

VIDYUT OMBUDSMAN TELANGANA STATE

O/o TSERC 11-4-660, 5th Floor, Singareni Bhavan, Red Hills, Hyderabad - 500004

Present: R. Damodar
Date: 25-04-2015
Appeal No. 08 of 2015

Between

Managing Director,
M/s Everest Organics Limited,
Aroor (V), Sadasivapet (M),
Medak Dist

....Appellant / Complainant

AND

1. The Assistant Divisional Engineer/Operation/Sadasivapet, TSSPDCL
2. The Senior Account Officer/Operation/Medak, TSSPDCL
3. The Divisional Engineer/Operation/Sangareddy, TSSPDCL, Medak Dist
4. The Superintending Engineer/LMRC, Corp. Office, TSSPDCL, HYD
5. The Superintending Engineer/Operation/Medak Circle, TSSPDCL

.... Respondents

APPEARANCE:

For Appellant : Sri SKS Raju.

Respondents: (1) Sri P. Karunakar babu DE/OP/Sangareddy.

(2) Smt. P. Manjula SAO/OP/Medak Circle.

(3) Sri. N. Prem Kumar/ADE/OP/Sadashivpet

AWARD

The Appeal is preferred aggrieved against the order dt 15-10-2014 of CGRF 1, TSSPDCL. Both filed written submission apart from advancing oral submissions.

The Appellant is a bulk drug manufacturing company With HT SC NO MDK-629 with contracted load of 750 KVA. The appellant claims that this 33KV HT service connection is tapped from 33 KV Munipalli Rural feeder emanating from 132/33 KV Sadasivapet Substation. This 33KV line also feeds 3 substation Kanakal, Tatipally and Aroor with agricultural loads. There was a severe power shortage during 20-12-2013 and to tide over the position ERC has imposed Restriction and control measures on

Discoms till they are relayed in August 2013. The power cut was, on an average 40% of CMD (contracted maximum demand) with certain Relaxation. The Respondents, without following instruction/-proceeding of ERC had levied irrational and illegal R&C penal charges as shown below:-

Billing Month	R&C Penal Charges(Rs)	Details Of Expensive Power Purchased	
		Units	Amount in (Rs)
12-Sep	1,13,524		
12-Oct	7,55,776		
12-Nov	32,14,674		
12-Dec	32,37,143		
13-Jan	39,71,855		
13-Feb	12,99,991	1,41,120	15,42,000
13-Mar	13,652,723	1,45,080	14,59,181
13-Apr	9,96,737	1,40,400	19,40,916
13-May	19,06,840	11,57,29.2	18,95,491
13-Jun	31,47,965	1,06,833.6	16,28,681
13-July	53,41,814		
13-Aug	19,52,817		
TOTAL	2,73,01,859	6,49,162.8	84,66,269

2. The Appellant Claims that during Feb 2013, the Hon'ble ERC had issued an amendment to R&C measures permitting industrial services existing an rural feeders subjected to load relief to use 100% CMD through out the month subject to the consumption limit specified therein. The supply of power to the Appellant was through a Rural feeder, there was almost daily load relief from Sadashivpet Substation and the local officials advised them to use power with 100% CMD as per ERC instruction irrespective of peak/off peak hours. The penal bills reverse raised several months later without proper notice to the appellant.

1. Against the R&C penal charges levied by the Respomdents, the Appellant present a complaint and on it basis CGRF registered CG NO.40/2014/Medak circle and after hearing both sides, passed the following order dt 15.10.2014 refusing any relief aggrieved, the Appellant preferred the present Appeal.

2. Appellant filed written version and whereas the Respondents filed a report in the matter.
3. Oral submissions heard . The Respondents claimed that as per the working instructions from TSSPDCL dt 02.02.2013, the services with 11KV supply being fed through 11KV rural feeders from 33/11KV Rural Substation are permitted *.
4. An effort at mediation remained a non starter and therefore the matter is taken up for disposal on merits.
5. The point for detrermination is whether the Respondents are justified with proper authority to impose R&C penalties on the appellant?
6. The appellant is being supplied energy through Munipalli Rural mixed 33/11KV feeder under HT 1 catagory to use 100% CMD. But the appellant has supply arrangements from 33 KV feeder and therefore, the appellant is not concered by the permission to use 100%CMD. The respondents further claimed that the appellant has been recieveing supply at the voltage of 33 KV for which the energy charges are RS-5.30 and whereas for 11KV voltage, the energy charges are RS-5.73 per unit and this benfit is being enjoyed by the appellant. The APERC had issued restriction and control measures wide proceedings dt 22.01.2013 for implimentation and clause 3 is as follows:-
7. In case of feeders which are subjected to load relief (LR) by discoms, the following restriction and control (R&C) measures shall be applicable.
8. HT-1, LT-111A and LT-111B:

100% contracted demand is permitted throughout the month and shall limit the energy consumption to the level of permitted consumption limit (PCL) mention below.

Permitted Demand Limits (PDL):

PDL for both peak and off peak=100%contracted maximum demand.

Permitted Consumption Limit (PCL)

PCL during the month=CMD* LF%*1(PF)*NO of peak hours in a month (600hrs)

11.The appellant has HT-1 connection and has been getting power from 33/11KV mixed rural feeder.The Respondents claim that as per the working instructions issued by the proceeding dt 22.01.2013 supra,The services having supply at 11.KV, which are being fed through 11 KV rural feeders from 33/11KV rural substation are permitted to use 100% CMD and since the appellant has supply arrangements from 33KV feeder,they are not entitled to the benfit by relaxation given by the proceeding dt 22.01.2013(supra).

12.The respondents represented that the energy supplied to the appellant has no schedule power cuts and when there is any problem with the distribution system,there would be power interruption and therfore the appellant is not entitled to the relief given by proceeding dt 22.01.2013 of APERC. The contention of the representative of the appellant that energy supply through 33/11 KV mixed Rural Substation was also subjected to load shedding appear to be not correct.The clause 3 of proceedings No APERC/Secy/02/2012-13 dt 22.01.2013 is quite clear in stating that only in case of feeders which are subjected to load relief (LR) by Discoms, the relaxation of 100% contracted demand permitted throughout the month is a clear pointer negating the claim of the appellant that these proceeding dt 22.01.2013 ate applicable.

13. The other claim of the respondents that the proceedings are applicable and relaxation is given only in case service is having supply at 11 KV which are being fed through 11KV rural feeders from 33/11 KV Rural Substation at permitted to use 100% CMD appears not correct even other wise, the discussion supra would show that the appellant is not entitled to the benefit under the proceedings of APERC dt 22.01.2013

This Order is corrected and Signed on this 25th day of April,2015

VIDYUT OMBUDSMAN

To
Managing Director,
M/s Everest Organics Limited,

Copy To

1.The Chairperson,Consumer Grievance Redressal Forum (Rural)
2.The Secretary, TSERC, Hyderabad