

Republic of the Philippines
ENERGY REGULATORY COMMISSION
San Miguel Avenue, Pasig City



JOAQUIN P. BULACAN,
Complainant,

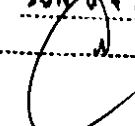
- versus -

ERC CASE NO. 2005-044 CC

MANILA ELECTRIC COMPANY,
Respondent.

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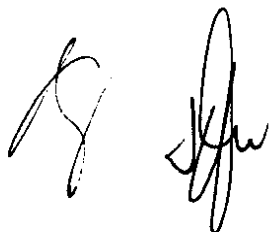
DECISION

FILED
Date: JUN 04 2018
By: 

Before this Commission for resolution is the verified complaint filed by Mr. Joaquin P. Bulacan on February 28, 2005 against Manila Electric Company (MERALCO) for tampering of metering installation or 'jumper'.

FACTS OF THE CASE

On July 6, 2004, a team of MERALCO inspectors inspected complainant's electric service at his premises. The inspection allegedly disclosed a tampered metering installation. As a consequence thereof, MERALCO demanded from the complainant the payment of Three Hundred Two Thousand Seventy Seven and 25/100 Pesos (PhP302,077.25) representing the differential billing for the unregistered consumption from March 2001 to July 2004 based on the connected loads and billing history.




MERALCO alleged, among others, that the findings of tampered metering installation through the utilization of a "self grounding wire" was a result of the July 6, 2005 inspection conducted by its field inspectors (witnessed by a certain Joenald Cervantes). Thus, the meter failed to register complainant's actual kilowatthour consumption. MERALCO demanded from the complainant the payment of the amount of PhP302,077.25 representing the differential billing based on his connected loads and billing history. Due to complainant's failure to pay and settle the said amount on December 2004, MERALCO eventually disconnected and then, subsequently retired complainant's electric service.

Complainant, in his complaint, alleged among others, that MERALCO's field inspectors proceeded to his premises and falsely claimed that they found a "self-grounding wire" which allegedly prevented the meter from registering the correct consumption.

On June 14, 2005, complainant filed a "Manifestation and Motion" for the immediate reconnection of his electric service and made an offer to deposit the amount of ten thousand pesos (PhP10,000.00) without admitting any wrongdoing.

At the hearing on July 14, 2005, the parties manifested and agreed to an ocular inspection of complainant's premises and the reconnection of his electric service to be witnessed by both parties and a representative from the Commission.



On August 2, 2005, the Commission issued an Order directing its technical personnel and MERALCO's representative to conduct an ocular inspection.

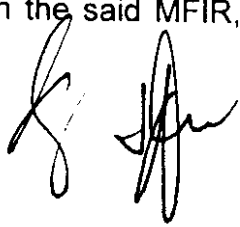
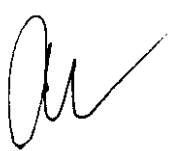
On August 9, 2005, a "General Report" was submitted by the Commission's technical inspection team disclosing, among others, that the watt-hour meter has already been removed; that the electrical system in the area was Line to Ground (2 wire system); and the electrical wiring was grounded due to insulation failure as evident in the presence of several burned convenience outlets and wires.

On various dates, several hearings were conducted by the Commission wherein both parties presented testimonial and documentary evidence, in support of their respective allegations.

DISCUSSION

After a careful review and examination of the documents as well as the testimonial evidence presented, the Commission finds merit in the complainant's allegations.

The Metering Facilities Inspection Report (MFIR) No. 12596 and Inspection Supplementary Report (ISR) presented by MERALCO, marked as Exhibits "2" and "2-D", respectively, disclosed that there was no jumper found in complainant's premises. In the said MFIR, MERALCO stated that there was a



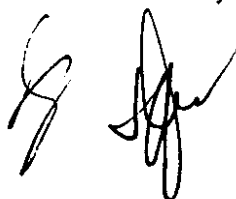
“tampered metering installation” done by utilizing a “self-grounding wire”. Upon examination of the MFIR, it was revealed that MERALCO installed a 3-wire meter with SN 001162473 and CN 100AA162473. The installation of such meter caused grounding at the load side end of the meter which affected the registration of the meter. Further, the Commission’s evaluation of MERALCO’s MFIR and ISR showed that complainant was served from a two-wire (220 Volts line to ground) service which is the distribution system in the area. Had MERALCO installed the appropriate meter, which is a two-wire meter, any grounding at the load side end of the meter, whether intentional or accidental, will not affect its registration.

The responsibility for providing adequate grounding as required in the multiground system lies with the customer and not with the utility. In the instant case, however, the grounding was caused by MERALCO’s use of an incorrect type of meter that affects the accuracy of the meter’s registration. This is supported by MERALCO’s MFIR and ISR.

MERALCO’s use of a three-wire meter on a two-wire system should not be taken against complainant whose technical knowledge and information on this matter are limited compared to MERALCO’s knowledgeable technical personnel.

With regard to the computation of complainant’s unregistered consumption, the same could not be quantified as there was no measurement conducted on the grounding resistance.

WHEREFORE, premises considered, the Commission finds merit in the complaint filed by Joaquin P. Bulacan against Manila Electric Company (MERALCO). Accordingly, MERALCO is enjoined from collecting the amount of



Three Hundred Two Thousand Seventy Seven and 25/100 (P302,077.25) Pesos
and is directed to reconnect the electric service of complainant.


SO ORDERED.

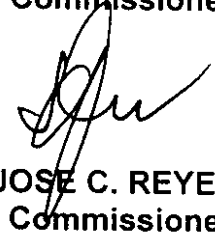
Pasig City, April 19, 2010.


ZENAIDA G. CRUZ- DUCUT
Chairperson *quetz*


RAUF A. TAN
Commissioner


ALEJANDRO Z. BARIN
Commissioner


MARIA TERESA R. CASTAÑEDA
Commissioner


JOSE C. REYES
Commissioner

cc
CCC/MCCG

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