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

MONDAY, THE 10TH DAY OF JANUARY 2022

CONSUMER CASE No.88/2021

Mariamma Paul,
No.7 Saraswathy Street,
Seenuvasapuram,
Veema Nagar,
Thattanchavady,
Puducherry- 605009 .... Complainant

Vs.

1) The Executive Engineer- Rural (North) (O&M),
Electricity Department,
Puducherry.

2) The Assistant Engineer – Lawspet,
Electricity Department,
Puducherry.

3) The Junior Accounts Officer (Revenue-II),
Electricity Department,
Puducherry.

4) The Junior Engineer, Gorimedu,
Electricity Department,
Puducherry. .... Respondents

This case in C.C. No.88/2021 came up before this Forum for final hearing on 04/01/2022. 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 was received from Mariamma Paul on 12/11/2021. In the complaint, the Complainant had stated that, she is having net metering service connection bearing policy number 21-54-04-0098. Further, the Complainant stated that in case number CC 21/2021 the working sheet given by the Junior Accounts Officer is not convincing. As on date, the readings in the net metering, import units 9686 export units 12590, net units 2984 which is clear indication that Department had to pay back for 2984 units. Instead, the Complainant was asked to pay Rs.12,746/-. To recap the earlier consumer case CC No.21/2021, due to inter changing of S and L connection at the time of commissioning the net metering in March 2019, the recording was not made in export register of net metering. After due consideration of the case, this Forum had passed order to devise suitable methodology to work out quantity of units exported to grid. The Complainant had received registered post in June 2021 on the calculation of solar export units. The Complainant met the Department officials several times and sought clarification, but was not convinced with the clarification due to which the Complainant had undergone mental agony and requested to examine the working sheet of the Department and render justice. Hence, the Complaint.

2. The complaint has been registered as C.C. No.88/2021 on 12/11/2021 and notices were sent to the Executive Engineer (Rural-North) / Respondent No.1 and others for giving reply by 23/11/2021. The Respondents sought for extension of time till 30/11/2021. The reply of the Respondents were received on 29/11/2021 and copy of the same was communicated to the Complainant and the case was posted for hearing on 21/12/2021. The hearing was attended by both parties.

3. In the Affidavit dated 29/11/2021 the Assistant Engineer, Lawspet / Respondent No.2 on behalf of Respondent No.1 and 4, stated that in the Case No.21/2021 as per the report of the Junior Engineer, Gorimedu, the terminal

connections of supply (S) and load (L) in the Net meter were interchanged, when Synchronizing the Solar installation on 18/01/2019. Subsequently on finding the same, the connection was corrected on 18/10/2019. A copy of the letter addressed to the Junior Accounts Officer – Rev.II in this regard is furnished. In view of the wrong connection, the load current to the consumer loads might have flowed through CT coil in the Bi-directional meter from the suppliers power supply and recorded as export. Since power supply wire connected in the load terminal of the meter.

4. Meanwhile, the entire power generated in the solar system might have been utilsed by prosumer / solar generated power supply exported to grid directly without any recording in the bi-directional meter. As such, No import reading was available recorded till 18/10/2019. The data in respect of actual import and export energy have not been recorded in the energy meter during the above said period. Meanwhile, no other alternative method to find the exact details of import and export energy. In the above circumstances, it is suggested to issue the bill to the consumer based on the average of actual reading for the corresponding period during the year 2020.

5. In the Affidavit dated 29/11/2021, the Junior Accounts Officer-Rev-II / Respondent No.3 has stated that the revised bill statement was prepared in respect of the service connection bearing policy No.160574 / A2 Policy code No.21-54-04-0098 / A2 for the period from March 2019 to March 2021 for an amount of Rs.9,965/- towards arrears of current consumption charges, due to be paid up to March 2021 and 499 units was carried forward to the next month for April 2021 in excess / export. The revised bill statement was communicated to the consumer and copy thereof to the Forum. The consumer has not paid any amount upto September 2021. The average of the actual reading in respect of the said policy for the corresponding period of eight months from March 2020 to October 2020 has been calculated for 190 units / month and applied for the period from March 2019 to October 2019. An

amount of Rs.2,031/- accounting to the excess 499 Export units was adjusted in the month of April 2021 in respect of the said policy. Accordingly, the bill statement in respect of the said service is now prepared for the further period upto September 2021 and as per the present bill statement an amount of Rs. 14,355/- is due to be paid by the consumer towards arrears of current consumption charges with BPSC for the period upto September 2021.

6. During the hearing held on 21/12/2021the Respondents were enquired about the outstanding arrears after revision of the bill based on the Order in CC No.21/2021. It was informed that an amount of Rs.14,355/- is outstanding upto the month of September 2021 and the Complainant has not paid any amount. The Respondents were directed to furnish the commissioning report of the net metering service, test report of the meter supplied by the Prosumer and lab report for testing the meter in his premises with the S and L connection inter changed. It was also directed to furnish the downloaded report available in the memory of the net meter. The Complainant was also directed to pay 50% of the outstanding amount of Rs.14,355/-.

7. Next Hearing was fixed on 04/01/2022. During the second hearing the Respondent filed Lab test report of the net meter in the Complainant's service. In the report, it has been stated that if S and L terminal connections are interchanged, actual export energy will record in the import register and actual import energy will record in the export register. Whereas it is seen that there was no recordings in the import register and only export register has been recorded in units. The Complainant stated that Rs.5000/- was paid on 10/01/2022.

Observation: Since S & L connection had been interchanged the meter had not recorded properly and it is concluded that the net meter is rendered as 'defective' condition. As per Regulation 7.12 of Supply Code 2018:

7.12: In case of defective/ stuck / stopped / Burnt meter the consumer shall be billed on the basis of higher of monthly consumption of corresponding month of the previous year and average monthly consumption of immediately preceding three months. These charges shall be leviable for a maximum period of three months only during which time the Licensee is expected to have replaced the defective meter.

But in this case the net meter was commissioned in March 2019 the meter was rendered defective immediately only due to interchange of S & L connection. After changing the terminal connection, the meter started recording properly. Further as solar generation of electricity energy is dependent on sun's rays, it is prudent that the net consumption is charged based on recorded units month on month basis in the subsequent year 2020. The Respondent also furnished revised working sheet on this methodology. It is found that the working sheet is correct and the Complainant is to pay Rs. 9,662/- upto the end of November 2021. The Complainant's claim of the units exported as on date is not agreeable as the net meter recording of units is not correct during the period of interchange of terminal connection from January 2019 to October 2019.

ORDER

i. The Complainant is directed to pay outstanding amount as per working sheet furnished by the Respondent within 15 days of this Order.

ii. Thus, the Complaint is allowed to the extent indicated.

iii. The Complainant is at liberty to prefer an appeal against this Order before the Ombudsman, Joint Electricity Regulatory Commission for the state of Goa and Union Territories, 3rd Floor, Plot No. 55-56, Pathkind Lab Building, Service Lane, Udyog Vihar, Phase IV, Sector -18 Gurugram, Haryana-122015 within 30 days from the date of this Order under intimation to this Forum and the Respondents.

Dated at Puducherry on this the 10th day of January 2022.

Sd/-	Sd/-	Sd/-
(R. KRISHNAMURTHY) **JERC NOMINATED MEMBER**	**(A.S. JITENDRA RAO)** **LICENSEE MEMBER**	**(T. GOPALAKRISHNAN)** **CHAIRMAN**