

FORUM OF REGULATORS (FOR)
C/o. CENTRAL ELECTRICITY REGULATORY COMMISSION (CERC)
3rd & 4th Floor, Chandralok Building, 36, Janpath, New Delhi 110 001
☎: 011-23353503/23752958

No.15/9(1)/2011/APTEL.-TA/FOR/CERC(Vol.-VI)

Dated: 23rd June, 2015

The Registrar,
Appellate Tribunal for Electricity
7th Floor, Core-4, SCOPE Complex
Lodhi Road
New Delhi – 110 003

Subject: Compliance of the directions of Hon'ble Appellate Tribunal for Electricity issued vide order dated 3rd November, 2014 in OP No. 1 of 2011


Sir,

This is in reference to the order dated 3rd November, 2014 in O.P. No. 1 of 2011 of the Hon'ble APTEL on the above subject. Hon'ble APTEL directed all SERCs/JERCs to furnish details as specified in the order to the Secretary, Forum of Regulators and a consolidated reply to be furnished to the APTEL by the Secretary, FOR.

2. FOR Secretariat sought information as directed, from the State Commissions in pursuance of the above directions. The summary statement of the responses received from the SERCs and JERCs is enclosed as **Annexure-I**.
3. It is requested that this may please be brought to the notice of the Hon'ble APTEL.

Yours faithfully,

Encl.: As above (8 copies).


(Rashmi Somasekharan Nair)
Dy. Chief (RA)

RC



Details of reply of SERCs/JERCs are summarized in the following table:

S. No.	SERCs/ JERCs	Remarks
1.	Andhra Pradesh	The direction of Hon'ble APTEL issued vide order dated 3 rd November, 2014 in OP No. 1 of 2011 is being completed.
2.	Assam	Information on Direction No. (xi) : The Tariff Orders for the State generation, transmission and distribution companies for Financial Year 2014-15 were issued on 21.11.2014.
3.	Delhi	The Regulatory Assets as per the Tariff Order for Financial Year 2014-15 is Rs.100 Cr. Para (xi) – DERC has issued the Tariff Orders for Delhi DISCOMs on 23.07.2014. Appeals have been filed by BRPL, BYPL and TPDDL against the above order in APTEL which are under hearing. DERC has recognized Revenue Gap/Regulatory Assets of the DISCOMS and considered the same in its earlier Tariff Orders as well as the latest Tariff order. No additional Revenue Gap/Regulatory Asset has been created in the Tariff Order for Financial Year 2014-15. The provisional Revenue Gap/Regulatory Assets recognized upto Financial Year 2012-13 is Rs.13,982 Crore and road map for liquidation of the same proposed by the Commission, has been considered by Hon'ble APTEL in its order dated 28.11.2014. The above information is in furtherance of information provided by DERC vide its earlier letter no. F.7(35)/JS/DERC/2013-14/Vol IX/714 dated 17.07.2014.
4.	Gujarat	It is to submit that Hon'ble APTEL, in its Order dated 03.11.2014, had not given any specific directions to Gujarat Electricity Regulatory Commission. As regards to FPPPA mechanism, the same is already in place in Gujarat. No regulatory assets are built up in the utilities as the Commission is regularly giving the tariff award and addressing the revenue gap through tariff increase. In fact, in Gujarat the true up exercise for FY 2013-14 is already completed and the tariff orders for FY 2015-16 were issued on 31 st March, 2015.
5.	Haryana	The information pertaining to point No. 5(X) to 5 (xi) as specified vide Hon'ble APTEL Order dated 3.11.2014 is as under:- 5(x) Fuel Surcharge Adjustment (FSA) mechanism is in place and the Utilities are recovering FSA in quarterly manner subject to true-up by the Commission as per MYT Regulations, 2012. 5(xi) No Regulatory Assets were created in FY 2014-15.



6.	Himachal Pradesh	The directions given by the Hon'ble APTEL vide Order dated 3.11.2014 were only for the enlisted States and joint Commissions and there was no direction pertaining to this Commission.									
7.	Jharkhand	<p>* Jharkhand Electricity Regulatory Commission in its amendment to conduct of Business Regulations, 2014 states in Clause 10:</p> <p>(1) For all initial procedural issues and also adjudicatory proceedings of the Commission, generally the quorum of the Commission shall be two among the three Members.</p> <p>(2) In the event that the posts of Chairperson and / or any one of the Member are vacant or one member proceeds on leave for a period more than 30 days, the quorum of the Commission shall be one Member for all procedural and adjudicatory proceedings. In such situation the sole member shall also exercise all administrative and financial power of the Commission.</p>									
8.	Karnataka	The Hon'ble APTEL has not issued any direction to be complied by this Commission in the aforesaid order. Hence, no action is required to be taken by this Commission.									
9.	Kerala	<p>Para 5 (ix) – of the Order dated 3.11.2014: It is informed that truing up of accounts of the licensee KSEBL from 2011-12 could not be completed as the licensee has not filed the truing up petitions. However, the licensee had now filed the petition for the year 2011-12 on 19.11.2014. Orders on the petitions will be issued as directed by Hon. APTEL.</p> <p>Para 5 (xi) of the order dated 3.11.2014: The Commission has so far not created any regulatory assets for the licensee KSEBL, in line with the principles in para 8.2.2 of the Tariff Policy that regulatory assets should be created only as an exception and in the case of business as usual conditions, the opening balances of uncovered gap must be covered through transition financing arrangement or capital restructuring. However, there were revenue gaps in certain years and the Commission has revised the tariff in certain years to cover the revenue gap. The details are as shown below:</p> <p>a. The accumulated revenue gap of the licensee M/s KSEBL upto 2010-11 after truing up is Rs.424.11 crores. The revenue gaps approved and tariff revision allowed as per the ARR&ERC orders from 2011-12 are as shown below:</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Revenue gap as per ARR&ERC Order (Rs. Crore)</th> <th>Additional revenue through Tariff revision allowed on a full year basis (Rs. Crore)</th> </tr> </thead> <tbody> <tr> <td>2011-12</td> <td>928.62</td> <td>-</td> </tr> <tr> <td>2012-13</td> <td>1889.15</td> <td>1586.17</td> </tr> </tbody> </table>	Year	Revenue gap as per ARR&ERC Order (Rs. Crore)	Additional revenue through Tariff revision allowed on a full year basis (Rs. Crore)	2011-12	928.62	-	2012-13	1889.15	1586.17
Year	Revenue gap as per ARR&ERC Order (Rs. Crore)	Additional revenue through Tariff revision allowed on a full year basis (Rs. Crore)									
2011-12	928.62	-									
2012-13	1889.15	1586.17									

		<table border="1"> <tr> <td data-bbox="97 1391 145 1637">2013-14</td> <td data-bbox="145 1391 240 1637">1049.91</td> <td data-bbox="97 999 145 1391">642.47</td> </tr> <tr> <td data-bbox="145 1391 240 1637">2014-15</td> <td data-bbox="145 1391 240 1637">1092.78</td> <td data-bbox="97 999 240 1391">Not estimated due to changes in consumer categories</td> </tr> </table>	2013-14	1049.91	642.47	2014-15	1092.78	Not estimated due to changes in consumer categories				
2013-14	1049.91	642.47										
2014-15	1092.78	Not estimated due to changes in consumer categories										
10.	Madhya Pradesh	<p>b. It may further be noted that, the Government of Kerala vide its order dated 31.10.2013 had issued the Second Transfer Scheme and many changes including revaluation of fixed assets, establishment of Master Trust for pension, enhancement of equity and cleaning of balance sheet etc., have been envisaged. Hence, the final revenue gap if any will be known only after finalizing the transfer scheme which is due on 31.1.2015</p> <p>On the creation of new regulatory assets in the tariff order 2014-15, it may please be noted that, the Commission has not created any regulatory assets for he year 2014-15. The details of the tariff order have already been furnished vide the reference second cited i.e. Letter No. 507/CT/KSERC/2014 dated 24.10.2014.</p> <p>In para 5 (ix) of the order of OP 1 of 2011, Hon'ble ATE has observed that MPERC has not conducted true-up even till 2011-12. It is to intimate that MPERC has already conducted the true-up for Financial Year 2011-12.</p> <p>1) The present status /information on the issues related to the MPERC as desired at para No.6(vi) and para No.7(i), (ii), (iii) & (iv) of the order dated 30.06.2014 of Hon'ble APTEL is given below:-</p> <p>I. Direction : 6(vi) The MPERC may indicate status regarding true-up of FY 2008-09 to FY 2011-12.</p> <p>Response: The true-up orders for FY 2008-09 to FY 2011-12 have been passed by the MPERC as per details given below:</p> <table border="1"> <thead> <tr> <th data-bbox="1054 1615 1134 1727">S.No.</th> <th data-bbox="1054 1458 1134 1615">Financial year</th> <th data-bbox="1054 439 1134 1458">Date of Issue of True-up Order</th> </tr> </thead> <tbody> <tr> <td data-bbox="1134 1615 1214 1727">1.</td> <td data-bbox="1134 1458 1214 1615">2008-09</td> <td data-bbox="1134 439 1214 1458">February 6,2014</td> </tr> <tr> <td data-bbox="1214 1615 1294 1727">2.</td> <td data-bbox="1214 1458 1294 1615">2009-10</td> <td data-bbox="1214 439 1294 1458">June 12, 2014</td> </tr> </tbody> </table> <p>For Distribution Licensees (Discoms viz. MP Poorv Kshetra Vidyut Vitaran Co. Ltd. (East Discom), MP Paschim Kshetra Vidyut Vitaran Co. Ltd. (West Discom), and MP Madhya Kshetra Vidyut Vitaran Co. Ltd. (Central Discom)</p>	S.No.	Financial year	Date of Issue of True-up Order	1.	2008-09	February 6,2014	2.	2009-10	June 12, 2014	
S.No.	Financial year	Date of Issue of True-up Order										
1.	2008-09	February 6,2014										
2.	2009-10	June 12, 2014										

3.	2010-11	June 19, 2014
4.	2011-12	July 22, 2014

For Special Economic Zone (SEZ) Pithampur, Petitioner- MP Audyogik Kendra Vikas Nigam (Indore) Limited, Indore

1	2010-11	September 20, 2012
2.	2011-12	September 20, 2012

II. Status with regard to directions to SERCs and JERCs given at paragraph 7 of the Hon'ble APTEL's order dated 30.06.2014 is given below:

Direction : 7(1) Date of issue of tariff order for FY 2014-15 for the distribution licensees. If the tariff order for FY 2014-15 has not been issued, the reason for delay and present status.

Response: 1. Distribution and retail supply tariff order for FY 2014-15 for three distribution companies of the State was issued on 24th May 2014.

2. Distribution and retail supply tariff order for FY 2014-15 for distribution licensee SEZ, Pithampur was issued on 18th February 2014.
below:

Direction : 7(ii) Year up to which truing up of accounts has been completed and orders issued.

Response : Truing up of accounts of distribution licensees have been completed upto FY 2011-12.

Direction : 7(iii) Whether Fuel and Power Purchase Adjustment mechanism for a least quarterly adjustment as directed in order dated 11.11.2011 is in place?

Response: Yes. The mechanism for recovery of Fuel Cost Adjustment Charge on quarterly basis is in place in MP since April, 2012. Details of FCA charge levied from time to time are given in the table

S.No.	Period		FCA charge (Paise per unit)
	From	To	
1	1-Apr-12	30-Jun-12	13

	2	1-Jul-12	30-Sep-12	10
	3	1-Oct-12	31-Dec-12	17
	4	1-Jan-13	31-Mar-13	25
	5	1-Apr-13	30-Jun-13	4
	6	1-Jul-13	30-Sep-13	16
	7	1-Oct-13	31-Dec-13	21
	8	1-Jan-14	31-Mar-14	24
	9	1-Apr-14	30-Jun-14	24
	10	1-Jul-14	30-Sep-14	29

Direction: 7(iv) Whether any Regulatory Assets have been created in the tariff order for FY 2014-15? If the answer is yes, then give details.

Response: No Regulatory Assets have been created in the tariff order for FY 2014-15.

The Hon'ble APTEL has not issued any direction to be complied by this Commission in the aforesaid order. Hence, no action is required to be taken by this Commission.

The Hon'ble APTEL has not issued any direction to be complied by this Commission in the aforesaid order. Hence, no action is required to be taken by this Commission.

In **Para 5 (iv)** - Providing a time-frame within which it will implement MYT frame-work in the State; it is intimated that both the Utilities (i.e. Punjab State Power Corporation Limited (PSPCL) and Punjab State Transmission Corporation Limited (PSTCL) were asked to confirm their readiness for implementation of MYT frame-work for determination of tariff in the State vide No. PSERC/Tariff/T/45/12845/846 dated 19.11.2014. Both Corporations have confirmed their readiness for implementation of MYT Regulations from Financial Year 2017-18 only. Thus the Commission shall be in position to implement MYT frame-work from Financial Year 2017-18. It is, therefore, requested that Hon'ble APTEL be apprised of, accordingly.

(ix) – As regards the true up of orders, a majority of the Commissions have conducted True up of Financial Year 2012-13. Some of the State Commission have undertaken true up till 2011-12. A small minority of Commission have not conducted true up even till 2011-12. These Commission are Madhya Pradesh, Kerala, Punjab and Nagaland. The said Commissions are directed to complete the true up process at least for Financial Year 2011-12 within a period next four months.

Para 5 (iv) – The matter to notify the date of commencement of MYT framework for determination of tariff in the State

		is under consideration of the Commission and in this regard reply will be submitted separately after decision of the Commission. Para 5 (ix) – The Position about Punjab as recorded by Hon'ble APTEL is factually incorrect as this Commission has already completed the True up process for FY 2011-12 under Chapter 3 of the Tariff Order for Financial Year 2014-15 for PSPCL. Therefore Hon'ble APTEL may kindly be apprised the correct position about Punjab for further necessary action accordingly.										
14.	Rajasthan	<p>The Commission has not made any provision towards Regulatory Assets for the financial year 2014-15 in tariff order for FY 2014-15 specifically, but has allowed the following un-funded gap, on which carrying cost will be allowed as per past practice while deciding tariff for the year 2015-16. Details of such un-funded gap for FY 2014-15 given below: Unfunded gap for FY 2014-15:</p> <table border="1"> <thead> <tr> <th>Particulars</th> <th>Jaipur Vidyut Vitran Nigam Ltd.</th> <th>Ajmer Vidyut Vitran Nigam Ltd.</th> <th>Jodhpur Vidyut Vitran Nigam Ltd.</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Deficit (Rs. in Cr.)</td> <td>1156</td> <td>1256</td> <td>1670</td> <td>4082</td> </tr> </tbody> </table>	Particulars	Jaipur Vidyut Vitran Nigam Ltd.	Ajmer Vidyut Vitran Nigam Ltd.	Jodhpur Vidyut Vitran Nigam Ltd.	Total	Deficit (Rs. in Cr.)	1156	1256	1670	4082
Particulars	Jaipur Vidyut Vitran Nigam Ltd.	Ajmer Vidyut Vitran Nigam Ltd.	Jodhpur Vidyut Vitran Nigam Ltd.	Total								
Deficit (Rs. in Cr.)	1156	1256	1670	4082								
15.	Tamil Nadu	<p>The Commission initiated the process of amending the Conduct of Business Regulations to provide that the quorum of the Commission shall be one where there is only one Member due to vacancies in the post of members and the same was hosted in the website of the Commission for eliciting public response in line with statutory requirements. However, there were objections to the amendment from the public on the ground that vesting powers on a Single Member may not be desirable. All those who responded to the draft amendment objected to the amendment and none of them supported the amendment. In this connection, reference is invited to sub-section (3) of section 181 of the Electricity Act, 2003 wherein it has been prescribed that the regulations of the State Commission are subject to previous publication. As regards the present amendment, no view came in support of the proposed amendment but the views against the proposed amendment are strident. With strong opposition to the proposed amendment, Commission intends to drop the proposed amendment. As on date, Commission is functioning in full strength. Commission may be permitted to keep the amendment on hold until the circumstances warrant. The request of the Commission may be placed before the Tribunal for appropriate direction.</p>										
16.	U.P.	<p>1. The Hon'ble APTEL order dt.3/11/2014 has no specific direction for UPERC. Rest all has been complied with. 2. Hon'ble Commission has started the determination & finalisation of ARR/Tariffs for FY 2015-16. Public hearings are</p>										

		underway.				
17.	Uttarakhand	The Hon'ble APTEL has not issued any direction to be complied by this Commission in the aforesaid order. Hence, no action is required to be taken by this Commission.				
18.	West Bengal	<p>Point vii – The Commission has complied with the direction of the Hon'ble Tribunal in OP No. 1 of 2011. The compliance report was also sent to the Forum of Regulators (FOR) time to time vide letter nos. WBERC/AT/Gen/27(i)/1173 dated 19.11.2012, WBERC/AT/GEN/27(ii)/1414 dated 14.1.2013 and WBERC/AT/GEN/27(ii)/1482 dated 5.2.2013. However, regarding status of the tariff orders for the years 2011-12, 2012-13 & 2013-14 it is stated that the tariff orders for all the distribution licensees including the State Distribution Company (WBSEDCL) has been issued upto the year 2013-14. Tariff petition for the years 2014-15, 2015-16 and 2016-17 under Multi Year Tariff framework has been submitted by the distribution licensees including the State Distribution Company. The Tariff order for the year 2014-15 is under process and will be issued shortly.</p> <p>Point xi – The status of the creation of regulatory asset: A report was sent to FOR vide letter no. WBERC/AT/GEN/27(ii)/0427 dated 22.07.2014. The major regulatory assets so far created in the truing up for the previous years are in respect of WBSEDCL. The total accumulated amount of such regulatory assets created during truing upto the year 2012-13 is Rs.2983 Crore. These regulatory assets are to be released through the tariff orders of WBSEDCL in the ensuing years in a phased manner. The Commission has decided to release such regulatory assets in next 5 years. The Commission, however, allow carrying cost to WBSEDCL on such regulatory assets as per provision of the tariff policy.</p>				
19.	Chhattisgarh	<p style="text-align: center;">I. Timeliness of Tariff Determination Process</p> <p style="text-align: center;">A. Tariff Filing</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 60%;">1. Whether timeline for filing petitions for Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Order specified in Tariff Regulations (Yes/No and also please mention the timelines)?</td> <td style="width: 40%; text-align: center;">2014-15</td> </tr> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> i. APR ii. True Up iii. ARR </td> <td style="vertical-align: top;"> <p>Yes, time specified as below:</p> <ul style="list-style-type: none"> (i) by 30th Nov 2013 for True up of FY 12-13 and ARP of FY 2014-15. (ii) Tariff Order – within 120 days of registering the petition for ARP and retail tariff 2014-15. </td> </tr> </table>	1. Whether timeline for filing petitions for Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Order specified in Tariff Regulations (Yes/No and also please mention the timelines)?	2014-15	<ul style="list-style-type: none"> i. APR ii. True Up iii. ARR 	<p>Yes, time specified as below:</p> <ul style="list-style-type: none"> (i) by 30th Nov 2013 for True up of FY 12-13 and ARP of FY 2014-15. (ii) Tariff Order – within 120 days of registering the petition for ARP and retail tariff 2014-15.
1. Whether timeline for filing petitions for Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Order specified in Tariff Regulations (Yes/No and also please mention the timelines)?	2014-15					
<ul style="list-style-type: none"> i. APR ii. True Up iii. ARR 	<p>Yes, time specified as below:</p> <ul style="list-style-type: none"> (i) by 30th Nov 2013 for True up of FY 12-13 and ARP of FY 2014-15. (ii) Tariff Order – within 120 days of registering the petition for ARP and retail tariff 2014-15. 					

	<p>iv. Tariff Order</p> <p>2. If yes, whether Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Order are being filed as per the requirements of regulation (please also provide the date of filing)?</p> <ol style="list-style-type: none"> i. APR ii. True Up iii. ARR iv. Tariff Order <p>3. If delay in filing of Annual Performance Review (APR), true up of past expenses, ARR and Tariff Order is beyond one month, whether Regulatory Commission has taken any suo-motu action for determination of tariff? If not, please provide the reasons thereof</p> <ol style="list-style-type: none"> i. APR ii. True Up iii. ARR iv. Tariff Order <p>4. Whether Annual Performance Review (APR), true up of past expenses, Average Revenue Requirement (ARR) and Tariff Orders are being issued regularly within the time specified in accordance with the Act (please indicate the date of tariff petition and date of tariff order)?</p> <ol style="list-style-type: none"> i. APR ii. True Up iii. ARR iv. Tariff Order 	<p>Out of three distribution licensees i.e. Chhattisgarh State Power Distribution Company (CSPDCL, State Discom), Bhilai Steel Plant (SAIL) and M/s Jindal Steel and Power Limited (JSPL), only Bhilai Steel Plant (SAIL) has filed the petition by 30th November, 2013.</p> <p>Chhattisgarh State Power Distribution Company (CSPDCL, State Discom) has not filed petition by 30th November 2013 but it has filed the same on 31st December, 2013. Hence, Commission has not initiated any suo-motu petition. For JSPL, it has been informed that JSPL will file tariff petition in January, 2014 and filed the same on 20th January, 2014. Hence, Commission has not initiated any suo-motu petition.</p> <ol style="list-style-type: none"> 1. In respect of CSPDCL and BSP, Commission could not issue the tariff order within 120 days of registering the petition because of the reason that Election Commission of India has issued moral code of conduct that no tariff petition can be disposed of during this period. 2. In respect of JSPL, Commission could not issue the tariff order till date because of the direction of Hon'ble APTEL vide order passed in appeal no. 89/2012 that till the time JSPL does not submit proper segregated audited
--	---	--

		account Commission shall not consider any tariff petition filed by it for tariff enhancement. The issue is yet to be resolved by JSPL.
5. Whether the applicability of Tariff is till the end of the FY (Y/N)? i. APR ii. True Up iii. ARR iv. Tariff Order		Yes, tariff is applicable till the end of the financial year or till the issue of next tariff order.
Adequacy of tariff (FY 2014-15) in respect of CSPDCL		
1. Annual Revenue Requirement (in Rs. Cr.) (Approved)		7300.27*
2. Saleable Energy (in MUs)		16903
3. Average Cost of Supply (Rs./kWh)		4.32
4. Average Tariff (Rs./kWh)		4.32
5. Revenue gap between ARR and ACS per unit		(+)2.45
6. Whether Regulatory Assets have been created?		No
7. If yes, whether the creation of Regulatory Assets is in line with the National Tariff Policy?		Not applicable
8. Whether a roadmap (in terms of timeline not exceeding 3 years) for the recovery of such Regulatory Assets been specified?		Not applicable
9. Whether carrying cost of the Regulatory Asset allowed to the utilities in the ARR of the year in which the Regulatory Assets are created?		Not applicable
II. Fuel and Power purchase Cost Adjustment (FY 2013-14)		
1. Whether Fuel Surchage Adjustment formula/mechanism provided in regulation (Yes/No)?		Yes, Commission has specified Fuel Surchage Adjustment formula/mechanism in order passed on 30.06.2012 in suo-motu petition.

2. Frequency of adjustment of Fuel Surcharge as per the regulations (monthly/ bi-monthly/quarterly)?	Quarterly
3. Fuel Surcharge Adjustment being done as per the regulations? If not, please provide the reasons thereof.	Yes.
Note:* ARR shown above is after adjusting all surplus and deficit of previous years.	
<u>Information in respect of JSPL</u>	
Adequacy of tariff (FY 2014-15)	
1. Annual Revenue Requirement (in Rs. Cr.) (Approved)	Order yet to be passed
2. Saleable Energy (in MUs)	Order yet to be passed
3. Average Cost of Supply (Rs./kWh)	Order yet to be passed
4. Average Tariff (Rs./kWh)	Order yet to be passed
5. Revenue gap between ARR and ACS per unit	Order yet to be passed
6. Whether Regulatory Assets have been created?	Order yet to be passed
7. If yes, whether the creation of Regulatory Assets is in line with the National Tariff Policy?	Order yet to be passed
8. Whether a roadmap (in terms of timeline not exceeding 3 years) for the recovery of such Regulatory Assets been specified?	Order yet to be passed
9. Whether carrying cost of the Regulatory Asset allowed to the utilities in the ARR of the year in which the Regulatory Assets are created?	Order yet to be passed
I. Fuel and Power purchase Cost Adjustment (FY 2013-14)	
1. Whether Fuel Surcharge Adjustment formula/mechanism provided in regulation (Yes/No)?	Yes, Commission has specified Fuel Surcharge Adjustment formula/mechanism in order passed on 30.06.2012 in suo-motu petition.
2. Frequency of adjustment of Fuel Surcharge as per the regulations (monthly/ bi-monthly/quarterly)?	Quarterly.

	3. Fuel Surcharge Adjustment being done as per the regulations? If not, please provide the reasons thereof.	Yes.
<p>Note : In compliance to direction of Hon'ble APTEL in appeal no. 89/2012, Commission has directed JSPL to submit proper segregated account which is yet to be submitted by JSPL. Hence, Commission could not issue the order.</p>		
<p><u>Information in respect of BSP (TEED-SAIL)</u></p>		
<p>Adequacy of tariff (FY 2014-15)</p>		
1. Annual Revenue Requirement (in Rs. Cr.)	(Approved)	94.78
2. Saleable Energy (in MUs)*		161.03
3. Average Cost of Supply (Rs./kWh)		5.89
4. Average Tariff (Rs./kWh)		5.59
5. Revenue gap between ARR and ACS per unit		4.75
6. Whether Regulatory Assets have been created?		Yes
7. If yes, whether the creation of Regulatory Assets is in line with the National Tariff Policy?		Yes
8. Whether a roadmap (in terms of timeline not exceeding 3 years) for the recovery of such Regulatory Assets been specified?		Yes
9. Whether carrying cost of the Regulatory Asset allowed to the utilities in the ARR of the year in which the Regulatory Assets are created?		Yes
<p>I. Fuel and Power purchase Cost Adjustment (FY 2013-14)</p>		
1. Whether Fuel Surcharge Adjustment formula/mechanism provided in regulation (Yes/No)?	Adjustment formula/mechanism in order passed on 30.06.2012 in suo-motu petition.	Yes, Commission has specified Fuel Surcharge Adjustment formula/mechanism in order passed on 30.06.2012 in suo-motu petition.
2. Frequency of adjustment of Fuel Surcharge as per the regulations (monthly/ bi-monthly/quarterly)?		Quarterly.
3. Fuel Surcharge Adjustment being done as per the		Yes.

S		regulations? If not, please provide the reasons thereof.
20.	Tripura	The Hon'ble APTEL has not issued any direction to be complied by this Commission in the aforesaid order. Hence, no action is required to be taken by this Commission.
21.	J&K State Electricity Regulatory Commission	The Hon'ble APTEL has not issued any direction to be complied by this Commission in the aforesaid order. Hence, no action is required to be taken by this Commission.
22.	Bihar	The Hon'ble APTEL has not issued any direction to be complied by this Commission in the aforesaid order. Hence, no action is required to be taken by this Commission.
23.	Meghalaya	<p>The compliance report is as follows:-</p> <ol style="list-style-type: none"> 1) MYT Regulation 2014 has been finalized & notified by the Commission on 15.09.2014. 2) Final True-up order for 2009-10 has been issued by the Commission on 30.09.2014. 3) True up Order FY 2010-11 issued on 22.12.2014. <p>Regarding true up for FY 2011-12, utility is filing their petition within 31.3.2015.</p>
24.	Manipur & Mizoram	<p>Serial No. 7 (I) of JERC, Manipur & Mizoram letter No. 15/9(1)/2011/APTEL-TA/FOR/CERC dated 17th November, 2014 should be read as Tariff Order for Financial Year 2014-15 instead of the existing entry of Financial year 2014. Similarly, Serial No. 5 (ii) of APTEL Order dated 3.11.2014 in OP No. 1 of 2011 should be read as Tariff Order for Financial year 2014-15 instead of the existing entry of Financial Year 2013-14.</p>
25.	JERC, Goa & Uts	In the APTEL order dated 3 rd November, 2014 in OP 1 of 2011, there is no direction for JERC (for the State of Goa and Union Territories).
26.	Nagaland	Information not submitted
27.	Arunachal Pradesh	<p>The Commission has issued tariff order for the FY 2015-16 on 21.4.2015 in respect of the Department of Power (the deemed distribution licensee in the State of Arunachal Pradesh). The Commission has also simultaneously done the True-up of the ARR for the FY 2012-13 and Review of the ARR for the FY 2013-14 in respect of the Department of Power. It is worth while to mention here that the Commission after its constitution had issued its first tariff order for the FY 2003-14 and hence the true-up & review of ARR for previous relevant years is up to date.</p>
		In Arunachal Pradesh the power supply is mainly hydro based and hence the variation in the prices of crude oil,

28.	Sikkim	<p>imported coal etc. doesn't have impact on the electricity tariff. Hence the FPPCA mechanism has not been considered necessary by the Commission as of now.</p> <p>There are no further flagged in respect of APSERC in the above referred order dated 3.11.2014 of the APTEL. The information pertaining to point Nos. 7(i) to 7 (iv) are being furnished as below:-</p> <p>7(i) Tariff order for FY 2014-15 for distribution licensee was issued by the Commission on 15th April, 2014.</p> <p>7(ii) Truing up for the FY 2012-13 and 2013-14 have not been done as the distribution licensee has not submitted the Audited Accounts for FY 2012-13 and 2013-14.</p> <p>7(iii) Fuel surcharge adjustment have not been provided in the Regulations as there are no thermal generating stations in Sikkim.</p> <p>7(iv) No Regulatory Assets have been created in the Tariff order for FY 2014-15.</p> <p>Regarding putting in place an FPPCA mechanism, there are no thermal power generating stations in the State considering which, it was not found exigent to have the FPPCA Mechanism in place. However, in compliance to the directions of the Hon'ble APTEL, the draft of the Regulations for FPPCA has been prepared and the same shall be very shortly notified amending the MYT Regulations, 2013 notified by the Commission in November, 2014.</p> <p>Sikkim State Electricity Regulatory Commission was set up very recently and it started functioning only from November, 2011 onwards. As such, the details/information sought are not available for the period/Financial year prior to 2012-13.</p> <p>This Commission has for the first time taken up the ARR/Tariff Revision on suo-moto for the Financial Year 2012-13 for the only deemed distribution licensee in the State i.e. the Energy & Power Department, Government of Sikkim.</p> <p><u>Amendment to the Conduct of Business Regulations:</u></p>
29.	Telengana	<p>This Commission (Telangana State Electricity Regulatory Commission) came into existence on 03.11.2014 as per Andhra Pradesh Reorganisation Act, 2014 and soon after the functioning of the Commission, this Commission has adopted all the Regulations of erstwhile APERC vide its Regulation No. 1 of 2014 to make the Commission functional.</p> <p>The Commission then started reviewing the existing Regulations to make necessary amendments and accordingly, the Commission has reviewed the Conduct of Business Regulations and made a draft revised Regulation incorporating (i)</p>

Quorum to conduct its business by a single Member. This Regulation has been finalized in a transparent manner and it will be notified shortly.

(ii) True-up:

The erstwhile Commission has trueed up Distribution business for the 1st control period i.e., from FY 2006-07 to 2008-09 and the true-up for 2nd control period could not be taken up due to the following reasons. As per Regulation, the gains and losses of controllable and uncontrollable items have to be trueed up as a whole at the end of the control period. The Annual Accounts for the final year of the 2nd control period has been made available in the year 2014-15. Further, as per A.P. Reorganisation Act, 2014, certain parts of the area of Distribution licensees (from two Discoms) of Telangana has been transferred to two Discoms of Andhra Pradesh. The Assets & Liabilities are yet to be segregated for the transferred area.

But as per the Regulation, the true-up has to be carried out at the end of the 2nd control period. The Audited Accounts of the financial year for FY 2009-10 (2013-14) has been made available in the month of October 2014. During FY 2014-15, True-up could not be taken up for the reasons below:

In the process of implementation of AP Reorganisation Act 2014, unless the Assets & Liabilities are segregated between the two states for the area transferred from Telangana Discoms to AP Discoms, it is not possible to carry out the true-up.

TSSPDCL & TSNPDCL are in the process of segregating the Assets & Liabilities. Then true-up will be taken up in FY 2015-16.

Regarding true-up of Power Purchase cost (Retail supply business), the Commission has already carried out true-up up to FY 2013-14 and provisionally for FY2014-15.

