



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

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No. NEPRA/AB/Appeal-084/POI-2018/ 633-637

March 21, 2019

1. Muhammad Yaqoob Khosa
S/o. Haji Ghulam Hussain,
R/o. Kot Mubarak, Chak Ghangale,
Tehsil Kot Chutta, Distt. D.G. Khan
2. Chief Executive Officer,
MEPCO Ltd,
MEPCO Complex, Khanewal Road,
Multan
3. Sardar Mazhar Abbas Mahar
Advocate High Court
45-Zakariya Block, District Courts,
Multan
4. Sub Divisional Officer (Op),
MEPCO Ltd,
Kot Chutta Sub Division,
Kot Chutta, Dera Ghazi Khan
5. Electric Inspector
Multan Region,
249-G, Shah Ruken-e-Alam Colony,
Phase II, Multan

Subject: Appeal Titled Muhammad Yaqoob Vs. MEPCO Against the Decision Dated 27.02.2018 Provincial Office of Inspection to Government of the Punjab Multan Region, Multan

Please find enclosed herewith the decision of the Appellate Board dated 18.03.2019, regarding the subject matter, for information and necessary action accordingly.

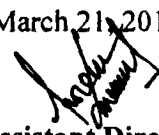
Encl: As Above

(Ikram Shakeel)

No. NEPRA/AB/Appeal-084/POI-2018/ 638

March 21, 2019

Forwarded for information please.


Assistant Director
Appellate Board

✓ 1. Registrar



National Electric Power Regulatory Authority

Before Appellate Board

In the matter of

Appeal No. 084/2018

Muhammad Yaqoob Khosa S/o Haji Ghulam Hussain,
R/o Kot Mubarak, Chak Ghangale, Tehsil Kot Chutta,
District Dera Ghazi Khan

.....Appellant

Versus

Multan Electric Power Company Limited

.....Respondent

**APPEAL UNDER SECTION 38(3) OF REGULATION OF GENERATION,
TRANSMISSION, AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997
AGAINST THE DECISION DATED 27.02.2018 PASSED BY PROVINCIAL
OFFICE OF INSPECTION MULTAN REGION, MULTAN**

For the appellant:

Mr. Muhammad Saeed

For the respondent:

Sardar Mazhar Abbas Advocate

Mr. Muhammad Adnan SDO

DECISION

1. Facts, in brief, are that the appellant is an agricultural consumer of MEPCO bearing Ref No.29-15225-1167205 having a sanctioned load of 67.52 kW under the D-1(b) tariff. The metering equipment of the appellant was checked by metering & testing (M&T) MEPCO on 06.06.2017, wherein both the Automatic Meter Reading (AMR) billing and Time of Use (TOU) backup meters were found 32.55% and 32.54% slow respectively with disturbed date and time. AMR billing meter of the appellant was sent to M&T laboratory for the data retrieval, wherein reportedly it was found slow during the periods i.e. 05.08.2015 to 19.11.2015 and (ii) 04.12.2015 to 06.06.2017. Resultantly, the multiplication factor (MF) of the appellant was enhanced from 40 to





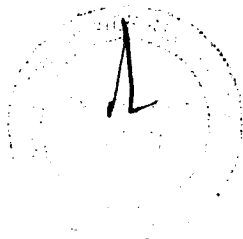
National Electric Power Regulatory Authority

59.3 due to 32.55% slowness of the AMR billing meter by MEPCO w.e.f July 2017 and onwards. Subsequently, a detection bill of Rs.941,983/- for the cost of 64,099 units (off peak=54,580, peak=9,519) for the periods (i) 05.08.2015 to 11.10.2015 & (ii) 05.12.2015 to 30.06.2017 was charged to the appellant by MEPCO @ 32.55% slowness of AMR billing meter and added in the bill for October 2017.

2. Being aggrieved, the appellant filed a complaint before the Provincial Office of Inspection (POI) and assailed the above referred detection bill. A joint inspection was carried out by POI on 07.12.2017, wherein the AMR billing meter was found 31.61% slow, the TOU backup meter was found 32.68% slow and the running load was noticed as 32 kW. The matter was disposed of by POI vide its decision dated 27.02.2018 with the following conclusion:

“Summing up all the above-narrated observations and conclusions, this forum declares the charging of the detection bill for the cost of 64099 units amounting to Rs.941,983/- for the period 05.08.2015 to 06/2017 (almost 22 months) as Null, Void and of no legal effect. The respondents are directed to withdraw the same and charge revised detection by revising billing from 11/2016 to 06/2017 on the basis of 32.93% slowness and overhaul the account of the consumer accordingly. The slow meter of the consumer be replaced in the light of clause 4.4(e) of NEPRA approved Consumer Service Manual, 2010.”

3. Instant appeal has been filed against the above referred decision inter-alia on the grounds that charging the disputed bill is violative of clause 4.4 of Consumer Service Manual (CSM); that MEPCO failed to install check meter in series with the meter under dispute to check its accuracy; that the period of detection bill i.e. 05.08.2015 to 30.06.2017 is prior to the shifting of billing on the disputed AMR meter and that the

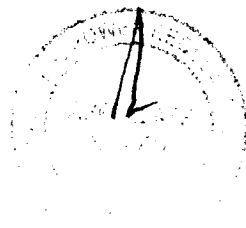




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POI rendered the impugned decision without consideration of merits, facts and law.

4. Notice of the appeal was issued to MEPCO for filing reply/para-wise comments, which however were not filed.
5. Hearing of the appeal was conducted in Multan on 15.02.2019 for which notices were served to both the parties. Mr. Muhammad Saeed appeared for the appellant and Sardar Mazhar Abbas advocate along with Mr. Muhammad Adnan SDO represented the respondent MEPCO. The appellant reiterated the same arguments as contained in the memo of the appeal and stated that slowness of the AMR billing meter was neither noted by MEPCO during monthly readings nor the detection bill of Rs.941,983/- for the cost of 64,099 units (off peak=54,580, peak=9,519) for the periods (i) 05.08.2015 to 11.10.2015 & (ii) 05.12.2015 to 30.06.2017 was charged in line with the provisions of CSM, hence the said detection bill is unjustified and liable to be canceled. Conversely, the representative for MEPCO declared the above detection bill as justified and pleaded for dismissal of the appeal being lack of merits.
6. Arguments heard and the record perused. The appellant challenged the detection bill of Rs.941,983/- for the cost of 64,099 units (off peak=54,580, peak=9,519) for the periods (i) 05.08.2015 to 11.10.2015 & (ii) 05.12.2015 to 30.06.2017 debited @ 32.55% slowness of AMR billing meter before POI, which was declared null and void vide the impugned decision. However, the determination of POI to the extent of charging the detection bill for November 2016 to June 2017 (8 months) is inconsistent with the clause 4.4 of CSM, which allows charging the detection bill maximum for two months in case of the slow meter. Hence the impugned decision for revision of the detection bill





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for November 2016 to June 2017 (8 months) is not maintainable.

As 32.55% slowness was observed in the AMR billing meter by MEPCO on 06.06.2017 and it was confirmed by POI during the joint checking dated 07.12.2017. So the appellant may be charged 32.55% slowness for two months i.e. April 2017 and May 2017 (2 months) in pursuance of clause 4.4(e) of CSM and the bill for June 2017 be revised with enhanced MF= $[40 \times 100 / (100 - 32.55) = 59.3]$ as laid down in clause 4.4(c) of CSM.

7. In consideration of what has been stated above, it is concluded that the detection bill of Rs.941,983/- for the cost of 64,099 units (off peak=54,580, peak=9,519) for the periods (i) 05.08.2015 to 11.10.2015 & (ii) 05.12.2015 to 30.06.2017 debited @ 32.55% slowness of AMR billing meter is null and void. However, the appellant may be charged the detection bill for April 2017 and May 2017 @ 32.55% slowness and the bill with enhanced MF=59.3 for June 2017. Consumer account of the respondent shall be revised accordingly.
8. The appeal is disposed of in the above terms.

Muhammad Qamar-uz-Zaman
Member

Nadir Ali Khoso
Convener

Muhammad Shafique
Member

Dated: 18.03.2019

