



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

NEPRA Head Office

Attaturk Avenue (East) Sector G-5/1, Islamabad.

Ph:051-2013200, Fax: 051-2600021

**Consumer Affairs
Department**


TCD.01/ 5701 -2023
December 12, 2023

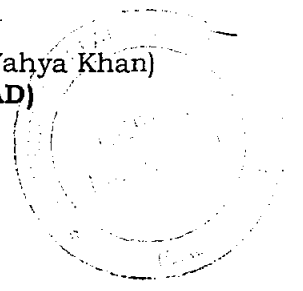
Chief Executive Officer,
Peshawar Electric Supply Company, (PESCO),
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY LT. COL. SIDDIQULLAH - ADMINISTRATOR ON BEHALF OF M/S MUHAMMAD TEACHING HOSPITAL. PESHAWAR UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997, AGAINST PESCO REGARDING ADJUSTMENT OF LOAD [A/C# AC 30261-120412702-U]].
PESCO-NHQ-26395-07-23

Please find enclosed herewith the decision of NEPRA Consumer Complaints Tribunal dated December 11, 2023 regarding the subject matter for necessary action and compliance within fifteen (15) days.

Encl: As above


(Sardar Muhammad Yahya Khan)
Director (CAD)



Copy: -

1. Chief Commercial Officer, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
2. Incharge Complaint Cell, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
3. Lt. Col. Siddiqullah (Administrator)
M/s Muhammad Teaching Hospital,
Main GT Road, Chughal Pura, Peshawar.
Cell: 0300-8585655



**BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)**

Complaint No. PESCO-NHQ-26395-07-23

Lt. Col. (R) Siddiquillah (Administrator) **Complainant**
M/s Muhammad Teaching Hospital,
Main GT Road, Chughal Pura, Peshawar.
Cell: 0300-8585655

Versus

Peshawar Electric Supply Company (PESCO) **Respondent**
WAPDA House, Sakhi Chashma Shami Road, Peshawar.

Date of Hearing: October 17, 2023
On behalf of:
Complainant: Mr. Arshad Siddiqui, Finance Manager
Respondent: Mr. Tufail Mohammad, Director Commercial, PESCO

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY LT. COL. (R) SIDDIQUILLAH - ADMINISTRATOR ON BEHALF OF M/S MUHAMMAD TEACHING HOSPITAL. PESHAWAR UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997, AGAINST PESCO REGARDING ADJUSTMENT OF LOAD (DETECTION BILL) (A/C# AC 30261-120412702-U)

DECISION

This decision shall dispose of the complaint filed by Lt. Col. (R) Siddiquillah - Administrator on behalf of M/S Muhammad Teaching Hospital. Peshawar (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").

2. NEPRA received a complaint wherein the Complainant submitted that a 100kVA transformer was installed at the premises of Muhammad Teaching Hospital. An application for extension of load from 56KW to 160kW was submitted to PESCO on April 28, 2022. The same was approved and a 200KVA transformer was installed after payment of demand notes amounting to Rs. 683,668/- and Rs. 118,280/- on July 20, 2020. The complainant received a bill of Rs. 13,560,484/- for the month of June, 2023 whereas the current bill was Rs. 1,150,447/- which was paid before the due date. The complainant requested to waive off the said amount of Rs. 13,560,484/- and also requested for the continuity of the power supply to the hospital till the final decision of the disputed case.

3. The matter was taken up with PESCO for submission of parawise comments/report and PESCO was also directed not to disconnect the electricity supply. In response, PESCO reported that the load extension was executed as per SOP on consumer's request, however, while processing the load extension (from 56kW to 160kW) the Multiplying Factor (MF) of 80 was not correctly applied, hence units were not counted for the period from 9/2020 to 3/2023, therefore, an amount of Rs. 12,385,148/- was debited to the consumer's account.


4. In order to probe further into the matter, a hearing was held at NEPRA Head Office, Islamabad which was attended by both the parties (PESCO officials & the Complainant) who advanced their arguments. The case has been examined in detail in the light of the


written/verbal arguments of both the parties and applicable law. The following has been concluded:


- (i) The Complainant is a Commercial consumer of PESCO and connection is installed under reference No. 30261120412702U. The Complainant applied to PESCO for extension of load 56kW to 160kW on June 17, 2020. Accordingly, PESCO issued Demand notice(s) on June 19, 2020 which were paid by the Complainant.
- (ii) PESCO installed 400/5 Amp CT against the already installed 100/5 Amp CT upon extension of load, however, PESCO skipped change of Multiplying Factor from 20 to 80. subsequently, the audit party pointed out this anomaly, therefore, PESCO charged detection bill amounting to Rs. 12,385,148/- for 390480 units (329100 off-peak & 61380 peak) and difference of 1440kW MDI for the period from September, 2020 to March, 2023 (31 months).
- (iii) The Consumer Service Manual read with clarifications issued vide letter dated March 26, 2023 provides that if due to any reason the charges i.e. MDI, fixed charges, multiplying factor, power factor penalty, tariff category etc. have been skipped by DISCO; the difference of these charges can be raised within one year for maximum period of six months, retrospectively.
- (iv) Moreover, Clause-6.1 of Consumer Service Manual (CSM) provides mechanism of meter reading and Clause-6.2 envisages the procedure of percentage checking to ensure accuracy of meter reading. Therefore, recording of correct meter reading is the responsibility of PESCO. Furthermore, according to Clause-6.1.4 of Consumer Service Manual (CSM), meter readers are responsible to check irregularities/ discrepancies in the metering system at the time of reading meters and report the same in the reading book/ discrepancy book or through any other appropriate method as per the practice. The concerned officer/official failed to point out at any stage about the discrepancy.
- (v) The Consumers have legitimate expectancy that what is being billed is actual cost of electricity and it is correct. In view of above, penalizing the Complainant on part of incompetency of PESCO officials for the period from September, 2020 to March, 2023 is not justified. However, in this case, the Complainant himself approached PESCO on April 20, 2022 for updation of record, this shows that charging of wrong/ less billing by PESCO was in the knowledge of the Complainant.
- (vi) In view of the said, charging of multiplying factor for more than 02 years is in violation of relevant provisions of Consumer Service Manual (CSM), therefore, PESCO should charge multiplying factor only with effect from April 20, 2022 to onwards when the issue was highlighted by the Complainant.

6. Foregoing in view, PESCO is directed to revise the detection bill charged with effect from September, 2020 to March, 2023 to April, 2022 – March 2023.

7. Compliance report be submitted within fifteen (15) days.


(Lashkar Khan Qambrani)
Member, Consumer Complaints Tribunal/
Director (CAD)


(Muhammad Irfan Ul Haq)
Member, Consumer Complaints Tribunal/
Assistant Legal Advisor


(Naveed Irfan Shaikh)
Convener, Consumer Complaints Tribunal/
Director General (CAD)

Islamabad, December 11, 2023.