



National Electric Power Regulatory Authority
Islamic Republic of Pakistan

NEPRA Tower, Attaturk Avenue, G-5/1, Islamabad
Phone: 051-2013200, Ext 905, Fax: 2600026
Website: www.nepra.org.pk, Email: info@nepra.org.pk

REGISTRAR

No. NEPRA/R/TCD-06/13733-35

19-12-2013

Chief Executive Officer,
Multan Electric Power Company (MEPCO)
MEPCO Complex, WAPDA Colony
Khanewal Road,
Multan.

Subject: Decision in the Matter of Complaint Filed By Mr. Muhammad Hanif S/O Allah Diwaya under Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 Against MEPCO Regarding Wrong Billing
Complaint #MEPCO-584-2013

Please find enclosed decision of Member (Consumer Affairs) in the subject matter for necessary action and compliance within 30 days of the receipt of this letter.

Encl : As Above

- sd -

(Iftikhar Ali Khan)
Deputy Registrar

Copy to:

1. C.E./Customer Services Director, Multan Electric Power Company (MEPCO), MEPCO Complex, WAPDA Colony, Khanewal Road, Multan.
2. Mr. Muhammad Hanif S/O Allah Diwaya, Prop. Chakki Chah Daney Wala, Latif Town, Mohallah Islamnagar, Ghalla Mandi, Faiz-e-Alam School, Multan.

No. NEPRA/R/TCD-06/13734

19-12-2013

Forwarded for information and necessary action, please.

Deputy Registrar

1. Director (CAD)
2. Master File [w.r.t. M (CA) D#3073 dated 16.12.2013]

CC:

1. Vice Chairman / Member (Tariff)
2. Member (M&E)
3. Member (C.A)



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
NEPRA

Complaint No. MEPCO-584-2013

Mr. Muhammad Hanif S/o Allah Diwaya **Complainant**
Prop. Chakki Chah Dancy Wala, Latif Town,
Mohallah Islamnagar, Ghalla Mandi,
Faiz-e-Alam School, Multan.

Versus

Multan Electric Power Company Ltd. **Respondent**
MEPCO Complex, WAPDA Colony
Khanewal Road, Multan.

Date of Decision: December 18, 2013

Date of Hearings: July 16, 2013
August 19, 2013
September 19, 2013

On behalf of:

Complainant: Mr. Muhammad Hanif

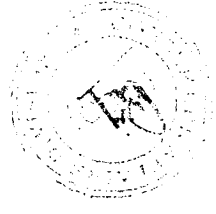
Respondent: Mr. Muhammad Tanveer, Sub Divisional Officer, Gala Mandi.

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. MUHAMMAD HANIF S/O ALLAH DIWAYA UNDER REGULATUION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT 1997 AGAINST MEPCO REGARDING WRONG BILLING**

Decision

1. This decision shall dispose of the complaint dated April 11, 2013 filed by Mr. Muhammad Hanif S/o Allah Diwaya (hereinafter referred to as the "Complainant") against Multan Electric Power Company (hereinafter referred to as the "Respondent" or "MEPCO") under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997.





2. The Complainant in his complain stated that MHPCCO has been issuing excessive bills to him since long. Further, MHPCCO issued a notice dated December 18, 2012 that the

premises was checked on December 17, 2012 and the meter was found 78% slow. He filed complain before Electric Inspector Mithan on December 24, 2012 and requested for securing the existing meter and installation of check meter to assess accuracy of the impugned meter. The Electric Inspector, Mithan vide letter dated December 24, 2012 directed MHPCCO to secure the existing meter, install check meter and restrain from taking any action against him. Check meter was installed by MHPCCO on January 09, 2013. The premises was inspected on January 30, 2013 by the representative of Electric Inspector in presence of both the parties and the impugned meter was declared as 62% fast instead of 78% slow. MHPCCO issued bill for the month of January 2013 amounting to Rs.132,520/- by enhancing the multiplying factor to recover 78% slowness. The premises was again inspected by the representative of Electric Inspector on February 7, 2013 and again the impugned meter was found fast. The case was pending before the Electric Inspector but MHPCCO removed the impugned meter from the site with mala-fide intention. The Complainant filed a petition in the court of Session Judge, Mithan with the request to issue an order to the concerned police station to lodge F.I.R. against MHPCCO and initiate proceedings according to law. The case is under investigation for meter theft. While the case was under trial with Electric Inspector Mithan, the concerned SIDC informed that the matter will be resolved amicably out of court. On the assurance of the SIDC, the case was withdrawn from the office of Electric Inspector. The concerned SIDC checked the record and made recommendations for out of court settlement of the case as per which no detection bill was required to be charged, multiplying factor applied for the month of January 2013 was to be withdrawn and credit of fastness as 62% in previous 3 billing months was to be granted. The M:IN (Operation) Muzaffargarh Division, M:IN (M&T) Circle Mithan and Superintending Engineer, MHPCCO Circle Mithan did not agree with the recommendations of the concerned SIDC. The Complainant requested NEPRA that instructions be issued to MHPCCO to withdraw slowness charged for the month of January 2013, revise 62% fastness for 3 months and withdraw the LPS amount.

3. The case was referred to MHPCCO for submission of parasitic comments. In response, MHPCCO vide its letter dated May 14, 2013 reported that the connection was checked by M&T formation alongwith Meter Inspector. Running load on each phase of meter was found 135 Amps, whereas sanctioned load of premises is only 7 KW. The meter was found 28% slow. The owner of premises/connection did not allow the team for physical checking of the connected load at that time and locked the premises. Accordingly,



a notice dated December 18, 2012 was served to the consumer but the consumer failed to appear or justify his position. The site was revisited by M&ET alongwith representative of Electric Inspector in compliance with the orders of Electric Inspector but again the consumer did not allow the inspection of premises. Furthermore, the consumer also shifted his load to another A/c No.28-15132-2786701 being fed from Wahayat Abad Sub Division (City Division). When the case was about to be finalized at the Forum of Electric Inspector, the consumer requested the Electric Inspector that he wants to withdraw the case and consented to decide the issue with M&ET. The consumer has intentionally got stolen the disputed (old) meter just to hide his involvement in theft of electricity and has lodged false/basess petition in the court against the officers/officials of M&ET for theft of energy meter.

4. The report of M&ET was sent to the Complainant on May 17, 2013 for his information/comments. In response, the Complainant vide his letter dated 11 submitted his rejoinder and raised observations over the report of M&ET. He stated that he was not associated in the checking by M&ET and he denied the plea of M&ET regarding not allowing for checking of load. He also denied shifting of load to some other connection.

5. To probe further into the matter, hearing was fixed on June 27, 2013 which was rescheduled on request of M&ET and was held on July 16, 2013. The hearing was attended by M&ET official(s). Another hearing in the matter was held on August 19, 2013 which was attended by M&ET official(s) but the Complainant did not attend the said hearing. To provide an opportunity to the Complainant, another hearing was held on September 19, 2013 in which he appeared and reiterated his earlier version. Pursuant to the hearing, the case was referred to Electric Inspector Midhan for submission of comments as the case remained under investigation at that forum. The Electric Inspector vide his letter dated October 31, 2013 reported that the disputed meter showed erratic behavior therefore, the disputed billing for December 2012 and January 2013 to be revised on the basis of the corresponding months of the previous years and the decision bill prepared for the period from September 2012 to November 2012 for 54365 units be declared as null and void. Moreover, the LPS amount for the disputed billing period be withdrawn and Final Price Adjustment amount of the said period may also be revised.

6. The case has been analyzed in light of documents provided by both the parties and arguments advanced during the hearings. The following has been concluded:

i) MHPCC inspected the premises on December 17, 2012 and declared the meter as 78% slow. The Complainant filed a complaint before Electric Inspector against the said notice. The case remained under trial with the Electric Inspector but later on, the case was withdrawn by the Complainant on the advice of SIDO to settle the issue amicably; however, the recommendations signed by SIDO for settlement were not agreed by his seniors, therefore, the case remained unresolved.

ii) MHPCC issued bill for the month of January 2013 for 7155 (off peak) units and 2343 (peak) units with total of 9498 units for Rs.123,266/- by enhancing the multiplying factor from 1 to 4.5 to recover the slowness. During the proceedings of the case at the forum of Electric Inspector, the impugned meter was found running fast instead of being slow.

iii) As per clause 4.4 (b) of Consumer Service Manual, if a DISCO at any time, doubts the accuracy of any metering equipment, the DISCO may after informing the consumer install check meter in series with the impugned metering equipment to determine the difference in consumption or maximum demand recorded by the check metering equipment and that recorded by impugned metering equipment during a fixed period. On contrary, MHPCC did not install check meter and declared the meter 78% slow and thus charged the slowness during January 2013.

iv) As per clause 4.4 (c) of Consumer Service Manual, the charging of bill to the consumers on the basis of defective code, where the meter has become defective and is not recording the actual consumption, will not be more than TWC billing cycles. The basis of charging will be 100% of the consumption recorded in the same month of previous year or average of the last 11 months whichever is higher.

v) As per clause 4.4 (c) of Consumer Service Manual, "where any consumer gives a notice in writing to the DISCO that he has requested the Electric Inspector/(PO) to check the accuracy of the metering equipment regarding it being defective or otherwise, the DISCO shall not remove or take off the impugned metering equipment from the consumer's premises until the Electric Inspector has conducted a test of the impugned metering equipment at site, in the presence of DISCO's authorized representative". In the instant case, Page 4 of 5

representative of Electric Inspector has checked the meter in presence of both the parties and declared the impugned meter as fast.

vi) No detection bill has been issued by MEEPCO to the Complainant as yet. The connection was checked in December 2012 and MEEPCO charged slowness in January 2013. The billing history of the Complainant's account shows that the average monthly consumption of the Complainant for 11 months prior to checking i.e. January 2012 to November 2012 is 4578 units. The consumption of the Complainant during corresponding month of previous year i.e. January 2012 is 5494 units. MEEPCO has charged 9498 units to the Complainant in January 2013, which is on the higher side.

7. Forgoing in view, MEEPCO is directed to

i) Revise the bill (9488 units) charged for the month of January 2013 on the basis of consumption recorded during the corresponding month of previous year i.e. January 2012 (5494 units). As the Complainant has paid the bill for January 2013, therefore, credit of 3994 units ($9948 - 5494 = 3994$ units) be afforded in his future bills.

ii) Detection bill (if any) prepared by MEEPCO for the disputed period on account of slowness be withdrawn.

iii) As far as extension of load of the Complainant is concerned, MEEPCO shall proceed as per the provisions of Consumer Service Manual.

8. Compliance report be submitted within 30 days.

(Mr) (R) Haroon Rashid
Member (Consumer Affairs)



Islamabad, December 18, 2013