

ORISSA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
UNIT-VIII, BHUBANESWAR - 751 012

Present : Shri B. K. Das, Chairperson
Shri K.C. Badu, Member
Shri B.K. Misra, Member

Case No.93/2009

Ashok Kumar Mittal	Petitioner
Vrs.		
CEO, WESCO	Respondent

In the matter of : **U/s 142, 146 of Electricity Act, 2003.**

For the petitioner : Nobody is present on behalf of the petitioner

For the Respondent : Mr. G.C. Mahanty, DGM (Com), Mr. B. Mohapatra, E.E., BED, Bargarh and Mr. B.K. Pattnaik, Advocate, WESCO

Date of Hearing : 27.08.2009

Date of Order : 27.08.2009

ORDER

The case is taken up today for exparte hearing on question of admission. The petition is admitted. The complainant is the proprietor of M/s Prakash store at Dharmashala in the district of Bargarh, obtaining power supply at three phase connection from the respondent WESCO as per Regulation 75 of OERC (Conditions of Supply) Code, 2004.

2. In the petition, the petitioner stated that the respondent is not maintaining the voltage to the premises of the petitioner and due to low voltage, he is unable to run his AC and other electrical equipments. He has made several representations before the licensee to take necessary steps to

maintain the voltage but no action was taken by the respondent to solve the problem.

3. The petitioner had filed consumer complaint bearing case No. 33/08 before the GRF, Burla for redressal of his grievances. The said GRF had disposed of the matter on 16.06.08 directing the licensee to take immediate steps to eradicate the low voltage problem of the petitioner. The said order of the GRF has not been complied by the licensee for which, he has filed this petition before the Commission u/s. 142 of the Electricity Act, 2003 to penalize the licensee and grant compensation to him.
4. Mr. B. K. Pattnaik learned Counsel of WESCO stated that the licensee is maintaining the voltage to the petitioner alongwith other consumers in Bargarh Town. But sometimes i.e., in peak hours the voltage goes down due to various reasons in the grid which is beyond the control of the licensee. He also stated that the licensee had complied the said order of the GRF. A separate cable was been drawn from nearest LT line of 500KVA, 11/0.4KV S/s at the Hospital from another 11KV feeder adjacent to the LT line from which it was previously fed and supply is given to the petitioner to maintain voltage at peak hours.
5. He further stated that regarding compensation u/s. 57 of the Electricity Act, 2003, the licensee is not liable to pay compensation under Regulation 5 of OERC (Licensees' Standards of Performance) Regulations, 2004 as the petitioner's grievances have been redressed and the low voltage, if at all at some point of time is not due to default of licensee but because of grid condition. There is an inherent problem in the OPTCL network in Bargarh and Bolangir area for which on many occasion there is low voltage in the 132KV system. At present one 220KV DC line from Budhipadar to Bolangir is under erection and going on full swing. It is expected to be completed by Sept./Oct, 2009. Alongwith the commissioning of 220KV grid at Bolangir after which the voltage profile is expected to be far better in those areas. He prayed to the Commission to

drop the proceeding u/s 142 of the Electricity, 2003 as the licensee has not contravened the aforesaid order of the GRF, Burla.

6. After hearing the respondent and perusal of the case record, we direct for provision of 11KV capacitor bank for improvement of voltage during peak hours. The capacitor bank may be put into service during peak load hours to attain the voltage at the consumer/petitioner end within the allowable limit, and switch off the capacitor bank during off peak hours. Further WESCO is directed to take up the issue with OPTCL for operation of an online tap changer (OLTC) of 132/33KV S/s of OPTCL to maintain the sending end 33KV voltage profile within the permissible standard. These are to be complied with by WESCO and OPTCL on or before 30.11.2009 at the latest.
7. A copy of this order is also to be supplied to CMD, OPTCL to take expeditious action in the matter.
8. Accordingly, the case is disposed of.

Sd/-
(B. K. Misra)
Member

Sd/-
(K.C. Badu)
Member

Sd/-
(B. K. Das)
Chairperson