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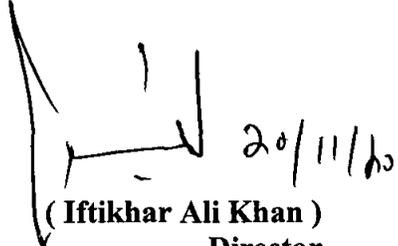
November 20, 2020

Chief Executive Officer
Peshawar Electric Supply Company (PESCO)
WAPDA House,
Sakhi Chasma, Shami Road,
Peshawar.

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. NASEER AHMED S/O RASHEED AHMED UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING EXCESSIVE BILLING (AC # 42 26662 0457500)
Complaint # PESCO-249/08/2018

Please find enclosed herewith the decision of the Member (Consumer Affairs) dated 20.11.2020 (03 Pages) regarding the subject matter for necessary action and compliance within thirty (30) days.

Encl: As above


(Iftikhar Ali Khan)
Director
Registrar Office

Copy to:

1. C.E./Customer Services Director
Peshawar Electric Supply Company (PESCO)
WAPDA House,
Sakhi Chasma, Shami Road,
Peshawar.
2. Mr. Naseer Ahmed S/o Rasheed Ahmed,
Mohallah Maqbool Abad, Pahar Pur,
District Dera Ismail Khan.



BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)

Complaint No. PESCO-249/08/2018

Mr. Naseer Ahmed S/o Rasheed Ahmed,
Mohallah Maqbool Abad, Pahar Pur,
District Dera Ismail Khan.

..... **Complainant**

Versus

Peshawar Electric Supply Company Limited (PESCO)
WAPDA House, Sakhi Chasma,
Shami Road, Peshawar

..... **Respondent**

Date of Hearings: 28th December 2018
19th August 2019
31st December 2019
7th October 2020

On behalf of:

Complainant: Mr. Naseer Ahmed

Respondent: 1) Mr. Waqas Mehmood, SDO
2) Mr. Abdur Rehman, Revenue Officer

Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. NASEER AHMED S/O RASHEED AHMED UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING EXCESSIVE BILLING (AC # 42 26662 0457500)**

DECISION

Through this decision, complaint filed by Mr. Naseer Ahmed S/o Rasheed Ahmed (hereinafter referred to as the "Complainant") against Peshawar Electric Supply Company Limited (hereinafter referred to as the "Respondent" or "PESCO"), under Section 39 of the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (hereinafter referred to as the "NEPRA Act"), is being disposed of.

2. NEPRA received the subject complaint dated 1st August 2018, wherein the dispute agitated by the Complainant was that his meter was checked by PESCO in August 2017, and the meter was removed from site and sent to M&T for checking. In light of data retrieval report, a total of

57000 units (amounting to around Rs. 1,000,000/-) were charged to him which are unjustified. Further, meter was removed for site in his absence and his supply was also disconnected. The Complainant requested to withdraw the unjustifiably charged 57000 units and restore his electricity supply.

3. The matter was taken-up with PESCO for submission of parawise comments/report. PESCO was also directed to defer the disputed amount, restore electricity supply and issue current bills to the Complainant for payment till finalization of the case. In response, PESCO, vide its letter dated 23rd October 2018, reported that the Complainant's meter was replaced due to "display washed". The removed meter was sent to M&T laboratory for downloading, and as per report dated 8th November 2017, 57341 units were found pending. Accordingly, bill amounting to Rs. 977,735/- was issued to the Complainant in January 2018. The report of PESCO was forwarded to the Complainant for information/comments. In response, the Complainant raised observation over the report of PESCO and submitted that he has been paying his bills regularly as issued by PESCO, and as such, charging of 57431 units due to display wash is unjustified. If any discrepancy was found in the meter, then it should have been replaced by PESCO promptly, however, the same was not done by PESCO. Further, no discrepancy in the meter has ever been noted earlier.

4. Opportunities of hearing were provided to both the parties (i.e. PESCO and the Complainant). During the hearings, both the parties advanced their arguments in light of their written submissions. The representatives of PESCO were directed to download/retrieve the Complainant's data and submit detailed billing history for the last three (03) years. In response, PESCO, vide its letter dated 3rd June 2019 submitted the 3-year billing data of the Complainant. Copies of Meter Change Orders (MCOs) were also submitted by the representative of PESCO during the hearing(s).

5. The case has been examined in detail in light of the record made so available by the parties, arguments advanced during the hearing and applicable law. The following has been observed:

- i. The Complainant was a consumer of PESCO under tariff category B-1 with a sanctioned load of 15 kW. Later, the load was extended from 15 kW to 40 kW in January 2018 under B-2 tariff category.
- ii. As per the version of PESCO, the Complainant's meter was replaced in September 2017 due to "display wash". The removed meter was sent to M&T laboratory for downloading, and as per report dated 8th November 2017, 57341 units were found pending. Accordingly, PESCO charged bill amounting to Rs. 977,735/- in January 2018 for these units.
- iii. The impugned meter of the Complainant was replaced by PESCO in September 2017. The final meter reading recorded in the MCO was 12159 (Off Peak) and 1460 (Peak) = 13619 units. According to PESCO, the data retrieval report indicates that the Complainant was charged up to meter reading dial 12619 whereas the reading retrieved was 69960 units, meaning thereby that the consumption was less charged to the tune of 57341 units (69960 – 12619). Accordingly, PESCO raised the same through a detection bill. The record shows that the reading of the impugned meter for the month of October 2017 was 13592 (Off Peak) and 1553 (Peak) = 15145 units. Since, the Complainant was already charged up to meter reading dial 12619 as per the report submitted by PESCO, therefore the remaining units that could have been charged to the Complainant are 2526 units (15145 – 12619) which have already been charged up to billing cycle of October 2017.
- iv. According to Consumer Service Manual (CSM), bills are to be issued to the consumers as per their actual consumption recorded on the meter. Ample



opportunities were provided to PESCO to justify the charging of excessive 57341 units to the Complainant, however no convincing response was received from PESCO.

- v. The impugned meter was installed in November 2015. The average monthly consumption recorded on the impugned meter from November 2015 to September 2017 was 759.9 (Off Peak) and 91.2 (Peak) = 851.1 units. Prior to that, the meter was replaced in October 2014 and July 2015. The record shows that the average monthly consumption from October 2014 to June 2015 is 1180.5 (Off Peak) and 133.5 (Peak) = 1314 units and from July 2015 to September 2015 is 319.3 (Off Peak) and 47.6 (Peak) = 366.9 units. Keeping in view the billing history, the meter reading purportedly to be retrieved by PESCO i.e. 69960 is on higher side and does not reflect the actual consumption of the Complainant. Hence, the Complainant could only be charged 2526 units up to billing cycle of October 2017.
- vi. There is no allegation of electricity theft/meter tampering/reversing against the Complainant.
- vii. As per PITC data, meter was functioning properly and the consumer was being billed as per meter reading up to billing cycle of October 2017.

6. Foregoing in view, PESCO is hereby directed to charge the Complainant as per PITC data and withdraw the units charged on the basis of data retrieval report being unjustified.

7. Compliance report in the matter be submitted within thirty (30) days.


(Rehmatullah Baloch)
Member (Consumer Affairs)

Islamabad, November 20, 2020.