



## **MINUTES OF 14<sup>TH</sup> STATE ADVISORY COMMITTEE MEETING, HELD ON**

**FRIDAY, 23<sup>RD</sup> NOVEMBER, 2012**

The 14<sup>th</sup> meeting of the State Advisory Committee (SAC), was held on 23<sup>rd</sup> November, 2012, in the Conference Hall of the Commission, at Jaipur, under the chairmanship of Shri D.C. Samant, Chairman, RERC. The list of the participants is appended at **Annexure-1**.

Shri G.K.Sharma, Secretary, RERC, welcomed the members in the meeting and initiated the proceedings of the 14<sup>th</sup> SAC meeting. He said that the Agenda for this meeting had already been circulated on 19<sup>th</sup> November, 2012. An additional agenda was also provided in the meeting.

### **Agenda Item No.14/1 : Confirmation of the Minutes of the 13<sup>th</sup> meeting of the SAC.**

Secretary, RERC intimated that the minutes of the 13<sup>th</sup> meeting of the Committee had been circulated on 28<sup>th</sup> May, 2012. The comments from only one member, Shri R.G.Gupta, in respect of "Recovery of Compounding Charges and Assessment Amount in case of theft", was received. This item has been taken for discussions in the current meeting as a separate agenda item at additional agenda item No.3, and as such, the minutes of the 13<sup>th</sup> SAC meeting, were confirmed.

## **Agenda Item No.14/2 : Action Taken Report**

The follow-up action taken, in respect of the decisions, taken in the 13<sup>th</sup> meeting of the Committee, was discussed pointwise, and the latest status was appraised to the members, as under :

### **ATR - Reliable Power Supply to Railways:**

Hon'ble Chairman, RERC, drew the attention of the members to a statement, submitted by the Railways, on 21<sup>st</sup> November, 2012, copy of which was also circulated to the SAC members, indicating power interruptions in North West Railways Stations during the period April, 2012 to October, 2012, at slew of Railway Stations in Rajasthan, situated within the jurisdiction of Ajmer, Jodhpur and Jaipur VVNLs. At this juncture, Secretary, Energy GoR enquired from the Railways' representatives, if all those interruptions were merely exceptional or a matter of routine practice. Chief Engineer, Railways conveyed his concern that as much as 8 hours interruption was observed, on as many as, 49 feeders.

Shri P.N.Bhandari observed that instead of discussing this problem at micro level, Energy Secretary could well convene a meeting every month, to take stock of the scenario.

Chairman, RERC observed that this issue was raised earlier also in the SAC meetings and it is felt that being an important issue, some 'Review Mechanism' should be in place.

Chief Engineer, Railways requested directive in the matter for quarterly meeting of the senior officers, to address the problem.

Chairman, RERC concluded that monthly review meetings at the level of concerned Superintending Engineer and a quarterly meeting at the CMD/MD/CE level, may be convened.

**ATR - Excess demand in case of LT consumers :**

Chairman, RERC informed that necessary provision has been made in the previous Tariff Order dt.8<sup>th</sup> August, 2012 so as to facilitate the MIP consumer to opt for demand based tariff and such facility would be extended to other consumers, in a phased manner.

Shri R.G.Gupta mentioned that in case of consumers, in other categories too, with more than 25 HP load, similar meters are already installed and are capable of measuring MDI, therefore such facility can be extended easily.

Chairman, RERC expressed that this could be considered when tariff related matters are taken-up during annual tariff revision exercise.

**ATR - 100% metering of Agriculture Consumers:**

During 13<sup>th</sup> SAC meeting, the Chairman, RERC had remarked that agriculture consumers in urban areas should get metered in 6 months. In that context, Director (Technical), JVVNL reported that 80% work has been completed, while CE, JdVVNL reported 100% completion and the MD, AVVNL reported about pendency of mere 1600 No. of unmetered connections in the urban areas.

Shri P.N.Bhandari opined that conversion of flat rate agriculture consumers to metered category, should get completed expeditiously and not much resistance is feared in urban areas.

**ATR - 5% Rebate for defective Meters :**

Shri Paras Sethia of Marudhar Industrial Association, Jodhpur, expressed apprehensions, if the indicated rebate of 5% in case of meter remaining defective beyond two month's period, was being passed on to the consumers.

Chairman, RERC directed that the benefit of this rebate has to be passed on.

Shri N.M.Agarwal, Director (Technical), Jaipur VVNL intimated that they are having sufficient meters, and as many as 50,000 No. of defective meters are being replaced by the Nigam every month. However, in case of delay in replacement of defective meters, rebate is being allowed.

Secretary, Energy, mentioned that with the view to ensure passing of the admissible rebate, the instruction to the field officers shall be reiterated.

**ATR - Safety Regulations :**

In the 13<sup>th</sup> SAC meeting, Shri R.G.Gupta had mentioned that not much work was being done by the Discoms, with regards to safety measures.

Chairman, RERC mentioned that in its ATR, the Jodhpur Discom has incorrectly made a mention about Safety Standards, having been approved by the RERC. He intimated that presently the Safety Standards, specified by the CEA, are in vogue and are to be adhered to, by each Discom.

Shri P.S.Jat, MD, Ajmer VVNL mentioned that the training to the Technical Officers was going on in the Nigam.

**ATR - Non-compliance of Intra State ABT Regulations :**

Shri R.G.Gupta appreciated that accomplishment of this task involves lot of multifarious work and suggested that a Working Group can well be constituted, to monitor and track the timely progress of the implementation.

Shri Raghvendra Singh, CE (MP&S), observed that it would be their endeavour to start this by June, 2013.

Chairman, RERC appreciated the volume of the work involved, but expressed that the same be completed on priority and efforts be made to start intra-state ABT by June, 2013.

**ATR** - Additional Agenda Item No.5 : Updation of TCS by the Discoms :

Shri P.S.Jat, MD, Ajmer VVNL intimated that the Nigam has duly published the revised TCS.

Chairman, RERC directed the other two Nigams to update and publish the TCS, without waiting for the order of the Commission in the matter of their petitions, relating to the TCS, as it may take time.

At this juncture, Chief Engineer, Jodhpur VVNL, assured that the document shall duly be published in one month's period. Director (Technical), JVVNL was also advised to get this work completed in one month.

**ATR** - Additional Agenda Item No.6 : Measurement of Fundamental/ Total Energy :

The Commission has examined the matter and it is concluded that the present provisions of the RERC (Metering) Regulations are not in contravention to the CEA (Metering) Regulations and as such the present provisions relating to measurement of the energy may continue.

Chairman, RERC, mentioned that the amendments in the Metering Regulations are shortly being subjected to the process of previous publication, whereupon, any suggestion from the stakeholder(s) shall be appropriately addressed.

**ATR** - Additional Agenda Item No.7 (i) : Appellant Authority u/s 127(1) of the Act

Chairman, RERC mentioned that the State Government has already issued an order on this issue.

Secretary, Energy, mentioned that adequate publicity be accorded to it, for awareness of the consumers.

**ATR** - Additional Agenda Item No.7(ii): Grievance Redressal Forums :

On the issue of involving CGRF in grievance related to action by licensee u/s 126 or 135 of the Act, Chairman, RERC mentioned that the Commission has sought legal opinion on this issue and it emerged that tempering with the existing provision will dilute the spirit of the Act.

Shri R.G.Gupta mentioned that as per the existing provisions of CGRFs of other ERCs grievance in respect of actions u/s 126 or 135, are being examined by CGRF and if the case is concluded as not covered u/s 126 or 135, the CGRF decides the grievance. He further said that model CGRF Regulation, finalised by FOR, also envisages that.

Secretary, Energy, opined that if a case was being heard in a Court, a parallel body can not hear it. There could be a dilemma, when the proceedings in the Court are going on after due admission of the case and on the contrary, the CGRF, too, entertains the case, terming it as not fit u/s 126 or 135.

Shri Paras Sethia of Marudhar Industrial Association, was of the opinion that such peculiarity could be avoided by first letting the CGRF, decide on the issue and then only approaching the Court as stipulated in the Act.

Chairman, RERC finally concluded that the matter would be looked into again.

**ATR** - Additional Agenda Item No.7(iii) : Charging the excess load of agriculture consumers :

Director, Agriculture mentioned that water table in the agricultural fields in some areas, was going down by 10%-20% every year and to keep-up with the requirement, the farmers are forced to increase motor capacity. He requested that this 10%-20% capacity, may not be penalized by field officers.

Secretary, Energy, mentioned that load increase upto 20% was not being treated for penalty. However, consumers are required to pay for the extra load burdened on the system.

**ATR - Additional Agenda Item No.7(vi) : Issuing of Consumer Charter by Discoms:**

The Chairman, RERC intimated that the Commission has separately issued an order, for further action by the Nigam.

The Nigams assured to issue the Consumer Charter within one month.

**Agenda Item No.14/3 & 14/4 : Important works, undertaken by the Commission, during the period, since 13<sup>th</sup> SAC Meeting was held, on 27.04.12.**

The Secretary RERC apprised the members about the important works, as listed out in the agenda, undertaking by the Commission after the previous SAC meeting held on 27.4.2012.

**Agenda Item No.14/5 : Compensation to the consumers for the damages caused on account of voltage fluctuations :**

Chairman, RERC intimated that with a view to have a final SoP document, which is more pragmatic, consumer-friendly and realistic, SoP regulations have been drafted afresh and public comments have been invited.

Shri R.G.Gupta mentioned that the document was too exhaustive and some more time was required for thorough

study. He requested for 15 days extension in submitting the objections, which was agreed to.

**Agenda Item No.14/6 : Recovery of compounding charges and assessment amount in case of theft :**

Chairman, RERC stated that the earlier view has been that the distribution Companies are mandated to charge only the compounding element from the offenders, engaged in theft of electricity without levy of civil liabilities. However, the Commission is inclined to get the matter re-examined.

Shri R.G.Gupta of RVVS drew attention, towards the distribution companies of certain other States, which are charging the amount on both counts i.e. Civil as well as criminal liability.

Chairman, RERC, observed that Shri Gupta may send the copies of Regulation of other States, wherein this practice is being followed, for consideration by the Commission. Discoms may also get this examined and send their comments or proposals, if required, for any change in Regulations.

**Additional Agenda Items :**

**Additional Agenda No.1 :                      **Difficulties being faced by public in release of new connection/ Load extension in large buildings/Havelies****

Jodhpur VVNL had sent an additional agenda item on the above subject on 16th November, 2012, drawing attention to

clause 11(6) of the Supply Code Regulations, relating to electrification of large buildings. It mentioned that the buildings/old Havelies and complexes built and already electrified prior to the notification of Supply Code, were not covered for electrification criteria. As a result, any addition or modification in such buildings, warranting load extension, or seeking new connection, may call for installation of a transformer, by the owner of the building.

Under the circumstances, in such buildings, if a person who has partly built a residential/commercial accommodation, the load of which is less than 50 KVA or floor area of less than 8,000 or 10,000 sq.ft., is required to get the connection or load extension, only after installation of distribution sub-station of his own. This is being resented to by the consumers. There was general consensus that this problem needs to be addressed.

After discussions, Chairman, RERC directed that the Jaipur VVNL should prepare a proposal and submit to the Commission, for further action at Commission's end.

**Additional Agenda Item No.2 : Monitoring of RPO suggestions by Shri D.S.Agarwal, Rudraksh Energy :**

Chairman, RERC intimated the members that recently, there was an important High Court order on this issue, whereby the latter upheld the Regulation of the Commission, about RPO obligations of CPPs as well as open access consumers.

Secretary, Energy mentioned that RREC should obtain from the obligated entities, the status of RPO compliance and based on that, further action could be initiated. Chairman, RERC observed that appropriate action should be taken by RREC, as envisaged in Regulations of the Commission.

### **Agenda Item No.14/7 : Other agenda items**

After the discussions on main agenda and on additional agenda items, Shri Paras Setia of Marudhar Industries Association, Jodhpur, after kind permission of the Chair, raised some issues as discussed below :

#### **(1) Charging of surcharge by the Discom from the Seasonal Factories due to poor power factor :**

Shri Paras Setia mentioned that the Gwar Gum Industries were facing a peculiar problem, that in the off season, due to extremely low load, poor power factor is being registered due to no load loss of transformer, which attracts heavy surcharge and the industries face disconnection. He requested for a separate NDS connection to address this problem. Shri R.G.Gupta mentioned that as per rules, two connections in a premises is not allowed. He suggested that instead, the metering could be done on LT site of the transformer for billing purpose. The MD, AVVNL objected to such suggestion stating that under such condition, the transformer losses would be on Discom's account.

Chairman, RERC directed that Jodhpur VVNL should coordinate with the Industries Association and take appropriate steps, to sort

out the problem. In case any decision of the Commission is required, suitable proposal be submitted.

**(2) Cost of Meter and CT/PT Sets :**

Shri Paras Sethia enquired if a consumer has to obtain the meter from the Discom only and can not have the meter at his own. He mentioned that there have been cases, when the CT/PT set was installed by the consumer at his own, the monthly rent continued to be charged by the Nigam, from the consumer.

At this juncture, Chief Engineer, Jodhpur VVNL stated that rent is not charged when the equipment is owned by consumer, however, he assured that in case of lapse, the same would be rectified.

Shri R.G.Gupta produced a copy of the order by the Discom, whereby the consumer was restricted not to buy the meter from open market, without consent to this effect of the Nigam – while the Act provides otherwise.

The Chairman, RERC and the Secretary, Energy directed that the order should forth-with be modified.

The meeting ended with the vote of thanks to the Chair.

