



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

Registrar

NEPRA Tower, Attaturk Avenue (East), G-5/1, Islamabad
Ph: +92-51-9206500, Fax: +92-51-2600026
Web: www.nepra.org.pk, E-mail: registrar@nepra.org.pk

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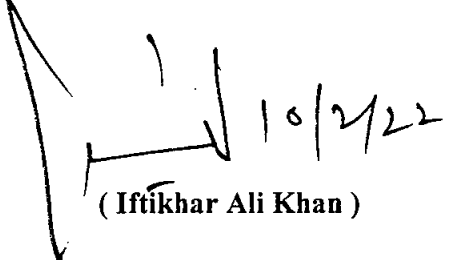
February 10, 2022

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

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. SHAKEEL AHMED S/O DANISH MUHAMMAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING CORRECTION OF BILL (A/C# 43 26323 1036405)**

Please find enclosed herewith the Decision of Member (Consumer Affairs) dated February 08, 2022 (03 Pages) regarding the subject matter for necessary action and compliance within thirty (30) days.

Encl: As above


(Iftikhar Ali Khan)

Copy to:

1. C.E/Customer Services Director
Peshawar Electric Supply Company (PESCO)
WAPDA House, Sakhi Chashma Shami Road,
Peshawar
2. Mr. Shakeel Ahmed S/o Danish Muhammad
Torah Banda, P.O Palu Dheri
Tehsil & District Mardan
Cell No. 0306-5729141



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. PESCO-NHQ-65/03/2021

Mr. Shakeel Ahmed S/O Danish Muhammad,
Torah Banda, P.O. Palu Dheri,
Tehsil & District Mardan.
Contact# 0306-5729141

.....Complainant

Versus

Peshawar Electric Supply Company (PESCO)
PESCO Head Quarters,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.

..... Respondent

Date of Hearing: 29th July 2021
13th December 2021

On behalf of:

Complainant: Mr. Shakeel Ahmed S/O Danish Muhammad

Respondent:

1. Mr. Khalil Ullah (SDO)
2. Mr. Jalees Akbar (Revenue officer)

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. SHAKEEL AHMED S/O DANISH MUHAMMAD UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING CORRECTION OF BILL (A/C# 43 26323 1036405)**

DECISION

Through this decision, complaint filed by Mr. Shakeel Ahmed S/O Danish Muhammad (hereinafter referred to as the "Complainant") against Peshawar Electric Supply Company Limited (hereinafter referred to as the Respondent" or "PESCO"), under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act"), is being disposed of.

2. Brief facts of the case are that NEPRA received the subject complaint on March 26, 2021, wherein the Complainant submitted that he has been receiving higher bills due to imposition of fixed charges by PESCO. The Complainant added that his load is about 20kW, whereas bills are being charged on 30kW. The Complainant further added that PESCO has raised arrears

amounting to Rs. 4,48,195/- for a period of 92 months without any justification. The Complainant requested for redressal of the issue.

3. The matter was taken-up with PESCO for submission of parawise comments/report. In response, PESCO reported that the new connection was installed on July 09, 2013. CT operated Meter was installed with CT Ratio of 100/5 and Multiplying Factor as 20. During punching of new connection documents by PESCO Computer Center; the Multiplying Factor was punched incorrectly as one (1) instead of twenty (20). During replacement of defective meter of the Complainant by M&T on March 02, 2021 it was noticed that the Multiplying Factor of the Complainant was incorrectly punched and Complainant was less billed than his actual consumption. The Multiplying Factor was updated and the Complainant was billed according to his actual consumption. Therefore, PESCO raised arrears against the Complainant with effect from date of connection.

4. In order to probe further into the matter, hearings were held at NEPRA Head Office, Islamabad which were attended by representatives of both the parties who advanced their arguments on the basis of their earlier submissions.

5. The case has been examined in detail in light of written / verbal arguments of the parties and applicable laws. The following has been concluded:

- i. The record reveals that a CT Operated Meter was installed at a tube-well connection on July 9, 2013 with CT ratio of 100/5 and Multiplying Factor as 20. The Complainant's meter became defective and he requested the concerned office of PESCO for replacement of the defective meter. The defective meter was replaced on March 02, 2021 whereby it was noticed that while punching; the Multiplying Factor was erroneously punched as one (01) instead of twenty (20) at the time of feeding record of the new connection due to which the Complainant was less billed than his actual consumption.
- ii. During July 2013 to March 2021; the Complainant was charged a total of 4325 units having off peak units charged as 2625 units and 1700 peak units. The chargeable units upon applying Multiplying Factor of 20 become 49560 units in total. Out of which 43500 units are for off peak consumption and 6060 units are for peak consumption. As such the total difference becomes $49560 - 4325 = 45235$ units. Accordingly PESCO charged this difference for amounting to Rs. 439,743/- in the month of March 2021.
- iii. It is responsibility of PESCO to apply correct Multiplying Factor. Non application of correct Multiplying Factor is sheer negligence on part of PESCO. The consumers have legitimate expectancy that what is being billed to them is actual cost of electricity.
- iv. The Consumer Service Manual read with clarification dated March 26, 2021 provides that "if due to any reason the charges i.e. MDI, fixed charges, Multiplying Factor, power factor penalty, etc., have been skipped by DISCO; the difference of these charges can be raised within one year for maximum period of six months, retrospectively. Imposition of differential amount after a lapse of more than seven years has no justification.
- v. The Complainant submitted that his sanctioned load is 30kW but he has been utilizing less load and PESCO has been imposing fixed charges on the basis of sanctioned load. The tariff terms and conditions approved by the Authority provides that billing demand means the highest of maximum demand recorded in a month except in the case of agriculture tariff D2 where billing demand shall mean the sanctioned load. PESCO has been charging fixed charges as per determination of the Authority. In view thereof, the Complainant may apply to PESCO for reduction for load.

6. Foregoing in view, the following is directed:
- i. PESCO to withdraw Rs. 4,48,195/- charged on account of the difference of Multiplying Factor being in violation of provisions of Consumer Service Manual.
 - ii. PESCO is directed to allow reduction of load upon completion of formalities by the Complainant.
7. Compliance report in the matter be submitted within thirty (30) days.



(Rehmatullah Baloch)
Member (Complainant Affairs)



Islamabad, February 08 , 2022