



## **TAMIL NADU ELECTRICITY OMBUDSMAN**

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### **BEFORE THE TAMIL NADU ELECTRICITY OMBUDSMAN, CHENNAI**

**Present : Thiru. A. Dharmaraj, Electricity Ombudsman**

### **Appeal Petition No. 8 of 2012**

Thiru. P., Nainar,  
Sree Kumaran Modern Rice Mill,  
8/39, Puthurgramam,  
Therakalputhur  
Kanyakumari Dist.

..... Appellant

Vs

The Superintending Engineer,  
Kanyakumari EDC,  
TANGEDCO,  
Parvathipuram,  
P.B. No.108, Nagercoil.

..... Respondent  
(Rep by Thiru. C David Jebasingh /  
EE/D/ Nagercoil).

**Date of hearing : 29-5-2012**

**Date of order : 14-6-2012**

The above appeal petition No. 8 of 2012 came up for hearing before the Electricity Ombudsman on 29-5-2012. Upon perusing the above petition and connected records and after hearing the respondent ( the appellant was absent), the following order is passed by Electricity Ombudsman.

**ORDER****1. Prayer of the Appellant :-**

The appellant prayed to sanction additional load of 36.30 KW for his service connection no.134-370-475.

**2. Facts of the Case :**

The appellant is owning a Modern Rice Mill and its service connection number is 134-370-475 . The appellant applied for an additional load of 36.30 KW in the above service. The existing sanctioned load of the service is 112KW. The appellant's request for sanction of additional load was rejected by the SE/Kanyakumari EDC and he was advised to apply for HT service connection as the total load including the existing sanction exceeds 112KW. The appellant filed a petition to CGRF of Kanyakumari EDC for redressal of his grievance and CGRF of Kanyakumari EDC has in its order dt. 19.1.2012 intimated that as per the TNERC regulation LT service can be effected upto 112KW only and hence the request of the appellant to effect service with load upto 200KW under LT is not feasible. Aggrieved over the above orders of CGRF the appellant has filed the present petition to Electricity Ombudsman for Redressal.

**3. Contentions of the Appellant :**

The appellant has contended the following in his petition.

- (i) The appellant filed a petition to Hon'ble TNERC regarding non sanction of Additional load to his service No.134-370-475 on 4.8.2011.

- (ii) He was directed to file a petition to CGRF of Kanyakumari EDC in letter dt.29.8.2011 issued by the Secretary to the TNERC and accordingly he submitted a petition to CGRF of Kanyakumari EDC on 16.9.2011.
- (iii) The appellant in this letter addressed to TNERC has stated that as per TNERC's order No. 3 dt.31.7.2010, service could be effected under LT upto 200kw in respect of Rice Mill and hence requested for sanction for additional load applied.
- (iv) The CGRF of Kanyakumari EDC has issued its order on 19.1.2012 informing that the additional load requested could not be given.

**4. Contentions of the Respondent :**

The respondent has furnished the following in his counter.

- (i) The appellant applied for an additional load of 36.30 KW in LT SC No.134-370-475 having a connected load of 113.17KW. The total connected load works out to 149.2KW, including the existing connected load.
- (ii) As per the existing guidelines issued by TNERC Distribution Code clause 26(b), it is not possible to register an application under LT category for a demand over and above 112KW, the appellant was informed to opt for HT supply.
- (iii) The CGRF also informed the above provision under TNERC Distribution Code to the appellant.
- (iv) For the reasons stated above, the petition may be dismissed.

**5. Hearing held by the Electricity Ombudsman :**

In order to enable the appellant and the respondent to put forth their arguments in person, a hearing was held before the Electricity Ombudsman on 29.5.2012. The appellant has not attended the hearing. He has also not requested for any adjournment. On the respondent side, Thiru. E. David Jeba Singh, EE/ Distn/ Nagercoil has attended the hearing.

**6. Findings of the Electricity Ombudsman :**

6.1 The only issue in this case is whether the licensee can sanction load under LT category beyond 112 KW.

6.2 The appellant is arguing that the licensee can effect services upto 200 KW under LT quoting order no.3 of 2010 dt 31.7.2010 of the Hon'ble Commission.

6.3 The respondent has informed that as per regulation 26(b) of the Distribution Code, it is not possible to register an application under LT category for a demand over and above 112KW.

6.4 As the Appellant has stated that as per TNERC's order No. 3 of 2010, licensee can effect services upto 200 KW under LT in respect of Rice Mills the tariff order No. 3 of 2010 was taken into account and on a careful reading of the above tariff order it is noted that in paragraph 2.21.11, the following has been mentioned, namely : -

*“ Rice Mills are exempted from power cut. The maximum connected load for LT Industries may be enhanced from 112 KW to 200 KW”.*

6.5 The above paragraph is recorded in Chapter 2 of the order No. 3 of 2010 dt.31.7.2010 under the heading issue - wise summary of views, comments and suggestion, response of TNEB and rulings of the commission. In the above chapter, paragraphs 2.1 to 2.26 contain the views / objections / suggestions expressed by member of the State Advisory Committee and other Stake Holders. Paragraph 2.21 deals with the views and suggestions, received from the stake holders on Tariff for LT Industries. There were 13 views / Suggestions received from the stake holders and the paragraph referred by the appellant is one of the suggestions / views. Paras 2.27 & 2.28 contain the response of TNEB and paragraph 2.29 contains the Commission's view on the objections/comments/suggestion and para 2.30 contains commission's suggestions. In the Commission's; views on the objections/comments/suggestions the above matter was not discussed.

6.6 The Appellant has mistakenly referred to the suggestion's of the stake holders recorded in the tariff order No. 3 of 2010 as the order of the Commission. But it is only stake holders view and it is not the orders of the Commission.

6.7 The respondent has referred to regulation 26(b) of the Distribution Code and informed that the LT service could be effected upto 112KW only. The relevant regulation 26 of Distribution Code is reproduced below :

*“(a) Single-phase 2 wire 240 volts between phase and neutral for supply to a total connected load not exceeding 4000 watts (including power loads).*

*(b) Three – phase 4 wire 415 volts between phases and 240 volts between a phase and neutral for supply to a total connected load exceeding 4000 watts but not exceeding a demand of 112 KW . The consumer may elect to avail supply under any one of the above categories where the connected load does not exceed 4000 watts.*

*(c) Three-phase 3 wire, 11,000 volts and above between phases for power installation exceeding a demand of 112 KW, the minimum demand however being 63 KVA.*

*(d) The consumer shall avails supply at 33 KV and above when the demand is 5 MVA and above”.*

6.8 On a plain reading of regulation 26(b) of the Distribution Code, it is noted that three phase 4 wire, 415 V between phase and 240 V between a phase and neutral will be made available to the consumer whose the connected load is exceeding 4000 watts but not exceeding a demand of 112KW.

6.9 As per regulation 26(c), of the Distribution Code Supply shall be made available in 3phase, 11000 volts and above between phases for power installation exceeding a demand of 112 KW. Hence, for load exceeding 112KW the consumer has to avail HT supply at 11000 volts or above between phases only.

6.10 In this regard, it is also to be pointed out that in the Supply Code also the categories of supply have been specified. Regulation 3 as amended on 17.2.2012, is reproduced below :

*“3. Categories of Supply :-*

*1. Supply of electricity available to the consumer is of the following categories*

*(a) Single-phase 2 wire 240 volts between phase and neutral for supply to a total connected load not exceeding 4000 watts (including power loads ;*

*(b) Three-phase 4 wire 415 volts between phases and 240 volts between a phase and neutral for supply to a total connected load exceeding 4000 watts but not exceeding a demand of 112 KW.*

*(c) The consumer may elect to avail supply under any one of the above categories where the connected load does not exceed 4000 watts.*

*Explanation : If the connected load or demand of a LT consumer exceeds 50 KW, the consumer shall be provided with LTCT metering.*

*(d) Three-phase three wire supply at 11 KV or 22 KV depending on the voltage level existing in the area of supply shall be provided for a demand limit up to 3 MVA or 5 MVA as the case may be. However, the minimum demand shall be 63 KVA ;*

*(e) The consumer shall be provided supply at 33 KV for a demand exceeding 3 MVA and upto 10 MVA if the area of supply is fed through 11 KV system and if the area of supply is fed through 22 KV system, supply at 33 KV shall be provided for a demand exceeding 5 MVA and upto 10 MVA;*

*(f) The consumer shall be provided supply at 110 KV for a demand above 10 MVA and upto 50 MVA;*

*(g) The consumer shall be provided supply at 230 KV for a demand above 50 MVA.*

*(2) In case of existing service connection / installation not conforming to the provisions mentioned in sub-regulation (1), conversion of such service connection / installation to higher / lower voltage may be carried out based on the mutual consent between the Distribution Licensee and the Consumer duly considering the capacities of the existing line/cable, transformer, etc and the cost-benefit analysis of such conversion.*

*(3) If the consumer opts for higher levels of voltages for demands less than that specified , the consumer shall bear the extra expense to be incurred by the licensee to provide supply at such higher voltages .”*

6.11 On a careful reading of the said regulation 3(1)(b) it is noted that supply of electricity will be made available to the consumer under LT, 3 phase , 4 wire, 415 volts between phases and 240 volts between phase and neutral if the connected load is exceeding 4000 watts but not exceeding a demand of 112 KW.

6.12 The existing sanctioned load of the service connection is 112KW and the appellant has applied for an additional load of 36.03KW. The total load of the service including the additional load now requested by the Appellant works out to 148.03KW . As the total load exceeds 112KW, if the additional load requested is effected, the service cannot be kept under LT category as per regulation 3(1)(b) of Supply Code and regulation 26(b) of the Distribution Code. As per Regulation 25(c) of the Distribution Code, for power installation exceeding the demand of 112 KW, the Supply shall be effected in 3 phase, 3 wire, 11000 volts and above between phases (ie) the supply shall be effected only under HT category.

**7. Conclusion :**

Inview of the findings given in para 6 above, I am unable to interfere with the orders of CGRF of Kanyakumari EDC. With the above findings the AP No. 8 of 2012 is disposed of. No Costs.

**(A. Dharmaraj)**  
Electricity Ombudsman

To

- 1) Thiru. P. Nainar,  
Sree Kumaran Modern Rice Mill,  
8/39, Puthurgramam,  
Therakalputhur  
Kanyakumari Dist.

- 2) The Superintending Engineer,  
Kanyakumari EDC,  
TANGEDCO,  
Parvathipuram,  
P.B. No.108, Nagercoil.
- 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  
Egmore,  
Chennai – 600 008.
- 5) The Assistant Director (Computer)  
Tamil Nadu Electricity Regulatory Commission  
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