

THE STATE ELECTRICITY OMBUDSMAN
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APPEAL PETITION No. P/043/2019
(Present: A.S. Dasappan)
Dated: 8th August 2019

Appellant : Sri. Pradeep kumar S.R.,
Deputy Manager,
Ascend Telecom Infra Structure (P) Ltd.,
Vytila, Ernakulam

Respondent : The Assistant Executive Engineer,
Electrical Sub Division,
KSE Board Ltd, Kattapana,
Idukki

ORDER

Background of the case:

The appellant represents M/s Ascend Telecom Infra Structure Pvt. Ltd., a company providing passive infra structure service to telecommunication providers, engaged in the construction and maintenance of Cellular Towers. The appellant has an electric connection under Electrical Section, Kattapana with consumer number 28680 under LT VI F tariff having connected load of 16.12 kW. The date of connection given to the appellant was on 20-01-2010 and the connected load was 13 kW up to 13-11-2017.

The appellant had filed petition against the severe voltage drop in his premises before the CGRF Central Region Ernakulam and the CGRF by its order dated 30/06/2018, ordered as follows. "Immediate steps for maintaining sufficient voltage levels in the premises of the petitioner by constructing efficient and co-ordinated and economical system in the area of supply immediately as per the regulation 7 of the Electricity Supply Code 2014." The appellant has again filed a petition before CGRF, CR, Ernakulam vide OP No. 103/2018-19 on the same grievance and the CGRF in its order dated 30-04-2019 ordered as follows "the petitioner shall file a complaint before the Hon'ble

State Regulatory Commission for non-compliance of the order of the Forum". Still aggrieved, the appellant has submitted this appeal petition before this Authority.

Arguments of the appellant:

The appellant is one of the telecommunication infrastructure providers, engaged in the construction and maintenance of Cellular Towers for various telecommunication service providers in the state. One such tower is constructed and being maintained by appellant at Anyarthulu, under Electrical Section Kattappana, and Electrical Sub Division Kattappana, having consumer No. 1156095028680. The appellant obtained the Service Connection after complying with all formalities for getting connection as per prevailing rules.

Right from the time of getting power connection the appellant is experiencing severe voltage drop so that the communication equipment cannot be put into operation properly. In so many days the LT Voltage comes very low which is not conducive for the proper functioning of the equipment. The voltage should be maintained by the licensee, under permissible limit and this limit shall be + or - 6% in the case of LT. But the appellant is never getting the required voltage right from the date of getting connection.

The appellant approached the Assistant Engineer, Electrical Section, Kattappana and the Assistant Executive Engineer, Electrical Sub Division Kattappana several times and presented this problem before Consumer Grievance Redressal Forum. But the respondents have not yet taken any action on this issue. It seems they are taking an indifferent approach which results in untold misery and huge financial loss to the appellant. Additional Diesel cost expenses calculated due to this voltage issues is Rs 4,50,000/-.

The appellant had spent lakhs of rupees for the erection and commissioning of towers and the entire amount is blocked as the appellant cannot put the equipment into proper operation for want of sufficient voltage.

Hence it is requested that this Forum may be pleased to order the respondents to make immediate arrangements so that the appellant gets proper voltage as per specification and the appellant can put his equipment into operation.

Arguments of the respondent:

The appellant's service connection is for mobile Tower located at Anyartholu under Electrical Section, Kattappana with Consumer No 28680 in LT 6F Tariff and the date of connection on 20-01-2010. The present connected

load is 16.12kW. The connected load of the consumer was 13 kW up to 13-11-2017 and after that enhanced to 16.12kW. The appellant's connection is connected from 160kVA transformer Nirmalapuram on Kattappana 11 kV feeder from 66kV Substation, Kattappana. The location of the tower is about 1.5 km away from the transformer point.

The appellant has complaints regarding low voltage issues to their mobile tower and has filed petition before CGRF-CR and received order in their favour. Consumers under the Kattappana area are facing acute voltage shortage from 66kV Substation Kattappana especially during summer season. Voltage of 66kV side as per Substation records is below 60kV and even gone down to 52kV during some occasions. Hence the Voltage on the 11 kV side also getting down to below 9kV resulting voltage issues to the consumers. A number of agricultural pumps and cardamom driers are connected on the feeder and during the summer season the agricultural consumers continuously using pumps for watering the crops.

The complaint regarding the low voltage issue of the substation is due to transmission constraints and the fact was already communicated to the transmission wing. The transmission wing has communicated that they would install capacitor bank at 66kV Substation, Kattappana and the work is already started and on commissioning the voltage level will be improved. Also the works of 33kv Substation at Vandanmedu is completed and will be charged within two months. On commissioning of the Substation the load sharing from Kattappana Substation will be changed which eventually improves the voltage of the area.

Analysis and Findings

The hearing of the case was conducted on 02-07-2019, in the office of the State Electricity Ombudsman, Edappally, Kochi, and the appellant was represented by Sri. Pradeep Kumar S.R. and the respondent by Sri. Tony M Keeranchira, Assistant Executive Engineer, Kattappana Electrical Sub Division and they have argued the case, mainly on the lines stated above.

On examining the Petition and argument notes filed by the appellant, the statement of facts of the Respondent, perusing all the documents and considering all the facts and circumstances of the case, this Authority comes to the following conclusions and findings leading to the final decisions thereof.

The appellant's grievances relate to acute voltage shortage in the premises from 2014 onwards and they raised complaints many times about the under voltage, but no result. The site is about 3 km from Kattappana 66 kV substation and 1 ½ km from the transformer point. Two LT 3 phase circuits from the 160 kVA transformer at Nirmalapuram and total load in that area is

fed by the transformer. There are only two LT circuits from the transformer. The respondent has admitted voltage issues in the area.

As per the respondent, the grievance of the appellant will be redressed with the commissioning of Vandanmedu 33 kV Substation and the power from the Vandanmedu Substation will be evacuated soon after the completion of the Substation.

Regulation 7 of the Kerala Electricity Supply Code 2014 indicates the specified voltage levels to be maintained by the licensee as follows:

7. Duty of licensee to maintain the specified voltage levels.- The licensee shall not vary the voltage at the point of supply from the voltage levels as specified in regulation 6, except with the written consent of the consumer or with the previous sanction of the Commission: Provided that variations in voltage at the point of supply within the limits specified hereunder is permissible without written consent of the consumer or the sanction of the Commission:

- i. six per cent on higher side and lower side in the case of low tension supply;
- ii. six per cent on the higher side or nine per cent on the lower side in the case of high tension supply; and
- iii. ten percent on the higher side or twelve and a half percent on the lower side in the case of extra-high tension supply: Provided further that the above limits of variations in voltage levels shall be applicable till the Central Electricity Authority specifies a different set of limits.

The voltage at the 160 kVA transformer point is not known to the respondent. On going through the loading of 11 kV feeders from 66 kV Sub Station, Kattappana five feeders among seven numbers are heavily loaded including Kattappana feeder, which feeds the premises of the appellant. The appellant has been informed that the voltage in the said area would be improved with the commissioning of 33 kV Substation at Vandanmedu, but the Licensee has to initiate suitable action to strengthen the distribution network along with the commissioning of substation like balancing of distribution transformer to the maximum extent possible, constructing additional Low Tension three phase line from the transformer, changing the distribution conductor to the standard size, if required etc. Moreover, the respondent has to set right the distribution lines from the newly commissioned 33 kV substation so as to evacuate power from the Substation immediately after the commissioning.

Decision:

From the analysis done above and the conclusions arrived at, this Authority upheld the decision taken by the CGRF in OP No.103/2018-19 dated 30-04-2019. The respondent shall take all possible steps to redress the grievance of the appellant, as directed above.

Having concluded and decided as above, it is ordered accordingly. No order on costs.

ELECTRICITY OMBUDSMAN

P/043/2019/ _____ /Dated: _____

Delivered to:

1. Sri. Pradeep kumar S.R., Deputy Manager, Ascend Telecom Infra Structure (P) Ltd., Vyttila, Ernakulam
2. The Assistant Executive Engineer, Electrical Sub Division, KSE Board Ltd, Kattapana, Idukki

Copy to:

1. The Secretary, Kerala State Electricity Regulatory Commission, KPFC Bhavanam, Vellayambalam, Thiruvananthapuram-10.
2. The Secretary, KSE Board Limited, Vydhyuthibhavanam, Pattom, Thiruvananthapuram-4.
3. The Chairperson, CGRF-CR, 220 kV Substation Compound, KSE Board Limited, HMT Colony P.O., Kalamassery, PIN: 683 503.