

CONSUMER GRIEVANCE REDRESSAL FORUM

CENTRAL REGION

(Formed under Section 42(5) of the Electricity Act 2003)

220 kV Substation Compound, HMT Colony P.O. Kalamassery, Pin – 683 503
Phone No. 0484-2556500 Website: cgrf.kseb.in, Email: cgrf.ekm@gmail.com,
CUG No. 9496008719

Present

(1) Smt. Sheeba. P
 (2) Smt. Mini Francis
 (3) Sri. Biju Varghese

Chairperson
2nd Member
3rd Member

Petitioner

Sri. Kamil Mohammed, Director,
 M/s. Mascot Frozen Foods (P) Ltd.,
 Kothoor Temple Road,
 Marathakkara, Thrissur,
 Pin – 680 306

Respondent

- 1) The Deputy Chief Engineer,
 Kerala State Electricity Board Ltd.,
 Electrical Circle, Thrissur.
- 2) The Special Officer (Revenue)
 Kerala State Electricity Board Ltd.,
 Thiruvananthapuram

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No.CGRF-CR/OP No.24/2023-24 Date: 14-09-2023.

ORDER

Background of the case:

The petitioner has a High Tension (HT) electricity connection with consumer number 1356730200786/LCN 21/5437, which falls under the jurisdiction of the Electrical Section in Marathakkara under Electrical Circle, Thrissur (East). In the electricity bill for the month of August 2022, despite the petitioner maintaining an average power factor of 0.99, the licensee did not provide the power factor incentive amount of Rs.3035/- as expected. Subsequently, the petitioner lodged a complaint with the Special Officer, Revenue (SOR) on 10/08/2022. However, the office of the SOR did not respond to the petitioner's

complaint. Consequently, the petitioner has approached this Forum seeking the prompt disbursement of their rightful power factor incentive.

Version of the Petitioner:-

The petitioner asserts that in their monthly electricity bill (bill number 2102811994876 dated 03/08/2022), they were incorrectly denied the power factor incentive amount of Rs.3035/-, despite maintaining an average power factor of 0.99 during the billing period. Despite the petitioner's complaint dated 10/08/2022 to rectify this error, addressed to the Special Officer Revenue (SOR), there was no response from the SOR. Consequently, the petitioner has approached this Forum seeking a refund of the overcharged amount of Rs.3035/-, which they paid due to the failure in awarding the power factor incentive rightfully owed to them.

Subsequently, statement of facts was called for and the same was submitted by the respondent on 07/08/2023.

Version of the Respondent (SOR):-

The respondent state that the Power factor Incentive / disincentive is usually granted to the consumers based on the directives contained in the Tariff Order issued by the Kerala State Electricity Regulatory Commission (KSERC). As per the Tariff Order “no penalty / incentive is to be charged / granted for consumers having leading power factor”. Here the recorded Energy Consumption kVARh (Lead) for the month of July 2022 in respect of the petitioner was 4902 units whereas kVARh (Lag) was 2842 units. Since the total kVARh (Lead) was greater than kVARh (Lag), the petitioner was not entitled to get a Power Factor incentive as per Part- D Annexure B of the “Schedule of tariff and terms and conditions” for the retail supply of electricity by KSEBL and all other Licensees with effect from 26/06/2022 to 31/03/2023. The respondent argues that the petitioner is challenging against the Regulations of Kerala Electricity Supply Code 2014 and the conditions of the Tariff Order and hence the petition cannot be challenged before this Forum and thereby requests this Forum to dismiss the petition with all costs.

Additional Statement of facts SOR:-

The respondent states that the demand notice for the month of July 2022 is issued to the consumer based on the consumption in the month of June 2022. Since the tariff revision came into effect on 26th June, 2022, the reading entry has been recorded in the system twice during that month. But as there is no option to record both the reading entries in the demand notice issued to the consumer, Initial Reading (IR) and Final Reading (FR) are shown as 'zero' when the bill is generated. Meter reading details are provided to those consumers who seek clarification in this regard. Also the consumers who register in the portal "ht.kseb.in" will be able to view and download the meter reading details. The electricity consumption of the consumer in the month of June 2022 is as follows:-

kWh									
	From 01.06.2022 to 25.06.2022				From 26.06.2022 to 30.06.2022				
	IR	FR	MF	Unit	IR	FR	MF	Unit	Total Consumption
Normal	1674381	1685407	2	22052	1685407	1687283	2	3752	25804
Peak	332345	334338	2	3986	334338	334686	2	696	4682
Off Peak	623512	627362	2	7700	627362	628014	2	1304	9004
Total				33738	Total				5752
Grand Total									39490
kVAh									
	From 01.06.2022 to 25.06.2022				From 26.06.2022 to 30.06.2022				
	IR	FR	MF	Unit	IR	FR	MF	Unit	Total Consumption
Normal	1805215	1816549	2	22668	1816549	1818474	2	3850	26518
Peak	347152	349171	2	4038	349171	349521	2	700	4738
Off Peak	644299	648201	2	7804	648201	648858	2	1314	9118
Total				34510	Total				5864
Grand Total									40374

Consumption Period		kVARhLag (OMF – 2)					
		Zone - 1		Zone - 2		Zone - 3	
From	To	IR	FR	IR	FR	IR	FR
01-06-2023	25-06-2023	593411	595737	72448	72689	110755	111217
26-06-2023	30-06-2023	595737	596101	72689	72713	111217	111278
Consumption		4652	728	482	48	924	122

Consumption Period		kVARhLead (OMF – 2)					
		Zone – 1		Zone – 2		Zone – 3	
From	To	IR	FR	IR	FR	IR	FR
01-06-2023	25-06-2023	8394	8458	11129	11189	13080	13172
26-06-2023	30-06-2023	8458	8481	11189	11202	13172	13182
Consumption		128	46	120	26	184	20

[OMF – Overall Multiplication Factor]

In terms of kWh and kVAh, the final reading of June 2022 is the initial reading in the bill issued during August 2022 based on the consumption July 2022. From this, it can be understood that the meter reading entry is in continuous nature and no error has occurred in the reading entry. Moreover while checking the kvarh(lag) and kvarh(lead) of June-July 2022, it is understood that the reading entry is also in continuous nature. Incentive/ disincentive is available to the consumers subject to the provisions of the Tariff Order issued by the Kerala State Electricity Regulatory Commission. In the month of June 2022, total kVARh(Lag) was greater than kVARh(Lead) and hence the consumer got the power factor incentive in the bill issued during July 2022. Even though the PF was 0.99, the kVARh(Lead) was greater than kVARh(Lag) in the month of July 2022. Thus the consumer did not get incentive as per Tariff Order in the bill issued during August 2022.

Analysis and findings:

Hearing was conducted at the chamber of the Chairperson, Consumer Grievance Redressal Forum, Ernakulam. The Forum afforded an opportunity to hear the Petitioner and the Respondent on 14-08-2023. Both the petitioner and the

respondent were present for hearing. Having examined the petition in detail and the statement of facts of the respondent, considering all the facts and circumstances in detail and perusing all the documents of both sides, the Forum comes to the following observations, conclusions and decisions thereof.

During the course of hearing, the petitioner reiterated the arguments presented in their petition. They emphasized that the dispute stemmed from an error made by the licensee in calculating the kVARh lead and lag, which occurred due to the tariff revision in June 2022. The petitioner clarified that neither their kVARh lead had previously exceeded the kVARh lag, nor had there been any change in their consumption pattern that would result any change in the reactive power. The petitioner also pointed out that the Initial Readings (IR) and Final Readings (FR) indicated in their July 2022 bill were displayed as '0,' raising questions about why the total kVARh (Lead) became greater than kVARh (Lag) in the bill issued on August 2022 and consequently led to the denial of the power factor incentive.

The respondent explained that, in light of the tariff revision on June 26, 2022, they had taken two readings to calculate the monthly consumption of June 2022. However, they clarified that since there was no provision for entering these details in the billing format, no readings were included in the bill. Since both the respondents lacked with the reading details, this Forum directed the respondents to provide the relevant information within one week.

In response to this, the respondent submitted an additional statement of facts to this Forum on 22/08/2023, which included details of IR and FR for the consumption during the month of June 2022. The respondent explained that a Tariff Revision had been implemented by the licensee on 26/06/2022. To apply this revision to all consumers, readings were taken twice for the month of June 2022, specifically on 26/06/2022 and 30/06/2022. These readings were then entered into the computer software. As a result, the consumption for the month of June 2022 was calculated in two parts:- one for the period from 01/06/2022 to 25/06/2022 and another for the remaining days from 26/06/2022 to 30/06/2022.

However, due to the absence of an option in the licensee's computer software and bill format to display multiple IRs and FRs, both IRs and FRs were indicated as '0' in the bill. The respondent assured that such entry in the computer software and bill format did not result in any calculation errors in the bill. Additionally, they stated that they provide bill calculation details to those who request it. This Forum recognizes that the power factor incentive/penalty is determined and applied by the licensee in accordance with the Tariff Orders issued by the Hon'ble Kerala State Electricity Regulatory Commission (KSERC). In this particular case, the licensee has performed the calculation in accordance with these guidelines.

From the details of FR and IR for the consumption during the month of June 2022 provided by the licensee, this Forum confirmed that the IR taken for the calculation of kVArh Lag and lead for the consumption during the month of July 2022 is found correct and is as follows:-

IR of kVArh Lag:- Zone – 1 = 596101, Zone – 2 = 72713 and Zone – 3 = 111278

IR of kVArh Lead:- Zone – 1 = 8481, Zone – 2 = 11202 and Zone – 3 = 13182

(Overall Multiplication Factor = 2)

The calculation details of kVArh Lag and lead for the billing month of July 2022 are shown below:-

kVArh Lag (OMF – 2)						
Zone - 1		Zone - 2		Zone - 3		Total
IR	FR	IR	FR	IR	FR	
596101	597071	72713	72856	111278	111586	
1940		286		616		2842
kVArhLead (OMF – 2)						
Zone - 1		Zone - 2		Zone - 3		Total
IR	FR	IR		IR	FR	
8481	9639	11202		13182	14091	
2316		768		1818		4902

In this case, as the kVARh lead is higher than the kVARh lag, the Power Factor is leading and as a result, the petitioner is not eligible for the incentive as per the prevailing Tariff Order. However, it is important to note that this Forum recognizes a significant shortcoming on the part of the licensee that they failed to furnish crucial information regarding the readings to their consumers, regardless of whether such information was requested. This omission has given rise to doubts in the petitioner's mind concerning the accuracy of the billing calculations performed by the licensee.

DECISION:

Considering the above facts and circumstances, the Forum issues the following orders:-

- 1. The petitioner is liable to pay this bill.**
- 2. The licensee is required to include all essential information in the bill to ensure transparency in billing calculations for consumers.**
- 3. No cost ordered.**

The petitioner is at liberty to file appeal before the State Electricity Ombudsman, D.H. Road, Off shore Road Junction, Near Gandhi Square, Ernakulam, Pin – 682 016 (Ph: 0484 -2346488 , Mobile No. 8714356488) within 30 days of receipt of this order, if not satisfied with this decision.

Dated this 14th day of September, 2023

Sd/-
Sri.Biju Varghese
3rd Member
CGRF, Ernakulam

Sd/-
Smt.Mini Francis
2nd Member
CGRF, Ekm

Sd/-
Smt. Sheeba. P
(CHAIRPERSON)
CGRF-CR, Ernakulam

Endt. On CGRF-CR/OP No.24/2023-24 Dated
Delivered to
Sri.Kamil Mohammed,Director,
M/s. Mascot Frozen Foods (P) Ltd.,
Kothoor Temple Road,
Marathakkara, Thrissur,Pin – 680 306

Sd/-

CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF-CR, KALAMASSERRY

Copy submitted to: 1)The Secretary, KSEBL, Vydhyuthi Bhavanam, Pattom,
Thiruvananthapuram.
2)The Secretary, Kerala State Regulatory Commission,
KPFC Bhavanam, C.V Raman Pillai Road, Vellayambalam,
Thiruvananthapuram.

Copy to: 1) The Deputy Chief Engineer, Kerala State Electricity
Board Ltd., Electrical Circle, Thrissur
2) TheSpecial Officer (Revenue), Kerala State Electricity Board Ltd.,
VydhyuthiBhavanam,Thiruvananthapuram.