

PUNJAB STATE ELECTRICITY REGULATORY COMMISSION
SITE NO. 3, BLOCK B, SECTOR 18-A MADHYA MARG, CHANDIGARH

Petition No. 11 of 2021
Date of Order: 22.04.2021

Petition for extension in validity period of demand notices of all categories of consumers (except AP) in the state of Punjab in public interest due to impact of Covid-19 pandemic under Regulation 47 of Supply Code-2014 and Regulations 69,70,71 & 72 of Chapter XIII of the PSERC (Conduct of Business) Regulations 2005.

AND

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

.....Petitioner

ORDER

The present petition has been filed by Punjab State Power Corporation Limited (PSPCL) for relaxing the provisions of Regulation 6.8.7(a) of the Supply Code, 2014 for extension in the validity period of demand notices of all categories of consumers (except AP) in the State of Punjab in public interest under Regulation 47 of Supply Code-2014 read with Regulation 69, 70, 71 & 72 of the PSERC (Conduct of Business) Regulations, 2005 due to impact of Covid-19 pandemic.

1. The petitioner submitted as under;
 - i. Due to outbreak of COVID-19 pandemic, curfew/lockdown was imposed in the State of Punjab w.e.f 23.03.2020. To mitigate the impact of COVID-19 pandemic on the consumers of PSPCL, it was decided, with the approval of Hon'ble Chief Minister, Punjab to

extend the validity period of the demand notices of all the categories of consumers upto 31.12.2020.

- ii. The impact of Covid-19 still exists in the state and businesses & industries are still not fully revived due to shortage of labour, strict labour rules, restriction of inter-state movements of goods, non-disbursement of loan amount from the bank etc. Due to these reasons, some applicants/consumers failed to complete their installations and could not comply with the conditions of the demand notice within validity period. Such consumers are requesting for extension in the validity period to comply with the conditions of the demand notice.
- iii. Regulation 6.8.5 of the Supply Code, 2014 provides that the Demand Notice shall be valid for a period of three (3) months for LT supply categories (except AP) and six (6) months for all other category of consumers (including AP) from the date of issue of Demand Notice unless extension is granted as per regulation 6.8.7 of the Supply Code,2014.

Further, Regulation 6.8.7(a) of the Supply Code,2014 provides that the validity period of demand notices of all applicants (other than AP) may be extended up to a maximum period of one year from the date of issue of demand notice in blocks of three months by the distribution licensee if the request for extension in the validity period of Demand Notice is received within the validity/notice period along with extension fee as specified in Schedule of General Charges.

- iv. The petitioner prayed that the provisions of Regulation 6.8.7(a) of Supply Code-2014 may be relaxed for a limited period in public interest and the Commission may approve the following proposal:

“In case any applicant (other than AP) does not comply with Demand Notice (issued from 24.03.2019 to 31.12.2020) within validity period, the validity of such Demand Notices may be extended upto 31.03.2021 or upto maximum period of 18 months from the date of issue of demand notice whichever is later in view of difficulties faced by applicants due to Covid-19 pandemic. Such extensions shall be provided in blocks of three months after the expiry of original validity period of demand notices subject to deposit of demand notice extension fee per quarter as specified in Schedule of General Charges. The period of last block of extension shall be adjusted in view of cut-off dates as specified above”

2. The petition was admitted vide Commission's order dated 23.02.2021. During the hearing on 10.03.2021, the Commission asked PSPCL as to whether loading conditions of the feeders and the feasibility of releasing connections in the cases where feasibility clearance was given more than two years ago would have remained same till date. The officer of PSPCL attending the hearing submitted that the loading conditions could have changed in some cases which might necessitate review of feasibility clearance. The Commission further observed that charging demand notice extension fee for every intervening quarter might not be in line with the spirit of the proposal which envisages giving relief to consumers. The officer of the PSPCL prayed for the permission of the Commission to revise the petition. Permission was granted to PSPCL to submit revised petition within a week and the petition was fixed for hearing on 24.03.2021.

3. PSPCL vide CE/ARR&TR Memo no. 5582 dated 23.03.2021 submitted a revised petition and prayed as under;
- i. The validity period of all Demand Notices (except AP), whose original validity period or extended validity period falls during the period from 23.03.2020 to 30.06.2020, be deemed to be extended for further 3 months from the date of issue of commercial circular provided that consumer/applicant have availed all the extension and maximum period of one year from the date of issue of demand notice as provided under Regulation 6.8.7(a) of Supply Code-2014 has already been expired before the issue of commercial circular. The deemed extension in these cases shall be subject to technical feasibility i.e. if connection can be released as per approved feasibility clearance only.
 - ii. Further, the validity period of all Demand Notices (except AP), whose original validity period falls during the period from 23.03.2020 to 30.06.2020 and demand notices are valid on the date of issue of commercial circular in this regard, be deemed to be extended for further 3 months beyond the maximum period of one year from the date of issue of demand notice provided that consumer/applicant have availed all the extension as provided under Regulation 6.8.7(a) of Supply Code-2014.
 - iii. All such consumers/applicants shall be intimated within 7 days from the date of issue of commercial circular for the extended period of validity of demand notice. Consumer/applicant is not liable to pay any extension charges for deemed extension.
4. The petition was taken up for hearing on 24.03.2021 through video conferencing. As the petition involves public interest, PSPCL was

directed to issue public notice, inviting objections/suggestions from the stakeholders giving 15 days time for submitting their objections/suggestions.

5. During the public hearing held on 15.04.2021, no objector appeared before the Commission. Also, no written objection/comments have been received from the public. After hearing the officers of PSPCL, the order was reserved.

6. Commission's Findings and Order

PSPCL has filed this petition for relaxing the provisions of Regulation 6.8.7(a) of the Supply Code, 2014 for extension in the validity period of demand notices of all categories of consumers (except AP) in the State of Punjab due to the impact of Covid-19 pandemic. PSPCL has submitted that some applicants/consumers could not comply with the conditions of the demand notice within the validity period due to COVID restrictions and such consumers are requesting for extension in the validity period beyond the maximum period of one year stipulated in Supply Code, 2014 to comply with the demand notice. Similarly some consumers/applicants might need some extra time over and above the one year period specified in the Supply Code, 2014 for compliance of the demand notice due to the said reasons.

Punjab is power surplus and to increase the energy consumption, the Commission has introduced various rebates/incentives for utilization of the surplus power. Early release of new connections and/or extension in load of the consumers will help the applicants/consumers to set up industry/commercial establishments thereby increasing the sale of power. Thus to mitigate the hardship of consumers/applicants caused due to the COVID-19 pandemic, the

Commission, using the powers vested in it under Regulation 46 and 47 of the Supply Code-2014 read with Regulations 69, 71 & 72 of PSERC (Conduct of Business) Regulations 2005, relaxes the provisions of Regulation 6.8.7(a) of the Supply Code, 2014 and allows extension in the validity period of the demand notices subject to following terms and conditions;

- 1. The validity period of all Demand Notices (except AP), whose original validity period or extended validity period falls during the period 23.03.2020 to 30.06.2020, may further be extended for a maximum period of 4 months from the date of issue of this order provided that the consumer/applicant has availed all the extension(s) as permissible under Regulation 6.8.7(a) of Supply Code-2014 and the maximum period of one year from the date of issue of demand notice has already lapsed on the date of issue of this order. The consumer/applicant shall submit the request for extension in the validity period of demand notice along with one time extension fee as specified in Schedule of General Charges. Further, the extension in the demand notice period in such cases shall be subject to technical feasibility, wherever applicable. PSPCL shall verify the technical feasibility within 15 days of the receipt of the request from the Applicant/consumer failing which the technical feasibility shall be deemed to have been approved.***

2. The validity period of all Demand Notices (except AP), issued during the period from 23.03.2020 to 30.06.2020 may be extended for a further period 4 months beyond the maximum period of one year from the date of issue of demand notice provided that the consumer/applicant has availed all the permissible extension(s) as specified under Regulation 6.8.7(a) of Supply Code-2014 and the validity of the demand notice has not lapsed on the date of issue of this order. The consumer/applicant shall submit the request for extension in the validity period of demand notice along with one time extension fee as specified in Schedule of General Charges.

3. The distribution licensee shall issue a public notice in at least three leading Newspapers and also issue individual notices to the affected consumers/applicants within 7 days from the date of issue of this order informing the consumers/applicants about the said relaxation in the Supply Code Regulations approved by the Commission.

The petition is disposed of accordingly.

Sd/-

**(Paramjeet Singh)
Member**

Sd/-

**(Anjuli Chandra)
Member**

Sd/-

**(Viswajeet Khanna)
Chairperson**

Chandigarh
Dated: 22.04.2021