Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup

Ref. No. Member Secretary/MSEDCL/CGRF/BNDUZ/   Date :

Case No.516   Hearing Dt. 06/01/2014

In the matter of P.F. penalty.

Mrs. Badambai Surya   -   Applicant

      Vs.

M.S.E.D.C.Ltd., Mulund   -   Respondent

Present on behalf
A -   On behalf of CGRF, Bhandup
1) Shri S.K. Chaudhari, Chairman, CGRF Bhandup.
2) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant
1) Shri. Harsad Shjeth   – Consumer Representative

C - On behalf of Respondent
1) Shri. Suhas Bedagkar   Dy. Ex. Engineer Pachrasta, Sub Division.

     1) This Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to readdress the grievances of consumers. The regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

     2) The consumer is having L.T.-II supply from the Licensee. The consumer is billed as per said tariff. Consumer registered grievance with the Forum on 26/11/2012 for Excess Bill towards P.F. penalty.

Mrs. Badam M. Surya is a a low Tension Commercial consumer at Shop No. -9 & 10, Purnima. M.G. Road, Mulund (West) with sanctioned load of 21 kw under service No. 700000851363 consumer filed his compliant to the Dy. Executive Engineer of C.C.F.C., Thane vide his letter dt. 07.05.2013 which was received by utility on 09.05.2012. the complaint was regarding the power factor penalty levied in the consumers bill which was calculated with wrong method. The complainant also claimed that he should have been awarded a incentive for maintaining power factor above 0.95 if the utility use the prevailing method of P.F. calculation.

The complainant filed his grievance to this Forum after laps of 60 days period from the date of intimation of his grievance to the Distribution licensee in accordance with the MERC (CGRF & EO) Regulations 2006 there in Regulation 6.3 (B).

A set of document filed in the Forum was sent to the Nodal Officer vide member secretary/CGRF/MSEDCL/BNDUZ/570 dt. 18.12.2013 and was asked to submit the writer say within 15 days.

The Representative of utility, the Dy. Executive Engineer of Survoday sub division filed was his written say vide No. Dy.EE/S/S-Dn/3597 dt. 26/12/2013 received by this Forum on 03/01/2014.

The hearing was fixed on 31/12/2013; but was postponed on 06/01/2014 for same Technical reason Shri. Harshal Seth and Shri. Mukesh Sharma were present to represent the consumer here in after will ne referred as to "Representative" can the behalf of utility Shri. Beddegkar Dy. Executive Engineer Survoday sub division was present; here in after will be referred as "the Respondent"

As stated by the Representative, the bill were received with the poor P.F. Penalty from September 2012 and was continued till April 2013. On request of the consumer utility replaced the disputed meter in April 2013 and consumer was normally billed from June 2013 with P.F; incentives.

He reiterated that as per the directives of commission and order passed by Hon'ble Ombudsmen in case of representation 10 of 2013; the KWH and KVAH parameters if available on the meter should be used to ascertain the av. P.F. and accordingly the consumer should have been billed.

He further stated that the utility is adopting wrong method for calculating the av. Power factor by assonating KVAH as square root of the cumpation of the squares of KWH & RKVAH.

The above formula should be adopted when the matter is not reading KVAH, but in the present case both KWH&KVAH are available on meter and P.F. should have been calculated us the ratio of Total KWH with Total KVAH.

Finally he preyed

1) For widrow the amount charged towards P.F. penalty, interest on arrears for period of August 12 to April 2013.
2) Award P.F. incentive for the above said period.
3) TO award interest as approved by RBI for the amount paid in excess.
4) Compensation of Rs. 5000/- may be awarded for the documentation, travelling, conveyance, advisory consultancy charges.

The Respondent submitted that, on request of consumer the meter sr. no. 5487544 of schenzen kaifa make was replaced and tasted in the std. laboratory, where it was found working normally.

He also produced the tested report; it is observed from the test report that all parmeter of RKVAH and KWH are recorded as per IS standard. The Respondent reiterated that there is nothing to support that the calculated av. P.F. considering reading of RKVAH available on the meter is wrong.

The Respondent produced the circular directing to adopt the method the calculating the av. Power factor considering the parameter RKVAH to ascertain the KVAH factor which altermately used to calculate P.F. to billed to the consumer.

The matter was heard on 06/01/2014, both the parties were present. Persual of docukments and arguments by the parties reveals that there is hitch in calculation of av. P.F. though theoretically the av. P.F. calculated with the ratio of recorded total KWH and KVAH should be same when ascertained KVAH with the square root of summation of square of KWH and RKVAH should results in same figure but practically it does not

The reference of Hon'ble Ombudsman's order passed in Representation No- 10 of 2013 Dt. 06/03/2013 in the matter of supreme Industries Ltd Vs. M.S.E.D.C.L Placed by the consumer reveals that there are two methods of calculating the Av . Power factor.

1)   Av. P.F.= kwh ÷ kvAh .

When the KvAh parameter is not available or displayed on the meter; in that case it should be calculated as

2)   KvAh = SQRT (kwh^2 + rkvah^2), this KvAh is to be use in above formula. However the present case, the KvAh parameter is is available on the meter, so there is no question for ascertaining the KvAh by the second method.

Forum observed that, the utility has work out the av. P.F. by method: kwh ÷ KVAH up to Aug 2012 and from Sept 2012 by another method:-

kwh ÷ SQRT (kwh^2 ÷ rkvah^2). The result by the both method ideally should be same but it is not; if we referred the bill of sept 2012 for the sample case. We find the following different results:

Kwh – 2068

Kvah – 2069

RKVAh – 12671

Now by method of kwh ÷ kvAh = Av.P.F.

Av. P.F. = 2068 ÷ 2069 = 0.9995 ~1.0

by method of kwh ÷ SQRT(kwh^2 + rkvah^2)

= 2068 ÷ SQRT(2068^2 + 12671^2)

= 2068 ÷ SQRT(4276624 + 160554241)

= 2068 ÷ SQRT (164830865)

= 2068 ÷ 12838.

Av. P.F. = 0.1610

The above two result shows vast difference similarly for the other months till April 13 the results by both methods are shown in tabulated form.

Month	Kwh Mf- 1	kvAh mf-1	RkvAh Mf-1	Av.P.F	
				By Method of kwh ÷ kvAh	By SQRT Method
Sept 12	2068	2069	12671	1.0	0.1610
Oct 12	2000	2000	145682	1.00	0.13497
Nov 12	2531	2531	17682	1.00	0.14169
Dec 12	1555	1556	13820	1.00	0.1118
Jan 13	2400	2400	0.00	1.00	-
Feb 13	1333	1333	42378	1.00	0.031455
March 13	2021	2021	19453	1.00	0.1033
April 13	1893	1943	13044	0.974	0.1436

The forum feel that apparently, the error is found when adopted the second method of ascertaining the KvAh with the SQRT of $(kwh^2 + rkvah^2)$ the distribution licensee should refund the P.F penalty along with levied interest and DPC and should have pay the incentive admissible after verifying the figures work out as above for the disputed period of Sep 12 to April 2013 after going through the Hon'ble Ombudsman's order No. comments are required on the circular issued by the CGM (IT) of the D.L dt. 20 July 2012, the issue is explicitly clarified in the order of Hon'ble Ombudsman.

The Application is allowed.

ORDER

1) The bills for the period of Sep 2012 to April 2013 should be rectified windrowing P.F penalty and D.P.C, interest, if charged any should also wave off.
2) The incentive on the P.F as admissible as per rule should be awarded for the above said period.

3) The interest on the paid amount should be awarded as per plain R.B.I. rate.
4) The compliance should be reputed within 60 days for the date of this order.

No order as to cost.

Both the parties should be informed accordingly.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 31st January 2014.

Note:
1) If Consumer is not satisfied with the decision, he may file representative within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman
The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051

2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

DR. ARCHANA SABNIS   S. K. CHOUDHARY
MEMBER   CHAIRMAN
CGRF, BHANDUP   CGRF, BHANDUP