

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 August 2004

ORDER

A petition was filed by Dr S.P.S Rawat on 03.02.2004, in the matter of excess recovery of charges from consumers whose meters are reported or have been found defective. Notice was accordingly given to the licensee for filing the factual position before the Commission on 09.02.2004. The licensee made a request for one month's time for filing its submissions. The Commission while accepting the licensee's request for time, had passed an Interim Order on 09.02.2004 for dealing with such cases, copy of which was sent to Uttaranchal Power Corporation Limited vide its letter 68/UERC/UPCL dated 09.02.2004.

2. In its Interim order, the Commission directed the licensee for taking action for replacing the defective meter on priority basis and to charge such consumers

the rates prescribed in the tariff order dated 08.09.2003 for defective meters for a maximum period of three months only, during which time the licensee was directed to replace the defective meters. If the licensee fails to do so, the charges leviable on such consumers would 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.

3. After passing the interim order, the Commission had fixed a hearing on 15.03.2004, for providing an opportunity to the petitioner and the respondent for placing their view point before the Commission. Subsequently, the Commission was also informed by the Corporation that compliance of the direction of the Commission was made by them by notifying an Order on 18.03.2004 by the Corporation.

4. In order to take the final view on the petition, the Commission had fixed a hearing on 09.08.2004.

5. Uttaranchal Power Corporation Limited has submitted that while it is complying with the directions given in the Interim Order dated 09-02-2004, the Commission may slightly amend the same. The amendment sought is that "In case of licensee failing to replace the defective meters within three months, the charges leviable on such consumers should be those 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, or the monthly minimum charge prescribed in the tariff, whichever is higher."

6. The Commission has considered the petitioner's request and accepted the above submission and its interim order dated 09.02.2004 will be amended to the extent indicated above and is hereby made final.

7. The petition is accordingly disposed off.

(Divakar Dev)
Chairman