

**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**

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**Case No. 30 of 2006**

**IN THE MATTER OF**

**Approval of TPC-D's Schedule of Charges**

**ORDER**

**Date of Order: December 22,2006**

**IN THE MATTER OF**  
**Approval of TPC-D's Schedule of Charges**

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**Before the**  
**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION**  
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**Case No. 30 of 2006**

**IN THE MATTER OF**  
**Approval of TPC-Distribution's Schedule of Charges.**

**Dr. Pramod Deo, Chairman**  
**Shri A. Velayutham, Member**  
**Shri S. B. Kulkarni, Member**

**ORDER**

**Dated: 22<sup>nd</sup> December, 2006**

**Preface:**

Section 50 of the Electricity Act ("EA"), 2003 provides that the State Electricity Regulatory Commission, hereinafter referred to as the Commission, shall specify an Electricity Supply Code to be adhered to by the Distribution Licensees in the State. Accordingly, the Maharashtra Electricity Regulatory Commission (MERC) has made Electricity Supply Code and Other Conditions of Supply Regulations, 2005 (Supply Code) effective from January 20, 2005.

As per Regulation No. 18 of the Supply Code Regulations, the distribution licensees are required to file with the Commission for approval, 'Schedule of Charges' for such matters required by the distribution licensee to fulfill its obligation to supply electricity to consumers under the Act and other relevant Regulations.

Accordingly, Tata Power Company Ltd. (Distribution business) [TPC-D] submitted the 'Schedule of Charges' payable by its consumers vide letter dated 2nd May 2005, and subsequently by their letter dated 11th June 2005, the Terms & Conditions of Supply, for the approval of the Commission.

The Commission in exercise of the powers vested in it under the provisions of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 and all other powers enabling it in this behalf, and after taking in to consideration, all the submissions made by TPC-D, all the objections and issues raised during public hearing, the responses of TPC-D, and all other relevant material, hereby determines the Schedule of Charges for various services provided by TPC-D.



'Schedule of Charges' approved vide this Order, would be subject to the final verdict of the Supreme Court on the appeal filed by TPC against the order dated May 22, 2006 issued by The Honorable Appellate Tribunal for Electricity (ATE). In its stay order dated August 28, 2006, in above said appeal, the Supreme Court gave interim relief to TPC and directed to continue services to existing retail consumers / applicants, to whom these charges would be applicable. Background of the matter is narrated below

ATE issued an order in Appeal No. 31 of 2005 and 43 of 2005 dated May 22, 2006 in the context of the Appeal filed by REL against the Commission's Order in Case No. 14 of 2002 dated July 3, 2003 and the Appeal filed by TPC against certain selected portions of the same Order.

In its order, the ATE ruled that,

*"... we hold that Tata Power has not been granted license to undertake retail distribution of electricity in the area within which REL has been distributing power in retail to customers directly... The order and findings recorded by the Regulatory Commission are set aside.*

*It is clear that Tata Power has licenses only to undertake bulk supply to licensees like REL as contended by REL."*

TPC approached the Honourable Supreme Court of India in appeal against the order of the ATE. In the meantime, the Commission initiated the process of appointing an administrator to undertake the job of overseeing the supply of electricity to those consumers who were being supplied by TPC's distribution business.

The Honourable Supreme Court of India granted interim relief to TPC by staying the ATE order, through the following judgement issued on August 28, 2006:

*"Having regard to the fact that the issues involved may affect a large number of consumers, we consider it appropriate to dispose of the matter as early as possible. Let the application for interim relief be listed for further hearing on November 7, 2006. We have informed the parties that if possible, we may dispose of the matter finally on that day.*

*In the meantime, so far as old consumers are concerned, to whom the supply is made by the appellant, they shall not be disturbed and the appellant shall continue the supply in their cases. Additionally those applicants who have applied to the appellant for electricity connection of 1000 KVA or more may be supplied electrical energy by the appellant. This however, is confined to the applicants whose names have been included in the list attached to the application for interim relief.*

*The appellant however, will not be entitled to supply electrical energy to any consumer who is already getting his supply from Respondent No.1.*



*The above interim order is subject to the final result of the application for interim relief/appeal.*

*We further direct that the Maharashtra Electricity Regulatory Commission will not proceed with the notice dated August 16, 2006 which is annexed as Annexure A to the further affidavit filed on behalf of the appellants in support of the I.A. for interim relief.”*

With the above background, the Commission hereby determines Schedule of Charges under Section 50 of EA, 2003.

## **I: Background and Process**

### **1.1 TPC-D's Proposal:**

TPC-D has proposed the Schedule of Charges in two broad categories:

- 1) *Pre 'Service Connection' Charges*
  - (a) Application registration charges
  - (b) Change in billing particulars
  - (c) Inspection fees
  - (d) Testing of all installations
  - (e) Test report charges for all categories
  - (f) Work charges
- 2) *Post 'Service Connection' Charges*
  - (a) Reconnection/disconnection charges
  - (b) Meter charges
  - (c) Charges for miscellaneous work

### **1.2 Regulatory Process:**

On receipt of the proposal, after due scrutiny, the Commission in line with Regulation 18 of Supply Code decided to invite public comment/suggestions on the draft Schedule of Charges. Accordingly, a Public Notice dated 31st August, 2006 inviting suggestions and objections from interested parties was published in Mumbai editions of Business Standard, DNA, Financial Express, The Free Press Journal, Economic Times, Times of India, Navbharat Times, Maharashtra Times, Indian Express, Dainik Samna, Loksatta, Sakal, Navakal, Mumbai Samachar and Navshakti on 4th September, 2006.

TPC-D was also advised to make available copies of TPC-D's proposal, for inspection and acquiring, to the members of public at TPC-D's office and also to host the same on TPC-D's web site ([www.tatapower.com](http://www.tatapower.com)). The last date of filing written objection was fixed as 18th September, 2006 which allowed a period of 15 days to the public to enable them to file their objections.



The Commission received only one written objection/comment regarding proposed Schedule of Charges submitted by TPC-D. The Commission also admitted objections filed during the Public hearing, which was held on 21st September, 2006 in Mumbai. List of Objectors to the TPC-D's proposal on 'Schedule of Charges' is annexed at **Appendix**. Based on the various objections received and proceedings during public hearing, TPC-D submitted their response on 28th September, 2006.

The Commission has ensured that the due process contemplated under law, to ensure transparency and public participation, has been followed at every stage meticulously and an adequate opportunity was given to all the persons concerned to file their say in the matter.

The Commission after taking into consideration all the objections, including the submissions and responses of TPC-D, issues raised during the public hearing and all other relevant material, issues the order as per following structure having three sections.

**Section I** above covers Preface, Background and Regulatory Process.

**Section II** is covering –

- Summary of objections received
- TPC-D's response to the objections
- The Commission's ruling on objections.

**Section III** is covering –

- TPC-D's proposal, dealt item wise
- Commission's Ruling and Tariff Philosophy towards determination of item wise charges
- Applicability and Validity.

## **II - Summary of objections received, response filed by TPC-D and the Commission's ruling:**

No written objections pertaining to Schedule of Charges were received except one submitted by Shri M.D. Marathe, that too about fixed and variable charges pertaining to energy tariff and not related to Schedule of Charges under Regulation 18 of the Supply Code. During the public hearing, some of the objectors offered general comments on entire 'Schedule of Charges' proposal.

Shri. Mahesh Barbhaya submitted that the Commission should direct TPC to charge its consumers on the existing rates of charges. The application of TPC for revision of charges may not be considered by the Commission before the Hon'ble Supreme Court passes its decision/ judgment (which is expected on 7<sup>th</sup> November, 2006) in the matter regarding dispute over Distribution License of TPC.



On behalf of the Bombay Small Scale Industries Association (BSSIA), Shri. Rakshpal Abrol made the following oral submissions:

- (a) Under the conditions enumerated in all the four licenses of TPC, TPC has no obligation to supply electricity in Mumbai below 1000 kVA. Further, under the said licenses, services towards laying of cables, etc., are exempted from being charged in case TPC supplies electricity in Mumbai above 1000 kVA. Therefore, from the date of issue of its distribution licenses, wherever TPC has supplied electricity in the city of Mumbai in excess of 1000 kVA, and from the date of approval of tariff by the Government of Maharashtra, being 1<sup>st</sup> December 1998, upto 2<sup>nd</sup> July 2003, amounts collected by TPC towards service charges should be refunded. This would be required as even the Schedule of Charges of TPC that is subsisting, is not applicable to the consumers of TPC. Thus, unless appropriate amendments are made in the licenses of TPC, TPC should not be allowed to use its Schedule of Charges and charge its consumers for services rendered.
- (b) The Commission is vested with powers to make necessary amendments to the licenses of distribution licensees. Unless the Commission makes necessary amendments, it should not approve the proposed Schedule of Charges submitted by TPC and force the consumers to pay such revised rates.
- (c) As the issue concerning the interpretation and scope of licenses of TPC is *subjudice* before the Hon'ble Supreme Court and final judgment is expected to be passed on 7<sup>th</sup> November 2006, TPC is not supposed to supply electricity in Mumbai, whether within in excess of 1000 kVA or below. Further, till 7<sup>th</sup> November 2006, the Commission should not approve the ARR submitted by TPC for the FY 2006-07 or pass any order/s on the present application of TPC for revision in its Schedule of Charges.

**TPC-D's Response:**

Shri. J.D. Kulkarni made the following submissions:

- (a) Responding to the submissions made by Shri. Rakshpal Abrol, Shri. Kulkarni submitted that the charges contemplated under the proposed Schedule of Charges are neither included nor are the part of the ARR filing of TPC. Therefore, such charges would be required to be incorporated in the Schedule of Charges as proposed. These Schedule of Charges, are required to be approved by the Commission for TPC as a licensee at the time when TPC starts supplying to consumers depending on the final decision of the Apex Court.
- (b) The Schedule of Charges as proposed by TPC, are in line with the Conditions of Supply and the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 and there have been no deviation to the same while framing the said Schedule of Charges as proposed.



- (c) In view of the above, it is requested that the Commission accords its approval to the Schedule of Charges as proposed by TPC.

**Commission's Ruling:**

In its stay order dated August 28, 2006 granting interim relief to TPC, Supreme Court allowed TPC to retain its supply of electricity and services to its existing retail consumers and to release supply to the applicants eligible as per the above said stay order.

Rendering the services as above would necessitate the determination of Schedule Of Charges in accordance with Regulation 18 of Supply Code.

**III- TPC-D'S ITEMWISE PROPOSAL, COMMISSION'S ANALYSIS, TARIFF PHILOSOPHY AND DECISION ON ITEMWISE SCHEDULE OF CHARGES**

**Part I: Pre 'Service Connection' Charges**

**1) Application Registration Charges**

**1.1 TPC-D's Proposal**

TPC-D has proposed charges ranging from Rs. 50/- to Rs. 2000/- per application towards application registration charges payable at the time of application for new connection, additional load, change in installed equipment, restoration of supply and extension of supply by all consumer categories.

**1.2 Commission's Ruling**

As per Supply Code Regulation 4, in respect of Application for supply, or for additional load, shifting of service, extension of service or restoration of supply, the applicant is required to submit various documents and details. Besides, as per Regulation no. 4.1(ix), consumer is required to pay fee for processing the application or receipt thereof, based on schedule of charges approved by the Commission under Regulation 18.

The Commission therefore allows TPC-D to collect a token amount towards the application processing or receipt thereof, as indicated in **Annexure-1**.

**2) Change in billing particulars**

**2.1 TPC-D's Proposal**

TPC-D has proposed a charge of Rs. 50/- per application towards application processing fee payable at the time of application for change of name, change of address and change in billing cycle.



## 2.2 Commission's Ruling

Basically effecting change of name involves administrative procedures like processing of documents, making relevant entries in consumer's personal ledger and meter reading and billing programme. As per Supply Code Regulation 10.3 (iv), the applicant is required to pay processing fee along with the application for change of name in case of transfer of ownership or occupancy of the premises. The Commission therefore allows TPC-D to collect a token amount towards the processing of application for change of name in accordance with above Regulation as indicated in **Annexure-1**. However the Commission does not find merit in the proposal of TPC to levy charges for change of address and billing cycle, hence disallows the same.

## 3) Inspection fees

### 3.1 TPC-D's Proposal

TPC-D has proposed charges ranging from Rs. 200/- to Rs. 25000/- per application towards inspection charges payable at the time of application for new service connection, increase in load by all consumer categories.

Further, any re-inspection in view of revised-estimate done at the instance of the consumer shall attract extra charges at the rate of 50% of the inspection fees.

### 3.2 Commission's Ruling

In accordance with Regulation 5.1 of Supply Code, study of technical requirements of giving supply and inspection of premises to which supply is to be given are the activities involved in processing of application for new supply or additional load. However these activities fall under normal business of the licensee. Hence, the Commission rejects the proposal of TPC to levy the inspection charges.

## 4) Testing of installation

### 4.1 TPC-D's Proposal

TPC-D has proposed that-

- i) The test and inspection prior to connection of an installation for supply would be carried out free of charge but on further test and inspection if found necessary or at the instance of consumer, would be charged at Rs. 500/- per visit.
- ii) In case of temporary connection, charges for initial inspection and subsequent test would be Rs. 500/-.



## 4.2 Commission's Ruling

Regulation 9 of Supply Code provides that the wiring of consumer's premises shall conform to the standards specified in the Indian Electricity Rules, 1956. As per Rule 47, it is the duty of the supplier to inspect & test applicant's installation before connecting the supply. As per Rule 53(1), the cost of first inspection & testing of a consumer's installation carried out in pursuance of the provisions of Rule 47 shall be borne by the supplier & the cost of every subsequent inspection & test shall be borne by the consumer.

The testing and installation charges proposed by TPC-D, for subsequent inspection and testing necessitated due to any lapse from the consumer, appears to be on higher side; neither any justification is submitted by TPC-D. In view of above, the Commission approves the charges for installation testing on consumer's request as indicated in **Annexure-3**, which would be applicable for subsequent testing only for both i.e. permanent and temporary connection. Further, TPC-D should provide copy of the report of Installation testing to the concerned consumer free of charge.

## 5) Test report charges for all categories

### 5.1 TPC-D's Proposal

TPC-D has proposed a charge of Rs. 200/- for two copies of test reports for all consumer categories. Further, additional copies of test report would be charged at Rs. 50/- per copy.

### 5.2 Commission's Ruling

The Commission has approved the charges to be levied towards the testing of installation and testing of meters under para 4.2 of part I above and 2.2 of part II below respectively. Hence the Commission rejects the proposal of TPC to levy separate charges for providing test report to the consumers. However, the Commission allows TPC to charge Rs.1/- per page for issuing additional copies of the report/s.

## 6) Work charges

### 6.1 TPC-D's Proposal

TPC-D has proposed that-

- i) The estimates for extending the supply would be submitted to the consumer based on the charges specified in the annexure and works would be taken up after the approval of estimates by the consumer.
- ii) In case the work is carried out by consumer in its premises, the material procured by the consumer shall bear ISI mark. Labour charges as specified in the annexure would be applicable if installation is carried out by TPC.
- iii) Charges applicable for Service Line more than 100 meters would be as per the list of charges attached to the proposed Schedule of Charges.



- iv) Excavation and reinstatement charges would be at actuals as per MCGM rates applicable at that time.

## 6.2 Commission's Ruling

Section 42(1) of the Act stipulates that *'it shall be the duty of the distribution licensee to develop and maintain an efficient, coordinated and economical distribution system in his area of supply....'*

As regards collecting charges for the cost of works involved in releasing new connection, Section 46 of EA, 2003 provides that the State Commission may by Regulation, authorize the Distribution Licensee to charge from a person requiring supply of electricity, any expenses reasonably incurred in providing any electricity line or electricity plant used for the purpose of giving that supply.

Thus as per the Act, powers are vested with the Commission to formulate Regulations specifying the principles for recovering the expenses involved in releasing the connection which are set out in Regulation 3 of MERC (Supply Code and Other Conditions of Supply) Regulations, 2005.

Regulation 3.3.2 of Electricity Supply Code authorizes the Distribution licensee to recover all expenses reasonably incurred in laying down service line from the distributing mains to applicant's premises from the applicant. Thus the applicant is required to pay the entire cost of Service connection line from the distribution main to his premise.

TPC-D has proposed to levy charges for Service Line more than 100 metres at actual, based on the schedule of rates indicated in the annexure attached with their proposal. However, TPC-D has not indicated in their proposal the charges applicable for connection involving service length less than 100 meters.

Normally, distributing mains situates within 100 metres from consumer's premise. As per Supply Code Regulations, the licensee is authorized to recover charges based on cost of service line from distributing mains to applicants premise. The expenditure on infrastructure beyond distributing mains, which forms a distinct part of wheeling business, i.e. system of wires and associated equipment, there is no provision in Supply Code Regulations allowing the Licensee to recover it from the prospective consumers. The Commission therefore rejects TPC's proposal to levy charges towards expenditure involved on infrastructure beyond 100 metres from consumer's premise. The expenditure incurred on upstream of distributing mains may be claimed through ARR.

As regards charges for connection upto 100 metres length, the same are proportionate to the length of service line involved and load to be catered. However, in order to simplify the procedure while releasing the connection and to avoid discretion and disputes at field level, the Commission has decided to dispense with the measurement linked charges. Based on the Commission's assessment of the cost involved in service line for catering



different slabs of load, the approved normative Service Connection Charges are indicated in **Annexure – 2**.

In case a consumer applies for an additional load/contract demand i.e. extension of load and if the release of additional load/contract demand entails any new works, the Commission allows TPC-D to recover the normative charges for the total load/contract demand (existing as well as additional load) as per the applicable load slabs indicated in **Annexure – 2**.

However, for the applicants seeking dedicated distribution facility, TPC is entitled to recover charges in accordance with Regulation 3.3.3 of Supply Code. Where the provision of supply to an applicant necessitates augmentation of the distribution system, TPC is entitled to recover charges in accordance with Regulation 3.3.4 of Supply Code.

## **Part II: Post ‘Service Connection’ Charges**

### **1) Reconnection/disconnection charges**

#### **1.1 TPC-D’s Proposal**

TPC-D has proposed Reconnection/disconnection charges in two parts:

- *Disconnection/Reconnection at the instance of the consumer to enable him carry out modification/repair to his installation-*

TPC-D has proposed charges of Rs. 200/- to 5000/- for disconnection/ isolation to enable the consumer to carry out modification/repair to his installation and after the consumer has completed his work restoration would be charged at the same rate separately.

- *Disconnection/Reconnection for non payment, breach of Supply Code, Fire in the premises, unsafe installation etc.-*

TPC-D has proposed charges of Rs. 200/- to 5000/- towards reconnection charges of disconnected consumers for non payment, breach of Supply Code, Fire in the premises, unsafe installation, in addition to the defaulted charges, penalties, duties, fines etc.

Further, TPC-D has proposed that if the staff of licensee is unable to obtain access to the meter or service cutouts for disconnecting, and the disconnection has to be made from the mains, either underground or overhead, the consumer would have to pay all cost incidental to such disconnection or reconnection.



## 1.2 Commission's Ruling

i) *Disconnection/Reconnection at the instance of the consumer to enable him carry out modification/repair to his installation-*

The charges proposed by TPC-D will be presumably applicable only when any consumer opts to avail these services from TPC-D. Though providing these services i.e. removal of fuse cutouts to enable consumer to work on his installation and replacing the same thereafter would be beneficial to both i.e. consumer and the licensee, these items are matters of mutual consent of TPC-D and consumer. The Commission, therefore does not consider these services as a part of Schedule of Charges as these services fall under non-regulatory services resulting in 'other income' for the Licensee.

- *Disconnection/Reconnection for non payment, breach of Supply Code, Fire in the premises, unsafe installation etc.-*

Section 56 of Electricity Act, 2003 empowers the licensee to discontinue electric supply to the consumer for non-payment of electricity bills after following the due procedure laid down under the Act. It further says that the supply can be discontinued until such charge or other sum, together with any expenses incurred by him in cutting off and reconnecting the supply, has been paid.

TPC-D has not furnished any details about average cost incurred in disconnection and reconnection of the supply. The Commission is of the opinion that timely disconnection of supply for default against valid dues itself would work as deterrent to the consumer. Considering the provision in the Act, wherein it is expressly mentioned that the licensee can recover the cost incurred for cutting of and reconnecting supply, the irrational high charges as proposed by TPC-D are not justified. In order to rationalize the charges, Commission directs TPC-D to recover reconnection charges as indicated in **Annexure-3**.

## 2) Meter charges

### 2.1 TPC-D's Proposal

TPC-D has proposed Meter charges in three parts:

- TPC-D has proposed charges of Rs. 200/- to 500/- for changing the location of the meters on consumer's request.
- TPC-D has proposed charges of Rs. 200/- to 700/- for testing of meters at TPC-D's laboratory on consumer's request. Further, TPC-D has proposed a rate of Rs. 3500/- for testing of CT/PT units at installation on consumer's request. TPC-D has clarified that the testing charges would not be levied for the meters, if the errors are found beyond the limits of accuracy.
- In case of meters provided by TPC-D, TPC-D has proposed charges of Rs. 1100/- to 8000/- for replacement against Lost/ Burnt meters by conventional meters and Rs. 1500/- to 18000/- for replacement by static meters.



## 2.2 Commission's Ruling

i) The proposed charges of Rs. 200/- to 500/- by TPC-D for changing the location of the meters on consumer's request, appears to be on higher side; neither any justification is submitted by TPC-D. Based on Commission's assessment of the average cost of material and labour involved in shifting of meter, the Commission approves the charges for changing the location of the meters as indicated in **Annexure-3** with the condition that this should cover the total cost including the cost of material, labour, all other costs etc. required for changing the location of the meter.

The charges for changing the location of meter within the premise will be applicable only in cases where the shifting is to be done at the request of the consumer. However, when TPC-D desires to have the location changed, then the cost of such shifting shall be entirely borne by TPC-D.

ii) Supply Code Regulation 14.4 covers testing & maintenance of meters. As per regulation 14.4.1, the distribution licensee shall be responsible for periodic testing & maintenance of all consumers' meters.

As per regulation 14.4.2, the consumer may, upon payment of such testing charges as may be approved by the Commission under regulation 18, request the distribution licensee to test accuracy of the meter.

As per regulation 14.4.3, the distribution licensee shall provide a copy of meter test report within a period of two months from the date of request for the testing of the meter by the consumer.

As per regulation 14.4.4, in the event of the meter being tested & found beyond the limits of accuracy as prescribed under Regulation 8 of CEA (Installation & Operation of Meters) Regulation, 2006 under section 55 of the Act, the distribution licensee shall refund the testing charges paid by the consumer & adjust the amount of bill in accordance with the results of the test.

The proposed charges of Rs. 200/- to 700/- by TPC-D for testing of meters at TPC-D's laboratory, appears to be on higher side; neither any justification is submitted by TPC-D. Subject to the above provisions in the Supply Code Regulations, the Commission approves the charges for testing of meters as indicated in **Annexure-3**. The testing charges approved shall be applicable only in case the consumer requests TPC-D to test the meter.

iii) As per Section 55 of the Act, it is the responsibility of licensee to supply electricity through installation of correct meter in accordance with the regulations made in this regard by the Authority i.e. CEA.



The Government of India has notified CEA (Installation & Operation of Meters) Regulation, 2006 on 17<sup>th</sup> March 2006. As per Regulation 6(2)(a) of CEA (Installation & Operation of Meters) Regulation, 2006, '*consumer meters shall generally be owned by the licensee*'.

The above provision implies that meter for new connection should be provided by the licensee and the cost of meter shall be borne by the licensee, except where a consumer elects to purchase the meter from licensee.

Further, as per Regulation 14.2 of Supply Code, the Distribution licensee may recover the price of new meter from the consumer towards replacement of Lost/ Burnt meters.

TPC-D has not furnished any supporting documents to establish reasonability of cost of meters, proposed for replacement against lost/burnt meters. Based on the Commission's assessment of the market rates of static meters, the Commission approves the rates as indicated in **Annexure-3**, which would be applicable only in case of a burnt or a lost meter or where a consumer opts to purchase the meter from TPC-D.

### **3) Charges for miscellaneous work**

#### **3.1 TPC-D's Proposal**

TPC-D has proposed that the licensee may undertake, depending on exigencies of work, certain installation/ testing works in consumer's premises on his written request. Such works would be charged as per the annexure attached with the proposal.

#### **3.2 Commission's Ruling**

Though undertaking certain installation/ testing works in consumer's premises on his written request in exigencies would be beneficial to both i.e. consumer and the licensee, these items are matters of mutual consent of TPC-D and consumer. The Commission, therefore, does not consider these items as a part of Schedule of Charges as these items fall under non-regulatory services resulting in 'other income' for the Licensee.

#### **Applicability & Validity:**

The entire Schedule of Charges as approved by the Commission shall be applicable with effect from December 22, 2006 and will continue to remain in force till further orders.



TPC-D is directed to issue necessary commercial circular (vetted by the Commission) within 7 days from the date of this order or date of Honorable Supreme Court's final verdict in the appeal against ATE order dated May 22, 2006 whichever is later. This circular so dispatched should also be made available on TPC-D's website.

Sd/-  
(S. B. Kulkarni)  
Member

Sd/-  
(A. Velayutham)  
Member

Sd/-  
(Dr. Pramod Deo)  
Chairman



(Smt. Malini Shankar)  
Secretary, MERC

**APPENDIX**

**List of Objectors to the TPC-D's Schedule of Charges**

| Sr. No. | Name & address of the objector  |
|---------|---|
| 1       | Shri Rakshpal Abrol,<br>Bombay Small Scale Industries Association,<br>Madhu Compound, 2 <sup>nd</sup> Floor,<br>Sonawala Cross Road No. 2,<br>Goregaon (East),<br>Mumbai – 400 063. |
| 2       | Shri Mahesh Barbhaya  |
| 3       | Shri M. D. Marathe,<br>B-7/51, MIG Colony,<br>Bandra (East),<br>Mumbai-400 051.   |



| <b>Annexure – 1</b>                                      |  |   |  |
|--|--|---|--|
| <b>SCHEDULE OF RATES</b>                                 |  |   |  |
| <b>Application Registration &amp; Processing Charges</b> |  |   |  |
| <b>Sr. No.</b>   | <b>Particulars</b>   | <b>Proposed by<br/>TPC-D (Rs.)</b>  | <b>Approved by<br/>MERC (Rs.) **</b>                                       |
| 1  | New connections/ Reduction or addition of Load/ Shifting of service/ Extension of service/ Restoration of supply |   |  |
|  | a) Residential   |   |  |
|  | i) Single phase  | 50  | 25   |
|  | ii) Three phase  | 100   | 50   |
|  | b) Supply to Commercial Installation   |   |  |
|  | i) Single phase  | 400   | 25   |
|  | ii) Three phase  |   | 50   |
|  | c) LT Supply to Industrial Installation  |   |  |
|  | i) Single phase  | 400   | 25   |
|  | ii) Three phase  |   | 50   |
|  | d) HT supply   | 10 per kVA with<br>Rs. 2000/- as<br>maximum limit                           | 150  |
|  | e) Charges for categories not covered<br>above including open access   | To be conveyed<br>on demand<br>subject to Rs.<br>2000/- as<br>maximum limit | Same as above<br>depending upon<br>Single phase/ Three<br>phase/HT Supply. |
|  |  |   | Application<br>seeking Open<br>Access:<br>Rs 500/-                         |
| 2  | Change of name   | 50  | 25   |

\*\* - As per Commission's Order dated December 22, 2006 (Case No. 30 of 2006).



| Annexure-2  |   |                        |   |       |
|---|---|------------------------|---|-------|
| SCHEDULE OF RATES   |   |                        |   |       |
| Service Connection Charges for New Connection and Extension of Load |   |                        |   |       |
| Sr. No.   | TPC-D's Proposal  | As approved by MERC *  |   |       |
|   | i) Charges applicable for Service Line more than 100 metres, at actuals.<br><br>Plus<br><br>ii) Excavation and reinstatement charges would be at actuals as per MCGM rates applicable at that time. | Category               | Service Connection charges in (Rs.)   |       |
| 1   |   |                        | L.T. Supply   |       |
|   |   |                        | Single Phase  |       |
|   |   |                        | For loads upto 5 kW   | 1500  |
|   |   |                        | Loads above 5 kW and upto 10 kW   | 2500  |
|   |   |                        | Three Phase   |       |
|   |   |                        | Motive power upto 27 HP or other loads upto 20 kW                                     | 6000  |
|   |   |                        | Motive power above 27 HP but upto 67 HP or other loads above 20 kW but upto 50 kW     | 13000 |
|   |   |                        | Motive power above 67 HP but upto 134 HP or other loads above 50 kW but upto 100 kW   | 27000 |
|   |   |                        | Motive power above 134 HP but upto 201 HP or other loads above 100 kW but upto 150 kW | 45000 |
| 2   |   | H.T. Supply            |   |       |
|   |   | For loads upto 500 kVA | 275000  |       |
|   |   | Loads above 500 kVA    | 300000  |       |

- As per Commission's Order dated December 22, 2006 (Case No. 30 of 2006).

Note:

1. For the applicants seeking dedicated distribution facility, TPC is entitled to recover charges in accordance with Regulation 3.3.3 of Supply Code.
2. Where the provision of supply to an applicant necessitates augmentation of the distribution system, TPC is entitled to recover charges in accordance with Regulation 3.3.4 of Supply Code.
3. In case of applicants seeking extension of load, service connection charges would be based on total load and not on the additional load / contract demand requirement.



## SCHEDULE OF RATES

## Miscellaneous and General Charges

| Sr. No. | Particulars   | Proposed by TPC-D (Rs.) | Approved by MERC (Rs.) ** |
|---------|---|-------------------------|---------------------------|
| 1       | <b>Reconnection charges</b>   |                         |                           |
|         | Re-installation of fuse cutout  | 200                     | 50                        |
|         | Connection at remote end due to non availability of access to the consumer's premises   | 500                     | 200                       |
|         | Re-installation of meter  | 700                     | 200                       |
|         | Re-connection of H.T. Supply from TPC's sub-station.  | 5000                    | 200                       |
|         | Re-connection of Service cable  | 1000                    | 500                       |
|         | Underground or overhead mains #   | At actuals              | 1000                      |
| 2       | <b>Changing the position of meter at consumer's request</b>   |                         |                           |
|         | Single phase  | 200                     | 50                        |
|         | Three phase   | 500                     | 100                       |
| 3       | <b>Testing of Installation. ##</b>  | 500                     | 100                       |
| 4       | <b>Testing of meters at TPC-D's laboratory</b>  |                         |                           |
|         | Single phase  | 200                     | 100                       |
|         | Three phase   | 500                     | 300                       |
|         | MD or Trivector meter   | 700                     | 500                       |
|         | Testing of CT/PT units at installation  | 3500                    | 1000                      |
| 5       | Charges towards additional copies of the test reports.  | Rs 50/- per copy        | Rs.1/- per page           |
| 6       | <b>Cost of meter (applicable in case consumer opts to purchase the meter from TPC-D &amp; in case of Lost and Burnt meter)Conventional meter/static meter</b> |                         |                           |
|         | Single phase Meter  | 1500                    | 700                       |
|         | Three phase whole current Meter   |                         | 3000                      |
|         | Three phase CT operated Meter   | 12000                   | 5500                      |
|         | Trivector/MD/ TOD Meter   | 18000                   | 5500                      |

\*\* - As per Commission's Order dated December 22, 2006 (Case No. 30 of 2006).

# - Applicable only in cases, where during disconnection entry to service position is prevented.

##- Testing of installation prior to connection (including temporary connection) will be free of charge. This charge would be applicable for subsequent inspection and testing of installation on consumer's request.

