

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

On this the 12th day of March' 2021
C.G.No:65/2020-21/Kadapa 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

G. Siva Rani,
W/o. Madhusudan Reddy,
M/s. Sri Sai Sunanda Granites,,
1/380, Vinayak Nagar,
Yerraguntla, Proddatur,
Kadapa Dt.

Complainant

AND

1. Junior Accounts Officer/ ERO/Yerraguntla
2. Deputy Executive Engineer/O/Yerraguntla
3. Executive Engineer/O/ Proddatur

Respondents

* * *

ORDER

1. The case of the complainant is that they are having service connection vide ISC No.2234401007660 in the name of M/s. Sai Sunanda Granite factory in Yerraguntla Town. On 26.02.2020 when mechanic was called as to why motors are not running, electrician verified and informed that there is defect in the Distribution Transformer. Then immediately he contacted lineman and informed the same and in turn lineman informed that he will bring DTR mechanic and after 3 days they came inspected the DTR and informed that there is a defect in the DTR. On 07.03.2020 they have replaced the DTR and took away the old DTR with them. The Government of India imposed lock down on 21.03.2020 due to Covid-19. Hence from 22.03.2020 there was complete lock down of the factories and the movement of

DESPATCHED

DATE

12/3

people was also restricted. Only electricity for lighting purpose was provided from 23.03.2020. During lock down period they received a bill for Rs.1, 41,227/- on 06.04.2020. After receipt of the bill he immediately contacted the lineman and requested the lineman to disconnect the connection given for lighting purpose and on the next day, the service was disconnected. When he contacted ADE, he informed that he will ask ADE Metering to check the meter. He has not received such a huge bill for the last 2 years. After 5 days meter inspecting personnel came and inspected, when he inquired them, they represented that there is a problem in the laptop and they will again inspect. After 4 days when he contacted ADE, ADE informed that there is no defect in the meter. Later DTR mechanic came and informed that there is defect in the DTR and it has to be replaced. Meter reading was taken every day from 10.04.2020 to 30.04.2020 by AE/Yerraguntla and his team. The meter has shown reading of 820 units for 12 to 14 hours and on that he was informed that it was due to defect in the DTR. On 05.05.2020 brought new DTR and arranged and he received a bill for Rs.73,215/-. When he questioned how such a bill was raised when there was no electricity to the factory, AE and ADE represented that the reading taken on inspecting days will be written in the records and they also raised the bill for Rs.1,41,227/- on recorded consumption on 06.04.2020, and it was received due to DTR defect. In spite of his repeated requests the bills were not revised. On 14.07.2020 he was asked to pay an amount for testing of DTR and when he questioned as to why the DTR has to be tested after a long gap as already DTR was replaced, AE represented that his superior officers directed for inspection of the DTR. Hence he has taken a DD and sent it to AE, but AE asked to retain it stating that he will call for the DD. Subsequently the present ADE stated that this issue had arisen prior to his posting and he has to resolve it through his predecessor only. Only Rs.50,000/- amount was reduced from

the bill. Since ADE insisted for payment he paid Rs.85,000/-. Hence requested to inquire into the issue and revise the bill by withdrawing surcharge also.

2. Respondents filed joint written statement stating that service No.2234401007660 had been released in the name of G. Siva Rani M/s. Sri Sai Sunanda Granites, Yerraguntla on 04.07.2017 with a contracted load of 74 HP under Cat -III for the purpose of granite slab cutting and polishing. The complainant is running the industry and paying CC charges till March' 2020. There was a consumption of 20142 units for the month of March'2020 billed on 06.4.2020 and in accordance with the prevailing tariff orders for Rs.1,41,227/- had been issued to the consumer and for the month of April'2020 consumption of 10008 units is recorded on 05.05.2020 as per prevailing tariff order and a bill has been issued for Rs.73,215/-. Consumer has raised an objection on the ground that such consumption has not occurred during the earlier periods at any time and the industry was shut down due to the lock down of Covid-19. Dy. EE /O/Yerraguntla in consideration of the consumer objection and got tested the meter of the service by Dy. EE/HT < Meters-II on 22.04.2020 and reported that the functioning of the meter is perfect and satisfactory and he has also suspected that drawl of high no load currents of the DTR. Dy. EE/ O/Yerraguntla has got the DTR replaced with a new healthy DTR on 05.05.2020. The replaced DTR has been subjected to the test at SPM LAB/ Kadapa and Dy. EE/ SPM/Kadapa has given the report stating that the DTR load conditioning was drawn an apparent power (KVA) of 5.787 KVA vide Lr.No. DEE/SPM/KDP/F/D.No.534/20 Dt; 17.08.2020. The DTR in general expected to draw an apparent power of about 1.0 KVA. Therefore Dy.EE/ O/Yerraguntla in consideration of consumer request and in line with the test results of DTR has proposed for withdrawal of amount due to higher drawl of no load apparent power of 5.787 KVA for 24 Hrs and 58 days and suggested AAO/ERO/Yerraguntla for withdrawal of excess amount billed through his

Lr. No. DEE/O/YTL/F.D.No.972/20, Dt: 20.08.2020. AAO/ERO/Yerraguntla has arrived the amount of Rs.53,863/- and has withdrawn the amount through Credit RJ No.49/08-2020. Dy. EE /O/ Yerraguntla recommended for payment of due amount in installments. Consumer had paid Rs.1,10,000/- on 27.10.2020. The said action of consumer for payment indicates acceptance of withdrawal of amounts and revised bills. There is a recorded progressive consumption in all the months included the period of lock down. The consumption pattern of the service from Mar' 19 to July'20 is as follows:.

Month	Consumption		
	KWH	KVAH	P.F
03/2019 billed in 04/2019	2496	3289	0.7588
04/2019 billed in 05/2019	783	914	0.8566
05/2019 billed in 06/2019	1815	2287	0.7936
06/2019 billed in 07/2019	1856	2380	0.7798
07/2019 billed in 08/2019	1265	1758	0.7195
08/2019 billed in 09/2019	2363	2662	0.8876
09/2019 billed in 10/2019	2888	3212	0.8999
10/2019 billed in 11/2019	3626	4048	0.8957
11/2019 billed in 12/2019	3209	3733	0.8596
12/2019 billed in 01/2020	1291	1470	0.8782
01/2020 billed in 02/2020	2516	2944	0.8546
02/2020 billed in 03/2020	541	1059	0.5108
03/2020 billed in 04/2020	3724	20142	0.1848
04/2020 billed in 05/2020	427	10008	0.0426
05/2020 billed in 06/2020	1354	1552	0.8724
06/2020 billed in 07/2020	3084	3373	0.9143
07/2020 billed in 08/2020	1655	1706	0.9701

The above consumption pattern indicates the power factor of the service is not maintained from March'19 and it has decreased from the month of November'19. Hence the complaint may be dismissed.

- Complainant also filed an application restraining the respondents from disconnecting the service connection for non -payment of disputed amount and the Same was allowed on the

condition of ¼ of the disputed amount of Rs.41,150/- (1/4th of Rs.1,64,440/-) within 7 days from the date of receipt of the order and the supply shall not be disconnected during the pendency of the complaint before the forum for nonpayment of disputed bill as per orders in I.A . No.11/2020-21 Dt: 16.12.2020.

4. Personal hearing through videoconferencing was conducted on 23.12.2020. Heard complainant and Dy.EE/O/Yerraguntla. Subsequently respondents were directed to furnish MRI data, place of testing of DTR, reasons for abnormal consumption of KVAH reading during lock down period and capacitor particulars before and after lock down period and before and after replacement of DTR.
5. Accordingly the Respondent No. 3 submitted information stating that MRI data is not available for the disputed period as the metering equipment retains data for previous 45 days only and there is no practice of downloading and recording the MRI data for the LT services with HT metering in general.

The suspected DTR was tested at SPM/ KDP and by DEE/ SPM/KDP

Due to low power factor and lack of power factor management from consumer side.

Details of capacitor particulars before and after lock down period and before and after replacement of DTR which is as follows;

Capacitor Details before			Capacitor details After			
Serial. No	Make	Capacity	Serial No.	Make	Capacity	Year
85CO723	JAIVIC POWER CAPACITOR	5	28 06 E 20-072	JAIVIC POWER CAPACITOR	06	05/2020
Not visible	JAIVIC POWER CAPACITOR	5	26 05 F 18-021	JAIVIC POWER CAPACITOR	05	06/2018
-	-	-	06 05 B 20-188	JAIVIC POWER CAPACITOR	05	02/2020
-	-	-	29 2 D 07-056	JAIVIC POWER CAPACITOR	02	-
-	-	-	06 03 J 13 -057	JAIVIC POWER CAPACITOR	03	-
-	-	-	08 02 L 13-076	JAIVIC POWER CAPACITOR	2	-
-	-	-	5007-2	JAIVIC POWER CAPACITOR	5	-

6. Again personal hearing was conducted through video conferencing on 11.02.2021. On direction complainant filed statement enclosing 4 documents:

1. Application filed for information under RTI Act before DEE/O/Yerraguntla dt :02.01.2021

2. Photostat copy of demand draft taken in favour of EE/Transformer for an amount of Rs.1,180/- Dt: 15.07.2020
 3. Representation submitted by owners and lessee of factories stating that electricity was not given to their factories from 22.03.2020 to 02.06.2020 and
 4. Representation of the complainant to ADE Dt: 08.04.2020.
7. Point for determination is whether the CC bills for the months of April'2020 and May'2020 are liable to be revised?

According to the complainant, he received abnormal bills after replacement of failed DTR on 07.03.2020. The factory was closed due to lock down from 21.03.2020 proclaimed by the Government of India due to Covid-19. Power supply was also not given to the factories from 22.03.2020 to 02.06.2020. Again the transformer was replaced on 05.05.2020. The defective transformer was in service for one month and 28 days i.e. 58 days.

According to the respondents the failed DTR was tested at SPM Lab/Kadapa and DEE/SPM/Kadapa gave a test report stating that the DTR in 'No Load Condition' was drawing apparent power of 5.787 KVA. But the DTR is expected to draw an apparent power of about 1.0 KVA.

Respondents have not produced any information / data about the performance of failed DTR with complainant's load and voltages maintained at consumer premises. Respondents have not evaluated the actual defect in the DTR while taking high apparent power. The recorded consumption of KWH, KVAH and power factor of the service from 03/2019 is as under:

Month	Consumption		
	KWH	KVAH	P.F
03/2019 billed in 04/2019	2496	3289	0.7588
04/2019 billed in 05/2019	783	914	0.8566
05/2019 billed in 06/2019	1815	2287	0.7936
06/2019 billed in 07/2019	1856	2380	0.7798
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As seen from the above table it is noticed that average power factor recorded from August 2019 onwards is around greater than 0.85 and it has fallen abnormally low due to defective DTR during period Feb'2020 billed in March '2020, 03/2020 billed in April'2020 and April'2020 billed in 05/2020. The recorded power factor after replacement of DTR is found to be normal. Hence detection of units based on apparent KVA of the DTR is not justifiable.

In view of the above reasons it is concluded to bill the service based on average KVAH units as per Clause No. 7.3.6 of GTCS duly considering the functioning of industries during corona lock down period as per guidelines issued by the Government from time to time.

The consumption recorded during 09/2019 to 11/2019 are 3212, 4048 and 3733 units respectively. The average units for the above said 3 months is 3665 units $(3212+4048+3733/3)$ per month. The point answered accordingly.

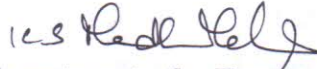
8. Respondents are directed to revise the bills with 3665 units per month for the period from February, March and April 2020 billed in the months of March to May'2020 respectively and adjust the excess amount already paid by the complainant including the amount paid by him as per the orders in I.A.No.11/2020-21/Kadapa Circle dt: 16.12.2020 by this forum if any towards future bills. Respondents are directed to submit the compliance report within 15 days from the date of this order.

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 12th March'2021.

Sd/- Sd/- Sd/- Sd/-
Member (Technical) Member (Finance) 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 (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.