



Registrar

National Electric Power Regulatory Authority Islamic Republic of Pakistan

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No. NEPRA/DG(CAD)/TCD 01/27751-54

June 1, 2021

Chief Executive Officer
Peshawar Electric Supply Company (PESCO)
WAPDA House, Sakhi Chasma,
Shami Road, Peshawar.

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY M/S SARHAD RURAL SUPPORT PROGRAMME (SRSP) AGAINST PESCO REFERRED BY THE WAFAQI MOHTASIB (OMBUDSMAN)'S SECRETARIAT REGARDING UNJUSTIFIED BILLING (AC # 43 26216 0097500)

Please find enclosed herewith the Decision of the Member (Consumer Affairs) dated 31.05.2021 (03 Pages) regarding the subject matter for necessary action and compliance within thirty (30) days, please.

Encl: As above

1/6/21
(Iftikhar Ali Khan)
Director
Registrar Office

Copy to:

1. Chief Commercial Officer,
PESCO Head Quarters,
Peshawar Electric Supply Company (PESCO)
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
2. Incharge Complaint Cell,
PESCO Head Quarters,
Peshawar Electric Supply Company (PESCO)
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
3. Coordinator -Public Liaison
M/S Sarhad Rural Support Programme
Plot No. 14, Sector E-8, Phase 7,
Hayatabad, Peshawar.
Ph: 03005919103



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. PESCO-40/02/2021

Sarhad Rural Support Programme (SRSP)

Through its Coordinator – Public Liaison,
Plot No. 14, Sector E-8, Phase 7,
Hayatabad, Peshawar.

..... **Complainant**

Versus

Peshawar Electric Supply Company Limited (PESCO)

WAPDA House, Sakhi Chasma,
Shami Road, Peshawar.

..... **Respondent**

Date of Hearing: 11th March 2021

On behalf of:

Complainant: Mr. Javed Khan, Coordinator

Respondent: 1) Mr. Sajjad Ahmad, SDO (Hayatabad)
2) Mr. Sahibzada Yasir, Revenue Officer (Khyber)

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY SARHAD RURAL SUPPORT PROGRAMME (SRSP) AGAINST PESCO REFERRED BY THE WAFAQI MOHTASIB (OMBUDSMAN)'S SECRETARIAT REGARDING UNJUSTIFIED BILLING (AC # 43 26216 0097500)**

DECISION

Through this decision, the complaint filed by Sarhad Rural Support Programme, Peshawar (hereinafter referred to as the "Complainant" or "SRSP") against Peshawar Electric Supply Company Limited (hereinafter referred to as the "Respondent" or "PESCO"), referred by the Wafaqi Mohtasib (Ombudsman)'s Secretariat, is being disposed of.

2. Brief facts of the case are that NEPRA received the subject complaint from the Wafaqi Mohtasib (Ombudsman)'s Secretariat, Regional Office, Peshawar on 24th February 2021 for disposal. Main contents of the complaint are as under:



- i. SRSP is a non-profit organization working for the uplift of rural poor communities of Khyber Pakhtunkhwa since 1989, and all the projects are donor driven. SRSP has been paying its bills against its electricity connection since May 2018.
- ii. In order to minimize the electricity cost and use of saved money for the welfare of poor communities, SRSP has installed Net Metering solar system, and an application was submitted to PESCO Office, Hayatabad, Peshawar to replace the existing meter and install a meter for net metering.
- iii. The concerned SDO sent a hand written electricity bill amounting to Rs. 2.7 Million on the pretext that all bills since May 2018 were wrongly calculated and SRSP will pay the amount for installation of new meter for net metering.
- iv. SRSP has requested to waive-off the additional units charged by PESCO and replace the meter.

3. The matter was taken-up with PESCO, and an opportunity of hearing was provided to both the parties (i.e. PESCO and SRSP) on 11th March 2021 at NEPRA Head Office, Islamabad, wherein the matter was discussed at length. During the hearing, PESCO representatives submitted a report, whereby during replacement of the Complainant's LT ToU meter to bi-directional LT ToU meter, Multiplying Factor (MF) of the already installed meter checked, and the same was found to be 60, however, the CTs installed were 800/5 Amp (i.e. MF = 160). On further investigation, it was found that the actual MF of the Complainant was 160, however SRSP was wrongly billed for MF=60 w.e.f. December 2019 to December 2020 (i.e. 13 months) due to computer mistake by the concerned official. The MF was corrected in the month of December 2020 and an arrears bill amounting to Rs. 2.7 Million according to MF=160 (from December 2019 to December 2020) was issued to the Complainant for payment. Thereafter, the Complainant approached the Wafaqi Mohtasib with the instant complaint.

4. The case has been examined in detail in light of the record made so available by the parties, arguments advanced during the hearing and applicable law. The following has been observed:

- i. The Complainant is a consumer of PESCO under tariff category A-3(a) with a sanctioned load of 445 kW. The first bill was issued in December 2019.
- ii. The Complainant installed net metering facility at their premises and requested PESCO for replacement of existing ToU meter with bi-directional meter. In response, PESCO, instead of replacing the meter, issued an arrear bill amounting to Rs. 2.7 Million to the SRSP for payment on account of wrong charging of MF from December 2019 to December 2020, i.e. from the month of the first bill.
- iii. PESCO is of the view that upon investigation, it was found that the actual MF of SRSP was 160, however, SRSP was wrongly billed for MF=60 w.e.f. December 2019 to December 2020 (i.e. 13 months) due to computer mistake by PESCO staff. The MF was corrected in the month of December 2020, and an arrears bill amounting to Rs. 2.7 Million according to MF=160 (from December 2019 to December 2020) was issued to SRSP for payment.

- iv. The consumers have legitimate expectancy that what is being billed to them is actually the cost of electricity consumed. PESCO cannot be allowed to recover the loss of revenue from any consumer which is sustained due to its own mismanagement. Application of wrong MF in the instant case shows incompetence and negligence on part of PESCO.
- v. As per the provisions of Consumer Service Manual-2021, read with clarification vide NEPRA's letter dated 26th March 2021, "if due to any reason the charges, i.e. MDI, fixed charges, MF, power factor penalty, tariff category, etc, have been skipped by DISCO due to any reason, the difference of these charges can be raised within one (01) year for maximum period of six (06) months, retrospectively".
- vi. PESCO charged wrong MF (i.e. 60 instead of 160) to SRSP, for 13 months (i.e. December 2019 to December 2020) due to mistake on its own part, which is unjustified.

5. Foregoing in view, PESCO is directed to revise the bill charged to the Complainant on account of difference of Multiplying Factor (MF) from 13 months to 06 months, and the amount be recovered in twelve (12) equal installments.

6. Compliance report be submitted within thirty (30) days.


31/5/21
(Rehmatullah Baloch)
Member (Consumer Affairs)

Islamabad, May 31, 2021.

