



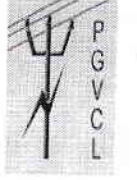
પશ્ચિમ ગુજરાત વીજ કંપની લિમિટેડ

ગ્રાહક તકરાર નિવારણ ફોરમ

ઝોનલ કચેરી, "વીજ સેવા સદન", ચાવડી ગેટ, ભાવનગર.

CIN : U40102GJ2003SGC042908

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ક્રમાંક: બીએડ/ફોરમ/૩૭/૨૨-૨૩/ **૩૬૬૪**

તારીખ: **05 DEC 2022**

આર.પી.એ.ડી.

પ્રતિ,
મે.સંજય ફેરો મેટલ પ્રા.લી.
૨૦૩, શ્રી વલ્લભ કોમ્પ્લેક્સ,
રિલાયન્સ ફેશ નજીક,
આતાભાઈ રોડ,
ભાવનગર-૩૬૪૦૦૧.

કેસ નં. ૩૭/૨૨-૨૩

મો.નં - ૯૦૩૩૫૯૭૫૬૧/૬૨

વિષય : એચ.ટી.વિજ કનેક્શનને અન્ડરગ્રાઉન્ડ પાવર સપ્લાય આપવા બાબત.

- સંદર્ભ :** (૧) આપનો પત્ર તા. ૨૨/૦૮/૨૦૨૨ જે અત્રેની કચેરી ને મળ્યા તા. ૨૩/૦૮/૨૦૨૨.
(૨) અત્રેની કચેરીનો પત્ર નં. બીએડ/ફોરમ/૩૭/૨૨-૨૩/૨૬૭૦ તા. ૨૫/૦૮/૨૦૨૨.
(૩) અત્રેની કચેરીનો પત્ર નં. બીએડ/ફોરમ/૩૭/૨૨-૨૩/૨૮૩૪ તા. ૦૯/૦૯/૨૦૨૨.
(૪) અત્રેની કચેરીનો પત્ર નં. બીએડ/ફોરમ/૩૭/૨૨-૨૩/૨૮૬૬ તા. ૧૨/૦૯/૨૦૨૨.
(૫) અત્રેની કચેરીનો પત્ર નં. બીએડ/ફોરમ/૩૭/૨૨-૨૩/૩૫૩૦ તા. ૦૧/૧૧/૨૦૨૨.

જાહેરજાહેર જાહેરજાહેર

શ્રીમાન,

આપશ્રીની, ઉપરોક્ત વિષયના સંદર્ભમાં આપના દ્વારા ગ્રાહક ફરિયાદ નિવારણ ફોરમ, ભાવનગર સમક્ષ કરેલ રજુઆતના સંદર્ભમાં આપશ્રીને ફોરમ સમક્ષ તા. ૧૪/૧૧/૨૦૨૨ નાં રોજ સાંભળવામાં આવેલ. જેના સંદર્ભમાં ગ્રાહક ફરિયાદ નિવારણ ફોરમ દ્વારા આપવામાં આવેલ ચુકાદો આ સાથે સામેલ છે.

આપશ્રીની જાણ સારૂ.

PKL

કન્વીનર,

ગ્રાહક ફરિયાદ નિવારણ ફોરમ
પીજીવીસીએલ., ઝોનલ કચેરી ભાવનગર.

❏ **બિડાણ:-** ઉપર મુજબ.

પ્રતિ: કાર્યપાલક ઈજનેરશ્રી,
પશ્ચિમ ગુજરાત વીજ કંપની લિમિટેડ
ગ્રામ્ય વિભાગીય કચેરી, ભાવનગર.

.....ગુજરાત વિદ્યુત નિયંત્રક આયોગના જાહેરનામા નં. ૨/૨૦૧૯ ની કલમ નં. ૨.૫૪ મુજબ સદર હુકમનાં પાલન અંગે થયેલ કાર્યવાહીનો જરૂરી અહેવાલ અત્રેની ફોરમ કચેરીને ફરજીયાત પાઠવવાનો રહેશે.

❏ **નકલ રવાના:-**

- (૧) શ્રી અધિક્ષક ઈજનેર, પશ્ચિમ ગુજરાત વીજ કંપની લિમિટેડ, વર્તુળ કચેરી, ભાવનગર.
...આપની જાણ તથા જરૂરી કાર્યવાહી અર્થે.



(ગ્રાહક ફરિયાદ નિવારણ ફોરમ, પશ્ચિમ ગુજરાત વીજ કંપની લિમીટેડ, ભાવનગર સમક્ષ)

ગ્રાહક ફરિયાદ નિવારણ ફોરમ,
પ.ગુ.વી.કં.લિમીટેડ, ઝોનલ ઓફિસ,
"વીજ સેવા સદન", ચાવડી ગેટ,
ભાવનગર.

કેઈસ નંબર - ૩૭/૨૨-૨૩

વાદી :- મે.સંજય ફેરો મેટલ પ્રા.લી.,

◇ વિરુદ્ધ ◇

પ્રતિવાદી :- પશ્ચિમ ગુજરાત વીજ કંપની લિમીટેડ

◇ રજૂઆતની તારીખ:- તા.૧૪/૧૧/૨૦૨૨ ◇

હાજર રહ્યા :- શ્રી વી.એલ.શાહ (વાદી ના અધિકૃત પ્રતિનિધિ)

પ્રતિવાદી :- શ્રી પી.સી.પંચાલ, કાર્યપાલક ઈજનેર, ગ્રામ્ય વિભાગીય કચેરી, ભાવનગર.
(પશ્ચિમ ગુજરાત વીજ કંપની લિમીટેડ વતી)

મે.સંજય ફેરો મેટલ પ્રા.લી., મું.ભાવનગર, જી.ભાવનગર ની એચ.ટી.વિજ કનેક્શનને અંડર ગ્રાઉન્ડ પાવર સપ્લાય આપવા બાબતની રજૂઆત કન્વીનરશ્રી, ગ્રાહક ફરિયાદ નિવારણ ફોરમ, ભાવનગરને મળતાં, ફોરમે તેનાં ફરીયાદ રજીસ્ટરમાં ક્રમાંક : ૩૭/૨૨-૨૩ થી નોંધી તેનાં યોગ્ય નિરાકરણ માટે અધિક્ષક ઈજનેરશ્રી, વર્તુળ કચેરી, ભાવનગર ને પત્ર નં. બીએડ/ફોરમ/૩૭/૨૨-૨૩/૨૬૭૦ તા.૨૫/૦૮/૨૦૨૨ થી વાદીશ્રી ની જાણ હેઠળ મોકલી આપેલ.

આમ છતાં, ફોરમે વાદીશ્રી ને તેમની ફરિયાદ બારામાં લેખિત / મૌખિક રજૂઆત કરવા તા.૨૦/૦૮/૨૦૨૨ તથા તા.૧૪/૧૧/૨૦૨૨ ના રોજ ઉપસ્થિત રહેવા જણાવેલ. જેમાં, તા.૧૪/૧૧/૨૦૨૨ ના રોજ વાદી મે.સંજય ફેરો મેટલ પ્રા.લી. વતી તેમના અધિકૃત પ્રતિનિધિ શ્રી વી.એલ.શાહ રહેલ તથા પ્રતિવાદી તરફે શ્રી પી.સી.પંચાલ, કાર્યપાલક ઈજનેર, ગ્રામ્ય વિભાગીય કચેરી, ભાવનગર ઉપસ્થિત રહેલ.

વાદીશ્રીની રજૂઆત:- ફોરમને કરેલ લેખિત અરજી મુજબ રજૂઆત છે કે...

Representation-1 dtd.20.08.2022.

We are a private limited company formed as per companies Act 2013 and engaged manufacturing of steel and related product from rerolling mills like TMT bar, Round bar, Angle, Channel etc and having our plant situated at Survey No.220, GIDC 4, Ghanghli Road, Sihor, Dist.: Bhavnagar Gujarat. We are HT consumer with PGVCL Bhavnagar (Rural) division having connection No. 24185 and contract demand of 2500KVA under HTP 4 tariff.

Our application for new electric connection was registered on 2.6.2022. An estimate was issued to us on 30.6.2022 for Rs.1,11,29,316/- (**Annexure 2**). In



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the estimate, a fix charge of Rs.45,00,000/- was charged under head fix charge for HT connection at Rs.1800/- per KVA for 2500 KVA.

We were shocked to see such a huge estimate as the service pole is hardly 10 meters away from our entry gate and connection can be granted by underground cable easily as per practice of respondent in such cases. Our sister concern M/s Sanjay Casting was also catered power by underground service cable.

We had verbally represented the matter to the respondent but he had informed that the estimate is correct as per prevailing PGVCL Circular and we have to pay the same.

As our unit is ready for production and we have to start production before 24.7.2022 as per the GOG Circular for Incentive to industries under Gujarat Industrial Policy 2015 dated 3.1.2022 (**Annexure-3**), we request the respondent to accept the payment under protest vide our letter dated 7.7.2022 (**Annexure-4**) so that we can represent our case to appropriate authority. The request is also denied vide respondent letter dated 7.7.2022 (**Annexure-5**). We paid the estimate on 14.7.2022 as delay in releasing connection will turn in to a great financial loss to us.

As for sustainable supply and safety, the underground service is most viable option, we again request the respondent to give underground service line on 19.7.2022 (**Annexure-6**) but again the request is denied under disguise of prevailing rules. Our connection was released on 22.7.2022 with **OH line of less than 10 meter.**

To get sustainable power and for refund of huge amount collected under head fix charge for overhead line though underground cable is most viable option, we file this application to direct the respondent to cater the power through an underground cable by replacing the overhead line which is erected to supply the power to us and refund the wrongly collected fix charge.

FACTS

- 1) Gujarat Urja Vikas Nigam Limited (GUVNL) with other Distribution licensees including PGVCL as co-petitioner filed petition No. 1829 in Gujarat Electricity Regulatory Commission (GERC) for approval of levy of per KVA-based charges from applicant toward expenditure to be incurred by Distribution Licensee for development of electrical network for providing power supply at 11 KV /22KV voltage level to new HT connection/additional demand.

After hearing and due procedure, the Hon'ble GERC issue final order dtdd. 07.07.2020 (Annex.7) in the matter.



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2) In line with above order by GERC, the distribution Licensee and co-petitioner in the petition No. 1829 Paschim Gujarat Vij Company Limited (PGVCL) had issued guideline to be followed by field offices vide NO. PGVCL/Comm/5969 dated 21.07.2021 (**Annexure-8**). The related para of the guideline is narrated below.

6) If the normal distribution system is underground and nearby feeder is also having underground network, then new connection shall be proposed with underground cable network only. Similarly, for extension of HT line from existing Underground feeder shall be with underground cable network only and for such underground works actual cost incurred shall be recovered as per the prevailing practice.

We had applied electric connection for contract demand of 2500 KVA under HTP IV tariff, Many electric connections of Gandhi Road area are catered power by underground service cable only. The same can be confirmed from the respondent.

- 3) In rerolling mill, the tripping or permanent fault affects production in big way. Hot metal inside the coal reheating furnace stick with each other and required shut down of many hours for clearing the same and the material under rolling in rerolling mill is jammed between rollers and if not removed immediately, the same is welded with rollers due to high temperature of rerolled material .It is a must to minimize the tripping and fault with underground service whenever possible.
- 4) We are filing this application to Honble CGRF to quash the estimate for new connection and direct the respondent to cater power by underground cable by collecting charges as per rule.

GROUNDS

- a) Some of the important points of order in petition No. 1829 is narrated below for your ready reference please.

This will not be applicable to underground cable network, for that the present practice of issuing the estimate shall continue till the methodology for this is further approved by the Commission.

The commission has issued the GERC (Licensee's power to Recover Expenditure incurred in providing Supply and other Miscellaneous Charges) (Second Amendment) Regulations, 2020, which was published in Government Gazette on 26.06.2020.

As per above, the relevant para,

"2. Amendment in chapter-V of the principal Regulations.

Clause 5 (iii) and (iv) shall be added in the principal Regulations:



"5-----

(iii) The Distribution Licensee may recover the charges for seeking new demand/ load extension at HT level on Rs. Per KVA/KW basis from prospective applicants and may dispense with the preparation of detailed individual estimates depending on technical and other constraints and parameters, if any.

Necessary details shall be submitted to the Commission, as may be required. The Commission may accept the same after detailed scrutiny or ask the Distribution Licensee to file necessary details, as may be required or issue suo moto directions.

(iv) The methodology to be adopted by the Distribution Licensees shall require Commission's approval.

Point No.1.15 of the GERC order in petition 1829 highlights part of the representation by the petitioner GUVNL and Co-Petitioner PGVCL and others.

1.15 The petitioner has proposed the methodology to work out charges to be recovered on Rs. Per KVA basis from the prospective applicants seeking new demand/load extension at HT level as under.

- For determination of per KVA based charges, maximum allowable feeder length, considering feeder capacity and permissible HTVR is worked out Based on permissible feeder length, normative cost of 11 KV/22 KV feeder is worked out taking into consideration the cost of all possible components of a feeder excluding cost towards Railway Crossing and Highway Crossing for which recovery shall be based on actual expenditure incurred for crossing work. The total normative cost of feeder with allowable feeder length divided by total permissible KVA load that can be catered from such feeder shall be the basis for recovery of per KVA charges irrespective of actual expenditure involved/incurred.
- For determining permissible feeder length, maximum permissible % HTVR is considered at 9% as per GERC(Standard of Performance of Distribution Licensee) Regulations -2005. Maximum feeder capacity to be considered is 4000 KVA in case of 11 KV feeder and 8000 KVA in case of 22 KV feeder as per GERC (Electricity Supply Code and Related Matters) Regulations-2015. **For Working of normative feeder cost, all components of feeder including support Pole/Underground Cable, VCB, Indoor and Outdoor Cable termination Kit, feeder gentry with Cross boundary Protection, guarding, tapping, CTPT Structure with CTPT and TVM etc. are to be taken into consideration.**

(vi) As severe RoW issues are faced in a field while erecting new lines, independent or express feeder will not be permitted less than and up to



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2000 KVA power demand. However, in case there is no any technical feasibility to release the supply from the existing network, such consumer/load may be released by laying a separate feeder with DISCOM ownership of the feeder. DISCOMs can release new connections /additional load of prospective/existing consumers on such feeders.

1.19 The petitioner proposes to recover actual cost from the prospective consumer in the following Conditions.

(i) If consumer request for dedicated feeder even though the proposed load can be catered from existing network/by upgrading existing network.

(ii) For Customized request like shifting of metering point, conversion of existing overhead network by either AB cable or underground Cable.

(The Petitioner also submitted that)

6.2 Further, it is submitted that at present underground cable network is very limited in DISCOMs supply area as compared to overhead network. The proposed mechanism for recovery of charges on per KVA basis towards network cost is a new concept for DISCOMs. Therefore, it is requested that for initial period of 1-2 years, the commission may consider to introduce per KVA charges initially only for overhead network and after reviewing the experience of recovery of per KVA based charges for overhead network, the concept of per KVA based charges may be introduced for underground cable network.

Accordingly.

Further, in the cases, where underground cable is required, the present provision of the relevant regulation will be followed i.e actual cost of recovery for underground cabling.

11.8 After going through the submissions of the Petitioners and the Objectors, and after detailed analysis looking to the present circumstances and to encourage ease of doing business, the commission is considering the Petitioner's following requests to recover expenditure for providing HT Connections/Load Extension and decides to :

a) Approve the methodology for determination of per KVA based estimate charges for providing new HT Connection/load extension at 11/22 KVA up to 5.5 KM.

b) Continue recovery of actual expenditure over and above the per KVA rate in case of :

(i) Overhead HT network of 11/22 KVA above 5.5 KM for additional network greater than 5.5 KM.

(ii) Railway Crossing.

(iii) Highway Crossing.

11.9 The Commission in order to encourage the MSMEs and other small enterprenures and to encourage ease of doing business for the licensees



hereby decided to charge per KVA rate for releasing new HT Connections/load extension at 11/22 KV network up to 5.5 KM as mentioned below.

(i) The rate for the new HT Connections/load extension up to or less than 500 KVA shall be Rs.1500/KVA.

(ii) The rate for the new HT Connections/load extension above 500 KVA shall be Rs.1800/KVA.

This shall be applicable for all the HT applicants (for new Connection/load extension) for which the estimates have not been issued as on the date of issue of this order.

11.10 Above charges for HT consumers shall be uniformly applicable for all the state owned DISCOMs till further orders in this regard.

11.11 The Commission has already amended the GERC (Licensee's Power to Recover Expenditure incurred in Providing Supply and other Miscellaneous Charges) Regulations 2005 and notified it as Notification No.3 of 2020 dtd.26.06.2020 and thus allows recovery of per KVA based estimate charges for release of new HT Connection/load extension up to 5.5 KM for overhead network. **This will not be applicable to underground cable network, for that the present practice of issuing the estimate shall continue till the methodology for this is further approved by the Commission.**

(Emphasis added)

- b) After that said GERC order in Petition No.1829 the distribution licensee PGVCL had issued a Circular No.5969 dtd.21.07.2020. Some of the highlights of the circular is reproduced below.

In the order dtd.07.07.2020 Hon'ble GERC has approved the recovery of per KVA based estimate charges for release of 11 KV/22 KV new HT Connection/load extension up to 5.5 KM line length for overhead network as under:

(i) The rate for the new HT Connections I load extension for demand up to or less than 500 KVA Rs.1500/- per KVA,

(ii) The rate for the new HT Connections/Load extension for demand above 500 KVA Rs.1800/- per KVA.

Further, Hon'ble Commission has also allowed DISCOMs to continue with the recovery of actual expenditure over and above per KVA based charges in case of:

- a. Over head HT network of 11/22 KV above 5.5 KM for additional network greater than 5.5 KM
- b. Railway Crossing
- c. Highway Crossing.



- 5) In case of new connections, the technical feasibility for releasing new connection is to be assessed from nearby feeder only and in case of extension in demand the feasibility is to be assessed from existing feeder only.
- 6) If the normal distribution system is underground and nearby feeder is also having underground network, then new connection shall be proposed with underground cable network only. Similarly, for extension of HT line from existing underground feeder shall be with underground cable network only and for such underground works, actual cost incurred shall be recovered as per the prevailing practice.
- 7) If the HT new connection/additional load is proposed from an overhead Network/feeder, the proposed HT line shall be erected overhead only. The underground cable line shall be laid only on those parts of the line route where election of overhead line is technically not feasible. The actual cost of such underground part of the line with underground components shall be recovered as per actual cost incurred as per the prevailing practice over and above the per KVA based recovery of charges.
- 8) Actual cost of the erection of line in excess of 5.5KM I augmentation of line in excess of 5.5Km shall be recovered from the applicant, which shall be over and above the fix per KVA based charges.
- 9) In case of requirement for erection of hybrid type network (i.e. overhead and underground) for proposed HT line, the length of only overhead line shall be considered for deciding the criteria of permissible line length of 5.5 Km for applicability of per KVA based charges. In such case/ actual cost of the underground of HT line along with underground cable components shall be recovered from applicant over and above the per KVA based estimate charges.
- 10) In case of erection of new line for a proposed group of more than one connection, actual cost of line in excess of 5.5 Km shall be recovered proportionately from all applicants over and above per KVA based charges.
- 11) In view of the increasing Right of Way (Ro W) and Way Leave related issues, separate feeder shall not be permitted to consumer. However, if it is not technically feasible to release the connection / additional demand from the existing / nearby network in that case / feeder bifurcation is to be carried out.

Separate feeder shall be allowed only if HT new / existing / additional demand is requested by government / local body for water works / sewage, Government Hospitals and Military services. In such



cases, cost as per KVA rate or actual cost of feeder whichever is higher shall be recovered.

- 13) Since the recovery of charges is on per KVA basis irrespective of actual cost involved for release of new connection / additional demand, work under option-II shall not be permitted.
- 14) The consumer / applicant shall require to pay actual charge separately towards following:
- i) For customized request like shifting of metering point, Shifting of line, conversion of existing overhead network by either AB cable or underground cable.
 - ii) Where separate infrastructural Network developed under critical infrastructure Project, where Government's / Developer's contribution is involved, since specialized equipment such as Ring Main Unit (RMU) and HTMC (outdoor-VCB/LBS with CTPT in single enclose with installation on plinth) are also installed resulted into higher cost.
 - iii) Charges/ costs towards Railway crossing, Highway crossing, Canal crossing, way leave, deforestation, GIDC permission etc.
 - iv) In case of Hybrid / overhead network, where underground cable is laid (other than feeder cable at SS end), the actual cost of underground cable components is to be recovered from the applicant.
- c) There are many points in the distribution licensee circular Which is not authorized by GERC order in petition No.1829 or in some cases are in opposition to even its representation during the petition.
- I) As per point No. 1.15 of the order, the petitioner GUVNL proposed that the normative cost of the feeder is inclusive of all cost of the feeder including UG cable at SS End and its termination kit.
In the estimate issued to us the cost of the UG cable at SS end (0.08 meter), cost of cable box and GI Pipe charges are collected separately which is not allowed as per GERC order and even distribution licensee's related circular.
- II) In point No. 1.19 of the order, it is mentioned that petitioner proposes to recover actual cost from the prospective consumer if consumer request for dedicated feeder even though the proposed load can be catered from existing network/ by upgrading existing network.
While in the circular issued by the licensee in point No. 11 it is said tht in view of the increasing Right of Way (RoW) and Way Leave related issues, separate feeder shall not be permitted to consumer.
This is summersault jump from the actual petition field by the GUVNL with PGVCL as co-petitioner. The Hon'ble Commission has also not given such



directives in its order. Just for financial benefit of the distribution company such legally unauthorized issues are incorporated in the circular.

III) In point No.11.8 of the Hon'ble Commission's order in petition No. 1829, Hon'ble Commission has also allowed DISCOMS to continue with the recovery of actual expenditure over and above as per KVA based charges only in case of (a) overhead HT network of 11/ 22 KV above 5.5 KM for additional network greater than 5.5 KM; (b) Railway crossing; (c) Highway crossing.

The GERC order has not mentioned that in case of Hybrid network, over and above the per KVA based charge other charges as mentioned in PGVCL circular are required to be paid by the applicant for new connection.

IV) As per point No. 1.18 (vi) of the order, the petitioner proposed that as severe ROW issues are faced in a field while erecting new lines, independent or express feeder will not be permitted less than and up to 2000 KVA power demand.

In order of GERC the request is not endorsed but now the PGVCL circular dated 21.7.2020 in its point No. 11 stated that in view of the increasing Right of way (ROW) and way Leave related issues, separate feeder shall not be permitted to consumer.

In the GERC order or GERC Supply code no such power is granted to the licensee for allowing or nor allowing separate feeder as per whims and wishes of the distribution licensee.

V) As per point No. 13, option II as per GERC supply cod is now not permitted by the Distribution Licensee PGVCL. This is also illegal order by distribution licensee against GERC Supply Code 2015.

d) The Hon'ble Ombudsman stated in his order in case No. 67 of 2020 M/s Steelbiz Industries Vs Executive Engineer Bhavnagar (rural) PGVCL that,
4.8 On observation of above, it is a case wherein for catering a 4000 KVA contract demand of the appellant, a new 11 KV separate circuit has been proposed by the respondent from 66 KV substation with a total length is of about 2.0 KM and proposed hybrid networks and thereby raised an estimate of per KVA charges as approved by the GERC. In this case, it is a request of the appellant to lay underground cable network which is technically feasible to cater a 4000 KVA load of the appellant tapping from 66 KV Substation. Respondent has also accepted the contention before GERC in the petition No 1829 of 2019 that for laying of underground cable networks. Provisions of related regulations will be followed i.e. actual cost of recovery for underground cabling. Hence, respondent is directed to proposed the new 11 KV underground feeder tapping from the 66 KV substation and prepare the estimate based on the actual work requirement, Action taken report as per directive are to be reported within 30 days to this office.



We had also asked for underground 11 KV Feeder for our connection as we are eligible for the same. Our request for 11 KV underground feeder was also denied by the respondent as denied to M/s Steelbiz Industries.

As we have to start production before a scheduled date, we are left with no choice except to make payment as per estimate.

e) It is very clear that the distribution licensee PGVCL has added many conditions in the circular which are not part of the GERC order, just to have financial benefit for the company at the of consumer/applicant of power.

Earlier when the service line cost is to be recovered by the licensee at as per actual cost. A directive was issued by the same licensee that as far as possible the connection should not be granted from existing network and new feeder should be proposed

The distribution licensee PGVCL has added unofficial and illegal clauses in the circular with sole intention of abstracting maximum amount from the consumer.

f) From the above-mentioned arguments and order of Hon,ble Ombudsman in case No 67 of 2020, it can be concluded that denial of UG feeder to an applicant is an illegal action and violation of GERC order.

g) To save the common consumers from the loss occurred for erection and dismantling of overhead line; by way of ARR, we confirmed to make payment of erection and dismantling of overhead line already erected to cater power to our unit as per PGVCL cost data.

h) For sustainable power and to avoid accident in future, we request Hon'ble forum to allow us power by an underground 11 KV feeder. We hereby undertake that the we are ready to make payment of the erection and dismantling cost of the present arrangement of 11 KV overhead line already erected for providing power supply to us and for laying of new 11 KV underground cable feeder catering power supply to our connection.

i) We have filed this application to the Hon;ble forum in line with clause 4.104 of GERC Supply Code 2015.

PRAYER

The Hon'ble Forum is requested to direct the respondent.

a) To cancel part of the estimate regarding service line as per fix charges per KVA.

b) To issue a new estimate for providing underground cable service line as per present cost data and earlier practice as per GERC order.

c) To recover the cost of erection and dismantling of overhead line from us as per cost data.



- d) To credit the difference between revised estimate with respect to i) new underground cable charge plus ii) over head line erection and dismantling charge in to our account.
- e) Any other relief, Hon;ble Forum deemed fit to be granted.

Representation No.2 dtd.14.11.2022.

We are further to our subject application and above referred reply from the respondent.

The respondent had relied on the PGVCL Circular No.5969 dtd.20.07.2020 it is replied that the Procedure is carried out in line with the Circular and they have follow the same.

The Primary requirement for underground cable even as per Circular (Which deviates in many points from GERC order for HT/EHT Connection fix charges) is that nearby cable should have underground network. The Particular area is catered power from 3 Substations namely, 66 KV Ghangali I S/S, 66 KV Ghangli II S/S, Sihor S/S, there are nos. of 11 KV feeders emerging from these 3 substations. If we get data for type of feeder catered with UG Cable, only overhead cable and hybrid network with UG Cable and overhead network than the situation can be cleared.

The other thing is that releasing of our connection required only service line. There is no change in feeder network. A service line is to be provided to cater power supply to us.

As per definition of service line in GERC Supply Code-2015,

(56) Service Line refers to any electric supply line through which electricity is or is intended to be supplied.

(a) to a single consumer either from a distributing main or immediately from the distribution licensee's premises or

b) from a distributing main to a group of consumers on the same premises or contiguous premises supplied from the same point of the distributing mains,

As per above, the service line is not a part of the feeder network as there is no change in distributing mains required to cater power to us. Even when we go through the order issued by Hon'ble GERC in Petition No.1938. In Point No.6.4 table 3 is mentioned which is provided by the Petitioner GUVNL, which is reproduce below.

Table-3 Revised estimate of 11 KV line with 100 Sq. MM, AAA DOG Conductor using 116 mm x 100 mm x 11 mtr. Long RSJ Pole as per prevailing Cost Data of DISCOMs.



Sr. No	Item	UOM	Quantity Required for 5.5 KM Length of Line	Costing
				Total
1	11 KV Feeder VCB Panel Complete in all respect at S/Send	No.	1	4,51,052
2	3CX11 KV, 240 Sq mm, XLPE Alu.Cable Including laying by digging the cable trench	Mtr.	100	1,84,517
3	Take Up DP Structure with Cross Boundry Protection using 116 mm x 100 mm x 11 mtr Long RSJ Pole	No.	1	84,237
4	11 KV Indoor Cable box suitable for 240 Sq mm XLPE Cable	No.	1	4,919
5	11 KV Outdoor cable box suitable for 240 sq.mm XLPE Cable	No.	1	4,883
6	11 KV line with 100 Sq.mm, AAA DOG Conductor using 116 mm x 100 mm x11 mtr long RSJ Pole(33 mtr Span)	KM	5.5	54,82,763
7	11 KV DP Structure with A,B Switch using 11 mtr RSJ Poles	No.	10	8,27,108
8	11 KV Shackle DP using 116 mm x 100 mm x11 mtr. Long RSJ Pole	No.	3	2,13,218
9	CTPT Structure with CTPT and TVM considering average 8 connections per feeder	Set	8	7,32,160
10	Total Cost of the Feeder of 5.5 KM	Rs.		78,34,143
11	Per KVA Cost(Considering feeder Capacity - 4000 KVA)	Rs/KVA		1,959
12	Average Cost	Rs/KVA	Say	2,000

In the above derivation of average cost submitted by the Petitioner GUVNL in Petition No.1938 there is no mention of service line. The total calculation is regarding distribution main.

When only service line is required to cater the supply, the fix charges for distribution mains should not be applicable.

This is in continuation with our prayer in the application.



We are an HT Consumer of PGVCL via respondent The Executive Engineer (Rural) PGVCL, Bhavnagar.

☞ પ્રતિવાદીશ્રીની રજૂઆત :- ફોરમને કરેલ લેખિત અરજી મુજબ રજૂઆત છે કે...

M/S. Sanjay Ferro Metal Pvt. Ltd. applied for 2500 KVA HT Connection at Survey No.220, Ghanghli - Sihor Road, Vill : Ghanghli, Ta-Sihor, Dist- Bhavnagar vide SR No.15049411 on dtd.02.06.2022.

Application has been processed as per PGVCL Circular No. PGVCL/Comm./5969 dtd.21.07.2020.

As per provision narrated under above mentioned circular, application has been submitted to competent authority and approval has been accorded vide BZ/Tech-2/DE-T4/2136 dtd.29.06.2022.

Estimate has been issued vide TOL No.EE/PGVCL/HT-Esti/6290 dtd.30.06.2022. M/S. Sanjay Ferro Metal Private Limited has submitted a letter on dtd.07.07.2022 to pay estimated cost under protest with a objection.

M/S Sanjay Ferro Metal Private Limited has paid estimated cost @ 80.50 lakhs with Bank Guarantee as Security Deposit on dtd.14.07.2022.

On dtd.14.07.2022 M/S Sanjay Ferro Metal Private Limited has submitted a letter for Under Ground cable for service connection.

Work is completed on dtd.18.07.2022 and connection has been released under HTP-IV tariff on dtd.20.07.2022.

While going through details produce under various Para, the procedure has been followed as per the provision of PGVCL Circular No. PGVCL/Comm./5969 dtd.21.07.2020. It was reproduced herewith.

Our Pray :

Considering the fact & GERC notification 23/2020 & Order in Petition No.1829, PGVCL has issued a Circular No. PGVCL/Comm./5969 dtd.21.07.2020 and procedure carried out for release of connection to the applicant is quite in order.

☞ ફોરમનું તારણ :- વાદી અને પ્રતિવાદીની રજૂઆત ઉપરથી નીચે મુજબ તારણ નીકળે છે.

૩.૧ અરજદાર મે.સંજય ફેરો મેટલ પ્રા.લી., ઘાંધળી, દ્વારા તેમના એચ.ટી કનેક્શન નં-૨૪૧૮૫ ના કનેક્શન અંગે

અપાયેલ ઓવરહેડ લાઈન ની સામે અંડર ગ્રાઉન્ડ કેબલીંગ કરી આપવા અંગેની રજૂઆત ફોરમને કરેલ છે.

૩.૨ તા.૨૦/૦૮/૨૦૨૨ ના રોજની પ્રથમ મુદત સામે વાદી દ્વારા લાંબા સમયની મુદત માંગવામાં આવતા, આજરોજ


તા.૧૪/૧૧/૨૦૨૨ ના રોજની સુનાવણીમાં બંને પક્ષો હાજર છે તથા તેમની રજૂઆતો કરેલ છે



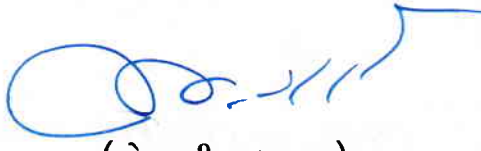
- ૩.૩ ફોરમને જણાય છે કે, વાદીને સદરહુ કનેક્શન માટે પ્રતિવાદી દ્વારા પત્ર નં-૬૨૮૦ તા.૩૦/૦૬/૨૦૨૨ ના રોજ અંદાજપત્ર પાઠવવામાં આવેલ. જેની વાંધા સાથેની રકમ સ્વીકારવાનો પ્રતિવાદીએ ઈન્કાર કરેલ તેમજ વાદી દ્વારા તા.૧૪/૦૭/૨૦૨૨ ના રોજ રૂ.૮૦.૫૦ લાખ + બેન્ક ગેરેંટી ભરપાઈ કરી તે જ દિવસે અંડર ગ્રાઉન્ડ કેબલીંગની માંગણીની અરજી કરેલ.
- ૩.૪ પ્રતિવાદી દ્વારા અંદાજપત્ર ભરપાઈ થઈ જતા, તા.૧૮/૦૭/૨૦૨૨ ના રોજ કામગીરી પૂર્ણ કરી એચટીપી-૪, ટેરીફ હેડળ નું કનેક્શન તા.૨૦/૦૭/૨૦૨૨ ના રોજ રીલીઝ કરેલ છે.
- ૩.૫ સુનાવણી દરમ્યાન વાદી તેમજ ફોરમ દ્વારા વિદ્યુત લોકપાલ-અમદાવાદ દ્વારા અગાઉ આ જ પ્રકારના કેસમાં મે. સ્ટીલબીઝ ઇન્ડસ્ટ્રીઝ ફોરમ કેસ નં. ૩૮/૨૦-૨૧ તેમજ વિદ્યુત લોકપાલ-અમદાવાદ કેસ નં. ૬૭/૨૦૨૦ ના આપવામાં આવેલ ચુકાદા અંગેનો પણ અભ્યાસ કરવામાં આવેલ.
- ૩.૬ આ તબક્કે તમામ સુનાવણી તેમજ અભ્યાસના અંતે ફોરમને જણાય છે કે, પ્રતિવાદી પીજીવીસીએલ દ્વારા તેમની કંપનીના પરિપત્ર નં. પીજીવીસીએલ/કોમ./૫૯૬૯ તા. ૨૧.૦૭.૨૦૨૦ મુજબ કરેલ કાર્યવાહી યોગ્ય છે તેથી અરજદારની માંગણી મુજબ અન્ડરગ્રાઉન્ડ વીજ જોડાણ આપી શકાય નહીં આમ, પ્રતિવાદી એ કરેલ કાર્યવાહી યોગ્ય જણાયેલ છે. આથી આ તબક્કે વિશેષ કોઈ હુકમ કરવાનો થતો નથી.

—:: હુકમ ::—

- વાદીની રજૂઆત, પ્રતિવાદીની રજૂઆત તેમજ ફોરમ સમક્ષ રજૂ થયેલ દસ્તાવેજી પુરાવા અને ઉપરના તારણો પરથી તારણ નં " ૩.૬ " મુજબ હુકમ કરવામાં આવે છે.
- સદર હુકમ સામે વાદીશ્રીને વાંધો કે તકરાર હોય તો આ હુકમ મળ્યે દિવસ-૩૦ માં વિદ્યુત લોકપાલશ્રીની કચેરી, જુના પાવર હાઉસ કમ્પાઉન્ડ, કનકરોડ, ત્રિકોણ બાગ, રાજકોટ-૩૬૦ ૦૦૧ સમક્ષ અપીલ કરી શકે છે.


(શ્રીમતી જે.એમ.મહેતા)
સ્વતંત્ર સભ્યશ્રી

(ગેરહાજર)
(એન.આઈ.ઉપાધ્યાય)
ટેકનીકલ સભ્યશ્રી


(એન.સી.મકવાણા)
અધ્યક્ષશ્રી,

તારીખ :- ૧૪/૧૧/૨૦૨૨.



ગ્રાહક ફરિયાદ નિવારણ ફોરમ
પ.ગુ.વિ.કું.લી.:ભાવનગર.