
GRIDCO has been raising BST bills on SOUTHCO for Rambha Traction Supply since 21.10.03 based on the meter installed at Chhatrapur s/s located 26 KM away from the Traction Supply Point. Every month there subsists difference in the readings between the meters at Rambha Traction Point and at Chhatrapur grid s/s which could be attributable to the

energy loss in the line between Chhatrapur Grid and Rambha Traction s/s. SOUTHCO, on the other hand, had raised bills for railway traction on the basis of Rambha Traction s/s meter on the consumer.

3. It is well-established in law that a distribution licensee is accountable only for the distribution loss but not for loss in transmission line at 132 KV. Thus, SOUTHCO has been compelled to bear the transmission loss at 132 KV due to follow-up incorrect billing practice by GRIDCO. As such, SOUTHCO has prayed that GRIDCO may be directed to withdraw excess billing amounting to Rs.35,01,175.20 in respect of Rambha Traction point made during the period from October, 03 to February, 05.
4. The 132 KV railway feeders at Jeypore were supplied power from the 50 MVA auto transformer at Theruvali through the reserve bus, but the energy meter was getting PT supply from the main bus. SOUTHCO has further submitted that they were being over billed for the period from April 03 to October 03 for Rs.1,08,55,051.20 only and 5,22,874.70 for the months of November, 04 to February 05 for this sort of metering arrangement . As such, SOUTHCO has requested that GRIDCO may be directed to withdraw the excess billing aggregating Rs.1,13,77,926.00 during the period from April, 2003 to October, 2003 and November, 2004 to February 2004 and to raise correct BST bills w.e.f. March, 2005 onwards.
5. The respondent, GRIDCO in their filing dt.13.06.05 interprets connection as made in clause 1 of Bulk Supply Agreement executed between GRIDCO and SOUTHCO as under :

(b) (In case of EHT consumer), each point of interconnection between the Transmission System and the EHT consumers equipment being either at an incoming feeder gantry or terminal at the EHT consumer's premises or at an outgoing feeder gantry of the relevant s/s) the metering to the EHT consumers are shown to be done at the outgoing feeder of the gantry of the relevant s/s

(copy enclosed as Annexure-1) which is as per the clause No.5.5.4 of the Grid Code, the metering point for Bulk power consumers shall be at the licensee's s/s or as agreed with the licensee."

6. GRIDCO has advanced the following arguments to the effect that the billing raised against SOUTHCO in respect of Rambha Traction s/s is genuine and based upon extant provisions :-

- (i) Metering to the Bulk Supply Consumers or EHT consumers should be done at the licensee's s/s as per the Grid Code which is indicated in the attached Geographic map and schematic diagram attached to the BSA where it is clearly shown that metering is to be done at GRIDCO's s/s end.
- ii) Further, SOUTHCO has contended that as per the joint meeting held between GRIDCO and railways, it has been agreed to install the meter in the control room of railway traction s/s at Rambha.
- iii) Installation of a meter at Railway Traction as agreed between GRIDCO and the Railway authority is not acceptable to GRIDCO.
- iv) GRIDCO used the readings of the Apex meters installed at the grid premises of GRIDCO at the outgoing feeder gantry. Since billing was done as per the Apex meter reading and metering arrangement was in order, revision of bill does not arise because metering to the Bulk Supply Consumers or EHT consumers should be done at the licensee's s/s as per the Grid Code and in the schematic diagram attached to the Bulk Supply Agreement where it clearly shows that metering is to be done at grid's s/s end.

7. With regard to the cause of discrepancy of the meter reading at Rambha, GRIDCO has submitted that a detailed study has been made and metering arrangement were tested jointly in presence of officials belonging to GRIDCO and SOUTHCO. The loss could be attributed to capacitance effect that interferes with the load current causing the difference in meter reading between Rambha & Chhatrapur.
8. GRIDCO has buttressed up the following arguments in case of other traction points. SOUTHCO's contention that power supply to Machhkund Railway Traction was fed through Theruvali s/s during the period from April, 03 to October 03 and from November, 04 to February 05 is palpably incorrect. The 50 MVA autotransformer at Jayanagar s/s became non-functional in June 03. As such, power supply was extended to the traction point from the Theruvali auto through reserve bus of Jeypore grid s/s in the months of June, July and August, 2003 as power supply from Machhkund was virtually nil. Bills had been preferred as per the apex meter installed at Jeypore Traction feeder. In October, 03 Machhkund supply was available to the traction point. Similarly, during the period from November 04 to February 05 and onwards power supply to Machhkund Traction Point is fed from Jeypore s/s through the reserve bus without connecting it to Machhkund supply as the railway authorities are reluctant for connection to Machhkund supply system due to erratic power supply to traction from that end.
9. SOUTHCO has compared the apex meter data with those of secure meter data installed at the Traction Point. As the apex meter was functional no other meter shall be considered for billing purpose. GRIDCO has ensured continuity of supply during the difficult power situation as per the choice of the railway authorities. As such, SOUTHCO should not unnecessarily dispute the bill.

10. On the contrary, GRIDCO has prayed that the pleading of SOUTHCO to withdraw the excess billing from the Rambha Traction and Machhkund Traction may be forthwith rejected as GRIDCO has preferred the bill as per the authorised reading of apex meter installed at Chhatrapur grid for Rambha Traction and Apex meter installed at Jayanagar and Machhkund grid for Machhkund Traction point.
11. Further, they have intended that the Commission should not pass any interim order, as the metering arrangements were in order and billing were made as per the jointly tested and checked meters from time to time.
12. After having gone through the written and oral submissions advanced by both the parties during the course of the public hearing, the Commission finally orders as follows:
 - (i) Clause 56 (4) of OERC (Condition of Supply) Code, 2004 envisages that “in case of a feeder directly taken to the consumer’s premises for his exclusive use from the licensees’ s/s or from the transmission licensee, metering arrangement shall be done at the consumer’s premises or, at the licensee’s s/s itself
 - (ii) The relevant extract from GRID Code is reproduced below :-

“5.5.4 CPPs & Bulk Power Consumers

*Voltage may be 220/132/33 KV or as agreed with the **Licensee**
Sub-stations are owned by **CPPs** and **Bulk Power Consumers**.
The **Connection** point shall be the feeder gantry on their premises.
The metering point shall be at the **Licensee’s** sub-station or as
agreed with the **Licensee**.”*

- (iii) In this connection, the relevant portion of the minutes of discussion held between Divisional Engineer Electricity,

Visakhapatnam and the Chief Engineer (TP), Bhubaneswar on 04.02.2003 is quoted below :

“discussion was held regarding providing metering arrangements at Solari, Rambha and Kaipadar-Road inside the traction sub-stations premises of railway. Notwithstanding of what contained in railways earlier letter it was agreed as follows:

(iv) Meter can be installed in the control room of Railway Traction sub-station.

13. The agreement reached between GRIDCO & railways are with the provisions of OERC (Condition of Supply) Code as well as the Grid Code with regard to installation of metering at the premises of an EHT consumer.

14. Strangely enough, GRIDCO intends now to wriggle out of the said understanding/agreement on the ground that the same is in conflict with the extant Grid Code.

An extract of the Bulk Supply Agreement between GRIDCO and the Distribution Licensee with regard to metering is given below:

“6.1 The parties acknowledge and accept that they are bound by the Regulations including the Grid Code. The parties shall conduct their respective Businesses in accordance with the terms of the same.

6.2 Subject to Clause 6.1, the parties shall co-ordinate with each other on a regular basis in order to resolve all operational issues, including connection, metering, load shedding and other day to day matters and for the said purpose shall form such co-ordination committees consisting of such officers as the parties may mutually agree.”

15. To buttress up the case, SOUTHCO has quoted the provisions of Orissa Distribution Planning and Operation Code, 1998

“4.8.2 Metering (Tariff/Commercial)

4.8.2.1 *Tariff metering shall be provided at each point of Interconnection between Distribution System and Transmission System in accordance with Grid Code and agreement.*

4.8.2.2 *Tariff metering at Connection Point between user system and Distribution system shall be governed by provisions in the Agreement.”*

16. In terms of the Bulk Supply Agreement between GRIDCO and DISTCO, the parties are bound by the Grid Code and the Orissa Distribution Planning Operation Code as well as the OERC (Conditions of Supply Code) 1998/2004. The Supply Code provides that the consumers shall observe and abide by all the terms and conditions stipulated therein to the extent they are applicable to them. As indicated earlier, metering in case of a Bulk Supply Consumer has to be done at the consumer's premises or at the licensee's s/s itself. An agreement has been reached between the consumer and GRIDCO for provision of meters inside the Railway Traction s/s. Grid Code provides that the location of metering has to be agreed between the parties. As GRIDCO and railway traction had given consent for location of meter according to Grid Code, the point of metering shall be the metering inside the Railway Traction s/s. The Commission, therefore, direct that GRIDCO should prefer BST bill to SOUTHCO in respect of Rambha Traction, considering the meter reading of traction supply at Rambha Traction Point. Likewise claims for individual traction points under Jayanagar-Machchkund transmission shall be on the basis of meter readings at respective traction s/s.
17. The Commission further directs that BST bill raised on the Rambha Supply Traction Point may be suitably revised. However, the Commission does not agree to the levy of surcharge on GRIDCO for any revision as requested by the distribution licensee. Similar rectification of bills should be done in respect of railway traction points under Jeypore Electrical

Division for Machhkund railway traction points in Jeypore for the months of April, 2003 to October, 2003 and November, 2004 to February, 2005.

This disposes off the matter.

Sd/-
(S.K. Jena)
Member

Sd/-
(B.C. Jena)
Member

Sd/-
(D.C. Sahoo)
Chairperson