

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SCO NO. 220-221, SECTOR 34-A, CHANDIGARH**

**Petition No. 50 of 2013
Date of Order: 31.10.2013**

In the matter of: Petition regarding giving rebate to LS consumers in the bills for implementing TOD tariff based on DDL done by MMTS organization at an interval of 70 days.

AND

In the matter of: Punjab State Power Corporation Limited, The Mall, Patiala.

Present: Smt.Romila Dubey, Chairperson
 Shri Virinder Singh, Member
 Shri Gurinder Jit Singh, Member

ORDER

Punjab State Power Corporation Limited (PSPCL) filed this petition for relaxation in time interval in allowing tariff rebate to Large Supply (LS) consumers in the bills for implementing Time of the Day (TOD) tariff based upon DDL done by MMTS Organization. PSPCL has submitted that the Commission had directed it through Tariff Order for the FY 2013-14 for introduction of TOD tariff for six months from October, 2013 to March, 2013 during the off peak hours from 22:00 hours to 06:00 hours for LS Industrial consumers and had approved a rebate of `1.0 per unit on the normal tariff for this category. The Commission had also directed PSPCL to submit a detailed report about the financial and technical impact of introduction of TOD tariff by 01.03.2014.

PSPCL has further submitted that in order to implement the TOD tariff, it has been observed that:

- “(1) At present monthly readings of LS consumers are being taken by the concerned ASE/Sr.Xen/AEEs of Operation according to their competency and the bills to the LS consumers are issued on monthly basis.

- (2) In order to implement TOD Tariff, the monthly readings have to be recorded in the shape of DDL and then the units consumed during the night hours have to be segregated after studying and analyzing the printouts in order to give rebate in the Tariff for the units consumed during night hours.
- (3) Some of the divisions have a large number of LS consumers where the monthly downloading of data, its study and analysis is difficult with the existing staff and infrastructure.
- (4) MMTS Organization of PSPCL is regularly doing DDL for all the LS consumers at the interval of 70 days. The DDL done by the 'OP' staff shall be merely repetition and wasteful exercise. In order to implement the TOD Tariff, the DDL done by the MMTS Organization will be used for the purpose of TOD tariff. In that case, MMTS shall analyze the DDL for the purpose of segregating the units consumed during the night hours i.e. from 22:00 hrs to 06:00 hrs to give the rebate to the consumers in the bills.
- (5) The concerned Chief Engineer/Operation shall be responsible for coordination with C.E./Enforcement for proper and smooth implementation of TOD tariff.
- (6) It is further observed that as per the directions of PSERC, the TOD tariff is to be implemented on the monthly basis but due to the technical constraints as discussed above, the account of the consumer shall be adjusted in the bills on account of rebate due to application of TOD tariff based on DDL done by MMTS at an interval of 70 days."

PSPCL has prayed to allow it to implement the TOD tariff by using DDL done by MMTS Organization and account of the consumers be allowed to be adjusted in the bills on account of rebate due to application of TOD tariff based on DDL done by MMTS Organization of PSPCL at an interval of 70 days.

2. The petition was admitted vide Order dated 25.09.2013. It was decided by the Commission that a Public Notice be issued inviting objections/comments/suggestions from stake-holders and general public so as to reach the Secretary of the Commission by 10.10.2013. It was also decided by the Commission that a public hearing shall be held on 14.10.2013 and the petition shall be decided after considering the objections/comments/suggestions so received and the views expressed in the said public meeting.

Accordingly, a Public Notice was issued and published in the leading news papers on 25.09.2013, inviting comments from the general public and stakeholders. Public hearing was held on 14.10.2013 at 12.00 hours at the office of the Commission.

3. The Commission received the following 7 No. objections in response to the public notice issued by the Commission in various newspapers :

1. Siel Chemical Complex, Rajpura (Patiala).
2. Hansco Iron & Steels Pvt. Ltd., Mandi Gobindgarh.
3. PHD Chamber of Commerce and Industry, Chandigarh.
4. Punjab Alkalies & Chemicals Limited, Chandigarh.
5. Steel Furnace Association of India (Punjab Chapter), c/o Upper India Steel Mfg. & Engg. Co. Ltd., Ludhiana.
6. Induction Furnace Association of North India (Regd.), Ludhiana.
7. Chamber of Industrial & Commercial Undertakings, Ludhiana.

The main objections raised by the various stakeholders and the comments of PSPCL on these objections are as below:

Objection raised by Stakeholders	Comments of PSPCL
The Petition submitted by PSPCL amounts to review of the Tariff Order for FY 2013-14 and the same is time barred as per the Regulations, since it has been filed beyond the permissible limit of 60 days, which has already elapsed. If the Commission wants to entertain the Petition by condoning the delay, then the Petitioner should file an interlocutory application.	The present petition is not the review of the Tariff Order as only the implementing procedure has been submitted for approval of PSERC and accordingly no question of delay arises. The read time situation has changed as PSPCL had accepted to complete AMR of LS consumers by 1st October, but due to technical constraints, the same has got delayed.
It was the proposal of PSPCL for introduction of ToD tariff. PSPCL issued a circular also and there was enough time for the implementation of	The issue of CC No. 24/2013 is a matter of record. It is wrong to suggest that PSPCL has taken no action to implement ToD Tariff. No

the ToD tariff. PSPCL has already introduced the enhanced Peak Load Exemption Charges as per the Tariff Order.	injustice shall be caused to the consumers as the relief is not being denied but is proposed to be extended on the basis of MMTS data.
PSPCL should give an adhoc relief of ` 1 /unit on 30% consumption in case of continuous process industries and on 50% consumption in case of other industries, such as induction furnace.	The consumption of 33% to 50% cannot be accounted for giving benefit of ToD Tariff as no industry has specific pattern.
PSPCL may consider introducing 70 days cycle for billing of large supply consumers.	The proposal of PSPCL is time and money saving. The billing period cannot be increased to 70 days.
PSPCL should pay interest to the consumers on the delayed refund due to delayed down loading of data by PSPCL.	The late payment surcharge is a deterrent for payment of consumption of electricity and cannot be compared to rebate.
The large supply consumers may be allowed to take the meter readings themselves and the billing by PSPCL should be done on the basis of meter readings taken by them, and any adjustment should be on the basis of data down loaded by PSPCL.	All consumers may record their own energy and compare it with the rebate given on the basis of MMTS based data and in case there are doubts, the MMTS data can always be referred to. It is the right time to start believing in consumers and the proposal that the consumers may take readings at 10.00 PM to 6.00 AM is agreeable. The Distribution officers while taking monthly readings of LS consumers shall also take a cognizance of the monthly night consumption recorded by the consumers and benefit of the same under ToD Tariff shall be given in the same month while preparing bills by CBC. The night consumption shall be reconciled on the basis of data down loaded by MMTS after 70 days subsequently and the action shall be closed up accordingly.

After going through the submissions made by the petitioner, the objections received from various consumer associations / consumers and the comments of PSPCL on these objections, the Commission observes and decides as under:

- (i) The proposal of PSPCL that the consumers may take their readings at 10.00 PM to 6.00 AM and taking these readings into cognizance for

giving the benefit of ToD Tariff in their monthly bills and its reconciliation on the basis of data down loaded by MMTS after 70 days, is not appropriate as there may be claims and counter claims in case of wrong recording of readings by the consumers/PSPCL. Further, many consumers may not be able to record their readings properly/correctly as ToD meters display multiple parameters in cyclic order.

- (ii) The adjustment in the accounts/bills of the consumers on account of rebate due to application of Time of Day (ToD) Tariff based on DDL done by MMTS may be done after an interval of 70 days, as petitioned by PSPCL
- (iii) PSPCL shall be liable to pay interest for the delayed adjustment of rebate in the accounts/bills of the consumers due to application of ToD Tariff for the period from the date of actual payment of bill to the date of issue of subsequent bill in which adjustment has been made.
- (iv) The interest shall be paid at the SBI's Base Rate prevalent on first April of the relevant year plus 2%. The interest so paid to the consumers shall not be a pass through in the ARR.
- (v) PSPCL should immediately devise ways and means to give rebate on account of ToD tariff on monthly basis so as to avoid payment of interest.

The petition is disposed of accordingly.

Sd/-
(Gurinder Jit Singh)
Member

Sd/-
(Virinder Singh)
Member

Sd/-
(Romila Dubey)
Chairperson

Chandigarh
Dated: 31.10.2013