

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

Order

Date of Order: 01.04.2008

Uttarakhand Power Corporation Limited (UPCL), the sole distribution licensee in the State, is required to implement the retail tariffs determined by this Commission under section 62 of Electricity Act, 2003 read with clause-4 of the Distribution and Retail Supply Licence issued to UPCL. Retail tariffs determined through its order dated 12.07.2006 were applicable in the State w.e.f. 01.04.2006 till 29.02.2008.

Whereas, during the month of February, it was brought to Commission's notice that UPCL has imposed penalty for excess usage of energy by certain industries during the period of power cut/restrictions, applicable for the period of 31.12.2007 to 15.02.2008, without giving any detail or basis for imposing this penalty. Pending detailed examination of this issue, in order to obviate consumers' difficulties in clearing payment of bills, the Commission through its letter no. 1131/UERC/08 dated 22.02.2008 directed the licensee to accept payment of all such bills issued for the months of December 2007 onwards without penalty and not to disconnect the consumers on this account till a final view is taken by the Commission.

Whereas, taking cognizance of the issue, the Commission issued a public notice on 28.03.2008 in local newspapers for seeking comments/representations from other affected industrial consumers latest by 15.04.2008.

Whereas, considering the criticality of the issue, the Commission as a test check analysed the bills for HT & LT industrial consumers of Dehradun Rural and HT industry consumers of Kashipur divisions for January 2008. The Commission discovered that not only the complaints regarding incorrect /unsubstantiated billing of penalty were prima facie correct for large number of consumers but also there were serious violations in application of tariffs approved by the Commission. Some of these are listed below:

1. Where consumers have not opted for continuous supply during restricted period penalty for exceeding the allowed Demand (kVA) limit, has not been applied in certain cases.
2. There have been evading instances of peak hour violation penalty by allowing continuous supply to industries from back date and at field levels without giving any supporting document for delegation of authority for doing so.
3. For certain consumer's penalty has been applied without proper analysis of load survey.
4. 20% higher charges for continuous supply have either not been applied on certain consumers or have been applied for incorrect period.
5. Rate of Energy Charges being applied is different from the approved tariff for continuous supply of power for certain consumers.
6. Excess Demand Charges for exceeding the contracted demand have been wrongly applied in certain cases.

Whereas, all the above instances establish that not only there have been violations of Commission's orders but also uniformity is not being observed for implementation of above orders of the Commission at the field level.

Now, the Commission has decided to initiate *suo-moto* proceedings to examine this matter in detail and to take a final view based on comments/submissions of affected parties. Before taking a final view in the matter, in order to correctly gauge the extent and types of violations, the Commission has decided to get billing details for the months of November 2007 to February 2008 of industrial consumers above 25 BHP investigated u/s 128 of the Electricity Act, 2003. The Commission hereby orders that this detailed investigation shall be carried out by a Committee comprising of following personnel/firm:

1. Shri H.M. Singh, Retired DGM, UPCL
2. M/s. Gaurav Goyal & Company

UPCL, the distribution and retail supply licensee, is accordingly directed to make the following information available to the Commission for all LT & HT industrial consumers above 25 BHP load:

1. Photo copies of bills
2. Load Survey
3. Full MRI report in soft form alongwith the software for its retrieval

The above information should be sent to the Commission division-wise within one week's time starting from 01.04.2008. The information should be forwarded for each division as soon as it is made available by field units to the headquarters of the licensee. The information supplied by the licensee shall be transferred to the above Committee for investigation. The licensee is directed to issue necessary instructions to concerned officers/staff and Shri H.M. Singh, presently working as advisor to the licensee, to facilitate timely implementation of above directions.

V.K. Khanna
Member

V.J. Talwar
Chairman