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Wood company fined RM476.124 for TNB meter tampering

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KUALA LUMPUR: The Klang Sessions Court has ordered a wood processing company to pay RM476,124.65 in compensation to Tenaga Nasional Berhad (TNB) over meter tampering.

Judge Mohd Sabri Ismail made the ruling after allowing the suit filed by the electricity utility company against Top Status KD Sdn Bhd as the defendant.

In his grounds of judgment dated March 18, Mohd Sabri dismissed the defendant's argument that the sharp drop in electricity consumption was due to the closure of factory operations during the Movement Control Order (MCO) following the Covid-19 pandemic, noting that the loss period began on Dec 31, 2019, while the MCO only came into force on March 18, 2020.

"The defendant failed to explain the actual cause of the significant drop in electricity consumption during the disputed period from Dec 31, 2019 to Oct 31, 2020, and also failed to prove the existence of any manifest error in the plaintiff's claim.

"The defendant's witness testimony did not raise any doubt regarding the method of calculation or the accuracy of the statement. The testimony was merely a bare denial and did not discharge the burden of proof to rebut the plaintiff's claim," he said.

The judge further said that Sections 38(3), (4) and (5) of the Electricity Supply Act 1990 provide for TNB's right to claim loss of revenue through civil proceedings once the offence of meter tampering is established under Section 37 of the same Act.

On Oct 30, 2020, TNB personnel conducted an inspection of the meter installation at the defendant's premises in Port Klang, Selangor, and discovered evidence of tampering, including missing terminal seals and an additional circuit enabling remote control of the red and yellow phase voltage circuits through wiring between the CT coil and fuse.

Following the tampering, TNB calculated its loss of revenue and operating costs at RM476,124.65 before seeking to recover the amount from the defendant. –
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