

Before

UTTARANCHAL ELECTRICITY REGULATORY COMMISSION

Misc. Application No. 36/2004.

Dr. S.P.S. Rawat

Vs.

Uttaranchal Power Corporation Ltd.

In the matter of:

Recovery of charges exceeding the tariff for domestic consumers.

Coram

Sri Divakar Dev Chairman

Date of Order 9th February 2004

INTERIM ORDER

It has been brought to Commission's notice that the rates prescribed for billing of consumers whose meters are reported or have been found to be defective are being levied month after month on large number of consumers who have been sanctioned metered connections but whose meters have never been installed. Notice was accordingly given to the licensee for filing the factual position before the Commission on 09.02.2004. The licensee instead has requested for one months time for filing its

submissions. The Commission while accepting the licensee's request for time has passed this Interim Order for dealing with such cases.

2. Commission's tariff order dated 08.09.2003 prescribes the rates chargeable from consumers whose meters are defective. It has been envisaged therein that in such cases billing will be done on the basis of average consumption of past three billing cycles immediately preceding the meter being found defective or the normative consumption stated therein, whichever is higher. The intention of this provision was that during the period between the meter being found defective and its replacement by the licensee, the consumer should be asked to pay charges as near as possible to his likely consumption. The underlying presumption was that the licensee would take action to replace the defective meter within reasonable time. It has now been brought to Commission's notice that in some cases action for replacement of defective meters is not being taken promptly and defective meter charges continue to be realized from consumers for unacceptably long time.

3. With a view to curbing any misuse of the above provision of the tariff order, it is hereby directed that the licensee will take action for replacing the defective meter on priority basis and in no case should a defective meter continue to await replacement for more than three months. Correspondingly the charges for defective meters prescribed in the tariff order dated 08.09.2003 will be leviable for a maximum period of three months only during which time the licensee is expected to have replaced the defective meter. If the licensee fails to do so for some reason, there is no reason why the consumer should be unduly burdened for licensee's inaction. The charges leviable on such consumers will therefore be the charges applicable to un-metered consumers of that category or the average

consumption of the past three billing cycles immediately preceding the date of the meter being found or being reported defective, whichever is higher.

(DIVAKAR DEV)
CHAIRMAN