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National Electric Power Regulatory Authority Islamic Republic of Pakistan

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Registrar

No. NEPRA/R/TCD-09/10133-34

2-9-2014

M/s Ali Brothers
C/o Grentax, Plot CI-7, Street No.1,
Sector 6-B, Near Masjid-e-Ebrahim
North Karachi Industrial Area, Karachi.

Subject: Decision of the Authority Regarding Motion for Leave for Review filed by M/s Ali Brothers Against the Decision of NEPRA in the matter of complaint filed by M/s Ali Brothers against K-Electric Limited for Detection Bill
Complaint # KE-340/2013

Please find enclosed herewith decision of the Authority in the subject matter for information.

Encl : As Above

(Syed Safer Hussain)

Copy to:

Chief Executive Officer, K-Electric Limited (Formerly KESC), KE House, 39-B, Sunset Boulevard, DHA-II, Karachi



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA

Complaint No. KE-340/2013

M/s Ali Brothers **Petitioner**
C/o Greytex, Plot CI-7, Street No.1,
Sector 6-B, Near Masjid-e-Ebrahim,
North Karachi Industrial Area, Karachi.

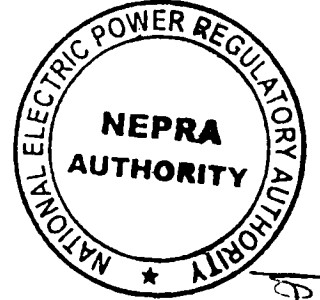
Versus

K - Electric Limited, **Respondent**
(Formerly Karachi Electric Supply Company, KESC)
KE House No.39-B, Sunset Boulevard Phase-II,
Defence Housing Authority, Karachi.

Date of Decision: July 3, 2014

Present:

- | | | |
|----|------------------------|---------------------------|
| 1) | Mr. Habibullah Khilji | Chairman |
| 2) | Khawaja Muhammad Naeem | Member (Tariff) |
| 3) | Maj. (R) Haroon Rashid | Member (Consumer Affairs) |



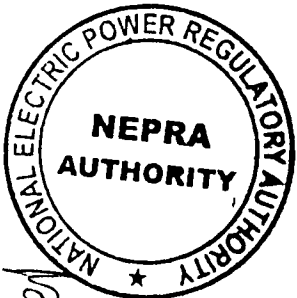
Subject: DECISION OF THE AUTHORITY REGARDING MOTION FOR LEAVE FOR REVIEW FILED BY M/S ALI BROTHERS AGAINST THE DECISION OF NEPRA IN THE MATTER OF COMPLAINT FILED BY M/S ALI BROTHERS AGAINST K-ELECTRIC LIMITED FOR DETECTION BILL

Decision

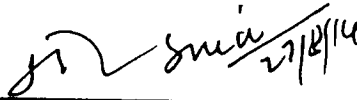
1. This decision shall dispose of the review motion dated March 24, 2014 filed by M/s Ali Brothers (hereinafter referred to as the 'Petitioner' or the 'Complainant') against the decision of NEPRA dated February 24, 2014 in the matter of complaint of M/s Ali Brothers filed under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 against K-Electric Limited (hereinafter referred to as 'KE' or the 'Respondent').
2. Brief of the case is that the Complainant filed a complaint dated August 24, 2013 with NEPRA wherein it was stated that KE has charged a supplementary bill for the month of August 2013 amounting to Rs. 1,046,986/-. Upon enquiry, KE reported that a site inspection was carried out at the Complainant's premises as per which two CTs were found out of order. Accordingly, a

supplementary bill for 6 months for the period from November 02, 2012 to May 04, 2013 was charged in July 2013 for 92732 units amounting to Rs.1,042,810/-. The case was examined in detail in light of documents provided by both the parties and arguments advanced during the hearing held on November 19, 2013. The case was decided by NEPRA whereby KE was directed to withdraw the detection bill and the Complainant be charged as per following options:

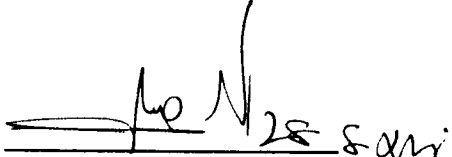
- i) The consumption recorded during the disputed period be charged on the basis of the consumption recorded during corresponding 6 months of previous year i.e. November 2011 to April 2012 or
 - ii) The consumption recorded during the disputed period be charged on the basis of 6 months consumption after replacement of CTs i.e. June 2013 to November 2013 or
 - iii) Additional 66.6% units be charged to the Complainant for three months (prior to replacement of the CTs) i.e. February 2013 to April 2013 which comes to 18101 units.
3. KE vide its letter dated April 17, 2014 informed that the decision is being implemented by opting option number (iii) above. The Complainant being aggrieved with the impugned decision has filed the instant review motion on the basis of the following:
- i) KE declared only yellow CT heat up and had claimed that one CT was faulty but NEPRA directed to charge 66.6% on two faulty CTs.
 - ii) The decision is liable to be rectified according to Chapter 4 of Consumer Service Manual (CSM). Only March 2013 and April 2013 can be considered to decide the consumption in view of same months recorded units of previous year.
 - iii) KE is not ready to follow option (i) of the decision, however, as per CSM only two months is applicable.
 - iv) As per KE's SIR dated April 6, 2013 the running load was 23.1 kW, accordingly KE admitted running load of 23.1 kW and as per load factor formula one month consumed units comes as 7207 units.
 - v) The review motion is filed in time within stipulated period of 30 days from the date of decision received by the Complainant through TCS service on March 5, 2014.
4. The Authority has considered the review motion filed by M/s Ali Brothers. In terms of Regulation 3(2) of the NEPRA (Review Procedure) Regulations, 2009 a motion seeking review of any order of the Authority is competent only upon discovery of new and important matter of evidence or on account of some mistake or error apparent on the face of record. The perusal of the decision sought to be reviewed clearly indicates that all material facts and representations



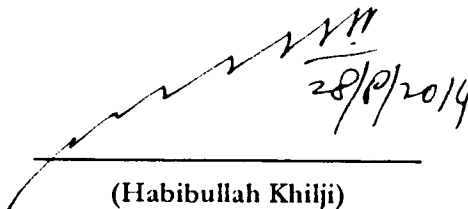
made were examined in detail and there is neither any occasion to amend the impugned decision, nor any error inviting indulgence as admissible in law has been pleaded out. Therefore, the Authority is convinced that the review would not result in the withdrawal or modification of the impugned decision. Moreover, the review motion is time barred in terms of regulation 3(3) of NEPRA (Review Procedure) Regulations, 2009. Hence, the motion for leave for review is dismissed.



(Maj (R) Haroon Rashid)
Member

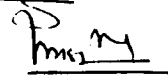


(Khawaja Muhammad Naeem)
Member



(Habibullah Khilji)
Chairman





02.09.14

