

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SCO NO. 220-221, SECTOR 34-A, CHANDIGARH

Petition No. 10 of 2019
(Suo-Motu)

Date of hearing:01.05.2019

Date of Order: 03.05.2019

In the matter of : Petition under section 142 of the Electricity Act, 2003 Regarding Non compliance of the order dated 28.02.2018 passed by the Commission in petition no. 47 of 2017 directing PSPCL to either replace all the Trivector ToD meters with LAG plus LEAD Tariff protocol procured against specification no. MQP-95 with LAG only tariff protocol ToD Trivector meters or change the tariff protocol of all the meters procured against MQP-95 from LAG plus LEAD Tariff protocol to LAG only Tariff protocol within three months from the date of issue of the order, further directing PSPCL to ensure that no consumer is charged extra for leading power factor recorded with LAG plus LEAD Tariff protocol meters and that the amounts already charged on account of leading power factor may be refunded to the consumers.

And

In the matter of: Punjab State Power Corporation Limited, The Mall, Patiala through its Chairman-cum-Managing Director.

Present: Ms. Kusumjit Sidhu, Chairperson
Sh. S.S.Sarna, Member

For PSPCL: Sh. Vinay Kumar, CE/Metering
Sh. HD Goel, CE/ARR
Sh. R.S Saini, Dy. CE, Mohali
Sh. JPS Trehan, Dy.CE/HMC
Sh. V.P.S Kailey SE/TR-2
Sh. Gurpreet Pal Singh, Sr.Xen/TR-5
Sh. G.S Sandhu, ASE, Mohali
Sh. Surinder Loomba, ASE/Metering, Patiala
Sh. Rattandeep Singh, ASE, Kharar

ORDER

During the hearing, officers of PSPCL submitted that all 3052 meters have been replaced with LAG only meters. It was further submitted that 150 Revised Bill Statements (RBS) for refund of the amount charged on the basis of LAG+LEAD protocol meters have been issued and refunds to 25 consumers have been made. The officers of PSPCL expressed regret for delay in the implementation of the orders of the Commission and assured that refund of all consumers will be made by June 2019.

The commission observed that PSPCL was directed vide Memo No.17/PSERC/DTJ-75A dated 06.04.2017 followed by Memo No.270 dated 09.05.2017 that till decision of the Commission on this issue, the status-quo regarding billing of consumers under kVAh Tariff regime existing prior to the installation of meters with changed specification should be maintained. Thereafter, the Commission vide Order dated 28.02.2018 in petition No.47 of 2017 issued the following directions to PSPCL:

- i. to either replace all LAG plus LEAD Tariff Protocol meters procured under specification MQP-95 with LAG only Tariff Protocol meters or change Tariff Protocol of all meters within three months from the date of issue of Order.
- ii. to ensure that no consumer is charged extra for leading power factor recorded with LAG plus Lead Tariff Protocol meters already installed on consumer premises and in such cases the power factor shall be taken as unity
- iii. the amounts charged on account of leading power factor should be refunded to consumers.

After going through the written and oral submissions of PSPCL, the Commission is satisfied that PSPCL, without any plausible reasons, has neither implemented the directions of the Commission nor sought approval of the Commission for extension in the time period for implementation of above directions and thus deserves to be proceeded against under section 142 of the Electricity Act, 2003. Accordingly, PSPCL is directed to supply the following information:

1. A copy of the instructions issued by the competent authority to the concerned officers regarding compliance of the orders of the Commission dated 6.4.2017, 09.05.2017 & 28.02.2018 to maintain status-quo regarding billing of consumers under kVAh Tariff regime existing prior to the installation of meters and to ensure that no consumer is charged extra for leading power factor recorded with LAG plus Lead Tariff Protocol meters be submitted. If no such instructions were issued then responsibility for the lapse may be fixed and the Commission informed. In case instructions were issued but were not implemented then a list of officers/officials who disobeyed the

instructions of PSPCL issued in compliance of the Commission's orders may be supplied to the Commission.

2. A copy of the instructions issued by the competent authority to the concerned officers regarding compliance of the orders of the Commission to refund the amounts charged on account of leading power factor from affected consumers. If no such instructions were issued then responsibility be fixed and the Commission informed. In case instructions were issued but were not implemented by concerned officers then a list of such delinquent officers/officials be submitted to the Commission.
3. PSPCL was directed to either replace the meters with LAG only Tariff Protocol meters or change Tariff Protocol of all meters within three months from the date of issue of Order i.e by 27.5.2018. The reply submitted by PSPCL shows that replacement of meters have been completed now. PSPCL should explain why approval of the Commission for relaxation in the time period for compliance of the directions as per law was not requested till Dec. 2018.

PSPCL may show cause as to why penal action should not be taken under section 142 of the Electricity Act, 2003 for willful disregard and disobedience of the orders of the Commission.

PSPCL shall submit the information/reply within 15 days and the petition will be taken up for hearing on 29.05.2019 at 11.00 A.M.

Sd/-
(S.S. Sarna)
Member

Sd/-
(Kusumjit Sidhu)
Chairperson

Chandigarh
Dated: 03.05.2019