

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

On this the 27th day of July' 2022
C.G.No.4 /2022-23/ Nellore circle

Present

Sri. Dr. A. Jagadeesh Chandra Rao
Sri. K. Ramamohan Rao
Sri. S.L. Anjani Kumar
Sri. Dr. R. Surendra Kumar

Chairperson
Member (Finance)
Member (Technical)
Independent Member

Between

A.Nagamma,

Complainant

Utukur Peddapalem (V),

Utukur (P),

Vidavalur (M),

Nellore Dt.

AND

1.Junior Accounts Officer/S-ERO/N.R.palem
2.Executive Engineer/O/Kavali
3. CGM/O&M/Tirupati

Respondents

ORDER

1. The case of the complainant is that licensee is entitled to collect only development charges for release of service to LT consumers as per Reg. 04/2013. But respondent had collected cost of DTR ₹1,86,823 instead of development charges for 48 HP at 900 per HP i.e. ₹.43,200. Hence requested to refund the difference of amount of ₹143,623. She also further stated that she has submitted an application on 30.03.2021, estimate was approved on 25.05.2021, amount was paid on 17.06.2021 and service was released on 24.09.2021.
2. Respondent No.2 filed written submissions stating that complainant applied for service connection to fish pond. The estimate for extension of 48 HP service for

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aqua culture was prepared and sanctioned vide sanction No. SDR/KVL/NP.No.37/2021-22 dt:25.05.2021 vide WBS No.E-2021-04-02-51-03-002 for an amount of ₹2,40,500. As per the revised guidelines of APSPDCL vide Memo No. CGM/O/ SPDCL/TPT/EE/C/F.Reg.4/D.No.100/21 Dt: 27.01.2021, service line charges has to be collected from the consumer as total cost of the estimate excluding the cost of metering equipment (₹2,59,070 as service line charges and ₹24,000 towards SD charges including DTR cost). Modification is done in SAP accordingly in SAP for collecting the service line charges from the prospective consumers. All the calculations regarding development charges , service line charges and security deposits is being done by SAP generated calculations only. There is no manual intervention and modification in SAP demand calculation which is fixed by SAP wing as per the guidelines are in vogue. Service line charges is collected as per the guidelines and SAP generated demand notice.

3. Respondent No.3 filed written submission stating that Hon'ble APERC issued guidelines vide Lr. No.APERC/Secy/F.No.S-19 (Vol.II) /D.No.694/21 Dt: 31.12.2021 stating that the consumers of LT services other than the Agriculture service whose contracted load exceeds 20 KW shall be provided with dedicated transformers on collecting full cost of transformer.

In all these six cases dedicated DTRs are erected as the load per service is 48 HP. Hence cost of DTR has been collected and there is no possibility to extend supply to another consumer.

4. Complainant sent a letter subsequently that Mr. K Gurrappa S/o. K. Narayana will represent her in the personal hearing.
5. Personal hearing was conducted through video conferencing on 08.06.2022. Mr. Gurrappa represented in this case and also in five other similar cases. In all these cases complainants are illiterate women. Hence complainants were directed to appear in the personal hearing and the matter was adjourned.

6. Again personal hearing was conducted through video conferencing on 15.07.2022. Complainant present for video conferencing from EE office Kavali. Heard complainant and Respondent No.2
7. The point for determination is whether respondents are empowered to collect cost of DTR for release of service of 48 HP for fish pond under LT category for SC. No. 3251311004026 when service was released on 24.09.2021?

According to respondent No. 2 they have collected cost of DTR as per the memo issued by CGM/O/SPDCL/TPT/EE/C/F.Reg.4/D/No.100/21 Dt: 27.01.2021.

According to Respondent. No. 3, Hon'ble APERC permitted the licensee to collect cost of DTR from LT consumers other than Agriculture services whose contracted load exceeded 20 KW as per the letter of Secretary /APERC dt:31.12.2021.

The Hon'ble APERC issued Reg. 6 of 2021 empowering the DISCOMS to collect cost of DTR from all the LT consumers other than agricultural consumers for release of services with a contracted load exceeding 20 KW by providing dedicated DTR. It was published in the gazette on 31.12.2021. Admittedly it is not mentioned in Regulation. 6 of 2021 that it will be applicable retrospectively. So it will be applicable from 31.12.2021 only and as a sequel respondents are entitled to collect cost of DTR from 31.12.2021 onwards only.

Respondents did not explain how respondent. No. 3 is empowered to issue a circular and collect the amount for release of service connections even prior to approval and sanction from the Hon'ble APERC and basing on such circular collect cost of DTR from LT consumers. Licensee is empowered to collect charges for release of service connections as permitted by the Hon'ble APERC. Officers of licensee are not expected to issue circulars, develop a

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.

To

The Complainant

The Respondents

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, SingareniBhavan, Red Hills, Lakdikapool, Hyderabad- 500 004.