



TAMIL NADU ELECTRICITY OMBUDSMAN

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BEFORE THE TAMIL NADU ELECTRICITY OMBUDSMAN, CHENNAI

Present : Thiru. A. Dharmaraj, Electricity Ombudsman

Appeal Petition No. 34 of 2012

Thiru N.S. Venkatesan, I.R.S.S.E (Rtd),
76, 5th Cross Street,
Mahalakshmi Nagar,
Adambakkam,
Chennai – 600 088.

. . . . Appellant
(Rep by party in person)

Vs

The Superintending Engineer,
Chennai Electricity Distribution circle / South,
TANGEDCO,
110 KV SS Complex,
K.K. Nagar, Chennai – 600 078

. Respondent
(Rep by Thiru. Selvaraj/EE/O&M/Guindy)

Date of Hearing 9-10-2012

Date of Order : 7.11.2012

The above appeal petition No. AP 34 of 2012 came up for final hearing before the Electricity Ombudsman on 9-10-2012. Upon perusing the appeal petition, counter of the Respondent and after hearing both sides, the Electricity Ombudsman passes the following Order.

ORDER

1. Prayer of the Appellant :-

The appellant prayed for redressal of the following grievances :

(i) There are wide vagaries in the quality of LT supply and the quality in the standards of power supply. the quality in the standard of power supply has not been ensured in commensurate with the tariff hike since 1.4.2012. There is a voltage variation of 25 to 30 volts during switch over at Thillaiganga nagar.

(ii) Safety measures remain to be fulfilled.

(iii) Refund of Development charges paid for conversion of single phase service into 3 phase service.

(iv) There is unscheduled load shedding and the scheduled load shedding is also not informed.

2. Brief History of the case:- The Appellant is the owner of service No. 279-0280-81. The consumer complaint is about the low voltage and also unscheduled load shedding during night hours. He also made complaint about the safety aspects of the network in his area. He also requested refund of the Development charges paid by him for converting the single phase service into 3 phase service. He filed a petition to CGRF of Chennai Electricity Distribution Circle / South and the CGRF has issued its order and the same was received by the appellant on 4.8.2012. Aggrieved over the above orders of CGRF of Chennai Electricity Distribution Circle / South, he filed this appeal petition before Electricity Ombudsman.

3. Contentions of the Appellant:-

3.1 The appellant has contended the following in his appeal petition.

3.2 The wide vagaries in the quality of LT supply continue unabated still. Improvement in the bus-voltage failed to sustain even for three days on 27.7.2012 itself, unscheduled load shedding was restored to from 21.40 to 22.20 hrs, the cause being low bus-voltage ; again from 23 hrs to 00.30 hrs on 2.8.2012; 23.15 to odd hrs on 12/8, 1.45 hrs to 3.45 hrs on 13/8. Invariably on all days power supply is switched over between 22 hrs and the following 6 hrs – once or more- very time causing a drop of 25 to 30 volts. The quality in the standards of power supply has not been ensured in commensurate with the tariff hike since 1.4.2012.

3.3 Very low voltages of LT supply resulting in apparently higher consumption charges has not been considered by the CGRF.

3.4 Safety measures remain to be fulfilled.

3.5 On 05.08.2009 the existing single phase supply itself was upgraded to three phase. Being a consumer since 1976 and a senior citizen of 78 years, he requested that the up gradation may not be treated as new connection and the development charges collected may be refunded.

3.6 The switch over at Thillai Ganga Nagar more so during night hours causing voltage variations of 25 to 30. Unscheduled load shedding continue to be a menace. Even the scheduled load shedding to this area is not being clearly advised.

4. Contentions of the Respondent:-

4.1 The Respondent has contended the following in his counter.

4.2 (i) On 2-8-2012, low voltage occurred in night hours due to 11 Kv jumper cut in 11 Kv Andal Nagar feeder off 33/11Kv Thillai Ganga Nagar S.S. The same was line patrolled, location identified and rectified between 23.00 hrs and 23.45 hrs. The duration of interruption was 45 minutes which is within the time schedule for restoration of HT supply failure for urban areas as per the clause 12(ii) of standard of performance regulation.

4.3 On 12-8-12 due to failure of Lv Breaker at 110 Kv Velachery S.S., back feeding was arranged to 11 Kv Velachery – Adambakkam feeder by interrupting partly the 11 KV T.G. Nagar – Andal Nagar feeder between 23.15 hrs and 23.40 hrs. The duration of interruption in this case also in only 25 minutes which is within the time schedule of restoration of HT supply.

4.4 On 13-8-2012, the 11Kv supply interrupted due to overload and excessive winding temperature on power transformer in 33 Kv T.G. Nagar S.S. There was interruption about 1.30 hrs. The reason for interruption and the probable restoration time were communicated to the consumers while contacting over land phone and mobile phone as per the clause 12(v) of standard of performance regulation.

4.5 In order to improve the voltage regulation, a separate proposal for establishment of 110 KV Sub station at AGS Colony area for which land was identified and proposal sent to Corporation of Chennai towards land acquisition.

4.6 Safety aspects was inspected and identified. The necessary action will be carried out shortly.

4.7 Refund of development charges is not feasible as per the existing norms.

4.8 The changing over of HT supply at 33 Kv / 11 Kv T.G. Nagar S.S. only is a rare occurrence now, that too for reducing the interruptions. Routine monthly shut-downs are being regularly published in the leading news papers.

5. **Hearing held by the Electricity Ombudsman:-** In order to enable the Appellant and the Respondents to put forth their arguments in person, a hearing was held before the Electricity Ombudsman on 9.10.2012.

6. **Argument of the Appellant:-**

6.1 The Appellant Thiru N.S. Venkatesan I.R.S.S.E (Retd) himself presented the case.

6.2 The Appellant informed that he is happy with the response of the officers of the licensee serving his area and there is no complaint against them. In fact he wished to record his appreciation for their works.

6.3 He reiterated the contents of the petition. He said that the voltage is about 190 V up to 21 hrs. But after the 21.00 hrs, the voltage is very low and needs to be improved by the licensee. He also informed that whenever, supply was changed from Thillai Ganga Nagar SS, the voltage is lower than the normal level. He also argued due to the low voltage prevailing in his service, his consumption is higher resulting in payment of higher consumption charges.

6.4 Regarding safety aspects, he said that the sag in the LT lines have been attended and he is thankful for the officers of the licensee for attending the above. However, he pointed out that UG 11 Kv cables in certain areas have been coiled and placed over the ground. In certain coils there are Klinks also. He argued

that the above cables are to be buried under the ground considering the safety aspects.

6.5 Regarding the Development charges, he argued that while converting the single phase service into to 3 phase service, practically there was no extra work as there is already three phase supply in the building. The licensee has only changed the meter and made a connection. Hence, there is no extra work and hence he argued that the development charges collected has to be refunded. He pointed out the Commission's observation of not to collect extension charges in the tariff order in support of his argument.

6.6 He argued that even in the scheduled load shedding the details of places covered in the shut down are not published. He showed a copy of an advertisement published in this regard by the licensee and informed that Adambakkam area have been specified under Aminjikai area. Further, he also informed that the unscheduled load shedding is also being done in his area.

7. Argument of the Respondent:-

7.1 The Respondent was represented by EE/O&M/ Guindy. He also reiterated the contents of the counter.

7.2 The EE/O&M/ Guindy informed that the voltage level at the consumer end was measured recently and found 192V, 193V & 192V in R,Y & B phase respectively. He further informed that, a new feeder called AGs colony feeder from Thillai Ganga Nagar SS has already been laid and the feeder will be charged on enhancement of capacity of the existing 8 MVA Power Transformer into 16 MVA in Thillai Ganga Nagar SS. He also informed that the enhancement of power

transformer capacity to 16 MVA will be completed within another 3 months and an energisation of the above feeder, the voltage will be still better as load from Andal Nagar feeder will be bifurcated and fed by the AGs colony feeder. In addition to the above, the EE/O&M/ Guindy informed that there is a proposal to establish a 110 Kv SS at AGS Colony for which land was identified and proposal was sent to Chennai Corporation for allotment of the land. On acquisition of land, further action will be taken to get sanction for establishment of the above SS. Of course he informed that it is a longtime measure to improve the supply position of that area.

7.3 Regarding the safety aspects, the EE/O&M/ Guindy informed that utmost care will be given for the safety and agreed to take action to bury the UG Cables which are coiled and placed on the ground within a month.

7.4 The EE/O&M/ Guindy informed that the Development charges are levied as per Distribution Code and there is no provision to refund the above charges collected for conversion of a single phase service into a 3 phase service.

7.5 The EE/O&M/ Guindy assured that in the shutdown notification, the areas covered will be indicated in details in future. He also informed that the unscheduled shedding may be due to breakdowns or as per the instructions of the control centre. He assured that wherever feasible the information regarding shutdown / load shedding will be informed to the consumers.

8. Findings of the Electricity Ombudsman :-

As there are four grievances, the findings are discussed below in grievance wise.

8.1 **First Grievance** :- This grievance relates to low voltage in the service of the Appellant.

8.2 The Appellant informed that during day time the voltage is normal. But from 21 hrs to 2 a.m. voltage is low and need to be improved. He also informed that due to low voltage his consumption has increased.

8.3 The Respondent informed that a feeder named AGS Colony feeder was already laid from Thillai Ganga Nagar SS . The feeder could be energized only after enhancing the power transformer capacity of the existing 8 MVA power transformer into 16 MVA in the Thillai Ganga Nagar SS.

8.4 The EE informed that within 3 months the feeder will be energized duly erecting a 16 MVA the power transformer in the Thillai Ganga Nagar SS and an energisation of the above feeder the voltage of the Appellant's area will be improved as load of the Andal feeder which is supplying the area is going to be bifurcated. He also informed as a long term measure, there is a proposal to establish a 110 KV SS at AGS Colony area for which land has already been identified and a proposal was sent to corporation of Chennai for allotment of land. On getting allotment of land further action will be taken to establish the 110 KV SS.

8.5 The Appellant, said that he is happy with the action taken by the EE/O&M/ Guindy and other Officers of the licensee for improvement of the voltage in his area and informed that the proposed feeder may be energized at the earliest.

8.6 As the Respondent has agreed to address the low voltage issue by providing a new 11 KV feeder within 3 months which is within the time frame of 180 days specified in Regulation 15 of the Tamil Nadu Electricity Distribution Standards of Performance, Regulations, I am of the view that the Respondent has

taken action to address with reference to above grievance and the issue may be treated as addressed. However the Respondent is directed to send a Compliance report within 105 days from the date of the order.

9. Grievance 2 :

9.1 The Appellant informed that the excess 11 KV cables are coiled and placed over the ground near the termination points which need to be buried.

9.2 The EE/O&M/ Guindy informed that the coiled portion of 11 KV cables which are placed on the ground will be arranged to be buried in the ground within a months time.

9.3 The Appellant on getting the above assurance from the EE/O&M/ Guindy, informed that he is satisfied with the above response.

9.4 As the EE/O&M/ Guindy has agreed to take action with reference to above grievance within a month time, the 2nd grievance of the Appellant was also treated as addressed. However, the Respondent is directed to furnish the compliance report within 45 days from the date of this Order.

9.5 With regard to the consumption, it is to be informed that the consumption is depending on the load connected to the service and hence the consumption will not be altered due to change in voltage.

10. Grievance - 3:

10.1 The Appellant prayed for refund of the Development Charges paid towards conversion of a single phase service into 3 phase service stating that there is no expenditure for the licensee for the conversion as 3 phase supply was already

available in the premises as the licensee has to only change the meter and give connection from the existing meter Board.

10.2 The Respondent argued that as per Regulation 47 of the Distribution Code, the development charges are to be levied for conversion of single phase service into 3 phase service and hence it is as per regulation and could not be refunded.

10.3 As the Respondent has referred to the Regulation 47 of the Distribution Code, the said Regulation is extracted below:-

47. Development Charges: The Licensee is authorized to collect development charges from LT/HT consumers at the rates specified by the Commission from time to time.

Note:—

(1) The above development charges (one time payment) shall be collected from all applicants both for new and additional loads.

(2) For additional loads applied in the existing service the same rates are applicable.

(3) In case of conversions from Single Phase to Three Phase the difference in the development charges shall be collected provided the initial development charges were paid while availing Single Phase Service.

(4) One fourth of the development charges shall be applied to temporary supplies.

10.4 On a plain reading of the said Regulation, it is noted that the licensee is authorized to collect development charges from LT / HT consumers at the rates specified by the Commission from time to time. As per Note (3) under Regulation 47, in case of conversion from single phase to three phase the difference in development charges shall be collected provided that initial development charges were paid while availing the single phase supply.

10.5 As development charges levied is in conformity with Regulation 47 of the Distribution Code, it is held that the development charges collected for conversion of a single phase service into 3 phase service could not be refunded. The above fact was explained to the Appellant and he is also convinced that the amount levied is as per Regulation.

11. Grievance - 4 :

11.1 The Appellant informed that even the scheduled load shedding is not properly intimated. He pointed out that in the shutdown published in the newspapers the details of places coming under the shutdown area are not given. Further, he informed that in one of the shutdown intimation published in the news paper, the Adambakkam area was mentioned under Aminjikarai. Hence, he argued that the consumers are unable to take note of the shutdown day and plan their works and requested that the load shedding shall be properly intimated to the consumers.

11.2 The EE/O&M/Guindy informed that in future the areas covered under shutdown will be given in detail and the Adambakkam area will not be published under Aminjikarai.

11.3 The Appellant on getting the above assurance from EE/O&M/Guindy has stated that he is satisfied with the above assurance.

11.4 In view of the above, it is held that the above grievance was also addressed by the Respondent and treated as closed.

12. Conclusion:- In view of the findings furnished in paras 9 to 10 above the Appeal Petition No. 34 of 2012 is treated as closed. The Respondent is directed

to send his compliance report with reference to the grievance 1 & 2 as furnished in paras 8.6 & 9.4 within 105 days and 45 days respectively.

With the above findings the AP No. 34 of 2012 is finally disposed of.
No Costs.

(A. Dharmaraj)
Electricity Ombudsman

To

- 1) Thiru N.S. Venkatesan, I.R.S.S.E.(Retd),
76, 5th Cross Street, Mahalakshmi Nagar
Adambakkam,
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- 2) The Superintending Engineer,
Chennai Electricity Distribution circle / South
TANGEDCO,
110 KV SS Complex,
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- 3) The Chairman & Managing Director,
TANGEDCO,
NPKR Malaigai, 144, Anna Salai,
Chennai – 600 002.
- 4) The Secretary
Tamil Nadu Electricity Regulatory Commission
No.19A, Rukmini Lakshmi pathy Salai
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- 5) The Assistant Director (Computer) - **FOR HOSTING IN THE WEBSITE**
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