

No.0035/D (T)/2019/KSERC

**KERALA STATE ELECTRICITY REGULATORY COMMISSION
THIRUVANANTHAPURAM**

Present : Shri. Preman Dinaraj, Chairman

**Hearing on : 20.02.2020
27.10.2020**

O.P.No.60/19

In the matter of : Approval of Manual of Procedure for processing and resolving of complaints of consumers –

Petitioner : Kerala State Electricity Board Ltd (KSEB Ltd)

Represented by : Sri. Premkumar P.K, Dy.C.E , TRAC
Sri. Suresh,A. E.E.TRAC
Sri. Mohammed Kasim, Dy.C.E., Ernakulam.
Sri. Manuseenan, A.E.E. TRAC

Order dated 12.01.2021

Background of the Case:

1. Kerala State Electricity Board Ltd (hereinafter referred as **KSEB Ltd**, or the **Petitioner**) on 26.12.2019 filed a petition for approval of the draft Manual of Procedure for processing and resolving the complaints of consumers proposed by KSEB Ltd. The Manual has prepared in accordance with the provision of Regulation 29 (1) of KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015. The Commission shall within two months from the date of submission of the draft of the manual, approve the manual with modifications if necessary after hearing the stakeholders, as specified in Regulation 29(3) of KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015..

Hearing of the Case:

2. Public hearing was conducted on 20.02.2020 at Thiruvananthapuram and on 27.10.2020 through video conference. KSEB Ltd, the petitioner made a power point presentation and explained the petition in detail. They also submitted the list of difficult areas for approval along with the list of transformers coming under Urban and Rural areas

Objections and suggestions from stakeholders:

3. Shri.Ayyappan Nair, General Secretary, Consumer Vigilance Centre, Thiruvananthapuram, pointed out that the duration for restoration of fuse-off calls may be reduced to one or two hours in urban area and the compensation increased to Rs.25 per hour. He also demanded that the cable lay out may be published in the website of KSEB Ltd. KSEB Ltd replied that this will be done after completion of GIS mapping ,which is in progress. The Chairman pointed out that in the draft Manual submitted by KSEB Ltd, it is written that the period from 6 pm on the date of complaint to 8 am on the next day will not be counted, as common provision for all areas, for restoration of supply in the case of normal fuse-off calls. But in the Regulation, the above exemption is only for difficult areas. This has to be corrected. KSEB Ltd agreed to this suggestion.
4. Shri.K.K.George and Shri.A.R.Satheesh, representing HT& EHT Industrial Consumers” Association complained regarding the poor workmanship of the field staff of KSEB Ltd while effecting the service connections and suggested to use a brass unit while connecting the weatherproof wire to the bare electric line. Dy. Chief Engineer, KSEB Ltd replied that the licensee is planning to replace all the bare conductors in distribution system with Ariel Bunched Conductors (ABC). Till such time KSEB Ltd will explore the possibility of providing connectors while connecting the weatherproof wire to the bare electric line.
5. Shri.C.M.Varghese, representing Kerala Renewable Energy Producers

Association, suggested to include Prosumers also within the definition of Consumer in KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015. Chairman commented that this suggestion can be considered while reformulating/amending the regulations..

6. Shri.Prabhakaran.K.V, representing HT& EHT Industrial Consumers” Association commented that the Regulations does not specify anything regarding system reliability and also suggested to have online facility to lodge compensation applications to avoid submitting it in person especially to get a very low rate of compensation. He further suggested providing Smart meters so that the compensation can be given automatically to the account of consumers. Chairman explained the huge financial commitment and procurement in providing smart meters to 125 lakh of consumers of KSRB Ltd. Compliance Examiner replied that the Average Service Availability Index (ASAI) is specified in Regulation 4 (17) of KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015.In order to calculate the same, all the feeder meters and distribution transformer meters are to be working properly.

7. Shri. Satheesh, expressed his concern on the non-issue of Manual of Procedure for resolving complaints of consumers, even after five years of publication of KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015. The time limit specified in the guaranteed standard of performance and the compensation for breaches are to be revised. He also suggested designating the next higher officer as the officer to be approached in the case of breach of guaranteed standards of performance, where the Assistant Engineer of the electrical section concerned is the primary responsible person. He further pointed out that the compliance audit has not been carried out by the Commission, till date. Chairman commented that the suggestion of designating the Assistant Executive Engineer of the Electrical Section concerned as the officer to be approached in the case of breach of guaranteed standards of performance, where the Assistant Engineer is the primary responsible person will be looked into. Compliance Examiner replied that the quarterly reports as per Annexure-1 and Annexure-11of KSERC (Standards of Performance of Distribution

Licensees) Regulations, 2015 has not yet furnished by the licensees except KDHPCL. The Commission has requested all the licensees to furnish the same by this quarter onwards. On receipt of the reports, the Commission will conduct compliance audit as specified in Regulations 20 to 23 of the KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015.

8. Shri.Ummer.P.Kunju, representing Consumers Protection Forum, Melattur suggested having the electricity bills in Malayalam so that common man can understand what is written in it. He also suggested directing KSEB Ltd to make acknowledgment SMS to the consumers who pays their current charges through online and to discard the distinction between telescopic and non-telescopic tariff structure and only telescopic tariff may be applied to o domestic consumers. KSEB Ltd replied that the acknowledgment SMS are being automatically given to the mobile number of the consumer who pays their current charges through online. Chairman commented that the telescopic and non-telescopic tariff structure is beneficial to domestic consumers whose consumption is below 250 units per month.
9. Shri.Sugathan, representing Janakeeya Samithi has suggested to resort to monthly billing to avoid financial hardship to domestic consumers and complained on the poor quality of the paper being used by the spot billers. Chairman replied that poor paper quality of the electric bill has already taken up with KSEB Ltd.
10. Shri.Vijayakumar, Consumers Federation requested intervention of the Commission in redressing the grievances of the consumers due to delayed meter reading. Chairman replied that these complaints are being looked into.
11. Shri.Abdul Rassak from Thirurangadi complained that while the defaulting domestic consumers are being disconnected promptly, the high end consumers are not being disconnected even if they do not pay their current charges within the due date. .KSEB Ltd replied that all consumers are being disconnected promptly except Kerala Water Authority, Government Hospitals, police and those are barred for disconnection by court orders.

12. Shri. Shoufar Navas, Cheruvayur, Malappuram vide e-mail dated 16.10.2020 has suggested to publish KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015 in Malayalam and to publish the Mobile and landline number of all electrical Sections in the website of KSEB Ltd. He also suggested to record the time in the acknowledgement slip proposed to be given to the application for compensation. It is further suggested to make so many revisions in the existing Regulations such as reduction of rectification time of services, extending the time of 30 days to 60 days for preferring the claim, avoidance of personal hearing etc. Chairman replied that the Regulation in Malayalam will be published shortly and other suggestions will be considered while reformulating the existing regulation.
13. Shri. M. Mohammed Hassan Master, Consumer Protection Wing, vide e-mail dated 27.10.2020, has put forth many suggestions, such as settlement of grievances within thirty days in CGRFs, enhancement of rebate for advance payments, facility of taking printout of electricity bills by the consumers, strengthening of vigilance wing of KSEB Ltd, use of better paper for spot billing etc. The Commission assured that these suggestions will be taken up with KSEB Ltd.
14. In the meantime vide Government of India Notification CG-DL-E-31122020-224061 No.681 dated 31st December, 2020, the Ministry of Power has notified the Electricity (Right of Consumers) Rules, 2020. The Commission has since reviewed the provisions of these Rules and noted that a number of deviations and additions will have to be made in the Commission's Regulations including amendments in the KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015 and the Kerala Electricity Supply Code, 2014, so as to bring it in line with these Rules. Since these Regulations are in the nature of sub-ordinate legislation and electricity being a concurrent subject under the Constitution, the State Regulations has to be made consistent to the Rules. Hence, the KSERC Regulations has to be amended following the due process i.e., pre-publication, conduct of public hearings, consideration by the Commission

and amendments as required to be published through Gazette Notification. Under such circumstances, the Commission is constrained to amend its Regulations first before the Draft KSEB Ltd. Manual of Procedure for processing and resolving complaints of consumers is approved.

Order of the Commission

- (1) In view of the notification of Electricity (Right of Consumers) Rules, 2020, the Commission cannot issue any Regulations or Orders which are not consistent with the Rules.
- (2) KSERC will be proposing amendments in KSERC (Standards of Performance of Distribution Licensees) Regulations, 2015, Kerala Electricity Supply Code,2014, and any other Regulations as required so as to bring these Regulations in line with the Rules.
- (3) Thereafter, KSEB Ltd. can consider and proposed amendments/changes in the Draft Manual making it consistent with the Amendments as adopted by KSERC as per (2) above.
- (4) In view of the above stated position, the petition is disposed off.

**Sd/-
Preman Dinaraj
Chairman**

Approved for issue,

**C.R.Satheesh Chandran,
Secretary-in-charge**

