

BEFORE THE CONSUMER GRIEVANCES REDRESSAL FORUM
(Under the Electricity Act, 2003)
PUDUCHERRY

PRESENT:

THIRU T. GOPALAKRISHNAN, B.E.,
CHAIRMAN

THIRU A.S. JITENDRA RAO, B. Tech., M.B.A.,
LICENSEE MEMBER

THIRU R. KRISHNAMURTHY, B.Com., LLB., PGDFL.,
JERC NOMINATED MEMBER

FRIDAY, THE 30TH DAY OF APRIL 2021

CONSUMER CASE No.19/2021

G. Sivaboosanan,
6G, I Cross Street,
Thilagar Nagar,
Puducherry- 605009

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Complainant

Vs.

- 1) The Executive Engineer- Rural (North) (O&M),
Electricity Department,
Puducherry.
- 2) The Executive Engineer- MRT & MMC,
Electricity Department,
Puducherry.
- 3) The Assistant Engineer – Lawspet,
Electricity Department,
Puducherry.
- 4) The Junior Accounts Officer (Revenue-II),
Electricity Department,
Puducherry.
- 5) The Junior Engineer, Gorimedu,
Electricity Department,
Puducherry.

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Respondents

This case in C.C. No.19/2021 came up before this Forum for final hearing on 19/04/2021. After hearing both sides and having stood over till this date for consideration this Forum has delivered the following:

The case of the Complainant is as follows:

1. A Complaint has been received from G. Sivaboosanan on 17/03/2021. In the complaint, the Complainant had stated that, he is residing at the above mentioned address. He has installed 5 KWp rooftop solar PV panels and connected with Net Metering Service Policy No.21-49-01-0043/A2. Apart from the above, there are four other service connection in the same building as mentioned below:

i) 21-49-01-0042A/A2; ii) 21-49-0042B/A2; iii) 21-49-01-0042C/A2; and iv) 21-49-01-0042D/A2. The above services have been got approved under group net metering for which agreement signed with the Electricity Department. From the day the net metering commissioned, the monthly bill is being issued without mentioning import / export / net reading. In order to get this, every month he has to contact in person the office of the Junior Accounts Officer, (Revenue II) as per the guidance of Junior Engineer, Thattanchavady. From the monthly bill, he is not aware which reading is indicated. The monthly bill does not mention the amount to be paid. He has raised doubts whether the monthly bill will be served in the same manner without mentioning import / export and net units. He has requested this Forum to issue Orders that the monthly bill served should include import, export and net units in future. As per the agreement made in October 2020, he has got other services under group net metering and as per the guidance of the Junior Engineer, Thattanchavady, the Office of the Junior Accounts Officer,(Revenue-II) was contacted. He was told that every month all the five current consumption charges bills should be got corrected in their office. He was not sure whether the above office are doing their work properly as they are making him to run from pillar to post causing mental stress. He has

prayed for proper action be taken. When the matter was taken up with the Head of Department he has assured to take action. But every month, he has to spend 3 days to get the bill from the Revenue Section. Being a senior citizen he is not able to walk. He has requested to issue correct net metering bill be served to him every month. Further, for the excess units exported after adjustment against the units imported, excess unit should be indicated in the monthly bill as per agreement. Hence, the Complaint.

2. The complaint has been registered as C.C. No.19/2021 on 17/03/2021 and notices were sent to the Respondents on 18/03/2021 for giving reply by 26/03/2021. The reply of the Respondents received on 24/03/2021 was communicated to the Complainant and the case was posted for hearing on 15/04/2021.

3. In the hearing held on 15/04/2021, the Complainant was asked to furnish copy of the bill from January to March 2021. The Respondents were asked to furnish guidelines in respect of grid connected solar generation, net metering commissioning report and month-wise working sheet of units exported, imported and adjusted units under group net metering.

4. During the hearing held on 19/04/2021, the Respondent No.3 has submitted a copy of the guidelines issued by the Department and also a copy of the minutes of the meeting held by the Respondent No.1 on 11/11/2020. In the minutes of meeting the Respondent No.1 has instructed all the Assistant Engineers and Junior Engineers to take reading of all solar net metered services by 5th of every month and send the details to the Revenue section. The Junior Accounts Officer (Revenue-II) was instructed to generate bill accordingly.

5. Further, the Respondent No.1 stated that the Complainant has applied for issue of approval for setting up of Solar rooftop PV Power plant unit on 27/01/2020 and approval issued vide Order 3582/ED/AE/L.F.33/19-20 and the unit was technically commissioned on 04/03/2020. However, when executing the agreement with the prosumer the date of agreement was mentioned as 2018 instead of 2020 due to typographical error.

6. The Respondent No.4 has furnished a statement of import and export unit of the net metering and working sheet of month wise bill which have been adjusted in the policy No.21-49-01-0043 and also with the other 4 group services connected in the group net metering. At the end of March 2021, number of units exported after adjustment in all the 5 numbers of solar connections under group net metering is 510 units.

Observation: i. From the additional affidavit filed by the Respondent, it is observed that the agreement entered with the prosumer with commissioned date of operation 04/03/2020 does not correlate with the provisions of “Net Metering Regulation 2019” of the JERC (for the state of Goa and Union Territories) but with the earlier regulations 2014. It is evident that the Department had issued detailed guidelines based on Net Metering Regulations 2019 to be followed by the Officer while commissioning the solar net metering services. But the same has not been followed scrupulously by the Respondents.

ii. Presently, spot bill of current consumption charges are issued to the Complainant recording only the consumption of the import meter unit. After couple of days, the prosumer has to approach the billing clerk to incorporate the export units based on the monthly report of the field officer and get net bill amount. The readings of export and import unit of the net meter are taken on different dates.

iii. The present billing software of the Licensee does not meet the requirement of Net Metered connections. In order to redress the grievances of the Complainant, apart

from others, the Licensee has to take measures to incorporate in its billing software for “Billing, Energy Accounting and Settlement” in accordance with the Regulations 11.1, 11.2, 11.3, 11.5, 11.7 and 13 of the Net Metering Regulations 2019 which is reproduced below:

11.1 The accounting of electricity exported from Solar Project and imported from the Grid by the Eligible consumer shall become effective from the date of connectivity of the Solar Project with the distribution network.

11.2 For each billing period, the Distribution Licensee shall show separately:

(a) the quantum of electricity Units exported by the Eligible consumer

(b) the quantum of electricity Units imported by the Eligible consumer

(c) the net quantum of electricity Units billed for payment by the Eligible consumer; and

(d) the net quantum of electricity Units carried over (if surplus) to the next billing period

Provided, that if the quantum of electricity exported exceeds the quantum imported during the billing period, the excess quantum shall be carried forward to the next billing period as credited Units of electricity;

Provided further that, if the quantum of electricity units imported by the Eligible consumer during any billing period exceeds the quantum exported, the Distribution Licensee shall rate its invoice / bill for the net electricity consumption after adjusting the credited units.

11.3 The unadjusted net credited units of electricity as at the end of each financial year shall be considered as units purchased by the Distribution Licensee at Average Power Purchase cost of the concerned Distribution Licensee or Feed-in-Tariff determined for that year without considering subsidy and Accelerated depreciation, whichever is lower.

Provided that, at the beginning of each Settlement Period, the cumulative quantum of injected electricity carried forward will be re-set to zero.

11.5 The Distribution Licensee shall compute the amount payable to the Eligible Consumer, latest by April 30th of the following year for the excess solar energy purchased by it during the Financial year as specified in Regulations 11.3 and shall pay the amount to the eligible consumer by May 31st of the following year

11.7 *In case of Group Net Metering, the billing and energy accounting shall be dealt with as under:*

(a) Where the export of units during any billing periods exceeds the import of units at the connection where Solar Project is located, such surplus units injected into the grid shall be adjusted against the energy consumed in the monthly bill of service connections(s) in a sequence indicated in the priority list provided by the Consumer. The sequence of priority for adjustment shall be deemed to have begun with the service connection where the Solar Project is located.

(b) The priority list for adjustment of the balance surplus energy against other electricity connection(s) may be revised by the Consumer once at the beginning of every financial year with an advance notice of two months.

(c) The electricity consumption in any time block (e.g., peak hours, off-peak hours, etc.,) shall be first compensated with the electricity generation in the similar time blocks in the same billing cycle of the Consumer where the Solar Project is located, and any surplus units injected shall be adjusted against the energy consumed in the monthly bill of service connection(s) in a sequence indicated in the priority list provided by the Consumer, as if the surplus generation / Energy credits occurred during the off peak time block for Time of Day (TOD) Consumers and normal time block for Non-ToD Consumer. Where during any billing period, the export of units either in Non-ToD Tariff or ToD Tariff exceeds the import of units by the Electricity service connection(s), such surplus units injected by the Consumer shall be carried forward to the next billing period as energy credit and shown as energy exported by the Consumer for adjustment against the energy consumed in subsequent billing periods within the Settlement Period in the sequence indicated in the priority list.

(e) For unadjusted net credited Units of electricity at the end of each financial year, the provisions of Clause 11.3 will be applicable for the connections where Solar Project is located.

13.0 *Late payment surcharge.*

In case the payment by the Distribution Licensee under Regulations 11.3 above is delayed beyond 31st of May of that year, a Late Payment Surcharge at the rate of 1.25% per month from the delay beyond 31st May shall be levied on the Distribution Licensee.