

CONSUMER GRIEVANCE REDRESSAL FORUM

ELECTRICAL CIRCLE, ROURKELA

Plot No. UU/9, Civil Township, Rourkela-769004

Phone: (0661) 2952614, E-mail: grf.rourkela@tpwesternodisha.com

Bench:

Sri Achyutananda Meher (President), Sri Chitta Ranjan Dash (Member Finance), Sri Girish Chandra Mohapatra (Co-opted Member)

Corum:

Sri Achyutananda Meher ... President
Sri Chitta Ranjan Dash ... Member (Finance)
Sri Girish Chandra Mohapatra ... Co-opted Member

1	Case No.	RKL/ 111 /2025				
2	Complainant	Name & Address:		Consumer No:		
		Rourkela Steel Plant		8110-0000-0019		
		At-RSP Rourkela,		Contact No.:		
		PO- Rourkela-769011, Dist- Sundargarh.		8895501803		
3	Respondent	Name		Division		
		Executive Engineer, RED, TPWODL, Rourkela.		RED, TPWODL, Rourkela.		
4	Date of Application		20.02.2025			
5	In the matter of-	1. Agreement / Termination		2. Billing Disputes		✓
		3. Classification / Reclassification of Consumers		4. Contract Demand / Connected Load		
		5. Disconnection / Reconnection of Supply		6. Installation of Equipment & apparatus of Consumer		
		7. Interruptions		8. Metering		
		9. New Connection		10. Quality of Supply & GSOP		
		11. Security Deposit / Interest		12. Shifting of Service Connection & equipments		
		13. Transfer of Consumer Ownership		14. Voltage Fluctuations		
		15. Others (Specify) -				
6	Section(s) of Electricity Act, 2003 involved		42(5)			
7	OERC Regulation(s):				Clauses	
	1	OERC Distribution (Licensee's Standard of Performance) Regulations,2004				
	2	OERC Conduct of Business) Regulations,2004				
	3	Odisha Grid Code (OGC) Regulation,2006				
	4	OERC (Terms and Conditions for Determination of Tariff) Regulations,2004				
	5	Others-OERC Distribution (Conditions of Supply) code, 2019				
8	Date(s) of Hearing		03.03.2025/07.04.2025/17.04.2025			
9	Date of Order		12.06.2025			
10	Order in favour of	Complainant	✓	Respondent	Others	
11	Details of Compensation awarded, if any.		Nil			
12	Appeared for the Complainant:		Appeared for the Respondent:			
	Sri D.K. Bhanja		Sri B.N. Prasanna			

ORDER

Brief Facts of the Case

The present case has been registered in this Forum vide Case No. 111 of 2025. Brief facts pertaining to the case are that the Complainant is an EHT-Large Industry consumer having Consumer No. 8110-0000-0019 with connected load 170 MVA.

That the Complainant has raised objection for wrong billing from Jun'2024 to Mar'2025. He requested revision of bills and mentions about verbal complaints being made to the Respondent earlier on.

Gist of Arguments made by the Parties

Both parties were present in the hearing. The contentions made by the parties are as follows:

Submission of the Complainant:

RSP-SAIL is a consumer of the DISCOM-TPWODL with consumer id no- 8110000019 and connected to 220kV Tarkera Grid Sub-station (TGSS) of OPTCL through 4 nos. of 220 kV feeders from TGSS, out of which two feeders are connected to MSDS-IV of RSP namely RSP-I (Main Meter SI. No. APM03710) & RSP-2 (check Meter SI. No. OPT02305) and other two feeders are connected to MSDS-VII of RSP namely RSP- 3 (Meter SI. No. ORU41189) & RSP-4 (Meter SI. No. ORU41190). These are billing meters.

The factory of M/s LIL (Linde India Limited) supplies industrial gases to RSP and is situated adjacent to the steel plant of RSP. Its electrical sub-station is connected to 33 kV MSDS-VI sub-station of RSP through 4 nos. 33 kV feeders. Similarly, M/s SER has a 132/25 kV Traction Sub-station (TSS) inside the premises of RSP for feeding its Rail network inside and outside the RSP. The SER is connected to 132 kV MSDS-VI Sub-station of RSP through 2 nos. of 132 kV feeders. Both M/s. LIL and M/s. SER are consumers of the M/s TPWODL. Since there is no direct connection with OPTCL/TPWODL network to them, they are availing power from the Sub-station of the RSP-SAIL through special agreements under OERC Distribution (Conditions of Supply) Code 2004 & 2019 respectively. The provisions of both the TPAs (one among the RSP-SAIL, M/s. LIL & TPWODL and another among the RSP-SAIL, M/s. SER & TPWODL) are similar in nature.

As per the said TPAs, both M/s. LIL & M/s. SER are consumers of TPWODL and make payment directly to TPWODL and the RSP-SAIL is only the consenting party. M/s.

LIL & M/s. SER are billed as per their consumption recorded every month by the billing meters installed in their premises.

Billing calculation of monthly energy bill of RSP is calculated on the basis of dump data recorded in the RSP FDR 1, FDR 2, FDR 3 and FDR 4 at OPTCL grid end. Dump data of Railway and LIL feeder energy meters are also used in billing calculation. The consumption of M/s. LIL & M/s. SER are deducted from the metered consumption of RSP apex meter(s) installed at TGSS for every 15 min slot and balance energy is being billed against RSP-SAIL. Similarly, Maximum Demand (MD) of RSP is calculated by subtraction of Maximum Demands of M/s. LIL & M/s. SER recorded in the relevant Apex Energy Meters installed for the Purpose.

This practice is being followed for very long time with mutual consent. Direct reading displayed in the Meter is not taken for billing calculation of SAIL-RSP. Bill is prepared manually using dump data without application of any software.

GRIEVANCE

As per para—No. 76 OERC order dated 24-3-22 the Lag Only metering billing practice to be followed for EHT consumers. TPWODL communicated to SAIL-RSP vide letter received through e-mail on 27-06-2024 that new billing practice shall be followed from JuIy'24 in line with OERC guidelines.

Non-adherence of TPWODL to OERC guidelines is causing monetary loss to RSP in the form of additional units & electricity duty paid in excess units.

Sequence of events & correspondences

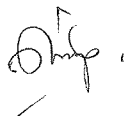
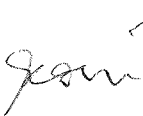
1. SAIL-RSP received letter from Head, KCG, TPWODL on date 27-06-2024 with Ref: Sc No. 811000000019, through e-mail dt 27.06.2024 regarding changes in Billing practice from the month of June'24, bill paid in July based on OERC guidelines based on Lag only methodology. The copy of the email is attached as ANNEXURE A1 & letter is attached as ANNEXURE-A2. Though the content of the letter is self-explanatory, the salient points of the letter are as follows:

As per para—No. 76 OERC order dated 24-3-22 the following methodology should be adopted for kVAh reading of HT and EHT consumers. For kVAh billing, leading kVAh (leading power factor) should be ignored. kVAh consumption for the billing cycle – $\text{Sqrt}((\text{Kwh})^2 + (\text{KVarh lag})^2)$; Where kWh, kVAh lag is consumption for the billing cycle)

Where there is no display of kVAh lag reading, then kVAh reading from the display is only to be taken for the purpose of billing.

Where there is no display of kVAh lag reading, DISCOMs are required to take necessary steps for replacement of those meters.

2. After receiving the monthly energy bill for the month of June-2024 (to be paid



in July 2024) RSP informed the concerned official of TPWODL that the bill is not prepared following the 'Lag-Only' method prescribed by OERC. In response, TPWODL sent a letter dated 03.07.2024 stating that new Billing shall be with effect from July'24 consumption after rolling of new Billing Application software by TPWODL. Copy of this e-mail is attached as ANNEXURE-B.

3. SAIL-RSP made payment of full amount of electricity bill of June-2024 and through e-mail dt 05-07-2024 stating that " ... as RSP billing calculation is done manually from dump data and the rolling out of Billing Application does not have a role. We need to jointly calculate the bill amount for the month of June 24 (manually as per OERC guideline) and reconcile the amount in next month bill". Copy of email written by RSP is attached as ANNEXURE-C
4. SAIL RSP received the bill of July'24, in the month of August-2024. This bill was not calculated following 'Lag-Only' method prescribed by OERC. Also, there was no reconciliation of excess amount paid by RSP for the month of June'24. SAIL-RSP wrote an e-mail to TPWODL on 03.08.2024 asking for a revised bill with revised due date for payment. Copy of RSP e-mail is attached as ANNEXURE-D.
5. A letter was received from TPWODL on 14.08.2024 (attached as ANNEXURE-E) stating their inability to carry out Lag only billing due to metering arrangement at Tarkera Grid. They attached a revised bill for the month of July where-in only the due date was changed to 21-08-24 but the bill amount remained unchanged. For the purpose of immediate reference, the contents of the e-mail is reproduced below:

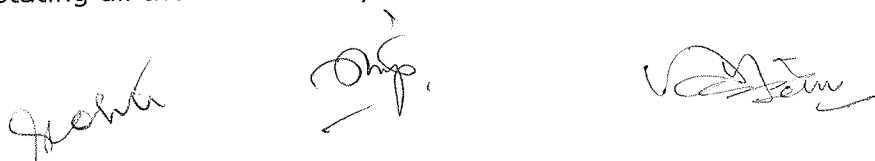
".....We refer to DISCOM Tariff Order 22-23, para 76. In the order it is mentioned that Billing is to be done on KVAH basis ignoring leading power factor. But, in case meter display is not enabled for KVARH lag reading then billing is to be carried as per KVAH reading recorded by the meter.

Meters installed at Tarkera end which is being used for billing purpose are not displaying lag only function. Further, as per existing Tripartite agreement between RSP, Linde & TPWODL and RSP, Rly and TPWODL multiple meters are there are & Open access transaction is continuing where other connections are drawing and pumping reactive energy.

In view this scenario we advise to get the suitable metering arrangement in line with provision of RST order for further action in this regard. A copy of the RST order is also enclosed for reference.

Pl. find attached bill with revised date for timely payment....."

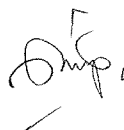
6. SAIL-RSP paid full bill amount of July'24 with protest. SAIL-RSP also sent an Email stating all the facts on why RSP made payment under protest. SAIL-RSP



- also requested TPWODL to immediately organize a meeting of concerned persons of TPWODL and RSP to calculate energy bill amount for month of June and July 2024 and accordingly adjust the excess amount paid in the bill of Aug 2024. Email copy is attached as ANNEXURE-F. TPWODL did not respond to the request for resolving the issue.
7. Even after multiple telephonic discussions with TPWODL by SAIL RSP, the energy billing for the months of Aug'24 & Sep'24 were issued using old calculation methods violating OERC guidelines. Even though new Billing software was used by TPWODL, the bill received by RSP was not based as per Lag only calculation method. However SAIL-RSP being a law abiding consumer, kept on paying the full bill amount every month with protest.
 8. SAIL-RSP sent a letter to TPWODL vide 383/PD/520 dt. 05.10.2024 stating all the facts and reason as to why the approach being adopted by TPWODL is not in conformity with relevant OERC guidelines. Copy of the latter is attached as ANNEXURE-G.
 9. TPWODL informed vide their letter TPWODL/COMM/583(9) dt 24.10.2024 that they have requested OPTCL for replacements of billing meter at Tarkera Grid s/s. Copy of the letter is attached as ANNEXURE-H.
 10. SAIL RSP responded to TPWODL letter dt 24.10.2024 through email dt. 26.10.2024 stating that "*... the responsibility of getting clearance from OPTCL and any other authority and procurement and installation of meters of configuration desired by TPWODL remains with TPWODL. Responsibility of RSP shall be limited to reimbursement of the actual cost of installation of the meters....*". Copy of the email is attached as ANNEXURE-I.
 11. There was no further reply from TPWODL even after repeated follow-up from M/s SAIL RSP. Since then RSP has been making payment of full bill amount with protest.

SUBMISSION BY SAIL-RSP/COMPLAINANT

1. Monthly energy bill of RSP is calculated not on the basis of meter readings but on the basis of dump data recorded in the RSP FDR 1, FDR 2, FDR 3 and FDR 4 at OPTCL grid end. Dump data of Railway and LIL feeder energy meters are also used in the billing calculation. This practice is being followed for very long time with mutual consent.
2. Since this practice is in vogue for a very long time, TPWODL is very much aware of the same.
3. It is TPWODL which has initiated the matter through their letter dated 27.06.2014 by prescribing the methodology to be adopted for billing calculation, in line with OERC directions. It has gone against its own communication.



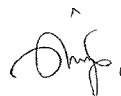
4. The position taken by TPWODL that KVARH lag readings are not available in the energy meters. This is factually incorrect.
5. As billing calculation for RSP is not done on the basis of meter reading, availability of KVARH Lag reading in the energy meter is irrelevant. Billing calculation can very well be done following 'Lag Only' principle as in the dump data, KVAH and KVARH readings of all four quadrant (Import and export) are available. Hence not adopting 'Lag Only' calculation; citing meter configuration issue is neither logical nor justified.
6. As per DISCOM tariff order 22-23, para 76, it is clearly mentioned that where there is no display of KVARH lag reading, DISCOMs are required to take necessary steps for replacement of these meters. The existing meters are there in TG s/s for a very long time. Although OERC RST order for Lag only billing was issued long back, this metering issue has never been raised by TPWODL. Now, not adopting Lag Only billing citing this excuse is not at all justified.
7. Multiple times RSP has informed that initiation for modification of meters / metering scheme has to be initiated by TPWODL and necessary permission from OPTCL or other agencies need to be obtained by TPWODL. RSP has always been ready to reimburse the cost of mutually agreed modification in the metering scheme. However, there is absolutely no reason for linking lag only calculation metering scheme/ configuration modification as present billing calculation is not dependent on meter reading.
8. Although RSP has been constantly raising this issue with TPWODL through verbal and written communications, billing as per OERC guidelines has not been adopted by TPWODL without assigning any specific valid reason.
9. Repeated request by RSP for conducting meeting/ discussion for resolving the issue has not been responded to by TPWODL.
10. Due to non-adherence to billing guidelines issued by OERC by TPWODL, RSP is paying for leading reactive energy. RSP has been incurring huge loss on that account. Loss on account of excess payment of energy charges as well as on account of excess electricity duty paid are tabulated and attached as ANNEXURE -J. It can be evidenced that so far RSP has suffered a loss of Rs. 2,77,93,573 (Rupees Two Crore seventy-seven lakh ninety-three thousand five hundred and seventy-three) due to incorrect and illegal billing by TPWODL.

Reply Submission of the Respondent:

1. That, the present objection is filed for and on behalf of the Respondent in response to the complaint filed by the Complainant, SAIL RSP, represented by their CGM, PD, Sri D.K. Bhanja.



2. That, the Complainant has filed this complaint before this Id. Forum seeking the following directions to the Respondent:
 - A. TPWODL shall be directed to adopt lag only billing as per HON'BLE OERC guideline with retrospective effect from June, 2024.
 - B. TPWODL shall be directed to refund the total differential amount (Rs.2,77,93,573 till Feb 2025) with applicable interest.
3. That the present respondent is a representative of TPWODL (a joint venture between TPCL and Government of Odisha) which is an electricity utility company licensed by the Hon'ble Orissa Electricity Regulatory Commission, Bhubaneswar for the purpose of supply and distribution of electricity in the Western part of Odisha. Further, the TPWODL and the present judgement debtors are governed under the Electricity Act, 2003 read with the HON'BLE OERC Distribution (Conditions of Supply) Code, 2019, hereinafter in short as "Supply Code, 2019".
4. That, before delving into the merits of the complaint, the brief factual backdrop of this case is as follows:
 - I. RSP-SAIL is a consumer of TPWODL with consumer No. 811000000019 and connected to the 220 kV Tarkera Grid Sub-station (TGSS) of THE OPTCL through 4 nos. of 220 kV feeders from TGSS, out of which two feeders are connected to MSDS-IV of RSP, namely RSP-I (Main meter SI no. APM03710) & RSP- II (check meter No. OPT02305) and other two feeders are connected to MSDS-VII of RSP namely RSP-3 (Meter No. ORU41189) and RSP-4 (Meter No. ORU41190). These are the billing meters.
 - II. The factory of M/s LIL (Linde India Limited) supplies industrial gases to RSP and is situated adjacent to the steel plant of RSP Its electrical sub-station is connected to 33 kV MSDS-VI sub-station of RSP through 4 Nos 33 kV feeders. Similarly, M/s SER has a 132/25 kV Traction Sub- station (TSS) inside the premises of RSP for feeding its Rail network inside and outside the RSP. The SER is connected to 132 kV MSDS-VI Sub-station of RSP through 2 Nos of 132 kV feeders. Both M/s. LIL and M/s SER are consumers of the M/s TPWODL Since there is no direct connection with OPTCL/TPWODL network to them, they are availing power from the Sub-station of the RSP-SAIL through special agreements under HON'BLE OERC Distribution (Conditions of Supply) Code 2004 & 2019 respectively. The provisions of both the TPAs (Tri-Partite Agreements) (one among the RSP-SAIL, M/s. LIL & TPWODL and another among the RSP-SAIL, M/S. SER & TPWODL) are similar in nature.
 - III. As per the said TPAs, both M/s LIL & M/s. SER are consumers of TPWODL and make payment directly to TPWODL and the RSP-SAIL is only the consenting

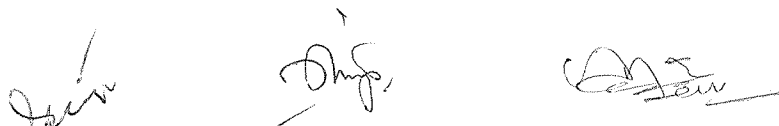


party. M/s LIL & M/s SER are billed as per their consumption recorded every month by the billing meters installed in their premises

- IV. Billing calculation of monthly energy bill of RSP is calculated on the basis of meter reading data recorded in the RSP FDR 1, FDR 2, FDR 3 and FDR 4 at OPTCL grid end. Meter reading data of Railway and LIL feeder energy meters are also used in the billing calculation. The consumption of M/s, LIL & M/s SER are deducted from the metered consumption of RSP apex meter(s) installed at TGSS for every 15 min slot and balance energy is being billed against RSP-SAIL. Similarly, Maximum Demand (MD) of RSP is calculated by subtraction of Maximum Demands of M/s. LIL & M/s. SER recorded in the relevant Apex Energy Meters installed for the Purpose.
- V. This practice is being followed for very long time with mutual consent. Direct reading displayed in the Meter is not taken for billing calculation of SAIL-RSP Bill is prepared manually using meter data without application of any software.
5. That, at the outset, all the contentions made by the complainant are unequivocally and vehemently denied. These contentions do not stand the test of law and are not in consonance with the RST order of the Hon'ble Orissa Electricity Regulatory commission Dt. 24-3-2022.

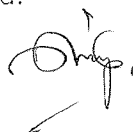
RESPONSE TO THE SEQUENCE OF EVENTS AND CORRESPONDENCES / RESPONDANT

6. That in reply to Para 1 of the sequence of events and correspondences mentioned in the complaint, the respondent humbly submits that vide the letter on Dt. 27-06-2024, the respondent intimated the consumer/complainant about the requirement modification in the methodology of calculations for which enablement in energy meter is the prime necessity.
7. That Para 2, 3 and 4 needs no reply from the respondent.
8. That in reply to Para 5 of the sequence of events and correspondences in the complaint, the respondent humbly submits that the metering arrangement in Tarkera, which fed to SAIL-RSP was incompatible for implementation of lag- only calculation, same was intimated to the respondent vide our communication Dt. 14-08-2024, which was duly acknowledged by the complainant and subsequently, the complainant being satisfied with the effort of respondent for initiating action for meter change & accordingly made payment of the monthly bill of subsequent period, basing upon the said calculation.
9. That in reply to Para 6 of the sequence of events and correspondences mentioned in the complaint, the respondent humbly states that even though there was no physical meeting between the representatives of the respondent and the complainant, however, basing upon the several telephonic discussions and communications the respondent



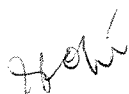
took all necessary immediate steps to resolve this issue and officially approached OPTCL on 06-09-2024 with a request to change the meter at Tarkera 220 KV GSS to enable the respondent to implement the directions issued in the RST order of the HON'BLE OERC. In response to that the ED, OPTCL, Burla intimated GM Elect., EHT, O & M circle, Burla for taking necessary action in consultation with DGM (EHT O&M), Rourkela and DGM (E&MR), Burla Div. The copy of this communication was also marked to the complainant for their information.

10. That, in reply to Para 7 of the sequence of events and correspondences mentioned in the complaint, the respondent humbly submits that in order to implement lag-only billing mechanism in the billing software, the requirement of requisite data (KVARH reading) is inevitable. Even though there was new software adoption from the end of the respondent, still the respondent was unable to implement the lag-only billing mechanism as the then existing meter was not compatible due to no display of KVARH lag-reading. However, the respondent was constantly following up with OPTCL for an early resolution of this issue.
11. That, in reply to Para 8 of the sequence of events and correspondences mentioned in the complaint, the respondent humbly submits that even though the complainant is well aware of the sincere and unwavering efforts undertaken by the respondent in the course of getting a prompt resolution of this issue from OPTCL for the change of meter and adopt lag-only billing, the complainant was intimated about the progress of the situation and marked for a copy in all the communications in this regard, to ensure utmost transparency and efficiency in the process. In this same regard, communication of the complainant Dt. 05-10-2024 was responded with vide our letter Dt. 24-10-2024.
12. That Para 9 needs no reply from the respondent.
13. That in reply to Para 10 of the sequence of events and correspondences mentioned in the complaint, the respondent humbly submits that as the meter is replaced by OPTCL, the cost of the meter will be charged as per the regulations. The respondent had followed up time and again with OPTCL and requested for an in-person meeting as well for an early resolution of this issue.
14. That in reply to Para 11 of the sequence of events and correspondences, the respondent humbly submits that with our unwavering efforts and continuous follow-ups, OPTCL has intimated vide their communication Dt. 17-10-2024 that they are willing to replace the meter. Thereafter, in the month of January- 2025, the respondent communicated to the complainant seeking a suitable date for the meter replacement. Moreover, in all the communications, the respondent had duly sent the information to the complainant for their record and information and this contention about receiving no reply from the respondent is vehemently denied.

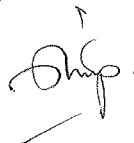


PARA-WISE REPLY TO THE SUBMISSIONS OF THE COMPLAINANT:

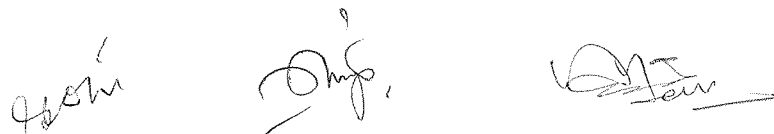
15. That in reply to Para 1 & 2 of the complaint by the complainant, the respondent humbly submits that the billing is done based on the meter data of SAIL-RSP, Linde and SER, as Linde and SER are availing power supply inside the premises of SAIL-RSP, through separate mechanisms approved by the Hon'ble Commission, wherein the billing mechanisms are also approved. Accordingly, TPWODL is deducting consumption of Linde and SER from the total meter reading of the Tarkera Grid Substation to arrive at the consumption figure of SAIL-RSP. Further, as multiple parties are involved with open access transactions, so dump data is necessarily used.
16. That in reply to Para 3 of the complaint, the respondent humbly submits that the respondent always intends to adhere to the directions of the Hon'ble Orissa Electricity Regulatory Commission and the same has been accordingly communicated to the complainant vide the communication dated 27-06-2024. Thereafter, the respondent has also followed up with OPTCL for the installation of a replacement meter in the premises of the complainant, wherein it has been admitted that the meter which was previously being used, was very old and continuing since the year 1999 and was unreliable. Therefore, there has been no contradiction in the communication of the respondent.
17. That in reply to Para 4 & 5 of the complaint, the respondent humbly submits that the respondent stated the non-availability of KVARH reading in the meter display. Rather, the respondent has time and again emphasized on adopting the directions issued in the order of the HON'BLE OERC in its true spirits for which the compatibility of the meter is essential. Therefore, upon the meter being changed, billing of March 2025 has been duly prepared on the basis of Lag-only, which the complainant may appreciate.
18. That in reply to Para 6 of the complaint, the respondent humbly submits that in compliance with the directions issued in the Tariff Order 2022-23 of the HON'BLE OERC, the respondent has taken necessary steps to get the meter replaced and the same has been replaced in February-2025 and the billing for March-2025(bill served 3rd April, 2025) has been done on Lag Only basis.
19. That in reply to Para 7 of the complaint, the respondent humbly submits that the respondent has left no stone unturned in their efforts to get the old meters changed. The following is a brief summary and timeline of the communications made in this regard, for the better appreciation and adjudication of the matter:



- I. 03-08-2024: Mail received from complainant to respondent regarding the calculation of bill.
 - II. 14-08-2024: Mail sent from respondent to applicant regarding the billing methodology.
 - III. 17-08-2024: Mail received from complainant to respondent regarding billing and payment thereof.
 - IV. 06-09-2024: Letter sent to OPTCL by the respondent requesting them to change the meters with apex meters with intimation to complainant.
 - V. 04-10-2024: Follow up letter from respondent to OPTCL, Sambalpur regarding changing of the meters with intimation to complainant.
 - VI. 05-10-2024: Letter received from complainant regarding bill calculation.
 - VII. 17-10-2024: Letter sent by ED OPTCL to EHT (O&M) Burla, Sambalpur regarding go ahead for meter replacement with intimation to complainant.
 - VIII. 24-10-2024: Letter sent by respondent to complainant providing updates about the communication with OPTCL on meter change.
 - IX. 26-10-2024: Email received by the respondent from the complainant regarding acknowledgement of meter replacement updates from OPTCL.
 - X. 09-12-2024: Letter sent by DGM Electrical OPTCL, Rourkela to ED OPTCL, Bhubaneswar for issuing two meters to the "stores" for replacement.
 - XI. 24-02-2025: Replacement of the meters done as per the MOM Dt. 24-02- 2025 by OPTCL and MRT, TPWODL.
 - XII. 05-03-2025: Letter sent by respondent to complainant regarding the lag only billing from 1st March-2025 to be billed on 1st April, 2025 as the meter was replaced and was compatible for the readings according to the order of the HON'BLE OERC.
20. That in reply to Para 8 of the complaint, the respondent humbly submits that the allegation of the complainant is unequivocally denied as the respondent had duly intimated the reason vide TPWODL communication Dt. 14-08-2024 and 24-10-2024 and TPWODL communication to OPTCL Dt. 06-09-2024 and 04-10-2024. It is also pertinent to mention herein that in order to achieve utmost transparency in this process and to ensure that the representatives of the complainant remain informed and aware at all times, the respondent has made all the efforts to keep the complainant in loop regarding all the communication regarding this issue.
21. That in reply to Para 9 of the complaint, the respondent humbly submits that the allegation that the respondent did not want to resolve this issue, is vehemently denied as the respondent has left no stone unturned and persisted with unwavering efforts to get the meters replaced, as is palpable from the chain of communication made by the respondent in this regard.
22. That in reply to Para 10 of the complaint, the respondent humbly submits that as the respondent has completely followed the HON'BLE OERC Regulations, the claim made by the complainant cannot be substantiated



- and is rendered baseless. The respondent had billed the complainant, as per continued practice as the earlier meters were not compatible, which is in line with the order of the HON'BLE OERC. After the meters were changed, the billing was only done through lag-only method. Hence, the contentions and claims made in this regard are vehemently and unequivocally denied.
23. That, the respondent humbly submits that the billing of the complainant was being done on the basis of the KVAH consumption as the meters previously installed were not compatible to reflect/display the KVARH readings, thereby, preventing the respondents from using the KVARH mechanism of billing. It is also pertinent to mention herein that the meter replacement is supposed to be carried out by OPTCL and therefore, the request for the same had been communicated to OPTCL by the respondent. The respondent has time and again followed up with OPTCL regarding this issue, while marking the complainant for copies of those communications for their information. Therefore, the respondent is in no way responsible for the financial losses as allegedly suffered by the complainant due to the billing being done on Lead plus lag basis.
24. That, it is humbly submitted that the billing was only done on the KVAH basis in compliance with the RST order of the HON'BLE OERC whereby para 76 of RST Order, it has been stipulated that when there is no display of KVARH lag reading, the KVAH reading from the display is only to be taken for the purpose of billing.
25. That it is humbly further submitted that the replacement of the meter has only been made possible by the unwavering efforts of the respondent and the same is palpable from the numerous communications and reminders that the respondent has made to OPTCL regarding this issue. Therefore, the respondent is in no way responsible for the financial losses suffered by the complainant during the duration from June-2024 to February-2025, when the billing was being carried out on the KVAH basis.
26. That, in view of the above-mentioned facts and circumstances, it is humbly submitted that the instant complaint filed by the Complainant is devoid of any merit. Hence, it is liable to be dismissed.
27. That, the contentions which have not been specifically denied same may be deemed to have been denied.
28. That, the answering respondent craves the leave of this Ld. Forum to submit further reply/documents as and when required.
29. That, the facts stated above are based on official records and are true and best of the knowledge of the respondent.



REJOINDER SUBMITTED BY THE COMPLAINANT AGAINST WRITTEN STATEMENT SUBMITTED BY THE RESPONDENT ON DT.15.4.2025:


The Complainant intends to highlight the following main points in the instance case for kind comprehension and consideration of the learned forum.

1. That kind attention is drawn to the statement of the Respondent at Para 4-IV & 4-V which states that " ..Billing calculation of monthly energy bill of RSP is calculated on the basis of meter reading data recorded in the RSP FDR 1, FDR 2, FDR 3 and FDR 4 at OPTCL grid end. Meter reading data of Railway and LIL feeder energy meters are also used in the billing calculation. The consumption of M/s LIL & M/s SER are deducted from the metered consumption of RSP apex meter(s) installed at TGSS for every 15 min slot and balance energy is being billed against RSP-SAIL. Similarly, Maximum Demand (MD) of RSP is calculated by subtraction of Maximum Demands of M/s LIL & M/s SER recorded in time relevant Apex Energy Meters installed for the Purpose.

This practice is being followed for very long time with mutual consent.

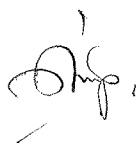
Direct reading displayed in the Meter is not taken for billing calculation of SAIL-RSP. Bill is prepared manually using meter data without application of any software."

2. That, the statement clearly establishes the fact that billing calculation is done manually using Meter Data downloaded from individual meters and Direct reading displayed in the Meter is not taken for billing calculation. Hence display of any data on meter console is irrelevant for billing calculation as long as requisite data is available in the dump files downloaded from the meters.
3. That for calculation of bill as per Lag-Only method, as prescribed by the Hon'ble OERC. 'Kwh', 'KVarh lag' and 'KVarh lead' parameters are required which were already available in the dump data of earlier meters. However, instead of doing the calculations using 'Kwh' and 'KVarh lag' for determining KVAh, The Respondent had chosen to use the KVAh parameter available in the dump, in clear violation of OERC guideline, thereby forcing the Complainant to pay for the reactive energy exported back.
4. That at para-18 of the statement of the Respondent, it informs that the respondent has taken necessary steps to get the meter replaced and the same has been replaced in February-2025 and the billing for March- 2025(bill served 3rd April, 2025) has been done on Lag Only basis.
5. The Respondent has time and again mentioned that the earlier meters were 'Incompatible' for lag only calculation and after replacement, the new meters are compatible. The Complainant vociferously objects to the statement and has already proven the same to be bereft of fact. Even after multiple requests of the



Complainant, the Respondent has failed to specify the exact nature of incompatibility of the earlier meters. Even during the hearing before the Ld. Forum, the Respondent has failed to point out the exact parameters which were not available in the dump data of the earlier meters and what prevented calculation of Lag-Only billing before the meters were installed and how Lag- Only billing could be enabled by replacement of meters.

6. At Para-16 of the Respondent's statement, it has mentioned that *"..Respondents; statement " ... the meter which was previously being used, was very old and continuing since the year 1999 and was unreliable..."*. The Complainant vehemently objects to the statement. This a severe contradiction to facts as reading from the meters have all along been used for billing to RSP as well as for BST billing between TPWODL and OPTCL. The Respondent has failed to explain as to why the matter of 'unreliability' was never brought to notice by the Respondent all these years while they continued to use reading of those meters to bill RSP (and also BST billing by OPTCL) on the same meter reading.
7. The respondent was very well aware of the features available in the earlier meters at the time of promulgation of RST order of OERC dt 24.03.2022 and subsequently at the time of informing the complainant about adoption of Lag-Only billing vide their letter dt 27.06. 2024.
8. As per OERC direction, the responsibility of replacement of any meter, if so required, is the responsibility of the Distribution Licensee i.e. the Respondent. The Respondent has mentioned in its statement the meters are to be replaced by OPTCL. The Respondent has also failed to explain why they had not taken any action to replace the meters all these years and were only prompted to get the meter replaced when the Complainant requested for adoption of lag-only billing.
9. The Complainant humbly submits before the Ld. Forum, that replacement of meters were never required for adoption of Lag-Only billing for RSP. The Respondent has time and again tried to bring to the fore the issue of meter replacement on the false plea of incompatibility, only to divert the attention of the Ld. Forum from the core issue.
10. Hence, The Complainant humbly submits before the Ld. Forum, that The Complainant should not be forced to bear financial loss for unlawful and unjustified method of billing calculation adopted by the Respondent, especially after the Respondent, itself initiated the communication for adopting Lag-Only billing as per direction of the Hon'ble OERC.
11. That the Complainant acknowledges and appreciates the fact that correct calculation of lag-only billing has been started for the Month of March 2025- payable in April 2025.
12. The Complainant humbly requests the Ld. Forum to kindly direct the Respondent



to revise the bills for the months from June-2024 to Feb-2025 by adopting Lag-Only calculation and promptly refund the excess amount of Rs. 3,04,66,021 (Rs three crore four lakh sixty six thousand and twenty-one only) to the Complainant with applicable interest.

REPLY TO REJOINDER FILED BY THE COMPLAINANT/RSP on dt.23.04.2025 :

1. That, the present reply is filed for and on behalf of the Respondent in response to the Rejoinder filed by the Complainant, SAIL RSP.
 - A. That, the Complainant has filed this rejoinder before this Ld. Forum seeking the following directions to the Respondent:
 - B. TPWODL shall be directed to revise the bills from the month of June-2024 to Feb-2025.
2. TPWODL be directed to refund an amount of Rs.3,04,66,021 to the complainant with applicable interest.
3. That this present submission of the respondent may be treated as forming part and parcel of the written submission filed earlier in response to the complaint.

PARA WISE REPLY TO THE SUBMISSIONS BY THE COMPLAINANT/RSP:

4. That, in reply to Para 1 & 2 of the Rejoinder filed by the complaint RSP-SAIL, the respondents humbly submit that the billing is done using the meter data of these meters installed at different feeders, As per the principles agreed in the respective TPA billing is being made to LINDE & SE Rly us per their corresponding meter there after subtraction mechanisms being adopted for RSP billing. Further, M/S Linde and RSP also availing power under open access more often, therefore, as per Open Access Regulation the licensee is mandated to calculate and extend benefits of open access drawl. Hence the calculation is being made manually in excel sheet from dump data.
5. That, in reply to Para 3 of the Rejoinder filed by the complainant RSP-SAIL, the respondents once again submitted that, it is in not in line with prescribed mechanism depicted in the RST order. Further, the respondent licensee humbly submitted that we have not violated the regulation/tariff order of the Hon'ble OERC in any manner whatsoever, rather has followed the same to make enablement of the billing based on Lag-only method, thereby replacing the meters of different configuration with one of the uniform configuration, which enables the respondents to go for Lag-only billing method.
6. That, as per Para 4 & 5 of the rejoinder the complainant has admitted that the licensee has served the March -25 energy bill as per Lag only upon replacement of meter in Feb-25. Which may please be taken into record. So, in absence of appropriate features in the old meter the licensee was unable to adopt lag only mechanism and made persistent effort for replacement of meter upon receipt of complaint from the applicant.



7. That, in reply to Para 6 of the Rejoinder filed by the complainant RSP-SAIL, the respondents humbly submit that the information about the incompatibility of certain meters, vide meter numbers APM03710 & APM02685 was escalated to the OPTCL and they agreed to replace the meters, which is why the Lag-only method of billing could be adopted. Furthermore, the statement "The meter which was previously being used, was very old and continuing since the year 1999 and was unreliable" , is not made by the TPWODL but was made by OPTCL vide their letter Dt. 09.12.2024. As the meters were installed before 2000, technological developments such as proprietary protocol to standard DLMS protocol etc., we're not available in the earlier meters which was then made available with the help of the new meters.
8. That, in reply to Para 7 of the Rejoinder filed by the complainant RSP-SAIL, the respondents agree with the complainants, and based on the same, we have acted to upon for change of meter and implemented lag only billing thereafter.
9. That, in reply to Para 8 of the Rejoinder filed by the complainant RSP-SAIL, the respondents humbly submit that as per the directions of the Hon'ble OEPC, the respondents arranged to get the meters replaced and implement the Lag-Only Billing method, which is in line with the OERC regulations. It may be appreciated that, in the past RSP itself has made may attempt for change of meter but was not successful, may be due to different reasons not known to TPWODL. It is further submitted that the Hon'ble OERC has not stipulated any timeline for completion of such replacement.
10. That, in reply to Para 9 of the Rejoinder filed by the complainant RSP-SAIL, the respondents humbly submit that the claim of the complainants is utterly baseless and cannot be substantiated by any proof. The core issue in this dispute was the adoption of the Lag-only billing method and the same has been adopted, in compliance with the guidelines issued by the Hon'ble OERC upon replacement of meters with appropriate features.
11. That, in reply to Para 10 of the Rejoinder filed by the complainant RSP-SAIL, the respondents humbly submit that the methodology for billing adopted by TPWODL before and after the change in the meter is in line with the guidelines of the Hon'ble OERC. Therefore, the alleged financial losses do not have any bearing over TPWODL and the TPWODL is no way responsible for any alleged financial loss.
12. That, from Para 11 of the applicant, it is crystal clear & M/s RSP acknowledged that, the respondent licensee has no intention in the past and sincerely placed its effort till it get executed.
13. That, in reply to Para 12 of the Rejoinder filed by the complainant RSP-SAIL, the respondents humbly submit that the TPWODL has adhered to the guidelines issued by the Hon'ble OERC and implemented Lag-only billing method and all relevant calculations. Hence, the claim for refund is baseless and shall be rejected outright.



The reason, we have already submitted in the earlier paragraphs.

14. That, in view of the above-mentioned facts and circumstances, it is humbly submitted that the instant complaint filed by the Complainant is devoid of any merit. Hence, it is liable to be dismissed.
15. That, the contentions which have not been specifically denied same may be deemed to have been denied.
16. That in view of the above facts and circumstances, the present complaint petition of the RSP, SAIL has no merit and is liable to be rejected.

Findings of the Forum

Written/verbal Submissions were made by both parties and arguments were heard at length. This Forum, after hearing the parties and going through the relevant documents and provisions of law have concluded as follows:

The Hon'ble OERC notified in RST Order 2022-23 in para-76 as
"Tariff Related Issues

DISCOMs have raised certain issues which are discussed below :

(a) Procedure for kVAh billing

The commission has approved kVAh billing for HT and EHT consumers w.e.f. FY 2021-2022. One year is going to be completed since the introduction of kVAh billing. Now, based on the experience of the current year the following methodology should be adopted for kVAh reading of HT reading of HT and EHT consumers.

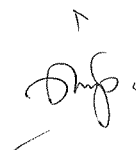
For kVAh billing, leading kVARh (leading power factor) should be ignored.

kVAh consumption for the billing cycle = *Square root of*
 $((Kwh)^2 + (kVARh \text{ lag})^2)$

(Where kWh, kVARh lag is consumption for the billing cycle)

Where there is no display kVARh lag reading, then kVAh reading from the display is only to be taken for the purpose of billing. Where there is no display of kVARh lag reading, DISCOMs are required to take necessary steps for replacement of those meters. All meters installed in future should be configured as per lag only.

kVAh billing has an inherent mechanism to incentivize or penalize consumers according to their power factor. The Prime Objective of the kVAh based billing is to encourage the consumers to maintain near unity Power factor to achieve loss reduction, improve system stability, power quality and improve voltage profile."



Under such circumstances, this Forum holds where there is no display of kVArh lag reading, the kVAh reading from the display is to be taken for the purpose of billing. Hence the case of the complainant stands rejected.

Directions of the forum


In view of the above facts and circumstances and after going through the documents submitted by both the parties, the Forum pronounces the following order as per regulations of the Odisha Electricity Regulatory Commission Distribution (Conditions of Supply) Code, 2019.

- The Case is rejected.

The matter is closed herewith.


Co-opted Member


Member (Finance)


President 12/6/2025

No. GRF/RKL/464⁽⁴⁾

Date: 12/06/2025

Certified Copy to:

- 1) The Superintending Engineer, Electrical Circle, TPWODL, Rourkela.
- 2) The Chief Legal, TPWODL, Burla.

If the complainant is aggrieved with this order or non-implementation of the order of the Grievance Redressal Forum in time, he/she can make the representation to the Ombudsman-II, Qrs. No. 3R-2(S), GRIDCO Colony, P.O: Bhoinagar, Bhubaneswar-751022 within 30 days from the date of order of the Grievances Redressal Forums.