



Before the Appellate Board
National Electric Power Regulatory Authority
(NEPRA)
Islamic Republic of Pakistan

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No. NEPRA/AB/Appeal-160/POI-2016/173-177

February 02, 2017

1. Maqbool Ahmed,
S/o Atta Muhammad,
Prop: Paper Factory,
Plot No. 318, Phase-II,
Industrial Estate, Multan
2. Chief Executive Officer,
MEPCO Ltd,
MEPCO Complex, Khanewal Road,
Multan
3. Sardar Mazhar Abbas Mahar,
Advocate High Court,
45-Zikriya Block,
District Courts, Multan
4. Sub Divisional Officer,
MEPCO Ltd,
Industrial Estate Sub Division,
Multan
5. Electric Inspector
Multan Region,
249-G, Shah Ruken-e-Alam Colony,
Phase II, Multan

Subject: Appeal Titled MEPCO Vs. Maqbool Ahmed Against the Decision Dated 29.08.2016 of the Electric Inspector/POI to Government of the Punjab Multan Region, Multan

Please find enclosed herewith the decision of the Appellate Board dated 01.02.2017, regarding the subject matter, for information and necessary action accordingly.

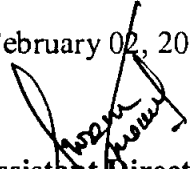
Encl: As Above

No. NEPRA/AB/Appeal-160/POI-2016/178

Forwarded for information please.

(Ikram Shakeel)

February 02, 2017


Assistant Director
Appellate Board

1. Registrar
2. Director (CAD)

CC:

1. Member (CA)



National Electric Power Regulatory Authority

Before Appellate Board

In the matter of

Appeal No. NEPRA/Appeal-160/POI-2016

Multan Electric Power Company Limited

.....Appellant

Versus

Maqbool Ahmed S/o Atta Muhammad Prop: Paper Factory,
Plot No.318, Phase –II, Industrial Estate, Multan

.....Respondent

For the appellant:

Sardar Mazhar Abbas Advocate
Mr. Junaid Kareem Revenue Officer

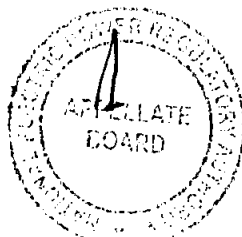
For the respondent:

Mian Muhammad Ayoob Advocate
Mr. Maqbool Ahmed

DECISION

1. This decision shall dispose of an appeal filed by Multan Electric Power Company Limited (hereinafter referred to as MEPCO) against the decision dated 29.08.2016 of Provincial Office of Inspection/Electric Inspector, Multan Region, Multan (hereinafter referred to as POI) under Section 38 (3) of the Regulation of Generation, Transmission and Distribution of Electric Power Act 1997 (hereinafter referred to as the NEPRA Act 1997).
2. As per facts of the case, the respondent is an industrial consumer of MEPCO bearing Ref No. 27-15118-0006911 with a sanctioned load of 120 kW under B-2(b) tariff. Both billing and backup meters of the respondent were checked by M&T MEPCO on 09.11.2015 and reportedly found 33% slow due to one number current transformer (CT) being damaged. Metering equipment of the respondent was again checked by M&T MEPCO on 24.03.2016 and reportedly both the meters were found dead stop. First detection bill for 10,068 units (Peak = 1,684 units & Off Peak= 8,426 units) for the period 09.11.2015 to 19.12.2015 was charged to the respondent @ 33% slowness of the meter and second detection bill for 22,272 units (P= 2,968 units & OP=19,312 units) for the period 20.12.2015 to 25.03.2016 was charged to the respondent due to the

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defective (dead stop) meter. As per respondent, supply was disconnected by MEPCO on 30.03.2016 and remained disconnected till the installation of a new meter on 29.04.2016.

3. Being aggrieved with the aforesaid irregular billing, the respondent filed a complaint before POI and challenged the bill amounting to Rs.951,880/- (current bill of Rs.268,179/- for April 2016 and the detection bill of Rs.683,701/- charged in May 2016). POI disposed of the matter vide its decision dated 29.08.2016, the operative portion of which is reproduced below:

"Summing up all the above observations and conclusions this forum declares the charging of detection bill (i) for the cost of P=1684 & OP 8426 for the period 09.11.2015 to 19.12.2015 on the basis of 33% slowness and (ii) for the cost of Peak 2960 & Off-Peak 19312 units and 158 kW for the period 20.12.2015 to 25.03.2016 on the basis of dead stop along with current bill charged for 04/2016 as Null, Void and of no legal effect. The respondents are directed to withdraw the above detection/current bills along with LPS, if imposed and charge revised bills as per column "To be charged" of the above table and afford the consumer a refund/rebate for the cost of Peak 3986 & Off Peak 23456 Kwh Units and 160 kW MDI for the period from 09.11.2015 to 10.04.2016 (billing month 04/2016) as explained in the above observations keeping in view the Data retrieval Report of the AMR meter. They are also directed to overhaul petitioner's account by adjusting all Credits, Debits, Deferred Amount & Payments already made accordingly. Disposed of in above terms."

4. Being dissatisfied with the decision dated 29.08.2016 of POI (hereinafter referred to as the impugned decision), MEPCO has filed the instant appeal and contended that the metering equipment of the respondent was checked by M&T MEPCO on 09.11.2015 and 24.03.2016 and reportedly both the meters were found 33% slow and dead stop respectively. According to MEPCO, first detection bill for 10,068 units (P= 1,684 units & OP= 8,426 units) for the period 09.11.2015 to 19.12.2015 charged @ 33% slowness and second detection bill for 22,272 units (P= 2,968 units, OP= 19,312 units) for the period 20.12.2015 to 25.03.2016 charged due to defective (dead stop) meter are justified and the respondent is liable to pay the same.
5. Notice of the appeal was issued to the respondent for filing reply/parawise comments, which were filed on 25.11.2016. In his reply, the respondent contended that the factory remained closed during the month of February 2016 and March 2016 and moreover supply of the factory remained





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disconnected for the period 30.03.2016 to 29.04.2016 due to the meter defectiveness till the installation of a new meter, therefore charging of the average bill amounting to Rs.268,179/- for April 2016 and the detection bill of Rs.683,701/- for 33,814 units for May 2016 are illegal, unlawful and against the provisions of Consumer Service Manual (CSM).

6. After issuing notice to both the parties, hearing of the appeal was held in Multan on 20.01.2017 in which Sardar Mazhar Abbas advocate along with Mr. Junaid Karim Revenue Officer represented the appellant MEPCO and Mr. Maqbool Ahmed the respondent, appeared in person along with Mian Muhammad Ayub advocate. Learned counsel for MEPCO reiterated the same arguments as given in memo of the appeal and contended that both the billing meter and backup meter were found 33% slow and dead stop during M&T checking on 09.11.2015 and 24.03.2016 respectively, therefore the detection bill of Rs.683,701/- for 33,814 units for the period 09.11.2015 to 24.03.2016 charged to the respondent due to defective meter is justified. On the contrary, the respondent denied the claim of MEPCO, defended the impugned decision and prayed for upholding the same.
7. We have heard arguments of both the parties and perused the record placed before us. It has been observed that:
- i. First detection bill for 10,068 units (P= 1,684 units & OP= 8,426 units) for the period 09.11.2015 to 19.12.2015 was charged to the respondent on the basis of 33% slowness as observed by M&T on 09.11.2015. Consumption data as provided by MEPCO is worked out as under:

Table-A

Billing Mode	Period (09.11.2015 to 19.12.2015)		
	Peak units	Off Peak units	Total units
A. Units charged @ 33% slowness	2,904 x 1.49 = 4,328	16,286 x 1.49 = 24,266	28,594
B. Units already charged in normal mode	2,904	16,286	19,190
Net units to be charged = (A-B)	1,424	7,980	9,404

In view of above it is revealed that first detection bill for 10,068 units (P= 1,684 units & OP= 8,426 units) for the period 09.11.2015 to 19.12.2015 charged to the respondent is not correct and therefore liable to be cancelled, however the respondent should be charged 9,404 units (P=1,424 units & OP = 7,980 units) for the period 09.11.2015 to 19.12.2015 as already





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determined in the impugned decision.

ii. Following bills charged by MEPCO were also disputed by the respondent before POI:

Table- B

Bill Type	Peak units	Off Peak units	Total units	MDI	Period/Month
2 nd detection bill due to defective (dead stop) meter	2,968	19,312	22,272	158 kW	20.12.2015 to 25.03.2016
Average bill	1,200	15,280	16,480	91 kW	April 2016
Total	4,168	34,592	38,752	249 kW	-

Comparison of consumption as retrieved from the live data provided by MEPCO is tabulated as under:

Table C

Undisputed		Disputed		(5) To be charged	Remarks
(1) Period	(2) Normal mode Units	(3) Month	(4) Normal mode units		
04.12.2015 to 19.12.2015 (15 days)	P= 1,082 units OP= 6,577 units MDI= 54 kW	January 2016 (19.12.2015 to 10.01.2016 21 days)	P =2,160 units OP=3,600 units	P= (1,082) x 21=1,515 units 15 OP=(6,577) x 21= 7,693units 15 Total units= 9,208 units	As per column: 2
			MDI = 54 kW		
May 2016	P= 400 units OP= 2,800 units MDI = 36 kW	February 2016	P = 40 units OP = 520 units MDI =28 kW	P = 400 units OP = 2,800 units MDI = 36 kW	As per column: 2
		March 2016	P = 80 OP = 400 MDI = 18 kW		
		Table-B	P = 4,168 OP = 34,592 38,752/249kW		

From the above, it is revealed that:

- Second detection bill for 22,272 units (P= 2,968 units, OP= 19,312 units)+158 kW MDI for the period 20.12.2015 to 25.03.2016 charged due to the meter dead stop and the average bill for 16,480 units (P= 1200 units &OP= 15,280 units) +91 kW MDI charged for April 2016 have no





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justification and should be cancelled as decided by POI.

- POI has rightly determined that the respondent should be charged 9,208 units (P=1,515 units & OP= 7,693 units)+ 81 kW MDI for the period 19.12.2015 to 10.01.2016 (21 days).
 - The respondent should be charged @ 3200 units (P= 400 & OP=2,800) + 36 kW MDI per month for the period February 2016 to April 2016 (3 months) as already determined in the impugned decision.
8. In view of what has been stated above, we do not find any reason to interfere with the impugned decision, which is based on merits and upheld. Resultantly the appeal is dismissed.

Muhammad Qamar-uz-Zaman
Member

Nadir Ali Khoso
Convener

Muhammad Shafique
Member

Dated: 01.02.2017

