

**Uttarakhand Power Corporation Ltd.**  
(A Govt. Of Uttarakhand Undertaking)  
V.C.V Gabar Singh Bhawan, Kanwali Road,  
Dehradun -248001  
Phone: 91-135-2763552 Fax: 91-135-2763839  
EPBX No-2763672-75



उत्तराखण्ड पावर कारपोरेशन लि०  
(उत्तराखण्ड सरकार का उपक्रम)  
बि०का०वि० गबर सिंह भवन, काँवली रोड,  
देहरादून - 248001  
दूरभाष:91-135-2763552 फ़ैक्स-91-135-2763839  
ई०पी०बी०एक्स०-2763672-75

Letter No. 2517 UPCL/Com/PM/D(F)

Dated: 15/07/2016

**BEFORE UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**

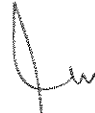
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**IN THE MATTER OF:** Application seeking removal of difficulty in implementing the Prepaid metering system provided in Tariff Order for FY 2016-17 dated 05 April 2016 and accordingly modifications and deviations in provisions of the said order.

**IN THE MATTER OF:** **UTTARAKHAND POWER CORPORATION LTD. V.C.V. GABAR SINGH BHAWAN KANWALI ROAD, DEHRADUN.**

...Applicant

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(M.A. Khan)  
Director (Finance)

File No. ....

Case No .....

**BEFORE UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**

**IN THE MATTER OF:** Application seeking removal of difficulty in implementing the Prepaid metering system provided in Tariff Order for FY 2016-17 dated 05 April 2016 and accordingly modifications and deviations in provisions of the said order.

**AND**

**IN THE MATTER OF:** Uttarakhand Power Corporation Limited.

(Applicant)

The humble Applicant most respectfully Showeth:

**1. Specific Legal Provision under which Petition is being filed:**

That, the petition is being filed under Regulation 104 of MYT, 2015 (Powers to remove difficulties), Regulation 105 of MYT, 2015 (Power to Amend), Clause 61 of CBR, 2014 (Power to remove difficulties) and Clause 59 of CBR, 2014 (Inherent Power of the Commission).

**2. Jurisdiction**

The petitioner is the sole distribution licensee in the state of Uttarakhand, having its registered office at Dehradun hence the present petition is within the jurisdiction of the Hon'ble Commission.

**3. Limitation:**

That, no limitation has been specified for filing of such application before the Hon'ble Commission.



4. **Facts of the case:**

That, the following are the facts of the case:

- (i) That UPCL had filed a Business plan and Multi Year tariff petition for the Control Period of FY 2016-17 in accordance with the MYT Regulations, 2015 upon which Hon'ble Commission had passed an order on dated 05 April, 2016.
- (ii) That UPCL had proposed a separate design of tariff for Prepaid Consumers and had also requested for applicability of certain general conditions of tariff and some specific provisions in certain categories in some different way so that the same may be executed in consonance with the principle and working methodology of the prepaid system.
- (iii) That Hon'ble UERC vide their Order dated 05.04.2016 has provided for relevant variations specific to prepaid system but certain difficulty would arise upon the implementation which are mentioned herein below. Further as Prepaid Metering works on the principle of simultaneous deduction of charges as per consumption of electricity and any retrospective effect cannot be adjusted. It appears therefore from laid down variations that the same also not go well with the philosophy of prepaid metering:
- (iv) Following are the difficulty posed by declared tariff that obstructs in implementing the prepaid system:
  - a. That for domestic consumers having load upto 2 kW and are using some portion of the premises for non-domestic purposes there is a restriction upto consumption of 200 units per month and in case the limit exceeds the total consumption of the month including first 200 units shall be charged in Non Domestic Consumers category which means retrospective correction of both the Energy Charges as well as the Fixed Charges will be inevitable.
  - b. That in Non Domestic Category where the Small Non Domestic Consumers with connected load upto 4 kW and consumption upto 50 units per month are allowed lower energy charges poses problems as the consumption exceeds 50 units. Though fixed charges are same and increase in energy charges can be taken care of but only for the upcoming units and not for the already consumed units.



- c. That in Other Domestic Consumers category the consumption based slab wise fixed charges were introduced for the first time in Tariff Order of FY 2015-16 and the same followed in the Tariff Order for FY 2016-17 as well. As the consumption moves from one slab to another slab an increase in fixed charge is required to be deducted but the same will pose challenge, as per day deduction will again be required to be adjusted. Alternatively if the increase is tried to be adjusted on per unit basis then few units after every slab needs to be priced at higher rates and for eight such slabs this adjustment will cause quite a many per unit rates. Even the meters have some limitation onto how many different slabs in per unit rates it can adjust. Further, more importantly it does not gel with the spirit of Prepaid metering system.
- d. That in case of switching of Postpaid Consumer to Prepaid Consumer, any arrear is a cause of concern as the prepaid system provides recovery of same through recharges, only as a percentage of recharge and this limitation may affect the recovery of arrears as a whole.
- e. That different maximum recharge limits for single phase and three phase meters will cause unnecessary confusion and it can be avoided.
- f. Since, prepaid system can allow only a fix amount of deduction on per day basis against solar rebate the system cannot cope up with the cases where billed amount is less than the maximum allowed solar rebate and the billed amount restricts the solar rebate upto the billed amount itself.
- g. That time restriction on recharge value may cause trouble for the consumer and hence this deterrent can be avoided.
- h. That managing the data like reading, monthly consumption, maximum demand, change of tariff etc would definitely be a difficult task as prepaid system presented a relaxed approach in sending a meter reader on monthly basis to the consumer premises, which infact is one of the advantages of the prepaid system, but to collect the data some reasonable method should be there.



- i. Seasonal industries tariff is very difficult to be implemented in its original form as there are many conditional parameters in it.
- j. Pass suitable orders for implementation of the tariff proposals for FY 2016-17 for making it applicable from October 01, 2016 onwards.
- k. Condone delay in filing of same as the problems faced in implementation appear when the tariff and its conditions are tried to be configured.

**Proposed Changes:**

Some of the key alterations from prepaid guiding principles approved by Hon'ble UERC in Tariff Order of FY 2016-17, relaxations in General Conditions of supply and new provisions proposed by the Petitioner are as follows:

- a. Petitioner proposes that the consumption based fixed charges should be done away with for the prepaid mechanism and rather the contracted load wise fixed charges, that should remain constant for a given contracted load, should be adopted.
- b. Petitioner proposes a deviation from the guiding principles and modification in Tariff Order for FY 2016-17 and humbly requested to restrict the transfer of post paid connection to prepaid connection in case consumer has any pending arrear liability.
- c. Petitioner proposes that prepaid metering option shall not be allowed for special categories like Non Domestic consumers having contracted load upto 4 kW and consumption upto 50 units per month and domestic consumers who have contracted load upto 2 kW and some premises of Consumer is used for Non Domestic purpose.
- d. Petitioner proposes that solar rebate adjustments applicable to consumer during usage of certain recharge be adjusted only after completion of those months and that too after next to next recharge be fed / configured in the meter. This condition is requested as the actual solar rebate due, can only be calculated once the actual consumption of the consumer be made available to the licensee and for that it is considered that the data



be made available to the licensee on the next recharge and hence after the calculations its effect / rebate can only be passed on consequent recharge.

- e. Petitioner proposes that it should be made mandatory that any recharge should be allowed only when the 20 digit special meter reading code, available at all times in meter and changes once in a month, be made available until and unless there will be some defect in the meter or licensee seems deviation necessary. This provision is requested as the said 20 digit meter reading code actually provides certain key data of the meter like consumption and remaining balance.
- f. That considering the operational issues, Petitioner proposes that the maximum limit of recharge should be Rs. 15,000/- irrespective of being single phase or three phase connection. Further Petitioner proposes that Petitioner should be given liberty to generate recharge of any amount in cases of testing of meter, adjustment of arrear or otherwise and any other reason petitioner deems fit.
- g. Considering the comfort and hassle free service to consumers, Petitioner proposes that the time validity of recharge should be unlimited and there should be no restriction on that. Further it would be helpful in cases where consumers left the installation / premises unattended for more than 6 months.
- h. Petitioner proposes that prepaid metering option shall not be allowed for Seasonal industries due to complexity in tariff and several conditional parameters.
- i. Petitioner proposes that prepaid metering option shall be made mandatory for the Government connections upto 25 kW load under different applicable categories.

**5. Cause of Action:**

Tariff Order dated 05 April 2016 whereby prepaid system is also required to be implemented in most of the categories upto 25 kW. Cause of action for filing this petition arises as there is difficulty in implementation of the prepaid scheme as laid down by the Hon'ble Commission.



**6. Grounds for Relief:**

In view of the difficulties in implementation of prepaid metering system mentioned in facts of cases above and as per powers lie with Hon'ble Commission through Electricity Act, 2003 and as per provisions in Regulations 104 and 105 of MYT Regulations, 2015 and as per Clause 59 and 61 of CBR, 2014.

**7. Details of Remedies Exhausted**

As the Hon'ble Commission is the Appropriate Authority to consider the matter, no remedies has been sought from any other Forum /Court/ Authority etc.

**8. Matter not previously filed for pending with any other court**

As the Hon'ble Commission is the Appropriate Authority to consider the matter, the application is being filed only before the Hon'ble Commission and no other application is pending in the matter with any other Court.

**9. Relief Sought:**

That, in facts and circumstances setout hereinabove, it is respectfully prayed that the Hon'ble Commission may under its inherent powers, graciously be pleased to:-

- (i) Admit the petition for removal of difficulty and modifications thereupon in tariff order issued on dated 05 April, 2016 for retail distribution tariff of FY 2016-17;
- (ii) Approve the changes in retail prepaid tariffs as proposed at Serial no. 4.
- (iii) Grant suitable opportunity to the applicant within a reasonable time frame to file additional material information that may be subsequently available and as may be required by the Hon'ble Commission;
- (iv) Approve the terms and conditions of tariffs and various matters as proposed in the Petition.
- (v) Condone any inadvertent omissions/errors/shortcomings and permit Petitioner to add/change/modify/alter this filing and make further submissions as may be required at future date.



(vi) Pass orders, as the Hon'ble Commission may deem fit and proper keeping in view the facts and circumstances of the case.

**10. Interim Order, if any, prayed for:**

No prayer for interim order has been made.

**11. Details of Index**

Sl.No	Particulars	Annexure	Page No.
1	Nil		


**12. Particulars of fee remitted:**

As regards deposit of fee with the petition, it is submitted before the Hon'ble Commission that Demand Draft no. 166289 dated 15-07-2016 of Rs. 10,000/- as requisite fee as per clause 4(a) of Part A of UERC (Fees and Fines) (First Amendment) Regulations, 2012.

**13. List of Enclosures**


1. Supporting Affidavit.
2. Demand Draft no. 166289 dated 15-07-2016 of Rs. 10,000/-

For and on an behalf of  
Uttarakhand Power Corporation Ltd.

  
(M.A. Khan)  
Director (Finance)

**VERIFICATION**

I, M.A. Khan, S/o Shri Khan Mohammad, aged about 58 years, working as Director (Finance), V.C.V. Gabar Singh Bhawan, Dehradun do hereby verify that the contents of paras 1 to 13 are derived from official records, which are true to my personal knowledge and that I have not suppressed any material fact.

Deponent  
  
(M.A. Khan)  
Director (Finance)  
Uttarakhand Power Corporation Limited



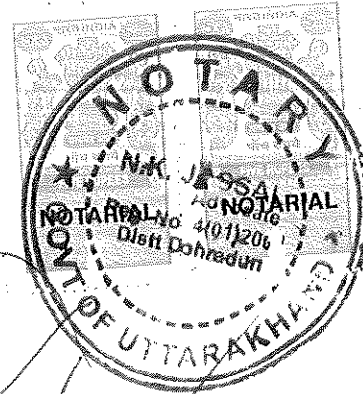
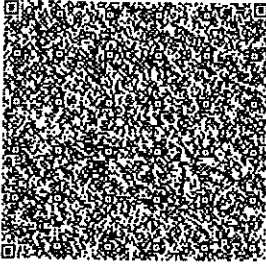


सत्यमेव जयते

# INDIA NON JUDICIAL Government of Uttarakhand

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**In the matter of:** Application seeking removal of difficulty in implementing the Prepaid metering system provided in Tariff Order for FY 2016-17 dated 05 April 2016 and accordingly modifications and deviations in provisions of the said order.

**And**

**In the matter of:** Uttarakhand Power Corporation Limited.

### AFFIDAVIT VERIFYING THE PETITION

I, M.A. Khan, S/o Shri Khan Mohammad, aged about 58 years, working as Director (Finance), V.C.V. Gabar Singh Bhawan, Dehradun, the deponent named above do hereby solemnly affirm and state on oath as under:

1. That the deponent is the Director (Finance) of Uttarakhand Power Corporation Limited who is acquainted with the facts deposed to below.
2. I, the deponent named above do hereby verify that the contents of the paragraph No.-1 of the affidavit and those of the paragraph No.- 1 to 13 of the accompanying petition are based on the perusal of records which I believe to be true and verify that no part of this affidavit is false and nothing material has been concealed.

Deponent

(M.A. Khan)

Director (Finance)

Uttarakhand Power Corporation Limited

#### Statutory Alert:

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I, ....., Advocate, do hereby declare that the person making this affidavit is known to me through the perusal of records and I am satisfied that he is the same person alleging to be deponent himself.

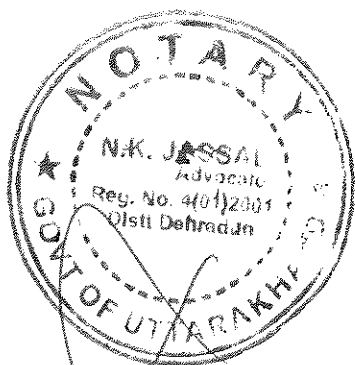
*N. K. Jassal*  
N. K. Jassal  
Advocate

Solemnly affirmed before me on this 15 day of July, 2016 by the deponent who has been identified by the aforesaid advocate.

I have satisfied myself by examining the deponent that he understood the contents of the affidavit which has been read over and explained to him. He has also been explained about section 193 of Indian Penal Code that whoever intentionally gives false evidence in any of the proceedings of the Commission or fabricates evidence for purpose of being used in any of the proceedings shall be liable for punishment as per law.

*[Signature]*

(Notary Public)



THIS affidavit is sworn before me by  
Shri. *M. K. Jassal*  
who is identified by Shri. ....  
of Dehradun on .....

*N. K. JASSAL*  
Advocate & NOTARY Dehradun  
*[Signature]*  
15/7/16