

TAMIL NADU ELECTRICITY REGULATORY COMMISSION
(Constituted under section 82 (1) of Electricity Act 2003)
(Central Act 36 of 2003)

TNERC/M.O. No.1 of 2014/Temporary Supply dated 13-10-2014

PRESENT : Thiru. S.Akshaya Kumar - Chairman
 Thiru S.Nagalsamy - Member
 Thiru G.Rajagopal - Member

In the matter of: Mis-interpretation of Commission's regulations –
 Stay on the letter issued by TANGEDCO –ordered.

1. The Chief Financial Controller/Revenue/TANGEDCO in Lr.No.CFC/REV/FC/REV/ DFC/ AAO/ F.Temp.Supply/D.328/14,dt.27.05.2014 has issued instructions as follows:

2.1) The Tariff Order 1 of 2013, dt.20.06.2013 read with Amendment to Regulation 39 of Tamil Nadu Electricity Distribution Code envisages that in the case of supply to construction of new building, permanent supply procedure shall be adopted with Temporary Supply tariff.

2.2) This means that the existing service(s) has to be dismantled and fully Account closed and then a new service connection under Temporary Supply Tariff has to be effected.

2.3) If the request of the Superintending Engineer is considered, it will become an ordinary 'Tariff Change'.

2.4) If mere 'Tariff Change' procedure is followed, then the meter of the existing service connection may not be dismantled and may be continued. As such, those meters, mainly in the case of residential services will either be Electro Mechanical meter or High Quality meter without MD recording facility.

2.5) As TANGEDCO is in the process of replacement of all meters by Static meter with MD recording facility, it becomes essential that the Temporary Supply services have to be provided with Static Meter with MD recording facility so as to ensure levy and collection of excess demand charges, if any, that may arise.

2.6) Further, in the case of mere 'Tariff Change', the 'Tariff Change Module' of LT software has to be operated, wherein only testing fees is collectable from consumers.

But in the case of Temporary Supply for new building construction, 'Tariff Conversion Module' has to be operated and all Misc. Charges namely, Registration fees, Service Connection Charges, Development Charges, MCD and SD applicable to the tariff after the construction is over is collectable upfront at the time of effecting Temporary Supply service connection.

2.7) However, upon completion of construction, the service connection under Tariff VI is changed to the respective appropriate permanent tariff category (namely Tariff IA, etc.,) using the 'Tariff Conversion Module' of LT software by the 'AEE user'.

2. Complaints were received from the consumers / intending consumers on the above action of the TANGEDCO. The Commission's regulation 39 of the Tamil Nadu Electricity Distribution Code reads as follows:

"39.TEMPORARY SUPPLY:

Temporary supply of electricity to any premises shall be dealt with as below:—

(1) If the temporary supply as in the case of construction of building etc. is to be converted into permanent supply after completion of the construction, normal procedure to effect the supply to regular categories shall be followed and the consumer shall be charged under temporary supply tariff, i.e. permanent supply procedure shall be adopted with temporary supply tariff....."

3. Regulation 39 specifies that permanent supply procedure shall be adopted for effecting the temporary supply tariff and it only deals with the procedure for effecting new service connections for the construction purpose. The Chief Financial Controller's instructions extracted above appears to be the outcome of misinterpretation of Commission's regulation beyond its scope.

4. The Commission hereby orders as follows:

(i) The instructions issued by the Chief Financial Controller/ Revenue/TANGEDCO vide his Lr.No.CFC/REV/FC/REV/DFC/AAO/

F.Temp.Supply/D.328/14,dt.27.05.2014 is therefore stayed with immediate effect.

(ii) In the cases of existing service connections requiring temporary supply for construction purpose and that are to be converted back to permanent supply, all in the same voltage level, only change in tariff shall be effected subject to obtaining of undertaking as specified in sub-regulation (1) of regulation 39 of the Distribution Code. However, if there exists more than one service connection in a premises, tariff change shall be effected to one service connection only and the consumer shall surrender all other service connections.

(iii) In case of conversions at the same voltage level, if strengthening of existing network is involved, only the charges for such improvement may be collected from the consumer. In cases of such conversion, if shifting of service connection is involved, charges as specified in the Commission's regulations/codes, may be collected. However, in cases of conversions involving change from lower voltage to higher voltage, procedure as specified in sub-regulation(1) of regulation 39 of the Distribution code may be adopted.

This order shall come into force from the date of its issue.

(By order of the Tamil Nadu Electricity Regulatory Commission)

(S.Gunasekaran)
Secretary

To

The Chairman cum Managing Director/Tamil Nadu Generation and Distribution Corporation Ltd., Chennai-600 002.