



National Electric Power Regulatory Authority

ISLAMIC REPUBLIC OF PAKISTAN

NEPRA Head Office

Attaturk Avenue (East) Sector G-5/1, Islamabad.

Ph:051-2013200, Fax: 051-2600021

**Consumer Affairs
Department**

TCD.05/ 3373 -2024
August 02, 2024

Chief Executive Officer, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.

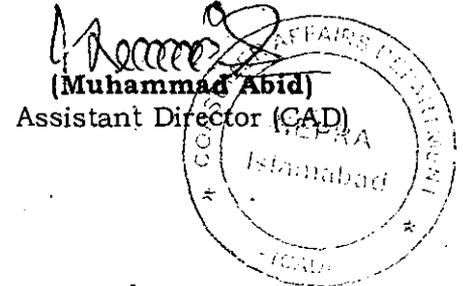
Subject: **DECISION IN THE MATTER OF COMPLAINT FILED BY MR. WALI MUHAMMAD KHAN, M/S SHOAB STONE CRUSH PLANT UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING EXCESSIVE BILLING (A/C# 30 26328 0429018). PESCO-NHQ-37636-05-24**

Please find enclosed herewith the decision of NEPRA Complaints Resolution Committee (CRC) dated August 02, 2024 regarding the subject matter for necessary action and compliance within fifteen (15) days, positively.

Encl: As above

Copy to:

- 1) Chief Commercial Officer, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
- 2) Incharge Complaint Cell, PESCO,
WAPDA House, Sakhi Chashma Shami Road,
Peshawar.
- 3) Mr. Wali Muhammad Khan,
M/s Shoaib Stone Crush Plant,
Ghundo, Katlaang, District Mardan.
0333-5106453





**BEFORE THE
NATIONAL ELECTRIC POWER REGULATORY AUTHORITY
(NEPRA)**

Complaint No. PESCO-NHQ-37636-05-24

Mr. Wali Muhammad Khan,
M/s Shoaib Stone Crush Plant,
Ghundo, Katlaang, District Mardan.
0333-5106453

..... Complainant

Versus

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

..... Respondent

Date of Hearing: June 27, 2024

On behalf of:

Complainant: Mr. Wali Muhammad Khan

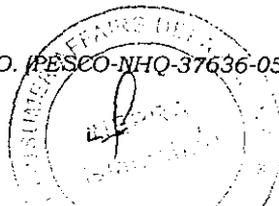
Respondent: Mr. Faroze Shah, XEN, Mardan II Division (Operations)
PESCO

Subject: DECISION IN THE MATTER OF COMPLAINT FILED BY MR. WALI MUHAMMAD KHAN M/S SHOAIB STONE CRUSH PLANT UNDER SECTION 39 OF THE REGULATION OF GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER ACT, 1997 AGAINST PESCO REGARDING SUPPLEMENTARY BILLING (A/C # 30 26328 0429018)

DECISION

This decision shall dispose of the complaint filed by Mr. Wali Muhammad, M/s Shoaib Stone crush plant (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").

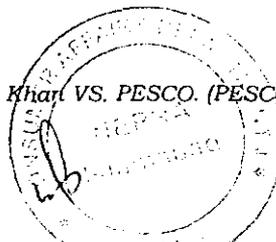
2. Brief facts of the case are that NEPRA received a complaint wherein the dispute agitated by the Complainant was that PESCO charged a detection bill amounting to Rs. 33,78,948/- during the month of April, 2024 without any justification and issuance of notice. Moreover; the meter was not checked by PESCO in his presence. The Complainant requested NEPRA to intervene in the matter and instruct PESCO for withdrawal of the detection bill. The matter was taken up with PESCO vide letter dated May 16, 2024. PESCO failed to submit report within stipulated time period. Subsequently, PESCO vide a letter dated June 24, 2024



submitted that the meter was checked in December 2023 whereby the meter was found 33.3% slow. Accordingly, a detection bill has been charged to the Complainant on account of 33.3% slowness of the meter as per the M&T for 57087 units for the period from August 02, 2023 to December 13, 2023. In order to analyze the matter, a hearing was held on June 27, 2024 at NEPRA Head Office, Islamabad which was attended by both the parties i.e. PESCO & the Complainant wherein the matter was discussed in detail. During the hearing, PESCO representatives submitted that one phase of the meter was not working from August 02, 2023 to December 13, 2023 as evident from AMR data. In contrast, the Complainant submitted that issuance of correct bills is the responsibility of PESCO. If the meter was not recording the actual consumption, PESCO should have checked the metering installation and should have removed the discrepancy.

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

- (i) The Complainant's industrial premises having electricity connection installed against reference number (30 26328 0429018) with 129 kW sanctioned load was checked on December 13, 2023 whereby the metering installation was found 33.3% slow (Red phase CT not working). Accordingly, PESCO charged a supplementary bill of 57087 units (Peak 6320 and Off peak 50767 units) and MDI of 296kW, amounting to Rs. 33,78,948/- on account of 33.3% slowness for the period from August 02, 2023 to December 13, 2023. The meter was replaced on December 19, 2023.
- (ii) An AMR meter i.e. the impugned meter was installed against the Complainant's premises which provides the greater extent of facility to the concerned PESCO officials in order to ascertain the accuracy of the meter in a prompt manner. However, the same was not checked by PESCO for a considerable time period which suggest the mala fide intent of the concerned PESCO officials whereby the Complainant's defective metering installation was neither replaced nor the multiplying factor was enhanced for slowness while the wrong/less electricity consumption was allowed to accumulate over several months and suddenly an exorbitant number of units were levied against the Complainant in an unjustified manner after four (04) months of checking in the billing month of April 2024.
- (iii) The Complainant was charged supplementary bill on account of the slowness of metering installation for the extended time period i.e. (04) four months while the same is inconsistent with the clause 4.3.3 of Consumer Service Manual (CSM) which provides that in case slowness is established, DISCO is required to replace the defective metering equipment immediately and to enhance multiplying factor for charging actual consumption till replacement of the defective meter. Further, charging of a bill for the quantum of energy lost if any, because of malfunctioning of metering installation shall not be more than two billing cycles.
- (iv) Hence, penalizing the Complainant on the basis of 33.3% slowness of the metering installation for the extended period of four (04) months due to the delay on the part of concerned PESCO officials and despite the installation of AMR meter on the Complainant's premises is unwarranted and a clear violation of CSM. Moreover there are no allegations against the complainant for making the metering installation deliberately slow. Thus in view of the said,



the supplementary bill is required to be revised only for two billing months as per clause 4.3.3 of the CSM.

4. Foregoing in view, PESCO is directed to revise the supplementary bill from four (04) months to two (02) months prior to the date of checking on the basis of 33.3% slowness of the metering installation along with all the adjustments i.e. FPA, LPS etc. PESCO is further directed to enhance the multiplying factor till removal of the discrepancy to acute for the slowness. PESCO is further directed to remain vigilant in ascertaining any discrepancy of metering installation especially AMR meters installed in its distribution jurisdiction for undisputed and judicious billing of its consumers. Compliance report be submitted within fifteen (15) days.

4- مندرجہ بالا حقائق کے پیش پیسکو کو ہدایت کی جاتی ہے شکایت کنندہ کا سپلیمنٹری بل ختم کر کے نیپرا قوانین کی روشنی میں چیکنگ کی تاریخ سے دو ماہ پر 33.3 فیصد سست روی (slowness) کی بنیاد چارج کیا جائے اور میٹر تبدیل ہونے تک اسی کے مطابق جزوی ضربی کو بڑھایا جائے۔ اور اس کے مطابق FPA اور LPS کو بھی ایڈجسٹ کیا جائے۔ پیسکو کو مزید ہدایت کی جاتی ہے کہ وہ میٹرنگ انسٹالیشن کی کسی بھی خرابی کو معلوم کرنے میں چوکنا رہے۔ خاص طور پر اپنے دائرہ اختیار میں نصب اے ایم آر میٹرز کی بروقت جانچ پڑتال کرے۔ تاکہ صارفین کو غیر متنازعہ اور منصفانہ بلنگ جاری کی جاسکے۔ عمل درآمد کی رپورٹ پندرہ (15) دنوں کے اندر پیش کی جائے۔

(Lashkar Khan Qambrani)

Member, Complaints Resolution Committee/
Director (CAD)

(Moqem-ul-Hassan)

Member, Complaints Resolution Committee/
Assistant Legal Advisor (CAD)

(Naweed Illahi Shaikh)

Convener, Complaints Resolution Committee /
Director General (CAD)

Islamabad, August 02, 2024.

