



Registrar

National Electric Power Regulatory Authority

Islamic Republic of Pakistan

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No. TCD-01/841-43 -2013

6-2-2013

Mr. S. Karamat Ali Rizvi
Project Director, Energy Monitoring Cell (EMC)
Finance Department, Government of Khyber Pakhtunkhwa
2nd Floor, Benevolent Fund Building,
Saddar Road, Peshawar Cantt.

Subject:

**DECISION OF THE AUTHORITY IN THE MATTER OF REVIEW MOTION
FILED BY S. KARAMAT ALI RIZVI AGAINST THE DECISION PASSED
BY MEMBER (CONSUMER AFFAIRS) WITH RESPECT TO COMPLAINT
FILED BY S. KARAMAT ALI RIZVI UNDER SECTION 39 OF THE NEPRA
ACT AGAINST PESCO REGARDING PAYMENT OF COST OF BURNT
METERS**

Complaint # PESCO-180/2011

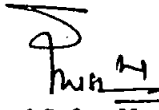
Enclosed please find herewith decision of the Authority in the subject matter for necessary action and compliance.

— Sd —
(Syed Safeer Hussain)

Copy to:

1. Chief Executive Officer
Peshawar Electric Supply Company (PESCO)
WAPDA House, Sakhi Chashma Shami Road, Peshawar
2. C.E./Customer Services Director
Peshawar Electric Supply Company (PESCO)
WAPDA House, Sakhi Chashma Shami Road, Peshawar

6-2-2013


(Syed Safeer Hussain)

Consumer Affairs Division
By No. 1373
Date: 07/12/13



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No: PESCO.180-2011

S. Karamat Ali Rizvi,
Project Director, Energy Monitoring Cell,
Finance Department,
Government of Khyber Pakhtunkhwa.

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Petitioner

Versus

Peshawar Electric Supply Company Ltd.
WAPDA House, Sakhi Chashma Shami Road
Peshawar.

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Respondent

Present:

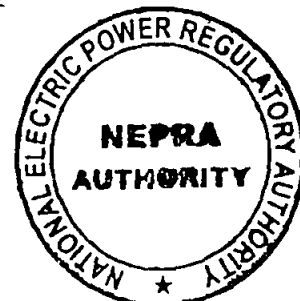
1) Mr. Habibullah Khilji	Chairman
2) Mr. Shaukat Ali Kundi	Member
3) Major(R) Haroon Rashid	Member
4) Khawaja Muhammad Naeem	Member

Subject:

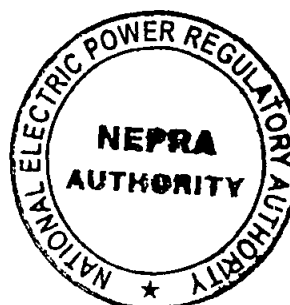
**DECISION OF THE AUTHORITY IN THE MATTER OF REVIEW MOTION
FILED BY S. KARAMAT ALI RIZVI AGAINST THE DECISION PASSED BY
MEMBER (CONSUMER AFFAIRS) WITH RESPECT TO COMPLAINT FILED
BY S. KARAMAT ALI RIZVI UNDER SECTION 39 OF THE REGULATION OF
GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC
POWER ACT, 1997 AGAINST PESCO REGARDING PAYMENT OF COST OF
BURNT METERS**

DECISION

1. This decision shall dispose of the review motion dated October 18, 2012 filed by S. Karamat Ali Rizvi, Project Director (Energy Monitoring Cell) Finance Department (hereinafter referred to as 'Petitioner'), against the decision of Member (Consumer Affairs) in the matter of complaint of the petitioner against Peshawar Electric Supply Company (hereinafter referred to as 'PESCO' or 'Respondent') filed with NEPRA under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997.




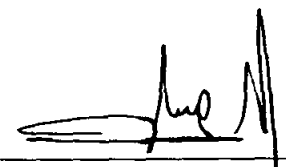
2. The brief facts of the case are that the NEPRA received a complaint dated August 25, 2011 from the Petitioner wherein it was stated that whenever a meter got burnt on the consumer premises, PESCO did not replace the same and issued demand notice to the consumer to bear the cost of meter, without any investigation to ascertain the actual cause of damage which was against the justice. XEN PESCO, Swat demanded for payment of cost of burnt meters from Public Health Engineering (PHE) Department, Government of Khyber Pakhtunkhwa in four connections bearing Reference Numbers 19-6523-0139670, 19-6523-0009500, 19-6527-2864407 and 19-6527-0409802 without investigating the cause of damage. The Petitioner relied upon circular No. 2693-700/GMO/CEHQ/SB dated March 22, 2012 of GM (Operation) WAPDA Lahore wherein it was stated that the cost for burnt meter shall not be recovered if the meter is installed out-side the premises and such meters will be replaced and charged to operating budget. In the instant case, the meters were installed outside the premises. The three phase meters designed to bear the load current of 100 amperes and above safely and can withstand 50 kW load (70 HP motive) and in the instant four cases the maximum load of each water pump is 26 kW against rated capacity of 100 kW. The Petitioner further submitted that due to load shedding after intervals of one or two hours, the connections could not be operated for long durations and thus chances of overheating of meter coils with small loads and short duration of operation is remote. In fact, the meters seem to be of sub-standard and under-sized than the rated capacity. The Petitioner prayed that PESCO be directed to replace the damaged meters free of cost without any further delay and the estimated billing carried out by PESCO be revised on the basis of new meters.
3. The complaint was sent to the PESCO for a detailed report. In response, PESCO reported that all damaged meters have been replaced without collecting cost of meters. The meters were damaged on part of PHE Department due to installation of sub-standard voltage stabilizers. As per expert opinion:- "Due to initial rush of current of motive load of the motors, the switching surges and transients generate high voltage pulse which cannot be tolerated by the measuring equipment (meters) in the circuit and as a result the meters got damaged/burnt". PESCO further submitted that in low voltage areas usually consumers use voltage stabilizer/ voltage regulator for improvement of voltage while on source side the current highly exceeds which also causes damage to the distribution system including meters. PESCO further stated that six meters were damaged only on one account number and after removal of stabilizers there is no damage of energy meters. So the demand for cost of replacement of burnt meters is genuine.
4. The report of PESCO was sent to the Petitioner for information/comments. In response, the Petitioner vide his letter dated February 06, 2012 made some observations on the report of PESCO and stated that PESCO is responsible to maintain the system voltage within the prescribed limits and due to low voltage PHE department incurred heavy expenditure for the purchase of voltage stabilizers and other voltage improving equipment. PESCO had attributed the cause of damage of meters to switching surges and transients causing high voltage and initial rush of current by motive load of motors. On switching the load, the surge initially travels towards the load and not towards the source. After getting damped it travels towards the source and this phenomenon of oscillation and damping continues till it is totally subsidized in milliseconds. According to the Petitioner, PESCO experts have neither physically checked nor theoretically calculated the surge level and its time duration. PESCO has also not intimated the standards and specifications of the meters and their capability to withstand the maximum voltage and rush of current and time limit to withstand the voltage surge. The Petitioner remarked that PESCO's report was one sided as the Petitioner was not associated in the investigation. A number of voltage stabilizers are installed on the tube wells in the areas of low voltage but not a single example of burnt meter has been quoted. The Petitioner again prayed that PESCO be directed to replace the burnt meters without cost, associate the technical experts from the Provincial Government in the investigation and maintain supply voltage within the prescribed limits.

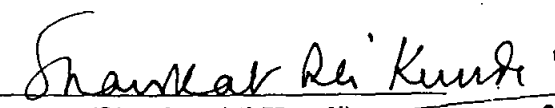


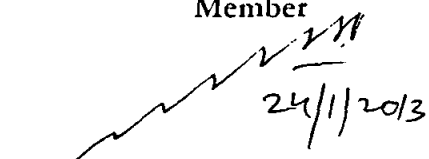
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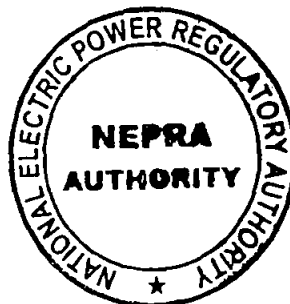
5. After receipt of rejoinder from the Petitioner, the matter was again taken up with PESCO vide letter dated February 21, 2012 for provision of information with respect to MDI readings, sanctioned/connected load and voltage level in the area. The required information was provided by PESCO.
6. A hearing into the matter was held on June 08, 2012 at NEPRA Islamabad which was attended by both the parties. During the hearing, the Petitioner reiterated its earlier version whereas PESCO representatives pleaded that the consumer had illegally extended the load which resulted in burning of meters. Had it been PESCO system voltage problem it would have also damaged many other meters in Swat valley. According to PESCO, causes for burning of meters are extension in load and faulty/sub-standard voltage stabilizers. The MDI reading provided by PESCO was sent to the Petitioner for comments but there was no response.
7. The case was examined in light of documents provided by both the parties and arguments made during the hearing. It was noticed that the consumer extended its load beyond the sanctioned load. Moreover, the Petitioner could not provide any evidence to establish that the meters got damaged due to voltage fluctuation or any other reason on the part of PESCO. On the contrary, the PESCO proved that the load has been extended by the Petitioner without approval. Accordingly, Member (Consumer Affairs) decided the matter on October 5, 2012 whereby PESCO was directed to replace the damaged/burnt meters after recovery of the cost from the Petitioner. The bills for the period of defective meters be charged as per provisions of Consumer Service Manual.
8. The Petitioner being aggrieved with the impugned decision filed the review motion dated October 18, 2012. The Authority considered the review motion and decided that in terms of Regulation 3(2) of the NEPRA (Review Procedure) Regulations, 2009, a motion seeking review of any order of the Authority is competent only upon discovery of new and important matter of evidence or on account of some mistake or error apparent on the face of record. The perusal of the decision sought to be reviewed clearly indicates that all material facts and representation made were examined in detail and there is no occasion to amend the impugned decision.
9. From what has been discussed above, the Authority is of the considered view that no error inviting indulgence as admissible in law has been pleaded out. Therefore, the Authority is convinced that the review would not result in the withdrawal or modification of the decision. Hence the motion for review is declined and the decision dated October 05 2012 of Member (Consumer Affairs) is upheld.

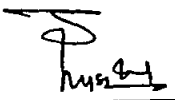

(Maj (R) Haroon Rashid)
Member


(Khawaja Muhammad Naeem)
Member


(Shaukat Ali Kundi)
Member
23.01.13


(Habibullah Khilji)
Chairman
24/1/2013




22.13