default, and shall also be liable to pay the charges payable by him on account of such increase in demand or load and penalty, as prescribed by the Commission from time to time, without prejudice to this right the Company may also cause the supply to consumer to be disconnected”.

- 6 In the result respondents are directed to revise the additional load notice from 39.4 KW to 20.2 KW and collect only for the additional load as per the procedure in vogue and issue revised order from the date of receipt of this order and submit compliance report within 15 days thereon.

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 09th March'2021.

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

Forwarded By Order

ICS Kesineni

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 (Chief General Manager (O&M)/ Operation)/ CGRF/ APSPDCL/ Tiruati.

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.