

**BEFORE THE TAMIL NADU ELECTRICITY REGULATORY COMMISSION  
CHENNAI**

**Order No M.P. 41 – 3 dated 08.09.2009**

**Present : Thiru S. Kabilan, Chairman  
Thiru R. Rajupandi, Member**

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**In the matter of : Amendment to the order on Non Tariff related miscellaneous charges – Charges for challenge test of meters.**

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1. The Commission had issued order dated 31-08-2004 on the petition No. M.P. 41 of 2003 filed by the TNEB fixing various non-tariff related miscellaneous charges payable by both HT and LT consumers.
2. In continuation to the above, Commission directed the TNEB to implement third party meter testing arrangements as envisaged in the Central Electricity Authority (Installation and operation of meters) Regulations, 2006 and National Electricity Policy (NEP).
3. Regulation 17(1) of the CEA (Installation and operation of meters) Regulations, 2006 specifies that the distribution licensee shall put in place a system of quality assurance and testing of meters with the approval of appropriate Commission. Para 5.4.9 of the National Electricity Policy (NEP) stipulates that the SERCs should put in place independent third party meter testing arrangements.
4. Regulation 7(9) of the Tamil Nadu Electricity Supply Code has the following provisions regarding third party meter testing:

*“If the consumer considers that the meter is defective, he may apply to the Licensee to have a special test carried out on the meters at any time and the cost of such a test shall be borne by the Licensee or the consumer according as the meter is found defective or correct as a result of such a test. The aforementioned special test for the disputed energy meters including the suspected/defective meters shall be carried out in the Third Party testing laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL) and till such time the Third Party Meter Testing Arrangement is established, the licensee shall have the special test conducted by the Chief Electrical Inspector to Government of Tamil Nadu.”*

Regulation 5(11) of the said Supply Code stipulates that the licensee shall, besides meter rent where payable, collect charges towards changing of meters and boards, testing of meters, testing of installations, inspection charges etc., at the rates specified by the Commission from time to time.

5. Based on the frequent reminders from the Commission, a tender was called for by TNEB to setup independent third party laboratories at Coimbatore, Madurai and Trichy and no response was received by them for the tender.
6. As there were no response for the tender call, TNEB suggested the Commission vide their letter dated 12-05-2009 to utilize the services of two numbers of National Accreditation Board for Testing and Calibration Laboratory (NABL) accredited laboratories in Tamil Nadu. Viz. 1. Electronics Test & Development Centre (ETDC), Chennai – 41 and Central Electrical Testing Laboratory (CETL), Kakkalur – 602 003, Tiruvallur District with suitable revision of testing charges already approved.
7. As directed by the Commission, a meeting was convened by the Secretary and the Director (Engineering) of the Commission on 28-07-2009 with TNEB, CEIG and meter testing agencies to discuss the issues involved in the third party meter testing arrangements.
8. Based on the discussion, the following emerged:-
  - The challenge test rates specified by the Commission in the MP No. 41 of 2003 were fixed on the basis of a petition filed by TNEB for undertaking tests at their laboratories.
  - Commission cannot fix the rates for testing at the third party laboratories. The testing charges at Government Electrical Standards Laboratory (GESL) run by Chief Electrical Inspector to Government (CEIG) are fixed by the Govt. of Tamil Nadu and at ETDC & CETL by the Govt. of India.
  - The challenge test can be got done by the licensee either at GESL run by CEIG or at NABL accredited laboratories (at present ETDC & CETL).
9. The Commission after having considered all the facts have decided as follows:
  - (i) To amend the description to 3<sup>rd</sup> item of clause 3.4 (Meter related Charges) of the Commission's Order dated 31-08-2004 in MP No. 41 of 2003 as detailed below:

*“The challenge test shall be done either at Government Electrical Standards Laboratory (GESL) run by Chief Electrical Inspector to Government of Tamil Nadu or at National Accreditation Board for Testing and Calibration Laboratory (NABL) accredited laboratories and the place of such challenge test shall be left to the discretion of the consumer. The*

*charges for challenge test shall be as per the rates in force at GESL and NABL accredited laboratories”*

- (ii) To replace the charges (Rs.100/service & Rs.300/service) mentioned in the last two columns of items (a) & (b) under the category (iv) **‘For testing of meter, if it is proved to be correct within the prescribed limit (Challenge test)’** of table titled “2.0 Meters” in the Commission’s Order dated 31-08-2004 in MP No. 41 of 2003 with *“as per the rates in force at GESL and NABL accredited laboratories”*
  - (iii) TNEB may be directed to inform the options to the Consumers who desire the challenge test, by indicating the testing charges payable to each laboratory and leave the place of challenge test to the choice of the consumers.
10. Pursuant to the above decision, the Commission issues the following amendments to the order dated 31-8-2004 in M.P.No.41 of 2003:

**Amendments to Order dated 31-8-2004 in M.P.No.41 of 2003**

In exercise of the powers conferred by Sections.45,. 46, 47 and 50 of the Electricity Act (Act 36 of 2003) and all powers enabling it in that behalf, the Tamil Nadu Electricity Regulatory Commission hereby makes the following amendments to the said order dated 31-8-2004 in M.P.No.41 of 2003, viz:-

- (i) In Clause 3.4 relating to ‘Meter related charges’ for the following sentences, namely:-

‘The charges for challenge test can be separate for single and three phase. The same rate will apply irrespective of the rating.’, the following shall be substituted, namely,-

“The challenge test shall be done either at Government Electrical Standards Laboratory (GESL) run by Chief Electrical Inspector to Government of Tamil Nadu or at National Accreditation Board for Testing and Calibration Laboratory (NABL) accredited laboratories and the place of such challenge test shall be left to the discretion of the consumer. The charges for challenge test shall be as per the rates in force at GESL and NABL accredited laboratories”.

- (ii) In the Table titled ‘Miscellaneous Charges – 2.0 Meters’ for Clause (iv) the following clause shall be substituted, namely:-

“(iv) Charges for the Challenged Test made at Government Electrical Standards Laboratory (GESL) or at National

Accreditation Board for Testing and Calibration Laboratory (NABL) shall be as per the rates in force at GESL or NABL, as the case may be, which shall be collected by the licensee from the consumer for whom the said Challenge Test was made.”

11. This order shall come into force on the date of issue of this order.

**(By order of the Commission)**

**Secretary,  
Tamil Nadu Electricity Regulatory Commission.**

**To**

**The Chairman, Tamil Nadu Electricity Board, Chennai 2.**